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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

#### PART 150—PHASE IV PRICE REGULATIONS

#### PART 152—PHASE IV PAY REGULATIONS

#### Exemption of Passenger Hazard Aviation Insurance, Camps and Broomcorn Brooms

##### Correction

In FR Doc. 74-999 appearing at page 1601 in the issue of Friday, January 11, 1974, make the following changes:

1. The date "January 11, 1974" in the last line of § 152.38(e) should read "December 28, 1973".

2. The date "January 11, 1974" in the last two lines of § 152.39(e) should read "December 28, 1973".

## Title 24—Housing and Urban Development

### CHAPTER II—OFFICE OF ASSISTANT SECRETARY FOR HOUSING PRODUCTION AND MORTGAGE CREDIT-FEDERAL HOUSING COMMISSIONER [FEDERAL HOUSING ADMINISTRATION]

[Docket No. R-74-249]

#### MORTGAGE INSURANCE AND HOME IMPROVEMENT LOANS

##### Changes in Interest Rates

The following miscellaneous amendments have been made to this chapter to reduce from 8½ percent to 8¼ percent the maximum rate of interest for certain mortgage and loan insurance programs under the National Housing Act:

#### PART 203—MUTUAL MORTGAGE INSURANCE AND INSURED HOME IMPROVEMENT LOANS

##### Subpart A—Eligibility Requirements

1. In § 203.20 paragraph (a) is amended to read as follows:

##### § 203.20 Maximum interest rate.

(a) The mortgage shall bear interest at the rate agreed upon by the mortgagee and the mortgagor, which rate shall not exceed 8¼ percent, except that where an application for commitment was received by the Secretary before January 22, 1974, the mortgage may bear interest at the maximum rate in effect at the time of receipt of the application.

(Sec. 211, 52 Stat. 23 (12 U.S.C. 1715b). Interpret or apply sec. 203, 52 Stat. 10, as amended (12 U.S.C. 1709))

2. In § 203.74 paragraph (a) is amended to read as follows:

##### § 203.74 Maximum interest rate.

(a) The loan shall bear interest at the rate agreed upon by the lender and the borrower, which rate shall not exceed 8¼ percent, except that where an application for commitment was received by the Secretary before January 22, 1974, the mortgage may bear interest at the maximum rate in effect at the time of receipt of the application.

(Sec. 211, 52 Stat. 23 (12 U.S.C. 1715b). Interpret or apply sec. 203, 52 Stat. 10, as amended (12 U.S.C. 1709))

#### PART 205—MORTGAGE INSURANCE FOR LAND DEVELOPMENT

##### Subpart A—Eligibility Requirements

14. Section 205.50 is amended to read as follows:

##### § 205.50 Maximum interest rate.

The mortgage shall bear interest at the rate agreed upon by the mortgagee and the mortgagor, which rate shall not exceed 8¼ percent, except that where a letter inviting submission of an application for commitment was issued by the Secretary before January 22, 1974, or an application for commitment was received by the Secretary before January 22, 1974, the mortgage may bear interest at the maximum rate in effect at the time of issuance of the letter or receipt of the application.

(Sec. 1011, formerly Sec. 1010, 79 Stat. 464 (12 U.S.C. 1749jj); renumbered P.L. 89-754, Sec. 401(a), 80 Stat. 1271)

#### PART 207—MULTIFAMILY HOUSING MORTGAGE INSURANCE

##### Subpart A—Eligibility Requirements

3. In § 207.7 paragraph (a) is amended to read as follows:

##### § 207.7 Maximum interest rate.

(a) The mortgage shall bear interest at the rate agreed upon by the mortgagee and the mortgagor, which rate shall not exceed 8¼ percent, except that where a letter inviting submission of an application for commitment was issued by the Secretary before January 22, 1974, or an application for commitment was received by the Secretary before January 22, 1974, the mortgage shall bear interest at the maximum rate in effect at the time of issuance of the letter or receipt of the application.

(Sec. 211, 52 Stat. 23 (12 U.S.C. 1715b). Interpret or apply sec. 207, 52 Stat. 16, as amended (12 U.S.C. 1713))

#### PART 213—COOPERATIVE HOUSING MORTGAGE INSURANCE

##### Subpart A—Eligibility Requirements—Projects

4. In § 213.10 paragraph (a) is amended to read as follows:

##### § 213.10 Maximum interest rate.

(a) The mortgage or a supplementary loan shall bear interest at the rate agreed upon by the mortgagee and the mortgagor, or the lender and the borrower, which rate shall not exceed 8¼ percent, except that where a letter inviting submission of an application for commitment was issued by the Secretary before January 22, 1974, or an application for commitment was received by the Secretary before January 22, 1974, the mortgage may bear interest at the maximum rate in effect at the time of issuance of the letter or receipt of the application.

(Sec. 211, 52 Stat. 23 (12 U.S.C. 1715b). Interpret or apply Sec. 213, 64 Stat. 54, as amended (12 U.S.C. 1715e))

##### Subpart C—Eligibility Requirements—Individual Properties Released From Project Mortgage

5. In § 213.511 paragraph (a) is amended to read as follows:

##### § 213.511 Maximum interest rate.

(a) The mortgage shall bear interest at the rate agreed upon by the mortgagee and the mortgagor, which rate shall not exceed 8¼ percent, except that where an application for commitment was received by the Secretary before January 22, 1974, the mortgage may bear interest at the maximum rate in effect at the time of receipt of the application.

(Sec. 211, 52 Stat. 23 (12 U.S.C. 1715b). Interpret or apply Sec. 213, 64 Stat. 54, as amended (12 U.S.C. 1715e))

#### PART 220—URBAN RENEWAL MORTGAGE INSURANCE AND INSURED IMPROVEMENT LOANS

##### Subpart C—Eligibility Requirements—Projects

6. In § 220.576 paragraph (a) is amended to read as follows:

##### § 220.576 Maximum interest rate.

(a) The loan shall bear interest at the rate agreed upon by the lender and the

borrower, which rate shall not exceed 8¼ percent, except that where a letter inviting submission of an application for commitment was issued by the Secretary before January 22, 1974, or an application for commitment was received by the Secretary before January 22, 1974, the loan may bear interest at the maximum rate in effect at the time of issuance of the letter or receipt of the application.

(Sec. 211, 52 Stat. 23 (12 U.S.C. 1715b). Interprets or applies Sec. 220, 68 Stat. 596, as amended (12 U.S.C. 1715k))

#### PART 221—LOW COST AND MODERATE INCOME MORTGAGE INSURANCE

##### Subpart C—Eligibility Requirements—Moderate Income Projects

7. In § 221.518 paragraph (a) is amended to read as follows:

##### § 221.518 Maximum interest rate.

(a) The mortgage shall bear interest at the rate agreed upon by the mortgagee and the mortgagor, which rate shall not exceed 8¼ percent, except that where a letter inviting submission of an application for commitment was issued by the Secretary before January 22, 1974, or an application for commitment was received by the Secretary before January 22, 1974, the mortgage may bear interest at the maximum rate in effect at the time of issuance of the letter or receipt of the application. Interest shall be payable in monthly installments on the principal amount of the mortgage outstanding on the due date of each installment.

(Sec. 211, 52 Stat. 23 (12 U.S.C. 1715b). Interprets or applies Sec. 221, 68 Stat. 599, as amended (12 U.S.C. 1715l))

#### PART 232—NURSING HOMES AND INTERMEDIATE CARE FACILITIES MORTGAGE INSURANCE

##### Subpart A—Eligibility Requirements

8. In § 232.29 paragraph (a) is amended to read as follows:

##### § 232.29 Maximum interest rate.

(a) The mortgage shall bear interest at the rate agreed upon by the mortgagee and the mortgagor, which rate shall not exceed 8¼ percent, except that where a letter inviting submission of an application for commitment was issued by the Secretary before January 22, 1974, or an application for commitment was received by the Secretary before January 22, 1974, the mortgage may bear interest at the maximum rate in effect at the time of issuance of the letter or receipt of the application.

(Sec. 211, 52 Stat. 23 (12 U.S.C. 1715b). Interprets or applies Sec. 232, 73 Stat. 663 (12 U.S.C. 1715w))

#### PART 234—CONDOMINIUM OWNERSHIP MORTGAGE INSURANCE

##### Subpart A—Eligibility Requirements—Individually Owned Units

9. In § 234.29 paragraph (a) is amended to read as follows:

##### § 234.29 Maximum interest rate.

(a) The mortgage shall bear interest at the rate agreed upon by the mortgagee and the mortgagor, which rate shall not exceed 8¼ percent, except that where an application for commitment was received by the Secretary before January 22, 1974, the mortgage may bear interest at the maximum rate in effect at the time of receipt of the application.

(Sec. 211, 52 Stat. 23 (12 U.S.C. 1715b). Interprets or applies Sec. 234, 75 Stat. 160 (12 U.S.C. 1715y))

#### PART 235—MORTGAGE INSURANCE AND ASSISTANCE PAYMENTS FOR HOME OWNERSHIP AND PROJECT REHABILITATION

##### Subpart D—Eligibility Requirements—Rehabilitation Sales Projects

10. Section 235.540 is amended to read as follows:

##### § 235.540 Maximum interest rate.

The mortgage shall bear interest at the rate agreed upon by the mortgagee and the mortgagor, which rate shall not exceed 8¼ percent, except that where a letter inviting submission of an application for commitment was issued by the Secretary before January 22, 1974, or an application for commitment was received by the Secretary before January 22, 1974, the mortgage may bear interest at the maximum rate in effect at the time of issuance of the letter or receipt of the application.

(Sec. 211, 52 Stat. 23 (12 U.S.C. 1715b). Interprets or applies Sec. 235, 82 Stat. 477 (12 U.S.C. 1715z))

#### PART 236—MORTGAGE INSURANCE AND INTEREST REDUCTION PAYMENTS FOR RENTAL PROJECTS

##### Subpart A—Eligibility Requirements for Mortgage Insurance

11. Section 236.15 is amended to read as follows:

##### § 236.15 Maximum interest rate.

The mortgage shall bear interest at the rate agreed upon by the mortgagee and the mortgagor, which rate shall not exceed 8¼ percent, except that where a letter inviting submission of an application for commitment was issued by the Secretary before January 22, 1974, or an application for commitment was received by the Secretary before January 22, 1974, the mortgage may bear interest at the maximum rate in effect at the time of issuance of the letter or receipt of the application.

(Sec. 211, 52 Stat. 23 (12 U.S.C. 1715b). Interprets or applies Sec. 236, 52 Stat. 498 (12 U.S.C. 1715z-1))

#### PART 241—SUPPLEMENTARY FINANCING FOR INSURED PROJECT MORTGAGES

##### Subpart A—Eligibility Requirements

12. Section 241.75 is amended to read as follows:

##### § 241.75 Maximum interest rate.

The loan shall bear interest at the rate agreed upon by the lender and the borrower, which rate shall not exceed 8¼ percent, except that where a letter inviting submission of an application for commitment was issued by the Secretary before January 22, 1974, or an application for commitment was received by the Secretary before January 22, 1974, the loan may bear interest at the maximum rate in effect at the time of issuance of the letter or receipt of the application. Interest shall be payable in monthly installments on the principal then outstanding.

(Sec. 211, 52 Stat. 23 (12 U.S.C. 1715b). Interprets or applies Sec. 241, 82 Stat. 508 (12 U.S.C. 1715z-b))

#### PART 242—MORTGAGE INSURANCE FOR HOSPITALS

##### Subpart A—Eligibility Requirements

13. Section 242.33 is amended to read as follows:

##### § 242.33 Maximum interest rate.

The mortgage shall bear interest at the rate agreed upon by the mortgagee and the mortgagor, which rate shall not exceed 8¼ percent, except that where a letter inviting submission of an application for commitment was issued by the Secretary before January 22, 1974, or an application for commitment was received by the Secretary before January 22, 1974, the mortgage may bear interest at the maximum rate in effect at the time of issuance of the letter or receipt of the application. Interest shall be payable in monthly installments on the principal then outstanding.

(Sec. 211, 52 Stat. 23 (12 U.S.C. 1715b). Interprets or applies Sec. 242, 82 Stat. 5999 (12 U.S.C. 1715z-7))

#### PART 244—MORTGAGE INSURANCE FOR GROUP PRACTICE FACILITIES

##### Subpart A—Eligibility Requirements

15. In § 244.45 paragraph (a) is amended to read as follows:

##### § 244.45 Maximum interest rate.

(a) The mortgage shall bear interest at the rate agreed upon by the mortgagee and the mortgagor, which rate shall not exceed 8¼ percent, except that where a letter inviting submission of an application for commitment was issued by the Secretary before January 22, 1974,

or an application for commitment was received by the Secretary before January 22, 1974, the mortgage may bear interest at the maximum rate in effect at the time of issuance of the letter or receipt of the application.

(Sec. 1104, 80 Stat. 1275 (12 U.S.C. 1749aaa-3))

Issued at Washington, D.C. January 21, 1974.

**SHELDON B. LUBAR,**  
Assistant Secretary-Commissioner for Housing Production and Mortgage Credit.

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**Title 26—Internal Revenue**

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

**PART 180—IMPORTATION OF ARMS, AMMUNITION AND IMPLEMENTS OF WAR**

CROSS REFERENCE: For a document recodifying Part 180, Chapter I, Title 26 of the Code of Federal Regulations as Part 47, Chapter I, Title 27 of the Code of Federal Regulations, see FR Doc. 74-2062, *infra*.

**Title 27—Alcohol, Tobacco Products and Firearms**

**CHAPTER I—BUREAU OF ALCOHOL, TOBACCO AND FIREARMS, DEPARTMENT OF THE TREASURY**

**SUBCHAPTER C—FIREARMS**

[T.D. ATF-8]

**PART 47—IMPORTATION OF ARMS, AMMUNITION AND IMPLEMENTS OF WAR**

As part of a continuing program of the Bureau of Alcohol, Tobacco and Firearms to reissue all its regulations under Title 27, Code of Federal Regulations, Part 180 of Subchapter E, chapter I, Title 26 of the Code of Federal Regulations is recodified and published as set forth below. The recodified regulations contain numerous editorial and nomenclature changes, and one substantive change. This change requires import permits for certain categories of articles on the U.S. Munitions Import List, coming from Canada, by conforming the regulations in Part 47 to the Intransit or Temporary Export License procedures of the Department of State.

**EXPLANATION OF SUBSTANTIVE CHANGE**

This change was drafted at the suggestion of the Department of State, Office of Munitions Control, which requested that the Bureau of Alcohol, Tobacco and Firearms examine its regulations with the view of requiring import permits for the following articles on the U.S. Munitions Import List coming from Canada:

- (1) Nuclear weapon design and test equipment as defined in Category XVI of the U.S. Munitions Import List (27 CFR 47.21);
- (2) Naval nuclear propulsion equipment as defined in Category VI(e);
- (3) Aircraft as defined in Category VIII(a);
- (4) Submersible and oceanographic vessels and related articles as defined in Category XX (a) through (d);

(5) Nuclear weapons strategic delivery systems and all specially designed components, parts, accessories, attachments, and assorted equipment therefor (Category XXII).

Present Bureau regulations controlling the importation of arms, ammunition and implements of war, generally provide that articles on the Import List not subject to import controls under 26 CFR Part 178 or 179 shall not be imported into the United States except pursuant to a permit. However, as an exception to this rule, a permit is not presently required for the importation of Import List articles from Canada unless they are subject to the import controls of 26 CFR Part 178 or 179. Articles which enter the United States for temporary deposit pending removal therefrom, and articles temporarily taken out of the United States for return thereto, are considered neither imported nor exported and are subject to the Intransit or Temporary Export License procedures of the Department of State.

The Office of Munitions Control is concerned that this regulatory system is providing ineffective control of certain articles. The proposed amendment seeks to alleviate the problem by narrowing the present permit exception for articles imported from Canada, and requiring import permits for the importation of the articles mentioned in (1) through (5) above.

Under the proposed amendment, articles which enter the United States for temporary deposit pending removal therefrom, and articles temporarily taken out of the United States for return thereto, would still be considered "articles intransit". Such transactions would continue to be regarded as neither importations nor exportations, and would remain subject to the Intransit or Temporary Export License procedures of the Department of State. However, when any of the articles mentioned in (1) through (5) above enter the United States (whether "intransit" or "imported"), a permit would have to be obtained from either the Bureau of Alcohol, Tobacco and Firearms or the Department of State. Applications for import permits would clearly indicate the intended disposition of the articles, and the Bureau of Alcohol, Tobacco and Firearms would then have an opportunity to deny a permit and refer the applicant to Munitions Control, if the applicant indicates the article would be forwarded to another country or be returned to Canada.

**EXPLANATION OF EDITORIAL CHANGES**

The order of the sections in this Part has been changed and a preamble has been added to make the format of this Part consistent with that of other Parts administered by the Bureau of Alcohol, Tobacco and Firearms. In order to shorten the introduction and bring the definitions closer to the beginning of the Part, the U.S. Munitions Import List has been removed from the Introduction and replaced as a separate subpart following

the Definitions. Subpart lettering has been changed accordingly.

Because the footnotes to the U.S. Munitions Import List were found, in some cases, to be either distracting or confusing, all footnote material of a definitive nature has been moved to the section titled Definitions. The remaining footnotes have been changed to "Notes."

Section numbering has been changed to reflect recodification and to allow room for additional sections if needed. Other changes were made to eliminate printing or minor errors not previously corrected.

In consideration of the foregoing, 26 CFR 180 is recodified as 27 CFR 47 which is amended to read as set forth below:

**Preamble.** 1. The regulations in this part supersede 26 CFR Part 180 in its entirety.

2. These regulations shall not affect any act done or any liability or right accruing, or accrued, or any suit or proceeding had or commenced before the effective date of these regulations.

3. The regulations in this part shall become effective January 25, 1974.

**Subpart A—Scope**

- Sec. 47.1 General.
- 47.2 Relation to other laws and regulations.

**Subpart B—Definitions**

- 47.11 Meaning of terms.

**Subpart C—The U.S. Munitions Import List**

- 47.21 The U.S. Munitions Import List.
- 47.22 Forgings, castings, and machined bodies.

**Subpart D—Registration**

- 47.31 Registration requirement.
- 47.32 Procedure.
- 47.33 Notification of changes in information furnished by registrants.
- 47.34 Maintenance of records by persons required to register as importers of Import List articles.
- 47.35 Forms prescribed.

**Subpart E—Importations Other Than Those Subject to Controls Under 26 CFR Parts 178 and 179**

- 47.41 Permit requirement.
- 47.42 Application for permit.
- 47.43 Terms of permit.
- 47.44 Permit denial, revocation or suspension.
- 47.45 Importation.
- 47.46 Articles intransit.

**Subpart F—Miscellaneous Provisions**

- 47.51 Import certification and delivery verification.
- 47.52 Import restrictions applicable to certain countries.
- 47.53 Exemptions.
- 47.54 Administrative procedures inapplicable.
- 47.55 Departments of State and Defense consulted.
- 47.56 Authority of Customs Officers.
- 47.57 U.S. military firearms or ammunition.

**Subpart G—Penalties, Seizures and Forfeitures**

- 47.61 Unlawful importation.
- 47.62 False statements or concealment of facts.
- 47.63 Seizure and forfeiture.

**AUTHORITY:** Section 414 of the Mutual Security Act of 1954, as amended, 22 U.S.C. 1934, 68 Stat. 848, and Executive Order 11432 (33 FR 15701), unless otherwise noted.

## Subpart A—Scope

## § 47.1 General.

The regulations in this part relate to that portion of section 414 of the Mutual Security Act of 1954, as amended, which is concerned with the importation of arms, ammunition and implements of war. This part contains the U.S. Munitions Import List and includes procedural and administrative requirements and provisions relating to registration of importers, permits, articles in transit, import certification, delivery verification, import restrictions applicable to certain countries, exemptions, U.S. military firearms or ammunition, penalties, seizures, and forfeitures. All designations and changes in designation of articles subject to import control under section 414 of the Mutual Security Act of 1954, as amended, have the concurrence of the Secretary of State and the Secretary of Defense.

## § 47.2 Relation to other laws and regulations.

(a) All of those items on the U.S. Munitions Import List (see § 47.21) which are "firearms" or "ammunition" as defined in 18 U.S.C. 921(a) are subject to the interstate and foreign commerce controls contained in Chapter 44 of Title 18 U.S.C. and 26 CFR Part 178 and, if they are "firearms" within the definition set out in 26 U.S.C. 5845(a), are also subject to the provisions of 26 CFR Part 179. Any person engaged in the business of importing firearms or ammunition as defined in 18 U.S.C. 921(a) must obtain a license under the provisions of 26 CFR Part 178, and if he imports firearms which fall within the definition of 26 U.S.C. 5845(a) must also register and pay special tax pursuant to the provisions of 26 CFR Part 179. Such licensing, registration and special tax requirements are in addition to registration under Subpart D of this part.

(b) The Panama Canal Zone is included in the United States by definition at § 47.11. It is excluded therefrom in 26 CFR Part 178, however, by virtue of the definitions of "interstate or foreign commerce" and "state" appearing at 26 CFR 178.11. As a result, movement from the Zone to the United States (as described in 26 CFR 178.11) of articles on the U.S. Munitions Import List constitutes an importation for purposes of 26 CFR Part 178 but not for purposes of this part. Conversely, the bringing into the Panama Canal Zone from a foreign country of articles on the U.S. Munitions Import List is an importation under this part but not under 26 CFR Part 178.

(c) The permit procedures of Subpart E of this part are applicable to all importations of articles on the U.S. Munitions Import List coming into the Panama Canal Zone and to importations of all List articles not subject to controls under 26 CFR Part 178 or 179. List articles subject to controls under 26 CFR Part 178 or 26 CFR Part 179 are subject to the import permit procedures of those regulations if imported into the United States (within the meaning of 26 CFR Parts 178 and 179).

(d) Articles on the U.S. Munitions Import List imported for the United States or any State or political subdivision thereof are exempt from the import controls of 26 CFR 178 but are not exempt from control under the Mutual Security Act of 1954 unless imported by the United States or any agency thereof. All such importations not imported by the United States or any agency thereof shall be subject to the import permit procedures of Subpart E of this part.

## Subpart B—Definitions

## § 47.11 Meaning of terms.

When used in this part and in forms prescribed under this part, where not otherwise distinctly expressed or manifestly incompatible with the intent thereof, terms shall have the meanings ascribed in this section. Words in the plural form shall include the singular, and vice versa, and words imparting the masculine gender shall include the feminine. The terms "includes" and "including" do not exclude other things not enumerated which are in the same general class or are otherwise within the scope thereof.

**ATF Officer.** Any officer of the Bureau of Alcohol, Tobacco and Firearms or any agent or other person authorized by law or by the Secretary of the Treasury, or appointed by a Regional Director of the Bureau, or by another principal ATF Officer under delegated authority to perform the duties of an officer of the Bureau of Alcohol, Tobacco and Firearms.

**Article.** The term "article" shall mean any of the arms, ammunition, and implements of war enumerated in the U.S. Munitions Import List.

**Bureau.** Bureau of Alcohol, Tobacco and Firearms, the Department of the Treasury.

**Carbine.** A "carbine" is a short barreled rifle whose barrel is generally not longer than 22 inches and is characterized by light weight.

**CFR.** The Code of Federal Regulations.

**Chemical agent.** A "chemical agent" is a substance useful in war which, by its ordinary and direct chemical action, produces a powerful physiological effect.

**Director.** The Director, Bureau of Alcohol, Tobacco and Firearms, Department of the Treasury, Washington, D.C. 20226.

**Firearms.** As used in this part, the term "firearm" denotes a weapon not over .50 caliber which will or is designed to or may be readily converted to expel a projectile by the action of an explosive, but shall not include BB and pellet guns or firearms covered by Category I (a) and (e) established to have been manufactured before 1898.

**Import or Importation.** The term "import" or "importation" means bringing into the United States from a foreign country any of the articles on the Import List, but shall not include intran- sit, temporary import or temporary export transactions subject to Department of State controls under Title 22, Code of Federal Regulations.

**Import List.** The list of articles contained in § 47.21 and identified therein as

may be imposed and remedies invoked as "The U.S. Munitions Import List".

**Machinegun.** A "machinegun", "machine pistol", "submachinegun", or "automatic rifle" is a firearm originally designed to fire, or capable of being fired fully automatically by a single pull of the trigger.

**Permit.** The term "permit" means the same as "license" for purposes of 22 U.S.C. 1934(c).

**Person.** The "person" includes a partnership, company, association or corporation, as well as a natural person.

**Pistol.** A "pistol" is a hand-operated firearm having a chamber integral with, or permanently aligned with, the bore.

**Regional Director.** Regional Director, Bureau of Alcohol, Tobacco and Firearms, who is responsible to, and functions under the direction and supervision of, the Director, Bureau of Alcohol, Tobacco and Firearms.

**Revolver.** A "revolver" is a hand-operated firearm with a revolving cylinder containing chambers for individual cartridges.

**Rifle.** A "rifle" is a shoulder firearm discharging bullets through a rifled barrel at least 16 inches in length, including combination and drilling guns.

**Sporting type sight including optical.** A telescopic sight suitable for daylight use on a rifle, shotgun, pistol, or revolver for hunting or target shooting.

**This chapter.** Chapter I, Title 27, Code of Federal Regulations.

**United States.** For the purposes of this part, the term "United States", when used in the geographical sense, unless otherwise expressly defined, includes the several States, the insular possessions of the United States, the Canal Zone, the District of Columbia, and any territory over which the United States exercises all and any powers of administration, legislation, and jurisdiction.

**U.S.C.** The United States Code.

## Subpart C—The U.S. Munitions Import List

## § 47.21 The U.S. Munitions Import List

The U.S. Munitions List compiled by the Department of State, Office of Munitions Control, and published at 22 CFR 121.01, with the deletions indicated, has been adopted as an enumeration of the arms, ammunition and implements of war subject to controls under this part. The expurgated list, set out below, shall, for the purposes of this part, be known as the U.S. Munitions Import List:

## THE U.S. MUNITIONS IMPORT LIST

## CATEGORY I—FIREARMS

(a) Nonautomatic and semiautomatic firearms, to caliber .50 inclusive, shotguns with barrels less than 18 inches in length, and all components and parts therefor.

(b) Automatic firearms and all components and parts therefor to caliber .50 inclusive.

(c) Insurgency-counterinsurgency type firearms or other weapons having a special military application regardless of caliber; and all components and parts therefor.

(d) Firearms silencers.

(e) Bayonets and specifically designed components therefor.

(f) Riflescopes (except sporting type sights including optical) and specifically designed components therefor.

NOTE: Rifles, carbines, revolvers, and pistols, to caliber .50 inclusive, and shotguns with barrels less than 18 inches in length, are included under Category I(a). Machine-guns, submachineguns, machine pistols and fully automatic rifles to caliber .50 inclusive are included under Category I(b). (See definitions)

CATEGORY II—ARTILLERY AND PROJECTORS

(a) Guns over caliber .50, howitzers, mortars, and recoilless rifles.

(b) Military flame throwers and projectors.

(c) Components and parts including, but not limited to, mounts and carriages for the articles in paragraphs (a) and (b) of this Category.

CATEGORY III—AMMUNITION

(a) Ammunition for the arms in Categories I and II.

(b) The following components, parts, accessories, and attachments: cartridge cases, powder bags, bullets, jackets, cores, shells (excluding shotgun), projectiles, boosters, fuzes and components therefor, primers, and other detonating devices for such ammunition.

(c) Ammunition belting and linking machines.

(d) Ammunition manufacturing machines, and ammunition loading machines (except hand loading).

NOTE: Cartridge and shell castings are included under Category III unless, prior to their importation, they have been rendered useless beyond the possibility of restoration for use for the purpose originally produced by means of excessive heating, flame treatment, mangling, crushing, cutting, or popping.

CATEGORY IV—LAUNCH VEHICLES, GUIDED MISSILES, BALLISTIC MISSILES, ROCKETS, TORPEDOES, BOMBS, AND MINES

(a) Launch vehicles, guided missiles, ballistic missiles, bombs, grenades, rockets, torpedoes, rocket torpedoes, depth charges, land and naval mines, and military demolition blocks and blasting caps.

(b) Apparatus, devices, and materials for the handling, control, activation, detection, protection, discharge, or detonation of the articles in paragraph (a) of this category.

(c) Missile and space vehicle powerplants.

(d) Military explosive excavating devices.

NOTE: Category IV (e) and (f) of "Munitions List" deleted as inapplicable to imports.

(g) All specifically designed components, parts, accessories, attachments, associated equipment, and specialized production equipment for the articles in this category.

NOTE: The term "military demolition blocks and blasting caps" as used in category IV(a) does not include the following articles:

(a) Electric squibs.

(b) No. 6 and No. 8 blasting caps, including electric.

(c) Delay electric blasting caps (including No. 6 and No. 8 millisecond).

(d) Seismograph electric blasting caps (including SSS, Static-Master, Vibrocap SR, and SEISMO SR).

(e) Oil well perforating devices.

Category IV(b) includes inter alia the following: Fuzes and components therefor, bomb racks and shackles, bomb shackle release units, bomb ejectors, torpedo tubes, torpedo and guided missile boosters, guidance system materials (except those having a commercial application), launching racks and projectors, pistols (exploders), igniters, fuze arming devices, intervalometers, and components therefor, guided missile launchers and specialized handling equipment and hardened missile launching facilities.

NOTE: Category V of "Munitions List" deleted as inapplicable to imports.

CATEGORY VI—VESSELS OF WAR AND SPECIAL NAVAL EQUIPMENT

(a) Warships, amphibious warfare vessels, landing craft, mine warfare vessels, patrol vessels, auxiliary vessels, service craft, floating dry docks, and experimental types of naval ships.

(b) Turrets and gun mounts, missile systems, arresting gear, special weapons systems, protective systems, submarine storage batteries, catapults and other components, parts, attachments, and accessories specifically designed for combatant vessels, including but not limited to, battleships, command ships, guided-missile ships, cruisers, aircraft carriers, destroyers, frigates, escorts, minesweepers, and submarines.

(c) Submarine and torpedo nets, and minesweeping equipment. Components, parts, attachments and accessories specifically designed therefor.

(d) Harbor entrance magnetic, pressure, and acoustic detection devices, controls and components thereof.

(e) Naval nuclear propulsion plants, their land prototypes and special facilities for their construction, support, and maintenance, including any machinery, device, component, or equipment specifically developed or designed for use in such plants or facilities.

NOTE: The term "vessels of war" includes, but is not limited to the following:

(a) Combatant:

(1) Warships (including nuclear-powered vessels):

Aircraft carriers (CVA, CVE, CVHE, CVL, CVS).

Battleships (BB, BBG).

Command Ships (CBC, CLC).

Cruisers (CA, CAG, CB, CG, CLAA, CLG).

Destroyers (DD, DDC, DDE, DDG, DDE, DL, DLG).

Submarines (SS, SSB, SSG, SSK, SSR).

(2) Amphibious warfare vessels:

Amphibious assault ship (LPH).

Amphibious force flagship (AGC).

Assault helicopter aircraft carrier (CVHA).

Attack cargo ship (AKA).

Control escort vessel (DEC).

Cargo submarine (AK(SS)).

Inshore fire support ship (IFS).

Landing ships (LDS, LSMR, LST, LPD).

Transport submarine (AP(SS)).

(3) Landing craft (LCM, LCU, LCV, ATC, OCB).

(4) Landing vehicle, tracked (LVT).

(5) Mine warfare vessels:

Mine hunter, coastal (MHC).

Mine countermeasures support ship (MCS).

Minelayers (DM, MMA, MMC, MMF).

Minesweepers (DMS, MSC, MSC(O), MSF, MSO, MSI, MSB, MDA, YMS, MSL, Ub/MS).

(6) Patrol vessels:

Escort vessels (DE, DER, PCS, PCER, PF, DEG).

Gunboats (PCM, PR).

Submarine chasers (PC, PCS, SC).

(b) Auxiliary vessels and service craft:

(1) Advanced aviation base ship (AVB).

(2) Auxiliary submarine (AG(SS)).

(3) Drone aircraft catapult control craft (YV).

(4) Guided Missile ship (AVM).

(5) Harbor utility craft (YFU).

(6) Icebreaker (AGB).

(7) Logistic support ships (AE, AF, AK, AKS, AO, ACE, AOG, AOR, AO(SS), AVS).

(8) Miscellaneous auxiliary (AG, IX, YAG).

(9) Patrol craft (PT, YP).

(10) Target and training submarine (SST).

(11) Ocean radar picket ship (AGR).

(12) Submersible craft (X). (See Category XX.)

(13) Utility aircraft carrier (CVU).

(c) Coast Guard patrol and service vessels and craft:

(1) Submarine repair and berthing barge (YRB).

(2) Labor transportation barracks ship (APL).

(3) Coast Guard cutter (CGC).

(4) Gunboat (WPG).

(5) Patrol craft (WPC, WSC).

(6) Seaplane tender (WAVP).

(7) Icebreaker (WAGB).

(8) Radio Ship (WAGR).

(9) Special Vessel (WLX).

(10) Auxiliary vessels (WAG, WAGE).

(11) Other Coast Guard patrol or rescue craft (1) of over 300 horsepower when equipped with a gas turbine engine or engines, and (11) of over 600 horsepower when equipped with an engine or engines of the internal combustion, reciprocating type.

CATEGORY VII—TANKS AND MILITARY VEHICLES

(a) Military type armed or armored vehicles, military railway trains, and vehicles fitted with, designed or modified to accommodate mountings for arms or other specialized military equipment.

(b) Military tanks, tank recovery vehicles, halftracks and gun carriers.

(c) Self-propelled guns and howitzers.

NOTE: Category VII (d) and (e) of "Munitions List" deleted as inapplicable to imports.

(f) Amphibious vehicles.

(g) All specifically designed components, parts, accessories, attachments, and associated equipment, including military bridging and deep water fording kits for the articles in this Category.

NOTE: As used in Category VII(f), the term "amphibious vehicles" includes, but is not limited to, automotive vehicles or chassis embodying all-wheel drive and equipped to meet special military requirements, with adaptation features for deep water fording and sealed electrical systems.

CATEGORY VIII—AIRCRAFT, SPACECRAFT, AND ASSOCIATED EQUIPMENT

(a) Aircraft including helicopters designed, modified, or equipped for military purposes, including but not limited to the following: Gunnery, bombing, rocket, or missile launching, electronic surveillance, reconnaissance, refueling, aerial mapping, military liaison, cargo carrying or dropping, personnel dropping, military trainers, drones, and lighter-than-air aircraft.

NOTE: Category VII (b) through (l) and Categories IX through XIII of "Munitions List" deleted as inapplicable to imports.

NOTE: (a) The term "aircraft" used in Category VIII means aircraft designed, modified, or equipped for military purpose as specified in Category VIII, including so-called "demilitarized" aircraft.

(b) Regardless of demilitarization, all aircraft bearing an original military designation are included in Category VIII, except the following aircraft which have not been specifically equipped, reequipped, or modified for military operations:

(1) Cargo aircraft bearing "C" designations C-45 through C-118 inclusive, and C-121.

(2) Trainer aircraft bearing "T" designations and using reciprocating engines only.

(3) Utility aircraft bearing "U" designations and using reciprocating engines only.

(4) All liaison aircraft bearing an "L" designation.

CATEGORY XIV—TOXICOLOGICAL AGENTS AND EQUIPMENT, RADIOLOGICAL EQUIPMENT

(a) Chemical agents, including lung irritants, vesicants, lachrymators, and tear gases, sternutators, and irritant smoke, and nerve gases and incapacitating agents.

(b) Biological agents adapted for use in war to produce death or disablement in human beings or animals or to damage crops and plants.

(c) Equipment for dissemination, detection, and identification of, and defense against the articles in paragraphs (a) and (b) of this category.

(d) Nuclear radiation detection and measuring devices, except such devices as are in normal commercial use.

(e) Components, parts, accessories, attachments, and associated equipment specifically designed or modified for the articles in paragraphs (c) and (d) of this category.

NOTE: (See Category XIV(a).) The term "chemical agents" includes but is not limited to the following chemical compounds:

1. Lung irritants:
  - (a) Diphenylcyanorarsine (DC).
  - (b) Fluorine (but not fluorene).
  - (c) Trichloronitro methane (Chlorpicrin PS).

2. Vesicants:
  - (a) B Chlorvinylidichlorarsine (Lewisite, L).

- (b) Bisdichlorethyl sulphide (Mustard gas, HD or H).

- (c) Ethyldichloroarsine (ED).
- (d) Methylidichloroarsine (MD).

3. Lachrymators and tear gases:
  - (a) Brombenzylcyanide (BBC).
  - (b) Chloroacetophenone (CN).
  - (c) Dibromodimethyl ether.
  - (d) Dichlorodimethyl ether (ClCl).
  - (e) Ethyldibromoarsine.
  - (f) Phenylcarbylamine chloride.
  - (g) Tear gas solutions (CNB and CNS).
  - (h) Tear gas orthochlorobenzalmononitrile (CS).

4. Sternutators and irritant smokes:
  - (a) Diphenylaminechloroarsine (Adamsite, DM).
  - (b) Diphenylchlorarsine (BA).
  - (c) Liquid pepper.

5. Nerve gases. These are toxic compounds which affect the nervous system, such as:
  - (a) Dimethylaminoethoxycyanophosphine oxide (GA).
  - (b) Methylisopropoxyfluorophosphine oxide (GB).
  - (c) Methylpinacolyloxyfluorophosphine oxide (GD).

6. Antiplant chemicals:
  - (a) Cetyl, 2,4-dichlorophenoxyacetate (LNA).
  - (b) 2,4,5-trichlorophenoxyacetate (LNB).
  - (c) Butyl 2-chloro-4-fluorophenoxyacetate (LNF).

- NOTE: Category XV of "Munitions List" deleted as inapplicable to imports.

- CATEGORY XVI—NUCLEAR WEAPONS DESIGN AND TEST EQUIPMENT

- (a) Any article, material, equipment, or device, which is specifically designed or specifically modified for use in the design, development, or fabrication of nuclear weapons or nuclear explosive devices.

- (b) Any article, material, equipment, or device, which is specifically designed or specifically modified for use in the devising, carrying out, or evaluating of nuclear weapons tests or any other nuclear explosions except such items as are in normal commercial use for other purposes.

- (c) Cold cathode tubes such as krytrons and sprytrons.

NOTE: Categories XVII and XVIII of "Munitions List" deleted as inapplicable to imports.

CATEGORY XIX—[RESERVED]

CATEGORY XX—OCEANOGRAPHIC AND ASSOCIATED EQUIPMENT

- (a) Submersible vessels, manned and unmanned, designed for military purposes or having independent capability to maneuver

- vertically or horizontally at depths below 1,000 feet.

- (b) Submersible vessels, manned or unmanned, designed in whole or in part from technology developed by or for the U.S. Armed Forces.

- (c) Any of the articles in Categories VI, IX, XI, XIII and elsewhere in this list that may be used with submersible vessels.

- (d) Equipment, components, parts, accessories, and attachments designed specifically for any of the articles in paragraphs (a) and (b) of this category.

NOTE: Any oceanographic and associated equipment assigned a military designation shall constitute an article on the U.S. Munitions List, whether expressly enumerated therein.

CATEGORY XXI—[RESERVED]

CATEGORY XXII—MISCELLANEOUS ARTICLES

Any article not enumerated herein having significant military applicability, determined by the Director, Office of Munitions Control, Department of State, in consultation with appropriate agencies of the Government and having the concurrence of the Department of Defense.

§ 47.22 Forgings, castings, and machined bodies.

Items in a partially completed state, such as forgings, castings, extrusions, and machined bodies of any of the articles enumerated on the Import List which have reached a stage in manufacture where they are clearly identifiable as arms, ammunition, and implements of war are considered to be such articles for the purposes of section 414 of the Mutual Security Act, as amended.

§ 47.23 Procedure.

(a) Application for registration shall be filed on Form 4587, in duplicate, with the Director, and shall be accompanied by the registration fee at the rate prescribed in this section. On approval of the application by the Director, he will return the original to the applicant.

(b) Registration may be effected for periods of from 1 to 5 years at the option of the registrant by identifying on Form 4587 the period of registration desired. The registration fees are as follows:

1 year.....	\$125
2 years.....	250
3 years.....	350
4 years.....	425
5 years.....	500

(c) No partial refund will be made of any registration fee paid and no registration fee will be refunded unless the Director finds that the person making application for registration is not engaged in the business of importing arms, ammunition or implements of war and is not required to register or pay the prescribed fee under this part.

§ 47.33 Notification of changes in information furnished by registrants.

Registered persons shall notify the Director in writing, in duplicate, of significant changes in the information set forth in their registration application (Form 4587).

§ 47.34 Maintenance of records by persons required to register as importers of Import List articles.

(a) Registrants under this part engaged in the business of importing articles subject to controls under 26 CFR Parts 178 and 179 shall maintain records in accordance with the applicable provisions of those parts.

(b) Registrants under this part engaged in importing articles on the Import List subject to the permit procedures of Subpart E of this part shall maintain for a period of 6 years, subject to inspection by any ATF officer, records bearing on such articles imported, including records concerning their acquisition and disposition by the registrant. The Director may prescribe a longer or shorter period in individual cases as he deems necessary.

§ 47.35 Forms prescribed.

The Director is authorized to prescribe all forms required by this part. All of the information called for in each form shall be furnished, as indicated by the headings on the form and the instructions thereon or issued in respect thereto, and as required by this part.

Subpart E—Importations Other Than Those Subject to Import Controls Under 26 CFR Parts 178 and 179

§ 47.41 Permit requirement.

(a) Articles on the Import List not subject to import control under 26 CFR Parts 178 and 179 shall not be imported into the United States except pursuant to a permit under this subpart issued by the Director.

(b) Articles on the Import List shall not be imported into the United States except pursuant to a permit under this subpart issued by the Director.

(c) Articles on the Import List intended for the United States or any State or political subdivision thereof, or the District of Columbia, which are exempt from the import controls of 26 CFR 178.115 shall not be imported into the United States, except by the United States or agency thereof, without first obtaining a permit issued by the Director under this subpart.

(d) A permit is not required for the importation of (1) the Import List articles from Canada not subject to the import controls of 26 CFR Part 178 or 179, except articles enumerated in Categories VI(e), VIII(a), XVI, and XX; and nuclear weapons strategic delivery systems and all specifically designed components, parts, accessories, attachments, and associated equipment thereof (see Category XXII); or (2) minor components and parts for Category I(a) firearms, except barrels, cylinders, receivers (frames) or complete breech mechanisms, when the total value does not exceed \$100 in any single transaction.

(e) A permit is not required for the importation of (1) the Import List articles from Canada not subject to the import controls of 26 CFR Part 178 or 179, except articles enumerated in Categories VI(e), VIII(a), XVI, and XX; and nuclear weapons strategic delivery systems and all specifically designed components, parts, accessories, attachments, and associated equipment thereof (see Category XXII); or (2) minor components and parts for Category I(a) firearms, except barrels, cylinders, receivers (frames) or complete breech mechanisms, when the total value does not exceed \$100 in any single transaction.

(f) A permit is not required for the importation of (1) the Import List articles from Canada not subject to the import controls of 26 CFR Part 178 or 179, except articles enumerated in Categories VI(e), VIII(a), XVI, and XX; and nuclear weapons strategic delivery systems and all specifically designed components, parts, accessories, attachments, and associated equipment thereof (see Category XXII); or (2) minor components and parts for Category I(a) firearms, except barrels, cylinders, receivers (frames) or complete breech mechanisms, when the total value does not exceed \$100 in any single transaction.

(g) A permit is not required for the importation of (1) the Import List articles from Canada not subject to the import controls of 26 CFR Part 178 or 179, except articles enumerated in Categories VI(e), VIII(a), XVI, and XX; and nuclear weapons strategic delivery systems and all specifically designed components, parts, accessories, attachments, and associated equipment thereof (see Category XXII); or (2) minor components and parts for Category I(a) firearms, except barrels, cylinders, receivers (frames) or complete breech mechanisms, when the total value does not exceed \$100 in any single transaction.

(h) A permit is not required for the importation of (1) the Import List articles from Canada not subject to the import controls of 26 CFR Part 178 or 179, except articles enumerated in Categories VI(e), VIII(a), XVI, and XX; and nuclear weapons strategic delivery systems and all specifically designed components, parts, accessories, attachments, and associated equipment thereof (see Category XXII); or (2) minor components and parts for Category I(a) firearms, except barrels, cylinders, receivers (frames) or complete breech mechanisms, when the total value does not exceed \$100 in any single transaction.

(i) A permit is not required for the importation of (1) the Import List articles from Canada not subject to the import controls of 26 CFR Part 178 or 179, except articles enumerated in Categories VI(e), VIII(a), XVI, and XX; and nuclear weapons strategic delivery systems and all specifically designed components, parts, accessories, attachments, and associated equipment thereof (see Category XXII); or (2) minor components and parts for Category I(a) firearms, except barrels, cylinders, receivers (frames) or complete breech mechanisms, when the total value does not exceed \$100 in any single transaction.

(j) A permit is not required for the importation of (1) the Import List articles from Canada not subject to the import controls of 26 CFR Part 178 or 179, except articles enumerated in Categories VI(e), VIII(a), XVI, and XX; and nuclear weapons strategic delivery systems and all specifically designed components, parts, accessories, attachments, and associated equipment thereof (see Category XXII); or (2) minor components and parts for Category I(a) firearms, except barrels, cylinders, receivers (frames) or complete breech mechanisms, when the total value does not exceed \$100 in any single transaction.

(k) A permit is not required for the importation of (1) the Import List articles from Canada not subject to the import controls of 26 CFR Part 178 or 179, except articles enumerated in Categories VI(e), VIII(a), XVI, and XX; and nuclear weapons strategic delivery systems and all specifically designed components, parts, accessories, attachments, and associated equipment thereof (see Category XXII); or (2) minor components and parts for Category I(a) firearms, except barrels, cylinders, receivers (frames) or complete breech mechanisms, when the total value does not exceed \$100 in any single transaction.

(l) A permit is not required for the importation of (1) the Import List articles from Canada not subject to the import controls of 26 CFR Part 178 or 179, except articles enumerated in Categories VI(e), VIII(a), XVI, and XX; and nuclear weapons strategic delivery systems and all specifically designed components, parts, accessories, attachments, and associated equipment thereof (see Category XXII); or (2) minor components and parts for Category I(a) firearms, except barrels, cylinders, receivers (frames) or complete breech mechanisms, when the total value does not exceed \$100 in any single transaction.

(m) A permit is not required for the importation of (1) the Import List articles from Canada not subject to the import controls of 26 CFR Part 178 or 179, except articles enumerated in Categories VI(e), VIII(a), XVI, and XX; and nuclear weapons strategic delivery systems and all specifically designed components, parts, accessories, attachments, and associated equipment thereof (see Category XXII); or (2) minor components and parts for Category I(a) firearms, except barrels, cylinders, receivers (frames) or complete breech mechanisms, when the total value does not exceed \$100 in any single transaction.

(n) A permit is not required for the importation of (1) the Import List articles from Canada not subject to the import controls of 26 CFR Part 178 or 179, except articles enumerated in Categories VI(e), VIII(a), XVI, and XX; and nuclear weapons strategic delivery systems and all specifically designed components, parts, accessories, attachments, and associated equipment thereof (see Category XXII); or (2) minor components and parts for Category I(a) firearms, except barrels, cylinders, receivers (frames) or complete breech mechanisms, when the total value does not exceed \$100 in any single transaction.

(o) A permit is not required for the importation of (1) the Import List articles from Canada not subject to the import controls of 26 CFR Part 178 or 179, except articles enumerated in Categories VI(e), VIII(a), XVI, and XX; and nuclear weapons strategic delivery systems and all specifically designed components, parts, accessories, attachments, and associated equipment thereof (see Category XXII); or (2) minor components and parts for Category I(a) firearms, except barrels, cylinders, receivers (frames) or complete breech mechanisms, when the total value does not exceed \$100 in any single transaction.

§ 47.42 Application for permit.

Persons required to obtain a permit as provided in § 47.41 shall file Form 6, in triplicate, with the Director. On approval of the application by the Director, he will return the original to the applicant. Such approved application will serve as the permit.

§ 47.43 Terms of permit.

(a) Import permits issued under this subpart are valid for 6 months from their issuance date unless a different period of validity is stated thereon. They are not transferable.

(b) If shipment cannot be completed during the period of validity of the permit, another application must be submitted for permit to cover the unshipped balance. Such an application shall make reference to the previous permit and may include materials in addition to the unshipped balance.

(c) No amendments or alteration of a permit may be made, except by the Director. No photographic or other copy of an original permit, unless certified by the Director, may be used to effect Customs release.

§ 47.44 Permit denial, revocation or suspension.

(a) Import permits under this subpart may be denied, revoked, suspended or revised without prior notice whenever the Director finds the proposed importation to be inconsistent with the purpose or in violation of section 414 of the Mutual Security Act of 1954 or the regulations in this part.

(b) Whenever, after appropriate consideration, a permit application is denied or an outstanding permit is revoked, suspended, or revised, the applicant or permittee shall be promptly advised in writing of the Director's decision and the reasons therefor.

(c) Upon written request made within 30 days after receipt of an adverse decision, the applicant or permittee shall be accorded an opportunity to present additional information and to have a full review of his case by the Director.

(d) Unused, expired, suspended, or revoked permits must be returned immediately to the Director.

§ 47.45 Importation.

(a) Articles subject to the import permit procedures of this subpart imported into the United States may be released from Customs custody to the person authorized to import same upon his showing that he has a permit from the Director for the importation of the article or articles to be released. In obtaining the release from Customs custody of an article imported pursuant to permit, the permit holder shall prepare Form 6A, in duplicate, and furnish the original to the Customs officer releasing the article. The Customs officer shall, after certification, forward the Form 6A to the Regional Director for the region wherein the importer maintains his place of business.

(b) Within 15 days of the date of their release from Customs custody, the importer of the articles released shall forward

to the Regional Director a copy of Form 6A on which shall be reported any error or discrepancy appearing on the Form 6A certified by Customs.

§ 47.46 Articles in transit.

Articles subject to the import permit procedures of this subpart which enter the United States for temporary deposit pending removal therefrom and such articles which are temporarily taken out of the United States for return thereto shall be regarded as in transit and will be considered neither imported nor exported. Such transactions are subject to the Intransit or Temporary Export License procedures of the Department of State (see 22 CFR Part 123).

Subpart F—Miscellaneous Provisions

§ 47.51 Import certification and delivery verification.

Pursuant to agreement with the United States, certain foreign countries are entitled to request certification of legality of importation of articles on the Import List. Upon request of a foreign government, the Director will certify the importation, on Form FC-826/ATF-4522, for the U.S. importer. Normally, the U.S. importer will submit this form to the Director at the time he applies for an import permit. This document will serve as evidence to the government of the exporting company that the U.S. importer has complied with import legislations of the U.S. Government and is prohibited from diverting, transshipping, or re-exporting the material described therein without the approval of the U.S. Government. Foreign governments may also require documentation attesting to the delivery of the material into the United States. When such delivery certification is requested by a foreign government, the U.S. importer may obtain directly from the U.S. District Director of Customs The Authenticated Delivery Verification (Form FC-908) for this purpose.

§ 47.52 Import restrictions applicable to certain countries.

Applications for permits to import articles on the Import List will be disapproved and the permit denied if such articles (a) originated in any of the following countries:

- Albania,
- Bulgaria,
- Cuba,
- Czechoslovakia,
- East Germany,
- Estonia,
- Hungary,
- Latvia,
- Lithuania,
- North Korea,
- Outer Mongolia,
- People's Republic of China,
- Poland,
- Rumania,
- Union of Soviet Socialist Republics; or

(b) Originated in any of the area of Viet-Nam which is under de facto Communist control, or any other area, as determined by the Department of State, from which the importation of Import List articles would not be in furtherance of world peace and the security and foreign policy of the United States; or

(c) Were made from materials originating in Southern Rhodesia and designated in section (a) of Executive Order 11322 dated January 5, 1967 (32 FR 119).

§ 47.53 Exemptions.

(a) The provisions of this part are not applicable to:

(1) Importations by the United States or any agency thereof;

(2) Importation of components for items being manufactured under contract for the Department of Defense; or

(3) Importation of articles (other than those which would be "firearms" as defined in 18 U.S.C. 921(a)(3) manufactured in foreign countries for persons in the United States pursuant to Department of State approval.

(b) Any person seeking to import articles on the Import List as exempt under paragraph (a) (2) or (3) of this section may obtain release of such articles from Customs custody by submitting, to the Customs officer with authority to release, a statement claiming the exemption accompanied by satisfactory proof of eligibility. Such proof may be in the form of a letter from the Department of Defense or State, as the case may be, confirming that the conditions of the exemption are met.

§ 47.54 Administrative procedures inapplicable.

The functions conferred under section 414 of the Mutual Security Act of 1954, as amended, are excluded from the operation of Chapter 5, Title 5, United States Code, with respect to Rule Making and Adjudication, 5 U.S.C. 553 and 554.

§ 47.55 Departments of State and Defense consulted.

The administration of the provisions of this part will be subject to the guidance of the Secretaries of State and Defense on matters affecting world peace and the external security and foreign policy of the United States.

§ 47.56 Authority of Customs officers.

(a) Officers of the U.S. Customs Service are authorized to take appropriate action to assure compliance with this part and with 26 CFR Parts 178 and 179 as to the importation or attempted importation of articles on the Import List, whether or not authorized by permit.

(b) Upon the presentation to him of a permit or written approval authorizing importation of articles on the Import List, the Customs officer who has authority to release same may require, in addition to such documents as may be required by Customs regulations, the production of other relevant documents relating to the proposed importation, including, but not limited to, invoices, orders, packing lists, shipping documents, correspondence, and instructions.

§ 47.57 U.S. military firearms or ammunition.

(a) Notwithstanding any other provision of this part or of 26 CFR Part 178, no military firearms or ammunition of U.S. manufacture may be imported for sale in the United States (other than for

the Armed Forces of the United States and its allies or for any State or local law enforcement agency) if such articles were furnished to foreign governments under a U.S. foreign assistance program. This prohibition is applicable to military firearms and ammunition furnished on a grant basis to, or for which payment in full was not made by, a foreign government under the Lend-Lease Act of 1941, as amended; the Greek-Turkish Aid Act of 1947, as amended; the China Aid Act of 1948, as amended; the Mutual Defense Assistance Act of 1949, as amended; the Mutual Security Act of 1951, as amended; the Mutual Security Act of 1954, as amended; the Foreign Assistance Act of 1961, as amended; or any other foreign assistance program of the United States.

(b) The above restriction covers firearms which are advanced in value or improved in condition in a foreign country, but it does not include those which have been so substantially transformed as to become, in effect, articles of foreign manufacture.

(c) A person desiring to import military firearms and ammunition which were manufactured in the United States must certify that the importation of such firearms or ammunition is not prohibited by the provisions of paragraph (a) of this section, and that none of the firearms or ammunition being imported was furnished on a grant basis to, or was acquired without full payment by, a foreign government under a foreign assistance program of the United States as set forth in paragraph (a) of this section. The certification statement must be accompanied by documentary information on the original foreign source of the material.

(d) For the purpose of this section, the term "military firearms and ammunition" includes all firearms and ammunition furnished under the foreign assistance programs of the United States as set forth in paragraph (a) of this section. The term "payment in full" as used in paragraph (a) of this section means the payment of a sale price established by the U.S. Government as the full value of the property at the time of initial transfer.

NOTE: The Gun Control Act of 1968 (18 U.S.C. 922(1) and 925(d)), in general, prohibits importation of military surplus firearms, regardless of source, except for a governmental entity.

#### Subpart G—Penalties, Seizures and Forfeitures

##### § 47.61 Unlawful importation.

Any person who willfully:

- Imports articles on the Import List without a permit;
- Engages in the business of importing articles on the Import List without registering under this part; or
- Otherwise violates any provision of this part shall upon conviction be fined not more than \$25,000 or imprisoned not more than 2 years, or both.

##### § 47.62 False statements or concealment of facts.

Any person who willfully, in a registration or permit application, makes any untrue statement of a material fact or fails to state a material fact required to be stated therein or necessary to make the statements therein not misleading, shall upon conviction be fined not more than \$25,000, or imprisoned not more than 2 years, or both.

##### § 47.63 Seizure and forfeiture.

Whoever knowingly imports into the United States contrary to law any article on the Import List; or receives, conceals, buys, sells, or in any manner facilitates its transportation, concealment, or sale after importation, knowing the same to have been imported contrary to law, shall be fined not more than \$10,000 or imprisoned not more than 5 years, or both; and the merchandise so imported, or the value thereof shall be forfeited to the United States.

Because this Treasury decision is concerned with functions conferred under section 414 of the Mutual Security Act of 1954, as amended, 22 U.S.C. 1934, it is found that it is unnecessary to issue this Treasury decision with notice and public procedure thereon under 5 U.S.C. 553(b), or subject to the effective date limitation of 5 U.S.C. 553(d). Accordingly, this Treasury decision shall become effective January 25, 1974.

(Section 414 of the Mutual Security Act of 1954, as amended, 22 U.S.C. 1934, 68 Stat. 848, and Executive Order 11432 (33 FR 15701).)

[SEAL]

WILLIAM R. THOMPSON,  
Acting Director, Bureau of Alcohol,  
Tobacco and Firearms.

Approved: January 17, 1974.

BRENT F. MOODY,  
Acting Assistant Secretary of  
the Treasury.

[FR Doc. 74-2062 Filed 1-24-74; 8:45 am]

### Title 29—Labor

#### CHAPTER V—WAGE AND HOUR DIVISION

##### PART 520—EMPLOYMENT OF STUDENT-LEARNERS

##### PART 570—CHILD LABOR REGULATIONS, ORDERS AND STATEMENT OF INTERPRETATION

##### Work Experience and Career Exploration Programs

For 3 years there has been conducted an experimental work experience and career exploration program. An evaluation of the results of that program during the experimental period indicates that it is beneficial in character and should be continued for a further evaluation period. The report evaluating this program is a public document available pursuant to 29 CFR 70.62(a)(2) from

the Wage-Hour Administrator, United States Department of Labor, Washington, D.C. 20210.

The experimental program established that in some instances it was necessary to provide for a special minimum wage rate for students participating in the program. Section 520.12 permitted such special rates for participants in the experimental program where necessary to prevent curtailment of opportunities for employment.

The provision for employment of student-learners at special minimum wages in cooperative school work programs has been in effect for students 16 or older since 1940. Section 520.12 merely extends this existing provision to students 14 and 15 years of age who are in approved work experience and career exploration programs. During the conduct of the experimental program, it was necessary to issue special student-learner certificates for relatively few of the students in the program. During fiscal year 1973, for example, less than 25 percent of the students were employed under special student-learner certificates at any time and many of these had their wages increased to the statutory minimum wage or higher before the end of the year.

While the evaluation found the experimental program to be beneficial in character, there is not sufficient data to make a considered final determination that the program should be continued indefinitely on a permanent basis. For example, there is no hard information to confirm that employment of participants did not in any case displace a regular employee of a participating establishment; there is no data to show whether a larger proportion of program participants completed high school than did non-participants in the program. In order to allow for necessary additional evaluation of the program, it is being continued only until June 30, 1975, prior to which time a decision will be made as to whether the program will be continued in its present or in a modified form, or discontinued.

The experimental program established that on the average the optimum hours, the point at which students attain the greatest educational benefits, are somewhat fewer than the hours used in the experiment. Accordingly, for the continued period of the program, the permissible hours of employment will be reduced.

Part 520 contains a number of safeguards which should be particularly noted. The employment of a student-learner must not have the effect of displacing a worker employed in the establishment; the employment of student-learners at special minimum wages must not tend to impair or depress the wage rates or working standards established for experienced workers for work of a like or comparable character; and the number of student-learners to be employed in one establishment must not be more than a small proportion of its working force. I am directing the Administrator of the Wage and Hour Division to

take such steps as are necessary to assure that all interested parties are fully aware of these and other safeguards contained in the regulation and I am further directing him to take prompt action to investigate and secure any necessary corrections where those safeguards are not being followed.

When the program was initiated, comments were requested on the proposal to issue § 570.35a which was published on August 8, 1969 (34 FR 12892). A proposal to issue § 520.12 was issued on September 23, 1971 (36 FR 18871). Again comments on both §§ 520.12 and 570.35a were requested on May 18, 1972 (37 FR 10003). There were no major objections at those times and over the 3-year period during which the program has been in operation we have received no substantial objections to it. Under the circumstances, since many of the major issues have been carefully evaluated during the 3-year experimental program, I find that notice of proposed rulemaking is unnecessary and contrary to the public interest. Further, as there should not be a gap in the reinstatement of this program (the previous program expired August 31, 1973), this revision of §§ 520.12 and 570.35a shall be effective on January 25, 1974.

1. Section 520.12 is revised to read as follows:

**§ 520.12 Work experience and career exploration programs.**

(a) Notwithstanding the provisions of § 520.2 and paragraphs (a), (c), (d), and (e) of § 520.5, applications for student-learner certificates may be made and temporary special minimum wage authority provided and certificates issued pursuant to §§ 520.3 and 520.4 and paragraphs (b) and (f) through (i) of § 520.5, for minors who are 14 or 15 years of age who are enrolled in and employed pursuant to a school-supervised and school-administered work-experience and career exploration program which meets the requirements of § 570.35a of this chapter.

(b) This section expires on June 30, 1975.

2. Section 570.35a is revised to read as follows:

**§ 570.35a Work experience and career exploration programs.**

(a) This section varies some provisions of this subpart for the employment of minors between 14 and 16 years of age who are enrolled in and employed pursuant to a school-supervised and school-administered work-experience and career exploration program which meets the requirements of paragraph (b) of this section, in the occupations permitted under paragraph (c) of this section, and for the periods and under the conditions specified in paragraph (d) of this section. With these safeguards, such employment is found not to interfere with the schooling of the minors or with their health and well-being and therefore is not deemed to be oppressive child labor.

(b) (1) A school-supervised and school-

administered work-experience and career exploration program shall meet the educational standards established and approved by the State Educational Agency in the respective State.

(2) The State Educational Agency shall file with the Administrator of the Wage and Hour Division a letter of application for approval of a program as one not interfering with schooling or with the health and well-being of the minors involved and therefore not constituting oppressive child labor. The application must include the information listed in subparagraph (3) of this paragraph. The Administrator of the Wage and Hour Division shall approve the application, or give prompt notice of any denial and the reasons therefor.

(3) The criteria to be used in consideration of applications are the following:

(i) *Eligibility.* Any student aged 14 or 15 years who authoritative local school personnel identify as being able to benefit from the program shall be eligible to participate.

(ii) *Credits.* Students shall receive school credits for both in-school related a reasonable size. A unit of 12 to 25 stud-

(iii) *Size.* Each program unit shall be a reasonable size. A unit of 12 to 25 students to one teacher-coordinator would be generally considered reasonable. Whether other sizes are reasonable would depend upon the individual facts and circumstances involved.

(iv) *Instructional schedule.* There shall be (a) allotted time for the required classroom instruction in those subjects necessary for graduation under the State's standards and (b) regularly scheduled classroom periods of instruction devoted to job-related and to employability skill instruction.

(v) *Teacher-coordinator.* Each program unit shall be under the supervision of a school official to be designated for the purpose of the program as a teacher-coordinator, who shall generally supervise the program and coordinate the work and education aspects of the program and make regularly scheduled visits to the work stations.

(vi) *Written training agreement.* No student shall participate in the program until there has been made a written training agreement signed by the teacher-coordinator, the employer, and the student. The agreement shall also be signed or otherwise consented to by the student's parent or guardian. Both the employer and the school shall keep on file for 3 years a copy of this training agreement for each student employed.

(vii) *Permissible occupations.* The program shall permit the assignment of students only in work in those occupations permitted under paragraph (c) of this section.

(viii) *Records and reports.* The names and addresses of each school enrolling work experience and career exploration program students and the number of enrollees in each unit shall be kept for a period of 3 years from the approval date of the application at the State Education Agency office and shall be made available for inspection or transcription to the

representatives of the Administrator of the Wage and Hour Division.

(ix) *Other provisions.* Any other provisions of the program providing safeguards ensuring that the employment permitted under this section will not interfere with the schooling of the minors or with their health and well-being may also be submitted for use in consideration of the application.

(c) Employment of minors enrolled in a program approved pursuant to the requirements of this section shall be permitted in all occupations except the following:

(1) Manufacturing and mining.

(2) Occupations declared to be hazardous for the employment of minors between 16 and 18 years of age in Subpart E of this part, and occupations in agriculture declared to be hazardous for employment of minors below the age of 16 in Subpart E-1 of this part.

(3) Occupations other than those permitted under §§ 570.33 and 570.34, except upon approval of a variation in individual cases or classes of cases by the Administrator of the Wage and Hour Division after notice to interested persons and opportunity to be heard. Any such variation of general application shall be published as an amendment to this subpart. Applications for such approval may be included with the application for approval of the program; or filed specifically under § 570.38. Such applications shall be processed under § 570.38.

(d) Employment of minors enrolled in a program approved pursuant to the requirement of this section shall be confined to not more than 23 hours in any 1 week when school is in session and not more than 3 hours in any day when school is in session, any portion of which may be during school hours. Insofar as these provisions are inconsistent with the provisions of § 570.35, this section shall be controlling.

(e) Programs shall be in force and effect for a period of one school year from the date of their approval by the Administrator of the Wage and Hour Division. A new application for approval must be filed at the end of that period. Failure to maintain the required records or furnish the required data may result in withdrawal of approval.

(f) This section expires on June 30, 1975.

Signed at Washington, D.C., this 21st day of January 1974.

PETER J. BRENNAN,  
Secretary of Labor.

[FR Doc. 74-2122 Filed 1-24-74; 8:45 am]

**Title 38—Pensions, Bonuses and Veterans' Relief**

**CHAPTER I—VETERANS ADMINISTRATION**

**PART 36—LOAN GUARANTY**

**Interest Rate Change**

The Veterans Administration is amending §§ 36.4212(a) (2) and (3), 36.4311 and 36.4503, Title 38 of the Code Federal Regulations to reduce the maxi-

mum allowable interest rate on new loans.

Sections 36.4311 and 36.4503, Title 38 of the Code of Federal Regulations are being amended to reduce the maximum interest rate on new guaranteed, insured and direct loans from 8½ to 8¼ percent. Section 36.4212(a) (2) and (3), Title 38 of the Code of Federal Regulations relating to that portion of a mobile home loan which finances the purchase of a lot and the cost of necessary site preparation is amended to reduce the maximum interest rate from 8½ to 8¼ percent. Thus, the interest rate on such loans will be consistent with that in effect on other guaranteed and insured loans for real estate purposes.

Compliance with the provisions of § 1.12 of this chapter is waived in this instance because failure to do so would delay the effective date of the amendments for a period in excess of 40 days and deprive veteran-purchasers of the benefit of the interest rate reductions during that time.

1. In § 36.4212, the introductory text of paragraph (a) and paragraph (a) (2) and (3) are amended to read as follows:

§ 36.4212 Interest rates and late charges.

(a) The interest rate charged the borrower on a loan guaranteed pursuant to 38 U.S.C. 1819 may not exceed the following maxima except on loans guaranteed or insured pursuant to guaranty or insurance commitments issued by the Veterans Administration prior to January 22, 1974:

(2) 8¼ percent simple interest per annum for that portion of the loan which finances the purchase of a lot and the cost of necessary site preparation, if any.

(3) 8¼ percent simple interest per annum on that portion of a loan which will finance the cost of the site preparation necessary to make a lot owned by the veteran acceptable as the site for the mobile home purchased with the proceeds of the loan except that a rate of not to exceed 12 percent may be charged if the portion of the loan to pay for the cost of such necessary site preparation does not exceed \$2,500.

2. In § 36.4311, paragraph (a) is amended to read as follows:

§ 36.4311 Interest rates.

(a) Excepting non-real-estate loans insured under 38 U.S.C. 1815 and loans guaranteed or insured pursuant to guaranty or insurance commitments issued by the Veterans Administration which specify an interest in excess of 8¼ per centum per annum, effective January 22, 1974, the interest rate on any loan guaranteed or insured wholly or in part on or after such date may not exceed 8¼ per centum per annum on the unpaid principal balance.

In § 36.4503, paragraph (a) is amended to read as follows:

§ 36.4503 Amount and amortization.

(a) The original principal amount of any loan made on or after May 7, 1968, shall not exceed an amount which bears the same ratio to \$25,000 as the amount of the guaranty to which the veteran is entitled under 38 U.S.C. 1810 at the time the loan is made bears to \$12,500. This limitation shall not preclude the making of advances, otherwise proper, subsequent to the making of the loan pursuant to the provisions of § 36.4511. Loans made by the Veterans Administration shall bear interest at the rate of 8¼ percent per annum.

These VA Regulations are effective January 22, 1974.

Approved: January 21, 1974.

By direction of the Administrator.

[SEAL]

R. L. ROUBEUSH,  
Deputy Administrator.

[FR Doc.74-2140 Filed 1-24-74;8:45 am]

Title 40—Protection of the Environment  
CHAPTER I—ENVIRONMENTAL  
PROTECTION AGENCY

PART C—EQUAL EMPLOYMENT OPPORTUNITY UNDER EPA CONTRACTS AND EPA ASSISTED CONSTRUCTION CONTRACTS

The following regulations are promulgated in implementation of Parts II and III of Executive Order 11246. Part II concerns "Nondiscrimination in Employment by Government Contractors." Part III concerns "Nondiscrimination Provisions in Federally-Assisted Construction Contracts." The regulations are proposed for adoption on behalf of the Agency as Part 8 of the Agency's regulations in Title 40 of the Code of Federal Regulations.

Section 201 of Executive Order 11246 designates the Secretary of Labor as the official responsible for administration of Parts II and III of the Order. It requires him to adopt such rules and regulations and to issue such orders as he deems necessary to achieve the purposes of the Order. Pursuant to this requirement, the Secretary of Labor issued implementing regulations (41 CFR Part 60-1) which require that "The Head of each Agency shall prescribe regulations for the administration of the Order and Regulations." (60-1.6(c)).

In implementation of this requirement, a first draft of regulations for the Environmental Protection Agency was prepared and published in the FEDERAL REGISTER on June 6, 1972, Volume 37, pages 11264-11273, as a notice of proposed rulemaking. Interested parties were invited to submit written data, views, or comments on the proposed regulations.

On October 12, 1972, the Department of Labor amended all of its Area Bid Conditions which set forth the Affirmative Action and Equal Employment Opportunity requirements affecting direct Federal and Federally-assisted construction contracts. This change by the Department of Labor necessitated a change

in this Agency's proposed regulations since it has been our purpose to have the Environmental Protection Agency's regulations relating to affected construction contracts outside the Department of Labor's "Imposed" and "Hometown" Plan areas follow as closely as possible the Department of Labor's procedures in such areas. Section 8.8 of the attached regulations, accordingly, is a revision of the § 8.8 proposed in the publication of June 6, 1972. Essentially, the revised Section 8.8 has been expanded to set forth in more detail the affirmative action requirements for direct Federal and Federally-assisted construction contracts within the purview of this Agency but outside the specially designated "Imposed" and "Hometown" Plan areas specified by the Department of Labor.

*Effective date.* This revision of proposed regulations for the Environmental Protection Agency in implementation of Parts II and III of Executive Order 11246 incorporates changes made in § 8.8 to pattern the regulations after procedures adopted by the Department of Labor subsequent to our notice of publication on June 6, 1972. The revisions are such that their publication as proposed rule making would serve no useful purpose and would not be in the public interest. The revisions will require adjustment of internal contract compliance administrative procedures pertaining to construction projects affected by these regulations. Accordingly, Subpart A of the revised regulations set forth below shall be effective on January 31, 1974, and shall be applicable to all grants awarded after that date. Subpart B shall be effective January 25, 1974, and shall be applicable to all grants and contracts awarded before, on, or after such date.

Dated: January 17, 1974.

RUSSELL E. TRAIN,  
Administrator.

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**AUTHORITY:** Section 201, Executive Order 11246, 30 FR 12319; and 41 CFR 60-1.6(c).

**Subpart A—Compliance Standards and Procedures**

**§ 8.1 Purpose.**

This part prescribes standards and procedures for the Environmental Protection Agency in discharging its responsibilities under Executive Order 11246; the rules and regulations of the Secretary of Labor, codified in 41 CFR Part 60, prescribed thereunder; and other rules, orders, instructions, designations, and directives issued by the Office of Federal Contract Compliance, Department of Labor.

**§ 8.2 Definitions.**

(a) "Administering agency" means any department, agency, and establishment in the Executive Branch of the Government, including any wholly owned

Government corporation, which administers a program involving federally assisted construction contracts.

(b) "Administrator" means the Administrator of the Environmental Protection Agency.

(c) "Agency" means the Environmental Protection Agency.

(d) "Applicant" means an applicant for Federal assistance from the Agency involving a construction contract, or other participant in a program involving a construction contract as determined by the regulations of the Agency. The term also includes such persons after they become recipients of such Federal assistance.

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

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

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

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

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

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

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

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

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

(j) "Equal opportunity clause" means the contract provisions set forth in sections 4(a) or (b), as appropriate.

(k) "Facilities" includes, but it is not limited to, waiting rooms, work areas,

restaurants and other eating areas, time clocks, restrooms, washrooms, locker rooms and other storage or dressing areas, parking lots, drinking fountains, recreation or entertainment areas, transportation, and housing facilities provided for employees.

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

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

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

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

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

(q) "Order" means Parts II, III, and IV of Executive Order 11246, dated September 24, 1965 (30 FR 12319), and any Executive Order amending or superseding such orders.

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

(s) "Prime contractor" means any person holding a contract, and for the purposes of Subpart B (General Enforcement, Compliance Review, and Complaint Procedure) of the rules, regulations, and relevant orders of the Secretary of Labor, any person who has held a contract subject to the order.

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

(u) "Rules, regulations, and relevant orders of the Secretary of Labor" used in both paragraph (4) of the equal opportunity clause and elsewhere herein means rules, regulations, and relevant

orders of the Secretary of Labor or his designee issued pursuant to the Order.

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

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

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

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

(x) "Subcontractor" means any person holding a subcontract and, for the purposes of Subpart B (General Enforcement; Compliance Review; and Complaint Procedure) of the rules, regulations, and relevant orders of the Secretary of Labor any person who had held a subcontract subject to the order. The term "First-tier subcontractor" refers to a subcontractor holding a subcontract with a prime contractor.

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

(z) "Minority group" as used herein shall include, where appropriate, female employees and prospective female employees.

### § 8.3 Responsibilities.

(a) *General.* The Environmental Protection Agency is primarily responsible for implementing the requirements of the order, and all rules, regulations, and orders issued pursuant thereto for all contracts for which it is the Compliance Agency.

(b) *Contract Compliance Officer (CCO).* The Director of the Office of Civil Rights and Urban Affairs has been designated as the Contract Compliance Officer (CCO), and is responsible for developing and administering the Agency's program under the order.

(c) *Director, Compliance Division.* The Director of the Compliance Division (ADCCO) has been designated to assist the Contract Compliance Officer in the performance of his duties. He is authorized to exercise the authority of the Contract Compliance Officer.

(d) *Deputy Contract Compliance Officer (DCCO).* Each Regional Director of Civil Rights and Urban Affairs has been designated by the Contract Compliance Officer as Deputy Contract Compliance Officer (DCCO) for the Region in which he serves. Deputy Contract Com-

pliance Officers are responsible for field administration of programs of contract compliance in conformity with directives and guidelines promulgated by the Contract Compliance Officer.

(e) *Heads of program areas.* Assistant Administrators and Regional Administrators who are authorized to extend Federal financial assistance which involves construction work shall be responsible for effectuating the order, rules, regulations, and relevant orders of the Secretary of Labor, OFCC directives this Part, directives of the Agency, and all other rules, regulations, and orders issued pursuant thereto as they relate to construction contracts financially assisted by the Agency.

### § 8.4 Equal opportunity clause.

(a) *Government contracts.* Except as otherwise provided, the following equal opportunity clause contained in section 202 of the Order shall be included in each Government contract entered into by the Agency (and modification thereof if not included in the original contract):

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

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

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

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

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

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

(6) In the event of the contractor's non-compliance with the equal opportunity clause of this contract or with any of the said rules,

regulations, or orders, this contract may be canceled, terminated, or suspended, in whole or in part, and the contractor may be declared ineligible for further Government contracts in accordance with procedures authorized in Executive Order No. 11246 of September 24, 1965, and such other sanctions may be imposed and remedies invoked as provided in Executive Order No. 11246 of September 24, 1965, or by rule, regulation, or order of the Secretary of Labor, or as otherwise provided by law.

(7) The contractor will include the provisions of paragraph (a)(1) through (7) of this section in every subcontract or purchase order unless exempted by rules, regulations, or orders of the Secretary of Labor issued pursuant to sec. 204 of Executive Order No. 11246 of September 24, 1965, so that such provisions will be binding upon each subcontractor or vendor. The contractor will take such action with respect to any subcontract or purchase order as the contracting agency may direct as a means of enforcing such provisions, including sanctions for non-compliance: Provided, however, That in the event the contractor becomes involved in, or is threatened with, litigation with a subcontractor or vendor as a result of such direction by the contracting agency, the contractor may request the United States to enter into such litigation to protect the interests of the United States.

(b) *Federally assisted construction contracts.* Except as otherwise provided, the agency shall include or require the inclusion of the following language as a condition of any grant, contract, loan, insurance, or guarantee involving federally assisted construction which it administers as Administering Agency and which is not exempt from the requirements of the equal opportunity clause:

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

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

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

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

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

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

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

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

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

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

The applicant agrees that it will assist and cooperate actively with the Agency and the Secretary of Labor in obtaining the compliance of contractors and subcontractors with the equal opportunity clause and the rules, regulations, and relevant orders of the Secretary of Labor; that it will furnish the Agency and the Secretary of Labor such information as they may require for the supervision of such compliance; and that it will otherwise assist the Agency in the discharge of its primary responsibility for securing compliance.

The applicant further agrees that it will refrain from entering into any contract or

contract modification subject to the Order with a contractor debarred from, or who has not demonstrated eligibility for, Government contracts and federally assisted construction contracts pursuant to the Order and will carry out such sanctions and penalties for violation of the equal opportunity clause, as may be imposed upon contractors and subcontractors by the Agency or the Secretary of Labor pursuant to Part II, Subpart D of the Order. In addition, the applicant agrees that if it fails or refuses to comply with these undertakings, the Agency may take any or all of the following actions: Cancel, terminate, or suspend in whole or in part this grant (contract, loan, insurance, guarantee); refrain from extending any further assistance to the applicant under the program with respect to which the failure or refusal occurred until satisfactory assurance of future compliance has been received from such applicant; and refer the case to the Department of Justice for appropriate legal proceedings.

(c) *Subcontracts.* Each nonexempt prime contractor or subcontractor shall include the equal opportunity clause in each of its nonexempt subcontracts.

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

(e) *Incorporation by operation of the Order and Agency regulations.* By operation of the Order, and these regulations, the equal opportunity clause shall be considered to be a part of every contract and subcontract required by either the Order, the rules, regulations and relevant orders of the Secretary of Labor or these regulations to include such a clause whether or not it is physically incorporated in such contracts. The clause is hereby made a part of every nonexempt contract where there is no written contract between the Agency and the contractor.

(f) *Adaptation of language.* Such necessary changes in language may be made in the equal opportunity clauses as shall be appropriate to identify the parties and their undertakings.

#### § 8.5 Exemptions.

(a) *General—(1) Transactions of \$10,000 or under.* Contracts and subcontracts not exceeding \$10,000, other than Government bills of lading, are exempt from the requirements of the equal opportunity clause. In determining the applicability of this exemption to any federally assisted construction contract, or subcontract thereunder, the amount of such contract or subcontract rather than the amount of the Federal financial assistance shall govern. The equal opportunity clause shall apply to all cases where the Agency, applicants, contractors, or subcontractors procure supplies or services in less than usual quantities to avoid applicability of the equal opportunity clause.

(2) *Contracts and subcontracts for indefinite quantities.* With respect to

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

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

(4) *Contracts with State or local governments.* The requirements of the equal opportunity clause in any contract or subcontract with a State or local government (or any agency, instrumentality or subdivision thereof) shall not be applicable to any agency, instrumentality or subdivision of such government which does not participate in work on or under the contract or subcontract. In addition, State and local governments are exempt from the requirements of filing the annual compliance report provided for by § 8.11(a) and maintaining a written affirmative action compliance program prescribed in §§ 8.7 and 8.8.

(b) *Specific contracts and facilities not connected with contracts.* The equal opportunity clause will not be required to be included in any contract or subcontract exempted by the Director under the provisions of 41 CFR 60-1.5(b)(1) or (2) provided such exemption has not been withdrawn under the provisions of 41 CFR 60-1.5(d).

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

#### § 8.6 Pre-bid requirements and conferences.

(a) *Nonconstruction contracts of \$1 million or more.* The following notice shall be included in the invitation for bids, or request for proposals for each nonconstruction contract (advertised or

negotiated) which may result in an award of \$1 million or more:

**PREAWARD EQUAL OPPORTUNITY COMPLIANCE REVIEWS**

Where the bid (or offer) of the apparent low responsible bidder (or offeror) is in the amount of \$1 million or more, the bidder (or offeror) and his known first-tier subcontractors which will be awarded subcontracts of \$1 million or more will be subject to full, preaward equal opportunity compliance reviews before the award of the contract for the purpose of determining whether the bidder (or offeror) and his subcontractors are able to comply with the provisions of the equal opportunity clause.

Preaward compliance reviews may be conducted for any nonexempt nonconstruction contract or subcontract if, on the basis of complaint, past performance, investigation, or otherwise, the Agency believes that a prospective contractor or subcontractor is unable or unwilling to comply with the requirements of the equal employment opportunity clause.

(b) **Construction contracts.** (1) In certain designated metropolitan areas, the Office of Federal Contract Compliance has established or approved establishment of, special compliance programs. In each such area special procedures have been made applicable for all direct federal or federally assisted construction projects. Such rules, regulations, guidelines, and procedures shall be governing in each instance and take precedence over general EPA contract compliance regulations set forth herein for direct and EPA financially assisted construction projects.

(2) Except for the specially designated areas described in (1) above, the following notice shall be included in the invitation for bids or request for proposals for all EPA direct construction and EPA financially assisted construction contracts where projects costs reasonably may be expected to exceed \$500,000:

**PRE-CONSTRUCTION EQUAL OPPORTUNITY COMPLIANCE CONFERENCE**

As part of the procedure for determining the ability of contractors to comply with the equal opportunity clause, prospective bidders may be required to attend a meeting scheduled by the Environmental Protection Agency prior to opening of bids where they will be instructed in the equal employment opportunity requirements of the Agency.

**§ 8.7 Affirmative action compliance programs—nonconstruction contracts.**

Order No. 4 (41 CFR Part 60-2), issued by the Secretary of Labor, sets forth requirements for the development of affirmative action compliance programs for nonconstruction contractors.

**§ 8.8 Affirmative action compliance programs—construction contracts.**

(a) In each area designated by the Office of Federal Contract Compliance for special compliance attention under Federal, State, or locally established compliance plans, the rules, regulations, and relevant orders of the Office of Federal Contract Compliance for the area shall be governing with respect to de-

velopment, maintenance, and submission of affirmative action programs by bidders and contractors. Copies of such rules, regulations, and relevant orders promulgated by the Office of Federal Contract Compliance shall be furnished to contractors by EPA in the instance of direct EPA construction contracting and to EPA's financial assistance recipient for submission to contractors in the instance of an EPA financially assisted construction contract.

(b) Outside the areas referred to in paragraph (a) of this section, and unless otherwise exempted by the Administrator, construction contracts for \$500,000 or more, and subcontracts for \$100,000 or more under such contracts, shall require that contractors and subcontractors awarded such contracts and subcontracts must engage in affirmative action directed at promoting and ensuring equal employment opportunity in the workforce under the contracts or subcontracts, such affirmative action to include, as appropriate, specific, result-oriented efforts such as:

(1) Notifying community organizations that the contractor has employment opportunities available and maintaining records of the organizations' response. Such organizations may include but shall not be limited to:

- (i) Local women's organizations.
- (ii) Minority employment agencies.
- (iii) Minority construction workers' and contractors' associations.
- (iv) Local Human Rights Councils or organizations.
- (v) Local Urban League chapter.
- (vi) Local high school and college job placement counselors.
- (vii) Local minority churches.
- (viii) Local Indian Tribal Councils and Indian centers.
- (ix) Local Spanish-speaking organizations.
- (x) Local National Association for the Advancement of Colored People (NAACP) chapters.
- (xi) Local Organization of Industrial Centers.
- (xii) Oriental Community centers.

(2) Maintaining a file of the names and addresses of each minority worker referred to the contractor and what action was taken with respect to each such referred worker, and if the worker was not employed, the reasons therefor. If such worker was not sent to the union hiring hall for referral or if such worker was not employed by the contractor, the contractor's file should document this and the reasons therefor.

(3) Prompt notification to the Environmental Protection Agency when the union or unions with whom the contractor has a collective bargaining agreement has not referred to the contractor a minority worker sent by the contractor or the contractor has other information that the union referral process has impeded him in his efforts to meet his goal.

(4) Participation by the contractor in training programs in the area, especially those funded by the Department of Labor.

(5) Dissemination of the contractor's

EEO policy within his own organization by including it in any policy manual; by publicizing it in company newspapers, annual reports, etc.; by conducting staff, employees, and union representatives' meetings to explain and discuss the policy; by posting the policy; and by specific review of the policy with minority employees.

(6) Dissemination of the contractor's EEO policy externally and discussions of it with all recruitment sources; advertising in news media specifically including minority news media; and by notification and discussion of the policy with all subcontractors and suppliers.

(7) Making specific and constant personal (both oral and written) recruitment efforts directed at all minority organizations, schools with minority students, minority recruitment organizations and minority training organizations, within the contractor's recruitment area.

(8) Making specific efforts to encourage present minority employees to recruit their friends and relatives.

(9) Validating all employment specifications, selection requirements, tests, and the like.

(10) Making every effort to promote after school, summer, and vacation employment to minority youths.

(11) Developing on-the-job and participating and assisting in any association or employee-group training programs relevant to the contractor's employee needs consistent with its obligations under this Part.

(12) Continual inventorying and evaluating all minority personnel for promotion opportunities and encouraging minority employees to seek such opportunities.

(13) Making sure that seniority practices, job classification, etc., do not have discriminatory effect.

(14) Making certain that all facilities and company activities are nonsegregated.

(15) Continuously monitoring all personnel activities to ensure EEO policy implementation.

(16) Circularizing minority contractor associations and soliciting subcontractor work from available minority contractors, and maintaining a file of such effort, including explanations, when qualified, interested contractors are not engaged.

(c) The goal of the affirmative action required herein is insurance of equal employment opportunity. It is recognized that achievement of this goal and appraisal of effort to achieve it pose special problems for construction contractors because of the temporary and shifting nature of the employer-employee relationship in the construction industry, varying labor market conditions, and varying local contracting practices. Still, there are parameters by which effort and achievement can be evaluated. Where a contractor employs no minorities in his entire workforce, a legitimate presumption arises that the contractor has taken no affirmative action to ensure equal employment opportunity as herein required.

The burden of refuting this presumption rests with the contractor. Similarly, if the only minorities a contractor employs are in the unskilled trades of his workforce, a legitimate presumption arises that the contractor has taken no affirmative action to ensure equal employment opportunity in his skilled trade workforce. Again the burden of refuting the presumption rests with the contractor. On the other hand, if a contractor employs minorities in every trade of his workforce and maintains such employment among the trades over the entire life of his contract, a legitimate presumption arises that the contractor has taken affirmative action to achieve equal employment opportunity. The burden of refuting this presumption rests with the Agency.

(d) In connection with evaluating a contractor's affirmative action effort, it shall be no excuse that any union with which a contractor has a collective bargaining agreement providing for exclusive referral fails to refer minority employees. Discrimination in referral for employment, even if pursuant to provisions of a collective bargaining agreement, is prohibited by the National Labor Relations Act and Title VII of the Civil Rights Act of 1964. The fact that a contractor has delegated the responsibility for some of his employment practices to another organization or agency and that the delegatee organization or agency prevents the contractor from meeting his affirmative action EEO obligations pursuant to the Order does not vitiate the contractor's basic responsibilities under the Order.

(e) Where review of a contractor's workforce discloses an absence of minority employees among all trades, or a disproportionate representation of minorities in the workforce from what reasonably might be expected from the availability of such employees in the serving labor market area, the contractor will be called upon to show what affirmative good faith efforts he has made to ensure equal employment opportunity in his workforce. In this connection, good faith efforts shall be defined as: Contractor's efforts demonstrated by documentation showing his communications with minority community organizations having knowledge of the availability of minority workers or the ability to refer minorities for work. Such organizations shall include but not be limited to the organizations listed under § 8.8(b)(1). An additional ingredient of acceptable good faith efforts by a contractor is any effort made to obtain minority subcontractors for any portion of the work subcontracted.

(f) As evidence of his understanding of and agreement with the affirmative action requirements herein, each bidder on construction contracts where the bid is \$500,000 or more shall file a signed certification with his bid acknowledging his understanding of the affirmative action requirements herein and certifying his agreement to make a good faith effort to achieve and maintain equal employment opportunity in the workforce under his contract through affirmative

actions as herein specified. The certification also shall contain an estimate prepared by the bidder identifying the trades expected to be used in construction of the contract being bid; an estimate of the total manhours of work to be utilized by each trade in the performance of the contract; and, if determinable, an estimate of the minority manhours of work to be utilized in each trade. The certification also shall contain an undertaking by the bidder that he will obtain from each of his subcontractors a subcontractor's certification required by these regulations. The completed certification must be signed by an official of the bidder capable of binding the company and be filed with the bid as part of the bid.

(g) Prior to award of any subcontract for \$100,000 or more for work under a construction contract for \$500,000 or more, regardless of tier, the prospective subcontractor must execute and submit to the prime contractor a certification acknowledging his understanding of the affirmative action requirements herein and certifying his agreement to make a good faith effort to achieve and maintain equal employment opportunity in the workforce under his subcontract through affirmative actions as herein specified. The certification also shall contain an estimate prepared by the bidder identifying the trades expected to be used in the work performed under the subcontract; an estimate of the total manhours of work to be utilized by each trade in the performance of the work; and, if determinable, an estimate of the minority manhours of work to be utilized in each trade. The certification also shall contain an undertaking by the subcontractor that he will obtain a certification as required herein from each of his subcontractors and submit it to the prime contractor prior to award of such subcontract. The completed and signed subcontractor's certification shall be made a part of the subcontract to which it applies. Any subcontract subject to these requirements which is executed without incorporation of a signed and completed subcontractor's certification shall be ineligible for Agency financial assistance.

(h) Notwithstanding the express exclusion authorized herein, bidders on contracts where the bid is less than \$500,000—but in no event below \$10,000—may be required to file certifications as described above with their bids whenever circumstances with respect to particular construction or labor market areas make it necessary in the interests of assuring compliance with the requirements of the Order. Subcontractors under such contracts shall be required to file certifications as required herein.

(i) When pursuant to these regulations, submission of a certification is required to be made with bids or proposals for contracting, standards for such certification shall be incorporated in the bid invitations or requests for proposals issued in connection with such contracts.

(j) Where pursuant to § 8.8(a) or § 8.8(b) of these regulations, bidders are required to submit certifications, written

and signed affirmative action plans, goals and timetables for minority manpower utilization, or other documents with their bids, such material must be completed in detail exactly as prescribed and be received prior to bid opening. Failure to submit the material prior to bid opening shall render the bid non-responsive insofar as compliance with Agency equal employment opportunity requirements is concerned. Determinations on the question of responsiveness of bids insofar as filing of the required equal employment opportunity submissions described above are concerned shall be made by the Agency.

#### § 8.9 Award of contracts.

(a) *Nonconstruction contracts of \$1 million or more.* The Contracting Officer shall notify the ADCCO of the proposed contracting. No award shall be made by the Contracting Officer until contract compliance clearance has been received from the ADCCO.

(1) If EPA is the Compliance Agency for the industry concerned in the proposed contracting, the ADCCO will refer the contracting information to the appropriate individual on his staff for the Preaward Equal Opportunity Compliance Review required by § 8.6(a). Directions and advice respecting contract compliance clearance for the proposed contracting will be forwarded to the Contracting Officer by the ADCCO within 30 days following receipt of the contracting information.

(2) If any agency other than EPA is the Compliance Agency for the industry concerned, the ADCCO shall notify the designated Compliance Agency and request it to take appropriate action and make appropriate findings in accordance with § 8.6(a) of these regulations within 30 days following receipt of the ADCCO's request. Replies from the Compliance Agency will be transmitted to the Contracting Officer by the ADCCO.

(b) *Nonconstruction contracts of less than \$1 million.* Except for special situations where the Agency believes a prospective contractor or subcontractor is unable or unwilling to comply with the requirements of the equal opportunity clause, as provided for in § 8.6(a) herein, preaward compliance reviews are not required for nonconstruction contracts of less than \$1 million.

(c) *Construction contracts in areas designated by the Office of Federal Contract Compliance for special compliance attention under Federal and locally established and approved Compliance Plans.* The Contracting Officer or approving official shall notify the appropriate Regional DCCO of the proposed contracting. The Regional DCCO shall carry out the duties prescribed for contracting agencies by the rules, regulations, guidelines, and procedures promulgated by the Office of Federal Contract Compliance for the affected area. No award shall be made or approved by the Contracting Officer or approving official until contract compliance clearance has been received from the Regional DCCO.

(d) *Construction contracts in areas other than those designated by the Office of Federal Contract Compliance for special compliance attention under Federal or locally established and approved Compliance Plans.* The Contracting Officer or approving official shall notify the appropriate Regional DCCO of the proposed contracting. The Regional DCCO shall inform the Contracting Officer or approving official of the EPA requirements respecting the proposed contracting. No award shall be made or approved by the Contracting Officer or approving official until contract compliance clearance has been received from the Regional DCCO.

#### § 8.10 Participation in areawide equal employment opportunity program.

Any contractor who is a participant in, or is a member of an organization or association which participates in, an areawide equal employment opportunity program which is approved by the Agency and the Office of Federal Contract Compliance for the purpose of effectuating the goals of Executive Order 11246, may be deemed to be in compliance with the Order by virtue of such participation and shall be exempt from the requirement of developing and maintaining a written affirmative action program, unless required to do so under the areawide equal employment opportunity program.

#### § 8.11 Reports and other required information.

(a) *Requirements for prime contractors and subcontractors.* (1) Each prime contractor with the Agency shall file, and each such prime contractor shall cause its subcontractors to file, annually, on or before the 31st day of March, complete and accurate reports on Standard Form 100 (EEO-1) promulgated jointly by the Office of Federal Contract Compliance, the Equal Employment Opportunity Commission, and Plans for Progress, or such form as may hereafter be promulgated in its place if such prime contractor or subcontractor (i) is not exempt from the provisions of the "rules, regulations, and relevant orders of the Secretary of Labor" in accordance with 41 CFR 60-1.5; (ii) has 50 or more employees; (iii) is a prime contractor or first-tier subcontractor; and (iv) has a nonexempt contract, subcontract or purchase order "amounting to \$50,000 or more" according to 41 CFR 60-1.7, or serves as a depository of Government funds, or is a financial institution which is an issuing and paying agency for U.S. savings bonds and savings notes: *Provided*, That any subcontractor below the first-tier which performs construction work at the site of construction shall be required to file such a report if it meets requirements of paragraph (a)(1)(i), (ii), and (iv) of this section.

(2) Each person required by paragraph (a)(1) of this section to submit reports shall file such a report with the Agency within 30 days after the award to him of a contract or subcontract, unless such person has submitted such a report within 12 months preceding the date of the award. Subsequent reports shall be sub-

mitted annually in accordance with paragraph (a)(1) of this section, or at such other intervals as the CCO or the Director may require. The Agency, with the approval of the Director may extend the time for filing any report.

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

(4) Failure to file timely, complete and accurate reports as required constitutes noncompliance with the prime contractor's or subcontractor's obligations under the equal opportunity clause and is ground for the imposition by the Agency, the Director, an applicant, prime contractor or subcontractor, of any sanctions as authorized by the Order and the rules, regulations and relevant orders of the Secretary of Labor. Any such failure shall be reported in writing to the Director by the CCO as soon as practicable after it occurs.

(b) *Requirements for bidders or prospective contractors.*—(1) *Previous reports.* Each bidder or prospective prime contractor and proposed subcontractor, where appropriate, shall state in the bid or in writing at the outset of negotiations for the contract:

(i) Whether it has developed and has on file at each establishment affirmative action programs pursuant to 41 CFR Part 60-2;

(ii) Whether it has participated in any previous contract or subcontract subject to the equal opportunity clause; and

(iii) If so, whether it has filed with the Joint Reporting Committee, the Director, an agency, or the Equal Employment Opportunity Commission all reports due under the applicable filing requirements.

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

(c) *Use of reports.* Reports filed pursuant to this section shall be used only in connection with the administration of the Order and the Civil Rights Act of 1964, or in furtherance of the purposes of the Order and said Act.

#### § 8.12 Compliance reviews.

(a) *General.* The purpose of a compliance review is to determine if the prime contractor or subcontractor maintains nondiscriminatory hiring and employment practices and is taking affirmative action to ensure that applicants are employed and that employees are placed, trained, upgraded, promoted, and otherwise treated during employment without regard to race, color, religion, sex, or

national origin. It shall consist of a comprehensive analysis and evaluation of each aspect of the aforementioned practices, policies, and conditions resulting therefrom. Where necessary, recommendations for appropriate sanctions shall be made. Where deficiencies are found to exist, reasonable efforts shall be made to secure compliance through conciliation and persuasion. Before the contractor can be found to be in compliance with the Order and these regulations, it must make a specific commitment, in writing, to correct any such deficiencies. The commitment must include the precise action to be taken and dates for completion. The time period allotted shall be no longer than the minimum period necessary to effect such changes. Upon approval of the commitment by the CCO, the ADCCO, the appropriate DCCO, or the Administrator, the contractor may be considered in compliance, on condition that the commitments are faithfully kept. The contractor shall be notified that making such commitments does not preclude future determinations of non-compliance based on a finding that the commitments are not sufficient to achieve compliance.

(b) *Regular compliance reviews.* Each DCCO shall institute a program of regular compliance reviews of those contractors and subcontractors for which he is assigned responsibility.

(c) *Special compliance reviews.* A special compliance review of bidders, applicants, offerors, contractors, or subcontractors will be conducted at the request of the CCO or the Director to determine compliance or ability to comply with the order, the rules, regulations and relevant orders of the Secretary of Labor, these rules and regulations and directives issued pursuant to each of the above.

(d) *Reports.*—(1) *Regular compliance review reports.* A report of each compliance review shall be forwarded to the CCO within 30 days after the regular review is conducted unless otherwise provided.

(2) *Special compliance review reports.* A special compliance review report shall be provided to the CCO or the Director, OFCC, as directed.

(3) *Preaward compliance review report.* A written report, including findings, of every preaward compliance review required by the rules, regulations, and relevant orders of the Secretary of Labor, or otherwise required by the Director, will be forwarded to the Director by the CCO within 10 days after the award for a post-award review.

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

**§ 8.13 Complaint procedure.**

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

(b) *Where to file.* Complaints may be filed with the Director or at any EPA Regional Office. Any EPA employee receiving a complaint shall forward the complaint directly to the CCO or his designee. The CCO shall transmit a copy of the complaint to the Director within 10 days after the receipt thereof.

(c) *Contents of complaint.* (1) The complaint should include the name, address, and telephone number of the complainant; the name and address of the prime contractor or subcontractor committing the alleged discrimination; a description of the acts considered to be discriminatory; and any other pertinent information which will assist in the investigation and resolution of the complaint. The complaint shall be signed by the complainant or his authorized representative.

(2) Where a complaint contains incomplete information, the CCO shall seek promptly the needed information from the complainant. In the event such information is not furnished to the CCO within 60 days of the date of such request, the case may be closed.

(d) *Investigations.* For each complaint filed against a prime contractor or subcontractor for which EPA is the Compliance Agency, the CCO shall institute a prompt investigation and shall be responsible for developing a complete case record. A complete case record consists of the name and address of each person interviewed and a summary of his statement, copies or summaries of pertinent documents, and a narrative summary of the evidence disclosed in the investigation as it relates to each violation revealed. When a complaint is filed against a prime contractor or subcontractor for which the Agency is not the compliance agency, the CCO shall transmit the complaint to the Director for disposition.

(e) *Resolution of complaints.* (1) If the complaint investigation by the CCO shows no violation of the equal opportunity clause, he shall so inform the Director. The Director may request further investigation by the CCO.

(2) If any complaint investigation or compliance review indicated a violation of the equal opportunity clause, the matter should be resolved by informal means whenever possible. Such informal means may include the holding of a compliance conference. Each prime contractor and subcontractor shall be advised that the resolution is subject to review by the Director, and may be disapproved if he determines that such resolution is not sufficient to achieve compliance.

(3) Where any complaint investigation or compliance review indicates a violation of the equal opportunity clause and the matter has not been resolved by informal means, the CCO with the approval of the Director shall afford the contractor an opportunity for a hearing. If the final decision reached in accordance with the provisions of 41 CFR 60-1.26 is that a violation of the equal opportunity clause has taken place, the CCO with the approval of the Director, may cause the cancellation, termination, or suspension of any contract or subcontract, cause a contractor to be debarred from further contracts or subcontracts, or may impose such other sanctions as are authorized by the order.

(4) When a prime contractor or subcontractor, without a hearing, shall have complied with the recommendations or orders of the CCO or the Director and believes such recommendations or orders to be erroneous, he shall, upon filing a request therefor within 10 days of such compliance, be afforded an opportunity for a hearing and review of the alleged erroneous action by the CCO or the Director.

(5) For reasonable cause shown, the CCO may reconsider or cause to be reconsidered any matter on his own motion or pursuant to a request.

(f) *Report to the Director.* Within 60 days from receipt of a complaint involving a matter for which the Agency is the Compliance Agency or within such additional time as may be allowed by the Director for good cause shown, the CCO shall process the complaint and submit to the Director the case record and a summary report containing the following information:

(1) Name and address of the complainant.

(2) Brief summary of findings, including a statement as the CCO's conclusions regarding the contractor's compliance or noncompliance with the requirements of the equal opportunity clause.

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

**§ 8.14 Hearings and sanctions.**

(a) The Administrator with the approval of the Director may convene formal or informal hearings as he may deem appropriate for inquiring into the status of compliance by any prime contractor or subcontractor with the terms of the equal opportunity clause.

(b) The Administrator may propose or apply sanctions in the event of noncompliance by a contractor or subcontractor with the requirements of the equal opportunity clause, subject to the limitations of the rules, regulations and relevant orders of the Secretary of Labor, particularly 41 CFR 60-1.27, and of the rules and regulations of the Agency.

(c) The conduct of hearings and the proposal and application of sanctions shall be in accordance with the requirements of the order and of the rules and regulations of the Agency.

**§ 8.15 Intimidation and interference.**

The sanctions and penalties contained in Subpart D of the order may be exercised by the CCO or the Director against any prime contractor, subcontractor or applicant who fails to take all necessary steps to insure that no person intimidates, threatens, coerces, or discriminates against any individual for the purpose of interfering with the filing of a complaint, furnishing information, or assisting or participating in any manner in an investigation, compliance review, hearing, or any other activity related to the administration of the order or any other Federal, State, or local laws requiring equal employment opportunity.

**§ 8.16 Segregated facilities certificate.**

Prior to the award of any nonexempt Government contract or subcontract or federally assisted construction contract or subcontract, the Agency or the Applicant shall require the prospective prime contractor, and each prime contractor and subcontractor shall require each subcontractor to submit a certification, in the form approved by the Director, that the prospective prime contractor or subcontractor does not and will not maintain any facilities he provides for his employees in a segregated manner, or permit his employees to perform their services at any location under his control where segregated facilities are maintained; and that he will obtain a similar certification in the form approved by the Director, prior to the award of any non-exempt subcontract.

**§ 8.17 Solicitations or advertisements for employees.**

In solicitations or advertisements for employees placed by or on behalf of a prime contractor or subcontractor, the requirements of paragraph (2) of the equal opportunity clause shall be satisfied whenever the prime contractor or subcontractor complies with any of the following:

(a) States expressly in the solicitations or advertising that all qualified applicants will receive consideration for employment without regard to race, color, religion, sex or national origin;

(b) Uses display or other advertising, and the advertising includes an appropriate insignia prescribed by the Director. The use of the insignia is considered subject to the provisions of 18 U.S.C. 701;

(c) Uses a single advertisement, and the advertisement is grouped with other advertisements under a caption which clearly states that all employers in the group assure all qualified applicants equal consideration for employment without regard to race, color, religion, sex, or national origin;

(d) Uses a single advertisement in which appears in clearly distinguishable type the phrase "an equal opportunity employer."

**§ 8.18 Access to records of employment.**

Each prime contractor and subcontractor shall permit access during normal business hours to his books, records, and accounts pertinent to compliance with the order, and all rules and regulations

promulgated pursuant thereto, by the Agency or the Director for purposes of investigation to ascertain compliance with the equal opportunity clause of the contract or subcontract. Information obtained in this manner shall be used only in connection with the administration of the Civil Rights Act of 1964, and in furtherance of the purposes of the order and that Act.

#### § 8.19 Notices to be posted.

Contractors and subcontractors required to do so by paragraphs (1) and (3) of the equal opportunity clause shall post notices to be provided by the CCO. Such notices shall be in compliance with the requirements of 41 CFR 60-1.42.

#### § 8.20 Program directives and instructions.

Appropriate program officials may issue such directives, procedures, and instructions as they consider necessary to achieve equal employment opportunity in programs administered by them, provides such issuances are not inconsistent with the provisions of the order, the rules, regulations, and relevant orders of the Secretary of Labor or the Director, or with these regulations. A copy of such directives, procedures, and instructions shall be submitted to the CCO for approval prior to issuance.

### Subpart B—Compliance Hearing and Appeal Procedures

#### GENERAL

#### § 8.31 Authority.

These rules of procedure supplement, and are established pursuant to, the provisions of 41 CFR 60-1.26(b).

#### § 8.32 Scope of rules.

These rules govern the practice and procedure for proceedings conducted by the Agency to decide whether to impose sanctions on a respondent under sections 209(a)(1), (5), and (6) of the Executive Order, for violations of the Executive Order and rules, regulations, and orders thereunder.

#### § 8.33 Definitions.

Except as otherwise indicated by the context in which it appears in these regulations, the term:

- (a) "Agency" means the Environmental Protection Agency.
- (b) "Administrator" means the Administrator of the Environmental Protection Agency.
- (c) "Director" means the Director of the Office of Civil Rights and Urban Affairs.
- (d) "Executive Order" means Executive Order 11246, 30 FR 12319, as amended.
- (e) "Hearing" means a hearing conducted as specified in this subpart to enable the Agency to decide whether to impose sanctions on a respondent for violations of the Executive Order and rules, regulations, and orders thereunder.
- (f) "Hearing examiner" means a hearing examiner appointed by the Assistant Administrator for Enforcement and General Counsel.

(g) "Notice" means a notice of hearing.

(h) "Office of Civil Rights" means the Office of Civil Rights and Urban Affairs in the Agency.

(i) "Office of Federal Contract Compliance" means the Office of Federal Contract Compliance, U.S. Department of Labor.

(j) "Office of the Assistant Administrator for Enforcement and General Counsel" means the Office of the Assistant Administrator for Enforcement and General Counsel in the Agency.

(k) "Party" means a respondent; the Director; and any person or organization participating in a proceeding pursuant to section 8.

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

(m) "Respondent" means a person against whom sanctions are proposed because of alleged violations of the Executive Order and rules, regulations, and orders thereunder.

#### § 8.34 Time computation.

Except as otherwise provided by law, in computing any period of time under these rules or in an order issued hereunder, the time begins with the day following the act or event, which starts the period running, and includes the last day of the period, unless it is a Saturday, Sunday, Federal legal holiday, or other nonbusiness day, in which event it includes the next following day which is not a Saturday, Sunday, Federal legal holiday, or other nonbusiness day. When the period of time to be computed is 7 days or less, intermediate Saturdays, Sundays, Federal legal holidays and other nonbusiness days shall be excluded in the computation. In all other cases such days shall be included in the computation.

#### DESIGNATION AND RESPONSIBILITIES OF HEARING EXAMINER

#### § 8.35 Designation.

Each hearing shall be held before a hearing examiner designated by the Assistant Administrator for Enforcement and General Counsel.

#### § 8.36 Authority and responsibilities.

(a) The hearing examiner shall have all powers necessary to preside over the parties and the proceedings, conduct the hearing and enter recommend findings and conclusions and a recommended determination. His powers shall include, but not be limited to, the power to:

- (1) Hold conferences to settle, simplify, or fix the issues involved, or to consider other matters that may aid in the expeditious disposition of the proceedings.
- (2) Require parties at any point in the proceedings to state their position with respect to the various issues involved.
- (3) Establish rules for media coverage of the proceedings.
- (4) Rule on motions and other procedural items.

(5) Regulate the course of the hearing, the conduct of counsel, parties, witnesses and other participants.

(6) Administer oaths and affirmations, call witnesses on his own motion, examine witnesses and direct witnesses to testify.

(7) Receive, rule on, exclude or limit evidence.

(8) Fix time limits for submission of written documents in matters before him.

(9) Take any action authorized by these regulations or the provisions of applicable law.

(b) The hearing examiner shall recommend findings of fact, conclusions of law and a determination of the issues on the basis of the record before him to the Assistant Administrator for Enforcement and General Counsel.

#### APPEARANCE AND PRACTICE

#### § 8.37 Participation by a party.

Subject to the provisions contained in Part 8.38 of this subtitle, a party may appear in person, by representative, or by counsel, and participate fully in any proceeding held under these regulations.

#### § 8.38 Determination of parties.

(a) The respondent and the Director shall be the initial parties to any proceeding. To the extent that proceedings hereunder are based in whole or in part on matters subject to a collective bargaining agreement, any labor organization which is signatory to such agreement shall also have the right to participate as a party.

(b) Other persons may at the discretion of the hearing examiner or of the Assistant Administrator for Enforcement and General Counsel be granted the right to participate as parties if he determines that the final decision could directly and adversely affect them or the class they represent, and that they may contribute materially to the disposition of the proceedings.

(c) Any person wishing to participate as a party under paragraph (b) of this section in any hearing shall submit a petition to the hearing examiner within 15 days after the notice of such hearing has been served. The petition should be filed with the hearing examiner and served on Respondent, on the Director, and on any other person who is a party at the time of filing. Such petition shall concisely state: (1) Petitioner's interest in the proceeding, (2) how his participation as a party will contribute materially to the disposition of the proceeding, (3) who will appear for petitioner, (4) the issues on which petitioner wishes to participate, and (5) whether petitioner intends to present witnesses.

(d) The hearing examiner shall promptly ascertain whether there are objections to the petition. He shall then determine whether the petitioner is qualified in his judgment to be a party in the proceedings, as defined in paragraph (b) of this section, and shall permit or deny participation accordingly. Where petitions to participate as parties are made by individuals or groups with common interests, the hearing examiner may request all such petitioners to designate

a single representative, or he may recognize one or more of such petitioners to represent all such petitioners; provided that the representative of a labor organization qualified to participate under paragraph (a) of this section shall be permitted to participate as a party. The hearing examiner shall give each such petitioner written notice of the decision on his petition. If the petition is denied, he shall briefly state the grounds for denial and shall then treat the petition as a request for participation as amicus curiae. The hearing examiner shall give written notice to each party of each petition granted.

(e) Persons whose petition for party participation is denied may appeal the decision to the Assistant Administrator for Enforcement and General Counsel within 7 days of receipt of notice of denial. The Assistant Administrator for Enforcement and General Counsel will make the final decision for the Agency to grant or deny the petition.

#### § 8.39 Determination and participation of amici.

(a) Any interested person wishing to participate as amicus curiae in the proceeding shall file a petition before the commencement of the hearing. Such petition shall concisely state the petitioner's interest in the hearing and who will represent petitioner.

(b) The hearing examiner may grant the petition if he finds that the petitioner has an interest in the proceedings and may contribute materially to the disposition of the proceedings. The hearing examiner shall give the petitioner written notice of the decision on his petition.

(c) An amicus curiae is not a party and may only participate as provided in paragraph (d) of this section.

(d) An amicus curiae may submit a written statement of position to the hearing examiner at any time prior to the beginning of a hearing, and shall serve a copy on each party. He may also file a brief or written statement at such time as the parties submit proposed findings and conclusions and supporting briefs to the hearing examiner and at such time as the parties file exceptions to the recommended determination of the hearing examiner.

#### FORM AND FILING OF DOCUMENTS

##### § 8.40 Form.

Documents filed in a proceeding subject to this Part shall show the docket description and title of the proceeding, the party or amicus submitting the document, the date signed, and the title, if any, and address of the signatory. The original will be signed in ink by the party representing the party or amicus. Copies need not be signed, but the name of the person signing the original shall be reproduced.

##### § 8.41 Filing and service.

(a) Copies of all documents submitted in a proceeding shall be served on all parties including amici, and in addition the original and two copies of each

document shall be submitted for filing with the hearing examiner at the address stated in the notice. With respect to exhibits and transcripts of testimony, only originals need be filed.

(b) Service upon a party or amicus shall be made by delivering one copy of each document requiring service in person or by certified mail, return receipt requested, properly addressed with postage prepaid, to the party or amicus or his attorney or designated representative. Filing will be made in person or by certified mail, return receipt requested, to the hearing examiner, at the address stated in the notice of scheduled hearing.

(c) The date of filing or of service of a document shall be the day when the document is deposited in the United States mail or is delivered in person.

##### § 8.42 Certificate of service.

The original of every document filed and required to be served upon parties shall be endorsed with a certificate of service signed by the party or amicus curiae making service or by his attorney or representative, stating that such service has been made, the date of service, and the manner of service.

#### PROCEDURES

##### § 8.43 Notice of hearing.

Whenever a respondent requests a hearing, the Director shall serve on the Respondent, as required by 41 CFR 60-1.26(b), a notice of hearing by registered mail, return receipt requested, to Respondent's last known address. Such notice shall contain the time and place of the hearing; a statement or citation of the legal authority under which the proceedings are to be held; and a concise statement of the facts which are thought to justify the sanctions or other actions proposed.

##### § 8.44 Answer to notice.

Within 15 days after receipt of the notice of hearing, Respondent shall file an answer. This answer shall admit or deny specifically and in detail matters set forth in each allegation of the notice unless Respondent is without knowledge sufficient to enable him to so admit or deny, in which case his answer should so state, and the statement shall be deemed a denial. Matters not specifically denied shall be deemed admitted. Matters alleged in the answer as affirmative defenses shall be separately stated and numbered. Failure of Respondent to file an answer within the 15-day period following receipt of the notice may be deemed an admission to all facts recited in the notice.

##### § 8.45 Amendments.

The Director may amend his notice once as a matter of course before an answer is filed, and Respondent may amend its answer once as a matter of course not later than 15 days after it is filed. Other amendments of the notice or of the answer to the notice shall be made only by leave of the hearing examiner. An amended notice shall be answered within 10 days of its service, or

within the time for filing an answer to the original notice, whichever period is longer.

##### § 8.46 Motions.

Motions and petitions shall state the relief sought, the basis for relief and the authority relied upon. If made before or after the hearing itself, they shall be in writing. If made at the hearing, they may be stated orally; but the hearing examiner may require that they be reduced to writing and filed and served on all parties. Within 8 days after a written motion or petition is served on a party, that party may file a response. An immediate oral response may be made to an oral motion. Oral argument on motions will be at the discretion of the hearing examiner.

##### § 8.47 Disposition of motions.

The hearing examiner may not grant a written motion or petition prior to expiration of the time for filing responses thereto, but may overrule or deny such motion or petition without awaiting response: *Provided, however,* That pre-hearing conferences, hearings, and decisions need not be delayed pending disposition of motions or petitions. Oral motions and petitions may be ruled on immediately.

##### § 8.48 Interlocutory appeals.

No interlocutory appeals will be permitted from an adverse ruling except as specifically provided in these rules.

##### § 8.49 Exhibits.

Proposed exhibits shall be exchanged at the prehearing conference, or otherwise prior to the hearing, if the hearing examiner so directs. If the hearing examiner directs an exchange, proposed exhibits not so exchanged may be denied admission as evidence. The authenticity of all exhibits submitted prior to the hearing under direction of the hearing examiner, will be deemed admitted unless written objection thereto is filed and served on all parties at least fifteen (15) days prior to the date of the hearing, or unless good cause is shown for failure to file such written objection.

##### § 8.50 Admissions as to facts and documents.

Not later than 25 days prior to the date of the hearing any party may serve upon an opposing party a written request for the admission of the genuineness and authenticity of any relevant documents described in, and exhibited with, the request, or for the admission of the truth of any relevant matters of fact stated in the request. Each matter as to which an admission is requested shall be deemed admitted unless within a period of 20 days the party to whom the request is directed serves upon the requesting party a statement either (a) denying specifically the matters as to which an admission is requested, or (b) setting forth in detail the reasons why he cannot truthfully either admit or deny such matters.

**§ 8.51 Discovery.**

(a) *Methods.* Parties may obtain discovery as provided in these rules by deposition, written interrogatories, production of documents, or other items; or by permission to enter property for inspection and other purposes.

(b) *Scope.* Parties may obtain discovery regarding any matter, not privileged, which is relevant to the subject matter involved in the hearing.

(c) *Protective orders.* Upon motion by a party or by the person from whom discovery is sought, and for good cause shown, the hearing examiner may make any order which justice requires to limit or condition discovery in order to protect a party or person from annoyance, embarrassment, oppression, or undue burden or expense.

(d) *Sequence and timing.* Methods of discovery may be used in any sequence. The fact that a party is conducting discovery shall not operate to delay any other party's discovery.

(e) *Time limit.* Discovery by all parties will be completed within such time as the examiner directs from the date the notice of hearing is served on Respondent.

**§ 8.52 Depositions.**

(a) A party may take the testimony of any person, including a party, by deposition upon oral examination. This may be done by stipulation or by notice, as set forth in paragraph (b) of this section. On motion of any party or other person upon whom the notice is served, the hearing examiner may for cause shown enlarge or shorten the time for the deposition, change the place of the deposition, limit the scope of the deposition or quash the notice. Depositions of persons other than parties or their representatives shall be upon consent of the deponent.

(b) (1) The party taking a deposition will give reasonable notice in writing to every other party of the time and place for taking depositions, the name and address of each person to be examined, if known, or, if the name and address of any such person are not known, a general description sufficient to identify him or the particular class or group to which he belongs.

(2) The notice to a deponent may be accompanied by a request for the production of documents and tangible things at the taking of the deposition.

(3) A party may name as the deponent a corporation, partnership, association, or governmental agency and may designate a particular person within the organization whose testimony is desired and the matters on which examination is requested. If no particular person is named, the organization shall designate one or more agents to testify on its behalf, and may set forth the matters on which each will testify. The persons so designated shall testify as to matters known or reasonably available to the organization.

(c) Examination and cross-examination of witnesses shall proceed as would be permitted at the hearing. Each wit-

ness shall be placed under oath by a disinterested person qualified to administer oaths by the laws of the United States or of the place where the examination is held, and the testimony taken by such person shall be recorded verbatim.

(d) During the taking of a deposition a party or deponent may request suspension of the deposition on grounds of bad faith in the conduct of the examination, annoyance, embarrassment, oppression of deponent or party or improper questions propounded. The deposition will then be adjourned. However, the objecting party or deponent must immediately move the hearing examiner for a ruling on such objections. The hearing examiner may then limit the scope or manner of the taking of the deposition.

(e) The officer shall certify the deposition and promptly file it with the hearing examiner. The originals or true copies of documents and other items produced for inspection during the examination of the witness shall, upon the request of a party, be marked for identification and annexed to the deposition as a part thereof.

(f) The party taking the deposition shall give prompt notice of its filing to all other parties.

**§ 8.53 Use of depositions at hearing.**

(a) Any part or all of a deposition, so far as the statements or other matter in it would be admissible if the deponent were present and testifying in person at the hearing, may be used as follows against any party who was present or represented at the taking of the deposition or who had reasonable notice thereof:

(1) Any deposition may be used for contradiction or impeachment of the deponent as a witness.

(2) The deposition of a party, or of an agent designated by a party to testify on his behalf, may be used by an adverse party for any purpose.

(3) The deposition of any witness may be used for any purpose if the witness is dead; or if the witness is at greater distance than 100 miles from the place of hearing, or is out of the United States, unless it appears that the absence of the witness was procured by the party offering the deposition; or if the witness is unable to attend or testify because of age, illness, infirmity, or imprisonment; or, upon application and notice, that such exceptional circumstances exist as to make it desirable, in the interest of justice and with due regard to the importance of presenting the testimony of witness orally in open hearing, to allow the deposition to be used.

(b) If only part of a deposition is offered in evidence, the remainder becomes subject to introduction by any party.

(c) Objection may be made at the hearing to receiving in evidence any deposition or part thereof for any reason which would require the exclusion of the evidence if the witness were then present and testifying.

**§ 8.54 Interrogatories to parties.**

(a) Any party may serve upon any other party written interrogatories after the notice of hearing has been filed.

(b) Each interrogatory shall be answered separately and fully in writing under oath, unless it is objected to, in which event the objection shall be stated in lieu of an answer. The answers are to be signed by the person making them, and the objections signed by the attorney or other representative making them. Answers and objections shall be made within 30 days after the service of the interrogatories. The party submitting the interrogatories may move for an order under Sec. 26(a)(1) with respect to any objection to or other failure to answer an interrogatory.

(c) Interrogatories may relate to any matter not privileged which is relevant to the subject matter of the hearing.

**§ 8.55 Production of documents and things and entry upon land for inspection and other purposes.**

(a) After the notice of hearing has been filed, any party may serve on any other party a request to produce and permit the party, or someone acting on his behalf, to inspect and copy any designated documents, phonorecords, or other data compilations from which information can be obtained and which are in the possession, custody, or control of the party upon whom the request is served. If necessary, translation of data compilations shall be done by the party furnishing the information.

(b) After the notice of hearing has been filed, any party may serve on any other party a request to permit entry upon designated property in the possession or control of the latter party for the purpose of inspection, measuring, surveying or photographing, testing, or sampling the property or any designated object.

(c) Each request shall set forth with reasonable particularity the items to be inspected and shall specify a reasonable time, place, and manner of making the inspection and performing the related acts.

(d) The party upon whom the request is served shall respond within 15 days after the service of the request. The response shall state, with respect to each item, that inspection and related activities will be permitted as requested, unless there are objections in which case the reason for each objection shall be stated. The party submitting the request may move for an order under section 26(a)(1) with respect to any objection or other failure to respond.

**§ 8.56 Sanctions.**

(a) A party, upon reasonable notice to other parties, may move for an order as follows:

(1) If a deponent fails to answer a question propounded or submitted under section 22(c) or a corporation or other entity fails to make a designation under section 22(b)(3), or a party fails to answer an interrogatory submitted under section 24, or if a party, under section 25, fails to respond that inspection will be permitted or fails to permit inspection, the discovering party may move for an order compelling an answer, a designation, or inspection.

(2) An evasive or incomplete answer is to be treated as a failure to answer.

(b) If a party or an agent designated to testify fails to obey an order to permit discovery, the hearing examiner may make such orders as are just, including:

(1) That the matters regarding which the order was made or any other designated facts shall be established in accordance with the claim of the party obtaining the order;

(2) Refusing to allow the disobedient party to support or oppose designated claims or defenses, or prohibiting him from introducing designated matters in evidence.

(c) If a party or an agent designated to testify fails after proper service (1) to appear for his deposition, (2) to serve answers or objections to interrogatories submitted under section 24, or (3) to serve a written response to a request for inspection, submitted under section 25, the hearing examiner on motion may make such orders as are just, including those authorized under paragraphs (b) (1) and (2) of this section.

§ 8.57 Ex parte communications.

(a) Written or oral communications involving any substantive or procedural issue in a matter subject to these rules, directed to the hearing examiner, the Director; the Director, Office of Federal Contract Compliance; or the Assistant Administrator for Enforcement and General Counsel, shall be deemed ex parte communications and are not to be considered part of any record or the basis for any official decision, unless the communication is made by motion pursuant to these rules.

(b) The hearing examiner shall not consult any person, or party, on any fact in issue or on the merits of any matter before him except upon notice and opportunity for all parties to participate.

(c) No employee or agent of the Federal Government engaged in the investigation and prosecution of a proceeding governed by these rules shall participate or advise in the rendering of the recommended or final decision, except as witness or counsel in the proceeding.

PREHEARING

§ 8.58 Prehearing conferences.

(a) Within 15 days after the answer has been filed, the hearing examiner will establish a prehearing conference date for all parties including persons whose petition requesting party status has not been ruled upon. Written notice of the prehearing conference shall be sent by the hearing examiner.

(b) At the prehearing conference the following matters, among others, shall be considered: (1) Simplification and delineation of the issues to be heard; (2) stipulations; (3) limitation of number of witnesses and exchange of witness lists; (4) procedure applicable to the proceeding; (5) offers of settlement; and (6) scheduling of the dates for exchange of exhibits. Additional prehearing conferences may be scheduled at the discretion

of the hearing examiner, upon his own motion or the motion of a party.

HEARING

§ 8.59 Appearances.

In the event that a party appears at the hearing and no party appears for the opposing side, the party who is present shall either present all his evidence or shall present such portion thereof as is sufficient to make a prima facie case before the hearing examiner. Failure to appear at a hearing shall be deemed to be a waiver of the right to be served with a copy of the hearing examiner's proposed decision and to file exceptions to it.

§ 8.60 Purpose.

(a) The hearing is directed primarily to receiving factual evidence and expert opinion testimony related to the issues in the proceeding. A hearing will be held in order to determine whether Respondent has failed to comply with one or more applicable requirements of the Executive Order, and rules, regulations, and orders thereunder. However, this shall not prevent the parties from entering into a stipulation of the facts.

(b) If all facts are stipulated, the proceedings shall go to conclusion in accordance with §§ 8.68-8.73.

§ 8.61 Evidence.

Formal rules of evidence will not apply to the proceeding. Irrelevant, immaterial, unreliable, and unduly repetitious evidence will be excluded from the record of a hearing. Hearsay evidence shall not be inadmissible as such.

§ 8.62 Official notice.

Whenever a party offers a document, or part thereof, in evidence, and such document, or part thereof, has been shown by the offeror to be reasonably available to the public, such document need not be produced or marked for identification, but may be offered for official notice as a public document item by specifying the document or relevant part thereof. Official notice may also be taken of other matters, at the discretion of the hearing examiner.

§ 8.63 Testimony.

Testimony shall be given under oath by witnesses at the hearing. All witnesses shall be subject to cross-examination, and at the discretion of the hearing examiner, may be cross-examined without regard to the scope of direct examination as to any matter which is material to the proceeding.

§ 8.64 Objections.

Objections to evidence shall be timely, and the party making them shall briefly state the ground relied upon.

§ 8.65 Exceptions.

Exceptions to rulings of the hearing examiner are unnecessary. It is sufficient that a party, at the time the ruling of the hearing examiner is sought, makes known the action which he desires the hearing

examiner to take, or his objection to an action taken, and his ground therefor.

§ 8.66 Offer of proof.

An offer of proof made in connection with an objection taken to any ruling of the hearing examiner excluding proffered oral testimony shall consist of a statement of the substance of the evidence which counsel contends would be adduced by such testimony. If the excluded evidence consists of evidence in written form or consists of reference to documents, a copy of such evidence shall be marked for identification and shall accompany the record as the offer of proof.

§ 8.67 Official transcript.

An official reporter will be designated for all hearings. The official transcripts taken of testimony and argument, together with exhibits, briefs, or memoranda of law filed therewith, shall be filed with the hearing examiner. Transcripts may be obtained by the parties and the public from the official at rates not to exceed the applicable rates fixed by the contract with the reporter. Upon notice to all parties, the hearing examiner may authorize such corrections to the transcript as are necessary to accurately reflect the testimony.

POSTHEARING PROCEDURES

§ 8.68 Proposed findings of fact and conclusions of law.

Within 30 days after the close of the hearing each party may file, or the hearing examiner may request, proposed findings of fact and conclusions of law together with supporting briefs. Such proposals and briefs shall be served on all parties and amici. Reply briefs may be submitted within 15 days after receipt of the initial proposals and briefs. Reply briefs should be filed and served on all parties and amici.

§ 8.69 Record for decision.

The hearing examiner will make his recommended findings, conclusions, and recommended decision upon the basis of the record before him. The transcript of testimony, exhibits, and all papers, documents, and requests filed in the proceedings except the correspondence section of the docket, shall constitute the record.

§ 8.70 Recommended determination.

The hearing examiner shall, in an expeditious manner, rule on proposed findings and conclusions submitted by the parties and shall make recommended findings, conclusions, and decision. These rulings and recommendations shall be certified, together with the record for decision, to the Assistant Administrator for Enforcement and General Counsel for his decision. The rulings, recommended findings, conclusions and decision of the hearing examiner shall be served on all parties and amici curiae to the proceedings.

### § 8.71 Exceptions to recommended determination.

Within 30 days after receipt of the recommended determination, all parties to the proceeding may file with the Assistant Administrator for Enforcement and General Counsel, exceptions to the recommended findings, conclusions and decision of the hearing examiner, together with supporting briefs. Service of such exceptions and briefs shall be made on all parties and amici. Such briefs may be responded to within 15 days of their receipt. Responses shall be filed with the Assistant Administrator for Enforcement and General Counsel, and served on all parties and amici.

### § 8.72 Record.

After expiration of the time for filing briefs and exceptions, the Assistant Administrator for Enforcement and General Counsel shall make a decision on the basis of the record before him. The record includes the record before the hearing examiner, the rulings, the recommended findings, conclusions and decision of the hearing examiner, and the exceptions and briefs filed subsequent to the hearing examiner's decision.

### § 8.73 Final decision.

The Assistant Administrator for Enforcement and General Counsel may affirm, modify, or set aside in whole or in part the recommended findings, conclusions, and decision of the hearing examiner. The decision of the Assistant Administrator for Enforcement and General Counsel shall not be final without the approval of the Director.

[FR Doc.74-1801 Filed 1-24-74;8:45 am]

### Title 43—Public Lands: Interior

#### CHAPTER II—BUREAU OF LAND MANAGEMENT, DEPARTMENT OF THE INTERIOR

##### APPENDIX—PUBLIC LAND ORDERS

[Public Land Order 5406]

[Arizona 6369]

#### ARIZONA

#### Modification of Reclamation Withdrawals To Permit Grant of Right-of-Way

By virtue of the authority contained in section 3 of the Act of June 17, 1902, 32 Stat. 388, as amended and supplemented, 43 U.S.C. 416 (1970), it is ordered as follows:

The departmental orders of July 2, 1902, January 31, 1903, September 30, 1904, June 18, 1914, and March 14, 1929, withdrawing lands in Arizona for reclamation purposes, are hereby modified to the extent necessary to permit the location of a right-of-way under section 2477, U.S. Revised Statutes, 43 U.S.C. 932, by Yuma County, Arizona, over the following described lands, as delineated on a map filed by the Yuma County Highway Department with the Bureau of Land Management in Arizona 6913, for the construction of a public road:

GILA AND SALT RIVER MERIDIAN

T. 9 S., R. 23 W.,  
Sec. 11, East 45' of Tract B.

The area described aggregates 1.35 acres in Yuma County.

JACK O. HORTON,  
Assistant Secretary of the Interior.

JANUARY 21, 1974.

[FR Doc.74-2123 Filed 1-24-74;8:45 am]

### Title 46—Shipping

#### CHAPTER I—COAST GUARD, DEPARTMENT OF TRANSPORTATION

##### SUBCHAPTER C—UNINSPECTED VESSELS [CGD 74-7R]

#### PART 25—REQUIREMENTS

##### SUBCHAPTER T—SMALL PASSENGER VESSELS (UNDER 100 GROSS TONS)

#### PART 184 VESSEL CONTROL AND MISCELLANEOUS SYSTEMS EQUIPMENT

##### Light Intensity Standards

On December 27, 1967 (32 FR 20812), the Coast Guard promulgated an amendment to Parts 25 and 184 of Title 46, Code of Federal Regulations by adding new §§ 25.05-15 and 184.15-5 light intensity standards. These sections contain information pertaining to the distance of visibility of navigation lights. Sections 25.05-15(a) and 184.15-5(a) provide an intensity standard which corresponds to the required distances of visibility.

Sections 25.05-15(b), 25.05-15(c), 184.15-5(b), and 184.15-5(c), in associated tables, provide combinations of lamps and lenses which could be used to achieve the standard intensity. This information might be misinterpreted to imply that the listed combinations are the most effective, or most efficient available or that the intensity standard could not be met by other combinations. Therefore, these sections are being removed.

Sections 25.05-15(d) and 184.15-5(d) include the sentence "Such lights shall be of an approved type". This implied that an approval specification for navigation lights would be issued. A specification has not been issued due to difficulties encountered in specifying all conditions required to comply with the Rules of the Road while recognizing physical limitations of light sources which exist. With no specifications, lights cannot be approved. Therefore, the requirement is being removed.

It is reasonable that navigation light manufacturers delayed development and manufacture of new lights pending the publishing of specifications. Therefore, lights which provide the standard intensities may not be available for every different style, type and size of vessel to which these standards apply and the effective date must be deferred.

The amendments in this document delete the recommended lamp and lens tables, delete the requirement for a light of an approved type and extend the effective date for compliance with the light intensity standards from January 1, 1974 to July 1, 1974. The amendments do not alter the obligation of any person to comply with any applicable Rules of the Road.

Since these amendments remove a recommendation and provide additional

time for compliance with a specified intensity standard imposing no additional burden on any person, notice and public procedure thereon are unnecessary and the amendments may be made effective in less than 30 days.

In consideration of the foregoing, Parts 25 and 184 of Title 46 of the Code of Federal Regulations are amended as follows:

1. Section 25.05-15 is amended as follows:

Paragraphs (b) and (c) are deleted and paragraph (d) is revised to read as follows:

#### § 25.05-15 Light intensity standards.

\* \* \* \* \*

(b) [Deleted]

(c) [Deleted]

(d) The light intensity standards of this section shall apply to new navigation lights installed and replacement of existing lights made on or after July 1, 1974.

2. Section 184.15-5 is amended as follows:

Paragraphs (b) and (c) are deleted and paragraph (d) is revised to read as follows:

#### § 184.15-5 Light intensity standards.

\* \* \* \* \*

(b) [Deleted]

(c) [Deleted]

(d) The light intensity standards of this section shall apply to new navigation lights installed and replacement of existing lights made on or after July 1, 1974.

(Sec. 17, 54 Stat. 166, Sec. 3, 70 Stat. 152, Sec. 6(b) (1), 80 Stat. 937; 46 U.S.C. 526p, 390 (b), 49 U.S.C. 1655(b)(1); 49 CFR 1.46(b))

T. R. SARGENT,  
Vice Admiral, U.S. Coast Guard,  
Acting Commandant.

JANUARY 21, 1974.

[FR Doc.74-2125 Filed 1-24-74;8:45 am]

### Title 49—Transportation

#### CHAPTER X—INTERSTATE COMMERCE COMMISSION

##### SUBCHAPTER A—GENERAL RULES AND REGULATIONS

[No. FF-C-51]

#### PART 1085—FREIGHT FORWARDERS OF HOUSEHOLD GOODS

##### Freight Forwarders of Household Goods; Need for Greater Regulation

At a General Session of the Interstate Commerce Commission, held at its office in Washington, D.C., on the 3d day of January 1974.

It appearing, that by petition filed May 23, 1973, the Movers' & Warehousemen's Association of America, Inc., requested this Commission to institute a rulemaking proceeding to investigate certain specified matters described in the attached report concerning consumer problems relating to the freight forwarder services, in interstate commerce, of household goods;

And it further appearing, that investigation of the matters and things involved in this petition proceeding has been made

and that the Commission has made and filed its report herein containing its findings of facts and conclusions thereon, which report is hereby referred to and made a part hereof:

It is ordered, That Chapter X of Title 49 of the Code of Federal Regulations be, and it is hereby, amended by the addition of part 1085 and a subsection thereunder, as set forth in the appendix to the said report.

It is further ordered, That the regulations adopted herein shall become effective on March 4, 1974.

(49 U.S.C. 1010.)

By the Commission.

[SEAL] ROBERT L. OSWALD,  
Secretary.

Part 1085 is amended as follows:

§ 1085.1 Information for shippers.

Each freight forwarder of household goods shall cause to be given to every prospective shipper the form set forth below and obtain a receipt therefor. If no personal interview is had with a prospective shipper, the forwarder shall cause the form to be delivered to the shipper and obtain a receipt therefor prior to the time the bill of lading is signed. Such receipt shall be preserved as a part of the record of shipment, if the shipment is subsequently accepted by the forwarder. For the application of this section the owner of the household goods to be shipped, or his representative, shall be deemed to be the shipper. The requirements of this section shall not apply in those instances where the forwarder has actual notice that the shipper has previously received the form below.

THE FORM

NAME OF FORWARDER:

ADDRESS:

PHONE NUMBER:

WHOM TO CONTRACT FOR INFORMATION AND/OR ASSISTANCE

This is to inform you that the above-named freight forwarder is licensed by the Interstate Commerce Commission. This forwarder has rates on file with that Commission; is subject to cargo insurance regulations; and is subject to certain claim handling procedures. If you require any assistance in these areas or any other information regarding your move which is not provided by this forwarder or if you desire to register any complaints concerning your move, you may contact the ICC local field office nearest your location (see attached list).

The forwarder is required to give you this form and to receive a receipt for it prior to tendering to you a bill of lading for your signature.

MANDATORY RECEIPT

In accordance with the rules and regulations of the Interstate Commerce Commission, I, \_\_\_\_\_ of \_\_\_\_\_ (name of shipper) (address of shipper)

have received from \_\_\_\_\_ (name and address of forwarder)

a copy of the Commission's form entitled Whom To Contact For Information And/Or Assistance.

\_\_\_\_\_ (date) \_\_\_\_\_ (signature of shipper)

Interstate Commerce Commission field office locations and telephone numbers

State	Address	Telephone
Alabama	Birmingham 35203: 2121 Bldg., Room 814, 2121 8th Ave. North.	205-325-3781
Alaska	Anchorage 99510: G-31 Federal Bldg., P.O. Box 1532.	907-272-3922
Arizona	Phoenix 85025: 3427 Federal Bldg., 230 North 1st Ave.	602-261-3834
Arkansas	Little Rock 72201: 2519 Federal Bldg.	501-372-4361 Ext. 5821
California	Los Angeles 90012: 7708 Federal Bldg., 300 North Los Angeles St.	213-688-4008
Do	San Francisco 94102: 13001 Federal Bldg., 450 Golden Gate Ave., P.O. Box 36004.	415-556-5515
Colorado	Denver 80202: 2022 Federal Bldg., 1961 Stout St.	303-837-3162
Connecticut	Hartford 06101: 324 U.S. Post Office, 135 High St.	203-244-2560
District of Columbia	Washington 20423: ICC Bldg., 12th and Constitution NW.	202-343-4761 Ext. 216
Florida	Jacksonville 32202: 288 Federal Bldg., 400 West Bay St., P.O. Box 35008.	904-791-2011 Ext. 2551 or Ext. 2552
Do	Miami 33156: 105 Cox Bldg., 5720 Southwest 17th St.	305-350-5551
Georgia	Atlanta 30309: Room 300, 1252 West Peachtree St. NW.	404-526-5371, 5307, and 5455
Idaho	Boise 83702: 455 Federal Bldg. and U.S. Courthouse, 550 West Fort St.	208-342-2711 Ext. 2505
Illinois	Chicago 60604: Everett McKinley Dirksen Bldg., Room 1086, 210 South Dearborn St.	312-353-6124 or 312-353-6125
Do	Springfield 62701: 414 Leland Office Bldg., 527 East Capital Ave.	217-525-4075
Indiana	Fort Wayne 46802: 345 West Wayne St., Room 204.	219-422-6131
Do	Indianapolis 46204: Century Bldg., 8th Floor, 36 South Pennsylvania St.	317-633-7465
Iowa	Des Moines 50309: 677 Federal Bldg., 210 Walnut St.	515-284-4416
Kansas	Topeka 66603: 234 Federal Bldg.	913-234-8661 Ext. 401
Do	Wichita 67202: 501 Petroleum Bldg., 221 South Broadway.	316-267-6311, 316-267-6311 Ext. 608
Kentucky	Lexington 40505: 222 Bakhaus Bldg., 1500 West Main St.	606-252-2312 Ext. 2511
Do	Louisville 40202: 426 U.S. Post Office, 601 West Broadway.	502-582-5167
Louisiana	New Orleans 70113: T-9038 Federal or Bldg. and U.S. Post Office, 701 Loyola Ave.	504-527-6101 or 504-527-6102
Maine	Portland 04112: 305 U.S. Post Office and Courthouse, 76 Pearl St., P.O. Box 167, P.S.S.	207-775-3131
Maryland	Baltimore 21201: 814-B Federal Bldg., Charles Center, 31 Hopkins Plaza.	301-962-2560
Massachusetts	Boston 02114: 150 Causeway St., 5th Floor.	617-223-2372
Do	Springfield 01103: 338-342 Federal Bldg., 436 Dwight St.	413-781-2420
Michigan	Detroit 48226: 1110 David Broderick Tower Bldg., 10 Witherill St.	313-226-7245
Do	Lansing 48933: 225 Federal Bldg., 325 West Allegan St.	517-372-1910 Ext. 586

Interstate Commerce Commission field office locations and telephone numbers—Continued

State	Address	Telephone
Minnesota	Minneapolis 55401: 448 Federal Bldg. and U.S. Courthouse, 110 South 4th St.	612-725-2326
Mississippi	Jackson 39201: 145 East Amite Bldg., Room 212.	601-948-7821 Ext. 348
Missouri	Kansas City 64106: 600 Federal Bldg., 911 Walnut St.	816-374-5561
Do	St. Louis 63101: 210 North 12th St., Room 1465.	314-622-4103
Montana	Billings 59101: 251 U.S. Post Office.	406-245-6711 Ext. 6261
Nebraska	Lincoln 68508: 320 Federal Bldg. and U.S. Courthouse, 129 North 10th St.	402-475-3395
Do	Omaha 68102: 711 Federal Bldg., 106 South 15th St.	402-221-4644
Nevada	Carson City 89701: 203 Federal Bldg., 705 North Plaza St.	702-882-2085
New Hampshire	Concord 03301: 424 Federal Bldg., 55 Pleasant St.	603-224-1887
New Mexico	Albuquerque 87101: 1106 Federal Office Bldg., 517 Gold Ave. SW.	505-843-2241
New Jersey	Newark 07102: 902 Federal Bldg., 970 Broad St.	201-645-3550
Do	Trenton 08608: 204 Carroll Bldg., 428 East State St.	609-599-3511
New York	Albany 12207: 518 New Federal Bldg., Maiden Lane and Broadway.	518-472-2273
Do	Buffalo 14203: 612 Federal Bldg., 111 West Huron St.	716-842-2008
Do	New York 10007: 26 Federal Plaza, Room 1807.	212-264-1072
Do	Syracuse 13202: 104 O'Donnell Bldg., 301 Erie Boulevard West.	315-473-3440
North Carolina	Charlotte 28202: BSR Bldg., Suite 417, 316 East Morehead St.	704-372-0711 Ext. 451 or Ext. 452
Do	Raleigh 27611: 624 Federal Bldg., 310 New Bern Ave., P.O. Box 26890.	919-755-4650
North Dakota	Fargo 58102: P.O. Box 2340, Federal Bldg. and U.S. Post Office, 657 Second Ave. North.	701-237-5771 Ext. 5285
Ohio	Cincinnati 45202: 5514-B Federal Bldg., 550 Main St.	513-684-2975 or 513-684-2976
Do	Cleveland 44199: 181 Federal Bldg., 1240 or East 9th St.	216-522-4001 or 614-409-5620
Do	Columbus 43215: 255 Federal Bldg. and U.S. Courthouse, 85 Marconi Blvd.	
Do	Toledo 43604: 313 Federal Office Bldg., 234 Summit St.	419-269-7486 or 419-269-7487
Oklahoma	Oklahoma City 73102: 240 Old Post Office and Courthouse, 215 Northwest 3d St.	405-231-4496
Oregon	Portland 97204: 450 Multnomah Bldg., 319 Southwest Pine St.	503-226-3361 Ext. 3563
Pennsylvania	Harrisburg 17108: 508 Federal Bldg., 228 Walnut St., P.O. Box 889.	717-782-4437
Do	Philadelphia 19102: Room 1600, 1518 Walnut St.	215-597-4449 or 215-597-4453
Do	Pittsburgh 15222: 2111 Federal Bldg., 1000 Liberty Ave.	412-644-2330
Do	Scranton 18503: 309 U.S. Post Office, North Washington Ave., and Linden St.	717-344-7111 Ext. 324
Rhode Island	Providence 02903: 187 Westminster St., Room 402.	401-528-4306

Interstate Commerce Commission field office locations and telephone numbers—Continued

State	Address	Telephone
South Carolina	Columbia 29201: 300 Columbia Bldg., 1200 Main St.	803-253-8371 Ext. 428 or Ext. 429
South Dakota	Pierre 57501: 369 Federal Bldg.	605-224-2812
Tennessee	Memphis 38103: 933 Federal Bldg., 167 North Main St.	901-534-3437
Do	Nashville 37203: 1808 West End Bldg., Suite 803.	615-740-5391
Texas	Amarillo 79101: 1012 Herring Plaza, 317 East 3d St.	806-376-2138
Do	Dallas 75202: Room 18C12, 1100 Commerce St.	214-749-3091
Do	Fort Worth 76102: 9A27 Fritz Garland Lanham Federal Bldg., 819 Taylor St.	817-334-2794
Do	Houston 77002: 8610 Federal Bldg. and U.S. Courthouse, 516 Rusk Ave. Mailing address: P.O. Box 61212, Houston Tex. 77061.	713-226-4241
Do	San Antonio 78205: 501 Broadway Bldg., Room 206.	512-225-5511 Ext. 4318
Utah	Salt Lake City 84111: 5239 Federal Bldg., 125 South State St.	801-524-5680
Vermont	Montpelier 05602: 52 State St., Room 5.	802-223-6091
Virginia	Richmond 23240: 10-602 Federal Bldg., 400 North 8th St.	703-782-2541
Do	Roanoke 24011: 5104 F. B. Thomas Bldg., 215 Campbell Ave. SW.	703-343-1581
Washington	Seattle 98101: 6049 Federal Office Bldg., 909 1st Ave.	206-442-5421
West Virginia	Charleston 25301: 3108 Federal Bldg., 500 Quarrier St.	304-343-6181 Ext. 229
Do	Wheeling 26003: 416 Old Post Office Bldg., 12th and Chapline Sts.	304-232-6960
Wisconsin	Madison 53703: 139 West Wilson St., Room 202.	608-256-4441 Ext. 4718
Do	Milwaukee 53203: 135 West Wells St., Room 807.	414-224-3183
Wyoming	Casper 82601: 1006 Federal Bldg and Post Office, 100 East B St.	307-265-5560

[FR Doc.74-2040 Filed 1-24-74;8:45 am]

Title 50—Wildlife and Fisheries

CHAPTER II—NATIONAL MARINE FISHERIES SERVICE, NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION, DEPARTMENT OF COMMERCE

PART 240—REGULATED COMMERCIAL FISHERIES

Additional Catch Quotas; Effective Date

On November 20, 1973, notice of proposed rulemaking was published in the FEDERAL REGISTER (38 FR 31978) which described the conservation measures adopted by the International Commissions in addition, revised existing catch (ICNAF) for 1974. The proposed regulation, in addition, revised existing catch quotas for cod, pollock, redfish, American plaice, and silver hake for 1974, deleted an annual catch quota for haddock, prohibited demersal fishing from July 1 to December 31, 1974, by vessels over 145 feet in length in an area off the coast of Massachusetts, included squid as a regulated species, established an annual catch quota for squid, and stated the cod end mesh requirement when fishing for cod or yellowtail flounder.

On January 16, 1974, regulations were published in the FEDERAL REGISTER (39 FR 2003) and made effective on date of publication which implemented the ICNAF mesh requirement for the cod end only, when fishing for cod or yellowtail flounder (240.14(b) and 240.24(a)).

It is now our intent to implement the remaining conservation measures as published in the November 20 Notice and specify the effective date of these measures.

Effective date: (1) Sections 240.11(a) and 240.13(b) prohibiting unrestricted fishing for haddock, changing the annual catch quotas for American plaice and yellowtail flounder in Subarea 3 and cod in Subarea 4; and establishing quotas for redfish, flounder and American plaice in Subarea 4, and pollock in Subareas 4 and 5, shall be effective on January 25, 1974.

(2) The remaining provisions of this amendment shall become effective on May 7, 1974, but it is requested that U.S. fishermen should voluntarily observe these remaining provisions until they become mandatory on the effective date.

Dated: January 22, 1974.

JOSEPH W. SLAVIN,

Acting Director,

National Marine Fisheries Service.

Accordingly, Part 240 is amended as follows:

1. Subparts B, C, and D are amended to change the number "1973" to "1974" wherever the number 1973 appears.

2. Section 240.1(c) (5) is amended to add new subdivision (XI) to read as follows:

§ 240.1 Definitions.

(c) \* \* \*

(5) \* \* \*

(xi) Squid (all species).

3. Section 240.11 is amended to read as follows:

§ 240.11 Catch quota.

(a) It shall be unlawful for any person or fishing vessel under the jurisdiction of the United States to possess on board haddock caught in Subareas 4 or 5 in amounts exceeding 5,000 pounds or 10 percent by weight of all fish on board caught in Subareas 4 or 5, whichever is greater.

(b) \* \* \*

(1) The annual catch of cod in Subdivision 4Vs and Division 4W of Subarea 4 by member countries not provided a special allocation shall not exceed 1,700 metric tons.

(2) The annual catch of cod in Division 5Y of Subarea 5 shall not exceed 8,677 metric tons.

(3) The annual catch of cod in Division 5Z of Subarea 5 shall not exceed 16,590 metric tons.

(c) An annual catch limitation is placed upon the quantity of pollock permitted to be taken in Division 4V, 4W, and 4X of Subarea 4 and Subarea 5. The catch of pollock in the above areas during 1974 by persons under the jurisdiction

of the United States shall not exceed 12,000 metric tons.

(d) An annual catch limitation is placed upon the quantity of redfish (ocean perch) permitted to be taken in Subarea 5. The catch of redfish (ocean perch) in the above area during 1974 by persons or fishing vessels under the jurisdiction of the United States shall not exceed 24,747 metric tons.

(e) An annual catch limitation is placed upon the quantity of redfish (ocean perch) permitted to be taken in Divisions 4V, 4W, and 4X of Subarea 4. The catch of redfish (ocean perch) in the above area during 1974 by persons or fishing vessels under the jurisdiction of the United States shall not exceed 10,000

4. Paragraph (b) and subparagraphs metric tons.

(1), (2) and (3) of § 240.13 are deleted, and paragraph (c) is redesignated to (b) and new paragraph (c) and subparagraph (1) are added as follows:

§ 240.13 Closed seasons and areas.

(c) It shall be unlawful for any person under the jurisdiction of the United States during the period from 0001 hours local time July 1 to 2400 hours local time December 31, 1974, to take fish, other than crustacea, from vessels over 145 feet in length with fishing gear other than pelagic fishing gear (purse seines or true mid-water trawls, using mid-water trawl doors incapable of being fished on the bottom) in the area adjacent to the United States coast within that part of Subarea 5 (southern New England and Gulf of Maine) north of 40°20' N. Latitude and 43°17' N. Latitude and west of the straight line drawn between the points 68°15' W.—40°20' N. and 70°00' W.—43°17' N.

(1) It shall be unlawful for any person under the jurisdiction of the United States permitted to fish in the area described in paragraph (c) to attach any protective device to pelagic fishing gear or employ any means that would, in effect, make it possible to fish for demersal species.

5. Paragraph (a) is amended and new paragraph (e) of § 240.21 is added as follows:

§ 240.21 Catch quota.

(a) An annual catch limitation is placed upon the quantity of American plaice permitted to be taken in Divisions 3L, 3N, and 3O of Subarea 3 by member countries not provided a special allocation shall not exceed 1,200 metric tons.

(e) An annual catch limitation is placed upon the aggregate quantity of flounders, which include yellowtail flounder, witch flounder, and American plaice in Divisions 4V, 4W, and 4X of Subarea 4. The aggregate catch of flounders (yellowtail flounder, witch flounder, and American plaice) in the above area during 1974 by persons or fishing vessels under the jurisdiction of the United States shall not exceed 500 metric tons.

6. Subparagraph (1) of § 240.25 (b) is § 240.25 General restrictions.

(b) \* \* \*

(1) The provisions of this subpart shall apply to all fishing trips begun during the current calendar year.

7. Subparagraphs (1), (2), and (3) of § 240.31 (a) are amended to read as follows:

§ 240.31 Catch quota.

(a) \* \* \*

(1) The annual catch of silver hake in Division 5Y of Subarea 5, shall not exceed 8,380 metric tons.

(2) The annual catch of silver hake in Subdivision 5Z of Subarea 5 shall not exceed 11,056 metric tons.

(3) The annual catch of silver hake in Subdivision 5Zw, shall not exceed 18,864 metric tons.

8. Paragraph (b) of § 240.40 is amended to read as follows:

§ 240.40 Definitions.

(b) Regulations in this subpart will apply to herring (*Clupea harengus* L.), mackerel (*Scomber scombrus* L.), and squid (all species).

9. New paragraph (c) of § 240.41 is added to read as follows:

§ 240.41 Catch quota.

(c) An annual catch limitation is placed upon the quantity of squid (all species) permitted to be taken in Subarea 5 and in the adjacent waters to the west and south. The catch of squid (all species) in the above area during 1974 by persons or fishing vessels under the jurisdiction of the United States shall not exceed 5,600 metric tons.

[FR Doc.74-2168 Filed 1-24-74;8:45 am]

Title 7—Agriculture

CHAPTER VII—AGRICULTURAL STABILIZATION AND CONSERVATION SERVICE (AGRICULTURAL ADJUSTMENT), DEPARTMENT OF AGRICULTURE

SUBCHAPTER B—FARM MARKETING QUOTAS AND ACREAGE ALLOTMENTS

PART 725—FLUE-CURED TOBACCO

Subpart—Proclamations, Determinations and Announcements of National Marketing Quotas and Referendum Results

On page 35235 of the FEDERAL REGISTER of December 26, 1973, there was published a notice that consideration was being given to increasing or terminating the national marketing quota and acreage allotment for flue-cured tobacco for the 1974-75 marketing year. Interested persons were given the opportunity to submit data, views and recommendations pertaining to the action to be taken. A substantial majority of the submissions received pursuant to the notice favored maintaining quotas and allotments at the level heretofore announced. Many submissions favored an increase in quotas and allotments if necessary to meet demand. Less than one percent favored termination of quotas.

The notice contained the latest available statistics of the Federal Government pertaining to exports of flue-cured tobacco. Since issuance of the notice, exports during the month of November, 1973 have become available. Exports of flue-cured tobacco during the month of November totaled 80 million pounds, farm-weight, an increase of 44 percent over the same month a year earlier. Exports during the first 5 months of the current marketing year (July-November) totaled 268 million pounds, farm-weight, 18.4 percent above the corresponding months a year earlier. On the basis of the investigation which has been made, and after due consideration of the submissions made pursuant to the notice, it has been determined in accordance with section 371 (b) of the Agricultural Adjustment Act of 1938, as amended, that an increase in the national marketing quota and acreage allotment for flue-cured tobacco for the 1974-75 marketing year is necessary in order to meet the material increase in export demand and that the national marketing quota and acreage allotment should be increased by 10 percent from 1,179 million pounds to 1,297 million pounds and from 635,922.33 acres to 699,568.50 acres, respectively. In addition it is necessary to increase the reserve supply level from 2,824 million pounds to 2,877 million pounds to take account of increased exports.

Since flue-cured tobacco growers are preparing plant beds, purchasing fertilizer and other supplies, negotiating leases and otherwise planning their farming operations, it is hereby found that compliance with the 30-day effective date provision of 5 U.S.C. 553 is impracticable and contrary to the public interest. Therefore, the amendments to § 725.2 under centerhead Determinations and Announcements—1974-75 Marketing Year contained herein shall become effective upon the date of filing with the Director, Office of the Federal Register.

1. In § 725.2, paragraphs (a), (b), (d) and (f) are revised to read as follows:

§ 725.2 Flue-cured tobacco.

(a) *Reserve supply level.* The reserve supply level for flue-cured tobacco is 2,877 million pounds, calculated, as provided in the Act, from a normal year's domestic consumption of 690 million pounds and a normal year's exports of 510 million pounds.

(b) *National marketing quota.* A national marketing quota for flue-cured tobacco on an acreage-poundage basis for the marketing year beginning July 1, 1974, is hereby determined and announced in the amount of 1,297 million pounds. This quota is based upon an estimated utilization in the United States in such marketing year of 695 million pounds and exports in such marketing year of 500 million pounds, with an upward adjustment determined to be desirable for the purpose of maintaining an adequate supply.

(d) *National acreage allotment.* The national acreage allotment for flue-cured

tobacco on an acreage-poundage basis for the marketing year beginning July 1, 1974, is determined and announced to be 699,568.50 acres. This allotment was determined by dividing the national marketing quota of 1,297 million pounds by the national average yield goal of 1,854 pounds.

(f) *National acreage factor.* The national acreage factor for the 1974 crop of flue-cured tobacco is determined and announced to be 1.10.

(Secs. 301, 317, 371, 375, 52 Stat. 31, as amended, 7 U.S.C. 1301, 1314c, 1371, 1375).

Effective date: January 22, 1974.

Signed at Washington, D.C. on January 22, 1974.

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

[FR Doc.74-2055 Filed 1-22-74;9:48 am]

CHAPTER IX—AGRICULTURAL MARKETING SERVICE (MARKETING AGREEMENTS AND ORDERS; FRUITS, VEGETABLES, NUTS), DEPARTMENT OF AGRICULTURE

[Navel Orange Reg. 309]

PART 907—NAVEL ORANGES GROWN IN ARIZONA AND DESIGNATED PART OF CALIFORNIA

Limitation of Handling

*Preamble.* This regulation fixes the quantity of California-Arizona Navel oranges that may be shipped to fresh market during the weekly regulation period January 25-31, 1974. It is issued pursuant to the Agricultural Marketing Agreement Act of 1937, as amended, and Marketing Order No. 907. The quantity of Navel oranges so fixed was arrived at after consideration of the total available supply of Navel oranges, the quantity currently available for market, the fresh market demand for Navel oranges, Navel orange prices, and the relationship of season average returns to the parity price for Navel oranges.

§ 907.609 Navel Orange Regulation 309.

(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 907, as amended (7 CFR Part 907), regulating the handling of Navel oranges grown in Arizona and designated part of California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), and upon the basis of the recommendations and information submitted by the Navel Orange Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of handling of such Navel oranges, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) The need for this regulation to limit the respective quantities of Navel oranges that may be marketed from District 1, District 2, and District 3 during the ensuing week stems from the production and marketing situation confronting the Navel orange industry.

(i) The committee has submitted its recommendation with respect to the quantities of Navel oranges that should be marketed during the next succeeding week. Such recommendation, designed to provide equity of marketing opportunity to handlers in all districts, resulted from consideration of the factors enumerated in the order. The committee further reports that the fresh market demand for Navel oranges has improved. Prices f.o.b. averaged \$3.64 a carton on a reported sales volume of 998 cartons last week, compared with an average f.o.b. price of \$3.71 per carton and sales of 814 cartons a week earlier. Track and rolling supplies at 517 cars were up 8 cars from last week.

(ii) Having considered the recommendation and information submitted by the committee, and other available information, the Secretary finds that the respective quantities of Navel oranges which may be handled should be fixed as hereinafter set forth.

(3) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this regulation until 30 days after publication hereof in the FEDERAL REGISTER (5 U.S.C. 553) because the time intervening between the date when information upon which this regulation is based became available and the time this regulation must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. The committee held an open meeting during the current week, after giving due notice thereof, to consider supply and market conditions for Navel oranges and the need for regulation; interested persons were afforded an opportunity to submit information and views at this meeting; the recommendation for regulation together with its supporting information has been submitted by the committee, however, the Secretary has modified the recommendation to provide for the shipment of a greater quantity of Navel oranges, retaining the same effective date, and such information is being disseminated among handlers of such Navel oranges; it is necessary, in order to effectuate the declared policy of the act, to make this regulation effective during the period herein specified; and compliance with this regulation will not require any special preparation on the part of persons subject hereto which cannot be completed on or before the effective date hereof. Such committee meeting was held on January 22, 1974.

(b) *Order.* (1) The respective quantities of Navel oranges grown in Arizona and designated part of California which

may be handled during the period January 25, 1974 through January 31, 1974, are hereby fixed as follows:

- (i) District 1: 1,115,000 cartons;
  - (ii) District 2: Unlimited movement;
  - (iii) District 3: Unlimited movement."
- (2) As used in this section, "handled," "District 1," "District 2," "District 3," and "carton" have the same meaning as when used in said amended marketing agreement and order.

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

Dated: January 23, 1974.

CHARLES R. BRADER,  
Deputy Director, Fruit and  
Vegetable Division, Agricultural  
Marketing Service.

[FR Doc. 74-2203 Filed 1-23-74; 11:46 am]

[Lemon Reg. 623]

#### PART 910—LEMONS GROWN IN CALIFORNIA AND ARIZONA

##### Limitation of Handling

This regulation fixes the quantity of California-Arizona lemons that may be shipped to fresh market during the weekly regulation period Jan. 27-Feb. 2, 1974. It is issued pursuant to the Agricultural Marketing Agreement Act of 1937, as amended, and Marketing Order No. 910. The quantity of lemons so fixed was arrived at after consideration of the total available supply of lemons, the quantity of lemons currently available for market, the fresh market demand for lemons, lemon prices, and the relationship of season average returns to the parity price for lemons.

##### § 910.923 Lemon Regulation 623.

(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 910, as amended (7 CFR Part 910), regulating the handling of lemons grown in California and Arizona, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), and upon the basis of the recommendations and information submitted by the Lemon Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of handling of such lemons, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) The need for this section to limit the quantity of lemons that may be marketed during the ensuing week stems from the production and marketing situation confronting the lemon industry.

(i) The committee has submitted its recommendation with respect to the quantity of lemons it deems advisable to be handled during the ensuing week. Such recommendation resulted from consideration of the factors enumerated

in the order. The committee further reports the demand for lemons is somewhat easier this week and is particularly easy for 115's and larger lemons. Average f.o.b. price was \$5.48 per carton the week ended January 19, 1974 compared to \$5.60 per carton the previous week. Track and rolling supplies at 122 cars were up 2 cars from last week.

(ii) Having considered the recommendation and information submitted by the committee, and other available information, the Secretary finds that the quantity of lemons which may be handled should be fixed as hereinafter set forth.

(3) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rulemaking procedure, and postpone the effective date of this regulation until 30 days after publication hereof in the FEDERAL REGISTER (5 U.S.C. 553) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. The committee held an open meeting during the current week, after giving due notice thereof, to consider supply and market conditions for lemons and the need for regulation; interested persons were afforded an opportunity to submit information and views at this meeting; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after such meeting was held; the provisions of this section, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such lemons; it is necessary, in order to effectuate the declared policy of the act, to make this regulation effective during the period herein specified; and compliance with this section will not require any special preparation on the part of persons subject hereto which cannot be completed on or before the effective date hereof. Such committee meeting was held on January 22, 1974.

(b) *Order.* (1) The quantity of lemons grown in California and Arizona which may be handled during the period January 27, 1974, through February 2, 1974, is hereby fixed at 200,000 cartons.

(2) As used in this section, "handled," and "carton(s)" have the same meaning as when used in the said amended marketing agreement and order.

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

Dated: January 23, 1974.

CHARLES R. BRADER,  
Deputy Director, Fruit and Vegetable  
Division, Agricultural  
Marketing Service.

[FR Doc. 74-2221 Filed 1-24-74; 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 AGRICULTURE

Animal and Plant Health Inspection  
Service

[9 CFR Part 112]

### VIRUSES, SERUMS, TOXINS, AND ANALOGOUS PRODUCTS

#### Notice of Proposed Rulemaking

Notice is hereby given in accordance with the provisions contained in section 553(b) of Title 5, United States Code (1966), that it is proposed to amend certain of the regulations relating to viruses, serums, toxins, and analogous products in Part 112 of Title 9, Code of Federal Regulations, issued pursuant to the provisions of the Virus-Serum-Toxin Act of March 4, 1913 (21 U.S.C. 151-158).

These amendments would exempt very small final container labels from the withholding statement requirement in § 112.2(a)(8). This requirement has been found to be impractical for these labels.

These amendments would require that the contents of cartons be stated on the carton label. The number of containers and amounts in each would have to be shown, including both vaccine and diluent, if any. Lack of this information on cartons has led to misunderstandings.

Authorization for the certification of biological products prepared in licensed establishments is provided in a new sentence added to § 112.2(e). This authorization is now stated in an administrative memorandum. Certificates are issued for foreign shipments when required by a foreign country.

These amendments would add the requirements that final container diluent labels contain the establishment license number or permit number. Identification of the responsible producer is important, especially when trouble cases occur and the diluent has been separated from the vaccine in storage.

Intramuscular injection in the thigh has been found advisable for modified live rabies virus vaccines. These amendments include a requirement that all such vaccines have a recommendation that this method be used. Also, the statement, now printed in enclosures, regarding procedure to follow when such vaccines are accidentally injected into a person would be printed on cartons of multiple-dose packages.

These amendments would add a clarifying lead paragraph to § 112.7 and would codify in a new § 112.7(g) special label requirements for autogenous bacterins and autogenous vaccines which have been issued in administrative memorandum form and are now in effect.

1. § 112.2(a)(8) is amended; (a)(11) is added; and (e) is amended to read:

§ 112.2 Final container label, carton label and enclosure.

(a) \* \* \*

(8) In the case of a biological product recommended for use in domestic animals, the edible portion of which may be used for food purposes, a withholding statement of not less than 21 days to read: "Do not vaccinate within (insert number) days before slaughter" or "Do not vaccinate food-producing animals within (insert number) days before slaughter." *Provided*, That longer periods shall be stated when deemed necessary by the Deputy Administrator. Very small final container labels are exempted from this requirement.

(11) The number of final containers of biological product and the number of doses in each shall be stated on each carton label. The number of final containers of diluent, if any, and the quantity in each shall also be stated on each carton label.

(e) When label requirements of a foreign country conflict with the requirements as prescribed in this part, special labels may be approved for use on biological products to be exported to such country. When laws, regulations, or other requirements of foreign countries require exporters of biological products prepared in a licensed establishment to furnish official certification that such products have been prepared in accordance with the Virus-Serum-Toxin Act and regulations issued pursuant thereto, such certification may be made by Veterinary Services upon request of the licensee.

4. § 112.3 is amended by adding a new paragraph (g) to read:

§ 112.3 Diluent labels.

(g) The establishment license number or the permit number, as the case may be, in one of the forms provided in § 112.2(a)(3).

5. § 112.7 is amended by adding a lead paragraph; amending paragraphs (d)(4) and (e)(5) and adding paragraph (g).

§ 112.7 Special additional requirements.

The label requirements in this section are additional to those prescribed elsewhere in this part.

(d) \* \* \*

(4) \* \* \*

(iv) Intramuscular injection at one site in the thigh shall be recommended.

(5) A statement containing the recommended action to be taken in cases of exposure to the vaccine virus shall be prominently placed on all enclosures and also placed on cartons of multiple-dose packages. Satisfactory recommendations may be found in the U.S. Department of Health, Education, and Welfare, Public Health Service, Center for Disease Control Weekly Report, June 24, 1972.

(g) In the case of autogenous bacterins and autogenous vaccines, labels shall include the recommended dose, the number of repeat doses, if any, and the interval between doses: *Provided*, That the label shall not show:

(1) The identity of the herd or flock from which the cultures were isolated; or

(2) The name(s) of the person(s) responsible for making the isolations; or

(3) A recommendation for use of the product in a herd or flock other than the one from which the cultures were isolated.

Interested parties are invited to submit written data, views, or arguments regarding the proposed regulations to Deputy Administrator, Veterinary Services, Animal and Plant Health Inspection Service, U.S. Department of Agriculture, Room 828-A, Federal Building, Hyattsville, Maryland 20782. All comments received on or before February 28, 1974, will be considered.

All written submissions made pursuant to this notice will be made available for public inspection at Biologics Licensing and Standards Staff, at the above address, during regular business hours (7 CFR 1.27(b)).

Done at Washington, D.C., this 22d day of January 1974.

J. K. ATWELL,  
Acting Deputy Administrator,  
Veterinary Services, Animal  
and Plant Health Inspection  
Service.

[FR Doc. 74-2151 Filed 1-24-74; 8:45 am]

[9 CFR Parts 317, 381]

### INFORMATION PANEL AND NUTRITION LABELING

#### Notice of Proposed Rulemaking

#### Correction

In FR Doc. 74-527 appearing at page 1606 in the issue of Friday, January 11, 1974, make the following changes:

1. Immediately after § 317.2(d) (5), insert the following:

- “\* \* \* \* \*  
 (f) \* \* \* \* \*  
 (2) [Revoked]  
 \* \* \* \* \*  
 (g) \* \* \* \* \*  
 (2) [Revoked]  
 \* \* \* \* \*”

2. In § 317.20(e) (3), insert the following immediately above the 5th line from the bottom of the paragraph: “the effectiveness of the establishment”.

3. In § 317.20(h) (5), the second line, now reading “uct to labeling under this section if it” should read, “uct does not subject that product to labeling under this section if it”.

4. In § 317.20(i), insert the following subparagraph (1) immediately before paragraph (i) (2):

“(1) That the product because of the presence or absence of certain dietary properties is adequate or effective in the prevention, cure, mitigation, or treatment of any disease or symptom.”

5. In § 381.144(h) (4), the third and fourth lines should be deleted and reinserted after the fifth line of § 381.144(i) (5).

## ENVIRONMENTAL PROTECTION AGENCY

[ 40 CFR Part 85 ]

### LIGHT DUTY DIESEL TRUCKS

#### Control of Air Pollution From New Motor Vehicles and New Motor Vehicle Engines

On August 7, 1973, EPA promulgated regulations (38 FR 21348) for the control of air pollution from new light duty diesel vehicles and from new gasoline-fueled light duty trucks. Both regulations are to become effective beginning with the 1975 model year. At that time regulations were not promulgated for light duty diesel trucks since no such vehicles were known to be marketed in the United States.

At least one manufacturer has now notified EPA of plans to market a light duty diesel truck. Since EPA's intention was to control emissions from such vehicles should they become available, it appears appropriate to propose standards for such vehicles at this time.

The standards contained in this proposal, which are the same as those promulgated for light duty gasoline-fueled trucks, are expected to be met through the application of existing technology. Therefore, the applicability date has been set for the earliest possible time, which is the 1976 model year. The test procedure to be applied to determine compliance of these vehicles with the standards is the procedure promulgated on August 7 applicable to light duty diesel vehicles.

40 CFR Part 85 as revised by this amendment would become effective 30 days after promulgation and would be applicable to 1976 and subsequent model year vehicles.

Interested persons may submit written data, views, or arguments (in quadrupli-

cate) in regard to the proposed regulations to the Administrator, Environmental Protection Agency, Attention: Mobile Source Air Pollution Control Program, Office of Air and Water Programs, Washington, D.C. 20460. All relevant material received not later than March 26, 1974, will be considered. Comments submitted shall be available for public inspection during normal business hours at the Office of Public Affairs, Environmental Protection Agency, 401 M Street SW., Washington, D.C. 20460.

This notice of proposed rule making is issued under the authority of sections 202, 206, and 301 of the Clean Air Act, as amended (42 U.S.C. 1857-1, 1857f-6, and 1857g(a)).

Dated: January 18, 1974.

RUSSELL E. TRAIN,  
 Administrator.

Part 85 of Chapter I, Title 40 of the Code of Federal Regulations is proposed to be amended to add Subpart D, applicable to light duty diesel truck beginning with the 1976 model year, as follows:

#### Subpart D—Emission Regulations for New Diesel Light Duty Trucks

Sec.	General applicability.
85.301	Definitions.
85.302	Abbreviations.
85.303	General standards; increase in emissions; unsafe conditions.
85.304	Hearings on certification.
85.305	Maintenance of records; submittal of information; right of entry.
85.306	Emission standards for 1976 model year vehicles.
85.376-1	Application for certification.
85.376-2	Approval of procedure and equipment; test fleet selections.
85.376-3	Required data.
85.376-4	Test vehicles.
85.376-5	Maintenance.
85.376-6	Mileage accumulation and emission measurements.
85.376-7	Special test procedures.
85.376-8	Test procedures.
85.376-9	Diesel fuel specifications.
85.376-10	Vehicle preconditioning.
85.376-11	Dynamometer driving schedule.
85.376-12	Dynamometer procedure.
85.376-13	Three-speed manual transmissions.
85.376-14	Four-speed and five-speed manual transmissions.
85.376-15	Automatic transmissions.
85.376-16	Engine starting and re-starting.
85.376-17	Sampling and analytical system.
85.376-18	Information to be recorded.
85.376-19	Analytical system calibration and sample handling.
85.376-20	Dynamometer test runs.
85.376-21	Chart reading.
85.376-22	Calculations (exhaust emissions).
85.376-23	through 85.376-27 [Reserved]
85.376-24	Compliance with emission standards.
85.376-25	Testing by the Administrator.
85.376-26	Certification.
85.376-27	Separate certification.
85.376-28	Addition of a vehicle after certification.
85.376-29	Changes to a vehicle covered by certification.
85.376-30	Alternative procedure for notification of additions and changes.
85.376-31	Labeling.
85.376-32	Submission of vehicle identification numbers.
85.376-33	Production vehicles.

Sec.	Maintenance instructions.
85.376-38	Submission of maintenance instructions.
85.376-39	Emission standards for 1977 model year vehicles.

#### Subpart D—Emission Regulations for New Diesel Light Duty Trucks

##### § 35.301 General applicability.

The provisions of this subpart are applicable to new diesel light duty trucks.

##### § 35.302 Definitions.

(a) As used in this subpart, all terms not defined herein shall have the meaning given them in the Act:

(1) “Act” means Part A of title II of the Clean Air Act, 42 U.S.C. 1857 f-1 through f-7, as amended by Public Law 91-604.

(2) “Administrator” means the Administrator of the Environmental Protection Agency or his authorized representative.

(3) “Model year” means the manufacturer's annual production period (as determined by the Administrator) which includes January 1 of such calendar year: *Provided*, That if the manufacturer has no annual production period, the term “model year” shall mean the calendar year.

(4) “Gross vehicle weight” means the manufacturer's gross weight rating for the individual vehicle.

(5) “Light duty truck” means any motor vehicle rated at 6,000 pounds GVW or less, which is designed primarily for purposes of transportation of property or is a derivative of such a vehicle, or is available with special features enabling off-street or off-highway operation and use.

(6) “Vehicle curb weight” means the actual or the manufacturer's estimated weight of the vehicle in operational status with all standard equipment, and weight of fuel at nominal tank capacity, and the weight of optional equipment computed in accordance with § 85.376-5(g).

(7) “Loaded vehicle weight” means the vehicle curb weight of a light duty vehicle plus 300 pounds.

(8) “System” includes any motor vehicle engine modification which controls or causes the reduction of substances emitted from motor vehicles.

(9) “Engine family” means the basic classification unit of a manufacturer's product line used for the purpose of test fleet selection and determined in accordance with § 85.376-5(a).

(10) “Engine-system combination” means an engine family-exhaust emission control system-fuel evaporative emission control system (where applicable) combination.

(11) “Fuel system” means the combination of fuel tank, fuel pump, fuel lines, and carburetor, or fuel injection components, and includes all fuel system vents and fuel evaporative emission control systems.

(12) “Exhaust emissions” means substances emitted to the atmosphere from any opening downstream from the exhaust port of a motor vehicle engine.

(13) "Tank fuel volume" means the volume of fuel in the fuel tank, prescribed to be 40 percent of nominal tank capacity rounded to the nearest whole U.S. gallon.

(14) Zero (0) miles means that point after initial engine starting (not to exceed 10 miles of vehicle operation or 1 hour of engine operation) at which normal assembly line operations and adjustments are completed.

(15) "Calibrating gas" means a gas of known concentration which is used to establish the response curve of an analyzer.

(16) "Span gas" means a gas of known concentration which is used routinely to set the output level of an analyzer.

(17) "Oxides of nitrogen" means the sum of the nitric oxide and nitrogen dioxide contained in a gas sample as if the nitric oxide were in the form of nitrogen dioxide.

(18) "Useful life" means a period of use of 5 years or 50,000 miles, whichever first occurs.

(19) "Scheduled maintenance" means any adjustment, repair, removal, disassembly, cleaning, or replacement of vehicle components or systems which is performed on a periodic basis to prevent part failure or vehicle malfunction.

(20) "Unscheduled maintenance" means any adjustment, repair, removal, disassembly, cleaning, or replacement of vehicle components or systems which is performed to correct a part failure or vehicle malfunction.

(21) "High altitude" means any elevation over 4,000 feet.

§ 85.303 Abbreviations.

The abbreviations used in this subpart have the following meanings in both capital and lowercase:

- Accel.—Acceleration.
- ASTM—American Society for Testing and Materials.
- C.—Centigrade.
- C.f.h.—Cubic feet per hour.
- CO<sub>2</sub>—Carbon dioxide.
- CO—Carbon monoxide.
- Conc.—Concentration.
- C.f.m.—Cubic feet per minute.
- Cu. in.—Cubic inch(es).
- Decel.—Deceleration.
- F.—Fahrenheit.
- Gal.—U.S. gallon(s).
- Gm.—Gram(s).
- GVW—Gross Vehicle Weight.
- HC—Hydrocarbon(s).
- Hg—Mercury.
- Hi.—High.
- HP.—Horsepower.
- ID—Internal diameter.
- Lb.—Pound(s).
- Lb.-ft.—Pound-feet.
- Min.—Minute(s).
- ml.—Milliliter(s).
- M.p.h.—Miles per hour.
- mm.—Millimeter(s).
- Mv.—Millivolt(s).
- N<sub>2</sub>—Nitrogen.
- NO—Nitric oxide.
- NO<sub>2</sub>—Nitrogen dioxide.
- NO<sub>x</sub>—Oxides of nitrogen.
- No.—Number.
- P.p.m.—Parts per million by volume.
- P.s.i.—Pounds per square inch.
- P.s.i.g.—Pounds per square inch gauge.
- R.—Rankine.
- R.p.m.—Revolutions per minute.

- S.A.E.—Society of Automotive Engineers.
- Sec.—Second(s).
- Sp.—Speed.
- SS—Stainless steel.
- V.—Volts.
- Vs.—Versus.
- WOT.—Wide open throttle.
- Wt.—Weight.
- '—Feet.
- "—Inches.
- °—Degrees.
- %—Percent.

§ 85.304 General standards; increase in emissions; unsafe conditions.

(a) (1) Every new motor vehicle manufactured for sale, sold, offered for sale, introduced or delivered for introduction into commerce, or imported into the United States for sale or resale which is subject to any of the standards prescribed in this subpart shall be covered by a certificate of conformity issued pursuant to sections 85.376-2 through 85.376-4 and 85.376-29 through 85.376-34 of this subpart.

(b) (1) Any system installed on or incorporated in a new motor vehicle to enable such vehicle to conform to standards imposed by this subpart:

(i) Shall not in its operation or function cause the emission into the ambient air of any noxious or toxic substance that would not be emitted in the operation of such vehicle without such system, except as specifically permitted by regulation; and

(ii) Shall not in its operation, function, or malfunction result in any unsafe condition endangering the motor vehicle, its occupants, or persons or property in close proximity to the vehicle.

(2) Every manufacturer of new motor vehicles subject to any of the standards imposed by this subpart shall, prior to taking any of the actions specified in section 203(a) (1) of the Act, test or cause to be tested motor vehicles in accordance with good engineering practice to ascertain that such test vehicles will meet the requirements of this section for the useful life of the vehicle.

§ 85.305 Hearings on certification.

(a) (1) After granting a request for a hearing under § 85.376-30, the Administrator will designate a Presiding Officer for the hearing.

(2) The General Counsel will represent the Environmental Protection Agency in any hearing under this section.

(3) If a time and place for the hearing have not been fixed by the Administrator under § 85.376-30, the hearing shall be held as soon as practicable at a time and place fixed by the Administrator or by the Presiding Officer.

(b) (1) Upon his appointment pursuant to paragraph (a) of this section, the Presiding Officer will establish a hearing file. The file shall consist of the notice issued by the Administrator under § 85.376-30, together with any accompanying material, the request for a hearing and the supporting data submitted therewith and all documents relating to the request for certification, including the application for certification and all documents submitted therewith, and

correspondence and other data material to the hearing.

(2) The appeal file will be available for inspection by the applicant at the office of the Presiding Officer.

(c) An applicant may appear in person, or may be represented by counsel or by any other duly authorized representative.

(d) (1) The Presiding Officer upon the request of any party, or in his discretion, may arrange for a prehearing conference at a time and place specified by him to consider the following:

- (i) Simplification of the issues;
- (ii) Stipulations, admissions of fact, and the introduction of documents;
- (iii) Limitation of the number of expert witnesses;
- (iv) Possibility of agreement disposing of all or any of the issues in dispute;
- (v) Such other matters as may aid in the disposition of the hearing, including such additional tests as may be agreed upon by the parties.

(2) The results of the conference shall be reduced to writing by the Presiding Officer and made part of the record.

(e) (1) Hearings shall be conducted by the Presiding Officer in an informal but orderly and expeditious manner. The parties may offer oral or written evidence, subject to the exclusion by the Presiding Officer of irrelevant, immaterial, and repetitious evidence.

(2) Witnesses will not be required to testify under oath. However, the Presiding Officer shall call to the attention of witnesses that their statements may be subject to the provisions of title 18 U.S.C. 1001 which imposes penalties for knowingly making false statements or representations, or using false documents in any matter within the jurisdiction of any department or agency of the United States.

(3) Any witness may be examined or cross-examined by the Presiding Officer, the parties, or their representatives.

(4) Hearings shall be reported verbatim. Copies of transcripts of proceedings may be purchased by the applicant from the reporter.

(5) All written statements, charts, tabulations, and similar data offered in evidence at the hearing shall, upon a showing satisfactory to the Presiding Officer of their authenticity, relevancy, and materiality, be received in evidence and shall constitute a part of the record.

(6) Oral argument may be permitted in the discretion of the Presiding Officer and shall be reported as part of the record unless otherwise ordered by him.

(f) (1) The Presiding Officer shall make an initial decision which shall include written findings and conclusions and the reasons or basis therefor on all the material issues of fact, law, or discretion presented on the record. The findings, conclusions, and written decision shall be provided to the parties and made a part of the record. The initial decision shall become the decision of the Administrator without further proceedings unless there is an appeal to the Administrator or motion for review by the

Administrator within 20 days of the date the initial decision was filed.

(2) On appeal from or review of the initial decision the Administrator shall have all the powers which he would have in making the initial decision including the discretion to require or allow briefs, oral argument, the taking of additional evidence or the remanding to the Presiding Officer for additional proceedings. The decision by the Administrator shall include written findings and conclusions and the reasons or basis therefor on all the material issues of fact, law, or discretion presented on the appeal or considered in the review.

**§ 85.306 Maintenance of records; submittal of information; right of entry.**

(a) The manufacturer of any new motor vehicle subject to any of the standards prescribed in this subpart shall establish and maintain the following adequately organized and indexed records:

(1) Identification and description of all vehicles for which testing is required under this subpart.

(2) A description of all emission control systems which are installed on or incorporated in each vehicle.

(3) A description of the procedures used to test such vehicles.

(4) Test data on each emission data vehicle which will show its emissions at 0 and 4,000 miles.

(5) Test data on each durability vehicle which will show the performance of the systems installed on or incorporated in the vehicle during extended mileage as well as a record of all pertinent maintenance performed on the vehicle.

(b) The manufacturer of any new motor vehicle subject to any of the standards prescribed in this subpart shall submit to the Administrator at the time of issuance by the manufacturer copies of all instructions or explanations regarding the use, repair, adjustment, maintenance, or testing of such vehicle relevant to the control of crankcase, exhaust, or evaporative emissions, issued by the manufacturer for use by other manufacturers, assembly plants, distributors, dealers, and ultimate purchasers: *Provided*, That any material not translated into the English language need not be submitted unless specifically requested by the Administrator.

(c) The manufacturer of any new motor vehicle subject to any of the standards prescribed in this subpart shall permit officers or employees duly designated by the Administrator, upon presenting appropriate credentials and a written notice to the manufacturer:

(1) To enter, at reasonable times, any premises used during the certification procedures for purposes of monitoring tests and mileage accumulation procedures, observing maintenance procedures, and verifying correlation or calibration of test equipment, or

(2) To inspect, at reasonable times, records, files, and papers compiled by such manufacturer in accordance with paragraph (a) of this section.

A separate notice shall be given for each such inspection, but a separate notice shall not be required for each entry made during the period covered by the inspection. Each such inspection shall be commenced and completed with reasonable promptness.

**§ 85.376-1 Emission standards for 1976 model year light duty diesel trucks.**

(a) (1) Exhaust emissions from 1976 model year light duty diesel trucks shall not exceed:

(i) *Hydrocarbons*. 2.0 gram per vehicle mile.

(ii) *Carbon monoxide*. 20 grams per vehicle mile.

(iii) *Oxides of nitrogen*. 5.1 grams per vehicle mile.

(2) The standards set forth in paragraph (a) (1) of this section refer to the exhaust emitted over a driving schedule as set forth in § 85.376-9 through § 85.376-27 and measured and calculated in accordance with those procedures.

(b) No crankcase emissions shall be discharged into the ambient atmosphere from any new motor vehicle subject to this subpart.

**§ 85.376-2 Application for certification.**

(a) An application for a certificate of conformity to the regulations applicable to any new motor vehicle shall be made to the Administrator by the manufacturer, and shall be kept current and accurate by amendment.

(b) The application shall be in writing, signed by an authorized representative of the manufacturer, and shall include the following:

(1) Identification and description of the vehicles covered by the application and a description of their emission control systems.

(2) Projected U.S. sales data sufficient to enable the Administrator to select a test fleet representative of the vehicles for which certification is requested.

(3) A description of the test equipment and fuel proposed to be used.

(4) A description of the proposed mileage accumulation procedure for durability testing.

(5) A statement of recommended maintenance and procedures necessary to assure that the vehicles covered by a certificate of conformity in operation conform to the regulations, and a description of the program for training of personnel for such maintenance, and the equipment required.

(6) At the option of the manufacturer, the proposed composition of the emission data and durability data test fleet.

**§ 85.376-3 Approval of procedure and equipment; test fleet selections.**

Based upon the information provided in the application for certification, and any other information the Administrator may require, the Administrator will approve or disapprove in whole or in part the mileage accumulation procedure and equipment and fuel proposed by the manufacturer, and notify him in writing of such determination. Where any part

of a proposal is disapproved, such notification will specify the reasons for disapproval. The Administrator will select a test fleet in accordance with § 85.376-5.

**§ 85.376-4 Required data.**

The manufacturer shall perform the tests required by the applicable test procedures, and submit to the Administrator the following information:

(a) Durability data on such vehicles tested in accordance with the applicable test procedures of this subpart, and in such numbers as therein specified, which will show the performance of the systems installed on or incorporated in the vehicle for extended mileage, as well as a record of all pertinent maintenance performed on the test vehicles.

(b) Emission data on such vehicles tested in accordance with the applicable test procedures of this subpart and in such numbers as therein specified, which will show their emissions after 0 miles and 4,000 miles of operation. For those engine families in which vehicles are to be sold at retail at high altitude, test results of one emission data vehicle per engine-system combination within the engine family, tested under high altitude conditions after 4,000 miles of operation under high altitude conditions, are also required.

(c) A description of tests performed to ascertain compliance with the general standards in § 85.304 and the data derived from such tests.

(d) A statement that the test vehicles with respect to which data are submitted have been tested in accordance with the applicable test procedures, that they meet the requirement of such tests, and that, on the basis of such tests, they conform to the requirements of the regulations in this subpart. If such statements cannot be made with respect to any vehicle tested, the vehicle shall be identified, and all pertinent test data relating thereto shall be supplied.

**§ 85.376-5 Test vehicles.**

(a) (1) The vehicles covered by the application for certification will be divided into groupings of vehicles whose engines are expected to have similar emission characteristics. Each group of engines with similar emission characteristics shall be defined as a separate engine family.

(2) To be classed in the same engine family, engines must be identical in all the following respects:

(i) The cylinder bore center to center dimensions.

(ii) The dimension from the centerline of the crankshaft to the centerline of the camshaft.

(iii) The dimension from the centerline of the crankshaft to the top of the cylinder block head face.

(iv) The cylinder block configuration (air-cooled or water-cooled; L-6, 90° V-8, etc.).

(v) The location of intake and exhaust valves and the valve sizes (within a 1/8-inch range on the valve head diameter).

(vi) The method of air aspiration.

(vii) The combustion cycle.

(3) Engines identical in all the respects listed in subparagraph (2) of this paragraph may be further divided into different engine families if the Administrator determines that they may be expected to have different emission characteristics. This determination will be based upon a consideration of the following features of each engine:

- (i) The bore and stroke.
- (ii) The surface to volume ratio of the nominally dimensioned cylinder at the top dead center position.
- (iii) The intake manifold induction port size and configuration.
- (iv) The exhaust manifold port size and configuration.
- (v) The intake and exhaust valve sizes.
- (vi) The fuel system.
- (vii) The camshaft timing and ignition timing characteristics.

(4) Where engines are of a type which cannot be divided into engine families based upon the criteria listed in subparagraphs (2) and (3) of this paragraph, the Administrator will establish families for those engines based upon the features most related to their emission characteristics.

(b) Emission data vehicles:

(1) Vehicles will be chosen to be operated and tested for emission data based upon the engine family groupings. Within each engine family, the requirements of this paragraph must be met.

(2) Vehicles of each engine family will be divided into engine displacement-exhaust emission control system-combinations. A projected sales volume will be established for each combination for the model year for which certification is sought. One vehicle of each combination will be selected in order of decreasing projected sales volume until 70 percent of the projected sales of a manufacturer's total production of vehicles of that engine family is represented, or until a maximum of four vehicles is selected. If any single combination represents over 70 percent, then two vehicles of that combination may be selected. The vehicle selected for each combination will be specified by the Administrator as to transmission type, fuel system, and inertia weight class.

(3) (i) The Administrator may select a maximum of four additional vehicles within each engine family based upon features indicating that they may have the highest emission levels of the vehicles in that engine family. In selecting these vehicles, the Administrator will consider such features as the emission control system combination, induction system characteristics, ignition system characteristics, fuel system, rated horsepower, rated torque, compression ratio, inertia weight class, transmission options and axle ratios.

(ii) The Administrator may also select one vehicle for each engine-system combination within an engine family for which vehicles are to be sold to ultimate purchasers at high altitude.

(4) If the vehicles selected in accordance with subparagraphs (2) and (3) of this paragraph do not represent each

engine-system combination, then one vehicle of each engine-system combination not represented will be selected by the Administrator. The vehicle selected shall be of the engine displacement with the largest projected sales volume of vehicles with the control system combination in the engine family and will be designated by the Administrator as to transmission type, fuel system, and inertia weight class.

(c) Durability data vehicles:

(1) A durability data vehicle will be selected by the Administrator to represent each engine-system combination. The vehicle selected shall be of the engine displacement with the largest projected sales volume of vehicles with that control system combination in that engine family and will be designated by the Administrator as to transmission type, fuel system and inertia weight class.

(2) A manufacturer may elect to operate and test additional vehicles to represent any engine-system combination. The additional vehicles must be of the same engine displacement, transmission type, fuel system and inertia weight class as the vehicle selected for that engine-system combination in accordance with the provisions of subparagraph (1) of this paragraph. Notice of an intent to operate and test additional vehicles shall be given to the Administrator not later than 30 days following notification of the test fleet selection.

(d) For purposes of testing under § 85.376-7(g) the Administrator may require additional emission data vehicles and durability data vehicles identical in all material respects to vehicles selected in accordance with paragraphs (b) and (c) of this section: *Provided*, That the number of vehicles selected shall not increase the size of either the emission data fleet or the durability data fleet by more than 20 percent or one vehicle, whichever is greater.

(i) Any manufacturer whose projected sales of new motor vehicles subject to this subpart for the 1976 model year are fewer than 2,000 vehicles may request a reduction in the number of test vehicles determined in accordance with the foregoing provisions of this section. The Administrator may agree to such lesser number as he determines would meet the objectives of this section.

(ii) Any manufacturer whose projected sales of new motor vehicles at high altitude are fewer than 1,000 vehicles per engine family may request a reduction in the number of test vehicles per applicable engine family, determined in accordance with the foregoing provisions of this section. The Administrator may agree to such lesser number as he determines would meet the objectives of this section.

(f) In lieu of testing an emission data or durability data vehicle selected under paragraph (b) or (c) of this section and submitting data therefore, a manufacturer may, with the prior written approval of the Administrator, submit data on a similar vehicle for which certification has previously been obtained.

(g) (1) Where it is expected that more

than 33 percent of an engine family will be equipped with an optional item, the full estimated weight of that item shall be included, if required by the Administrator, in the curb weight computation for each vehicle available with that option in the engine family. Where it is expected that 33 percent or less of the vehicles in an engine family will be equipped with an item of optional equipment, no weight for that item will be added in computing curb weight. In the case of mutually exclusive options, only the weight of the heavier option will be added in computing curb weight. Optional equipment weighing less than 3 pounds per item need not be considered.

(2) Where it is expected that more than 33 percent of an engine family will be equipped with an item of optional equipment that can reasonably be expected to influence emissions, then such items of optional equipment shall actually be installed, unless specifically excluded by the Administrator, on all emission data and durability data vehicles in the engine family on which the option is intended to be offered in production. Optional equipment that can reasonably be expected to influence emissions are the air conditioner, power steering, power brakes, and other items determined by the Administrator.

(3) Optional equipment that can reasonably be expected to influence emissions which is utilized on 33 percent or less of the vehicle in the engine family shall not be installed on any vehicle in the engine family unless specifically required under this section.

§ 85.376-6 Maintenance.

(a) (1) Scheduled maintenance on the engine, emission control system, and fuel system of durability vehicles shall be scheduled for performance during durability testing at the same mileage intervals that will be specified in the manufacturer's maintenance instructions furnished to the ultimate purchaser of the motor vehicle. Such maintenance shall be performed only under the following provisions:

(i) Scheduled major engine tuneups to manufacturer's specifications may be performed no more frequently than every 12,500 miles of scheduled driving, provided that no tuneup may be performed after 45,000 miles of scheduled driving. A scheduled major engine tuneup shall be conducted in a manner consistent with service instructions and specifications provided by the manufacturer for use by customer service personnel. A major engine tuneup shall be restricted to the following:

- (c) Adjust injector timing.
- (d) Adjust governor.
- (e) Clean and service injector tips.
- (f) Adjust drive belt tension on engine accessories.
- (g) Check engine bolt torque and tighten as required.
- (ii) Injectors may be changed if a persistent misfire is detected.
- (iii) Normal vehicle lubrication services (engine and transmission oil change

and oil filter, fuel filter, and air filter servicing) will be allowed at manufacturer's recommended intervals.

(iv) Readjustment of the engine idle settings may be performed only if there is a problem of stalling at stops.

(v) Engine idle speed may be adjusted at the 5,000-mile test point.

(vi) Any other engine, emission control system, or fuel system adjustment, repair, removal, disassembly, cleaning, or replacement on durability vehicles shall be performed only with the advance approval of the Administrator.

(2) Where the Administrator agrees under § 85.376-7 to a mileage accumulation of less than 50,000 miles for durability testing, he may modify the requirement of this paragraph.

(b) Adjustment of engine idle speed may be performed once before the 4,000 mile test point on emission data vehicles. Any other engine emission control system, or fuel system adjustment, repair, removal, disassembly, cleaning, or replacement on emission data vehicles shall be performed only with the advance approval of the Administrator.

(c) Repair to vehicle components of the durability or emission data vehicle, other than the engine, emission control system, or fuel system, shall be performed only as a result of part failure or vehicle system malfunction or with the advanced approval of the Administrator.

(d) Complete emission tests (see §§ 85.376-9 to 85.376-23) shall be run, unless waived by the Administrator, before and after any vehicle maintenance which may reasonably be expected to affect emissions. These test data shall be supplied to the Administrator immediately after the tests, along with a complete record of all pertinent maintenance, including an engineering report of any malfunction diagnosis and the corrective action taken. In addition, all test data and maintenance reports shall be compiled and provided to the Administrator in accordance with § 85.376-4.

(e) If the Administrator determines that component failure or repairs performed have resulted in a substantial change to the engine-system combination, the vehicle shall not be used as a durability or emission data vehicle.

(f) The use of instruments, tools, or emission tests to identify malfunctioning, maladjusted, or defective engine components is not allowed unless specifically authorized by the Administrator.

#### § 85.376-7 Mileage accumulation and emission measurements.

The procedure for mileage accumulation will be the Durability Driving Schedule as specified in Appendix IV to this part. A modified procedure may also be used if approved in advance by the Administrator. Except with the advance approval of the Administrator, all vehicles will accumulate mileage at a measured curb weight which is within 100 pounds of the estimated curb weight. If the loaded vehicle weight is within 100 pounds of being included in the next higher inertia weight class as specified in § 85.376-13(d), the manufacturer may elect to conduct the respective emission

data vehicle test at the inertia weight corresponding to the higher loaded vehicle weight.

(a) (1) Emission data vehicles: Each emission data vehicle shall be driven 4,000 miles with all emission control systems installed and operating. Emission tests shall be conducted at zero miles and 4,000 miles.

(2) The emission data vehicle(s) selected for testing under § 85.376-5(b) (3) (ii) shall be driven 4,000 miles under high altitude conditions with all emission control systems installed and operating. Emission tests shall be conducted under high altitude conditions at zero miles and 4,000 miles.

(b) Durability data vehicles: Each durability data vehicle shall be driven with all emission control systems installed and operating, for 50,000 miles or such lesser distance as the Administrator may agree to as meeting the objectives of this procedure. Complete emission tests (see § 85.376-10 through § 85.376-23) shall be made at the following mileage points: 0, 5,000, 10,000, 15,000, 20,000, 25,000, 30,000, 35,000, 40,000, 45,000, and 50,000.

(c) All tests required by this subpart to be conducted after 5,000 miles of driving for durability vehicles and 4,000 miles for emission data vehicles must be conducted at any accumulated mileage within 250 miles of each of those test points.

(d) (1) The results of each emission test shall be supplied to the Administrator immediately after the test. The manufacturer shall furnish to the Administrator explanation for voiding any test. The Administrator will determine if voiding the test was appropriate based upon the explanation given by the manufacturer for the voided test. If a manufacturer conducts multiple tests at any test point at which the data are intended to be used in the calculation of the deterioration factor, the number of tests must be the same at each point and may not exceed three valid tests. Tests between test points may be conducted as required by the Administrator. Data from all tests (including voided tests) shall be air posted to the Administrator within 24 hours (or delivered within three working days). In addition, all test data shall be compiled and provided to the Administrator in accordance with § 85.376-4. Where the Administrator conducts a test on a durability vehicle at a prescribed test point, the results of each test will be used in the calculation of the deterioration factor.

(d) (2) The results of all emission test results shall be recorded and reported to the Administrator using three significant figures. These numbers shall be rounded in accordance with the "Rounding-Off Method" specified in ASTM E 29-67.

(e) Whenever the manufacturer proposes to operate and test a vehicle which may be used for emission or durability data, he shall provide the zero mile test data to the Administrator and make the vehicle available for such testing under § 85.376-29 as the Administrator may require before beginning to accumulate mileage on the vehicle. Failure to comply

with this requirement will invalidate all test data submitted for this vehicle.

(f) Once a manufacturer begins to operate an emission data or durability data vehicle, as indicated by compliance with paragraph (e) of this section, he shall continue to run the vehicle to 4,000 miles or 50,000 miles, respectively, and the data from the vehicle will be used in the calculations under § 85.376-28. Discontinuation of a vehicle shall be allowed only with the written consent of the Administrator.

(g) (1) The Administrator may elect to operate and test any test vehicle during all or any part of the mileage accumulation and testing procedure. In such cases, the manufacturer shall provide the vehicle(s) to the Administrator with all information necessary to conduct this testing.

(2) The test procedures (§§ 85.376-9 to 85.376-23) will be followed by the Administrator. The Administrator will test the vehicles at each test point. Maintenance may be performed by the manufacturer under such conditions as the Administrator may prescribe.

(3) The data developed by the Administrator for the engine system combination shall be combined with any applicable data supplied by the manufacturer on other vehicles of that combination to determine the applicable deterioration factors for the combination. In the case of a significant discrepancy between data developed by the Administrator and that submitted by the manufacturer the Administrator's data shall be used in the determination of deterioration factors.

(h) Emission testing of any type with respect to any certification vehicle other than that specified in this subpart is not allowed except as such testing may be specifically authorized by the Administrator.

#### § 85.376-8 Special test procedures.

The Administrator may, on the basis of a written application therefor by a manufacturer, prescribe test procedures, other than those set forth in this subpart, for any motor vehicle which he determines is not susceptible to satisfactory testing by the procedures set forth herein.

#### § 85.376-9 Test procedures.

The procedures described in this and subsequent sections will be the test program to determine the conformity of diesel light duty vehicles with the standards set forth in § 85.376.1.

(a) The test consists of prescribed sequences of fueling, parking, and operating conditions. The exhaust gases generated during vehicle operation are diluted with air and sampled continuously for analysis of diesel exhaust hydrocarbon and subsequent analysis of other specific components by prescribed techniques. The test applies to vehicles equipped with catalytic or direct flame afterburners, other control systems or to uncontrolled vehicles and engines. All test phases are conducted with an ambient temperature range between 68° and 86° F.

(b) The exhaust emission test is designed to determine hydrocarbon, carbon

monoxide, and oxides of nitrogen mass emissions while simulating an average trip in an urban area of 7.5 miles. The test consists of engine startups and vehicle operation on a chassis dynamometer through a specified driving schedule, as described in Appendix I to this part. Using a constant volume (variable dilution) sampler, a proportional part of the diluted exhaust gas is analyzed continuously for hydrocarbons and an additional proportional part of the diluted exhaust gas is collected in a bag for subsequent analysis of the other components.

(c) Except for component malfunction or failure, all emission control systems installed on or incorporated in a new motor vehicle shall be functioning during all procedures in this subpart. Com-

ponent malfunction or failure shall be repaired in accordance with § 85.376-6.

§ 85.376-10 Diesel fuel specifications.

(a) The diesel fuels employed for testing shall be clean and bright, with pour and cloud points adequate for operability. The fuels may contain nonmetallic additives as follows: Cetane improver, metal deactivator, antioxidant, dehazer, antirust, pour depressant, dye, and dispersant.

(b) Fuel meeting the following specifications, or substantially equivalent specifications approved by the Administrator, shall be used in exhaust emissions testing. The grade of fuel recommended by the engine manufacturer, commercially designated as "Type 1-D" or "Type 2-D", shall be used.

Item	ASTM test method No.	Type 1-D	Type 2-D
Cetane.....	D 613		
Distillation range.....	D 86	48-54	42-50
IBP, ° F.....		330-390	340-400
10-percent point, ° F.....		370-430	400-460
50-percent point, ° F.....		410-480	470-540
90-percent point, ° F.....		460-520	550-610
EP, ° F.....		500-560	580-660
Gravity, ° API.....	D 287	40-44	33-37
Total Sulfur, percent.....	D 129 or D 2622	0.05-0.20	0.2-0.5
Hydrocarbon composition.....	D 1319		
Aromatics, percent.....		8-15	27 (Min.)
Paraffins, Naphthenes, Olefins.....		Remainder	Remainder
Flashpoint, ° F. (minutes).....	D 93	120	180
Viscosity, Centistokes.....	D 445	1.6-2.0	2.0-8.2

(c) Fuel meeting the following specifications, or substantially equivalent specifications approved by the Administrator, shall be used in service accumulation. The grade of fuel recommended by the engine manufacturer, commercially designated as "Type 1-D" or "Type 2-D", shall be used.

(d) Other Petroleum Distillation Fuel Specifications:

(i) Other petroleum distillate fuels may be used for testing and service accumulation provided they are commercially available, and

(ii) Information, acceptable to the Administrator, is provided to show that only the designated fuel would be used in customer service, and

(iii) Use of a fuel listed under paragraphs (b) and (c) of this section would have a detrimental effect on emissions or durability, and

(iv) Written approval from the Administrator of the fuel specifications was provided prior to the start of testing.

(e) The specification range of the fuels to be used under paragraphs (b), (c), and (d) of this section shall be reported in accordance with § 85.376-2(b) (3).

§ 85.376-11 Vehicle preconditioning.

Vehicles to be tested for compliance with the exhaust emission standards of

this part shall be preconditioned as follows:

(a) The fuel tank of the test vehicle shall be drained and charged with the specified test fuel, § 85.376-10(b), to the prescribed "tank fuel volume," defined in § 85.302. The vehicle manufacturer shall provide additional fittings and adapters, as required to accommodate a fuel drain at the lowest point possible in the tank as installed on the vehicle. Test fuel, when charged to the tank shall be at ambient temperature, § 85.376-9(a).

(b) The test vehicle shall be placed on the dynamometer and operated over a simulated trip, according to the applicable requirements and procedures of §§ 85.376-12 to 85.376-17 except that the engine need not be cold when starting the run on the dynamometer and only a single trip of 7.5 miles shall be run. The test vehicle may be used to set dynamometer horsepower, if necessary.

(c) The engine and cooling fan shall be stopped upon completion of the dynamometer operation and the vehicle permitted to soak either on or off the dynamometer stand for a period of not less than 12 hours prior to the dynamometer test.

§ 85.376-12 Dynamometer driving schedule.

Item	ASTM test method No.	Type 1-D	Type 2-D
Cetane.....	D 613		
Distillation range.....	D 86	48-54	42-53
IBP, ° F.....		330-390	340-410
10-percent point, ° F.....		370-430	400-470
50-percent point, ° F.....		410-480	470-540
90-percent point, ° F.....		460-520	550-610
EP, ° F.....		500-560	580-660
Gravity, ° API.....	D 287	40-44	33-30
Total Sulfur, percent.....	D 129 or D 2622	0.05-0.20	0.2-0.5
Flash point, ° F. (minute).....	D 93	120	180
Viscosity, Centistokes.....	D 445	1.6-2.0	2.0-3.2

(a) The dynamometer driving schedule to be followed consists of a nonrepetitive series of idle, acceleration, cruise, and deceleration modes of various time sequences and rates. The driving schedule is defined by a smooth transition through the speed vs. time relationships listed in Appendix I to this part. The time sequence begins upon starting the vehicle according to the startup procedure described in § 85.376-17.

(b) The speed tolerance at any given time on the dynamometer driving schedule prescribed in Appendix I to this part or as printed on a driver's aid chart approved by the Administrator is defined by upper and lower limits. The upper limit is 2 m.p.h. higher than the highest point on the trace within 1 second of the given time. The lower limit is 2 m.p.h. lower than the lowest point on the trace within 1 second of the given time. Speed variations greater than the tolerances (such as occur when shifting manual transmission vehicles) are acceptable provided they occur for less than 2 seconds on any one occasion. Speeds lower than those prescribed are acceptable provided the vehicle is operated at maximum available power during such occurrences. Further, speed deviations from those prescribed due to stalling are acceptable provided the provisions of § 85.376-17(d) are adhered to.

§ 85.376-13 Dynamometer procedure.

(a) The dynamometer run consists of two tests, a "cold" start test after a minimum 12 hour soak and a "hot" start test with a 10 minute soak between the two tests. Engine startup, operation over the driving schedule, and engine shutdown make a complete cold start test. Engine startup and operation over the first 505 seconds of the driving schedule complete the hot start test. The exhaust emissions are diluted with air to a constant volume and a portion is sampled continuously during each test. Diesel hydrocarbons are analyzed continuously, with manual or electronic integration, during each test. The composite (flow integrated) samples collected in bags are analyzed for carbon monoxide, carbon dioxide, and oxides of nitrogen. A parallel sample of dilution air is analyzed for hydrocarbon, carbon monoxide and oxides of nitrogen.

(b) During dynamometer operation, a fixed speed cooling fan shall be positioned so as to direct cooling air to the vehicle in an appropriate manner with the engine compartment cover open. The fan capacity shall normally not exceed 5,300 c.f.m. If, however, the manufacturer can show that during field operation the vehicle received additional cooling, the fan capacity may be increased or additional fans used if approved in advance by the Administrator. In the case of vehicles with front engine compartments, the fan(s) shall be squarely positioned between 8 and 12 inches in front of the cooling air inlets (grill). In the case of vehicles with rear engine compartments (or if special designs make the above impractical), the cooling fan(s) shall be placed in a position to

provide sufficient air to maintain engine cooling.

(c) The vehicle shall be nearly level when tested in order to prevent abnormal fuel distribution.

(d) Flywheels, electrical or other means of simulating inertia shall be used. If the equivalent inertia specified in the following table is not available on the dynamometer being used, the next higher equivalent inertis (not to exceed 250 lbs.) available shall be used.

Loaded vehicle weight, pounds	Equivalent inertia weight, pounds	Road load power at 50 m.p.h. horsepower
Up to 1,125	1,000	5.9
1,126 to 1,375	1,000	6.5
1,376 to 1,625	1,500	7.1
1,626 to 1,875	1,750	7.7
1,876 to 2,125	2,000	8.3
2,126 to 2,375	2,250	8.8
2,376 to 2,625	2,500	9.4
2,626 to 2,875	2,750	9.0
2,876 to 3,250	3,000	10.3
3,251 to 3,750	3,500	11.2
3,751 to 4,250	4,000	12.0
4,251 to 4,750	4,500	12.7
4,751 to 5,250	5,000	13.4
5,251 to 5,750	5,500	13.9
5,751 to above	5,500	14.4

(e) Power absorption unit adjustment:

(1) The power absorption unit shall be adjusted to reproduce road load power at 50 m.p.h. true speed. The indicated road load power setting shall take into account the dynamometer friction. The relationship between road load (absorbed) power and indicated road load power for a particular dynamometer shall be determined by the procedure outlined in Appendix II to this part or other suitable means.

(2) The road load power listed in the table above shall be used or the vehicle manufacturer may determine the road load power by the following procedure and request its use:

(i) Measuring the fuel flow rate of a representative vehicle of the same equivalent inertia weight class, when operated on a level road under balanced wind conditions at a true speed of 50 m.p.h., and

(ii) Noting the dynamometer indicated road load horsepower setting required to reproduce that fuel flow rate when the same vehicle is operated on the dynamometer at a true speed of 50 m.p.h. The tests on the road and on the dynamometer shall be performed with the same vehicle ambient absolute pressure (usually barometric), i.e. within  $\pm 5$  mm. Hg.

(iii) The road load power shall be determined according to the procedure outlined in Appendix II to this part and adjusted according to the following if applicable.

(3) Where it is expected that more than 33 percent of the vehicles in an engine family will be equipped with air-conditioning, the road load power listed above or as determined in subparagraph (2) of this paragraph shall be increased by 10 percent for testing all test vehicles representing such engine family.

(f) The vehicle speed (m.p.h.) as

measured from the dynamometer rolls shall be used for all conditions. A speed vs. time recording, as evidence of dynamometer test validity, shall be supplied on request of the Administrator.

(g) Practice runs over the prescribed driving schedule may be performed to find the minimum accelerator pedal action to maintain the proper speed-time relationship.

NOTE: When using two-roll dynamometers a truer speed-time trace may be obtained by minimizing the rocking of the vehicle in the rolls. The rocking of the vehicle changes the tire rolling radius on each roll. The rocking may be minimized by restraining the vehicle horizontally (or nearly so) by using a cable and winch.

(h) The drive wheel tires may be inflated up to 45 p.s.i.g. in order to prevent tire damage. The drive wheel tire pressure shall be reported with the test results.

(i) If the dynamometer has not been operated during the 2-hour period immediately preceding the test it shall be warmed up for 15 minutes by operating it at 30 m.p.h. using a nontest vehicle.

(j) Changes to dynamometer horsepower settings, if required, shall be made prior to the beginning of the exhaust emission measurement test phase. If a vehicle is needed to make this adjustment a nontest vehicle shall be used.

#### § 85.376-14 Three-speed manual transmissions.

(a) All test conditions except as noted shall be run in highest gear.

(b) Cars equipped with free wheeling or overdrive units shall be tested with this unit (free wheeling or overdrive) locked out of operation.

(c) Idle shall be run with transmission in gear and with clutch disengaged (except first idle; see § 85.376-17).

(d) The vehicle shall be driven with minimum accelerator pedal movement to maintain the desired speed.

(e) Acceleration modes shall be driven smoothly with the shift speeds as recommended by the manufacturer. If the manufacturer does not recommend shift speeds, the vehicle shall be shifted from first to second gear at 15 m.p.h. and from second to third gear at 25 m.p.h. The operator shall release the accelerator pedal during the shift, and accomplish the shift with minimum time. If the vehicle cannot accelerate at the specified rates, the vehicle shall be accelerated at maximum available power until the vehicle speed reaches the speed at which it should be at that time during the test.

(f) The deceleration modes shall be run with clutch engaged and without shifting gears from the previous mode, using brakes or accelerator pedal as necessary to maintain the desired speed. For those modes which decelerate to zero, the clutch shall be depressed when the speed drops below 15 m.p.h. when engine roughness is evident, or when engine stalling is imminent.

(g) Downshifting is allowed at the beginning of or during a power mode if recommended by the manufacturer or if the engine obviously is lugging.

#### § 85.376-15 Four-speed and five-speed manual transmissions.

(a) Use the same procedure as for three-speed manual transmissions for shifting from first to second gear and from second to third gear. If the manufacturer does not recommend shift speeds, the vehicle shall be shifted from third to fourth gear at 40 m.p.h. Fifth gear may be used at the manufacturer's option.

(b) If transmission ratio in first gear exceeds 5:1, follow the procedure for three- or four-speed manual transmission vehicles as if the first gear did not exist.

#### § 85.376-16 Automatic transmissions.

(a) All test conditions shall be run with the transmission in "Drive" (highest gear). Automatic stick-shift transmissions may be shifted as manual transmissions at the option of the manufacturer.

(b) Idle modes shall be run with the transmission in "Drive" and the wheels braked (except first idle; see § 85.376-17).

(c) The vehicle shall be driven with minimum accelerator pedal movement to maintain the desired speed.

(d) Acceleration modes shall be driven smoothly allowing the transmission to shift automatically through the normal sequence of gears. If the vehicle cannot accelerate at the specified rates, the vehicle shall be accelerated at maximum available power until the vehicle speed reaches the speed at which it should be at that time during the driving schedule.

(e) The deceleration modes shall be run in gear using brakes or accelerator pedal as necessary to maintain the desired speed.

#### § 85.376-17 Engine starting and restarting.

(a) The engine shall be started according to the manufacturer's recommended starting procedures. The initial 20-second-idle period shall begin when the engine starts. The transmission shall be placed in gear 15 seconds after the engine is started. If necessary, braking may be employed to keep the drive wheels from turning.

(b) If the vehicle does not start after 10 seconds of cranking, cranking shall cease and the reason for failure to start shall be determined. The revolution counter on the constant volume sampler and the hydrocarbon integrator (see § 85.376-21 *Dynamometer test runs*) shall be turned off and the sample solenoid valves placed in the "dump" position during this diagnostic period. In addition, either the positive displacement pump should be turned off or the exhaust tube disconnected from the tailpipe during the diagnostic period. If failure to start is an operational error, the vehicle shall be rescheduled for testing from a cold start. If failure to start is caused by vehicle malfunction, corrective action of less than 30 minutes duration may be taken and the test continued. The sampling system shall be reactivated at the same time cranking is started. When the engine starts, the driving schedule

timing sequence shall begin. If failure to start is caused by vehicle malfunction and the vehicle cannot be started, the test shall be voided, the vehicle removed from the dynamometer, corrective action taken, and the vehicle rescheduled for test. The reason for the malfunction (if determined) and the corrective action taken shall be reported.

(c) If the engine "false starts", the operator shall repeat the recommended starting procedure.

(d) Stalling:

(1) If the engine stalls during an idle period, the engine shall be restarted immediately and the test continued. If the engine cannot be started soon enough to allow the vehicle to follow the next acceleration as prescribed, the driving schedule indicator shall be stopped. When the vehicle restarts the driving schedule indicator shall be reactivated.

(2) If the engine stalls during some operating mode other than idle, the driving schedule indicator shall be stopped, the vehicle restarted, accelerated to the speed required at that point in the driving schedule and the test continued.

(3) If the vehicle will not restart within 1 minute, the test shall be voided, the vehicle removed from the dynamometer, corrective action taken, and the vehicle rescheduled for test. The reason for the malfunction (if determined) and the corrective action taken shall be reported.

§ 85.376-18 Sampling and analytical system (exhaust emissions).

(a) *Schematic drawings.* The following figures (Figs. D 376-1, D 376-2, and D 376-3) are schematic drawings of the exhaust gas sampling and analytical systems which will be used for testing under the regulations in this part. Additional components such as instruments, valves, solenoids, pumps, and switches may be used to provide additional information and coordinate the functions of the component systems.

(b) *Component description (exhaust gas sampling system).* The following components will be used in the exhaust gas sampling system for testing under the regulations in this part. See Figure D 376-1. Other types of constant volume samplers may be used if shown to yield equivalent results, and if approved in advance by the Administrator.

(1) A dilution air filter assembly consisting of a particulate (paper) filter to remove solid matter from the dilution air and thus increase the life of the charcoal filter; a charcoal filter to reduce and stabilize the background hydrocarbon level; and a second particulate filter to remove charcoal particles from the air stream. The filters shall be of sufficient capacity and the duct which carries the dilution air to the point where the exhaust gas is added shall be of sufficient size so that the pressure at the mixing point is less than 1 inch of water pressure below ambient when the constant volume sampler is operating at its maximum flow rate.

(2) A leak-tight connector and tube to the vehicle tailpipe. The flexible tubing shall be sized and connected in such a

manner that the static pressure variations in the vehicle tailpipe(s) remain within  $\pm 5$  inches of water of the static pressure variations measured during a dynamometer driving cycle with no connection to the tailpipe(s). Sampling systems capable of tolerances to  $\pm 1$  inch of water will be used by the Administration upon written request by the manufacturer.

(3) A heating system to preheat the heat exchanger to within  $\pm 10^\circ$  F. of its operating temperature before the test begins.

(4) A heat exchanger capable of limiting the gas mixture temperature variation during the entire test to  $\pm 10^\circ$  F. as measured at a point immediately ahead of the positive displacement pump.

(5) A positive displacement pump to pump dilute exhaust mixture. The pump capacity (300 to 350 c.f.m. is sufficient

for testing most vehicles) shall be large enough to virtually eliminate water condensation in the system. See Appendix III to this part for one flow calibration technique. Other suitable calibration techniques may be used if approved in advance by the Administrator.

(6) Temperature sensor (T1) with an accuracy of  $\pm 2^\circ$  F. to allow continuous recording of the temperature of the dilute exhaust mixture entering the positive displacement pump. (See § 85.376-19(k)).

(7) Gage (G1) with an accuracy of  $\pm 3$  mm. Hg to measure the pressure depression of the dilute exhaust mixture entering the positive displacement pump, relative to atmospheric pressure.

(8) Gage (G2) with an accuracy of  $\pm 3$  mm. Hg to measure the pressure increase after the positive displacement pump.

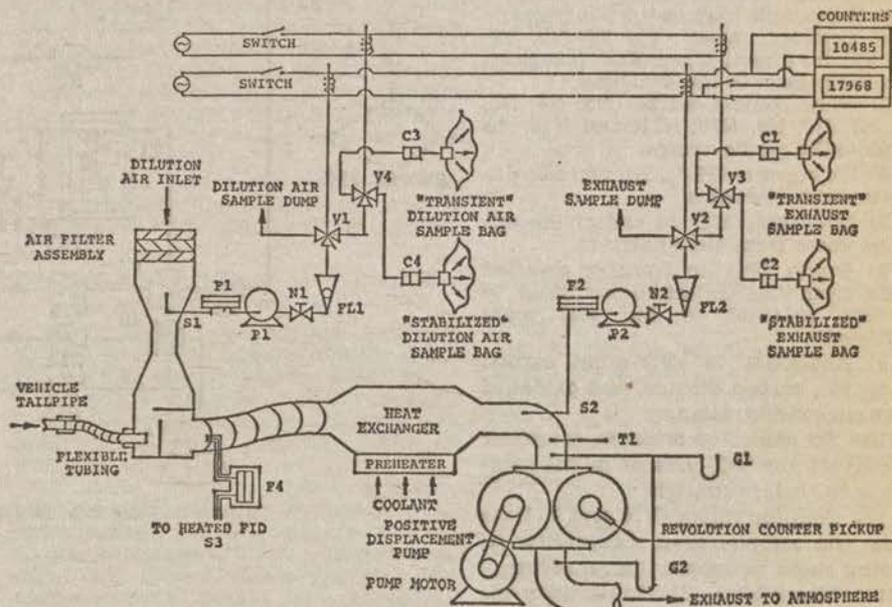


Figure D 376-1 Exhaust Gas Sampling System

(9) Sample probes (S1, S2, and S3) pointed upstream to collect samples from the dilution air stream and the dilute exhaust mixture. Additional sample probes may be used, for example, to obtain continuous concentration traces of the dilute exhaust stream. In such case the sample flow rate, in standard cubic feet per test phase, must be added to the calculated dilute exhaust volume. The position of the sample probes in Figure D 376-1 is pictorial only. The heated sample line (S3) between the sampling point and the analyzer shall be as short as possible.

(10) Filters (F1 and F2) to remove particulate matter from dilution air and dilute exhaust samples.

(11) Pumps (P1 and P2) to pump the dilution air and dilute exhaust into their respective sample collection bags.

(12) Flow control valves (N1 and N2) to regulate flows to sample collection bags,

at constant flow rates. The minimum sample flow rate shall be 10 c.f.h.

(13) Flowmeters (FL1 and FL2) to insure, by visual observation, that constant flow rates are maintained throughout the test.

(14) Three-way solenoid valves (V1, V2, V3, and V4) to direct sample streams to either their respective bags or overboard.

(15) Quick-connect, leak-tight fittings (C1, C2, C3, and C4) with automatic shut-off on bag side to attach sample bags to sample system.

(16) Sample collection bags for dilution air and exhaust samples of sufficient capacity so as not to impede sample flow.

(17) Revolution counters to count the revolutions of the positive displacement pump while each test phase is in progress and samples are being collected.

(c) *Component description (exhaust gas batch analytical system).* The following components will be used in the exhaust gas batch analytical system for

testing under the regulations in this part. The analytical system provides for the determination of carbon monoxide and carbon dioxide concentrations by nondispersive infrared (NDIR) analysis and the determination of oxides of nitrogen concentrations by chemiluminescence (CL) analysis in dilute exhaust samples. The chemiluminescence method of analysis requires that the nitrogen dioxide present in the sample be converted to nitric oxide before analysis. Other types of analyzers may be used if shown to yield equivalent results and if approved in advance by the Administrator. See Figure D-376-2.

(1) Quick-connect, leak-tight fitting (C5) to attach sample bags to analytical system.

(2) Filter (F3) to remove any residual particulate matter from the collected sample.

(3) Pump (P3) to transfer samples from the sample bags to the analyzers.

(4) Selector valves (V5, V6, V7, V8, and V9) for directing samples, span gases or zeroing gases to the analyzers.

(5) Flow control valves (N3, N4, N5, N6, N7, N8, N9, N10, N11, and N12) to regulate the gas flow rates.

(6) Flowmeters (FL3, FL4, and FL5) to indicate gas flow rates.

(7) Manifold (M1) to collect the expelled gases from the analyzers.

(8) Pump (P4) to transfer expelled gases from the collection manifold to a vent external to the test room (optional).

(9) Analyzers to determine carbon monoxide, carbon dioxide, and oxides of nitrogen concentrations.

(10) An oxides of nitrogen converter to convert any  $\text{NO}_2$  present in the samples to  $\text{NO}$  before analysis.

(11) Selector valves (V10 and V11) to allow the sample, span, calibrating or zeroing gases to bypass the converter.

(12) Water trap (T1) to partially remove water and a valve (V12) to allow the trap to be drained.

(13) Sample conditioning columns to remove remainder of water (WR1 and WR2 containing indicating calcium sulfate or indicating silica gel), and carbon dioxide (CDR1 and CDR2 containing ascarite) from the  $\text{CO}$  analysis stream.

Note: If  $\text{CO}$  instruments which are essentially free of  $\text{CO}_2$  and water vapor interference are used, the use of the water trap (T1) and these conditioning columns is unnecessary and the trap and columns may be deleted. See § 85.376-19(m) and § 85.376-23(c). A  $\text{CO}$  instrument will be considered to be essentially free of  $\text{CO}_2$  and water vapor interference if its response to a mixture of 3 percent  $\text{CO}_2$  and 3 percent water vapor in  $\text{N}_2$  produces 3 p.p.m. or less equivalent  $\text{CO}$  response.

(14) Selector valves (V13 and V14) to permit switching from exhausted absorbing columns to fresh columns.

(15) Water bubbler (W1) to allow saturation of the  $\text{CO}_2$  span gas to check efficiency of absorbing columns.

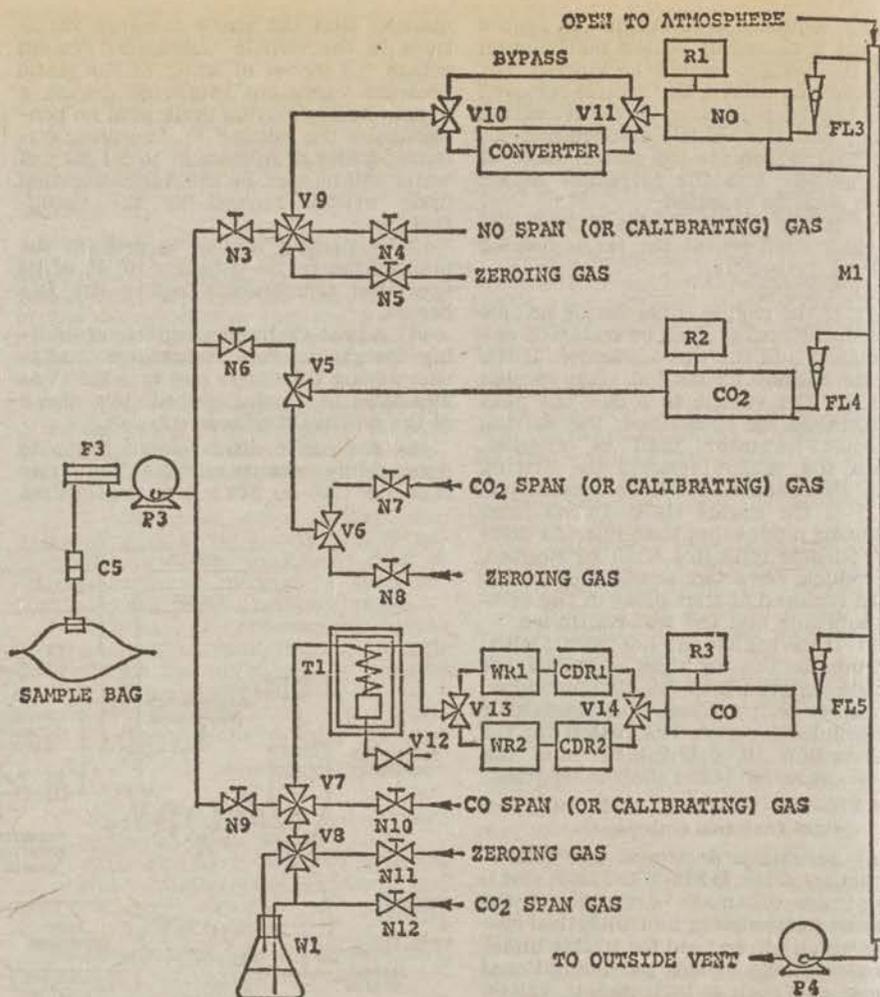


Figure D-376-2 Exhaust Gas Batch Analytical System

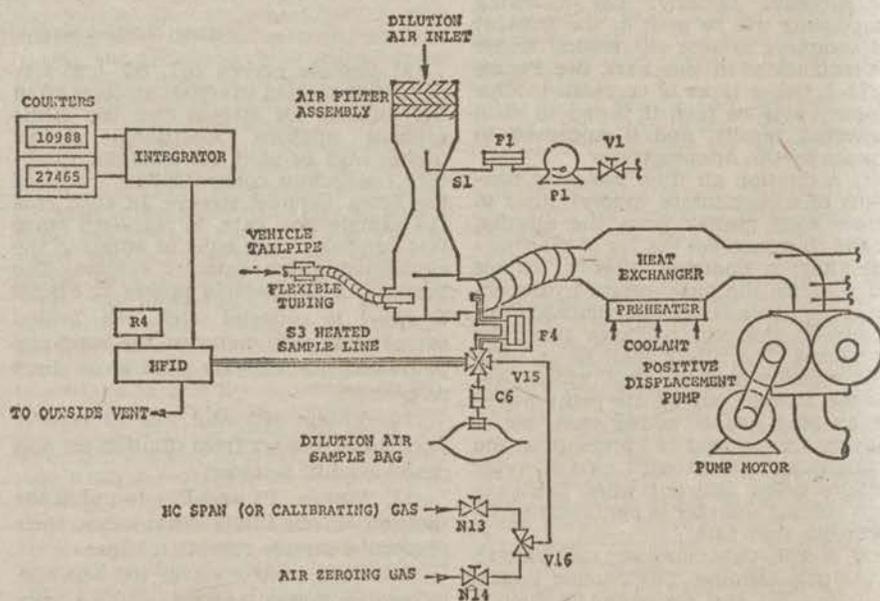


Figure D-376-3 Diesel Hydrocarbon Continuous Analysis System

(16) Recorders (R1, R2, and R3) or digital printers to provide permanent records of calibration, spanning and sample measurements; or in those facilities where computerized data acquisition systems are incorporated, the computer facility printout may be used.

(d) *Component description (exhaust gas continuous analytical system)*. The following components will be used in the exhaust gas continuous analytical system for testing under the regulations in this part. This analytical system provides for the continuous determination of exhaust hydrocarbon concentration by heated flame ionization detector (HFID) analysis. Other types of analyzers may be used if shown to yield equivalent results and if approved in advance by the Administrator. See Figure D-376-3.

(1) Heated continuous sampling line (S3).

(2) Heated filter (F4) to remove particulate matter from heated hydrocarbon sample.

(3) Selector valves (V15, and V16) for directing the continuous dilute exhaust sample, dilution air bag sample, span or zeroing gases to the analyzers.

(4) Quick-connect, leak-tight fitting (C6) to attach dilution air sample bag to analytical system.

(5) Heated hydrocarbon analyzer (HFID) complete with heated pump, filter, and flow control system. The response time of this instrument shall be less than 1 second for 90 percent of full scale response. Sample transport time from sampling point to inlet of instrument shall be less than 4 seconds.

(6) Chart recorder (R4), chart recorder (R4) and analog integrator with two readouts, or chart recorder (R4) and on-line digital computer for manual or electronic integration of analyzer output signal during the three operating phases of the test.

(7) Flow control valves (N13 and N14) to regulate the gas flow rates.

#### § 35.376-19 Information to be recorded.

The following information shall be recorded with respect to each test:

- Test number.
- System or device tested (brief description).
- Date and time of day for each part of the test schedule.
- Instrument operator.
- Driver or operator.
- Vehicle: Make—Vehicle Identification number—Model year—Transmission type—Odometer reading—Engine displacement—Engine family—Idle r.p.m.—Inertia loading—Actual curb weight recorded at 0 miles—Actual road load HP. at 50 m.p.h. and drive wheel tire pressure.
- Dynamometer serial number and indicated road load power absorption at 50 m.p.h.
- All pertinent instrument information such as tuning—gain—serial numbers—detector numbers—range. As an

alternative, a reference to a vehicle test cell number may be used with the advance approval of the Administrator, provided test cell calibration records show the pertinent instrument information.

(i) Recorder charts: Identify zero, span, exhaust gas, and dilution air sample traces.

(j) Test cell barometric pressure, ambient temperature and humidity.

(k) Pressure of the mixture of exhaust and dilution air entering the positive displacement pump, the pressure increase across the pump, and the temperature set point of the temperature control system. The sample temperature at the inlet to the pump may be measured if desired, to verify that the temperature variations are within  $\pm 5^\circ$  F. of the set point.

(l) The number of revolutions of the positive displacement pump accumulated while the test is in progress and exhaust flow samples are being collected.

(m) The humidity of the dilution air (necessary only if trap T1 and conditioning columns WR1, WR2, CD1, and CD2 are used for CO measurements). See § 85.376-18(c)(13).

(n) Temperature set point of the heated sample line and heated hydrocarbon detector temperature control system.

#### § 85.376-20 Analytical system calibration and sample handling.

(a) Calibrate the analytical assembly at least once every 30 days. Use the same flow rate as when analyzing samples.

(1) Adjust analyzers to optimize performance. Operate heated hydrocarbon analyzer, sampling line, and filter at  $375^\circ \pm 10^\circ$  F.

(2) Zero the hydrocarbon analyzer with zero grade air and the carbon monoxide, carbon dioxide, and oxides of nitrogen analyzers with zero grade nitrogen. The allowable zero gas impurity concentrations should not exceed 1 p.p.m. equivalent carbon response, 1 p.p.m. carbon monoxide, 300 p.p.m. (0.03 mole percent) carbon dioxide, and 0.1 p.p.m. nitric oxide.

(3) Set the CO and CO<sub>2</sub> analyzer gains to give the desired ranges. Select the desired attenuation scale of the HC analyzer, set the sample capillary flow rate by adjusting the back pressure regulator, and adjust the electronic gain control, if provided, to give the desired range. Select the desired scale of the NO<sub>x</sub> analyzer and adjust the phototube high voltage supply or amplifier gain to give the desired range.

(4) Calibrate the HC analyzer with propane (air diluent) gases having nominal concentrations equal to 50 and 100 percent of full scale. Calibrate the CO analyzer with carbon monoxide (nitrogen diluent) gases and the CO<sub>2</sub> analyzer with carbon dioxide (nitrogen diluent) gases having nominal concentrations equal to 10, 25, 40, 50, 60, 70, 85, and 100 percent of full scale. Calibrate the NO<sub>x</sub> analyzer with nitric oxide (nitrogen diluent) gases having nominal concentrations equal to 50 and 100 percent of

full scale. The actual concentrations should be known to within  $\pm 2$  percent of the true values.

(5) Compare values obtained on the CO and CO<sub>2</sub> analyzers with previous calibration curves. Any significant change reflects some problem in the system. Locate and correct problem, and recalibrate. Use best judgment in selecting curves for data reduction.

(6) NO<sub>x</sub> converter efficiency determination. The apparatus described and illustrated in Figure D-376-7 is to be used to determine the conversion efficiency of devices that convert NO<sub>x</sub> to NO.

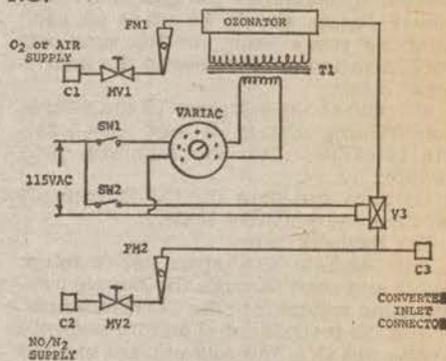


Figure D-376-7—NO<sub>x</sub> Converter Efficiency Detector

The following procedure is to be used for determining the values to be used in Equation (A).

(i) Attach the NO<sub>x</sub> supply (150–250 p.p.m.) at C2, the O<sub>2</sub> supply at C1 and the analyzer inlet connection to the efficiency detector at C3. If lower concentrations of NO are used, air may be used in place of O<sub>2</sub> to facilitate better control of the NO<sub>x</sub> generated during step (iv).

(ii) With the efficiency detector variac off, place the NO<sub>x</sub> converter in bypass mode and close valve V3. Open valve MV2 until sufficient flow and stable readings are obtained at the analyzer. Zero and span the analyzer output to indicate the value of the NO concentration being used. Record this concentration.

(iii) Open valve V3 (on/off flow control solenoid valve for O<sub>2</sub>) and adjust valve MV1 (O<sub>2</sub> supply metering valve) to blend enough O<sub>2</sub> to lower the NO concentration (ii) about 10 percent. Record this concentration.

(iv) Turn on the ozonator and increase its supply voltage until the NO concentration of (iii) is reduced to about 20 percent of (ii). NO<sub>x</sub> is now being formed from the NO+N<sub>2</sub> reaction. There must always be at least 10 percent unreacted NO at this point. Record this concentration.

(v) When a stable reading has been obtained from (iv), place the NO<sub>x</sub> converter in the convert mode. The analyzer will now indicate the total NO<sub>x</sub> concentration. Record this concentration.

(vi) Turn off the ozonator and allow the analyzer reading to stabilize. The mixture NO+O<sub>2</sub> is still passing through the converter. This reading is the total NO<sub>x</sub> concentration of the dilute NO span gas used at step (iii). Record this concentration.

(vii) Close valve V3. The NO concentration should be equal to or greater than the reading of (ii) indicating whether the NO contains any NO<sub>x</sub>.

Calculate the efficiency of the NO<sub>x</sub> converter by substituting the concentrations obtained during the test into Equation (A).

EQUATION A

$$\% \text{Eff.} = \frac{(v) - (iv)}{(vi) - (iv)} \times 100\%$$

The efficiency of the converter should be greater than 90 percent. Adjustment of the converter temperature may be needed to maximize the efficiency. Efficiency checks should be made on each analyzer range using an NO span gas concentration appropriate to the instrument range.

(7) Check the efficiency of the sample conditioning system, if used (see § 85.376-18(c)(13)), by the following procedure:

(i) Zero and span the CO instrument on its most sensitive scale.

(ii) Recheck zero.

(iii) Bubble CO<sub>2</sub> span gas through water and then through the sample conditioning system into the CO instrument. If the CO instrument shows no response to the wet CO<sub>2</sub>, the columns are in good condition.

(iv) If the CO instrument responds to wet CO<sub>2</sub>, replace columns as necessary to bring response back to zero.

(v) The conditioning system efficiency should be checked daily.

(b) HC, CO, CO<sub>2</sub>, and NO<sub>x</sub> measurement: Allow HC analyzer sample line and filter to heat to set point (375 ± 10° F.), and allow a minimum of 20 minutes warmup for the HC analyzer electronics and 2 hours for the CO, CO<sub>2</sub>, and NO<sub>x</sub> analyzers. (Power is normally left on infrared and chemiluminescence analyzers; but when not in use, the chopper motors of the infrared analyzers are turned off and the phototube high voltage supply of the chemiluminescence analyzer is placed in the standby position.) The following sequence of operations should be performed in conjunction with each series of measurements:

(1) Zero the analyzers. Obtain a stable zero on each amplifier meter and recorder. Recheck after tests.

(2) Introduce span gases and set the CO and CO<sub>2</sub> analyzer gains, the HC analyzer sample capillary flow rate and electronic gain control, if provided, and the NO<sub>x</sub> analyzer high voltage supply or amplifier gain to match the calibration curves. In order to avoid corrections, span and calibrate at the same flow rates used to analyze the test samples. Span gases should have concentrations equal to approximately 80 percent of full scale. If gain has shifted significantly on the CO or CO<sub>2</sub> analyzers, check tuning. If necessary, check calibration. Recheck after test. Show actual concentrations on chart.

(3) Check zeros; repeat the procedure in subparagraphs (1) and (2) of this paragraph if required.

(4) Check flow rates and pressures.

(5) Continuously record (and integrate electronically, if desired) dilute hydrocarbon emission levels during test.

(6) Measure CO, CO<sub>2</sub>, and NO<sub>x</sub> concentrations of samples. Care should be exercised to prevent moisture from condensing in the sample collection bag.

(7) Check zero and span points.

(c) For the purposes of this section, the term "zero grade air" includes artificial "air" consisting of a blend of nitrogen and oxygen with oxygen concentrations between 18 and 21 mole percent. § 85.376-21 Dynamometer test runs.

(a) The vehicle shall be allowed to stand with the engine turned off for a period of not less than 12 hours before the cold start exhaust emission test. The vehicle shall be stored prior to the emission tests in such a manner that precipitation (e.g. rain or dew) does not occur on the vehicle. The complete dynamometer test consists of a cold start drive of 7.5 miles and simulates a hot start drive of 7.5 miles. The vehicle is allowed to stand on the dynamometer during the 10-minute time period between the cold and hot start tests. The cold start test is divided into two periods. The first period, representing the cold start "transient" phase, terminates at the end of the deceleration which is scheduled to occur at 505 seconds of the driving schedule. The second period, representing the "stabilized" phase, consists of the remainder of the driving schedule including engine shutdown. The hot start test similarly consists of two periods. The first period, representing the hot start "transient" phase, terminates at the same point in the driving schedule as the first phase of the cold start test. The second period of the hot start test, "stabilized" phase is assumed to be identical to the second period of the cold start test. Therefore, the hot start test terminates after the first period (505 seconds) is run.

(b) The following steps shall be taken for each test:

(1) Place drive wheels of vehicle on dynamometer without starting engine.

(2) Open the vehicle engine compartment cover and start the cooling fan.

(3) With the sample solenoid valves in the "dump" position connect evacuated sample collection bags to the two dilute exhaust sample connectors and to the two dilution air sample line connectors.

(4) Start the positive displacement pump, the sample pumps, the temperature recorder, and the heated hydrocarbon analysis recorder. (The constant volume sampler heat exchanger, the hydrocarbon analyzer continuous sample line and filter should be preheated to their respective operating temperatures before the test begins.)

(5) Adjust the sample flow rates to the desired flow rate (minimum of 10 c.f.h.). Set the hydrocarbon integrator counters and pump revolution counters to zero.

(6) Attach the flexible exhaust tube to the vehicle tailpipe(s).

(7) Simultaneously start the revolution counter for the positive displacement pump, position the sample solenoid valves to direct the sample flows into the "transient" exhaust sample bag and the "transient" dilution air sample bag, turn on the hydrocarbon analyzer system integrator and mark recorder chart, and start cranking engine.

(8) Fifteen seconds after the engine starts, place the transmission in gear.

(9) Twenty seconds after the engine starts, begin the initial vehicle acceleration of the driving schedule.

(10) Operate the vehicle according to the dynamometer driving schedule.

(11) At the end of the deceleration which is scheduled to occur at 505 seconds, simultaneously switch the sample flows from the "transient" bags to the "stabilized" bags, switch off revolution counter No. 1 and hydrocarbon integrator No. 1, mark hydrocarbon recorder chart and start counter No. 2 and hydrocarbon integrator No. 2. As soon as possible and in no case longer than 20 minutes after the end of this portion of the test disconnect the "transient" exhaust and dilution air sample bags, transfer them to the analytical system and process the samples according to § 85.376-20.

(12) Turn the engine off 2 seconds after the end of the last deceleration (at 1,369 seconds).

(13) Five seconds after the engine stops running, simultaneously turn off revolution counter No. 2 and hydrocarbon integrator No. 2, mark hydrocarbon recorder chart and position the sample solenoid valves to the "dump" position. As soon as possible and in no case longer than 20 minutes after the end of this portion of the test disconnect the "stabilized" exhaust and dilution air sample bags, transfer them to the analytical system and process the samples according to § 85.376-20.

(14) Immediately after the end of the sample period disconnect the exhaust tube from the tailpipe(s), turn off the cooling fan and close the engine compartment cover.

(15) Turn off the positive displacement pump.

(16) Repeat the steps in subparagraphs (2) through (10) of this paragraph for the hot start test except only one evacuated sample bag is required for sampling exhaust gas and one for dilution air. The step in subparagraph (7) of this paragraph shall begin between 9 and 11 minutes after the end of the sample period for the cold start test.

(17) At the end of the deceleration which is scheduled to occur at 505 seconds, simultaneously turn off the No. 1 revolution counter and hydrocarbon integrator No. 1, mark hydrocarbon recorder chart and position the sample solenoid valve to the "dump" position. (Engine shutdown is not part of the hot start sample period.)

(18) As soon as possible and in no case longer than 20 minutes after the end of this portion of the test disconnect the hot start "transient" exhaust and

dilution air sample bags, transfer them to the analytical system and process the samples according to § 85.376-20.

(19) Disconnect the exhaust tube from the vehicle tailpipe(s) and remove vehicle from dynamometer.

(20) The positive displacement pump may be turned off, if desired.

§ 85.376-22 Chart reading.

(a) Determine the HC, CO, CO<sub>2</sub>, and NO<sub>x</sub> concentrations of the dilution air and the CO, CO<sub>2</sub>, and NO<sub>x</sub> concentration of the dilute exhaust sample bags from the instrument deflection, computer printout, or recordings making use of appropriate calibration charts.

Where:

$$Y_{em} = (0.43 Y_{e1} + 0.57 Y_{e2} + Y_{e3}) / 7.5$$

Y<sub>em</sub> = Weighted mass emissions of each pollutant, i.e. HC, CO, or NO<sub>x</sub>, in grams per vehicle mile.  
 Y<sub>e1</sub> = Mass emissions as calculated from the "transient" phase of the cold start test, in grams per test phase.  
 Y<sub>e2</sub> = Mass emissions as calculated from the "transient" phase of the hot start test, in grams per test phase.  
 Y<sub>e3</sub> = Mass emissions as calculated from the "stabilized" phase of the cold start test, in grams per test phase.

(b) The mass of each pollutant for each phase of both the cold start test and the hot start test is determined from the following:

(1) Hydrocarbon Mass:

$$HC_{mass} = V_{mix} \times \text{Density}_{HC} \times \frac{HC_{conc}}{1,000,000}$$

(2) Oxides of nitrogen Mass:

$$NO_{x, mass} = V_{mix} \times \text{Density}_{NO_x} \times \frac{NO_{x, conc} \times K_H}{1,000,000}$$

(3) Carbon monoxide Mass:

$$CO_{mass} = V_{mix} \times \text{Density}_{CO} \times \frac{CO_{conc}}{1,000,000}$$

(c) Meaning of symbols:

HC<sub>mass</sub> = Hydrocarbon emissions, in grams per test phase.  
 Density<sub>HC</sub> = Density of hydrocarbons in the exhaust gas, assuming an average carbon to hydrogen ratio of 1:1.85, in grams per cubic foot at 68° F. and 760 mm. Hg. pressure (16.33 gm./cu. ft.).  
 HC<sub>conc</sub> = Hydrocarbon concentration of the dilute exhaust sample corrected for background, in p.p.m. carbon equivalent, i.e. equivalent propane X3.  
 $HC_{conc} = HC_e - HC_d(1 - 1/\bar{D}F)$

Where:

HC<sub>e</sub> = Average hydrocarbon concentrations of the dilute exhaust sample as calculated from the integrated HC traces, in p.p.m. carbon equivalent.  
 HC<sub>d</sub> = Hydrocarbon concentration of the dilution air as measured in p.p.m. carbon equivalent.  
 NO<sub>x, mass</sub> = Oxides of nitrogen emissions, in grams per test phase.  
 Density<sub>NO<sub>x</sub></sub> = Density of oxides of nitrogen in the exhaust gas, assuming they are in the form of nitrogen dioxide, in grams per cubic foot at 68° F. and 760 mm. Hg. pressure (54.16 gm./cu. ft.).  
 NO<sub>x, conc</sub> = Oxides of nitrogen concentration of the dilute exhaust sample corrected for background, in p.p.m.  
 $NO_{x, conc} = NO_{x,e} - NO_{x,d}(1 - 1/\bar{D}F)$

Where:

NO<sub>x,e</sub> = Oxides of nitrogen concentration of the dilute exhaust sample as measured, in p.p.m.  
 NO<sub>x,d</sub> = Oxides of nitrogen concentration of the dilution air as measured, in p.p.m.  
 CO<sub>mass</sub> = Carbon monoxide emissions, in grams per test phase.  
 Density<sub>CO</sub> = Density of carbon monoxide in grams per cubic foot at 68° F. and 760 mm. Hg. pressure (32.97 gm./cu. ft.).  
 CO<sub>conc</sub> = Carbon monoxide concentration of the dilute exhaust sample corrected for background, water vapor and CO<sub>2</sub> extraction, in p.p.m.  
 $CO_{conc} = CO_{e,d} - CO_d(1 - 1/\bar{D}F)$

(b) Record integrated HC results, or manually integrate continuous chart. This chart provides a permanent record and can be graphically integrated if verification is required.

(c) Determine the average dilute exhaust mixture temperatures from the temperature recorder trace if a recorder is used.

§ 85.376-23 Calculations (exhaust emissions).

The final reported test results shall be computed by use of the following formulae:

(a) For light duty diesel trucks:

$$DF = \frac{CO_{2e} + (CO_{2d} - CO_{2e}) \times \frac{V_{0e}}{V_{0d}}}{CO_{2e} + (CO_{2d} - CO_{2e}) \times \frac{V_{0e}}{V_{0d}} + CO_{2e} \times \frac{V_{0e}}{V_{0d}}}$$

$$V_{mix} = V_0 \times N \times \frac{(P_B - P) (628^\circ R)}{760 \text{ mm. Hg.} (T_p)}$$

$$K_H = \frac{1}{1 - 0.0047 (H - 75)}$$

$$H = \frac{(43.478) R_a \times P_d}{P_B - (P_d \times R_a / 1000)}$$

$$R_a = \frac{1}{1 - 0.0047 (62 - 75)} = .9424$$

$$CO_{2e} = (1 - 0.01925 (1.43) - 0.000323 (48)) 306.0 = 293.4 \text{ p.p.m.}$$

$$CO_{2d} = (1 - 0.000323 (48)) 15.3 = 15.1 \text{ p.p.m.}$$

$$DF = \frac{1.43 + (105.8 + 293.4) \times 10^{-4}}{13.4} = 9.116$$

$$HC_{conc} = \frac{105.8 - 12.1 (1 - 1/9.116)}{0.93} = 95.03$$

$$HC_{mass} = (295.5) (16.33) (95.03 / 1,000,000) = 4.027 \text{ grams per test phase.}$$

$$NO_{x, conc} = \frac{11.2 - 0.8 (1 - 1/9.116)}{10.49} = 10.49$$

$$NO_{x, mass} = (295.5) (54.16) (10.49 / 1,000,000) (0.9424) = 1.389 \text{ grams per test phase.}$$

$$CO_{conc} = \frac{293.4 - 15.1 (1 - 1/9.116)}{0.80} = 280$$

$$CO_{mass} = (295.5) (32.97) (280 / 1,000,000) = 23.96 \text{ grams per test phase.}$$

Where:

CO<sub>2e</sub> = Carbon monoxide concentration of the dilute exhaust sample corrected for water vapor and carbon dioxide extraction, in p.p.m. The calculation assumes the carbon to hydrogen ratio of the fuel is 1:1.85.  
 CO<sub>2d</sub> = (1 - 0.01925 CO<sub>2e</sub> - 0.000323 E) CO<sub>2em</sub>

Where:

CO<sub>2em</sub> = Carbon monoxide concentration of the dilute exhaust sample as measured in p.p.m.  
 CO<sub>2e</sub> = Carbon dioxide concentration of the dilute exhaust sample, in mole percent.  
 R = Relative humidity of the dilution air, in percent.  
 CO<sub>2d</sub> = Carbon monoxide concentration of the dilution air corrected for water vapor extraction, in p.p.m.  
 CO<sub>2e</sub> = (1 - 0.000323 E) CO<sub>2em</sub>

Where:

CO<sub>2em</sub> = Carbon monoxide concentration of the dilution air sample as measured, in p.p.m.  
 NOTE: If a CO instrument free of CO<sub>2</sub> and water vapor interference is used (§ 85.376-18(c)(13)) and the water trap and conditioning columns are not, CO<sub>2em</sub> can be substituted directly for CO<sub>2e</sub> and CO<sub>2em</sub> can be substituted directly for CO<sub>2d</sub>.

$$DF = \frac{CO_{2e} + (CO_{2d} - CO_{2e}) \times \frac{V_{0e}}{V_{0d}}}{CO_{2e} + (CO_{2d} - CO_{2e}) \times \frac{V_{0e}}{V_{0d}} + CO_{2e} \times \frac{V_{0e}}{V_{0d}}}$$

V<sub>mix</sub> = Total dilute exhaust volume in cubic feet per test phase corrected to standard conditions (628° R and 760 mm. Hg).

$$V_{mix} = V_0 \times N \times \frac{(P_B - P) (628^\circ R)}{760 \text{ mm. Hg.} (T_p)}$$

Where:

V<sub>0</sub> = Volume of gas pumped by the positive displacement pump, in cubic feet per revolution. This volume is dependent on the pressure differential across the positive displacement pump.  
 N = Number of revolutions of the positive displacement pump during the test phase while samples are being collected.  
 P<sub>B</sub> = Barometric pressure in mm. Hg.  
 P = Pressure depression below atmospheric measured at the inlet to the positive displacement pump.  
 T<sub>p</sub> = Average temperature of dilute exhaust entering positive displacement pump during test while samples are being collected, in degrees Rankine.  
 K<sub>H</sub> = Humidity correction factor.

$$K_H = \frac{1}{1 - 0.0047 (H - 75)}$$

NOTE: The constant 0.0047 will be updated to reflect any data which becomes available on Light-Duty diesel engine tests.

H = Absolute humidity in grains of water per pound of dry air.

$$H = \frac{(43.478) R_a \times P_d}{P_B - (P_d \times R_a / 1000)}$$

R<sub>a</sub> = Relative humidity of the ambient air, in percent.  
 P<sub>d</sub> = Saturated vapor pressure, in mm. Hg at the ambient dry bulb temperature.

(d) Example calculation of mass emissions values:

(1) For the "transient" phase of the cold start test assume V<sub>0</sub> = 0.29344 cu. ft. per revolution; N = 10.485; R<sub>a</sub> = 48.0 percent; P<sub>B</sub> = 762 mm. Hg; P<sub>d</sub> = 22.225 mm. Hg; P = 70 mm. Hg; T<sub>p</sub> = 570° R; HC<sub>e</sub> = 105.8 p.p.m. carbon equivalent; NO<sub>x,e</sub> = 11.2 p.p.m.; CO<sub>2em</sub> = 306.6 p.p.m.; CO<sub>2e</sub> = 1.43 percent; HC<sub>d</sub> = 12.1 p.p.m.; NO<sub>x,d</sub> = 0.8 p.p.m.; CO<sub>2d</sub> = 15.3 p.p.m. Then:

$$V_{mix} = (0.29344) (10.485) (762 - 70) (628) = 2955.0 \text{ cu. ft. per test phase.}$$

$$H = \frac{(43.478) (48.0) (22.225)}{762 - (22.225 \times 48.0 / 1000)} = 9.116$$

$$K_H = \frac{1}{1 - 0.0047 (62 - 75)} = .9424$$

$$CO_{2e} = (1 - 0.01925 (1.43) - 0.000323 (48)) 306.0 = 293.4 \text{ p.p.m.}$$

$$CO_{2d} = (1 - 0.000323 (48)) 15.3 = 15.1 \text{ p.p.m.}$$

$$DF = \frac{1.43 + (105.8 + 293.4) \times 10^{-4}}{13.4} = 9.116$$

$$HC_{conc} = \frac{105.8 - 12.1 (1 - 1/9.116)}{0.93} = 95.03$$

$$HC_{mass} = (295.5) (16.33) (95.03 / 1,000,000) = 4.027 \text{ grams per test phase.}$$

$$NO_{x, conc} = \frac{11.2 - 0.8 (1 - 1/9.116)}{10.49} = 10.49$$

$$NO_{x, mass} = (295.5) (54.16) (10.49 / 1,000,000) (0.9424) = 1.389 \text{ grams per test phase.}$$

$$CO_{conc} = \frac{293.4 - 15.1 (1 - 1/9.116)}{0.80} = 280$$

$$CO_{mass} = (295.5) (32.97) (280 / 1,000,000) = 23.96 \text{ grams per test phase.}$$

(2) For the "stabilized" portion of the cold start test assume that similar calculations resulted in  $HC_{mass}=0.62$  grams per test phase;  $NO_{xmass}=1.27$  grams per test phase; and  $CO_{mass}=5.98$  grams per test phase.

(3) For the "transient" portion of the hot start test assume that similar calculations resulted in  $HC_{mass}=0.51$  grams per test phase;  $NO_{xmass}=1.38$  grams per test phase; and  $CO_{mass}=5.01$  grams per test phase.

(4) For a 1976 light-duty diesel truck:

$HC_{wm} = ((0.43)(4.027) + (0.57)(0.51) + 0.62)/7.5 = 0.352$  grams per vehicle mile.  
 $NO_{xwm} = ((0.43)(1.389) + (0.57)(1.38) + 1.27)/7.5 = 0.354$  grams per vehicle mile.  
 $CO_{wm} = ((0.43)(23.96) + (0.57)(5.01) + 5.98)/7.5 = 2.55$  grams per vehicle mile.

§§ 85.376-24—85.376-27 [Reserved]

§ 85.376-28 Compliance with emission standards.

(a) The exhaust emission standards in § 85.376-1 apply to the emissions of vehicles for their useful life.

(b) Since it is expected that emission control efficiency will change with mileage accumulation on the vehicle, the emission level of a vehicle which has accumulated 50,000 miles will be used as the basis for determining compliance with the standards.

(c) The procedure for determining compliance of a new light duty motor vehicle with exhaust emission standards is as follows:

(1) Separate emission deterioration factors shall be determined from the emissions results of the durability data vehicles for each engine-system combination. A separate factor shall be established for exhaust HC, exhaust CO, and exhaust  $NO_x$ .

(i) The applicable results to be used in determining the deterioration factors for each combination shall be:

(a) All valid emission data from the tests required under § 85.376-7(b), except the zero mile tests. This shall include the official test results as deter-

mined in § 85.376-29 for all tests conducted on all durability vehicles of the combination selected under § 85.376-5(c) (including all vehicles elected to be operated by the manufacturer under § 85.376-5(c)(3)).

(b) All emission data from the tests conducted before and after the maintenance provided in § 85.376-(a)(1)(i).

(c) All emission data from tests required by maintenance approved under § 85.376-6(a)(1)(vi) in those cases where the Administrator conditioned his approval for the performance of such maintenance on the inclusion of such data in the deterioration factor calculation.

(ii) All applicable results shall be plotted as a function of the mileage on the system, rounded to the nearest mile, and the best fit straight lines, fitted by the method of least squares, shall be drawn through these data points. The interpolated 5,000 and 50,000 mile points on this line must be within the standards provided in § 85.376-1 or the data will not be acceptable for use in calculation of a deterioration factor.

(iii) An exhaust emission deterioration factor shall be calculated for each combination as follows:

$$\text{factor} = \frac{\text{exhaust emissions interpolated to 50,000 miles}}{\text{exhaust emissions interpolated to 5,000 miles}}$$

These interpolated values shall be carried out to a minimum of four decimal points to the right before dividing one by the other to determine the deterioration factor. The results shall be rounded to three places to the right of the decimal point in accordance with ASTM E 29-67.

(2) The exhaust emission test results for each emission data vehicle shall be multiplied by the appropriate deterioration factor: *Provided*, That if a deterioration factor as compared in subparagraph (1)(iii) of this paragraph is less than one, that deterioration factor shall be one for the purposes of this subparagraph.

(3) The emissions to compare with the standard shall be the adjusted emissions of paragraph (c)(2) for each emission data vehicle.

Before any emission value is compared to the standard, it shall be rounded, in accordance with ASTM E 29-67, to two significant figures. The rounded emission values shall not exceed the standard.

(4) Every test vehicle of an engine family must comply with all applicable standards, as determined in paragraph (c)(3), before any vehicle of that family may be certified.

§ 85.376-29 Testing by the Administrator.

(a) The Administrator may require that any one or more of the test vehicles be submitted to him, at such place or places as he may designate, for the purpose of conducting emissions tests. The Administrator may specify that he will conduct such testing at the manufacturer's facility, in which case instrumentation and equipment specified by the Administrator shall be made available by the manufacturer for test operations. Any testing conducted at a manufacturer's facility pursuant to this paragraph shall be scheduled by the manufacturer as promptly as possible.

(b)(1) Whenever the Administrator conducts a test on a test vehicle, the results of that test shall comprise the official data for the vehicle at that prescribed test point and the manufacturer's data for that prescribed test point shall not be used in determining compliance with emission standards.

(2) Whenever the Administrator does not conduct a test on a test vehicle at a test point, the manufacturer's test data will be accepted as the official data for that test point: *Provided*, That if the Administrator makes a determination

based on testing under paragraph (a) of this section, that there is a lack of correlation between the manufacturer's test equipment and the test equipment used by the Administrator, no manufacturer's test data will be accepted for purposes of certification until the reasons for the lack of correlation are determined and the validity of the data is established by the manufacturer.

(3)(i) The emission data vehicle presented to the Administrator for testing shall be calibrated within the production tolerances applicable to the manufacturer's specifications to be shown on the vehicle label (see § 85.376-35(a)(4)(iv)) as specified in the application for certification. If the Administrator determines that a vehicle is not within such tolerances, the vehicle shall be adjusted, at the facility designated by the Administrator, prior to the test and an engineering report shall be submitted to the Administrator describing the corrective action taken. Based on the engineering report, the Administrator will determine if the vehicle shall be used as an emission data vehicle.

(ii) If the Administrator determines that the test data developed under paragraph (b)(3)(i) would cause an emission data vehicle to fail due to excessive 4,000 mile emissions or by application of the appropriate deterioration factor, then the following procedure shall be observed:

(a) The manufacturer may request a retest. Before the retest, the vehicle may be readjusted to manufacturer's specifications, if these adjustments were made incorrectly prior to the first test, and parts may be replaced in accordance with § 85.376-6. All work on the vehicle shall be done at such location and under such conditions as the Administrator may prescribe.

(b) The vehicle will be retested by the Administrator and the results of this test shall comprise the official data for that prescribed test point.

(4) If sufficient durability data are not available, at the time of any emission test conducted under paragraph (a) of this section, to enable the Administrator to determine whether an emission data vehicle would fail, the manufacturer may request a retest in accordance with the provisions of paragraph (c)(3)(i)(a) and (b) of this paragraph. If the manufacturer does not promptly make such request, he shall be deemed to have waived the right to a retest. A request for retest must be made before the manufacturer removes the vehicle from the test premises.

§ 85.376-30 Certification.

(a)(1) If, after a review of the test reports and data submitted by the manufacturer and data derived from any additional testing conducted pursuant to § 85.376-29, the Administrator determines that a test vehicle(s) conforms to the regulations of this subpart, he will issue a certificate of conformity with respect to such vehicle. The certificate will state which vehicles are certified for sale at high altitude.

(2) Such certificate will be issued for such period not more than 1 year as the Administrator may determine and upon such terms as he may deem necessary to assure that any new motor vehicle covered by the certificate will meet the requirements of the Act and this subpart.

(b) (1) The Administrator will determine whether a vehicle covered by the application complies with applicable standards by observing the following relationships:

(i) A test vehicle selected under § 85.376-5(b) (2) or (4) shall represent all vehicles in the same engine family of the same engine displacement-exhaust emission control system-evaporative emission control system combination.

(ii) A test vehicle selected under § 85.376-5(b) (3) (i) shall represent all vehicles in the same engine family of the same engine displacement-exhaust emission control system-transmission type-fuel system combination.

(iii) A test vehicle selected under § 85.376-5(c) (1) shall represent all vehicles of the same engine-system combination.

(iv) A test vehicle selected under § 85.376-5(b) (3) (ii) shall represent all vehicles of the same engine-system combination to be sold at high altitude.

(2) The Administrator will proceed as in paragraph (a) of this section with respect to the vehicles belonging to an engine family all of which comply with applicable standards.

(3) If, after a review of the test reports and data submitted by the manufacturer and data derived from any additional testing conducted pursuant to § 85.376-29, the Administrator determines that one or more test vehicles of the certification test fleet do not meet applicable standards, he will notify the manufacturer in writing, setting forth the basis for his determination. Within 30 days following receipt of the notification, the manufacturer may request a hearing on the Administrator's determination. The request shall be in writing, signed by an authorized representative of the manufacturer and shall include a statement specifying the manufacturer's objections to the Administrator's determination, and data in support of such objections. If, after a review of the request and supporting data, the Administrator finds that the request raises a substantial factual issue, he shall provide the manufacturer a hearing in accordance with § 85.305 with respect to such issue.

(4) The manufacturer may, at his option, proceed with any of the following alternatives with respect to any engine family represented by a test vehicle(s) determined not in compliance with applicable standards:

(i) Request a hearing under § 85.305, or

(ii) Delete from the application for certification the vehicles represented by the failing test vehicle. (Vehicles so deleted may be included in a later request for certification under § 85.376-32.) The Administrator will then select in place of each failing vehicle an alternate vehicle

chosen in accordance with selection criteria employed in selecting the vehicle that failed, or

(iii) Modify the test vehicle and demonstrate by testing that it meets applicable standards. Another vehicle which is in all material respects the same as the first vehicle, as modified, shall then be operated and tested in accordance with applicable test procedures.

(5) If the manufacturer does not request a hearing or present the required data under subparagraph (4) of this paragraph, the Administrator will deny certification.

#### § 85.376-31 Separate certification.

Where possible a manufacturer should include in a single application for certification all vehicles for which certification is required. A manufacturer may, however, choose to apply separately for certification of part of his product line. The selection of test vehicles and the computation of test results will be determined separately for each application.

#### § 85.376-32 Addition of a vehicle after certification.

(a) If a manufacturer proposes to add to his product line a vehicle of the same engine-system combination as vehicles previously certified but which was not described in the application for certification when the test vehicle(s) representing other vehicles of that combination was certified, he shall notify the Administrator. Such notification shall be in advance of the addition unless the manufacturer elects to follow the procedure described in § 85.376-34. This notification shall include a full description of the vehicle to be added.

(b) The Administrator may require the manufacturer to perform such tests on the test vehicle(s) representing the vehicle to be added which would have been required if the vehicle had been included in the original application for certification.

(c) If, after a review of the test reports and data submitted by the manufacturer, and data derived from any testing conducted under § 85.376-29, the Administrator determines that the test vehicle(s) meets all applicable standards, the appropriate certificate will be amended accordingly. If the Administrator determines that the test vehicle(s) does not meet applicable standards, he will proceed under § 85.376-30(b).

#### § 85.376-33 Changes to a vehicle covered by certification.

(a) The manufacturer shall notify the Administrator of any change in production vehicles in respect to any of the parameters listed in § 85.376-5(a) (3) or § 85.376-5(b) (3), giving a full description of the change. Such notification shall be in advance of the change unless the manufacturer elects to follow the procedure described in § 85.376-34.

(b) Based upon the description of the change, and data derived from such testing as the Administrator may require or conduct, the Administrator will determine whether the vehicle, as modified,

would still be covered by the certificate of conformity then in effect.

(c) If the Administrator determines that the outstanding certificate would cover the modified vehicles, he will notify the manufacturer in writing. Except as provided in § 85.376-34, the change may not be put into effect prior to the manufacturer's receiving this notification. If the Administrator determines that the modified vehicles would not be covered by the certificate then in effect, then the modified vehicles shall be treated as additions to the product line subject to § 85.376-32.

#### § 85.376-34 Alternative procedure for notification of additions and changes.

(a) A manufacturer may, in lieu of notifying the Administrator in advance of an addition of a vehicle under § 85.376-32 or a change in a vehicle under § 85.376-33, notify him concurrently with the making of the change if the manufacturer believes the addition or change will not require any testing under the appropriate section. Upon notification to the Administrator, the manufacturer may proceed to put the addition or change into effect.

(b) The manufacturer may continue to produce vehicles as described in the notification to the Administrator for a maximum of 30 days, unless the Administrator grants an extension in writing. This period may be shortened by a notification in accordance with paragraph (c) of this section.

(c) If the Administrator determines, based upon a description of the addition or change, that no test data will be required, he will notify the manufacturer in writing of the acceptability of the addition or change. If the Administrator determines that test data will be required, he will notify the manufacturer to rescind the change within 5 days of receipt of the notification. The Administrator will then proceed as in § 85.376-32 (b) and (c), or § 85.376-33 (b) and (c) as appropriate.

(d) Election to produce vehicles under this section will be deemed to be a consent to recall all vehicles which the Administrator determines under § 85.376-32(c) do not meet applicable standards, and to cause such nonconformity to be remedied at no expense to the owner.

#### § 85.376-35 Labeling.

(a) (1) The manufacturer of any light duty motor vehicle subject to the standards prescribed in § 85.376-1 shall, at the time of manufacture, affix a permanent, legible label, of the type and in the manner described below, containing the information hereinafter provided, to all production models of such vehicles available for sale to the public and covered by a certificate of conformity under § 85.376-30(a).

(2) A plastic or metal label shall be welded, riveted, or otherwise permanently attached in a readily visible position in the engine compartment.

(3) The label shall be affixed by the vehicle manufacturer, who has been issued the certificate of conformity for

such vehicle, in such a manner that it cannot be removed without destroying or defacing the label, and shall not be affixed to any equipment which is easily detached from such vehicle.

(4) The label shall contain the following information lettered in the English language in block letters and numerals, which shall be of a color that contrasts with the background of the label:

(i) The label heading: Vehicle Emission Control Information;

(ii) Full corporate name and trademark of manufacturer;

(iii) Engine displacement (in cubic inches) and engine family identification;

(iv) Engine tuneup specifications and adjustments, as recommended by the manufacturer in accordance with the altitude at which the vehicle is to be sold to the ultimate purchaser, including idle speed, ignition timing, and the idle air-fuel mixture setting procedure and value (e.g., idle CO, idle air-fuel ratio, idle speed drop). These specifications should indicate the proper transmission position during tuneup and what accessories (e.g., air-conditioner), if any, should be in operation.

(v) The statement: "This Vehicle Conforms to U.S.E.P.A. Regulations Applicable to 1975 Model Year New Motor Vehicles."

(b) The provisions of this section shall not prevent a manufacturer from also reciting on the label that such vehicle conforms to any applicable State emission standards for new motor vehicles or any other information that such manufacturer deems necessary for, or useful to, the proper operation and satisfactory maintenance of the vehicle.

#### § 85.376-36 Submission of vehicle identification numbers.

(a) The manufacturer of any light duty motor vehicle covered by a certificate of conformity under § 85.376-30(a) shall, not later than 60 days after its manufacture, submit to the Administrator the vehicle identification number of such vehicle: *Provided*, That this requirement shall not apply with respect to any vehicle manufactured within any State, as defined in section 302(d) of the Act.

(b) The requirements of this section may be waived with respect to any manufacturer who provides information satisfactory to the Administrator which will enable the Administrator to identify those vehicles which are covered by a certificate of conformity.

#### § 85.376-37 Production vehicles.

(a) Any manufacturer obtaining certification under this subpart shall supply to the Administrator, upon his request, a reasonable number of production vehicles selected by the Administrator which are representative of the engines, emission control systems, fuel systems, and transmissions offered and typical of production models available for sale under the certificate. These vehicles shall be supplied for testing at such time and place and for such reasonable periods as the Administrator may require.

(b) Any manufacturer obtaining certification under this subpart shall notify the Administrator, on a quarterly basis, of the number of vehicles of each engine family - engine displacement - exhaust emission control system-fuel system-transmission type-inertia weight class combination produced for sale in the United States during the preceding quarter. A manufacturer may elect to provide this information every 60 days instead of quarterly, to combine it with the notification required under § 85.376-36.

(c) All light duty vehicles covered by a certificate of conformity under § 85.376-30(a) shall be adjusted by the manufacturer to the ignition timing specification detailed in § 85.376-35(a)(4)(iv).

#### § 85.376-38 Maintenance instructions.

(a) The manufacturer shall furnish or cause to be furnished to the ultimate purchaser of each new motor vehicle subject to the standards prescribed in § 85.376-1, written instructions for the maintenance and use of the vehicle by the ultimate purchaser as may be reasonable and necessary to assure the proper functioning of emission control systems.

(1) Such instructions shall be provided for those vehicle and engine components listed in Appendix VI to this part (and for any other components) to the extent that maintenance of these components is necessary to assure the proper functioning of emission control systems.

(2) Such instructions shall be in clear, and to the extent practicable, nontechnical language.

(3) Such instructions shall indicate, for vehicles to be sold to ultimate purchasers at low altitude, what adjustments or modifications, if any, are necessary to the emission control system for proper functioning of the system at high altitude. The maintenance instructions shall, if applicable, include a statement that the vehicle's emission control system was not designed for conversion to provide for proper functioning at high altitude.

(4) Such instructions shall indicate, for vehicles to be sold to ultimate purchasers at high altitude, what adjustments or modifications, if any, are necessary to the emission control system for proper functioning of the system at low altitude. The maintenance instructions shall, if applicable, include a statement that the vehicle's emission control system was not designed for conversion to provide for proper functioning at low altitude.

(b) The maintenance instructions required by this section shall contain a general description of the documentation which the manufacturer will require from the ultimate purchaser or any subsequent purchaser as evidence of compliance with the instructions.

#### § 85.376-39 Submission of maintenance instructions.

(a) The manufacturer shall provide to the Administrator, no later than the time of the submission required by

§ 85.376-4, a copy of the maintenance instructions which the manufacturer proposes to supply to the ultimate purchaser in accordance with § 85.376-38(a). The Administrator will review such instructions to determine whether they are reasonable and necessary to assure the proper functioning of the vehicle's emission control systems. The Administrator will notify the manufacturer of his determination whether such instructions are reasonable and necessary to assure the proper functioning of the emission control systems.

(b) Any revision to the maintenance instructions which will affect emissions shall be supplied to the Administrator at least 30 days before being supplied to the ultimate purchaser unless the Administrator consents to a lesser period of time.

#### § 85.377-1 Emission standards for 1977 model year light duty diesel trucks.

The standards and test procedures set forth in § 85.376 remain applicable for the 1977 model year.

[FR Doc. 74-1934 Filed 1-24-74; 8:45 am]

## FEDERAL COMMUNICATIONS COMMISSION

[ 47 CFR Part 73 ]

[Docket No. 19906 RM-1786]

### EXTENSION METERING OF BROADCAST TRANSMITTERS

#### Notice of Proposed Rule Making

#### Correction

In FR Doc. 74-39, appearing at page 1070 in the issue of Friday, January 4, 1974, make the following changes:

In § 74.284, in column 2, delete all material following paragraph (a)(4) to amendatory paragraph 9 in column 3 and insert in lieu thereof, the following:

7. It is proposed to amend § 73.565(a) to read as follows:

#### § 73.565 Operator requirements.

(a) One or more operators holding a radio operator license or permit of a grade specified in this section shall be in actual charge of the transmitting system, and shall be on duty at the transmitter location, or at an authorized remote control point, or the position at which extension meters are located as provided by § 73.574 of this Subpart. The transmitter or the transmitter extension meters and required monitors and other required metering equipment; or the controls required monitors and other required metering equipment in an authorized remote control operation, shall be readily accessible to the licensed operator and located sufficiently close to the normal operating location that deviations from normal indications of required instruments can be observed from that location.

8. It is proposed to add a new § 73.574, which would read as follows:

§ 73.574 Extension meters.

The extension of required meters is permitted, without prior authorization of the Commission, upon compliance with each of the following:

(a) That the transmitter is in the same building as the normal operating location of the station's licensed operator and is no more than one floor above or below the normal operating location.

(b) That the path from the normal operating location to the transmitter is no longer than 100 feet and provides the operator with ready access to the transmitter.

(c) That the extension meters are sufficiently close to the operator's normal operating location that deviations from normal indications of required instruments can be observed from that location.

(d) That extension meters shall be installed for monitoring the direct plate voltage and current of the last radio stage and the transmission line radio frequency current, voltage, or power. The installation and operation thereof must comply with the same requirements prescribed by the rules for their corresponding meters.

(e) That each meter must continuously sample the parameter for which it was installed and constantly indicate that parameter.

(f) That the extension meters are calibrated against their corresponding meters as often as necessary to insure their accuracy, but in no event less than once a week and

(1) The results of such calibration shall be entered in the station's maintenance log.

(2) In no event shall an extension meter be calibrated against another extension or remote meter.

(3) Each extension meter shall be accurate within 2 percent of the value read on its corresponding meter.

(g) That in the event a malfunction of any component of the extension meter system causes inaccurate readings, the pertinent entries required in the station's operating log must be read and logged at the specified intervals from the meters located at the transmitter.

(h) That the station's modulation monitor is installed at the same location as the extension meters.

(i) That the transmitter is so installed and protected that it is not accessible to or capable of operation by persons other than those duly authorized by the licensee.

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

[ 50 CFR Part 33 ]

SPORT FISHING

Proposed Addition of Dismal Swamp National Wildlife Refuge, Va.

Notice is hereby given that pursuant to the authority vested in the Secretary of the Interior by the National Wildlife Refuge System Administration Act of 1966 (80 Stat. 927 as amended: 16 U.S.C.

668dd), as delegated to the Director, Bureau of Sport Fisheries and Wildlife by Chapter 2, Part 242 of the Departmental Manual, it is proposed to amend 50 CFR 33 by the addition of Dismal Swamp National Wildlife Refuge, Virginia, to the list of areas open to sport fishing.

It has been determined that sport fishing may be permitted as designated on the above refuge without detriment to the objectives for which the area was established.

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 with respect to the proposed amendment, to the Director, Bureau of Sport Fisheries and Wildlife, Washington, D.C. 20240, by February 25, 1974.

ROBERT H. SHIELDS,  
Acting Regional Director.

JANUARY 15, 1974.

[FR Doc. 74-2129 Filed 1-24-74; 8:45 am]

DEPARTMENT OF  
TRANSPORTATION

Coast Guard

[ 33 CFR Part 117 ]

[ OGD 74 22 ]

AIWW AND HILLSBORO INLET, FLORIDA

Proposed Drawbridge Regulations

At the request of the Commander, Seventh Coast Guard District, the Coast Guard is considering revising the regulations for the drawbridge across the Hillsboro Inlet and two drawbridges across the AIWW (the Northeast 14th Street bridge and the Atlantic Boulevard bridge both at Pompano Beach) to require that the draws need open only every one-half hour from 7 a.m. to 6 p.m. The Hillsboro Inlet drawbridge and the Atlantic Boulevard drawbridge need open only on the hour and half-hour. The Northeast 14th Street drawbridge need open only on the quarter and three-quarters hour. The Hillsboro Inlet drawbridge presently opens on the hour and half-hour from December 1 through April 30 from 7 a.m. to 7 p.m. except that it may remain closed to navigation from 7:30 a.m. to 8:30 a.m., 11:45 a.m. to 1:30 p.m. and 4:45 p.m. to 5:30 p.m. The Atlantic Boulevard drawbridge presently opens on the hour and half-hour from November 1 through May 31 from 7 a.m. to 6 p.m. The Northeast 14th Street bridge presently opens on signal. This change is being considered to minimize delays to marine traffic while providing a more continuous flow of vehicular traffic at these bridges.

Interested persons may participate in this proposed rule making by submitting written data, views, or arguments to the Commander, Seventh Coast Guard District (oan), Room 1018, Federal Building, 51 SW. 1st Avenue, Miami, Florida 33130. Each person submitting comments should

include his name and address, identify the bridge, and give reasons for any recommended change in the proposal. Copies of all written communications received will be available for examination by interested persons at the office of the Commander, Seventh Coast Guard District.

The Commander, Seventh Coast Guard District, will forward any comments received before March 1, 1974, with his recommendations to the Chief, Office of Marine Environment and Systems, who will evaluate all communications received and take final action on this proposal. The proposed regulations may be changed in the light of comments received.

In consideration of the foregoing, it is proposed that Part 117 of Title 33 of the Code of Federal Regulations, be amended by:

1. Revising § 117.442 to read as follows:

§ 117.442 Hillsboro Inlet, Fla.; AIA bridge.

(a) From 7 a.m. to 6 p.m. the draw need open on signal of 3 blasts of a whistle, horn or by shouting only on the hour and half-hour. However, the draw shall open at any time for the passage of public vessels of the United States, charter fishing boats, tugs with tows or vessels in distress, and the opening signal from these vessels is 4 blasts of a whistle, horn or by shouting.

(b) From 6 p.m. to 7 a.m. the draw shall open on signal. The signal is 3 blasts of a whistle, horn or by shouting.

(c) The owner of or agency controlling this bridge shall post on both sides of the bridge signs that state the conditions of this regulation. These signs shall be of such size that can be easily read from an approaching vessel at any time.

2. Adding a new § 117.442a immediately after § 117.442 to read as follows:

§ 117.442a AIWW, NE 14th Street bridge, Pompano, Fla.

(a) From 7 a.m. to 6 p.m. the draw need open on signal of 3 blasts of a whistle, horn or by shouting only 15 minutes after and 15 minutes before the hour. However, the draw shall open at any time for the passage of public vessels of the United States, tugs with tows or vessels in distress, and the opening signal from these vessels is 4 blasts of a whistle, horn or by shouting.

(b) From 6 p.m. to 7 a.m. the draw shall open on signal. The signal is 3 blasts of a whistle, horn or by shouting.

(c) The owner of or agency controlling this bridge shall post on both sides of the bridge signs that state the conditions of this regulation. These signs shall be of such size that can be easily read from an approaching vessel at any time.

3. Revising § 117.443 to read as follows:

§ 117.443 AIWW, Atlantic Boulevard bridge, Pompano, Fla.

(a) From 7 a.m. to 6 p.m. the draw need open on signal of 3 blasts of a

whistle, horn or by shouting only on the hour and half-hour. However, the draw shall open at any time for the passage of public vessels of the United States, tugs with tows or vessels in distress, and the opening signal from these vessels is 4 blasts of a whistle, horn or by shouting.

(b) From 6 p.m. to 7 a.m. the draw shall open on signal. The opening signal is 3 blasts of a whistle, horn or by shouting.

(c) The owner of or agency controlling this bridge shall post on both sides of the bridge signs that state the conditions of this regulation. These signs shall be of such size that can be easily read from an approaching vessel at any time.

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

Dated: January 21, 1974.

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

[FR Doc. 74-2126 Filed 1-24-74; 8:45 am]

## DEPARTMENT OF THE TREASURY

### Customs Service

[ 19 CFR Parts 24, 111, 112 ]

### CUSTOMHOUSE BROKER'S OR CARTAGE OR LIGHTERAGE LICENSE

#### Increasing the Customs Fees To Accompany Application

Notice is hereby given that under the authority of 5 U.S.C. 301, R.S. 251, as amended (19 U.S.C. 66), sections 624, 641, 46 Stat. 759, as amended (19 U.S.C. 1624, 1641), and section 501, 65 Stat. 290 (31 U.S.C. 483(a)), it is proposed to amend § 111.12(a) of the Customs Regulations (19 CFR 111.12(a)), to increase the Customs fee to accompany an application for a customhouse broker's license from \$150 to \$200, and to amend § 112.22(a) of the Customs Regulations (19 CFR 112.22(a)), to increase the Customs fee to accompany an application for a Customs cartage or lighterage license from \$50 to \$100. These increases are necessary to recover the actual costs incurred by the United States Customs Service for rendering these services to the public.

The fee to accompany the application for a customhouse broker's license is incorporated in Part 111 of the Customs Regulations (19 CFR Part 111). Section 24.12(a)(1)(v) (19 CFR 24.12(a)(1)(v)), which presently specifies this fee, is deleted.

Accordingly, it is proposed to amend the Customs Regulations as set forth below:

### PART 24—CUSTOMS FINANCIAL AND ACCOUNTING PROCEDURE

#### § 24.12 [Amended]

In § 24.12, paragraph (a) (1) is amended by deleting subdivision (v).

### PART 111—CUSTOMHOUSE BROKERS

In § 111.12, paragraph (a) is amended to read as follows:

#### § 111.12 Application for license.

(a) *Submission of application and fee.*—(1) *Application.* An application for a broker's license shall be submitted in duplicate to the district director of the district in which the applicant intends to do business. The application shall be under oath and executed on Customs Form 3123 (individual) or Customs Form 3125 (partnership, association, or corporation). The application shall be accompanied by the fee prescribed in paragraph (a) (2) of this section and one copy of the attachment required by the application form (Articles of Agreement or an affidavit signed by all partners, Articles of Agreement of the association, or the Articles of Incorporation). If the applicant proposes to operate under a trade or fictitious name in one or more States within the district, evidence of the applicant's authority to use the name in each such State must accompany the application. An application for an individual license must be submitted not later than 30 days before the scheduled examination which the applicant wishes to take.

(2) *Fee.* The fee to accompany the application for a broker's license shall be \$200, except that a refund of \$100 will be made to an applicant failing either to appear for or to pass the examination required by § 111.11(a) (4) (see paragraphs (d) and (e) of § 111.13). A check or money order shall be made payable to the United States Customs Service.

### PART 112—CARRIERS, CARTMEN, AND LIGHTERMEN

In § 112.22, paragraph (a) (2) is amended to read as follows:

#### § 112.22 Application for license.

(a) *General requirements.* \* \* \*  
(2) Payment of a fee of \$100. A check or money order shall be made payable to the United States Customs Service.

Data, views, or arguments with respect to the foregoing proposal may be addressed to the Commissioner of Customs, Attention: Regulations Division, Washington, D.C. 20229. To insure consideration of such communications, they must be received not later than February 25, 1974.

Written material or suggestions submitted will be available for public inspection in accordance with § 103.8(b) of the Customs Regulations (19 CFR 103.8(b)), at the Regulations Division, Headquarters, United States Customs Service, Washington, D.C., during regular business hours.

[SEAL] VERNON D. ACREE,  
Commissioner of Customs.

Approved: January 18, 1974.

JAMES B. CLAWSON,  
Acting Assistant Secretary of the Treasury.

[FR Doc. 74-2134 Filed 1-24-74; 8:45 am]

### VETERANS ADMINISTRATION

[ 38 CFR Part 17 ]

### SICKLE CELL ANEMIA PROGRAM

#### Voluntary Participation

It is proposed to add § 17.135 to implement section 653, Title 38, United States Code, as added by section 109(a), Public Law 93-82 (87 Stat. 179) pertaining to voluntary participation in the sickle cell anemia program. The proposed § 17.135 provides that participation in the sickle cell anemia program by patients receiving care under other provisions of Part 17, Title 38, Code of Federal Regulations shall be voluntary and that participation not be a prerequisite to eligibility for any other program under Title 38, United States Code.

Interested persons are invited to submit written comments, suggestions, or objections regarding the proposal to the Administrator of Veterans Affairs (27H), Veterans Administration Central Office, 810 Vermont Avenue, NW., Washington, DC 20420. All relevant material received before February 25, 1974 will be considered. All written comments received will be available for public inspection at the above address only between the hours of 8 a.m. and 4:30 p.m. Monday through Friday (except holidays) during the mentioned 30-day period and for 10 days thereafter. Any person visiting Central Office for the purpose of inspecting any such comments will be received by the Central Office Veterans Assistance Unit in room 132. Such visitors to any VA field station will be informed that the records are available for inspection only in Central Office and furnished the address and the above room number.

Notice is also given that it is proposed that, if adopted, the regulation will be effective September 1, 1973.

A new Centerhead and § 17.135 are added to read as follows:

#### SICKLE CELL ANEMIA

#### § 17.135 Voluntary participation in sickle cell anemia program.

Patients who are otherwise eligible for medical care under existing regulations in 38 CFR Part 17, are potential candidates for participation in a Veterans Administration system-wide program for sickle cell disorders. Participation in this program shall be wholly voluntary and shall not be a prerequisite to eligibility for or receipt of any other service or assistance from, or to participation in, any other program under Title 38, United States Code.

Approved: January 21, 1974.

By direction of the Administrator.

[SEAL] R. L. ROUBEUSH,  
Deputy Administrator.

[FR Doc. 74-2141 Filed 1-24-74; 8:45 am]

**DEPARTMENT OF  
TRANSPORTATION**

Federal Aviation Administration

[ 14 CFR Part 71 ]

[Airspace Docket No. 73-EA-115]

**TRANSITION AREA**

Proposed Alteration

Correction

In FR Doc. 74-567 appearing on page 1363 in the issue for Tuesday, January 8, 1974, in the third paragraph "February 7, 1973" should read "February 7, 1974".

[ 14 CFR Part 129 ]

[Docket No. 13514; Notice No. 74-3]

**FOREIGN AIR CARRIERS**

Proposed Aviation Security Program  
Requirements

The Federal Aviation Administration is considering amending Part 129 of the Federal Aviation Regulations to require the use of security programs by foreign air carriers in scheduled passenger operations conducted with large aircraft to, from and within the United States.

Interested persons are invited to participate in the making of the proposed rule by submitting such written data, views, or arguments as they may desire. Communications should identify the regulatory docket and notice number and be submitted in duplicate to: Federal Aviation Administration, Office of the Chief Counsel, Attention: Rules Docket, AGC-24, 800 Independence Avenue, S.W., Washington, D.C. 20591. All communications received on or before February 25, 1974, will be considered by the Administrator before taking action on the proposed rule. The proposal contained in this notice may be changed in the light of comments received. All comments submitted will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested persons.

To expedite the notification of interested persons regarding this proposed amendment, the FAA will endeavor to send a copy of it to each foreign air carrier currently holding a permit issued under section 402 of the Federal Aviation Act of 1958, to an appropriate representative of each carrier's government, and to each person from whom comments were received in response to Notice 72-23, issued August 29, 1972.

In recent years the need for aviation security measures to protect life and property in air commerce has become increasingly apparent. The public record of hijackings (aircraft piracy), other crimes aboard aircraft, terrorists attacks, and threats that these crimes will continue indicates the need for aircraft and passenger security prior to takeoff in the interest of aviation safety. Recent atrocities give new emphasis to this need.

On August 29, 1972, the FAA issued a Notice of Proposed Rule Making

(Notice 72-23; 37 FR 17979; September 2, 1972) which proposed certain amendments to Part 129 of the Federal Aviation Regulations to provide aviation security standards for foreign air carriers while operating within the United States. Comments received in response to that Notice indicated that the proposed amendments might conflict with security standards adopted by various states of aircraft registry or by the International Civil Aviation Organization (ICAO). It was recognized that ICAO, by resolution of its Council on June 19, 1972, was then considering recommended standards and practices to ensure the security of aircraft. In light of comments received, the notice of proposed rule making was withdrawn (Reference Notice No. 72-23; Docket No. 12198, 38 FR 18255, July 9, 1973).

Acts adverse to the security of air carriers engaged in international operations have occurred and according to intelligence reports may be expected to continue. In response to this situation, the President of the United States has called for renewed efforts to improve civil aviation security measures and assured that the United States Government will increase its efforts in this endeavor.

ICAO action on standards and recommended practices has not been completed at this time. The ICAO Council did recently adopt a series of amendments to the Annexes of the Chicago Convention on security matters; however, further regulatory action by the FAA, consistent with the actions taken by the ICAO Council, appears appropriate.

Therefore, the FAA proposes to adopt an amendment to Part 129 to assure the use of security programs by foreign air carriers in scheduled aircraft operations they conduct with large aircraft to, from and within the United States.

More specifically, thirty days after a final rule was published, no foreign air carrier would be permitted to land or take off a large aircraft in the United States in scheduled passenger operations, unless it used in the conduct of those operations a security program meeting certain specified standards and all of the passengers and carry-on baggage (this includes all hand-carried items) were screened prior to boarding in accordance with that program. The standards proposed for the security program are believed consistent with recommended practices recently adopted in ICAO Annexes 2, 6, and 9.

Each air carrier required to use a security program would have to submit a written description of it to the FAA within 40 days after publication of a final rule, showing the procedures, equipment, facilities, personnel assignments, and screening system to be used. Consistent with pertinent ICAO recommendations the security program would be designed to deter the carriage aboard the foreign air carrier's aircraft of any explosive or incendiary device or weapon in carry-on baggage or on or about the person of

passengers; prevent or deter unauthorized access to aircraft; assure that baggage is checked in by a responsible representative of the foreign air carrier; and prevent cargo and checked baggage from being loaded aboard aircraft until cleared in accordance with the foreign air carrier's security procedures.

The amendment would also require foreign air carriers to conduct a pre-flight or post-flight security inspection upon receipt of a bomb or air piracy threat against aircraft scheduled to be flown to or taken off from a place in the United States and to immediately notify the FAA regarding the threat.

In addition, a provision would be added to Part 129 prohibiting carriage in the United States aboard a foreign air carrier's aircraft on concealed or unconcealed dangerous weapons except by authorized persons, thereby reducing the possibility that a weapon could become available to a potentially dangerous person.

These amendments are proposed under the authority of sections 313(a) and 601 of the Federal Aviation Act of 1958 (49 U.S.C. 1354(a) and 1421), and section 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)).

In consideration of the foregoing, it is proposed to amend Part 129 of the Federal Aviation Regulations [effective 30 days after publication in the FEDERAL REGISTER] as follows:

1. By adding a new § 129.25 after § 129.23 to read as follows:

**§ 129.25 Aircraft security.**

(a) After [30 days after publication of the final rule], no foreign air carrier may land or take off a large aircraft in the United States, in scheduled passenger operations, unless it uses a security program for those operations that meets the standards prescribed in paragraph (b) of this section and all of the passengers and carry-on baggage are screened prior to boarding in accordance with that security program.

(b) Each foreign air carrier conducting operations governed by paragraph (a) of this section shall, in the conduct of those operations, use a security program designed to:

(1) Prevent or deter the carriage aboard its aircraft of any explosive or incendiary device or weapon in carry-on baggage or on or about the persons of passengers, except as provided in § 129.27, through screening procedures involving the use of security equipment or physical search;

(2) Prevent or deter unauthorized access to aircraft;

(3) Assure that baggage is checked in by a responsible agent or representative of the foreign air carrier; and

(4) Prevent cargo and checked baggage from being loaded aboard its aircraft unless handled in accordance with the foreign air carrier's security procedures.

(c) Each foreign air carrier conducting operations governed by paragraph (a) of this section shall [within 40 days

## PROPOSED RULES

after publication of the final rule] file with the Administrator, and thereafter keep current, a written description of its security program, showing the procedures, equipment, facilities, personnel assignments, and screening system to be used.

(d) A foreign air carrier that receives a bomb or air piracy threat against an aircraft scheduled to be flown or taken off from a place in the United States shall take the following actions to determine whether any explosive or incendiary devices, or weapons are aboard the aircraft involved:

(1) Conduct a security inspection of aircraft while on the ground and before the next flight of the aircraft or, if the aircraft is then in flight, immediately after the next landing.

(2) If the aircraft is being operated on the ground, advise the pilot in command to immediately submit the aircraft for a security inspection.

(3) If the aircraft is in flight, advise the pilot in command to take the emergency action he considers necessary under the circumstances.

(e) A foreign air carrier that receives information of a bomb or air piracy threat against an aircraft scheduled to be flown to or taken off from a place in the United States shall immediately notify the Administrator.

2. By adding a new § 129.27 after § 129.25 to read as follows:

§ 129.27 Prohibition against carriage of weapon.

No person may, while on board an aircraft being operated by a foreign air

carrier in the United States, carry on or about his person a deadly dangerous weapon, either concealed or unconcealed. This paragraph does not apply to—

(a) Officials or employees of the state of registry of the aircraft who are authorized by that state to carry arms; and

(b) Crewmembers and other persons authorized by the foreign air carrier to carry arms.

Issued in Washington, D.C., on January 24, 1974.

JAMES F. YOHE,  
Acting Director of Air  
Transportation Security ASE-1.

[FR Doc. 74-2297 Filed 1-24-74; 12:22 pm]

# 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 STATE

[Public Notice CM-104]

### SHIPPING COORDINATING COMMITTEE, SUBCOMMITTEE ON CODE OF CONDUCT FOR LINER CONFERENCES

#### Notice of Open Meeting

A meeting of the Subcommittee on the Code of Conduct for Liner Conferences will be held at 11:00 A.M., February 5, 1974, in Room 1406, Department of State, for preliminary discussions of the United States position for the resumed session of the UN Conference of Plenipotentiaries on the Code of Conduct for Liner Conferences, beginning March 11, 1974 in Geneva.

Persons wishing to attend the meeting, please contact Mr. Richard K. Bank, Executive Secretary, Shipping Coordinating Committee, Department of State, Washington, D.C. 20520, telephone (area code 202) 632-0704.

Dated: January 22, 1974.

RICHARD K. BANK,  
Executive Secretary,  
Shipping Coordinating Committee.

[FR Doc.74-2175 Filed 1-24-74;8:45 am]

## DEPARTMENT OF THE TREASURY

### Office of the Secretary

[Order No. 150-84]

### COMMISSIONER OF INTERNAL REVENUE Delegation of Authority Regarding Price Stabilization Functions

Pursuant to the authority vested in me as Secretary of the Treasury, including the authority in Reorganization Plan No. 26 of 1950, and the delegation of authority to me as Secretary of the Treasury by Cost of Living Council Order No. 48, it is ordered that:

1. The authority to perform all functions delegated to me by Cost of Living Council Order No. 48 is hereby delegated to the Commissioner of Internal Revenue.

2. The Commissioner may redelegate this authority to any official of the Internal Revenue Service.

This order shall become effective January 25, 1974.

Dated: January 24, 1974.

Issued: January 24, 1974.

[SEAL] GEORGE P. SHULTZ,  
Secretary of the Treasury.

[FR Doc.74-2261 Filed 1-24-74;10:20 am]

## DEPARTMENT OF DEFENSE

### Department of the Air Force USAF SCIENTIFIC ADVISORY BOARD

#### Notice of Meeting

JANUARY 21, 1974.

The USAF Scientific Advisory Board Science and Technology Advisory Group will hold a closed meeting on January 30, 1974, from 9 a.m. until 4 p.m., at the Air Force Office of Scientific Research, 1400 Wilson Boulevard, Arlington, Virginia.

The Group will hold classified discussions and receive information on the AFOSR program and management.

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.74-2075 Filed 1-24-74;8:45 am]

#### Office of the Secretary

### DEFENSE INTELLIGENCE AGENCY SCIENTIFIC ADVISORY COMMITTEE

#### Notice of Closed Meetings

Pursuant to the provisions of section 10 of Public Law 92-463, effective January 5, 1973, notice is hereby given that closed meetings of the DIA Scientific Advisory Committee will be held as follows:

Tuesday, January 29, 1974 at Electromagnetic Systems Laboratory, Sunnyvale, CA.

Tuesday, February 5, 1974 at the Pentagon, Washington, D.C.

Wednesday, February 6, 1974 at the Pentagon, Washington, D.C.

These meetings commencing at 9:00 A.M. will be to discuss classified matters.

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

JANUARY 22, 1974.

[FR Doc.74-2117 Filed 1-24-74;8:45 am]

## DEPARTMENT OF THE INTERIOR

### National Park Service

### INDIANA DUNES NATIONAL LAKESHORE ADVISORY COMMISSION

#### Notice of Meeting

Notice is hereby given in accordance with the Federal Advisory Committee Act that a meeting of the Indiana Dunes

National Lakeshore Advisory Commission will be held at 10 a.m., c.d.t., on Friday, February 1, 1974, at the Indiana Dunes National Lakeshore Building, Chesterton, Indiana.

The above meeting is being held in lieu of the scheduled January 11, 1974 meeting that was cancelled because of extremely inclement weather.

The purpose of the Indiana Dunes National Lakeshore Advisory Commission is to meet and consult with the Secretary of the Interior on general policies and specific matters relating to the administration and development of the Indiana Dunes National Lakeshore.

The members of the Commission are as follows:

Mr. William L. Lieber (Chairman)  
Indianapolis, Indiana  
Mr. Harry W. Frey  
Michigan City, Indiana  
Mrs. Ione F. Harrington  
Chesterton, Indiana  
Mr. John A. Hillenbrand II  
Batesville, Indiana  
Mr. Ed Masiulis  
Beverly Shores, Indiana  
Mr. Harold G. Rudd  
Portage (Ogden Dunes), Indiana  
Mr. John R. Schnurlein  
Valparaiso, Indiana

The matters to be discussed at this meeting include:

1. Superintendent's report on matters relevant to Indiana Dunes National Lakeshore since the last meeting.
2. Land Acquisition Officer's report on matters relevant to Indiana Dunes National Lakeshore since the last meeting.
3. Discussion of horse trail progress.
4. Review of West Beach ingress, egress and parking facilities.
5. Discussion of proposed Expansion Bill.
6. Need for Planning Specialist on Superintendent's Staff.

The meeting will be open to the public. Any member of the public may file with the Commission a written statement concerning the matters to be discussed.

Persons wishing further information concerning this meeting, or who wish to submit written statements, may contact James R. Whitehouse, Superintendent, Indiana Dunes National Lakeshore, at 219-926-7561.

Minutes of the meeting will be available for public inspection three weeks after the meeting at the Superintendent's Office of the Indiana Dunes National Lakeshore located at the intersection of

State Park Road and U.S. Highway 12, Chesterton, Indiana.

Dated: January 16, 1974.

ROBERT M. LANDAU,  
*Liaison Officer, Advisory Com-  
missions, National Park Serv-  
ice.*

[FR Doc.74-2048 Filed 1-24-74; 8:45 am]

**Office of Hearings and Appeals**

[Docket No. M 74-41]

**HILLSDALE MINING CO., INC.**

**Petition for Modification of Application of  
Mandatory Safety Standard**

Notice is hereby given that in accordance with the provisions of section 301 (c) of the Federal Coal Mine Health and Safety Act of 1969, 30 U.S.C. section 861 (c) (1970), Hillsdale Mining Company, Inc., has filed a petition to modify the application of 30 CFR 75.1100-2(b) to its Mine No. 1.

30 CFR 75.1100-2(b) reads as follows:

(b) *Belt conveyors.* In all coal mines, waterlines shall be installed parallel to the entire length of belt conveyors and shall be equipped with firehose outlets with valves at 300-foot intervals along each belt conveyor and at tallpieces. At least 500 feet of firehose with fittings suitable for connection with each belt conveyor waterline system shall be stored at strategic locations along the belt conveyor. Waterlines may be installed in entries adjacent to the conveyor entry belt as long as the outlets project into the belt conveyor entry.

In support of its petition, petitioner states that the mine is located above the water table and under prior Federal law and present Pennsylvania law it has been classified as non-gassy. No methane or other explosive gases have been detected in the mine by petitioner since it began operating the mine in early 1972.

A total of nine employees comprise the entire work force, seven inside employees and two outside employees. The main transportation of coal to the outside is on five 30 inch belts. The No. 1 belt conveyor begins outside at the outcrop and extends 1100 feet. The No. 2 belt conveyor is about 900 feet long and the No. 3 belt conveyor is about 2500 feet long. The No. 1, No. 2 and about 386 feet of the No. 3 belt conveyor are near the outcrop of the coal seam and are ventilated by air coming from the outside which in winter is very cold.

There has never been a mine fire of any kind at the operation. However, petitioner believes that the use of a waterline system as described in 30 CFR 75.1100-2(b) along belt conveyors No. 1 and No. 2 and a portion of No. 3 would not be reliable in the winter months because of freezing conditions in the areas where the belts are located which would interfere with the supply of water.

As an alternative, petitioner seeks approval of the following methods for controlling fires at the No. 1 and No. 2 conveyor belts and along the first 386 feet of the No. 3 conveyor belt:

1. No. 1 conveyor belt will begin outside the portal. No. 1, No. 2 and No. 3 conveyor

belts will be located on a separate split of air, with separate intake and return airways from those of the split which supplies air to the working area of the miners. The ventilation current in which the mining operation takes place, and where the underground mining crew normally works, will be a completely separate split of air from the surface.

2. The conveyor belts used will be of approved flame-resistant belting.

3. The conveyor belt drives will be protected by slippage-control and sequence switches.

4. The entire belt conveyor haulage system will be provided with a fire detection system that will warn all miners in the mine in the event of a fire.

5. All working sections will contain telephones that will be tied into the outside commercial Bell telephone system.

6. Fire extinguishers of not less than 20 pound capacity (or two of 10 pound capacity each) will be located at each conveyor belt drive on the intake ventilation side of the conveyor drive.

7. A 240 pound supply of rock dust will be located on the intake side of each conveyor drive, at 500 foot intervals along conveyor belts No. 1 and No. 2 and at a point 385 feet from the beginning of conveyor belt No. 3.

8. A systematic program for cleanup along the conveyor belts will be in effect.

Petitioner contends that from a safety standpoint the alternative methods are better suited to the conditions at the conveyor belts and that such methods will at all times guarantee no less than the same measure of protection afforded the miners by the application of the mandatory standard.

Persons interested in this petition may request a hearing on the petition or furnish comments on or before February 25, 1974. Such requests or comments must be filed with the Office of Hearings and Appeals, Hearings Division, U.S. Department of the Interior, 4015 Wilson Boulevard, Arlington, Virginia 22203. Copies of the petition are available for inspection at that address.

GILBERT O. LOCKWOOD,  
*Acting Director, Office of  
Hearings and Appeals.*

JANUARY 15, 1974.

[FR Doc.74-2087 Filed 1-24-74; 8:45 am]

[Docket No. M 74-38]

**PITTSBURGH COAL CO.**

**Petition for Modification of Application of  
Mandatory Safety Standard**

Notice is hereby given that in accordance with the provisions of Section 301 (c) of the Federal Coal Mine Health and Safety Act of 1969, 30 U.S.C. section 861(c) (1970), Pittsburgh Coal Company, Division of Consolidation Coal Company, has filed a petition to modify the application of section 303(d)(1) of the Act to its Montour No. 4 Mine, Washington County, Pennsylvania.

Section 303(d)(1) reads in part as follows:

Within three hours immediately preceding the beginning of any shift, and before any miner in such shift enters the active workings of a coal mine, certified persons designated by the operator of the mine shall examine such workings and any other under-

ground area of the mine designated by the Secretary or his authorized representative.

This section is also published as 30 CFR 75.303(a). On November 28, 1972, the Secretary required, by memorandum, that "All active roadways and travelways (main haulage roads included) shall be examined, by a certified person designated by the operator, within 3 hours immediately preceding the beginning of each shift in accordance with the provisions of section 303(d)(1) of the Act." Petitioner seeks modification of that part of section 303(d)(1) and the Secretary's memorandum that requires that main haulage roads be examined within a 3-hour period immediately preceding all shifts. Petitioner states that the mine operates nine coal producing units on three shifts with an average of 22 machine shifts daily. Petitioner states that the nine coal producing units at Montour #4 are scattered throughout the mine, rather than being concentrated in one locality and, as a result, a highly developed haulage system extends throughout the mine, having a total length of about twenty-eight miles. Prior practice as adopted by Federal coal mine inspectors has been to include the main track haulages in the pre-shift examination only before the first coal producing shift of each day.

As an alternative method petitioner requests that it be allowed to use the following method of pre-shift examination of the main haulage: (1) After idle periods and before the start of the initial coal producing shift each day, the examinations required by section 303(d)(1) of the mandatory safety standards will be performed as required in the 3-hour period preceding the start of the shift. (2) The examinations preceding the remaining coal-producing shifts of each day will be performed during an 8-hour period preceding the start of the shift, rather than during the designated 3-hour period. The examinations made in the 8-hour period will be performed as moving examinations as covered in the memorandum from the Assistant Director, U.S. Bureau of Mines, Coal Mine Health and Safety, entitled: Pre-shift Examination of Main Haulage Roads, dated November 6, 1972.

Petitioner contends that the proposed alternative method will at all times guarantee no less than the same measure of protection afforded the miners at the affected mine by the application of the mandatory safety standard. Petitioner states that the subject mine will be examined prior to the entry of any miners; the examinations will be conducted so as to insure the health and safety of all miners at the mine; all points along the main haulage route would be examined once within an 8-hour interval; the time interval will be the same whether the examinations are conducted as required by the Mining Enforcement and Safety Administration's interpretation of section 303(d)(1) or as proposed by the petitioner. Petitioner further contends that the application of the mandatory standard would result in a lowering of the level of safety provided to each miner at the affected mine due, in part, to a

lack of certified people to perform the additional pre-shift examinations required by the new interpretations of the mandatory standard. The section foremen are being forced to forego other tasks which are more important with regard to the health and safety of miners at the affected mine and perform pre-shift examinations. Also, an additional hazard would be created by this interpretation of the mandatory standard because congestion would be added to already heavily traveled haulage roads.

Persons interested in this petition may request a hearing on the petition or furnish comments on or before February 25, 1974. Such requests or comments must be filed with the Office of Hearings and Appeals, Hearings Division, U.S. Department of the Interior, 4015 Wilson Boulevard, Arlington, Virginia 22203. Copies of the petition are available for inspection at that address.

GILBERT O. LOCKWOOD,  
*Acting Director, Office of  
Hearings and Appeals.*

JANUARY 15, 1974.

[FR Doc.74-2086 Filed 1-24-74;8:45 am]

**Office of the Secretary**

[INT FES 74-5]

**PROPOSED GRANITE REEF AQUEDUCT,  
CENTRAL ARIZONA PROJECT, ARIZONA**

**Notice of Availability of Final  
Environmental Statement**

Pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969, the Department of the Interior has prepared a final environmental statement for the Granite Reef Aqueduct, a feature of the authorized Central Arizona Project, Arizona.

The environmental statement concerns the conveyance facility for delivering project irrigation water and municipal water to water-deficient areas of Arizona.

Copies are available for inspection at the following locations:

Office of Communications, Room 7220, Department of the Interior, Washington, D.C. 20240. Telephone (202) 343-9247.

Office of Assistant to the Commissioner—Ecology, Room 7622, Bureau of Reclamation, Department of the Interior, Washington, D.C. 20240. Telephone (202) 343-4991.

Division of Engineering Support, Technical and Publications Branch, E&R Center, Denver Federal Center, Denver, Colorado 80225. Telephone (303) 234-3007.

Office of the Regional Director, Bureau of Reclamation, P.O. Box 427, Boulder City, Nevada 89005. Telephone (702) 293-8560.

Arizona Projects Office, Bureau of Reclamation, 135 North Second Avenue, Phoenix, Arizona 85003. Telephone (602) 261-3106.

Single copies of the final statement may be obtained on request to the Commissioner of Reclamation or the Regional Director. In addition, copies may be purchased from the National Technical Information Service, Department of Com-

merce, Springfield, Virginia 22151. Please refer to the statement number above.

Dated: January 22, 1974.

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

[FR Doc.74-2128 Filed 1-24-74;8:45 am]

**PROPOSED NATIONAL PARKS, WILDLIFE  
REFUGES, RANGES, FORESTS, AND  
WILD AND SCENIC RIVERS IN ALASKA**

**Additional Notice of Availability of Draft  
Environmental Statements**

Pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969, the Department of the Interior prepared draft environmental statements for 28 proposed National Parks, Wildlife Refuges, Ranges, Forests, and Wild and Scenic Rivers in Alaska. The proposals were made in accordance with the Alaska Native Claims Settlement Act of 1971.

Notice of availability of the draft environmental statements was published in the FEDERAL REGISTER, Vol. 38, No. 248—Friday, December 28, 1973.

The purpose of this notice is to identify additional offices at which the draft environmental statements may be examined in order to provide greater availability of the statements to the public. The publication of this notice should not be construed as changing the time periods for submission of public comments which were set forth in the publication of December 28, 1973.

The draft environmental statements are available for inspection at the following offices on the basis of the code number after each address. Available statements are coded as follows: National Parks and Monuments—(1), National Wildlife Refuges—(2), National Ranges—(3), National Wild and Scenic Rivers—(4), National Forests—(5).

**ALASKA**

U.S. Dept. of the Interior (1,2,3,4,5)  
Bureau of Land Management  
555 Cordova Street  
Anchorage, Alaska 99501

U.S. Dept. of the Interior (1,2,3,4,5)  
National Park Service  
524 W. Sixth Avenue  
Room 201  
Anchorage, Alaska 99501

U.S. Dept. of the Interior (1,2,3,4,5)  
Bureau of Outdoor Recreation  
524 W. Sixth Avenue  
Anchorage, Alaska 99501

U.S. Dept. of the Interior (1,2,3,4,5)  
Bureau of Sport Fisheries and Wildlife  
813 D Street  
Anchorage, Alaska 99501

U.S. Dept. of Agriculture (1,2,3,4,5)  
U.S. Forest Service  
Alaska Planning Team  
6927 Seward Highway  
Anchorage, Alaska 99502

**ARIZONA**

U.S. Dept. of the Interior (1,3,4)  
Bureau of Land Management  
Federal Bldg., Room 3022  
Phoenix, Arizona 85025

State Supervisor (1,2,3,4)  
Bur. of Sport Fisheries and Wildlife  
2721 N. Central Ave. (Suite 704)  
Phoenix, Arizona 85004

**ARKANSAS**

State Supervisor (1,2,3,4)  
Bur. of Sport Fisheries and Wildlife  
315 Post Office Bldg.  
600 West Capitol Street  
Little Rock, Arkansas 72201

**CALIFORNIA**

U.S. Dept. of the Interior (1,2,3,4,5)  
Bur. of Sport Fisheries and Wildlife  
125 S. Grand Avenue  
Room 603  
Pasadena, California 91105

U.S. Dept. of the Interior (1,3,4)  
Bureau of Land Management  
2800 Cottage Way  
Room E-2841  
Sacramento, California 95825

State Supervisor (1,2,3,4)  
Bur. of Sport Fisheries and Wildlife  
2800 Cottage Way  
Sacramento, California 95825

Regional Forester (1,3,4,5)  
U.S. Forest Service  
630 Sansome St.  
San Francisco, Calif. 94111

U.S. Dept. of the Interior (1,2,3,4)  
National Park Service  
450 Golden Gate Avenue, Box 36063  
San Francisco, California 94102  
U.S. Dept. of the Interior (1,3,4)  
Bureau of Outdoor Recreation  
450 Golden Gate Ave.  
San Francisco, California 94102

**COLORADO**

U.S. Dept. of the Interior (1,3,4)  
Bureau of Land Management  
1600 Broadway  
Room 700  
Denver, Colorado 80202

U.S. Dept. of the Interior (1,3,4)  
Bureau of Outdoor Recreation  
Denver Federal Center  
Building 41, P.O. Box 25387  
Denver, Colorado 80225

Regional Forester (1,3,4,5)  
U.S. Forest Service  
Denver Federal Building  
Denver, Colorado 80225

U.S. Dept. of the Interior (1,2,3,4)  
National Park Service  
645-655 Parfet Avenue  
Denver, Colorado 80215

**DISTRICT OF COLUMBIA**

Bur. of Sport Fisheries and Wildlife (1,2,3,4,5)  
Office of Environmental Quality  
Department of the Interior  
Room 2246  
18th and "C" Streets, N.W.  
Washington, D.C. 20240  
Theodor R. Swem, Chairman (1,2,3,4,5)  
Alaska Planning Group  
U.S. Dept. of the Interior  
Washington, D.C. 20240

**FLORIDA**

State Supervisor (1,2,3,4)  
Bur. of Sport Fisheries and Wildlife  
4131 N.W. 13th Street  
Gainesville, Florida 32601

**GEORGIA**

State Supervisor (1,2,3,4)  
Bur. of Sport Fisheries and Wildlife  
School of Forestry  
University of Georgia  
Athens, Georgia 30601

## NOTICES

## Bur. of Sport Fisheries and Wildlife (1,2,3,4)

17 Executive Park Drive, NE.  
Room 411  
Atlanta, Georgia 30329

Regional Forester (1,3,4,5)  
U.S. Forest Service  
1720 Peachtree Rd., N.W.  
Atlanta, Georgia 30309

U.S. Dept. of the Interior (1,3,4)  
Bureau of Outdoor Recreation  
148 Cain Street  
Atlanta, Georgia

U.S. Dept. of the Interior (1,2,3,4)  
National Park Service  
3401 Whipple Street  
Atlanta, Georgia 30344

## HAWAII

Hawaii Group (1,2,3,4)  
National Park Service  
677 Ala Moana Blvd., Suite 512  
Honolulu, Hawaii 96813.

## IDAHO

U.S. Dept. of the Interior (1,3,4)  
Bureau of Land Management  
Federal Bldg., Room 398  
550 W. Fort St.  
Boise, Idaho 83702

State Supervisor (1,2,3,4)  
Bur. of Sport Fisheries and Wildlife  
550 West Fort (Box 025)  
Boise, Idaho 83724

## INDIANA

State Supervisor (1,2,3,4)  
Bur. of Sport Fisheries and Wildlife  
Agricultural Adm. Bldg.  
Purdue University  
West Lafayette, Indiana 47907

## KANSAS

U.S. Dept. of the Interior (1,2,3,4)  
Bur. of Sport Fisheries and Wildlife  
Federal Bldg., Room 1748  
601 E. 12th Street  
Kansas City, Kansas 64106

## LOUISIANA

State Supervisor (1,2,3,4)  
Bur. of Sport Fisheries and Wildlife  
271-273 Agricultural Center  
Louisiana State University  
Baton Rouge, Louisiana 70803

## MAINE

State Supervisor (1,2,3,4)  
Bur. of Sport Fisheries and Wildlife  
Room 212, Federal Bldg.  
Augusta, Maine 04330

## MARYLAND

State Supervisor (1,2,3,4)  
Bur. of Sport Fisheries and Wildlife  
1825-B Virginia Street  
Annapolis, Maryland 21401

U.S. Dept. of the Interior (1,3,4)  
Bureau of Land Management  
Robin Bldg.  
7981 Eastern Avenue  
Silver Spring, Maryland 20910

## MASSACHUSETTS

Bureau of Sport Fisheries and Wildlife (1,2,3,4)  
John W. McCormack, P.O. and Courthouse  
Boston, Massachusetts 02109

U.S. Dept. of the Interior (1,2,3,4)  
National Park Service  
150 Causeway Street  
Boston, Massachusetts 02114

State Supervisor (1,2,3,4)  
Bur. of Sport Fisheries and Wildlife  
451 Russell Street  
Hadley, Massachusetts 01035

## MICHIGAN

U.S. Dept. of the Interior (1,3,4)  
Bureau of Outdoor Recreation  
3853 Research Park Dr.  
Ann Arbor, Michigan 48104

## MINNESOTA

U.S. Dept. of the Interior (1,2,3,4)  
Bur. of Sport Fisheries and Wildlife  
Federal Building—Fort Snelling  
Room 630  
Twin Cities, Minnesota 55111

## MISSISSIPPI

State Supervisor (1,2,3,4)  
Bur. of Sport Fisheries and Wildlife  
P.O. Drawer FW  
Mississippi State, Miss. 39762

## MONTANA

U.S. Dept. of the Interior (1,2,3,4)  
Bur. of Sport Fisheries and Wildlife  
711 Central Avenue  
Billings, Montana 59102

U.S. Dept. of the Interior (1,3,4)  
Bureau of Land Management  
Federal Building  
316 North 26th St.  
Billings, Montana

Regional Forester (1,3,4,5)  
U.S. Forest Service  
Federal Building  
Missoula, Montana

## NEBRASKA

State Supervisor—Animal Control (1,2,3,4)  
Bur. of Sport Fisheries and Wildlife  
246 Federal Building  
Lincoln, Nebraska 68508

U.S. Dept. of the Interior (1,2,3,4)  
National Park Service  
1709 Jackson Street  
Omaha, Nebraska 68102

## NEVADA

U.S. Dept. of the Interior (1,3,4)  
Bureau of Land Management  
Federal Building, 300 Booth St.  
Reno, Nevada 89502

State Supervisor (1,2,3,4)  
Bur. of Sport Fisheries and Wildlife  
300 Booth Street  
Reno, Nevada 89502

## NEW HAMPSHIRE

State Supervisor (1,2,3,4)  
Bur. of Sport Fisheries and Wildlife  
55 Pleasant Street  
Concord, New Hampshire 03301

## NEW JERSEY

State Supervisor (1,2,3,4)  
Bur. of Sport Fisheries and Wildlife  
U.S. Post Office & Courthouse (Rm. 510)  
Trenton, New Jersey 08607

## NEW MEXICO

U.S. Dept. of the Interior (1,3,4)  
Bureau of Outdoor Recreation  
5000 Marble Avenue, N.E.  
Albuquerque, New Mexico 87110

Regional Forester (1,3,4,5)  
U.S. Forest Service  
Federal Building  
517 Gold Ave., SW  
Albuquerque, New Mexico 87101

Bureau of Sport Fisheries and Wildlife (1,2,3,4)  
500 Gold Avenue, SW  
Room 9018  
P.O. Box 1306  
Albuquerque, New Mexico 87103

U.S. Dept. of the Interior (1,3,4)  
Bureau of Land Management  
Federal Building  
P.O. Box 1449  
Santa Fe, New Mexico 87501

U.S. Dept. of the Interior (1,2,3,4)  
National Park Service  
Old Santa Fe Trail  
P.O. Box 728  
Santa Fe, New Mexico 87501

## NEW YORK

State Supervisor (1,2,3,4)  
Bur. of Sport Fisheries and Wildlife  
P.O. Box 150  
Albany, New York 12201

## NORTH CAROLINA

State Supervisor (1,2,3,4)  
Bur. of Sport Fisheries and Wildlife  
P.O. Box 25878  
Raleigh, North Carolina 27611

## NORTH DAKOTA

U.S. Dept. of the Interior (1,2,3,4)  
Bur. of Sport Fisheries and Wildlife  
Federal Bldg., Room 318  
P.O. Box 1897  
Bismarck, North Dakota 58501

## OHIO

State Supervisor (1,2,3,4)  
Bur. of Sport Fisheries and Wildlife  
321 Old Post Office Bldg.  
3rd and State Streets  
Columbus, Ohio 43215

## OKLAHOMA

State Supervisor (1,2,3,4)  
Bur. of Sport Fisheries and Wildlife  
Room 238, Old Post Office  
Oklahoma City, Oklahoma 73102

## OREGON

Regional Forester (1,3,4,5)  
U.S. Forest Service  
319 SW Pine St.  
P.O. Box 3623  
Portland, Oregon 97208

U.S. Dept. of the Interior (1,3,4)  
Bureau of Land Management  
729 Northeast Oregon St.  
P.O. Box 2965  
Portland, Oregon 97208

U.S. Dept. of the Interior (1,2,3,4)  
Bur. of Sport Fisheries and Wildlife  
1500 Plaza Bldg., Room 288  
1500 NE Irving Street  
P.O. Box 3737  
Portland, Oregon 97208

## PENNSYLVANIA

U.S. Dept. of the Interior (1,3,4)  
Bureau of Outdoor Recreation  
Federal Office Building  
600 Arch Street  
Philadelphia, Penna. 19106

U.S. Dept. of the Interior (1,2,3,4)  
National Park Service  
143 South Third Street  
Philadelphia, Penna. 19106

State Supervisor (1,2,3,4)  
Bur. of Sport Fisheries and Wildlife  
111 Ferguson Bldg.  
University Park, Penna. 16802

## SOUTH DAKOTA

U.S. Dept. of the Interior (1,2,3,4)  
Bur. of Sport Fisheries and Wildlife  
439 Federal Building  
P.O. Box 250  
Pierre, South Dakota 57501

## TENNESSEE

State Supervisor (1,2,3,4)  
Bur. of Sport Fisheries and Wildlife  
1720 West End Avenue  
Nashville, Tennessee 37203

## TEXAS

State Supervisor (1,2,3,4)  
Bur. of Sport Fisheries and Wildlife  
P.O. Box 9037, Guilbeau Station  
San Antonio, Texas 78204

## UTAH

Regional Forester (1,3,4,5)  
U.S. Forest Service  
Federal Building  
324 25th Street  
Ogden, Utah 84401

U.S. Dept. of the Interior (1,2,3,4)  
Bur. of Sport Fisheries and Wildlife  
Federal Bldg., Room 2215  
125 S. State Street  
Salt Lake City, Utah 84111  
U.S. Dept. of the Interior (1,3,4)  
Bureau of Land Management  
Federal Building  
125 South State Street  
Salt Lake City, Utah 84111

## VIRGINIA

State Supervisor (1,2,3,4)  
Bur. of Sport Fisheries and Wildlife  
108 Washington Street, S.E.  
Blacksburg, Virginia 24060

## WASHINGTON

U.S. Dept. of the Interior (1,2,3,4)  
National Park Service  
523 Fourth and Pike Building  
Seattle, Washington 98101  
State Supervisor (1,2,3,4)  
Bur. of Sport Fisheries and Wildlife  
506 W. Valley Mall Blvd.  
Union Gap, Washington 98903

## WEST VIRGINIA

State Supervisor (1,2,3,4)  
Bur. of Sport Fisheries and Wildlife  
P.O. Box 346  
Elkins, West Virginia 26241

## WISCONSIN

Regional Forester (1,3,4,5)  
U.S. Forest Service  
633 W. Wisconsin Avenue  
Milwaukee, Wisconsin 53203

## WYOMING

State Supervisor (1,2,3,4)  
Bur. of Sport Fisheries and Wildlife  
Fed. Building & U.S. Courthouse  
111 S. Wolcott  
Casper, Wyoming 82601  
U.S. Dept. of the Interior (1,3,4)  
Bureau of Land Management  
2120 Capitol Avenue  
P.O. Box 1828  
Cheyenne, Wyoming 82001

Note: In addition, copies of the National Forest proposals are available for inspection at the Supervisor's Office of any National Forest. Copies of all statements may be purchased from the National Technical Information Service, Department of Commerce, Springfield, Virginia 22151.

Dated: January 23, 1974.

WILLIAM A. VOGELY,  
Acting Deputy Assistant Secretary,  
Program Development  
and Budget.

[FR Doc.74-2173 Filed 1-24-74; 8:45 am]

## DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

## GRAIN STANDARDS

Washington Grain Inspection Point

On October 25, 1973, there was published in the FEDERAL REGISTER (38 FR 29503) a notice announcing a request by the Washington Department of Agriculture, Olympia, Washington, that effective January 1, 1974, its designated inspection

area assignment be amended to add Colfax, Washington, as a designated inspection point. Interested persons were given until November 26, 1973, to submit written views and comments with respect to the proposed amendment.

Four comments were received with respect to the proposed amendment. Two of the comments supported the proposal and two opposed the proposal. The comments in opposition indicated that a designated inspection point at Colfax would take work away from and therefore have an adverse effect on the designated inspection point at Lewiston, Idaho.

The entire State of Washington is assigned to the Washington Department of Agriculture as its designated inspection area. Pursuant to the assignment, the Washington Department of Agriculture is responsible for providing needed inspection services wherever they are needed in the State.

The services of one or more resident inspectors are needed by but are not now available to members of the grain industry in Colfax. The Washington Department of Agriculture has agreed to station one or more licensed inspectors at Colfax, Washington.

Accordingly, it is concluded that the assignment of the designated inspection area to the Washington Department of Agriculture should be amended by adding Colfax, Washington, as a designated inspection point.

The stationing of licensed inspectors at Colfax may result in a reduction in the volume of inspection work being performed by neighboring inspection agencies in Idaho. This possible reduction of work will be monitored by this Department to determine whether further changes in inspection arrangements may be needed in the Colfax, Washington; Moscow, Idaho; and Lewiston, Idaho, areas.

After due consideration of all submissions made pursuant to the notice of October 25, 1973, and all other relevant matters, notice is hereby given pursuant to section 26.99 of the regulations (7 CFR 26.99) under the U.S. Grain Standards Act (7 U.S.C. 71 et seq.) that the designated inspection area assignment of the Washington Department of Agriculture, Olympia, Washington, is amended effective January 1, 1974, to add Colfax, Washington, as a designated inspection point. (Sec. 7, 39 Stat. 482, as amended 82 Stat. 764; 7 U.S.C. 79(f); 37 FR 28464 and 28476.)

Effective date. This notice shall become effective January 24, 1974. Done in Washington, D.C., on January 18, 1974.

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

[FR Doc.74-2119 Filed 1-24-74; 8:45 am]

## Commodity Credit Corporation

COMMODITY CREDIT CORPORATION  
ADVISORY BOARD

## Notice of Public Meeting

Notice is hereby given that the Commodity Credit Corporation Advisory

Board established under Section 9(b) of the Commodity Credit Corporation Charter Act of 1949 (63 Stat. 154, 155; 15 U.S.C. section 714g(b)), will meet at 8:15 a.m. on Wednesday, February 6, 1974, and Thursday, February 7, 1974, in Room 2-W, of the Administration Building of the U.S. Department of Agriculture, Washington, D.C.

The purpose of this regularly scheduled quarterly meeting of the Advisory Board is to survey the policies of the Commodity Credit Corporation in connection with the purchase, storage and sale of commodities, and the operation of lending and price support programs. The meeting will be open to the public.

The names of the Presidential appointees comprising the Advisory Board, agenda, summary of the meeting and other information pertaining to the meeting may be obtained from Mr. Frank G. McKnight, Acting Secretary, Commodity Credit Corporation, Room 202-W, Administration Building, U.S. Department of Agriculture, Washington, D.C.

Signed at Washington, D.C. on January 18, 1974.

GLENN A. WEIR,  
Acting Executive Vice President,  
Commodity Credit Corporation.

[FR Doc.74-2150 Filed 1-24-74; 8:45 am]

## Forest Service

FREMONT NATIONAL FOREST LIVESTOCK  
ADVISORY BOARD

## Notice of Meeting

The Fremont National Forest Livestock Advisory Board will meet at 1:30 p.m., February 22, 1974, and in the Forest Supervisor's Office, 34 North "D" Street, Lakeview, Oregon.

The purpose of this meeting will be to provide the Fremont National Forest grazing permittees the opportunity to express their recommendations concerning the management and administration of Fremont National Forest grazing lands.

The meeting will be open to the public. Persons who wish to attend should notify the Forest Supervisor, Lakeview, Oregon, telephone number 503-947-2151. Written statements may be filed with the board before or after the meeting.

The board will allow public participation at any time, subject to recognition by the chairman.

WILLIAM W. STRAWN,  
Acting Forest Supervisor.

JANUARY 18, 1974.

[FR Doc.74-2074 Filed 1-24-74; 8:45 am]

## MEADOW MOUNTAIN PLANNING UNIT

Notice of Availability of Draft  
Environmental Statement

Pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969, the Forest Service, Department of Agriculture, has prepared a Draft Environmental Statement for Meadow Mountain Planning Unit. The Forest

Service Report Number is USDA-FS-DES(Adm) 74-65.

The Environmental Statement concerns a proposed action of implementation of management direction for the National Forest lands in the vicinity of Meadow Mountain, White River National Forest in Eagle County, Colorado.

This Draft Environmental Statement was transmitted to CEQ on January 15, 1974.

Copies are available for inspection during regular working hours at the following locations:

USDA, Forest Service  
So. Agriculture Bldg., Room 3230  
12th St. & Independence Ave., SW  
Washington, D.C. 20250

Regional Forester  
Building 85  
Denver Federal Center  
Denver, Colorado 80225

Forest Supervisor  
White River National Forest  
Old Federal Building, P.O. Box 948  
Glenwood Springs, Colorado 81601

A limited number of single copies are available upon request to Thomas C. Evans, Forest Supervisor, U.S. Forest Service, White River National Forest, Old Federal Building, P.O. Box 948, Glenwood Springs, Colorado 81601.

Copies are also available from the National Technical Information Service, U.S. Department of Commerce, Springfield, Virginia 22151. Please refer to the name and number of the Environmental Statement shown above when ordering.

Copies of the Environmental Statement have been sent to various Federal, state, and local agencies as outlined in the CEQ guidelines.

Comments are invited from the public, and from state and local agencies which are authorized to develop and enforce environmental standards, and from Federal agencies having jurisdiction by law or special expertise with respect to any environmental impact involved for which comments have not been requested specifically.

Comments concerning the proposed action and requests for additional information should be addressed to Thomas C. Evans, Forest Supervisor, White River National Forest, Old Federal Building, P.O. Box 948, Glenwood Springs, Colorado 81601. Comments must be received by March 15, 1974 in order to be considered in the preparation of the Final Environmental Statement.

PHILIP L. THORNTON,  
Deputy Chief, Forest Service.

JANUARY 21, 1974.

[FR Doc.74-2118 Filed 1-24-74;8:45 am]

#### UNION COUNTY GRAZING ADVISORY BOARD

##### Notice of Meeting

The Union County Grazing Advisory Board will meet Thursday, January 31, 1974 at 1:30 p.m., in the District Ranger's Office, Kiowa National Grasslands, 16 North Second Street, Clayton, New Mexico 88415.

The purpose of this meeting will be:

1. To elect officers for 1974.
2. Discuss other business that might come before the Board.

The meeting will be open to the public. Persons who wish to attend should notify Chairman Weston Baker via telephone, 374-9073, or in writing to Mr. Weston Baker, Chairman, Union County Grazing Advisory Board, Rural Route, Clayton, New Mexico 88415. Written statements may be filed with the Board.

Dated: January 18, 1974.

W. L. LLOYD,  
Forest Supervisor.

[FR Doc.74-2073 Filed 1-24-74;8:45 am]

#### DEPARTMENT OF COMMERCE

##### Domestic and International Business Administration

##### IOWA STATE UNIVERSITY

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

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Pub. L. 89-651, 80 Stat. 897) and the regulations issued thereunder as amended (37 FR 3892 *et seq.*).

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

Docket Number: 73-00260-40-30600. Applicant: Iowa State University, Purchasing Department, 202 Snedecor, Ames, Iowa 50010. Article: Low speed 3-stage axial flow compressor. Manufacturer: Industrial Drawing Office Services Ltd., United Kingdom. Intended Use of Article: The article is intended to be used in the study of the complicated fluid flow mechanics in multistage axial-flow turbomachinery. Specific experiments to be conducted include:

- (a) Normal overall-performance map determination.
- (b) Detailed blade-element data acquisition and analysis.
- (c) Surge and stall mechanisms.
- (d) Effects of mismatching of stages on performance.
- (e) Effects of inlet distortion on performance.
- (f) Effects of adjacent blade rows on stage flow field.
- (g) New blade form evaluations.
- (h) Mathematical model evaluations.

The article will also be used in the courses mechanical engineering 544 and mechanical engineering 699 to give the student an appreciation for the fluid mechanics of turbomachinery and to provide the student with significant research experience respectively.

Comments: No comments have been received with respect to this application.

Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, is being manufactured in the United States.

Reasons: The foreign article with axial-flow design provides capabilities for (1) varying compressor parameters including blade pitch angle, stagger angle, revolutions per minute (rpm) and for (2) disassembly and reassembly without special equipment for balancing. The National Bureau of Standards (NBS) advised in its memorandum dated December 26, 1973 that the capabilities described above are pertinent to the purposes for which the article is intended to be used. NBS also advised that it knows of no domestic instrument of equivalent scientific value to the foreign article for the applicant's intended use.

The Department of Commerce knows of no other instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, which is being manufactured in the United States.

(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.74-2064 Filed 1-24-74;8:45 am]

#### NASA-AMES RESEARCH CENTER

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

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Pub. L. 89-651, 80 Stat. 897) and the regulations issued thereunder as amended (37 FR 3892 *et seq.*).

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

Docket Number: 73-00534-10-68495. Applicant: National Aeronautics and Space Administration, Ames Research Center, Moffett Field, Calif. 94035. Article: Mechanical vacuum pump. Manufacturer: Arthur Pfeiffer Vakuuntechnik G.m.b.H., West Germany. Intended use of Article: The article is intended to be used in research to determine the design feasibility of a small, lightweight, low-power mechanical pump for use in an inlet system for the pioneer venus probe mass spectrometer. The following properties of the article are to be investigated:

- (a) Compression ratio as a function of pressure.
- (b) Pumping speed as a function of pressure.
- (c) Temperature rise during operational performance testing.
- (d) Effect of cooling on pumping characteristics, and
- (e) Power requirements as related to pumping characteristics. The objectives to be pursued are verification of the manufacturer's specification and testing of the unit to determine if it is an acceptable component for flight systems.

Comments: No comments have been received with respect to this application.

Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, is being manufactured in the United States.

Reasons: The foreign article provides capabilities for a pumping speed of one liter per second at 0.1 Torr input pressure and 10 Torr backing pressure plus ultimate pressure of the order of  $6 \times 10^{-8}$  Torr. The article also weighs approximately 2.2 kilograms. The National Bureau of Standards (NBS) advised in its memorandum dated December 19, 1973 that the characteristics of the article described above are pertinent to the applicant's research purposes. NBS also advised that it knows of no domestic instrument of equivalent scientific value to the foreign article for the applicant's intended use.

The Department of Commerce knows of no other instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, which is being manufactured in the United States.

(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.74-2066 Filed 1-24-74;8:45 am]

#### UNIVERSITY OF MARYLAND

##### Notice of Decision on Application Duty Free Entry of Scientific Article; Correction

In the Notice of Decision for Duty-Free Entry of Scientific Articles appearing at page 32590 in the FEDERAL REGISTER of Tuesday, November 27, 1973, the following correction should be made.

Docket Number 73-00126-65-40070 should be corrected to read:

Docket Number: 73-00128-65-46070.  
Applicant: University of Maryland, Department of Mechanical Engineering, College Park, Md. 20742. Article: Scanning Electron Microscope, Model SEM-IIA-68, and accessories \* \* \*

(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.74-2065 Filed 1-24-74;8:45 am]

#### V. A. HOSPITAL—DENVER

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

The following is a decision on an application for duty-free entry of a scientific article pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Pub. L. 89-651, 80 Stat. 897) and the regulations issued thereunder as amended (37 FR 3892 *et seq.*).

A copy of the record pertaining to this decision is available for public review during ordinary business hours of the

Department of Commerce, at the Office of Import Programs, Department of Commerce, Washington, D.C. 20230.

Docket Number: 74-00115-33-46040.  
Applicant: Veterans Administration Hospital, 1055 Clermont Street, Denver, Colorado 80220. Article: Electron Microscope, Model EM 300. Manufacturer: Philips Electronic Instruments NVD, The Netherlands. Intended Use of Article: The foreign article is intended to be used in research and diagnosis involving tissue removed through survey or autopsy including, but not restricted, to cancerous tissue and biopsies of kidneys from patients with kidney disease. New techniques such as peroxidase labeled antibody for the specific identification of proteins will be used. Horseradish peroxidase will be conjugated to antisera to human complement factor, immunoglobulins, fibrinogens, and other substances which will then be incubated with sections of human renal biopsies fixed by a variety of techniques or frozen. Peroxidase activity will also be demonstrated with the diaminobenzidine technique. The article will also be used to train pathology residents in electron microscopy.

Comments: No comments have been received with respect to this application. Decision: Application approved. No instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, is being manufactured in the United States. Reasons: The foreign article provides a continuous magnification from 220 to 500,000 magnifications, without changing the pole-piece. The most closely comparable domestic instrument is the Model EMU-4C manufactured by the Forflo Corporation. The Model EMU-4C, with its standard pole-piece, has a specified range from 1,400 to 240,000 magnifications. For survey and scanning, the lower end of this range can be reduced to 200 magnifications or less. But the continued reduction of magnification induces an increasingly greater distortion. The domestic manufacturer suggests in its literature on the Model EMU-4C that for highest quality, low magnification electron micrographs in the magnification range between 500 and 70,000 magnifications, an optional low magnification pole-piece should be used. Changing the pole-piece on the Model EMU-4C requires a break in the vacuum of the column. We are advised by the Department of Health, Education, and Welfare (HEW) in its memorandum dated December 7, 1973 that the applicant requires the capability of taking high-quality micrographs at low magnifications and the highest direct magnification in order to achieve the purposes for which the article is intended to be used.

HEW further advises that breaking the vacuum in the column induces the danger of contamination which would very likely lead to the failure of the experiment. Therefore, the capability of moving from 220 to 500,000 magnifications without changing pole-pieces, while at the same time providing high-quality micrographs at low magnifications, is considered to be a pertinent character-

istic. For these reasons, we find that the Model EMU-4C is not of equivalent scientific value to the foreign article for such purposes as this article is intended to be used.

The Department of Commerce knows of no other instrument or apparatus of equivalent scientific value to the foreign article, for such purposes as this article is intended to be used, which is being manufactured in the United States.

(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.74-2067 Filed 1-24-74;8:45 am]

#### National Bureau of Standards COMMERCIAL STANDARDS Notice of Intent To Withdraw

In accordance with § 10.12 of the Department's "Procedures for the Development of Voluntary Product Standards" (15 CFR Part 10, as revised; 35 FR 8349 dated May 28, 1970), notice is hereby given of the intent to withdraw four Commercial Standards: CS 15-46, "Men's Pajama Sizes," CS 137-51, "Size Measurements for Men's and Boys' Shorts," CS 166-50, "Size Measurements for Men's Work Trousers," and CS 187-52, "Men's Work Shirt Sizes." It has been tentatively determined that these standards are no longer technically adequate.

Any comments or objections concerning the intended withdrawal of these standards should be made in writing and directed to the Office of Engineering Standards Services, National Bureau of Standards, Washington, D.C. 20234, on or before February 26, 1974. The effective date of withdrawal, if appropriate, will be not less than 60 days after the final notice of withdrawal. Withdrawal action terminates the authority to refer to a published standard as a voluntary standard developed under the Department of Commerce procedures from the effective date of the withdrawal.

Dated: January 21, 1974.

RICHARD W. ROBERTS,  
Director.

[FR Doc.74-2050 Filed 1-24-74;8:45 am]

#### National Oceanic and Atmospheric Administration STATEMENT OF INTEREST AND INTENT Notice of Plans for Project

On page 34682 of the FEDERAL REGISTER, of Monday, December 17, 1973, a Statement of Interest and Intent was published by the National Marine Fisheries Service relative to nomenclature of fish, shellfish and products for purposes of marketing and labeling. The thrust of the statement was to announce National Marine Fisheries Service plans to undertake a project to clarify and refine policies and procedures that govern the nomenclature of fish, shellfish and products and to provide for an improved systematic procedure for establishing or

changing legally acceptable nomenclature.

In view of the variety and number of interests expressed relative to the FEDERAL REGISTER statement, including a request for an extension of time for comment, the time for receipt of written views, recommendation and comments is extended from February 11, 1974, to March 29, 1974.

ROBERT M. WHITE,  
Administrator.

[FR Doc.74-2072 Filed 1-24-74;8:45 am]

**Office of the Secretary**

[Dept. Org. Order 20-1]

**OFFICE OF ADMINISTRATIVE SERVICES  
AND PROCUREMENT**

**Organization and Functions**

This order effective January 2, 1974, supersedes the material appearing at 37 FR 12251 of June 21, 1972.

**SECTION 1. Purpose.** 01. This order prescribes the functions and organization of Administrative Services and Procurement.

02. This revision changes the title of the Office of Administrative Services to the Office of Administrative Services and Procurement and establishes a Procurement Policy Staff.

**SEC. 2. Status and line of authority.** The Office of Administrative Services and Procurement, a Departmental office, shall be headed by a Director who shall report and be responsible to the Assistant Secretary for Administration. The Deputy Director for Operations, provided for in section 5 below, shall perform the functions of the Director during the latter's absence.

**SEC. 3. Functions.** Pursuant to the authority vested in the Assistant Secretary for Administration by Department Organization Order 10-5 and subject to such policies and directives as the Assistant Secretary for Administration may prescribe, the Office of Administrative Services and Procurement shall:

a. Have Department-wide staff responsibility for supply, library, space, motor vehicle, safety, telecommunications, mail, and forms management, as specified in section 5.

b. Perform procurement for all elements of the Department, except as otherwise provided in Department Administrative Order 208-2; "Procurement Authority."

c. Provide services in the functional areas enumerated in subparagraph a. above required by the Office of the Secretary and as relevant to elements of operating units located in the Main Commerce building.

d. Provide files management and records disposition management services for the Office of the Secretary and, as approved by the Assistant Secretary for Administration, for designated operating units headquartered in the Main Commerce building.

**SEC. 4. Specified authority.** In addition to the authority implicit in and essential to carrying out the functions assigned

to the Office and related to the exercise of such functions, the Director, Office of Administrative Services and Procurement:

a. Has been expressly delegated certain procurement authority in Department Administrative Order 208-2; and

b. Is hereby designated Claims Officer and delegated the authority vested in the Assistant Secretary for Administration by Department Administrative Order 203-22 to settle and pay claims for damage to, or loss of personal property incident to his service, under the provisions of 31 U.S.C. 240-243, filed by an employee (or his duly authorized representative) of the Office of the Secretary.

**SEC. 5. Organization.** Under the direction and supervision of the Director, the functions of the Office shall be organized and carried out as provided below.

01. The Deputy Director for Operations shall supervise the provision of administrative services to the Office of the Secretary and to operating units receiving administrative services directly from the Office, and shall perform such other duties as the Director may prescribe.

02. The Deputy Director for Program Development shall be the Director's principal assistant for Department-wide policies, standards and procedures for functional areas, excepting supply management and procurement, assigned the Office of Administrative Services and Procurement.

03. The Material Management Staff shall exercise Department-wide staff responsibility for supply management, which consists of all activities related to the control, utilization and disposition of property.

04. The Procurement Policy Staff shall exercise staff responsibility for the development of Department-wide procurement policies and procedures and shall be involved in the conduct of studies and shall take such other actions as are necessary to assure compliance with sound procurement practices. Also, the Staff shall take such actions as may be necessary (1) to determine and obtain compliance with Executive Order 11246 and related Executive orders pertaining to equal opportunity in employment; and (2) to set aside appropriate procurement needs for award to small business or minority enterprises as authorized by law.

05. The Library Division shall provide library services for the Office of the Secretary and operating units located in the Main Commerce building, serve as a reference source for libraries of operating units, and exercise Department-wide staff responsibility for library management.

06. The Procurement Division shall perform procurement for all elements of the Department except as determined under the provisions of Department Administrative Order 208-2.

07. The Office and Vehicle Services Division shall provide the following services for the Office of the Secretary and elements of operating units in the Main Commerce building: telecommunications, mail and messenger services, travel arrangements, office machines repairs, re-

ceiving and shipping of material, and motor vehicle services.

08. The Property and Records Division shall provide space management, labor services, and building liaison services with GSA for the Office of the Secretary and for elements of operating units in the Main Commerce building; and shall provide personal property, files, records disposition, and forms management services for the Office of the Secretary and, as approved by the Assistant Secretary for Administration, for designated operating units headquartered in the Main Commerce building.

**SEC. 6. Department of Commerce Administrative Services Council.** There shall be a Department of Commerce Administrative Services Council, which shall consist of the Director, Office of Administrative Services and Procurement, as Chairman, the Deputy Directors, and the chief administrative services officers of the primary operating units of the Department. The Council will meet on a call from the Chairman for the purpose of advising and assisting in the development of policy and programs for the maximum effectiveness of administrative services throughout the Department.

Dated and effective January 2, 1974.

HENRY B. TURNER,  
Assistant Secretary  
for Administration.

[FR Doc.74-2063 Filed 1-24-74;8:45 am]

**DEPARTMENT OF HEALTH,  
EDUCATION, AND WELFARE**

**National Institutes of Health**

**ANIMAL RESOURCES ADVISORY  
COMMITTEE**

**Notice of Meeting**

Pursuant to Pub. L. 92-463, notice is hereby given of the meeting of the Animal Resources Advisory Committee, Division of Research Resources, on February 4-5, 1974, at 9:00 a.m., National Institutes of Health, Building 31, Conference Room 2. The meeting will be open to the public on February 4 from 9:00 a.m. to 10:30 a.m., during which there will be a brief staff presentation on the current status of the Animal Resources Program. Information relating to the NIH Research Manpower Development Program in Laboratory Animal Medicine will be distributed and discussed. The Committee will select future meeting dates. The meeting will be closed to the public from 10:30 a.m. to 5:00 p.m. on February 4 and from 9:00 a.m. to 5:00 p.m. on February 5 to review, discuss, and evaluate and/or rank grant applications in accordance with provisions set forth in section 552(b) 4 of Title 5 U.S. Code for grants and section 10(d) of Pub. L. 92-463. Attendance by the public will be limited to space available.

The Information Officer who will furnish summaries of the meeting and rosters of Committee members is Mr. James Augustine, Division of Research

Resources, Building 31, Room 5B39, Bethesda, Maryland 20014, 496-5545.

The Executive Secretary from whom substantive program information may be obtained is Dr. John E. Holman, Building 31, Room 5B35, Bethesda, Maryland 20014, 496-5507.

Dated: January 14, 1974.

JOHN F. SHERMAN,  
Deputy Director,  
National Institutes of Health.

(Catalog of Federal Domestic Assistance Program Nos. 13.306, 13.367, 13.368, National Institutes of Health.)

[FR Doc.74-2091 Filed 1-24-74; 8:45 am]

### BREAST CANCER VIRUS WORKING GROUP

#### Notice of Meeting

Pursuant to Pub. L. 92-463, notice is hereby given of the meeting of the Breast Cancer Virus Working Group, National Cancer Institute, February 3, 1974, 9:00 a.m., Denver Hilton Hotel, Denver, Colorado. This meeting will be open to the public from 9:00 a.m. to 11:00 a.m., February 3, 1974, to discuss an up-dating and refinement of the priorities and direction of the Breast Cancer Virus Segment, and closed to the public from 11:00 a.m. to 5:00 p.m., February 3, 1974, for the review of approximately three contracts and five letters of interest in the field of breast cancer research in accordance with the provisions set forth in section 552(b)4 of Title 5 U.S. Code and 10(d) of Pub. L. 92-463. Attendance by the public will be limited to space available.

Mr. Frank Karel, Associate Director for Public Affairs, NCI, Building 31, Room 10A31, National Institutes of Health, Bethesda, Maryland 20014 (301/496-1911) will furnish summaries of the open/closed meeting and roster of committee members.

Dr. Ernest J. Plata, Executive Secretary, Landow Building, Room C-315, National Institutes of Health, Bethesda, Maryland 20014 (301/496-6178) will provide substantive program information.

(Catalog of Federal Domestic Assistance Program No. 13.825, National Institutes of Health.)

Dated: January 14, 1974.

JOHN F. SHERMAN,  
Deputy Director,  
National Institutes of Health.

[FR Doc.74-2089 Filed 1-24-74; 8:45 am]

### CANCER CONTROL TREATMENT AND REHABILITATION REVIEW COMMITTEE

#### Notice of Meeting

Pursuant to Pub. L. 92-463, notice is hereby given of the meeting of the Cancer Control Treatment and Rehabilitation Review Committee, National Cancer Institute, February 11-12, 1974, 8:30 a.m. to 5:00 p.m. on both days, National Institutes of Health, Building 31, Conference Room #2. This meeting will be open to the public from 8:30 a.m. to 9:30 a.m., February 11, 1974, to discuss the activities of the Cancer Control Treatment and Rehabilitation Branches. Attendance by the public will be limited to

space available. The meeting will be closed to the public from 9:30 a.m. to 5:00 p.m. on February 11, 1974 and 8:30 a.m. to 5:00 p.m. on February 12, 1974, to review contracts in the field of cancer treatment in accordance with the provisions set forth in section 552(b)4 of Title 5 U.S. Code and 10(d) of Pub. L. 92-463.

Mr. Frank Karel, Associate Director for Public Affairs, NCI, Building 31, Room 10A31, National Institutes of Health, Bethesda, Maryland 20014 (301/496-1911) will furnish summaries of the open/closed meeting and roster of committee members.

Dr. Joseph W. Cullen, Executive Secretary, Building 31, Room 4B36, National Institutes of Health, Bethesda, Maryland 20014 (301/496-1505) will provide substantive program information.

(Catalog of Federal Domestic Assistance Program No. 13.825, National Institutes of Health.)

Dated: January 17, 1974.

JOHN F. SHERMAN,  
Deputy Director,  
National Institutes of Health.

[FR Doc.74-2105 Filed 1-24-74; 8:45 am]

### CANCER RESEARCH CENTER REVIEW COMMITTEE

#### Notice of Meeting

Pursuant to Public Law 92-463, notice is hereby given of the meeting of the Cancer Research Center Review Committee, February 8-9, 1974, 8:30 a.m., National Institutes of Health, Building 31, Conference Room 6. This meeting will be open to the public from 8:30 a.m. to 9:30 a.m., February 8, 1974 to discuss procedures to be followed in review of applications, assignment of applications to Cancer Research Center Review Committee and to Cancer Special Program Advisory Committee, and report of Executive Committee, and closed to the public from 9:30 a.m., February 9, 1974, until adjournment on February 9, 1974, to discuss and review grant applications in accordance with the provisions forth in section 552(b)4 of Title 5 U.S. Code and 10(d) of P.L. 92-463. Attendance by the public will be limited to space available.

Mr. Frank Karel, Associate Director for Public Affairs, NCI, Building 31, Room 10A31, National Institutes of Health, Bethesda, Maryland 20014 (301/496-1911) will furnish summaries of the open/closed meeting and roster of committee members.

Robert L. Manning, Ph.D., Executive Secretary, Westwood Building, Room 820, National Institutes of Health, Bethesda, Maryland 20014 (301/496-7721) will provide substantive program information.

(Catalog of Federal Domestic Assistance Program No. 13.312 and 13.392, National Institutes of Health.)

Dated: January 17, 1974.

JOHN F. SHERMAN,  
Deputy Director,  
National Institutes of Health.

[FR Doc.74-2115 Filed 1-24-74; 8:45 am]

### CANCER RESEARCH CENTER REVIEW COMMITTEE'S, EXECUTIVE COMMITTEE

#### Notice of Meeting

Pursuant to Pub. L. 92-463, notice is hereby given of the meeting of the Cancer Research Center Review Committee's Executive Committee, February 7, 1974, 9:00 a.m., Holiday Inn, Bethesda, Maryland, New Jersey Room. This meeting will be open to the public from 9:00 a.m. to 12:00 noon, February 7, 1974, to discuss interpretation and implementation of the National Cancer Advisory Board recommendations concerning Comprehensive Centers and to plan a workshop and closed to the public from 12:00 noon to 4:00 p.m., February 7, 1974, to discuss and review grant applications, in accordance with the provisions set forth in section 552(b)4 of Title 5 U.S. Code and 10(d) of Pub. L. 92-463. Attendance by the public will be limited to space available.

Mr. Frank Karel, Associate Director for Public Affairs, NCI, Building 31, Room 10A31, National Institutes of Health, Bethesda, Maryland 20014 (301/496-1911) will furnish summaries of the open/closed meeting and roster of committee members.

Dr. Robert L. Manning, Executive Secretary, Westwood Building, Room 820, National Institutes of Health, Bethesda, Maryland 20014 (301/496-7721) will provide substantive program information.

(Catalog of Federal Domestic Assistance Program Nos. 13.312 and 13.314, National Institutes of Health.)

Dated: January 14, 1974.

JOHN F. SHERMAN,  
Deputy Director,  
National Institutes of Health.

[FR Doc.74-2090 Filed 1-24-74; 8:45 am]

### CANCER SPECIAL PROGRAM ADVISORY COMMITTEE

#### Notice of Meeting

Pursuant to Public Law 92-463, notice is hereby given of the meeting of the Cancer Special Program Advisory Committee, February 15-16, 1974, 8:30 a.m., National Institutes of Health, Building 31, Conference Room 8. This meeting will be open to the public from 8:30 a.m. to 9:30 a.m., February 15, 1974, to discuss procedures to be followed in review of applications, assignment of applications to the Cancer Special Program Advisory Committee and to the Cancer Research Center Review Committee. Attendance by the public will be limited to space available. The meeting will be closed to the public from 9:30 a.m., February 15, 1974, until adjournment and all day February 16, 1974, for the discussion and review of approximately 16 grants in the field of cancer research, in accordance with the provisions set forth in section 552(b)4 of Title 5 United States Code, and section 10(d) of P.L. 92-463.

Mr. Frank Karel, Associate Director for Public Affairs, NCI, Building 31, Room 10A31, National Institutes of Health, Bethesda, Maryland 20014 (301/496-1911) will furnish summaries of the

open/closed meeting and roster of committee members.

K. C. Potter, D.D.S., Executive Secretary, Westwood Building, Room 848, National Institutes of Health, Bethesda, Maryland 20014 (301/496-7565) will provide substantive program information.

(Catalog of Federal Domestic Assistance Program No. 13.312, National Institutes of Health.)

Dated: January 17, 1974.

JOHN F. SHERMAN,  
Deputy Director,  
National Institutes of Health.

[FR Doc.74-2116 Filed 1-24-74;8:45 am]

### COMBINED MODALITY THERAPY OF CANCER

#### Notice of Symposium

Pursuant to Pub. L. 92-463, notice is hereby given of a Symposium on Combined Modality Therapy of Cancer sponsored by the Cancer Clinical Investigation Review Committee, National Cancer Institute. It will be held February 7-9, 1974 at the Denver Hilton Hotel, Denver, Colorado. The purpose of the meeting is to acquaint physicians with recent developments in the treatment of cancer using various combinations of surgery, radiotherapy, and chemotherapy. The meeting is open to the public, and attendance by the public will be limited to space available.

Mr. Frank Karel, Associate Director for Public Affairs, NCI, Building 31, Room 10A31, National Institutes of Health, Bethesda, Maryland 20014 (301/496-1911) will furnish a roster of committee members.

Dr. John Lane, Executive Secretary, Cancer Clinical Investigation Review Committee, Westwood Building, Room 10A11, National Institutes of Health, Bethesda, Maryland 20014 (301/496-7903) will provide a program of the meeting.

Dated: January 11, 1974.

ROBERT S. STONE,  
Director,  
National Institutes of Health.

[FR Doc.74-2093 Filed 1-24-74;8:45 am]

### COMMITTEE ON CANCER IMMUNOTHERAPY

#### Notice of Meeting

Pursuant to Pub. L. 92-463, notice is hereby given of the meeting of the Committee on Cancer Immunotherapy, Thursday, February 7, 1974, from 11:00 a.m. to 1:00 p.m., National Institutes of Health, Building 10, Room 4B-17, Bethesda, Maryland. The meeting will be closed to the public to discuss and review contract proposals in the field of cancer immunotherapy, in accordance with the provisions set forth in section 552(b) 4 of Title 5 U.S. Code, and section 10(d) of Pub. L. 92-463.

Mr. Frank Karel, Associate Director for Public Affairs, NCI, Building 31, Room 10A31, National Institutes of Health, Bethesda, Maryland 20014

(301/496-1911) will furnish summaries of the closed meeting and roster of committee members.

Dorothy Windhorst, M.D., Executive Secretary, Building 10, Room 4B-17, National Institutes of Health, Bethesda, Maryland 20014 (301/496-1791) will provide substantive program information. Catalog of Federal Domestic Assistance Program No. 13.825, National Institutes of Health.

Dated: January 14, 1974.

JOHN F. SHERMAN,  
Deputy Director,  
National Institutes of Health.

[FR Doc.74-2088 Filed 1-24-74;8:45 am]

### DENTAL CARIES PROGRAM ADVISORY COMMITTEE

#### Notice of Meeting

Pursuant to Pub. L. 92-463, notice is hereby given of the meeting of the Dental Caries Program Advisory Committee, National Institute of Dental Research, February 19-20, 1974, National Institutes of Health, Building 31-C, Conference Room 7. This meeting will be open to the public from 9:00 a.m. to 5:00 p.m. on February 19, and from 9:00 a.m. to 1:30 p.m. on February 20 to discuss research progress and research plans for the remainder of FY 1974 and for FY 1975. Attendance by the public will be limited to space available. The Executive Secretary from whom substantive program information may be obtained is: Dr. James P. Carlos, Associate Director, National Caries Program, National Institute of Dental Research, National Institutes of Health, Westwood Building, Room 528, Bethesda, Maryland 20014.

Dated: January 17, 1974.

JOHN F. SHERMAN,  
Deputy Director,  
National Institutes of Health.

(Catalog of Federal Domestic Assistance Program No. 13.825 and 13.827 National Institutes of Health.)

[FR Doc.74-2100 Filed 1-24-74;8:45 am]

### DENTAL RESEARCH INSTITUTES AND SPECIAL PROGRAMS ADVISORY COMMITTEE

#### Notice of Establishment

Pursuant to the Federal Advisory Committee Act of October 6, 1972 (Pub. L. 92-463), the National Institutes of Health announces the establishment by the Secretary, DHEW, on December 26, 1973, of the following Public Advisory Committee:

*Designation.* Dental Research Institutes and Special Programs Advisory Committee.

*Purpose.* The Committee will advise the Secretary, DHEW; the Director, National Institute of Dental Research; and the National Advisory Dental Research Council on general policy and procedure as related to special grant programs, particularly dental research institutes. The Committee will consider

and review long-range planning and broad program objectives, and evaluate progress of ongoing programs. The Committee shall provide scientific and program merit review of applications for support of dental research institutes and other special grant programs and make recommendations to the National Advisory Dental Research Council.

Authority for this Committee will expire December 26, 1975, unless the Secretary, DHEW, formally determines that continuance is in the public interest.

Dated: January 14, 1974.

ROBERT S. STONE,  
Director,  
National Institutes of Health.

[FR Doc.74-2094 Filed 1-24-74;8:45 am]

### DEVELOPMENTAL RESEARCH WORKING GROUP

#### Notice of Meeting

Pursuant to Pub. L. 92-463, notice is hereby given of the meeting of the Developmental Research Working Group, National Cancer Institute, February 14 and 15, 1974, at 1:00 p.m., at Life Sciences Research Laboratories Conference Room in St. Petersburg, Florida. This meeting will be open to the public from 1:00 p.m. to 1:30 p.m., February 14, 1974, to discuss Developmental Research Segment program objectives and conduct management practices and closed to the public from 1:30 p.m., February 14, 1974, to adjournment, February 15, 1974, to review eight contract proposals in accordance with the provisions set forth in section 552(b)4 of Title 5 U.S. Code and 10(d) of Pub. L. 92-463. Attendance by the public will be limited to space available.

Mr. Frank Karel, Associate Director for Public Affairs, NCI, Building 31, Room 10A31, National Institutes of Health, Bethesda, Maryland 20014 (301/496-1911) will furnish summaries of the open/closed meeting and roster of committee members.

Dr. Maurice L. Guss, Executive Secretary, Building 37, Room 1B-14, National Institutes of Health, Bethesda, Maryland 20014 (301/496-3323) will provide substantive program information.

(Catalog of Federal Domestic Assistance Program No. 13.825, National Institutes of Health.)

Dated: January 17, 1974.

JOHN F. SHERMAN,  
Deputy Director,  
National Institutes of Health.

[FR Doc.74-2103 Filed 1-24-74;8:45 am]

### DIAGNOSTIC RESEARCH ADVISORY GROUP

#### Notice of Meeting

Pursuant to Pub. L. 92-463, notice is hereby given of the meeting of the Diagnostic Research Advisory Group, National Cancer Institute, February 21-22, 1974, 9 a.m. to 5 p.m., National Institutes of Health, Building 31C, Conference

Room 10. This meeting will be open to the public from 9 a.m. to 10:45 a.m., February 21, to approve the minutes of the meeting of December 13, 1973; to review forthcoming meetings, and to consider any new projects that may be presented. Attendance by the public will be limited to space available. The meeting will be closed to the public from 10:45 a.m. to 5 p.m. on February 21, and from 9 a.m. to 5 p.m. on February 22, for the discussion and review of research contract proposals, in accordance with the provisions set forth in section 552(b) 4 of Title 5 U.S. Code, and section 10(d) of Pub. L. 92-463.

Mr. Frank Karel, Associate Director for Public Affairs, NCI, Building 31, Room 10A31, National Institutes of Health, Bethesda, Maryland 20014 (301/496-1911) will furnish summaries of the open/closed meeting and roster of committee members.

Dr. Irvin C. Plough, Executive Secretary, Building 31, Room 3A04, National Institutes of Health, Bethesda, Maryland 20014 (301/496-1591) will provide substantive program information.

(Catalog of Federal Domestic Assistance Program No. 13.825, National Institutes of Health.)

Dated: January 17, 1974.

JOHN F. SHERMAN,  
Deputy Director,  
National Institutes of Health.

[FR Doc.74-2106 Filed 1-24-74;8:45 am]

#### HEART AND LUNG PROGRAM PROJECT COMMITTEE

##### Notice of Meeting

Pursuant to Pub. L. 92-463, notice is hereby given of the meeting of the Heart and Lung Program Project Committee, National Heart and Lung Institute, February 1-2, 1974, 8:30 a.m., National Institutes of Health, Building 31, Conference Room 9. This meeting will be open to the public from 8:30 a.m. to 9:30 a.m., February 1, 1974, to discuss administrative and program details; and closed to the public from 10:00 a.m., February 1, 1974 until the adjournment on February 2, 1974 to review grant applications, in accordance with the provisions set forth in section 552(b) 4 of Title 5 U.S. Code and 10(d) of Pub. L. 92-463. Attendance by the public will be limited to space available.

Mr. Hugh Jackson, Information Officer, NHLI, NIH Landow Building, Room C918, phone 496-4236, will furnish summaries of the meeting and rosters of the committee members. Substantive information may also be obtained from the Executive Secretary, Dr. Arthur W. Merrick, NHLI, NIH Westwood Building, Room 655, phone 496-7351.

Dated: January 14, 1974.

JOHN F. SHERMAN,  
Deputy Director,  
National Institutes of Health.

(Catalog of Federal Domestic Assistance Program No. 13.346, National Institutes of Health.)

[FR Doc.74-2092 Filed 1-24-74;8:45 am]

#### IMMUNOLOGY—EPIDEMIOLOGY WORKING GROUP

##### Notice of Meeting

Pursuant to Pub. L. 92-463, notice is hereby given of the meeting of the Immunology-Epidemiology Working Group, National Cancer Institute, February 14, 1974, 8:30 a.m., National Institutes of Health, Building 31, Conference Room 8. This meeting will be open to the public from 8:30 a.m. to 9:30 a.m., February 14, 1974, to discuss future plans of the Immunology-Epidemiology Segment, and closed to the public from 9:30 a.m. to 5:00 p.m., February 14, 1974, to review approximately six contracts in the field of Immunology and epidemiology in accordance with the provisions set forth in section 552(b) 4 of Title 5 U.S. Code and 10(d) of Pub. L. 92-463. Attendance by the public will be limited to space available.

Mr. Frank Karel, Associate Director for Public Affairs, NCI Building 31, Room 10A31, National Institutes of Health, Bethesda, Maryland 20014 (301/496-1911) will furnish summaries of the open/closed meeting and roster of committee members.

Dr. Clarice Gaylord, Executive Secretary, Landow Building, Room C-306, National Institutes of Health, Bethesda, Maryland 20014 (301/496-6085) will provide substantive program information.

(Catalog of Federal Domestic Assistance Program No. 13.825, National Institutes of Health.)

Dated: January 17, 1974.

JOHN F. SHERMAN,  
Deputy Director,  
National Institutes of Health.

[FR Doc.74-2104 Filed 1-24-74;8:45 am]

#### MAMMALIAN MUTANT CELL LINES COMMITTEE

##### Notice of Meeting

Pursuant to Pub. L. 92-463, notice is hereby given of the meeting of the Mammalian Mutant Cell Lines Committee, National Institute of General Medical Sciences, March 11, 1974, 9 a.m., at the Institute for Medical Research, Camden, New Jersey. This meeting will be open to the public from 9 a.m. to 2 p.m., March 11, 1974, for opening remarks and general discussion on the storage and distribution of biochemical mutant and chromosomally abnormal cell lines, and closed to the public from 2 p.m. to 4 p.m., March 11, 1974, to review, discuss, and evaluate a contract in accordance with the provisions set forth in section 552(b) 4 of Title 5 U.S. Code for grants and contracts and 10(d) of Pub. L. 92-463. Attendance by the public will be limited to space available.

Mr. Paul Deming, Staff Assistant to the Director, NIGMS, Building 31, Room 4A46, Bethesda, Maryland 20014, Telephone: 301, 496-5676, will furnish summary minutes of the meeting and a roster of committee members.

Substantive program information may be obtained from Dr. Fred H. Bergmann, Executive Secretary, Westwood Building, Room 918, Bethesda, Maryland 20014, Telephone: 301, 496-7087.

Dated: January 17, 1974.

JOHN F. SHERMAN,  
Deputy Director,  
National Institutes of Health.

(Catalog of Federal Domestic Assistance Program No. 13.335, General Medical Sciences-Research Grants)

[FR Doc.74-2107 Filed 1-24-74;8:45 am]

#### MATERNAL AND CHILD HEALTH RESEARCH COMMITTEE

##### Notice of Meeting

Pursuant to Pub. L. 92-463, notice is hereby given of the meeting of the Maternal and Child Health Research Committee of the National Institute of Child Health and Human Development, February 13, 1974, at 9 a.m., National Institutes of Health, Landow Building, Room C-418. This meeting will be open to the public from 9 a.m. to 11 a.m., February 13, to discuss general business of the Committee and reports from the Acting Associate Director for Extramural Programs, Program Director of the Perinatal Biology and Infant Mortality Branch, and the Executive Secretary of the Committee. The meeting will be closed to the public from 11 a.m. to 5 p.m., February 13, to review grant applications in accordance with the provisions set forth in section 552(b) 4 of Title 5 U.S. Code and 10(d) of Pub. L. 92-463. Attendance by the public will be limited to space available.

Ms. Patricia Newman, Information Officer, NICHD, Landow Building, Room A-804B, National Institutes of Health, 496-5133, will furnish summaries of the meeting and rosters of the committee members. Substantive information may also be obtained from Dr. Patsy Sampson, Executive Secretary of the Committee, Room C-717, Landow Building, National Institutes of Health, 496-5575.

Dated: January 17, 1974.

JOHN F. SHERMAN,  
Deputy Director,  
National Institutes of Health.

(Catalog of Federal Domestic Assistance Program 13.317, National Institutes of Health.)

[FR Doc.74-2114 Filed 1-24-74;8:45 am]

#### MENTAL RETARDATION RESEARCH COMMITTEE

##### Notice of Meeting

Pursuant to Pub. L. 92-463, notice is hereby given of the meeting of the Mental Retardation Research Committee, National Institute of Child Health and Human Development, February 10-12, 1974, at 8:00 p.m., National Institutes of Health, Landow Building, Room C-418. This meeting will be open to the public from 8:00 p.m. to 10:00 p.m., February 10, to discuss items relative to the committee's activities including announcements by the Head of the Mental Retardation Branch and the Executive Secretary of the Committee. The meeting will be closed to the public from 8:30 a.m. to 5:00 p.m., February 11 and 8:30 a.m. to 5:00 p.m., February 12, to review grant applications in accordance with

the provisions set forth in section 552 (b) 4 of Title 5 U.S. Code and 10(d) of Pub. L. 92-463. Attendance by the public will be limited to space available.

Ms. Patricia Newman, Information Officer, NICHD, Landow Building, Room A-804B, National Institutes of Health, 496-5133, will furnish summaries of the meeting and rosters of the committee members. Substantive information may also be obtained from Dr. Lyle Lloyd, Executive Secretary of the Committee, Room C-704A, Landow Building, National Institutes of Health, 496-1383.

Dated: January 17, 1974.

JOHN F. SHERMAN,  
Deputy Director,  
National Institutes of Health.

(Catalog of Federal Domestic Assistance Program No. 13.317, National Institutes of Health.)

[FR Doc. 74-2095 Filed 1-24-74; 8:45 am]

#### NANDS COUNCIL RESEARCH SUBCOMMITTEE

##### Notice of Meeting

Pursuant to Public Law 92-463, notice is hereby given of the meeting of the NANDS Council Research Subcommittee, March 7, 1974, at 8:30 a.m. in the Connecticut Room, Holiday Inn, 8120 Wisconsin Avenue, Bethesda, Maryland. The meeting will be open to the public from 8:30 a.m. to 10:30 a.m. on March 7, 1974, to discuss program planning and program accomplishments and closed to the public from 10:30 a.m., March 7, 1974, until the conclusion of the meeting to review, discuss and evaluate and/or rank research grant applications in accordance with the provisions set forth in section 552(b) 4 of Title V, U.S. Code and section 10(d) of P.L. 92-463. Attendance by the public will be limited to space available.

1. The Institute Information Officer who will furnish summaries of the meeting and rosters of committee members is: Mrs. Ruth Dudley, Building 31, Room 8A03, phone: 496-5751.

2. The Executive Secretary from whom substantive program information may be obtained is: Dr. O. Malcolm Ray, Room 7A18A, Westwood Building, NIH, phone: 496-7220.

Dated: January 17, 1974.

JOHN F. SHERMAN,  
Deputy Director,  
National Institutes of Health.

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

[FR Doc. 74-2109 Filed 1-24-74; 8:45 am]

#### NATIONAL ADVISORY DENTAL RESEARCH COUNCIL

##### Notice of Meeting

Pursuant to Pub. L. 92-463, notice is hereby given of the meeting of the National Advisory Dental Research Council, National Institute of Dental Research,

March 11-12, 1974, National Institutes of Health, Building 31-C, Conference Room 8. This meeting will be open to the public from 9:30 a.m. to 12:30 p.m. on March 11 for general discussion and program presentations. The meeting will be closed to the public from 1:30 p.m. to adjournment on March 11 and from 8:00 a.m. to adjournment on March 12, to review grants in accordance with the provisions set forth in section 552(b) 4 of Title 5 U.S. Code and section 10(d) of Pub. L. 92-463. Attendance by the public will be limited to space available. The Executive Secretary from whom substantive information may be obtained is Dr. Clair L. Gardner, Associate Director for Extramural Programs, National Institute of Dental Research, National Institutes of Health, Westwood Building, Room 503, Bethesda, Maryland 20014.

Dated: January 17, 1974.

JOHN F. SHERMAN,  
Deputy Director,  
National Institutes of Health.

(Catalog of Federal Domestic Assistance Program No. 13.325, National Institutes of Health.)

[FR Doc. 74-2108 Filed 1-24-74; 8:45 am]

#### NATIONAL ADVISORY GENERAL MEDICAL SCIENCES COUNCIL

##### Notice of Meeting

Pursuant to Public Law 92-463, notice is hereby given of the meeting of the National Advisory General Medical Sciences Council, National Institute of General Medical Sciences, March 28-29, 1974, 9 a.m., National Institutes of Health, Building 31C, Conference Room 6. This meeting will be open to the public from 9 a.m. to 5 p.m., March 28 for opening remarks; report from the Office of the Director, NIH; Genetics Program Review; presentation and discussion of current issues; and other business. It will be closed to the public from 9 a.m. to 1 p.m. on March 29, to review grants in accordance with the provisions set forth in section 552(b) 4 of Title 5 U.S. Code for grants and contracts and 10(d) of P.L. 92-463. Attendance by the public will be limited to space available. Mr. Paul Deming, Staff Assistant to the Director, NIGMS, Building 31, Room 4A46, Bethesda, Maryland 20014, Telephone: 301, 496-5676 will furnish a summary of the meeting and a roster of council members. Substantive program information may be obtained from Dr. DeWitt Stetten, Jr., Executive Secretary, Building 31, Room 4A52, Telephone: 301, 496-5231.

Dated: January 17, 1974.

JOHN F. SHERMAN,  
Deputy Director,  
National Institutes of Health.

(Catalog of Federal Domestic Assistance Program No. 13.335, General Medical Sciences-Research Grants)

[FR Doc. 74-2112 Filed 1-24-74; 8:45 am]

#### NATIONAL ADVISORY NEUROLOGICAL DISEASES AND STROKE COUNCIL

##### Notice of Meeting

Pursuant to Public Law 92-463, notice is hereby given of the meeting of the National Advisory Neurological Diseases and Stroke Council, March 21, 22, and 23, 1974, at 9 a.m., in Conference Room 9, Building 31-C, National Institutes of Health, Bethesda, Maryland. This meeting will be open to the public on March 21, 1974, from 9 a.m. until 1:30 p.m. and on March 22, 1974, from 1:30 p.m. until the conclusion of the meeting, to discuss program planning and program accomplishments and closed to the public from 1:30 p.m. on March 21, 1974, until 1:30 p.m. on March 22, 1974, to review, discuss and evaluate and/or rank research grant applications in accordance with the provisions set forth in section 552(b) 4 of Title V, U.S. Code and section 10(d) of Pub. L. 92-463. Attendance by the public will be limited to space available.

1. The Institute Information Officer who will furnish summaries of the meeting and rosters of committee members is: Mrs. Ruth Dudley, Building 31, Room 8A03, phone: 496-5751.

2. The Executive Secretary from whom substantive program information may be obtained is: Dr. Murray Goldstein, Room 757, Westwood Building, NIH, phone: 496-7705.

Dated: January 17, 1974.

JOHN F. SHERMAN,  
Deputy Director,  
National Institutes of Health.

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

[FR Doc. 74-2110 Filed 1-24-74; 8:45 am]

#### NATIONAL ADVISORY RESEARCH RESOURCES COUNCIL

##### Notice of Meeting

Pursuant to Public Law 92-463, notice is hereby given of the meeting of the National Advisory Research Resources Council, Division of Research Resources, March 14-15, 1974, National Institutes of Health, Building 31, Conference Room 9, at 9 a.m. This meeting will be open to the public on March 14 from 9 a.m. to 2:30 p.m. to discuss Council business; hear reports of the Director and Assistant Director, DRR; presentation of an assessment of biomedical research resource needs of a large, state university without a medical school; assessment of the animal resource program needs of major institutions; review of the Biotechnology Resources Program; and, discussion of future of the General Research Support Program. The meeting will be closed to the public on March 14 from 2:30 p.m. to recess and on March 15 from 9 a.m. to adjournment for the review of grant applications in accordance with provisions set forth in section 552 (b) 4 of Title 5 U.S. Code for grants and section 10(d) of Public Law 92-463. At-

tendance by the public is limited to space available.

The Information Officer who will furnish summaries of the meeting and rosters of Council members is Mr. James Augustine, Division of Research Resources, Building 31, Room 5B39, Bethesda, Maryland 20014, 496-5545.

The Executive Secretary from whom substantive information may be obtained is Dr. James F. O'Donnell, Assistant Director, Division of Research Resources, Building 31, Room 5B05, Bethesda, Maryland 20014, 496-1817.

Dated January 17, 1974.

(Catalog of Federal Domestic Assistance Program Nos. 13.306, 13.367, 13.368, 13.333, 13.375, National Institutes of Health.)

JOHN F. SHERMAN,  
Deputy Director,  
National Institutes of Health.

[FR Doc.74-2111 Filed 1-24-74;8:45 am]

#### NATIONAL HEART AND LUNG INSTITUTE BOARD OF SCIENTIFIC COUNSELORS

##### Notice of Meeting

Pursuant to Pub. L. 92-463, notice is hereby given of the meeting of the National Heart and Lung Institute Board of Scientific Counselors, February 15 and 16, 1974, at 9:00 a.m., National Institutes of Health, Building 10, Room 7N214. This meeting will be open to the public, and attendance by the public will be limited to space available.

Mr. Hugh Jackson, Information Officer, NHLI, NIH, Landow Bldg., Room C918, 496-4236, will furnish summaries of the meeting and rosters of the Board members. Substantive information may be obtained from Dr. Donald S. Fredrickson, NHLI, NIH Building 10, Rm. 7N214, 496-2116.

Dated: January 17, 1974.

JOHN F. SHERMAN,  
Deputy Director,  
National Institutes of Health.

[FR Doc.74-2099 Filed 1-24-74;8:45 am]

#### ADULT DEVELOPMENT AND AGING RESEARCH COMMITTEE

##### Notice of Meeting

Pursuant to Public Law 92-463, notice is hereby given of the meeting of the Adult Development and Aging Research Committee, National Institute of Child Health and Human Development, February 7, 1974, at 9 a.m., National Institutes of Health, Building 31-C, Conference Room 8. This meeting will be open to the public from 9 a.m. to 9:30 a.m., February 7, to discuss reviewing the policy. The meeting will be closed to the public from 9:30 a.m. to 5 p.m., February 7 to review grant applications in accordance with the provisions set forth in section 552(b)4 of Title 5, U.S. Code, and 10(d) of P.L. 92-463. Attendance by the public will be limited to space available.

Ms. Patricia Newman, Information Officer, NICHD, Landow Building, Room

A-804B, National Institutes of Health, 496-5133, will furnish summaries of the meeting and rosters of the committee members. Substantive information may also be obtained from Dr. Walter Spieth, Executive Secretary of the Committee, Room A-710, Landow Building, National Institutes of Health, 496-1033.

Dated: January 17, 1974.

JOHN F. SHERMAN,  
Deputy Director,  
National Institutes of Health.

(Catalog of Federal Domestic Assistance Program No. 13.317, National Institutes of Health.)

[FR Doc.14-2113 Filed 1-24-74;8:45 am]

#### PERIODONTAL DISEASE ADVISORY COMMITTEE

##### Notice of Meeting

Pursuant to Pub. L. 92-463, notice is hereby given of the meeting of the Periodontal Diseases Advisory Committee, National Institute of Dental Research, February 27, 1974, National Institutes of Health, Building 31-C, Conference Room 9. This meeting will be open to the public from 9:00 a.m. to 5:00 p.m. on February 27, to discuss research progress and research plans in periodontal disease with special reference to the breakdown of connective tissues. Attendance by the public will be limited to space available. The Executive Secretary from whom substantive program information may be obtained is: Dr. Anthony A. Rizzo, Scientist-Administrator, Extramural Programs, National Institute of Dental Research, National Institutes of Health, Westwood Building, Room 521, Bethesda, Maryland 20014.

Dated: January 17, 1974.

JOHN F. SHERMAN,  
Deputy Director,  
National Institutes of Health.

(Catalog of Federal Domestic Assistance Program Nos. 13.325 and 13.827 National Institutes of Health.)

[FR Doc.74-2098 Filed 1-24-74;8:45 am]

#### PRESIDENT'S CANCER PANEL

##### Notice of Meeting

Pursuant to Pub. L. 92-463, notice is hereby given of the meeting of the President's Cancer Panel, National Cancer Institute, February 14, 1974, 9:30 a.m. to adjournment, National Institutes of Health, Building 31, Conference Room 2. This meeting will be open to the public from 9:30 a.m. to adjournment for a report from the Chairman, President's Cancer Panel and a report from the Director, National Cancer Institute. Attendance by the public will be limited to space available.

Mr. Frank Karel, Associate Director for Public Affairs, NCI, Building 31, Room 10A31, National Institutes of Health, Bethesda, Maryland 20014 (301/496-1911) will furnish summaries of the open meeting and roster of committee members.

Dr. Richard A. Tjalma, Executive Secretary, Building 31, Room 11A46, National Institutes of Health, Bethesda, Maryland 20014 (301/496-5854) will provide substantive program information.

Dated: January 17, 1974.

JOHN F. SHERMAN,  
Deputy Director,  
National Institutes of Health.  
[FR Doc.74-2096 Filed 1-24-74;8:45 am]

#### SOLID TUMOR VIRUS WORKING GROUP

##### Notice of Meeting

Pursuant to Pub. L. 92-463, notice is hereby given of the meeting of the Solid Tumor Virus Working Group, National Cancer Institute, February 20, 1974, 9:00 a.m., National Institutes of Health, Building 37, Conference Room 1B04. This meeting will be open to the public from 9:00 a.m. to 9:30 a.m., February 20, 1974, for the Chairman's opening remarks, and closed to the public from 9:30 a.m. to 5:00 p.m., February 20, 1974, to review contracts in accordance with the provisions set forth section 552(b) (4) of Title 5 United States Code and 10(d) of Pub. L. 92-463. Attendance by the public will be limited to space available.

Mr. Frank Karel, Associate Director for Public Affairs, NCI, Building 31, Room 10A31, National Institutes of Health, Bethesda, Maryland 20014 (301/496-1911) will furnish summaries of the open/closed meeting and roster of committee members.

Ms. Harriet Streicher, Executive Secretary, Building 37, Room 2D24, National Institutes of Health, Bethesda, Maryland 20014 (301/496-3301) will provide substantive program information.

(Catalog of Federal Domestic Assistance Program No. 13.825, National Institutes of Health.)

Dated: January 17, 1974.

JOHN F. SHERMAN,  
Deputy Director,  
National Institutes of Health.

[FR Doc.74-2101 Filed 1-24-74;8:45 am]

#### TUMOR VIRUS DETECTION WORKING GROUP

##### Notice of Meeting

Pursuant to Pub. L. 92-463, notice is hereby given of the meeting of the Tumor Virus Detection Working Group, National Cancer Institute, February 13, 1974, 9:00 a.m. to adjournment, National Institutes of Health, Building 31, Conference Room 3. This meeting will be open to the public from 9:00 a.m. to adjournment. Attendance by the public will be limited to space available.

Mr. Frank Karel, Associate Director for Public Affairs, NCI, Building 31, Room 10A31, National Institutes of Health, Bethesda, Maryland 20014 (301/496-1911) will furnish summaries of the open meeting and roster of committee members.

Dr. Bernard Talbot, Vice-Chairman, Building 37, Room 1B26, National In-

stitutes of Health, Bethesda, Maryland 20014 (301/496-6135) will provide substantive program information.

Dated: January 17, 1974.

JOHN F. SHERMAN,  
Deputy Director,  
National Institutes of Health.

[FR Doc.74-2097 Filed 1-24-74;8:45 am]

#### TUMOR VIRUS DETECTION WORKING GROUP

##### Notice of Meeting

Pursuant to Pub. L. 92-463, notice is hereby given of the meeting of the Tumor Virus Detection Working Group, National Cancer Institute, February 13, 1974, 9 a.m., National Institutes of Health, Building 31, Conference Room 3. This meeting will be open to the public from 11 a.m. to 5 p.m., February 13, 1974, to discuss new approaches in tumor virus detection and closed to the public from 9 a.m. to 11 a.m., February 13, 1974, to review contracts in accordance with the provisions set forth in section 552(b) 4 of Title 5 U.S. Code and 10(d) of Pub. L. 92-463. Attendance by the public will be limited to space available.

Mr. Frank Karel, Associate Director for Public Affairs, NCI, Building 31, Room 10A31, National Institutes of Health, Bethesda, Maryland 20014 (301/496-1911) will furnish summaries of the open/closed meeting and roster of committee members.

Dr. Bernard Talbot, Vice-Chairman, Building 37, Room 1B26, National Institutes of Health, Bethesda, Maryland 20014 (301/496-6135) will provide substantive program information.

Dated: January 17, 1974.

JOHN F. SHERMAN,  
Deputy Director,  
National Institutes of Health.

(Catalog of Federal Domestic Assistance Program No. 13.825, National Institutes of Health.)

[FR Doc.74-2102 Filed 1-24-74;8:45 am]

#### Office of Education

#### INDIAN ELEMENTARY AND SECONDARY SCHOOL ASSISTANCE

##### Notice of Acceptance of Application and Closing Date

The Commissioner of Education hereby gives notice that, pursuant to the Indian Elementary and Secondary School Assistance Act (20 U.S.C. 241aa-241ff), as added by Title IV, Part A, of Public Law 92-318, applications for assistance are being accepted from local educational agencies for grants pursuant to section 305 of the Act for projects specially designed to meet the special educational needs of Indian children. This notice does not apply to agencies applying under section 303(b) (non-local educational agencies and local educational agencies under three years old).

Awards under the Act will be subject to the provisions of the Act and to the regulations published in 45 CFR Part

186, as amended by 45 CFR Part 100. Assistance under this program is subject to applicable provisions of Subchapter A of this chapter (45 CFR Part 100a, published at 38 FR 30654, 30662, November 6, 1973).

Criteria for the selection of applications under this program are contained in 45 CFR 100a.26(b) (38 FR 30664, November 6, 1973) and 45 CFR Part 186, Subpart B.

Application forms will be mailed to those local educational agencies determined to be eligible to apply for assistance under the Act on the basis of enrollment data obtained by the Commissioner including data obtained from the data collection survey distributed to Chief State School Officers on October 23, 1973. Applications also may be obtained from: William G. Demmert, Jr., Program Manager, Part A, U.S. Office of Education, Office of Indian Education, Room 426, Reporters Building, 7th and D Streets, S.W., Washington, D.C. 20202.

Completed applications for assistance pursuant to this notice should be submitted to: U.S. Office of Education, Application Control Center, Room 5673, Regional Office Building #3, 7th and D Streets, S.W., Washington, D.C. 20202 (mailing address: U.S. Office of Education, Application Control Center, 400 Maryland Avenue, S.W., Washington, D.C. 20202).

In order to allow sufficient time for the necessary processing and review of such applications (which are also subject to review by the National Advisory Council on Indian Education as provided for under the Act) and for the obligation of available funds prior to end of the current fiscal year, applications under the Act must be received by the Application Control Center by March 15, 1974.

An application sent by mail will be considered to be received on time by the application control center if:

(1) The application was sent by registered or certified mail not later than the fifth calendar day prior to the closing date (or if such fifth calendar day is a Saturday, Sunday, or Federal Holiday not later than the next following business day), as evidenced by the U.S. Postal Service postmark on the wrapper or envelope, or on the original receipt from the U.S. Postal Service; or

(2) The application is received on or before the closing date by either the Department of Health, Education, and Welfare or the U.S. Office of Education mailroom in Washington, D.C. (In establishing the date of receipt the Commissioner will rely on the time stamp of such mailrooms or other documentary evidence of receipt maintained by the Department of Health, Education, and Welfare, or the U.S. Office of Education).

Amounts which would be available pursuant to sections 303(a) and 307(a) of the Act to a local educational agency for the current fiscal year will, if such agency's application under the Act is not received by March 15, 1974, be subject to re-allocation pursuant to section 307(b) of the Act to other eligible local educational agencies which have submitted ap-

provable applications by that date (20 U.S.C. 241ff(b)).

(20 U.S.C. 241aa-241ff)

Dated: January 17, 1974.

JOHN OTTINA,  
U.S. Commissioner of Education.

[FR Doc.74-2053 Filed 1-24-74;8:45 am]

#### SCHOOL CONSTRUCTION ASSISTANCE

##### Notice of Cutoff Date for Receipt of Applications

Pursuant to the authority contained in Section 3 of Pub. L. 81-815 (school construction in areas affected by Federal activities; 72 Stat. 548, 20 U.S.C. 633) notice is hereby given that the U.S. Commissioner of Education has established a cutoff date for the receipt of Fiscal Year 1974 applications for assistance under sections 5, 8, 9, and 14 of Pub. L. 81-815. Such applications must be received from the State educational agencies in the appropriate Regional Offices of Education on or before April 26, 1974.

An application sent by mail will be considered to be received on time by the appropriate regional office if:

(1) The application was sent by registered or certified mail not later than the fifth calendar day prior to the closing date (or if such fifth calendar day is a Saturday, Sunday, or Federal Holiday, not later than the next following business day), as evidenced by the U.S. Postal Service postmark on the wrapper or envelope, or on the original receipt from the U.S. Postal Service; or

(2) The application is received on or before the closing date by either the Department of Health, Education, and Welfare, or the U.S. Office of Education mail rooms in the appropriate regional office. (In establishing the date of receipt, the Commissioner will rely on the time-date stamp of such mail rooms or other documentary evidence of receipt maintained by the Department of Health, Education, and Welfare, or the U.S. Office of Education.)

(20 U.S.C. 633)

(Catalog of Federal Domestic Program Assistance No. 13.477, School Construction Assistance)

Dated: January 21, 1974.

JOHN OTTINA,  
U.S. Commissioner of Education.

[FR Doc.74-2054 Filed 1-24-74;8:45 am]

#### DEPARTMENT OF TRANSPORTATION

Coast Guard

[CG 73-138N]

#### NATIONAL COMMITTEE FOR PREVENTION OF MARINE POLLUTION

##### Notice of Open Meeting

JANUARY 21, 1974.

This is to give notice pursuant to section 10(a) of the Federal Advisory Committee Act, Public Law 92-463, approved October 6, 1972, that the National Com-

mittee for Prevention of Marine Pollution will conduct an open meeting on Thursday, 21 February 1974, in room 7200, 400 Seventh St., SW., Washington, D.C., beginning at 10:00.

The summarized agenda for this meeting consists of:

To discuss the agenda for the Marine Environment Protection Committee of the Intergovernmental Maritime Consultative Organization (IMCO). The National Committee for Prevention of Marine Pollution was established by the Department of State to advise on the best information available to achieve the U.S. goal of complete elimination of willful discharge of oil (and noxious substances) by 1975, or the end of the decade at latest. Public members of the Committee serve voluntarily without compensation from the Federal Government, either travel or per diem.

Interested persons may seek additional information by writing:

Captain D. C. Hintze, USCG  
Chief, International Affairs Division (G-AIA/  
83)

U.S. Coast Guard  
Washington, D.C. 20590  
or calling (202) 426-2280.

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

[FR Doc. 74-2124 Filed 1-24-74; 8:45 am]

#### Federal Highway Administration ARKANSAS

##### Notice of Proposed Action Plan

The Arkansas State Highway Department has submitted to the Federal Highway Administration of the U.S. Department of Transportation a proposed Action Plan as required by Policy and Procedure Memorandum 90-4 issued on June 1, 1973. The Action Plan outlines the organizational relationships, the assignments of responsibility, and the procedures to be used by the State to assure that economic, social and environmental effects are fully considered in developing highway projects and that final decisions on highway projects are made in the best overall public interest, taking into consideration: (1) Needs for fast, safe and efficient transportation; (2) public services; and (3) costs of eliminating or minimizing adverse effects.

The proposed Action Plan is available for public review at the following locations:

1. Arkansas State Highway Department  
9500 New Benton Highway  
Little Rock, Arkansas 72204.
2. Arkansas State Highway Department  
U.S. 65 South  
Pine Bluff, Arkansas 71601
3. Arkansas State Highway Department  
U.S. 64 West  
Wynne, Arkansas 72396
4. Arkansas State Highway Department  
1515 W. 3rd  
Hope, Arkansas 71801

5. Arkansas State Highway Department  
4019 Towson Avenue  
Fort Smith, Arkansas 72901
6. Arkansas State Highway Department  
Highway 167 South  
Batesville, Arkansas 72501
7. Arkansas State Highway Department  
District Office  
New Benton Highway  
Little Rock, Arkansas 72204
8. Arkansas State Highway Department  
U.S. 79 South  
Camden, Arkansas 71701
9. Arkansas State Highway Department  
Junction I-40 and Highway 7  
Russellville, Arkansas 72801
10. Arkansas State Highway Department  
Highway 65 South  
Harrison, Arkansas 72601
11. Arkansas State Highway Department  
Highway 25 West  
Paragould, Arkansas 72450
12. Arkansas Division Office—PHWA  
Room 3128, Federal Office Building  
700 West Capitol  
Little Rock, Arkansas 72201
13. PHWA Regional Office—Region 6  
Room 8A00, 819 Taylor Street  
Fort Worth, Texas 76102
14. U.S. Department of Transportation  
Federal Highway Administration  
Environmental Development Division  
Nassif Building—Room 3246  
400-7th Street, S.W.  
Washington, D.C. 20590

Comments from interested groups and the public on the proposed Action Plan are invited. Comments should be sent to the FHWA Regional Office shown above before February 22, 1974.

Issued on January 22, 1974.

NORBERT T. TIEMANN,  
Federal Highway Administrator.

[FR Doc. 74-2148 Filed 1-24-74; 8:45 am]

#### ATOMIC ENERGY COMMISSION

[Docket No. 50-220]

##### NIAGARA MOHAWK POWER CORP.

##### Notice of Availability of Final Environmental Statement

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 Environmental Statement prepared by the Commission's Directorate of Licensing, related to the operation of the Nine Mile Point Nuclear Station, Unit 1 by Niagara Mohawk Power Corp. in Oswego County, New York is available for inspection by the public in the Commission's Public Document Room at 1717 H Street, NW., Washington, D.C. and in the Oswego City Library, 120 E. Second Street, Oswego, New York 13126. The Final Environmental Statement is also being made available at the New York State Office of Planning Services, 988 Broadway, Albany, New York 12207 and at the Central New York Regional Planning Development Board, 321 East Water Street, Syracuse, New York 13202.

The notice of availability of the Draft Environmental Statement for the Nine Mile Point Nuclear Station, Unit 1, and

requests for comments from interested persons was published in the FEDERAL REGISTER on July 3, 1973 (38 FR 17758). 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 21st day of January 1974.

For the Atomic Energy Commission.

WM. H. REGAN, Jr.,  
Chief, Environmental Projects  
Branch #4, Directorate of  
Licensing.

[FR Doc. 74-2166 Filed 1-24-74; 8:45 am]

#### STATE OF NEW MEXICO

##### Proposed Agreement for Assumption of Certain AEC Regulatory Authority

##### Correction

1. In FR Doc. 74-905, appearing at page 1550, in the issue for Thursday, January 10, 1974, on page 1551, in the second column, under the center heading "Organization, Functions and Responsibilities", delete the fourth line and insert in lieu thereof the following:

(Chapter 277, Laws of 1971), (See Appendix

2. On page 1554, in the first column, under the heading, "Education", for John C. Rodgers, the "Health Physics" entry reading "100 weeks" should read "10 weeks".

#### CIVIL AERONAUTICS BOARD

[Docket No. 24554]

##### NISHI NIPPON RAILROAD CO., LTD.

##### Notice of Prehearing Conference and Hearing

In the matter of Nishi Nippon Railroad Co., Ltd. (Japan), d/b/a NNR Air-cargo Service (USA) Inc.; foreign air carrier permit for indirect air transportation of property between points in the United States and points outside the United States.

Notice is hereby given that a prehearing conference in the above-entitled matter is assigned to be held on February 27, 1974, at 10 a.m. (local time), in Room 503, Universal Building, 1825 Connecticut Avenue, NW., Washington, D.C., before Administrative Law Judge Hyman Goldberg.

Notice is also given that the hearing may be held immediately following conclusion of the prehearing conference unless a person objects or shows reason for postponement on or before February 20, 1974.

Dated at Washington, D.C., January 22, 1974.

[SEAL] RALPH L. WISER,  
Chief Administrative Law Judge.

[FR Doc. 74-2147 Filed 1-24-74; 8:45 am]

## ENVIRONMENTAL PROTECTION AGENCY

### AMCHEM PRODUCTS, INC. ET AL. Receipt of Applications for Pesticide Registration

On November 19, 1973, the Environmental Protection Agency published in the FEDERAL REGISTER (38 FR 31862) its interim policy with respect to the administration of section 3(c)(1)(D) of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended (86 Stat. 979), and its procedures for implementation. This policy provides that EPA will, upon receipt of every application, publish in the FEDERAL REGISTER a notice containing the information shown below. The labeling furnished by the applicant will be available for examination at the Environmental Protection Agency, Room EB-37, East Tower, 401 M Street, SW., Washington, D.C. 20460.

On or before March 26, 1974, any person who (a) is or has been an applicant, (b) desires to assert a claim for compensation under section 3(e)(1)(D) against another applicant proposing to use supportive data previously submitted and approved, and (c) wishes to preserve his opportunity for determination of reasonable compensation by the Administrator must notify the Administrator and the applicant named in the FEDERAL REGISTER of his claim by certified mail. Every such claimant must include, at a minimum, the information listed in this interim policy published on November 19, 1973.

Applications submitted under 2(a) or 2(b) of the interim policy in regard to usage of existing supportive data for registration will be processed in accordance with existing procedures. Applications submitted under 2(c) will be held for the 60-day period before commencing processing. If claims are not received, the application will be processed in normal procedure. However, if claims are received within 60 days, the applicants against whom the particular claims are asserted will be advised of the alternatives available under the Act. No claims will be accepted for possible EPA adjudication which are received after this 60-day period.

#### APPLICATIONS RECEIVED

EPA File Symbol 264-EIL. Amchem Products, Inc., Brookside Avenue, Ambler, Pennsylvania 19002. *Amchem 2,4-D Salts*. Active Ingredients: 2,4-Dichlorophenoxyacetic acid, dimethylamine salt 29.2 percent; Lithium 2,4-Dichlorophenoxyacetate 16.6 percent. Method of Support: Application proceeds under 2(c) of interim policy.

EPA Reg. No. 352-375. E. I. du Pont de Nemours and Company, Wilmington, Delaware 19898. *Du Pont Lezone Metribuzin Weed Killer*. Active Ingredient: 4-Amino-6-(1,1-dimethylethyl)-3-(methylthio)-1,2,4-triazin-5(4H)-one 50 percent. Method of Support: Application proceeds under 2(b) of interim policy.

EPA File Symbol 769-UUA. Woolfolk Chemical Works, Inc., P.O. Box 938, Fort Valley, Georgia 31030. *Security Woosan 30*. Active Ingredient: 2-(thiocyanomethylthio) benzothiazole 30 percent. Method of Support:

Application proceeds under 2(o) of interim policy.

Dated: January 22, 1974.

JOHN B. RITCH, Jr.,  
Director, Registration Division.  
[FR Doc.74-2161 Filed 1-24-74; 8:45 am]

## CAPITOL CHEMICAL CO. AND STEARNS CHEMICAL CORP.

### Notice of Receipt of Applications for Pesticide Registration

On November 19, 1973, the Environmental Protection Agency published in the FEDERAL REGISTER (38 FR 31862) its interim policy with respect to the administration of section 3(c)(1)(D) of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended (86 Stat. 979), and its procedures for implementation. This policy provides that EPA will, upon receipt of every application, publish in the FEDERAL REGISTER a notice containing the information shown below. The labeling furnished by the applicant will be available for examination at the Environmental Protection Agency, Room EB-37, East Tower, 401 M Street, SW., Washington, D.C. 20460.

On or before March 26, 1974, any person who (a) is or has been an applicant, (b) desires to assert a claim for compensation under section 3(c)(1)(D) against another applicant proposing to use supportive data previously submitted and approved, and (c) wishes to preserve his opportunity for determination of reasonable compensation by the Administrator must notify the Administrator and the applicant named in the FEDERAL REGISTER of his claim by certified mail. Every such claimant must include, at a minimum, the information listed in this interim policy published on November 19, 1973.

Applications submitted under 2(a) or 2(b) of the interim policy in regard to usage of existing supportive data for registration will be processed in accordance with existing procedures. Applications submitted under 2(c) will be held for the 60-day period before commencing processing. If claims are not received, the application will be processed in normal procedure. However, if claims are received within 60 days, the applicants against whom the particular claims are asserted will be advised of the alternatives available under the Act. No claims will be accepted for possible EPA adjudication which are received after this 60-day period.

#### APPLICATIONS RECEIVED

EPA File Symbol 908-UE. Capitol Chemical Company, 5455 Butler Rd., Washington, D.C. 20016. *Capitol DDVP Concentrate*. Active Ingredients: 2,2-Dichlorovinyl Dimethyl Phosphate 46.5 percent; Related Compounds 3.5 percent. Method of Support: Application proceeds under 2(a) of interim policy.

EPA File Symbol 3640-TN. Stearns Chemical Corporation, 4200 Sycamore Avenue, Madison, Wisconsin 53704. *W-Kill Insect Bomb*. Active Ingredients: Pyrethrins 0.3 percent; Piperonyl Butoxide 0.6 percent; N-octyl Bicycloheptene Dicarboximide 1.0; Pe-

troleum Distillate 18.1 percent. Method of Support: Application proceeds under 2(c) of interim policy.

Dated: January 18, 1974.

JOHN B. RITCH, Jr.,  
Director, Registration Division.  
[FR Doc.74-2162 Filed 1-24-74; 8:45 am]

## CALIFORNIA STATE STANDARDS MOTOR VEHICLE POLLUTION CONTROL Intention To Waive Federal Preemption and Opportunity for Public Hearing

Whereas, the Clean Air Act, as amended, section 209(a), 42 U.S.C. 1857f-6a(a) 81 Stat. 501 (Public Law 91-604) provides, "No State or any political subdivision thereof shall adopt or attempt to enforce any standard relating to the control of emissions from new motor vehicles or new motor vehicle engines subject to this part, \* \* \* [or] \* \* \* shall require certification, inspection, or any other approval relating to the control of emissions from any new motor vehicle or new motor vehicle engine as condition precedent to the initial retail sale, titling (if any), or registration of such motor vehicle, motor vehicle engine, or equipment";

Whereas, section 209(b) of said Act directs the Administrator of the Environmental Protection Agency, after notice and opportunity for public hearing, to waive application of the prohibitions of said section 209 to any State which had adopted standards (other than crankcase emission standards) for the control of emissions from new motor vehicles or new motor vehicle engines prior to March 30, 1966, unless he finds that such State does not require standards more stringent than applicable Federal standards to meet compelling and extraordinary conditions or that such State standards and accompanying enforcement procedures are not consistent with section 202(a) of the Clean Air Act;

Whereas, the State of California (hereinafter California) had, prior to March 30, 1966, adopted standards (other than crankcase emission standards) for the control of emissions from new motor vehicles or new motor vehicle engines;

Whereas, by letter dated September 29, 1971, California submitted a request for waiver of preemption with respect to model years 1973 through 1976 gasoline powered motor vehicles.

Whereas, on April 19, 1972, and by notice published in the FEDERAL REGISTER, on April 25, 1972 (37 FR 8128, after holding a public hearing February 8, 1972, on California's request for waiver and after California withdrew the model year 1976 portion of the request, the Administrator, pursuant to section 209(b), granted the model year 1973 and 1974 portions of the request, but held in abeyance the model year 1975 portion of the request pending development of further information;

Whereas, on April 11, 1973, and by notice published in the FEDERAL REGISTER, on April 26, 1973 (38 FR 10317), the Administrator, pursuant to section 202(b) (5) (D) of the Act, granted the requests

of five automobile manufacturers to suspend for one year the effective date of the statutory standards for model year 1975 light duty vehicles (hydrocarbons, 41 grams/mile; carbon monoxide, 3.4 grams/mile; oxides of nitrogen, 3.1 grams/mile) and established interim standards (hydrocarbons, 1.5 grams/mile for the nation, carbon monoxide, 15 grams/mile for the nation other than California, and 9 grams/mile for California; and oxides of nitrogen 3.1 grams/mile for the nation);

Whereas, on April 11, 1973, the Administrator pursuant to section 209(b) of the Act, also acted on California's request for waiver of preemption with respect to model year 1975 light duty (passenger) motor vehicles and granted such request to California with respect to hydrocarbons (.9 grams/mile), extended to the model year 1975 the previously granted waiver for model year 1974 with respect to oxides of nitrogen (2.0 grams/mile), but denied the request with respect to carbon monoxide (17 grams/mile);

Whereas, in June 1973 California adopted by emergency action a 9 grams/mile carbon monoxide standard applicable to 1975 model light duty passenger vehicles;

Whereas, by letter dated November 27, 1973, California informed the Environmental Protection Agency that California had finalized adoption on November 14, 1973, of a carbon monoxide standard of 9 grams/mile applicable to 1975 model light duty passenger vehicles;

Therefore, I hereby give notice that:

(1) California has adopted an emission standard (9 grams/mile for carbon monoxide) to which the prohibitions of section 209(a) apply unless waived,

(2) I intend to waive Federal preemption for California's 9 grams/mile carbon monoxide standard because: (i) such standard, when incorporated in California's total regulatory program, including related assembly-line testing and enforcement procedures, is more stringent than the corresponding Federal standard, (ii) California requires standards more stringent than applicable Federal standards to meet compelling and extraordinary conditions, and (iii) the 9 grams/mile CO standard along with California's .9 grams/mile HC and 2.0 grams/mile NO<sub>x</sub> standards is technologically feasible and such technology can be applied in sufficient time to be incorporated in 1975 model vehicles; and

(3) Opportunity for public hearing on this matter is herein provided.

I doubt whether any useful purpose would be served by another public hearing to consider these particular emission standards. The standards California has adopted are identical to the interim 1975 California emission standards established by EPA on April 11, 1973. The establishment of these standards was preceded by almost three weeks of public hearings in which the State of California and all major automobile companies participated. The Administrator's decision contains a detailed explanation of why separate, lower standards were established for California. The technical feasibility

of achieving the California standards has never been seriously questioned. Indeed, the three biggest domestic automobile manufacturers have indicated in testimony before Congress that they can and will achieve these standards. Certification testing at the California interim emission levels is well underway and production of 1975 model cars is scheduled to begin in six months or less.

In such circumstances, if California now wishes to adopt and enforce the standards as currently promulgated by EPA, it is difficult to see what new information yet another hearing might elicit that could affect the decision whether to grant the waiver.

Any person desiring a public hearing on this matter may submit his written request for hearing with supporting information or arguments to the Director, Mobile Source Enforcement Division, Environmental Protection Agency, Room 3220, 401 M Street SW., Washington, D.C. 20460. The request for hearing should state why a hearing is necessary or desirable in spite of the factors outlined above.

Any such request received on or before the 30th day after the date of this notice shall be considered. Any resulting hearing will be announced by FEDERAL REGISTER notice. If no request for hearing is received within the thirty day period, or if received and determined to be inappropriate, waiver will be granted by FEDERAL REGISTER notice on February 22, 1974.

The pertinent standards, requirements, conditions, and test procedures for gasoline-powered 1975 model year light duty vehicles are contained in the following identified publications:

#### FEDERAL

40 CFR Part 85, Control of Air Pollution from New Motor Vehicles and New Motor Vehicle Engines (38 F.R. 17441, July 2, 1973).

#### CALIFORNIA

Section 1955, Title 13, California Administrative Code, as amended June 26, 1973, and California Exhaust Emission Standards and Test Procedures for 1975 and Subsequent Model Gasoline-Powered Motor Vehicles 6,000 pounds Gross Vehicle Weight or Less, dated June 21, 1973, and California Assembly Line Test Procedures for 1974 Model Light Duty Gasoline-Powered Vehicles, date June 20, 1973.

A copy of the above-described material is available for public inspection during normal working hours (8:00 a.m. to 4:30 p.m.) at the Office of Public Affairs, Room 232, Waterside Mall West Tower, 401 M Street, SW., Washington, D.C. 20460. Copies of the Federal regulations will be provided upon request to that office. Copies of the California standards and test procedures are available upon request from the California Air Resources Board, 1025 P Street, Sacramento, California 95814.

Dated: January 18, 1974.

RUSSELL E. TRAIN,  
Administrator.

[FR Doc.74-2159 Filed 1-24-74; 8:45 am]

[FIFRA Docket Nos. 245, et al.]

## SCIENCE PRODUCTS CO. INC., ET AL., REGISTRANTS

### Filing of Objections

These are consolidated proceedings under the Federal Insecticide, Fungicide, and Rodenticide Act, as amended, 7 U.S.C. 136 *et seq.*, (Supp. 1973) to cancel registrations of certain pesticide products. The proceedings are a continuation of the phase-out of the no-residue or zero tolerance registrations and result from notices of cancellation, dated March 10, 1972, (PR Notice 72-4) and August 29, 1973 (PR Notice 72-5, 38 FR 21686).

By orders dated October 4, 1973, and January 8, 1974, fifteen proceedings resulting from objections to the notices of cancellation filed by fourteen registrants, were consolidated in accordance with section 164.32 of the Rules of Practice issued pursuant to the Act (38 FR 19371). This notice is issued and published pursuant to section 164.8 of said Rules.

The notices of cancellation relate to the uses of products containing pesticide chemicals named therein for the uses specified therein.

Objections to the cancellation of the registrations for products containing the following pesticide chemicals for the uses specified in the notices were filed by the following registrants:

1. B-naphthoxyacetic acid  
Science Products Company, Inc., Chicago, Illinois  
Black Leaf Products Company, Elgin, Illinois  
Chas. H. Lilly Company, Portland, Oregon
2. Isopropyl N-(3-chlorophenyl) carbamate  
PPG Industries, Inc., Pittsburgh, Pennsylvania  
Uniroyal, Inc., Bethany, Connecticut
3. Isopropyl N-phenylcarbamate  
PPG Industries, Inc., Pittsburgh, Pennsylvania
4. 2,2'-methylenebis(3,4,6-trichlorophenol)  
Nationwide Chemical Corp., Fort Myers, Florida
5. Naled  
Leffingwell Chemical Company, Brea, California  
Wilbur-Ellis Company, Fresno, California  
Chas. H. Lilly Company, Portland, Oregon  
FMC Corp. (Niagra Chemical Div.), Middleport, New York  
Chevron Chemical Company, San Francisco, California  
Arizona Agrochemical Company, Phoenix, Arizona
6. Quaternary Ammonium Compounds  
Mason Chemical Company, Chicago, Illinois  
Bio-Lab, Inc., Decatur, Georgia  
Salsbury Laboratories, Charles City, Iowa

For information concerning the issues involved and other details of these proceedings, interested persons are referred to the dockets of these proceedings on file with the Hearing Clerk, Environmental Protection Agency, Room 1019-E, East Tower, Waterside Mall, 401 M Street SW., Washington, D.C.

BERNARD D. LEVINSON,  
Administrative Law Judge.

[FR Doc.74-2160 Filed 1-24-74; 8:45 am]

## FEDERAL MARITIME COMMISSION COMBI LINE, ET AL.

### Notice of Agreements Filed

Notice is hereby given that the following agreements, accompanied by statements of justification, have 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 copies of the agreements and the statements of justification at the Washington office of the Federal Maritime Commission, 1405 I Street, NW., Room 1015; or may inspect the agreements and the statements of justification at the Field Offices located at New York, N.Y., New Orleans, Louisiana, San Francisco, California, and Old San Juan, Puerto Rico. Comments on such agreements, including requests for hearing, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C. 20573, on or before February 14, 1974. Any person desiring a hearing on the proposed agreements 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 be forwarded to the party filing the agreement (as indicated hereinafter) and the statement should indicate that this has been done.

#### COMBI LINE

##### EXTENSION OF AGREEMENT

#### Notice of agreement filed by:

Ralph Rugan, Jr., Vice President  
Biehl & Company  
416 Common Street  
New Orleans, Louisiana 70130

Agreement No. 9929-1, between the parties to Combi Line extends the effective period of the basic agreement as it applies to non-LASH service, now set to expire with April 8, 1974, for an unspecified length of time.

Dated: January 21, 1974.

CONCORDIA LINE  
COSTA LINE  
COMPAGNIE MARITIME BELGE/COMPAGNIE MARITIME DU ZAIRE  
ELDER DEMPSTER LINES, LTD.  
COMPAGNIE MARITIME DES CHARGEURS REUNIS  
BARBER LINES A/S  
SEA EXPRESS SERVICE  
NORWEGIAN AMERICA LINE  
LEIF HOEGH & Co., A/S  
KONINKLIJKE NEDLOYD BV  
IVARAN LINE  
UNITED PHILIPPINE LINES  
SCINDIA STEAM NAVIGATION Co., INC.  
BLACK STAR LINE, LTD.  
HELLENIC LINES, LTD.  
SOUTH SHIPPING LINES -

IRAN LINE  
ARYA NATIONAL SHIPPING LINES, S.A.  
THE SHIPPING CORPORATION OF INDIA, LTD.  
ROYAL NETHERLANDS STEAMSHIP COMPANY (ANTILLES)  
REFRIGERATED EXPRESS LINES (A/ASIA) PTY. LTD.  
TORM LINES  
ATLANTIC LINES LTD.  
KUWAIT SHIPPING COMPANY, S. A. K.  
DAFRA LINE  
COMPANIA PERUANA DE VAPORES  
CONSTELLATION LINE  
HOLLAND PAN AMERICAN LINE  
KOREA SHIPPING CORPORATION  
BLUE SEA LINE  
ATLANTAFRIK EXPRESS SERVICE  
MEXICAN LINE  
JUGOLINIJA LINE  
CHILEAN LINE  
PRUDENTIAL-GRACE LINES, INC.  
GRANCOLOMBIANA

### Notice of Agreement Filed by:

Stanley O. Sher, Esq.  
Billig, Sher & Jones, P.C.  
Suite 300  
1126 Sixteenth Street, N.W.  
Washington, D.C. 20036

Agreement No. 10109, among the above-named carriers, provides that the parties shall from time to time meet, discuss, exchange relevant information and data and take whatever action they deem appropriate concerning the rules, regulations, practices, costs, cost allocations, and similar or related matters pertaining to the loading, discharging, terminal handling, truck and rail services and related matters affecting their non-containerized cargo at United States ports on the Atlantic and Gulf Coasts. Any costs of activities shall be apportioned among the parties participating and minutes of all meetings shall be filed with the Federal Maritime Commission.

Dated: January 21, 1974.

By order of the Federal Maritime Commission.

FRANCIS C. HURNEY,  
Secretary.

[FR Doc. 74-2143 Filed 1-24-74; 8:45 am]

## PORT AUTHORITY OF NEW YORK AND NEW JERSEY, ET AL.

### Notice of Agreements Filed

Notice is hereby given that the following agreements have 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 agreements at the Washington office of the Federal Maritime Commission, 1405 I Street NW., Room 1015; or may inspect the agreements 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 February 14, 1974. Any person desiring a hearing on the proposed agreements shall provide a clear and concise state-

ment 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.

THE PORT AUTHORITY OF NEW YORK AND NEW JERSEY, NIPPON YUSEN KAISHA, LTD., AND INTERNATIONAL TERMINAL OPERATING CO., INC.

### Notice of Agreement Filed by:

Francis A. Mulhern  
Deputy General Counsel  
The Port Authority of New York and New Jersey  
One World Trade Center  
New York, N.Y. 10048

Agreement No. T-2883, as amended, among The Port Authority of New York and New Jersey (Port Authority), Nippon Yusen Kaisha, Ltd. (NYK), and International Terminal Operating Co., Inc. (ITO), provides for the lease of certain facilities at the Brooklyn-Port Authority Marine Terminal, New York, N.Y., for use by NYK and ITO as a marine terminal facility. As compensation, both NYK and ITO will pay the Port Authority an amount based on revenue tonnage with stated minimum and maximum payments per annum.

Dated: January 21, 1974.

THE PORT AUTHORITY OF NEW YORK AND NEW JERSEY, AND PITTS-  
TON STEVEDORING CORP.

### Notice of Agreement Filed by:

Mr. Francis A. Mulhern  
Deputy General Counsel  
The Port Authority of New York and New Jersey  
One World Trade Center  
New York, New York 10048

Agreement No. T-2881, as amended by T-2881-1, between The Port Authority of New York and New Jersey (Port) and Pittston Stevedoring Corporation (Pittston), provides for the lease to Pittston of certain marine terminal facilities at the Brooklyn-Port Authority Marine Terminal, New York, New York, for use by Pittston as a marine terminal facility. As compensation, Pittston shall pay Port a fixed rental based on revenue tonnages with set minimum and maximum payments. The provisions of this lease, as relates to certain premises and rights-of-way, grants and privileges at the facility in connection with railway operations thereon, are subject to the terms of a certain agreement of lease made between the Port and New York Dock Railway; also, Pittston is restricted from operating a cold storage facility on the premises. In addition, all vessels

berthing at these facilities require the Port's approval and Pittston is subject to all Port rules and regulations, including tariffs.

Dated: January 21, 1974.

By order of the Federal Maritime Commission.

FRANCIS C. HURNEY,  
Secretary.

[FR Doc.74-2144 Filed 1-24-74; 8:45 am]

## FEDERAL POWER COMMISSION

[Docket No. E-8558]

### BONNEVILLE POWER ADMINISTRATION

#### Request for Approval of Rates and Charges

JANUARY 18, 1974.

Notice is hereby given that the Administrator of Bonneville Power Administration (BPA), pursuant to the provisions of the Bonneville Act, as amended, and section 5 of the Flood Control Act of 1944, filed a request with the Federal Power Commission in Docket No. E-8558 on December 14, 1973, as supplemented on December 18, 1973, for confirmation and approval of a special rate for the sale of excess hydroelectric energy from Federal reservoir projects for the period ending December 20, 1974. The Commission, by letter dated December 21, 1973 to BPA, approved the proposed special rate for the period commencing with the date of that letter and ending December 20, 1974, subject, however, to the condition that "further Commission action may be necessary or appropriate pursuant to comments or suggestions received by the Commission in response to the notice" of BPA's request, which the Commission directed to be served and published in accordance with its rules and regulations.

BPA's request, together with information otherwise on file with the Commission or available to it, indicates that the generation of electric energy at the Federal hydroelectric plants for which BPA serves as marketing agent was curtailed during the five-month period which preceded the filing of the request by the reason of reduced water flows. Since it appeared that the amount of energy generated during that period might not be sufficient to meet its customers' needs, BPA arranged to purchase thermal energy from non-Federal sources to satisfy the anticipated deficiency in its electric supply resources and to reduce the draw-down of the reservoirs at the Federal plants. Actual purchases of thermal energy by BPA over the aforementioned period aggregated approximately 996,322,000 Kwh at a total cost of about \$10,963,000. The average cost of the thermal energy to BPA ranged from 6.78 mills per Kwh to 30 mills per Kwh. BPA anticipates that water flows will increase from time to time so that the Federal plants will generate sufficient amounts of energy to supply the requirements of its electric system and the Federal reservoirs will be partially refilled, thereby making unnecessary the purchase of

thermal energy. BPA states, however, that additional purchases of thermal energy will be made "as dictated by system operating conditions and ongoing contracts".

In order to recover its costs for the purchases of thermal energy, BPA proposes to sell excess hydroelectric energy from the Federal plants whenever available at a special rate which will be equivalent to such costs. The total amount of excess energy to be sold will not exceed the total number of kilowatt-hours of thermal energy purchased. The special rate for each block of excess energy sold will be at the average cost for an equivalent block of thermal energy, with the higher cost energy being first offered for sale. The excess energy will be offered first to industrial or other electric service customers in the Pacific Northwest, with electric utilities operating in California being given an opportunity to buy the energy not taken by the Pacific Northwest customers. It is expected that sales of excess energy to the California utilities under the proposed special rate will help to alleviate the serious energy shortage in that State.

The request of BPA for approval of the special rate is on file with the Commission and available for public inspection. Any person desiring to make comments or suggestions to the Commission's consideration with respect to the proposed special rate should submit the same in writing on or before January 31, 1974 to the Federal Power Commission, Washington, D.C. 20426.

KENNETH F. PLUMB,  
Secretary.

[FR Doc.74-2046 Filed 1-24-74; 8:45 am]

[Docket Nos. RP72-154, RP74-43]

### EL PASO NATURAL GAS CO.

#### Notice of Request To Purchase Gas at Higher Rate

JANUARY 21, 1974.

Take notice that on January 16, 1974, El Paso Natural Gas Company (El Paso) filed with the Commission a letter requesting specific authorization from the Commission to make purchases of natural gas from Westcoast Transmission Company Limited (Westcoast) at a new rate of 61¢ per Mcf and urging prompt Commission action upon its request. El Paso states that it is faced with a demand from Westcoast to make payments immediately at the new rate for gas delivered to El Paso since November 14, 1973, based upon a determination dated January 11, 1974, by the National Energy Board (Board) that Westcoast's license to export gas from Canada requires payment at that rate. El Paso states that Westcoast is no longer relying exclusively upon its own interpretation of its sales contracts but now is required by the Board to change the new rate for any gas it exports to the United States.

El Paso further states that in the Commission letter order issued December 28, 1973 in Docket Nos. RP72-154 and

RP74-43, the Commission granted authorization to El Paso to increase, effective January 1, 1974, its Northwest Division System jurisdictional rates to reflect an increase in the cost of gas purchased from Westcoast at the sum as import point. El Paso indicates that the Commission's letter order contains a condition that El Paso is further required to refund the difference, if any, between the rates El Paso is ultimately required to pay Westcoast and those rates so approved by the Commission. El Paso contends that the action taken by the Board does constitute a determination of the rates El Paso is ultimately required to pay Westcoast. El Paso and the APCO group ask that the Commission make such a determination, and request that such determination be made prior to the divestiture scheduled to occur by January 31, 1974. El Paso states that the APCO group has authorized El Paso to state that it is in complete accord with the statements and representations made in the letter.

El Paso has attached to its letter a copy of a telegram to it from Westcoast wherein Westcoast states that El Paso's failure to pay immediately the full remaining amount of \$3,399,612.67 for gas delivered during the month of November, 1973, "will constitute a breach of Westcoast's export license GL-41 with the attendant sanctions or penalties which may be applied as a result thereof."

All interested parties should take notice that the Commission presently has under consideration the above described requests contained in El Paso's letter, and issues raised by the attached telegram.

Any person desiring to be heard or to protest said filed request should file a petition or protest with the Federal Power Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426, in accordance with Sections 1.8 and 1.10 of the Commission's Rules of Practice and Procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before January 31, 1974. Copies of this filed request are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,  
Secretary.

[FR Doc.74-2068 Filed 1-24-74; 8:45 am]

[Docket No. RI74-129]

### MAPCO INC.

#### Notice of Petition for Special Relief

JANUARY 18, 1974.

Take notice that on January 10, 1974, MAPCO Inc. (Petitioner) 1437 S. Boulder Avenue, Tulsa, Oklahoma 74119, filed a petition for special relief in Docket No. RI74-129, pursuant to Section 2.76 of the Commission's General Policy and Interpretations. Petitioner requests that it be permitted to increase its rate to 19.0¢ per Mcf for sales of natural gas under its FPC Gas Rate Schedule No. 1 to Colorado Interstate Gas Co. from the Panhandle Field, Hutchinson County, Texas. The petition for relief is based on

the installation of compression facilities and it is estimated that an additional 2.5 billion cubic feet of gas will be produced and delivered for use in the interstate markets as a result of the installation of these compression facilities.

Any person desiring to be heard or to make any protest with reference to said petition should on or before January 31, 1974, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any party wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's Rules.

KENNETH F. PLUMB,  
Secretary.

[FR Doc.74-2071 Filed 1-24-74;8:45 am]

[Docket No. RP73-110]

#### NATURAL GAS PIPELINE COMPANY OF AMERICA

##### Extension of Time and Postponement of Hearing

JANUARY 18, 1974.

On January 11, 1974, Staff Counsel filed a motion for an extension of the procedural dates fixed by the notice issued December 21, 1973, in the above-designated matter. The motion states that there is a unanimous consent of all parties to the motion.

Upon consideration, notice is hereby given that the procedural dates are further modified as follows:

Supplemental Testimony by all parties on rate design and supplemental testimony by Staff on coal options, February 15, 1974.

Rebuttal Evidence by all parties on rate design and rebuttal evidence of Company and Intervenor to Staff's Depreciation Evidence, March 1, 1974.

Hearing, March 12, 1974 (10:00 a.m., EDT).

KENNETH F. PLUMB,  
Secretary.

[FR Doc.74-2045 Filed 1-24-74;8:45 am]

[Docket No. RP74-49]

#### NORTHWEST PIPELINE CORP.

##### Order Accepting for Filing and Suspending Tendered Tariff Sheets, Providing for Hearing and Establishing Procedures

JANUARY 18, 1974.

On December 19, 1973, Northwest Pipeline Corporation (Northwest) filed a certificate of adoption of El Paso Natural Gas Company's (El Paso) FPC Gas Tariff First Revised Volume No. 3 and Original Volume No. 4. The service covered thereunder is applicable to El Paso's Northwest Division which Northwest was authorized to acquire and operate by

Commission Order issued September 21, 1973, in Docket Nos. CP73-331, et al.<sup>1</sup>

Concurrently with the certificate of adoption, Northwest has tendered for filing eleven tariff sheets<sup>2</sup> as proposed changes in what will be designated as Northwest Pipeline Corporation FPC Gas Tariff, First Revised Volume No. 3. These revised tariff sheets set forth an interim emergency curtailment plan for what will be the Northwest Pipeline System.<sup>3</sup> This plan is to be effective from the date of the transfer of the assets from El Paso to Northwest until November 1, 1974.

In support of its tender, Northwest states that such revisions are necessary at this time because on November 1, 1973, Westcoast Transmission Company Limited (Westcoast), the sole Canadian supplier, began curtailing deliveries to El Paso at the Sumas, Washington import point and that such curtailment has reached a magnitude of 120,000 Mcf. per day.<sup>4</sup> Because of Westcoast's curtailments, El Paso has had to curtail firm service, both direct and resale, in accordance with the terms of the currently effective tariff.

Under the proposed interim emergency curtailment plan, Northwest would initially curtail all interruptible customers. Service under Rate Schedule DS-1 (small customers with a Contract Demand of less than 50,000 therms) and SGS-1 (storage service) will be exempt from curtailment. Service under Rate Schedules ODL-1, PL-1 and PL-4 will be curtailed in accordance with their respective contract demands.<sup>5</sup> If, after the pro-rata allocation of the curtailment, any customer is threatened with curtailment of Priority 1, 2 or 3 service<sup>6</sup> such customer may request exemption from the curtailment. In order to satisfy any requested exemption other customers will be curtailed an additional volume equivalent to the exempted volume. Any customer receiving an exemption will have

<sup>1</sup> Northwest anticipates that the effective date of transfer will be January 31, 1974. Northwest, therefore, requests that the adoption be made effective 30 days after filing or on the actual date of transfer, whichever is later. Northwest further advises that it will file a restated tariff within 90 days of the date of transfer.

<sup>2</sup> The tariff sheets are designated as follows: Original Sheet Nos. 51A, 51B, 51C, and 51D, First Revised Sheet Nos. 11, 26, 50, 51, 52, and 54, and Second Revised Sheet No. 24.

<sup>3</sup> It is still being operated by El Paso as its Northwest Division.

<sup>4</sup> This represents approximately 7 percent of the total system capacity.

<sup>5</sup> This is interpreted to mean a pro-rata curtailment.

<sup>6</sup> Priority 1: Residential, small commercial requirements (less than 500 therms on a peak day). Priority 2: Large Commercial (500 therms or more on a peak day) and firm industrial requirements for plant protection, feedstock and process needs, and storage injection requirements. Priority 3: All firm industrial requirements not specified in Priority 2 except firm industrial requirements for boiler fuel exceeding 15,000 therms per day.

<sup>7</sup> Approximately \$3.11 per Mcf., for 1,038 Btu gas.

to pay an additional 30¢ per therm<sup>7</sup> for the requested volume. This amount will then be paid by Northwest to those customers who had been further curtailed in order to provide the exempted volumes. A customer receiving exempted volumes will also be required to return volumes equal to the exemption at subsequent periods by reducing its takes below its entitlement.

The proposed tariff further provides that when curtailments are required due to a supply deficiency, Northwest shall be relieved of any requirement to adjust the Demand Charge accordingly.

Inasmuch as the curtailment plan submitted by Northwest neither coincides with the priorities contained in Order No. 467-B nor provides for end-use curtailments, the tariff sheets will be accepted for filing, but suspended for five months—the maximum period permitted by the Natural Gas Act. The suspension period will therefore terminate on June 19, 1974. It should be noted that the Commission interprets the provisions of the existing tariff, particularly § 13.3 *Curtailment Procedures*, of the *General Terms and Conditions*, to require Northwest to insure the maintenance of high priority service (i.e. priority 1 and 2) within the limits of available supply. Additionally, we will require Northwest to present, as part of its direct evidence, testimony and exhibits on the impact of an Order No. 467-B curtailment plan on its system and the method it would use to implement the 467-B plan, if it were so ordered.

*The Commission finds.* (1) Original Sheet Nos. 51A, 51B, 51C, and 51D, First Revised Sheet Nos. 11, 26, 50, 51, 52 and 54, and Second Revised Sheet No. 24 to El Paso's FPC Gas Tariff, First Revised Volume No. 3, as adopted by Northwest and as to be stated by Northwest upon subsequent filings, have not been shown to be just and reasonable and may be unjust, unreasonable, unduly discriminatory or preferential, or otherwise unlawful under the Natural Gas Act.

(2) Good cause exists to accept for filing the tendered tariff sheets referred to in finding paragraph (1) above, that those sheets be suspended and the use thereof deferred, and that a public hearing be initiated in accordance with the procedures set forth below, all as herein-after ordered.

(3) It is desirable and in the public interest to authorize the adoption by Northwest of El Paso's FPC Tariff First Revised Volume No. 3 and Original Volume No. 4 to be effective upon the date of the actual transfer of the Northwest Division from El Paso by Northwest, conditioned upon a filing by Northwest, within 90 days thereafter, of a restated tariff.

*The Commission orders.* (A) Original Sheet Nos. 51A, 51B, 51C and 51D, First Revised Sheet Nos. 11, 26, 50, 51, 52 and 54, and Second Revised Sheet No. 24 to El Paso's FPC Gas Tariff, First Revised Volume No. 3, as adopted by Northwest and as to be stated by Northwest upon subsequent filings, are hereby accepted for filing.

(B) Pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by the Natural Gas Act, particularly sections 4, 5, and 15 thereof, and pursuant to the Commission's Rules of Practice and Procedure and the Regulations under the Natural Gas Act, a public hearing shall be convened at the offices of the Federal Power Commission, 825 North Capitol Street, NE., Washington, D.C. 20426 at 10:00 a.m. (EDT) on March 5, 1974, concerning the lawfulness of the tendered tariff sheets designated in ordering paragraph (A) above.

(C) Pending such hearing and decision thereon, the tendered tariff sheets designated in ordering paragraph (A) above are hereby suspended and the use thereof deferred until June 19, 1974, and until such further time as they are made effective pursuant to the Natural Gas Act.

(D) On or before February 11, 1974, Northwest shall serve its case-in-chief on all parties to this proceeding, including Commission Staff, including its testimony and exhibits on the impact and implementation of an Order No. 467-B curtailment plan on its system as set forth above. Dates for the filing of answering evidence shall be determined by the Presiding Administrative Law Judge after presentation and cross-examination of Northwest's case-in-chief.

(E) An Administrative Law Judge to be designated by the Chief Administrative Law Judge (see Delegation of Authority 18 CFR, 3.5(d)) shall preside at, and control this proceeding in accordance with the policies expressed in the Commission's Rules of Practice and Procedure and the purposes expressed in this order.

By the Commission.

[SEAL] KENNETH F. PLUMB,  
Secretary.

[FR Doc. 74-2047 Filed 1-24-74; 8:45 am]

[Docket No. E-8563]

**OHIO EDISON CO.**

**Supply and Rate Agreement**

JANUARY 10, 1974.

Take notice that on December 21, 1973, Ohio Edison Company (Edison) and Duquesne Light Company (Duquesne) tendered for filing with this Commission, pursuant to section 205 of the Federal Power Act, an Agreement between each of them which provides that Edison is obligated to supply and Duquesne is entitled to receive capacity and energy from Edison's ownership interest in two 28 MW combustion turbine units located at Edison's Edgewater Plant in Lorain, Ohio. The agreement covers the period of October 1, 1973 to May 31, 1974.

The parties state that the rates are special rates determined by negotiations. The rate covering variable operating expenses for energy delivered to Duquesne in a month is determined by multiplying the total billing energy in MWH by the Estimated Monthly Cost per MWH. The Estimated Monthly Cost per MWH is determined by multiplying the average of the estimated fuel invoice costs in cents per gallon of oil which Edison expects for such month (and which costs are used in the dispatch of Edison generation during such month) by a factor of 1.02 to convert such cost per gallon to a dollar per MWH cost, and adding \$3.00 for incremental maintenance. The rate is subject to retroactive adjustment to reflect actual variable costs of energy supplied or deemed to be supplied from the units but, as respects energy supplied from other capacity and not deemed to have been supplied from such units, the rate is a flat rate, not subject to adjustment because of the impracticability of costing small transactions.

The rate covering fixed operating and maintenance expenses and "fixed charges" is to be 1.18 percent of Edison's ownership share of the units' installed cost multiplied by a fraction of which the numerator is 9 MW and the denominator is Edison's ownership share (presently 48 MW) of the Net Demonstrated Capability of the units. This rate is also subject to retroactive adjustment to reflect actual fixed operation and maintenance expenses and fixed charges associated with the units, as mutually agreed upon.

The rate covering taxes other than federal income tax payable by Edison with respect to its ownership share in the units for the period is to be equal to the amount of such taxes multiplied by a fraction of which the numerator is 9 MW and the denominator is Edison's ownership share (presently 48 MW) of the Net Demonstrated Capability of the units.

The parties request an effective date of October 1, 1973 for their tendered Agreement.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street NE., Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's rules of practice and procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before January 29, 1974. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this

filing are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,  
Secretary.

[FR Doc. 74-2043 Filed 1-24-74; 8:45 am]

[Docket Nos. RI74-130, et al.]

**TENNECO OIL CO., ET AL.**

**Order Providing for Hearing on and Suspension of Proposed Changes in Rates, and Allowing Rate Changes To Become Effective Subject to Refund<sup>1</sup>**

JANUARY 17, 1974.

Respondents have filed proposed changes in rates and charges for jurisdictional sales of natural gas, as set forth in Appendix A hereof.

The proposed changed rates and charges may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is in the public interest and consistent with the Natural Gas Act that the Commission enter upon hearings regarding the lawfulness of the proposed changes, and that the supplements herein be suspended and their use be deferred as ordered below.

The Commission orders: (A) Under the Natural Gas Act, particularly sections 4 and 15, the Regulations pertaining thereto [18 CFR, Chapter I], and the Commission's rules of practice and procedure, public hearings shall be held concerning the lawfulness of the proposed changes.

(B) Pending hearings and decisions thereon, the rate supplements herein are suspended and their use deferred until date shown in the "Date Suspended Until" column. Each of these supplements shall become effective, subject to refund, as of the expiration of the suspension period without any further action by the Respondent or by the Commission. Each Respondent shall comply with the refunding procedure required by the Natural Gas Act and § 154.102 of the regulations thereunder.

(C) Unless otherwise ordered by the Commission, neither the suspended supplements, nor the rate schedules sought to be altered, shall be changed until disposition of these proceedings or expiration of the suspension period, whichever is earlier.

By the Commission.

[SEAL] KENNETH F. PLUMB,  
Secretary.

<sup>1</sup> Does not consolidate for hearing or dispose of the several matters herein.

NOTICES

APPENDIX A

Docket No.	Respondent	Rate schedule No.	Supplement No.	Purchaser and producing area	Amount of annual increase	Date filing tendered	Effective date unless suspended	Date suspended until—	Cents per Mcf*		Rate in effect subject to refund in dockets Nos.
									Rate in effect	Proposed increased rate	
RI74-130..	Tenneco Oil Co.....	142	11	Southern Union Gathering Co. (Blanco Field, San Juan County, N. Mex.) (Rocky Mountain area).		12-18-73	1-18-74	24 Accepted			
	do.....		12	do.....	\$1,055,292	12-18-73	1-18-74	(28) (29)	15.3004 15.3004	\$46 26.1797 \$48 28.50	
RI74-131..	Union Oil Co. of California.	165	7	El Paso Natural Gas Co. (various fields, San Juan and Rio Arriba Counties, N. Mex.) (Rocky Mountain area).	599	12-20-73		2-20-74	\$48 24.481	\$48 24.981	
	do.....	67	4	do.....	42	12-20-73		(28)	21.33	\$46 26.1700	
	do.....	68	12	do.....	75	12-20-73		6-20-74	\$48 24.481	\$48 24.981	
	do.....	89	6	do.....	466	12-20-73		6-20-74	\$48 24.481	\$48 24.981	
	do.....	170	5	do.....	27	12-20-73		6-20-74	\$48 24.481	\$48 24.981	
RI74-132..	Skelly Oil Co.....	116	10	El Paso Natural Gas Co. (Ignacio-Blanco Field, La Plata County, Colo.) (Rocky Mountain area).	329	12-18-73		6-18-74	\$48 24.5 \$48 28.0	\$48 25.0 \$48 28.5	RI72-277
	do.....	129	13	El Paso Natural Gas Co. (Bisti Field and East Bisti Unit, San Juan County, N. Mex.) (Rocky Mountain area).	590	12-18-73		6-18-74	\$46 26.14	\$46 26.64	
	do.....	131	20	El Paso Natural Gas Co. (acreage in Rio Arriba County, N. Mex.) (Rocky Mountain area).	1,412	12-18-73		6-18-74	\$46 26.14	\$46 26.64	
	do.....	136	12	El Paso Natural Gas Co. (Bisti Field, San Juan County, N. Mex.) (Rocky Mountain area).	292	12-20-73		6-20-74	\$46 26.14	\$46 26.64	
	do.....	140	15	El Paso Natural Gas Co. (Ignacio-Blanco Field, La Plata County, Colo.) (Rocky Mountain area).	\$1 1,104	12-18-73		6-18-74	\$48 24.5 \$48 28.0	\$48 25.0 \$48 28.5	RI72-277
	do.....	141	24	El Paso Natural Gas Co. (Acreage in San Juan and Rio Arriba Counties, N. Mex.) (Rocky Mountain area).	\$3 4,999	12-20-73		6-20-74	\$46 26.14 \$48 28.0	\$46 26.64 \$48 28.5	RI72-277
	do.....	144	16	do.....	10 492 \$3 1,123	12-18-73		2-18-74 6-18-74 6-18-74	10 24.0 \$46 26.14 \$48 28.0	10 24.5 \$46 26.64 \$48 28.5	RI72-277
	do.....	156	7	do.....	(11)	12-20-73		6-20-74	\$46 26.14	\$46 26.64	
	do.....	157	13	do.....	\$2 239	12-20-73		6-20-74	\$46 26.14 \$48 28.0	\$46 26.64 \$48 28.5	RI72-277
	do.....	211	16	El Paso Natural Gas Co. (Ignacio-Blanco Field, La Plata County, Colo.) (Rocky Mountain area).	\$251	12-18-73		6-18-74	\$48 24.5 \$48 28.0	\$48 25.0 \$48 28.5	RI72-277
	do.....	215	6	El Paso Natural Gas Co. (Ignacio-Blanco Field, La Plata County, Colo., and Basin Dakota Fields, San Juan County, N. Mex.) (Rocky Mountain area).	\$12 124	12-20-73		6-20-74	\$46 12 26.14 \$48 12 24.50 \$48 12 28.0	\$46 12 26.64 \$48 12 25.00 \$48 12 28.5	RI72-277
RI74-133..	Texaco Inc.....	346	9	El Paso Natural Gas Co. (Tocito Dome Fld, San Juan County, N. Mex.) (Rocky Mountain area).	912	12-18-73 12-18-73		6-18-74 12-18-74	\$32 7577 \$31 31.68	\$33 2577 \$32 34	
	do.....	211	18	El Paso Natural Gas Co. (La Barge Field, Lincoln and Sublette Counties, Wyo.) (Rocky Mountain area).		12-26-73	1-26-74	(21)			
	do.....		19	do.....	82,600	12-26-73	1-26-74	(21)	21.66125	19 26.26	
	do.....		20	do.....	17,964	12-26-73		6-26-74	21.66125	16 15 25.08	
RI74-134..	Southern Union Production Co.	11	32	El Paso Natural Gas Co. (San Juan Basin area, San Juan and Rio Arriba Counties, N. Mex., and La Plata County, Colo.) (Rocky Mountain area).	21,900	12-20-73		2-20-74	\$16 28.56 \$16 33.32	\$16 29.16 \$16 33.91	RI73-283
	do.....	12	37	El Paso Natural Gas Co. (San Juan Basin area, San Juan and Rio Arriba Counties, N. Mex.) (Rocky Mountain area).	661	12-20-73 (29)		2-20-74 2-20-74	\$18 28.52 28.52	\$18 29.11 \$18 33.14	
	do.....	10	10	El Paso Natural Gas Co. (San Juan Basin area, San Juan and Rio Arriba Counties, N. Mex.) (Rocky Mountain area).	17,059 430	12-20-73 12-20-73		6-20-74 6-20-74	\$18 29.91 \$16 33.93	\$18 30.53 \$16 34.54	RI73-285
	do.....	15	14	do.....	4,494 504 306	12-20-73 12-20-73 12-20-73		6-20-74 2-20-74 6-20-74	\$18 29.15 \$16 31 28.36 \$16 33.1	\$18 29.75 \$16 31 28.96 \$16 33.69	RI74-77
	do.....	5	19	El Paso Natural Gas Co. (San Juan Basin area, San Juan County, N. Mex.) (Rocky Mountain area).	1,238	12-20-73		6-20-74	\$18 28.66 \$18 28.66	\$18 29.11 \$18 33.14	
	do.....	24	6	El Paso Natural Gas Co. (San Juan Basin area, Rio Arriba County, N. Mex.) (Rocky Mountain area).	384	12-20-73		6-20-74	\$15 31.34	\$15 31.98	
RI74-135..	Union Oil Co. of California.	159	5	Southern Union Gathering Co. (San Juan Basin area, San Juan County, N. Mex.) (Rocky Mountain area).	352	12-20-73		172-20-74	\$16 17 30.40	\$16 17 31.04	
			6	do.....	430	12-21-73	1-21-74	(21)			
				do.....	430	12-21-73		(27)	16.0	\$19 27.9543	

Docket No.	Respondent	Rate schedule No.	Supplement No.	Purchaser and producing area	Amount of annual increase	Date filing tendered	Effective date unless suspended	Date suspended until—	Cents per Mcf*		Rate in effect subject to refund in dockets Nos.
									Rate in effect	Proposed increased rate	
RI74-136..	Skelly Oil Co.....	264	5	El Paso Natural Gas Co. (Canada Mesa No. 1 and No. 2 Units, Rio Arriba County, N. Mex.) (Rocky Mountain area).	1,800	12-18-73		2-18-74	28.0	28.5	RI73-125 RI73-286 RI74-59
RI74-137..	Gulf Oil Corp.....	446	2	El Paso Natural Gas Co. (Papoose Canyon Field, Dolores County, Colo.) (Rocky Mountain area).	972	12-26-73		2-26-74	28.8	30.0	

\* Unless otherwise stated, the pressure base is 15,025 p.s.i.a.

<sup>1</sup> Contract amendment dated 12-10-73.

<sup>2</sup> Applies to wells completed prior to June 1, 1970.

<sup>3</sup> Applies to wells completed after June 1, 1970.

<sup>4</sup> Inclusive of tax.

<sup>5</sup> Subject to B.t.u. adjustment up and down from 1,000 B.t.u.

<sup>6</sup> Subject to B.t.u. adjustment down from 1,000 B.t.u. and up from 1,050 B.t.u.

<sup>7</sup> Considered "new gas" pursuant to Opinion No. 639.

<sup>8</sup> Exclusive of tax.

<sup>9</sup> Not used.

<sup>10</sup> Applicable to gas production from acreage added by supp. No. 11 (dated 11-8-68).

<sup>11</sup> No production at present.

<sup>12</sup> Applicable to gas produced in New Mexico.

<sup>13</sup> Applicable to gas produced in Colorado.

<sup>14</sup> Applicable to supp. No. 7 only. Add acreage supplement dated after 10-1-68.

<sup>15</sup> Includes tax and B.t.u. adjustment.

<sup>16</sup> Includes B.t.u. adjustment.

<sup>17</sup> Letter agreement dated 10-24-73.

<sup>18</sup> Applicable to supp. No. 13 only. Add acreage supplement dated after 10-1-68.

<sup>19</sup> Not applicable to acreage added by supps. Nos. 7 and 13.

<sup>20</sup> No volume given.

<sup>21</sup> Applicable to supp. No. 8 only. Add acreage supplement dated after 10-1-68.

<sup>22</sup> Contract dated after 10-1-68.

<sup>23</sup> Inclusive of upward B.t.u. adjustment from a base of 1,000 B.t.u.

<sup>24</sup> Accepted as of date set forth in "Effective date unless suspended" column.

<sup>25</sup> The proposed rate increase is accepted as of 1-18-74 insofar as it does not exceed the Opinion No. 658 ceiling and is suspended until 6-18-74 insofar as it exceeds the Opinion No. 658 ceiling rate.

<sup>26</sup> The proposed rate increase is accepted as of 1-20-74 insofar as it does not exceed the Opinion No. 658 ceiling and is suspended until 6-20-74 insofar as it exceeds the Opinion No. 658 ceiling rate.

<sup>27</sup> The proposed rate increase is accepted as of 1-21-74 insofar as it does not exceed the Opinion No. 658 ceiling and is suspended until 6-21-74 insofar as it exceeds the Opinion No. 658 ceiling rate.

#### APPENDIX "A"

The proposed rate increases which exceed the applicable ceiling rate established by Opinion No. 658 are suspended for five months and the proposed rate increases which exceed the applicable area ceiling rate in Order No. 435 are suspended for one day.

[FR Doc.74-1873 Filed 1-24-74; 8:45 am]

[Docket Nos. RP72-156 and RP72-45]

### TEXAS GAS TRANSMISSION CORP. Proposed Changes in FPC Gas Tariff

JANUARY 10, 1974.

Take notice that Texas Gas Transmission Corporation, (Texas Gas) on December 17, 1973, tendered for filing as part of its FPC Gas Tariffs, the following sheets:

Third Revised Volume No. 1  
Substitute Eighth Revised Sheet No. 7  
Original Volume No. 2  
Substitute Sixth Revised Sheet No. 333  
Fifth Revised Sheet No. 362  
Substitute Sixth Revised Sheet No. 363  
Fifth Revised Sheet No. 365

Texas Gas states that these sheets are being issued pursuant to: (1) Texas Gas' purchased gas cost adjustment provision of its FPC Gas Tariff, Third Revised Volume No. 1; and, (2) pursuant to the provisions of Articles V, VI, VIII and IX of the Stipulation and Agreement approved by Commission Order Issued May 17, 1972, in Docket No. RP72-45. The Company claims that these changes in Texas Gas' rates reflect a cost of gas adjustment to track increased purchased gas costs and to recover the balance in Account No. 191—"Unrecovered Purchased Gas Costs", and the changes in costs associated with advance payments and safety program expenditures; and, the increased costs of offshore transportation and gas compressed by others. The proposed effective date of this filing is February 1, 1974, and the Company requests waiver of any Commission Regulation necessary to allow such effective date.

Copies of the filing were served upon the company's jurisdictional customers and interested state commissions.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street, NE., Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's rules of practice and procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before January 29, 1974. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,  
Secretary.

[FR Doc.74-2044 Filed 1-24-74; 8:45 am]

[Docket No. G-16022, et al.]

JERRY L. WHITTON ET AL.

### Applications for Certificates, Abandonment of Service and Petitions To Amend Certificates

JANUARY 22, 1974.

Take notice that each of the Applicants listed herein has filed an application or petition pursuant to Section 7 of the Natural Gas Act for authorization to sell natural gas in interstate commerce or to abandon service as described herein, all as more fully described in the respective applications and amendments which are on file with the Commission and open to public inspection.

<sup>1</sup> This notice does not provide for consolidation for hearing of the several matters covered herein.

Any person desiring to be heard or to make any protest with reference to said applications should on or before February 7, 1974, file with the Federal Power Commission, Washington, D.C. 20426, petitions to intervene or protests in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Persons wishing to become parties to a proceeding or to participate as a party in any hearing therein must file petitions to intervene in accordance with the Commission's Rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's Rules of Practice and Procedure a hearing will be held without further notice before the Commission on all applications in which no petition to intervene is filed within the time required herein if the Commission on its own review of the matter believes that a grant of the certificates or the authorization for the proposed abandonment is required by the public convenience and necessity. Where a petition for leave to intervene is timely filed, or where the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicants to appear or be represented at the hearing.

KENNETH F. PLUMB,  
Secretary.

Docket No. and date filed	Applicant	Purchaser and location	Price per Mcf	Pressure base
G-16022- E 7-23-73	Jerry L. Whitton (successor to Mrs. Joe M. Burnham), P.O. Box 3625, Shreveport, La. 71103.	Arkansas Louisiana Gas Co., Mooringsport Field, Caddo Parish, La.	12.1	15.025
G-16367- D 7-25-73	Mobile Oil Corp., 3 Greenway Plaza East, Suite 800, Houston, Tex. 77048.	Transwestern Pipeline Co., Feldman Field, Hemphill and Lipscomb Counties, Tex.	(1)	-----
G-19117- D 7-25-73	Hunt Oil Co., 1401 Elm St., Dallas, Tex. 75202.	Natural Gas Pipeline Co. of America, Fulton Beach Field, Aransas County, Tex.	(2)	-----
CI73-189- 7-19-73	Skelly Oil Co. (operator) et al., P.O. Box 1850, Tulsa, Okla. 74102.	El Paso Natural Gas Co., Cedar Canyon Unit, Eddy County, N. Mex.	* 35.0	14.65
CI74-26- A 7-12-73	Forest Oil Corp., 1600 Security Life Bldg., Denver, Colo. 80202.	Transcontinental Gas Pipe Line Corp., Block 99 Field, Eugene Island area, offshore Louisiana.	* 35.0	15.025
CI74-40- (CI66-778) B 7-19-73	Phillips Petroleum Co., Bartlesville, Okla. 74004.	Arkansas Louisiana Gas Co., Centrahoma Field, Coal County, Okla.	Depleted	-----
CI74-47- (G-3570) F 7-23-73	Anadarko Production Co. (successor to Alf M. Landon and D.E. Ackers), P.O. Box 9317, Fort Worth, Tex. 76107.	Panhandle Eastern Pipe Line Co., Panoma Council Grove Field, Stevens County, Kans.	* 18.5	14.65
CI74-52- A 7-25-73	The California Co., a Division of Chevron Oil Co., 1111 Tulane Ave., New Orleans, La. 70112.	Natural Gas Pipeline Co. of America, Block 257 Field, East Cameron area, offshore Louisiana.	* 45.0	15.025
CI74-54- (G-17759) B 7-20-73	Graham-Michaels Drilling Co., 302 G-M Bldg., 211 North Broadway, Wichita, Kans. 67202.	Panhandle Eastern Pipe Line Co., Carthage Field, Texas County, Okla.	Depleted	-----
CI74-55- (CI61-1822) F 7-23-73	H. E. Bangert (successor to Aurora Gasoline Co.), 419 Wright Bldg., Tulsa, Okla. 74103.	Cities Service Gas Co., Hardtner Pool, Barber County, Kans.	* 12.0	14.65
CI74-56- (CI61-727) F 7-23-73	Texas International Petroleum Corp. (successor to Amerada Hess Corp.), P.O. Box 4520, Shreveport, La. 71104.	Texas Gas Transmission Corp., Bayou Chevreuil Field, Lafourche and St. John the Baptist Parishes, La.	* 25.75	15.025
CI74-58- (G-16140) B 7-26-73	J. M. Huber Corp. (operator), 2000 West Loop South, Houston, Tex. 77027.	Natural Gas Pipeline Co. of America, Twin (Marmaton) Field, Hansford County, Tex.	Low pressure	-----
CI74-59- (G-12101) F 7-25-73	Amoco Production Co. (successor to Mobil Oil Corp.), P.O. Box 591, Tulsa, Okla. 74102.	Cities Service Gas Co., Hugoton Field, Haskell County, Kans.	* 13.5	14.65
CI74-61- (CI62-1218) F 7-25-73	CRA International, Ltd. (successor to Oil and Gas Property Management, Inc.), 5416 South Yale Ave., Tulsa, Okla. 74135.	El Paso Natural Gas Co., Blanco Field (Mesa Verde Formation), Rio Arriba County, N. Mex.	12.0	15.025
CI74-63- A 7-26-73	Hunt Industries, 1401 Elm St., Dallas, Tex. 75202.	Montana-Dakota Utilities Co., North Tioga area, Burke County, N. Dak.	26.0	14.73

Procedure (18 C.F.R. 1.8, 1.10). All such petitions or protests should be filed on or before January 29, 1974. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of the filing are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,  
Secretary.

[FR Doc.74-2069 Filed 1-24-74; 8:45 am]

[Docket No. RP74-35]

**UNITED NATURAL GAS CO.**  
**Notice of Revised Tariff Sheets**

JANUARY 21, 1974.

Take notice that on January 7, 1974, United Natural Gas Company (United) tendered for filing Second Revised Sheet No. 3-A to its FPC Gas Tariff, Original Volume No. 1. The tariff sheet is proposed to be effective February 1, 1974, and is to supersede First Revised Sheet No. 3-A.

United states that the revised tariff sheet reflects an adjustment in United's rates under Section 16 of .36¢ per MCF, an increase of \$169,652 annually over the revenues that would be generated from the rates set forth in First Revised Sheet No. 3-A, filed December 21, 1973. United alleges that the increased costs result from the following filings of United's suppliers:

Texas Eastern Transmission Corporation, Docket No. RP72-98 to be effective February 1, 1974.

Consolidated Gas Supply Corporation, Docket No. RP72-157 to be effective February 1, 1974.

United requests waiver of Section 16.6 of the General Terms and Conditions of its FPC Tariff relating to the 45 day notice requirement of a rate change due to not receiving its suppliers' revised rates in sufficient time to make a timely filing. Additionally, United requests waiver of any of the Commission's Rules and Regulations as may be required to permit Second Revised Sheet No. 3-A to become effective February 1, 1974, as proposed.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street NE., Washington, D.C. 20426, in accordance with Sections 1.8 and 1.10 of the Commission's Rules of Practice and Procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before January 29, 1974. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this application are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,  
Secretary.

[FR Doc.74-2070 Filed 1-24-74; 8:45 am]

- <sup>1</sup> Acreage assigned to Monsanto Co. et al.  
<sup>2</sup> Acreage has not produced and is now covered by a farmout agreement between Hunt Oil Co. and H. L. Brown, Jr.  
<sup>3</sup> Amendment to pending application for authorization to sell gas from the interests of nonsignatory coowners.  
<sup>4</sup> Subject to upward and downward Btu adjustment.  
<sup>5</sup> This is being retitled to show that applicant is willing to accept a certificate at an initial rate of 26.0 cents per Mcf, subject to downward Btu adjustment; however, the contract price is 35.0 cents per Mcf.  
<sup>6</sup> Applicant is willing to accept a certificate at an initial rate of 26.0 cents per Mcf, subject to Btu adjustment; however, the contract price is 45.0 cents per Mcf.  
<sup>7</sup> Rate in effect subject to refund in Docket No. G-13816.  
<sup>8</sup> Subject to downward Btu adjustment.  
<sup>9</sup> Subject to Btu adjustment.

Filing code: A—Initial service.  
B—Abandonment.  
C—Amendment to add acreage.  
D—Amendment to delete acreage.  
E—Succession.  
F—Partial succession.

[FR Doc.74-2042 Filed 1-24-74; 8:45 am]

[Docket No. RP74-35]

**UNITED NATURAL GAS CO.**

**Notice of Filing Substitute Tariff Sheets and Revised Schedule**

JANUARY 21, 1974.

Take notice that on January 2, 1974 United Natural Gas Company (United) tendered for filing the following:

1. Substitute Thirty-second Revised Sheet No. 4 Superseding Thirty-second Revised Sheet No. 4; and Substitute Thirty-fourth Revised Sheet No. 5, Superseding Thirty-fourth Revised Sheet No. 5, to FPC Gas Tariff, Original Volume No. 1.
2. Revised Schedule N-10.

United states that this filing is made pursuant to Paragraph (C) of the Commission's order of December 10, 1973 in the above docket which rejected United's proposed annual PGA rate increase, (United's filing of October 25, 1973 in this docket), without prejudice to United's

being allowed to amend its rate filing to reflect purchase gas cost changes which have occurred subsequent to its July 31, 1973 base period to and including December 11, 1973. United alleges that the substitute tariff sheets reflect a required annual revenue increase of \$1,322,784 instead of the \$816,193 shown in the original filing. United proposes an effective date of December 11, 1973.

United requests that the filing be accepted as an amendment to its original filing pursuant to Paragraph (C) of the Commission order dated December 10, 1973. United also requests waiver of any Commission rules or regulations necessary to implement its proposals.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street NE., Washington, D.C. 20426, in accordance with Sections 1.8 and 1.10 of the Commission's Rules of Practice and

## NATIONAL ENDOWMENT FOR THE HUMANITIES

### FELLOWSHIPS PANEL

#### Notice of Meeting

JANUARY 21, 1974.

Pursuant to the provisions of the Federal Advisory Committee Act (Public Law 92-463) notice is hereby given that a meeting of the Fellowships Panel will meet at Washington, D.C. on January 29 and February 2, 1973.

The purpose of the meeting is to review applications submitted under the Fellowships in Selected Fields Program in the field of Studies in the Interrelationships Between Human Values and Science and Technology to the National Endowment for the Humanities for Individual Fellowship grants.

Because the proposed meeting will consider financial information and personnel and similar files the disclosure of which would constitute a clearly unwarranted invasion of personal privacy, pursuant to authority granted me by the Chairman's Delegation of Authority to Close Advisory Committee Meetings, dated August 13, 1973, I have determined that the meeting would fall within exemptions (4) and (6) of 5 U.S.C. 552(b) and that it is essential to close the meeting to protect the free exchange of internal views and to avoid interference with operation of the Committee.

It is suggested that those desiring more specific information contact the Advisory Committee Management Officer Mr. John W. Jordan, 806 15th Street, NW., Washington, D.C. 20506, or call area code 202-382-2031.

JOHN W. JORDAN,  
Advisory Committee  
Management Officer.

[FR Doc.74-2130 Filed 1-24-74; 8:45 am]

## SECURITIES AND EXCHANGE COMMISSION

[70-5445]

### ALLEGHENY POWER SYSTEM, INC.

#### Proposed Issue and Sale of Common Stock at Competitive Bidding

Notice is hereby given that Allegheny Power System, Inc., 320 Park Avenue, New York, New York 10022, ("APS"), a registered holding company, has filed a declaration with this Commission pursuant to the Public Utility Holding Company Act of 1935 ("Act"), designating sections 6, 7, and 12 of the Act and rule 50 promulgated thereunder as applicable to the proposed transactions. All interested persons are referred to the declaration, which is summarized below, for a complete statement of the proposed transactions.

APS proposes to issue and sell, subject to the competitive bidding requirements of rule 50 under the Act, not more than 2,500,000 shares of its authorized and unissued common stock, par value \$2.50 per share for an assumed aggregate amount of \$50 million. APS proposes to use the proceeds from the sale of the additional

common stock together with other funds which may become available to APS to pay short-term bank loans outstanding at that time at or prior to maturity, to pay as it matures any commercial paper outstanding at the time of the sale of the additional common stock and for other corporate purposes. As of November 30, 1973, \$47 million principal amount of short-term bank loans were outstanding and it is estimated that approximately \$41 million of such short-term bank loans or commercial paper will be outstanding at the time the additional stock is issued, in each case pursuant to the Commission's order (Holding Company Act Release No. 17488, dated March 8, 1972). The proceeds of such short-term bank loans were used to acquire common stock of the electric utility subsidiaries of APS, who in turn used such funds directly or indirectly to finance their construction programs. (Holding Company Act Release No. 17935 (dated April 20, 1973) and 17763 (dated November 15, 1972)).

The fees and expenses to be paid by APS in connection with the proposed transactions are estimated to total \$93,000, including legal fees of \$15,500. No other fees, commissions or expenses are to be paid or incurred by APS or any associate company in connection with the proposed transactions. It is stated that the Maryland Public Service Commission has jurisdiction over the proposed issue and sale by APS of the additional common stock and that no other state commission and no federal commission, other than this Commission, has jurisdiction over the proposed transactions.

Notice is further given that any interested person may, not later than February 8, 1974, request in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by said declaration which he desires to controvert; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request should be served personally or by mail (air mail if the person being served is located more than 500 miles from the point of mailing) upon the declarant at the above-stated address, and proof of service (by affidavit or, in case of an attorney-at-law, by certificate) should be filed with the request. At any time after said date, the declaration, as filed or as it may be amended, may be permitted to become effective as provided in rule 23 of the General rules and regulations promulgated under the Act, or the Commission may grant exemption from such rules as provided in rules 20(a) and 100 thereof or take such other action as it may deem appropriate. Persons who request a hearing or advice as to whether a hearing is ordered will receive notice of further developments in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission, by the Division of Corporate Regulation, pursuant to delegated authority.

[SEAL] GEORGE A. FITZSIMMONS,  
Secretary.

[FR Doc.74-2082 Filed 1-24-74; 8:45 am]

[70-5443]

### APPALACHIAN POWER CO.

#### Proposed Issuance and Sale of First Mortgage Bonds and Cumulative Preferred Stock at Competitive Bidding

Notice is hereby given that Appalachian Power Co., 40 Franklin Road, Roanoke, Virginia, 24009 ("Appalachian"), an electric utility subsidiary company of American Electric Power Co., Inc. ("AEP"), a registered holding company, has filed an application with this Commission pursuant to the Public Utility Holding Company Act of 1935 ("Act") designating section 6(b) of the Act and rule 50 promulgated thereunder as applicable to the proposed transactions. All interested persons are referred to the application, which is summarized below, for a complete statement of the proposed transactions.

Appalachian proposes to issue and sell, subject to the competitive bidding requirements of rule 50 under the Act, \$50,000,000 principal amount of First Mortgage Bonds, to mature in not less than 5 and not more than 30 years. The interest rate (which will be expressed in a multiple of  $\frac{1}{8}$  of 1 percent) and the price to be paid to Appalachian for the Bonds (which shall not be less than 100 percent unless Appalachian shall authorize a lower percentage not less than 99 percent, and shall not exceed 102.75 percent) will be determined by competitive bidding. The terms of the Bonds preclude Appalachian from redeeming any such Bonds prior to March 1, 1979, if such redemption is for the purpose of refunding such Bonds with proceeds of funds borrowed at a lower effective interest cost.

Appalachian also proposes to issue and sell, subject to the competitive bidding requirements of rule 50 under the Act, 200,000 shares of its Cumulative Preferred Stock, par value \$100 per share. The dividend rate (which will be a multiple of .04 of 1 percent) and the price to be paid to Appalachian (which shall not be less than \$100 per share and shall not exceed \$102.75 per share) will be determined by competitive bidding. Prior to March 1, 1979, none of the shares of the Cumulative Preferred Stock may be redeemed if such redemption is for the purpose of refunding such share, directly or indirectly, through the incurring of debt or the issuance of stock ranking equally with or prior to the Cumulative Preferred Stock at an interest or dividend cost less than the total effective dividend cost to Appalachian of the Cumulative Preferred Stock.

Neither the Bonds nor the Cumulative Preferred Stock will be issued and sold unless Appalachian shall have received prior to such sale and subsequent to November 30, 1973, cash capital contribu-

tions from AEP which aggregate \$15,000,000. The making of such capital contributions has been previously authorized on June 29, 1973 (Holding Company Act Release No. 18013).

The proceeds realized from the sale of the Bonds and Cumulative Preferred Stock, together with the cash capital contributions to be made by AEP and with other funds which may become available to Appalachian, are proposed to be used to pay as it matures, or prepay as may then be appropriate or desirable, unsecured short-term indebtedness outstanding on the date of the sales of the Bonds and/or Cumulative Preferred Stock, in connection with Appalachian's construction program, for working capital and to reimburse its treasury for money actually expended for such purposes. The presently estimated cost of Appalachian's construction program for 1974 is approximately \$115,000,000. At December 11, 1973, commercial paper in the amount of \$19,000,000 and notes to banks in the amount of \$18,298,000 were outstanding, and it is anticipated that at the time of the issuance and delivery of the Bonds and Cumulative Preferred Stock, an aggregate amount of commercial paper and notes to bank estimated at approximately \$70,000,000 will be outstanding.

Expenses of Appalachian in connection with the proposed transactions will be filed by amendment. The proposed transactions are subject to the jurisdiction of the State Corporation Commission of Virginia and the Public Service Commission of Tennessee, and no other state commission and no federal commission, other than this Commission, has jurisdiction over the proposed transactions.

Notice is further given that any interested person may, not later than February 12, 1974, request in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by said application which he desires to controvert; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request should be served personally or by mail (air mail if the person being served is located more than 500 miles from the point of mailing) upon the applicant at the above-stated address, and proof of service (by affidavit or, in case of an attorney at law, by certificate) should be filed with the request. At any time after said date, the application, as filed or as it may be amended, may be granted as provided in rule 23 of the General rules and regulations promulgated under the Act, or the Commission may grant exemption from such rules as provided in rules 20(a) and 100 thereof or take such other action as it may deem appropriate. Persons who request a hearing or advice as to whether a hearing is ordered will receive notice of further developments in this matter, including the date of the

hearing (if ordered) and any postponements thereof.

For the Commission, by the Division of Corporate Regulation, pursuant to delegated authority.

[SEAL] GEORGE A. FITZSIMMONS,  
Secretary.

[FR Doc.74-2083 Filed 1-24-74;8:45 am]

[File No. 500-1]

**CONTINENTAL VENDING MACHINE CORP.**

**Notice of Suspension of Trading**

JANUARY 14, 1974.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock of Continental Vending Machine Corp. being traded otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

Therefore, pursuant to section 15(c) (5) of the Securities Exchange Act of 1934, trading in such securities otherwise than on a national securities exchange is suspended, for the period from January 15, 1974 through January 24, 1974.

By the Commission.

[SEAL] GEORGE A. FITZSIMMONS,  
Secretary.

[FR Doc.74-2076 Filed 1-24-74;8:45 am]

[File No. 500-1]

**EQUITY FUNDING CORPORATION OF AMERICA**

**Notice of Suspension of Trading**

JANUARY 11, 1974.

The Common stock of Equity Funding Corp. of America being traded on the New York Stock Exchange, the Midwest Stock Exchange, the Pacific-Coast Stock Exchange, the Philadelphia-Baltimore-Washington Stock Exchange, the Boston Stock Exchange; warrants to purchase the common stock being traded on the America Stock Exchange and the Philadelphia-Baltimore-Washington Stock Exchange; 9½ percent debentures due 1990 being traded on the New York Stock Exchange; and 5½ percent convertible subordinated debentures due 1991 being traded on the New York Stock Exchange pursuant to provisions of the Securities Exchange Act of 1934 and all other securities of Equity Funding Corporation of America being traded otherwise than on a national securities exchange; and

It appearing to the Securities and Exchange Commission that the summary suspension of trading in such securities on such exchanges and otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

Therefore, pursuant to sections 19(a) (4) and 15(c) (5) of the Securities Exchange Act of 1934, trading in such securities on the above mentioned exchanges and otherwise than on a national securities exchange is suspended, for the

period from January 12, 1974 through January 21, 1974.

By the Commission.

[SEAL] GEORGE A. FITZSIMMONS,  
Secretary.

[FR Doc.74-2077 Filed 1-24-74;8:45 am]

[812-3573]

**GOLDMAN, SACHS & CO.**

**Filing of Application for an Order of Exemption**

Notice is hereby given that Goldman, Sachs & Co., 55 Broad Street, New York, New York 10004 ("Applicant"), on behalf of itself and E. F. Hutton & Co., Inc., Reynolds Securities Inc. and Alex Brown & Sons as representatives (the Applicant and the other representatives being herein collectively designated the "Representatives") of the underwriters of a proposed public offering of shares of common stock ("Shares") of American General Option Investors, Inc. ("Company"), a registered closed-end management investment company, has filed an application for an exemptive order pursuant to section 6(c) of the Investment Company Act of 1940 ("Act"). Applicant requests that it and the other Representatives and, to the extent necessary, their co-underwriters be exempted from section 30(f) of the Act, which incorporates section 16 of the Securities Exchange Act of 1934 ("Exchange Act"), in connection with their transactions incident to the distribution of Shares of the Company. All interested persons are referred to the application on file with the Commission for a statement of the representations contained therein, which are summarized below.

Shares of the Company are to be purchased by the underwriters pursuant to an Underwriting Agreement to be entered into between the underwriters, represented by the Representatives, the Company, its investment adviser and their parent. It is also contemplated that one or more dealers will offer and sell certain of the Shares. It is intended that the several underwriters will make a public offering of all the Shares which such underwriters are to purchase under the Underwriting Agreement at the price therein specified, as soon on or after the effective date of the Company's Registration Statement on Form S-4 (the "Registration Statement") as the Representatives deem advisable; and such Shares are initially to be offered to the public at per share public offering prices and subject to underwriting commissions and dealer discounts to be set forth in the Company's prospectus included in the Registration Statement. Although 2,200,000 shares have been included for registration in the Registration Statement, the actual number of Shares which may be the subject of the proposed public offering may be increased or decreased by the Representatives and the Company shortly before the effective date of the Registration Statement and the pro-

posed public offering, depending upon market conditions.

It seems likely that the Representatives and possibly one or more other underwriters will acquire individually from the Company in accordance with the provisions of the underwriting agreement more than 10 percent of the Shares of the Company which will be outstanding at the time of the closing with the underwriters (thus making them subject to the provisions of section 16(b) of the Exchange Act), and that the Representatives, either alone or together with one or more such other underwriters, might acquire more than 50 percent of such Shares.

Since the purpose of the purchase by the Representatives and the other underwriters is for resale in connection with the initial distribution of Shares of the Company, it will be a transaction effected in connection with a distribution of a substantial block of securities within the purpose and spirit of the Commission's rule 16b-2.

Applicant states that it is necessary for the Representatives and such other underwriters to obtain the exemption requested by the application because of the requirements of the last clause of the first sentence of paragraph (a)(3) of rule 16b-2, since it appears likely that the aggregate participation of underwriters who would not require exemption from section 16(b) of the Exchange Act will not be at least equal to the participation of the Representatives (and possibly such other underwriters) who will require such exemption.

In addition to purchases from the Company and sales to customers, there may be the usual transactions of purchase or sale incident to a distribution such as stabilizing purchases, over-allotments and sales of Shares purchased in stabilization.

Applicant states that no underwriter has any inside information or possibility of using inside information and that, in fact, there is no inside information in existence since the Company prior to the initial distribution will have virtually no assets other than cash or business of any sort.

Section 30(f) of the Act imposes the duties and liabilities of section 16 of the Exchange Act upon, among others, beneficial owners of more than 10 percent of any class of outstanding securities of a registered closed-end investment company. Section 16 of the Exchange Act contains reporting requirements and provisions for accountability for profits from purchases and sales or sales and purchases within six months of any equity security by those persons covered thereby.

Applicant represents that the requested exemption from the provisions of section 30(f) of the Act is necessary and appropriate in the public interest and consistent with the protection of investors and the purposes fairly intended by the policy and provisions of the Act.

Section 6(c) of the Act authorizes the Commission to exempt any person, security or transaction, or any class or

classes of persons, securities or transactions, from any provision or provisions of the Act or of any rule or regulation thereunder, if and to the extent that such exemption is necessary or appropriate in the public interest and consistent with the protection of investors and the purposes fairly intended by the policy and provisions of the Act.

Notice is further given that any interested person may, not later than February 8, 1974, at 5:30 p.m., submit to the Commission in writing a request for a hearing on the matter, accompanied by a statement as to the nature of his interest, the reason for such request and the issues of fact or law proposed to be controverted, or he may request that he be notified if the Commission shall order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request shall be served personally or by mail (air mail if the person being served is located more than 500 miles from the point of mailing) upon Applicant at the address stated above. Proof of such service (by affidavit or in case of an attorney-at-law by certificate) shall be filed contemporaneously with the request. Any time after said date, as provided by rule 0-5 of the rules and regulations promulgated under the Act, an order disposing of the application will be issued as of course following said date unless the Commission thereafter orders a hearing upon request or upon the Commission's own motion. Persons who request a hearing or advice as to whether a hearing is ordered will receive notice of further developments in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission, by the Division of Investment Management Regulation, pursuant to delegated authority.

[SEAL] GEORGE A. FITZSIMMONS,  
Secretary.

[FR Doc.74-2084 Filed 1-24-74; 8:45 am]

[File No. 500-1]

#### HAWAII FURNITURE LEASE

##### Notice of Suspension of Trading

JANUARY 10, 1974.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock of Hawaii Furniture Lease being traded otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

Therefore, pursuant to section 15(c) (5) of the Securities Exchange Act of 1934, trading in such securities otherwise than on a national securities exchange is suspended, for the period from 1:45 p.m. (E.d.t.) January 10, 1974 through midnight January 19, 1974.

By the Commission.

[SEAL] GEORGE A. FITZSIMMONS,  
Secretary.

[FR Doc.74-2078 Filed 1-24-74; 8:45 am]

[File No. 500-1]

#### INDUSTRIES INTERNATIONAL, INC.

##### Notice of Suspension of Trading

JANUARY 11, 1974.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock of Industries International, Inc. being traded otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

Therefore, pursuant to section 15(c) (5) of the Securities Exchange Act of 1934, trading in such securities otherwise than on a national securities exchange is suspended, for the period from January 12, 1974 through January 21, 1974.

By the Commission.

[SEAL] GEORGE A. FITZSIMMONS,  
Secretary.

[FR Doc.74-2079 Filed 1-24-74; 8:45 am]

[File No. 500-1]

#### SEABOARD CORP.

##### Notice of Suspension of Trading

JANUARY 15, 1974.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock, units and warrants of Seaboard Corp. being traded otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

Therefore, pursuant to section 15(c) (5) of the Securities Exchange Act of 1934, trading in such securities otherwise than on a national securities exchange is suspended, for the period from January 16, 1974 through January 25, 1974.

By the Commission.

[SEAL] GEORGE A. FITZSIMMONS,  
Secretary.

[FR Doc.74-2080 Filed 1-24-74; 8:45 am]

[File No. 500-1]

#### STRATTON GROUP, LTD.

##### Notice of Suspension of Trading

JANUARY 14, 1974.

The common stock of Stratton Group, Ltd. being traded on the American Stock Exchange pursuant to provisions of the Securities Exchange Act of 1934 and all other securities of Stratton Group, Ltd. being traded otherwise than on a national securities exchange; and

It appearing to the Securities and Exchange Commission that the summary suspension of trading in such securities on such exchange and otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

Therefore, pursuant to sections 19(a) (4) and 15(c) (5) of the Securities Exchange Act of 1934, trading in such securities on the above mentioned exchange and otherwise than on a national securities exchange is suspended, for the

period from January 15, 1974 through January 24, 1974.

By the Commission.

[SEAL] GEORGE A. FITZSIMMONS,  
Secretary.

[FR Doc.74-2081 Filed 1-24-74; 8:45 am]

[811-1521]

### TOWER CAPITAL FUND, INC.

#### Proposal To Terminate Registration

Notice is hereby given that the Commission proposes, pursuant to section 8 (f) of the Investment Company Act of 1940 ("Act"), to declare by order upon its own motion that Tower Capital Fund, Inc., 60 Broad Street, New York, New York, 10004 ("Fund"), registered under the Act as an open-end, non-diversified management investment company, has ceased to be an investment company as defined in the Act.

Fund was organized as a Delaware corporation on June 15, 1967, and filed a Notification of Registration on Form N-8A and a Registration Statement under the Act on Form N-8B-1 on August 25, 1967.

On October 30, 1973, pursuant to an Agreement and Plan of Reorganization dated as of August 3, 1973, Fund transferred substantially all of its assets to The Burnham Fund ("Burnham"), a New Jersey corporation and a registered investment company, in exchange for 378,172 shares of Burnham Capital Stock. These shares were distributed to Fund's stockholders on a pro rata basis on November 9, 1973. The Fund's limited remaining assets are maintained in a demand deposit account and are to be used only to pay liquidation expenses. On December 12, 1973, Fund was dissolved in accordance with the laws of the State of Delaware.

Section 8(f) of the Act provides, in pertinent part, that when the Commission, on its own motion, finds that a registered investment company has ceased to be an investment company, it shall so declare by order, and, upon the effectiveness of such order, the registration of such company shall cease to be in effect.

Notice is further given, that any interested person may, not later than February 11, 1974, at 5:30 p.m., submit to the Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of his interest, the reason for such request, and the issues of fact or law proposed to be controverted, or he may request that he be notified if the Commission shall order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request shall be served personally or by mail (air mail if the person being served is located more than 500 miles from the point of mailing) upon applicant at the address stated above. Proof of such service (by affidavit, or in case of an attorney-at-law, by certificate) shall be filed contemporaneously with the request. As provided by rule 0-5 of the rules

and regulation promulgated under the Act, an order disposing of the application will be issued as of course following said date unless the Commission thereafter orders a hearing upon request or upon the Commission's own motion. Persons who request a hearing, or advice as to whether a hearing is ordered, will receive notice of further developments in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission, by the Division of Investment Management Regulation, pursuant to delegated authority.

[SEAL] GEORGE A. FITZSIMMONS,  
Secretary.

[FR Doc.74-2085 Filed 1-24-74; 8:45 am]

### TARIFF COMMISSION

[AA1921-136]

#### IRON AND SPONGE IRON POWDERS (EXCLUDING ALLOY POWDERS) FROM CANADA

##### Determination of No Injury

JANUARY 18, 1974.

The Treasury Department advised the Tariff Commission on October 18, 1973, that iron and sponge iron powders (excluding alloy powders) from Canada are being, or are likely to be, sold in the United States at less than fair value within the meaning of the Antidumping Act, 1921, as amended. In accordance with the requirements of section 201(a) of the Antidumping Act (19 U.S.C. 160(a)), the Tariff Commission instituted investigation No. AA1921-136 to determine whether an industry in the United States is being or is likely to be injured, or is prevented from being established, by reason of the importation of such merchandise into the United States.

Notice of the institution of the investigation was published in the FEDERAL REGISTER of November 2, 1973 (38 FR 30307). With its announcement of the investigation, the Tariff Commission scheduled public hearings in connection therewith to begin December 11, 1973.

In arriving at its determination, the Commission gave due consideration to all written submissions from interested parties, evidence adduced at the hearing, and all factual information obtained by the Commission's staff from questionnaires, personal interviews, and other sources.

On the basis of its investigation, the Commission<sup>1</sup> has determined, by a vote of 3 to 2,<sup>2</sup> that an industry in the United States is not being and is not likely to be injured, and is not prevented from being established, by reason of the importation of iron and sponge iron powders (excluding alloy powders) from Canada that are being, or are likely to

<sup>1</sup> Commissioner Young did not participate in the decision.

<sup>2</sup> Chairman Bedell, Vice Chairman Parker, and Commissioner Moore determined in the negative. Commissioners Leonard and Abbondi determined in the affirmative.

be, sold in the United States at less than fair value (LTFV) within the meaning of the Antidumping Act of 1921, as amended.

#### STATEMENT OF REASONS FOR NEGATIVE DETERMINATION OF CHAIRMAN BEDELL, VICE CHAIRMAN PARKER AND COMMISSIONER MOORE

In our opinion, an industry in the United States is not being or is not likely to be injured<sup>3</sup> by reason of the importation of iron and sponge iron powders (excluding alloy powders) from Canada that is being, or is likely to be sold at less than fair value (LTFV) within the meaning of the Antidumping Act of 1921, as amended. In making such determination, we have considered the U.S. industry to consist of those facilities in the United States engaged in the production of iron and sponge iron powders (excluding alloy powders).

Three types of iron and sponge iron powders are produced domestically: molding powder, welding powder, and powder for specialty applications. The U.S. industry consists of five firms, which currently manufacture only one or two of these types. One domestic producer, for example, provides only molding powder; while two others supply only specialty powders.

In the period covered by the Treasury investigation, there were two Canadian suppliers of iron and sponge iron powders to the United States, Quebec Metal Powders (July 1972 through January 1973) and Domtar, Ltd. (July 1972 through December 1972). Although the iron and sponge iron powders imported from Canada found to have been sold, or likely to be sold, at LTFV are comparable to the powders produced and sold by U.S. manufacturers, powders for the same use when produced by different manufacturers are made by different processes and are not exactly alike. Almost two-thirds of the quantity of powders consumed in the United States are used in the production of parts for machines and other equipment. These parts are generally designed to use a powder from a particular source and cannot be made from another powder without expensive retooling. Based on the evidence developed by the Commission, it is clear that the bulk of Canadian LTFV imports were sold in low compressibility grades not directly competitive with the bulk of domestically produced iron and sponge iron powders.

Shipments of domestically manufactured iron and sponge iron powders have followed the same trend as apparent consumption in recent years. Consumption of such powders declined 13 percent during 1970-1971. From the late 1960's through this period domestic producers suffered from an overcapacity resulting from their having increased capacity to supply anticipated market growth which did not materialize. This condition would have existed even without Canadian imports entering the U.S. market.

<sup>3</sup> Prevention of the establishment of an industry is not an issue in the instant case.

In 1970 the serious oversupply in the U.S. market was aggravated by a cut-back of nearly 20 percent in automotive sales and labor disputes in the automotive industry, a major user of iron and sponge iron powders, as well as the general economic recession of 1970-71, resulting in decreased demand for iron and sponge iron powders.

Between 1970 and early 1972 three domestic producers terminated production of iron and sponge iron powders, two of them as a result of plant disasters and a third as a result of unprofitable operations. During this same period, when some Canadian imports sold at prices below those of the U.S. producers, there is no persuasive evidence indicating either the existence of LTFV sales or an injury to the U.S. industry by reason of such sales in view of the falling demand resulting from the producers' overcapacity, a market oversupply, and a general economic recession.

During 1972-73, however, the anticipated growth in the iron and sponge iron powders market materialized as record automobile production led to major increases in iron and sponge iron powder usage. In 1972, the year in which the Treasury Department found imports sold at LTFV, consumption increased 15 percent over 1971 as domestic shipments increased by 12,000 tons over 1971. Domestic producers' 1972 inventories, which had been built up from earlier years, were reduced to the lowest level since 1967 and the profit and loss experience of the industry had substantially improved over earlier years. By December of 1972 there were indications that supplies of iron and sponge iron powders were becoming in short supply and a price recovery had been established.

In 1973 consumption outran supplies, prices advanced sharply and users were placed on allocation. During both 1972 and 1973 there is little evidence of price suppression and lost sales, if any, suffered by the U.S. industry to LTFV Canadian imports were both scattered and influenced by the commercial grade of the powder offered by the dominant Canadian producer.

Considering all of the evidence developed during this investigation, any injury suffered by reason of the imports of iron and sponge iron powders sold at LTFV is minimal. With regard to the likelihood of future injury, existing market conditions, including capacity operations by U.S. producers with high prices assured, remove any foreseeable threat of such injury. Moreover, the dominant Canadian exporter of iron and sponge iron powders to the United States has offered assurances to the Treasury Department that LTFV sales will not recur. In fact, in March of 1973, this supplier discontinued its quantity discount price sheet for large customers which had resulted in the Treasury Department's LTFV finding. Following the removal of these quantity discounts and up to the present time sales of the Canadian imports were at full price and, in January 1974, this price was increased by 20 percent.

On the basis of the foregoing, we have determined that an industry in the United States is not being or is not likely to be injured by reason of the importation of iron and sponge iron powders from Canada at less than fair value.

STATEMENT OF REASONS FOR AFFIRMATIVE DETERMINATION BY COMMISSIONERS LEONARD AND ABLONDI

The Antidumping Act, 1921, as amended, requires that the Tariff Commission find two conditions satisfied before an affirmative determination can be made.

First, there must be injury, or likelihood of injury, to an industry in the United States, or an industry in the United States must be prevented from being established.<sup>3</sup> Second, such injury, or likelihood of injury, must be by "reason of" the importation into the United States of the class or kind of foreign merchandise the Secretary of the Treasury determined is being, or is likely to be, sold at less than fair value (LTFV).

In our judgment, both of the aforementioned conditions are satisfied in the instant case. Accordingly, for the reasons set forth below, we have determined that an industry in the United States is being, or is likely to be, injured by reason of imports of Canadian iron and sponge iron powders sold at LTFV.

*Treasury's determination.* The Treasury Department's investigation covered imports entered by two Canadian firms over a period of from July 1972 through December 1972 and July 1972 through January 1973. The investigation showed that both firms investigated, Quebec Metal Powders, Ltd. (QMP) and Domtar, Ltd. (Domtar), made sales at LTFV; imports entered by these firms accounted for 100 percent of Canadian exports to the United States and 95 percent of those imports examined by Treasury were found to have been sold at LTFV. The less-than-fair-value margins on such imports were found to be as high as 68 percent and amounted to a very substantial 23 percent on a weighted average basis as calculated by the Tariff Commission.

*The domestic industry.* For the purposes of this investigation, the most relevant industry is considered to be the facilities in the United States used for the production of iron and sponge iron powders. While particular production processes differ greatly from producer to producer, the end product appears to be comparable and interchangeable to such a degree that the Canadian product, when sold at LTFV, affected the price and sales of all of the domestic iron and sponge iron powder.

*Market penetration of the Canadian imports of iron and sponge iron powder.* In 1968, QMP announced its intention to enter the U.S. market with a capacity of 70,000 tons commencing in 1969 and began soliciting orders at prices below

<sup>3</sup> Prevention of establishment of an industry is not an issue in this investigation and will not be treated with further.

those prevailing in the market. Iron and sponge iron powder imports for consumption from Domtar<sup>4</sup> and QMP increased annually from 4.6 percent in 1969, the year QMP entered the market, to over 25 percent in 1972, and, by September 1973, these imports had increased to an historic high of over 33 percent.

Specifically, LTFV imports during the period of the Treasury's investigation more than doubled over those in the same period of the preceding year, and penetration of the market by the Canadian imports increased by nearly 5 percent in that 6-month period.<sup>5</sup> It was the LTFV nature of the sales which enabled the two Canadian producers to increase their share by 60 percent of a growing market because confidential pricing information obtained by the Commission showed that, had iron powders from QMP and Domtar been priced at fair value without the benefit of the LTFV margin, such powders would have been priced considerably above the powder of U.S. producers and thus would not have had an important competitive advantage. No doubt, the large increase in penetration of the U.S. market in a short period of time took potential sales from U.S. producers, especially since there were few imports from other countries and such other imports were mostly for special applications.

*Prices and profits.* Iron and sponge iron powder prices were significantly depressed in 1970 and by mid-1973 had not recovered to the levels that existed before 1970. A major increase in Canadian imports accompanied declining prices in 1970, and imports continued to increase during the 1970-73 period of depressed prices.

During the period January 1971 to March 1973, the dominant Canadian supplier offered a quantity price discount which resulted in Treasury's LTFV finding as home market customers did not buy sufficient quantities to qualify for the discount. Such LTFV sales in a period of economic recession and overcapacity within the industry kept the domestic producers' prices down below levels which had remained stable and profitable from 1963-68. In middle and late 1972, prices on imported iron and sponge iron powders from Canada continued to drop, and the result was a further depression of producers' price levels.

LTFV imports were found by Treasury during a portion of the period of depressed prices and were a cause of such depressed prices for at least the length

<sup>4</sup> Domtar had been an earlier exporter of iron powders to the United States, however, at quantity levels considerably below those of QMP.

<sup>5</sup> It is the opinion of Commissioner Leonard that, while any injury to a U.S. industry that occurred outside of the period of Treasury's investigation cannot definitely be said to result from the LTFV imports, if such injury continues into the period of Treasury's investigation, that is sufficient for an affirmative determination under the Antidumping Act, providing the requisite causation is established. In other words, the injury does not have to begin during the LTFV period.

of time during which such LTFV imports occurred.

U.S. producers of iron and sponge iron powders operated at a loss as a result of the depressed prices during the 1970-73 period. As has been shown, the depressed prices occurred at least in part as a result of the LTFV imports. Thus, so did the domestic producers' losses.

**Conclusion.** In summary, the competitive edge gained by the iron and sponge iron powders from Canada being sold and offered for sale at LTFV enabled such imports to make sizable inroads into the U.S. market at the expense of the U.S. producers through reduced prices, lost sales, and thus operating losses. The U.S. iron and sponge iron powder industry is injured and an identifiable cause of that injury is iron and sponge iron powder from Canada sold at LTFV.

By order of the Commission.

[SEAL] KENNETH R. MASON,  
Secretary.

[FR Doc.74-2131 Filed 1-24-74;8:45 am]

## PIANOS

### Commission Report to the President

JANUARY 21, 1974.

The U.S. Tariff Commission (Commissioner Leonard not participating) today reported to the President that the termination of the current escape-action rate of duty on imported pianos (except grand pianos) would not significantly affect the competitive position of the industry producing such pianos.

The investigation (No. TEA-I-EX-9) was conducted under section 351(d)(3) of the Trade Expansion Act of 1962. In February 1970, the President suspended the Kennedy Round tariff reductions on pianos (except grand pianos) and imposed a duty of 13.5 percent ad valorem—the second-stage rate of the Kennedy Round reductions—for a period of 3 years. The President's action followed a 1969 investigation by the Tariff Commission in which it found that the domestic piano industry was being threatened with serious injury because of increased imports. Following an investigation in 1973 under section 351(d)(3) in which the Commission (Commissioner Ablondi dissenting) advised the President that termination of the escape-action rate would impair the economic condition of the industry, the President extended the increased rate until the close of business February 20, 1974. The import duty on pianos (except grand pianos) is scheduled to revert to 11.5 percent ad valorem at the close of February 20, 1974, unless extended again by the President after taking into account, among other matters, the advice given by the Tariff Commission in the report just submitted as to the probable economic effect of the termination of the escape-clause rate of duty on the industry concerned.

A part of the material contained in the Commission's report to the President may not be made public since it includes information that would disclose the operations of individual firms. The Com-

mission, therefore, is releasing to the public only those portions of the report that do not contain such information.

The public report (TC Publication 644), which contains statements of the Commissioners' views, will be released as soon as possible. Copies will be available upon request as long as the supply lasts. Requests should be addressed to the Secretary, U.S. Tariff Commission, 8th and E Sts., NW., Washington, D.C. 20436.

By order of the Commission.

[SEAL] KENNETH R. MASON,  
Secretary.

[FR Doc.74-2132 Filed 1-24-74;8:45 am]

## VETERANS ADMINISTRATION ENVIRONMENTAL IMPACT PROGRAM

### Proposed Revision of Guidelines

Pursuant to guidelines of the Council on Environmental Quality (CEQ), as published in the FEDERAL REGISTER on August 1, 1973 (38 FR 20550), the Veterans Administration publishes herewith proposed amendments to VA guidelines (37 FR 8591, published April 28, 1972) for preparation of environmental statements required by section 102(2)(C) of the National Environmental Policy Act of 1969 (Pub. L. 91-190). Paragraph 7 is amended to increase the time allowed for recipients to comment on draft 102 statements and paragraph 8 as amended (1) contains an updated organizational title, and (2) requires the Veterans Administration to prepare a publicly available record setting forth the reasons for determining that 102 statements will not be prepared in certain instances. These proposed amendments were developed in consultation with CEQ.

Interested persons are invited to submit written comments regarding these amendments to the following office:

Mr. Arthur W. Farmer, Assistant Chief Medical Director for Administration, Room 600, Veterans Administration, 810 Vermont Avenue NW., Washington, DC 20420.

All relevant comments received before February 25, 1974 will be considered.

1. Paragraph 7b(1)(c)2 is amended to read as follows:

#### CHAPTER 9—VA ENVIRONMENTAL IMPACT PROGRAM

##### 7. Plans and procedures. \* \* \*

b. Each of these considerations is explained in more detail below, in the order of their listing:

(1) Consultation with Federal, State, and local agencies, the CEQ, and the OMB. \* \* \*

(c) Coordination of 102 statements with responsible agencies will be done as follows:

2. A 60-day time limit for reply is established. The period will begin on the day the notice of availability of a draft 102 statement is published in the FEDERAL REGISTER by the VA. The VA will endeavor to comply with requests for an extension of time up to 15 days. After this time period has passed, it may be

presumed that the concerned agency has no comment to make.

2. Paragraph 8a and c(3) is amended to read as follows:

8. *Initiating and controlling the preparation, coordination and administration of 102 statements.* a. Under the general direction of the Deputy Administrator, the "Central Point" in the VA for the control and administration of the program concerning 102 statements will be located in DM&S, under the Assistant Chief Medical Director for Administration, in Engineering Service.

c. The Office of Construction, the Department of Medicine and Surgery, the Department of Veterans Benefits and staff office heads having cognizance of any of the categories of VA actions or administrative responsibilities related thereto outlined in paragraph 3 will:

(3) Provide information to the "Central Point" at inception of any action or at the earliest possible time so that assistance may be given in the environmental assessment process in determining the need for a 102 statement. The final decision as to the need for a 102 statement will be made by the "Central Point." Prepare a publicly available record briefly setting forth the reasons when a determination is made not to make a 102 statement on a proposed action when:

(a) A 102 statement would normally be made.

(b) An action is similar to those on which the VA has prepared 102 statements.

(c) An announcement was previously made that a 102 statement would be prepared.

(d) The VA has made a negative determination in response to a request from the CEQ for a 102 statement.

Approved: January 21, 1974.

By direction of the Administrator.

[SEAL] R. L. ROUEBUSH,  
Deputy Administrator.

[FR Doc.74-2142 Filed 1-24-74;8:45 am]

## DEPARTMENT OF LABOR

### Occupational Safety and Health Administration

[V-74-11]

#### HOLSTON DEFENSE CORP.

##### Notice of Application for Variance

Notice of application. Notice is hereby given that Holston Defense Corporation, P.O. Box 749, Kingsport, Tennessee 37662 has made application pursuant to section 6(d) of the Williams-Steiger Occupational Safety and Health Act of 1970 (84 Stat. 1596), and 29 CFR 1905.11 for a variance from the standards prescribed in 29 CFR 1910.144(a)(1)(d)(g) concerning color coding for fire hydrants.

The address of the place of employment that will be affected by the application is as follows:

Holston Army Ammunition Plant  
Hawkins County and Sullivan County  
Tennessee 37662

The applicant certifies that employees who would be affected by the variance have been notified of the application by posting a copy at all places where notices to employees are normally posted. Employees have also been informed of their right to petition the Assistant Secretary for a hearing.

Regarding the merits of the application, the applicant contends that it would be providing a place of employment as safe as that required by 29 CFR 1910.144 (a) (1) (i) (g) which states that red shall be the basic color of industrial fire hydrants.

The applicant manufactures high-explosives at a government-owned facility. It is requesting a variance from the color code requirements for fire hydrants to allow it to comply with Army Regulations 385-30 (paragraph 1-14) which requires that hydrant barrels be painted yellow, and the tops and nozzle caps be color coded according to the following system to indicate the flow capacity of the hydrants:

Class A: 1000 gal/min or greater—green  
Class B: 500-1000 gal/min—orange  
Class C: less than 500 gal/min—red

AR 385-30 (paragraph 1-14) states that this color scheme should be used for new construction and as repainting of hydrants becomes necessary.

A copy of the application will be made available for inspection and copying upon request at the Office of Standards, U.S. Department of Labor, Railway Labor Building, 400 First Street, N.W., Room 508, Washington, D.C. 20210, and at the following Regional and Area Offices:

U.S. Department of Labor  
Occupational Safety and Health Administration

1375 Peachtree Street, N.E.  
Suite 587  
Atlanta, Georgia 30309

U.S. Department of Labor  
Occupational Safety and Health Administration

1600 Hayes Street  
Suite 302  
Nashville, Tennessee

All interested persons, including employers and employees, who believe they would be affected by the grant or denial of the application for a variance are invited to submit written data, views and arguments relating to the pertinent application no later than February 25, 1974. In addition, employers and employees who believe they would be affected by a grant or denial of the variance may request a hearing on the application no later than February 25, 1974, in conformity with the requirements of 29 CFR 1905.15. Submission of written comments and requests for a hearing should be in quadruplicate, and must be

addressed to the Office of Standards at the above address.

Signed at Washington, D.C., this 21st day of January, 1974.

JOHN H. STENDER,  
Assistant Secretary of Labor.

[FR Doc. 74-2121 Filed 1-24-74; 8:45 am]

**Office of the Assistant Secretary for  
Administration and Management**

[Secretary of Labor's Order 27-73]

**REDELEGATION OF CONTRACTING OFFICER AUTHORITY AND ASSIGNMENT OF DEPARTMENTAL PROCUREMENT RESPONSIBILITIES**

**Delegation of Authority**

1. *Purpose.* This Order redelegates contracting officer authority and assigns responsibility for procurement and grant operations in the Department of Labor.

2. *Authority and Directives Affected.* This Order is issued pursuant to Secretary's Order 3-73 (January 23, 1973) and superseded Secretary's Orders 6-73 (March 22, 1973), 8-73 (April 10, 1973), and 15-73 (June 27, 1973). Secretary's Order 35-72 (October 26, 1972) is canceled in its entirety and is superseded hereby. All other Orders inconsistent with this Order are superseded to the extent of this inconsistency.

3. *Delegation of Contracting Officer Authority.*

a. Consistent with their assigned procurement responsibilities, as hereinafter identified, the following officials, or officers acting in their behalf, are hereby designated Contracting Officers with full authority to obligate the Government by their procurement (i.e., through the use of contracts, agreements, orders, grants, and/or other similar instruments that obligate Federal funds for the purpose of obtaining property and services for the Government and/or third parties, or for the purpose of promoting Departmental programs or objectives through financial assistance) subject to such regulations, policies, and procedures as may be prescribed by the Assistant Secretary for Administration and Management pursuant to Secretary's Order 3-73:

- (1) The Assistant Secretary for Manpower.
- (2) The Assistant Secretary for Occupational Safety and Health.
- (3) The Assistant Secretary for Employment Standards.
- (4) The Deputy Under Secretary for International Labor Affairs.
- (5) The Commissioner of Labor Statistics.
- (6) The Assistant Regional Directors for Administration and Management.
- (7) The Associate Assistant Secretary for Systems Development and Administrative Services.

b. The delegations prescribed in 3a above may be further redelegated by the designated Contracting Officers within their own area of assigned responsibility. An information copy of every further redelegation of the authority herein delegated such officials will be furnished to the Assistant Secretary for Administration and Management—AAB.

4. *Assignment of Procurement Responsibilities.*

a. The Assistant Secretary for Manpower, or an officer acting in that capacity, is assigned the following procurement responsibilities, subject to existing directives from the Secretary of Labor to the Assistant Secretary for Manpower:

Procurement of program-oriented property and services, except as excluded under 4g, required to fulfill the statutory and regulatory responsibilities imposed on the Assistant Secretary for Manpower.

b. The Assistant Secretary for Occupational Safety and Health, or an officer acting in that capacity, is assigned the following procurement responsibilities, subject to existing directives from the Secretary of Labor to the Assistant Secretary for Occupational Safety and Health:

(1) Issuance of grant agreements with States required to fulfill the statutory and regulatory responsibilities imposed on the Assistant Secretary for Occupational Safety and Health.

(2) Reimbursement to States, pursuant to Section 7(c) (1) of the Occupational Safety and Health Act of 1970 (P.L. 91-596, 84 Stat. 1590) for services, facilities, and personnel of the States used to carry out the statutory and regulatory responsibilities imposed on the Assistant Secretary for Occupational Safety and Health.

(3) Issuance of grants, pursuant to Section 21(b) of the Act, for the conduct of short-term training of personnel.

c. The Assistant Secretary for Employment Standards, or an officer acting in that capacity, is assigned the procurement responsibility for medical supplies and services necessary in the treatment of pneumoconiosis (Black Lung) after it is discovered in miners.

d. The Deputy Under Secretary for International Labor Affairs, or an officer acting in that capacity, is assigned the following procurement responsibilities:

Procurement of supplies and services except for those excluded under 4g, required for economic research services in support of foreign economic and trade policy formulation; for the training and orientation of foreign nationals; and for overseas exhibitions required to fulfill the statutory and regulatory responsibilities imposed on the Deputy Under Secretary for International Labor Affairs.

e. The Commissioner, Bureau of Labor Statistics, or an officer acting in that capacity, is assigned the following procurement responsibilities:

(1) Procurement of statistical and economic research services, including by grant, except for those excluded under 4g, required to fulfill the statutory and regulatory responsibilities imposed on the Commissioner of the Bureau of Labor Statistics.

(2) Sale of special statistics developed by the Bureau of Labor Statistics in accordance with the Act of April 13, 1939 (29 U.S.C. 9).

f. The Assistant Regional Directors for Administration and Management, or an

officer acting in that capacity, are assigned the following procurement responsibilities within their respective regions:

(1) Procurement of property and services required for the operation of the regional offices, including all imprest fund purchases. Purchases for office machines, i.e., typewriters, adding machines, and calculators, etc., must be written against blanket purchase orders maintained for such equipment by the Associate Assistant Secretary for Systems Development and Administrative Services.

(2) Procurement of all automatic data processing hardware and software for the regional offices only with prior approval by the Associate Assistant Secretary for Systems Development and Administrative Services.

g. The Associate Assistant Secretary for Systems Development and Administrative Services, or an officer acting in that capacity, is assigned the following procurement responsibilities:

(1) Procurement of all property and services required for the operation of the Department of Labor, including all imprest fund purchases and the purchases of advertising, except for those procurement responsibilities delegated to other officials in 4a, b, c, d, e, and f.

(2) Authorize the procurement of automatic data processing hardware and software for the Assistant Regional Directors for Administration and Management.

h. The authority delegated under this paragraph 4 shall be subject to the provisions of Secretary's Order 37-72; paragraphs 4b and c of Secretary's Order 3-73; and shall include the implementation of procurement policies consistent with paragraph 5, below; and shall insure compliance with applicable statutes and regulations.

5. *Procurement Policy Responsibilities.* The Associate Assistant Secretary for Financial Management, or an officer acting in that capacity, is assigned the following procurement responsibilities:

(1) Development and publication of Departmentwide procurement and grant guidelines and policies.

(2) Review of the administrative and program adequacy of the Department's procurement and grant operations.

(3) Provision of Technical advice and assistance to those officials and officers delegated procurement and grant responsibilities elsewhere herein, including the interpretation for them of the Federal Procurement Regulations as those regulations apply to the Department's procurement operations and, when required, obtaining the advice of the Solicitor.

6. *Effective Date.* This Order is effective December 21, 1973.

Signed at Washington, D.C. this 21st day of December 1973.

FRED G. CLARK,

*Assistant Secretary for  
Administration and Management.*

[FR Doc.74-2120 Filed 1-24-74;8:45 am]

## COST OF LIVING COUNCIL

[Cost of Living Council Order No. 49]

### ADMINISTRATOR, OFFICE OF PRICE STABILIZATION

#### Delegation of Authority

Pursuant to the authority vested in me as Administrator, Office of Price Stabilization, by Cost of Living Council Order No. 41, it is hereby ordered as follows:

1. There is redelegated to the Deputy Administrator, Office of Price Stabilization, all of the authorities granted to me as Administrator, Office of Price Stabilization, by Cost of Living Council Order No. 41.

2. There is redelegated to the Director and the Deputy Director of the Basic Materials Division, the Director and the Deputy Director of the Minerals and Chemicals Division, the Director and the Deputy Director of the Manufactured Products Division, and the Director and the Deputy Director of the Services and Construction Division, Office of Price Stabilization, the authority to order, pursuant to 6 CFR 150.154(b), the suspension and the resumption of the running of the 30-day prenotification period for proposed price increases.

3. There is redelegated to the Director and the Deputy Director of the Insurance Division, Office of Price Stabilization, the authority to order, pursuant to 6 CFR 150.408(a) (1), (2) and (3), the suspension of all or a part of a proposed rate increase and the delay in the effective date of a proposed rate increase.

4. None of the authorities redelegated herein may be further redelegated.

5. This Order is effective August 13, 1973.

BERT M. CONCKLIN,  
*Administrator, Office of  
Price Stabilization.*

[FR Doc.74-2242 Filed 1-23-74;5:14 pm]

[Cost of Living Council Order No. 50]

### ADMINISTRATOR, OFFICE OF PRICE STABILIZATION

#### Delegation of Authority

Pursuant to the authority vested in me as Administrator, Office of Price Stabilization, by Cost of Living Council Order No. 41, it is hereby ordered as follows:

1. There is redelegated to the Director, the Deputy Director, and each Associate Director of the Price Monitoring Division, Office of Price Stabilization, the authority to order, pursuant to 6 CFR 150.154(b), the suspension and the resumption of the running of the 30-day prenotification period for proposed price increases.

2. Paragraph 2 of Cost of Living Council Order No. 49 is hereby revoked.

3. None of the authorities redelegated herein may be further redelegated.

4. This order is effective January 7, 1974.

BERT M. CONCKLIN,  
*Administrator, Office of  
Price Stabilization.*

[FR Doc.74-2241 Filed 1-23-74;5:14 pm]

[Notice 1974-3]

### ACUTE CARE HOSPITALS AND LONG-TERM INSTITUTIONS

#### Interim Relief for Increased Costs of Certain Direct Energy Needs

The current energy situation constitutes a special problem to acute care hospitals and long-term care institutions subject to the Economic Stabilization Program. Firms in other sectors of the economy are subject to price control rules based on incurred costs, which permit them to pass through increased energy costs on a dollar-for-dollar basis. However, the price control rules applicable to hospitals and long-term care institutions establish a prospective budgeting system in which permissible price adjustments are based on anticipated costs. Overall estimates of the adverse effects of the energy situation are uncertain, and the hardships to be borne by individual hospitals and institutions are expected to vary. The Phase IV price controls imposed under the Economic Stabilization Program could increase apprehensions of those responsible for the administration of acute care hospitals or long-term care institutions by limiting their ability to adjust to rising costs of essential requirements for energy.

To minimize the number of individual requests for exception from price controls on the basis of serious hardship or gross inequity experienced under the prospective budgeting system during this period of particular uncertainty, interim action is hereby taken with respect to acute care hospitals and long term institutions to permit some relief for the increased costs attributable to direct energy expenditures.

Until March 31, 1974, hospitals and institutions may in most situations elect to be subject to either the Phase II and III rules (6 CFR Part 150, Subpart O), or to the new Phase IV rules (6 CFR Part 150, Subpart R), for the current fiscal year. For hospitals and institutions subject to Subpart O, the amount of relief claimed may be added to justified allowable cost increases (July 1973 Form S-52, Item 54 or Addendum to September 1972 Form S-52, Item 82) provided that the resulting total does not exceed actual volume-adjusted cost increases (July 1973 Form S-52, Item 46 Column (b) or Addendum to September 1972 Form S-52, Item 74 Column (b)).

This adjustment increases the amount of authorized increase in aggregate annual revenues due to price increases without regard to the 6 percent limitation of 6 CFR 300.18(c) and the allowable cost limitation of 6 CFR 300.18(d). The hospital or institution, however, re-

mains subject to the base period profit (or net revenue) margin limitation of 6 CFR 300.18(b).

For acute care hospitals and long-term care institutions subject to Subpart R, the dollar amounts of the relief hereby authorized as allowable charges and expenses or as allowable realized revenues may be added to the allowances otherwise determined under the provisions of Subpart R.

This relief is granted in accordance with the following criteria:

a. Relief is available only for full or partial fiscal years ending after December 31, 1973.

b. Relief is limited to expenditures for energy requirements for heating, cooling, lighting, and operation of powered equipment.

c. Relief is available only for expenditures incurred for those direct energy requirements consumed on or after January 1, 1974, which exceed expenditures for the same direct energy requirements for the corresponding period during the preceding fiscal year.

d. Relief is limited to the additional costs attributable to price increases for direct energy requirements consumed at the level of 85 percent of consumption in the corresponding period of the preceding fiscal year or to the actual increase in energy expenditures for the current fiscal period, whichever is less. The allowable relief shall be calculated in accordance with the following formula:

Amount of Allowable Relief = The lesser of

$$\left( \frac{AC}{CFY} - \frac{AC}{PFY} \right) \times .85 V \quad PFY$$

or

$$\frac{Costs}{CFY} - \frac{Ccosts}{PFY}$$

Where—

- AC is the average unit cost during the current fiscal year;  
 CFY is the average unit cost during the prior fiscal year;  
 PFY is the volume (units consumed) during the prior fiscal year;

As used in the above formula, "current fiscal year" is any fiscal year or portion thereof commencing on or after January 1, 1974, and "prior fiscal year" is the period during the prior fiscal year that corresponds to the period for which relief is being claimed.

For purposes of this Notice, the term "expenditures" is defined as the dollar amount allocated on a pro rata basis for energy requirements in each of the accounting periods being compared, in accordance with generally accepted accounting principles.

Allowable relief shall be calculated for appropriate groupings of compatible energy types; that is, those whose units of consumption can be expressed in similar measures such as gallons, kilowatt hours, or tons. The calculation for each grouping shall be in accordance with the formula set forth above. Acute care hospitals and long term care institutions making the price increase notifications required by Subpart O or annual reports required by Subpart R shall submit documentation substantiating the additional allowable increases claimed under this Notice. This Notice shall be cited as the authority for the relief being granted. A sample schedule demonstrating the calculations necessary to support the relief claimed is

attached as an Appendix to this Notice. Acute care hospitals and long term care institutions are encouraged to submit their documentation on such or similar schedules to expedite review of relief claimed and to prevent unnecessary delay of final settlements with cost reimbursers.

Relief may not be claimed under this Notice for adjustments and changeover costs required because of conversion from one energy type to another.

The relief authorized hereunder is predicated on the current energy situation and is therefore interim in nature. When the energy situation is clarified and stabilized, the Council will withdraw this authorization prospectively.

Issued in Washington, D.C. on January 24, 1974.

JAMES W. McLANE,  
 Deputy Director,  
 Cost of Living Council.

APPENDIX TO NOTICE 1974-3

SAMPLE SCHEDULE FOR INTERIM RELIEF OF DIRECT ENERGY COST INCREASES

Schedule — of —	
Energy type:-----	
Energy group (List specific types included):-----	
Current Fiscal Year (CFY) ending-----	
Period available for relief in CFY-----	
1. Units consumed in Prior Fiscal Year (PFY) during period corresponding to period available for relief in CFY-----	
2. 85% of Line 1-----	
3. Units consumed in Current Fiscal Year during period available for relief-----	
4. Cost of energy, Prior Fiscal Year, during period corresponding to period available for relief in CFY-----	
5. Cost of energy, Current Fiscal Year, during period available for relief-----	
6. Average unit cost PFY (Line 4 ÷ Line 1)-----	
7. Average unit cost CFY (Line 5 ÷ Line 3)-----	
8. Average unit cost increase (Line 7 minus Line 6)-----	
9. Additional costs at 85% PFY consumption (Line 8 times Line 2)-----	
10. Actual increase in energy costs CFY over PFY (Line 5 minus Line 4)-----	
11. Amount of relief (Lesser of Line 9 or Line 10)-----	

[FR Doc. 74-2280 Filed 1-24-74; 11:20 am]

[Order No. 48]

SECRETARY OF THE TREASURY  
 Delegation of Phase I, II and III Price  
 Stabilization Authority

Pursuant to the authority delegated to me as Chairman of the Cost of Living Council by Executive Order 11695, as continued by Executive Order 11730, it is hereby ordered as follows:

1. There is hereby delegated to the Secretary of the Treasury authority to perform the following functions with respect to Phase I, II and III price stabilization matters except as provided in paragraph 2 of this Order:

(a) Notify any firm, regardless of

revenue category, of probable violations of the price stabilization regulations and orders, including regulations and orders issued by the Cost of Living Council, the Office of Emergency Preparedness, or the Price Commission during Phases I, II and III of the Economic Stabilization Program; issue remedial orders; monitor remedial activities and approve compliance plans with respect thereto in accordance with price procedural regulations under Title 6, Code of Federal Regulations, Part 155.

(b) Make decisions and issue orders with respect to violations by any firm, regardless of revenue category, or price stabilization regulations or any order issued thereunder including regulations and orders issued by the Cost of Living Council, the Office of Emergency Preparedness, or the Price Commission during Phases I, II and III of the Economic Stabilization Program, in accordance with price procedural regulations under Title 6, Code of Federal Regulations, Part 155.

(c) Compromise and collect civil penalties for violations by any firm, regardless of revenue category, of price stabilization regulations or any order issued thereunder including regulations and orders issued by the Cost of Living Council, the Office of Emergency Preparedness, or the Price Commission during Phases I, II and III of the Economic Stabilization Program, in accordance with price procedural regulations under Title 6, Code of Federal Regulations, Part 155.

(d) Make decisions and issue orders with respect to individual requests for exceptions (other than class exceptions) by any firm, regardless of revenue category, from price stabilization regulations or any order issued thereunder including regulations and orders issued by the Cost of Living Council, the Office of Emergency Preparedness, or the Price Commission during Phases I, II and III of the Economic Stabilization Program, in accordance with price procedural regulations under Title 6, Code of Federal Regulations, Part 155.

(e) Make decisions and issue orders with respect to requests for reconsideration of initial decisions made and orders issued pursuant to authority delegated by subparagraphs (a), (b) and (d), in accordance with price procedural regulations under Title 6, Code of Federal Regulations, Part 155.

(f) Maintain records and provide periodic reports to the Director of the Cost of Living Council as directed by the Council concerning the conduct of price stabilization activities performed pursuant to this order.

(g) Disseminate public information with respect to price stabilization matters and respond to requests for public disclosure of records relating to price stabilization in accordance with Part 102 of Title 6, Code of Federal Regulations.

2. The authority delegated by paragraph 1(a) through (e) of this order shall not extend to:

(a) Any violation or possible violation of Phase I, II, or III regulations or orders

issued pursuant thereto which was referred to the Cost of Living Council or the Department of Justice on or before the effective date of this order and remains under consideration by the Cost of Living Council or the Department of Justice, including cases, case files, referrals, recommendations and requests transmitted to the Cost of Living Council or the Department of Justice for the purpose of seeking remedial orders, exceptions, reconsiderations, compromise settlements or litigation.

(b) Any violation or possible violation arising under Phase I, II, or III of the Economic Stabilization Program and currently in litigation before any state court, federal District Court, the Temporary Emergency Court of Appeals or the Supreme Court of the United States.

(c) Any violation or possible violation arising under Phase I, II, or III of the Economic Stabilization Program as the Director of the Cost of Living Council or his delegate may otherwise direct.

(d) Any violation or possible violation of the regulations applicable to pay adjustments or any decisions and orders issued by the Pay Board, Internal Revenue Service or the Cost of Living Council under those regulations.

(e) Any violation or possible violation arising under Phase I, II, or III of the Economic Stabilization Program concerning institutional and non-institutional providers of health services who are subject to Subpart O of Part 150 of Title 6, Code of Federal Regulations or insurers or rating bureaus who are subject to Subpart M of Part 150 of Title 6, Code of Federal Regulations.

3. The authority delegated by paragraph 1 of this order extends to cases which the Council, in its discretion, transmits to the Secretary for disposition as well as to cases in which the Secretary begins proceedings in the first instance.

4. In those cases in which the Secretary considers it appropriate or advisable under the circumstances of a particular case to seek judicial enforcement of a violation of price stabilization regulations or orders, a file shall be prepared and litigation request transmitted to the Director of the Cost of Living Council or his delegate for consideration and recommendation to the Department of Justice.

5. Notwithstanding the authority delegated by paragraph 1 (a) through (e) of this order to proceed in accordance with Part 155 of Title 6 of the Code of Federal Regulations, the Secretary shall continue to proceed in accordance with Phase I, II, or III procedural regulations otherwise applicable, in any case where those procedures had been initiated prior to the effective date of this order and the Secretary or his delegate determines that good cause has been shown why proceedings should continue to be conducted in accordance with those procedural regulations.

6. The Secretary may redelegate to the Commissioner of Internal Revenue and provide for further redelegation to any official of the Internal Revenue Serv-

ice any authority under this order, and may utilize any service of any other agency, federal or state, as may be available and appropriate.

7. Officials exercising the authority delegated by this order or redelegated pursuant thereto shall be governed by the regulations and rulings of the Cost of Living Council and by policies, procedures and controls prescribed by the Cost of Living Council.

8. This order is effective January 24, 1974, and is intended to supplement previous delegations of authority under Cost of Living Council Order No. 15 and amendments thereto and Order No. 37 and amendments thereto.

Issued in Washington, D.C., on January 24, 1974.

GEORGE P. SHULTZ,  
Chairman,  
Cost of Living Council.

[FR Doc.74-2279 Filed 1-24-74;11:21 am]

### HEALTH INDUSTRY WAGE AND SALARY COMMITTEE

#### Notice of Meeting

Pursuant to the provisions of the Federal Advisory Committee Act (Pub. L. 92-463, 86 Stat. 770) notice is hereby given that the Health Industry Wage and Salary Committee, established under the authority of section 212(f) of the Economic Stabilization Act, as amended, section 4(a)(iv) of Executive Order 11695, and Cost of Living Council Order No. 14, will meet on January 31, 1974. The meeting will be open to the public on a first-come, first-served basis at 10:00 A.M. in Conference Room 8202, 2025 M Street N.W., Washington, D.C.

The agenda will consist of a discussion of the Phase IV Price Regulations in Health, coverages of health wage and salary controls, and health industry wage cases currently pending before the Cost of Living Council.

The Chairman of the Committee is empowered to conduct the meeting in a fashion that will, in his judgment, facilitate the orderly conduct of business.

Issued in Washington, D.C., on January 24, 1974.

HENRY H. PERRITT, Jr.,  
Executive Secretary,  
Cost of Living Council.

[FR Doc.74-2294 Filed 1-24-74;11:54 am]

### INTERSTATE COMMERCE COMMISSION

[Notice No. 431]

#### ASSIGNMENT OF HEARINGS

JANUARY 22, 1974.

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 116073 Sub 31, Barrett Mobile Home Transport, Inc., Extension Buildings, MC 116073 Sub 35, Barrett Mobile Home Transport, Inc., Extension-Buildings (Arizona), and MC 116073 Sub 85, Barrett Mobile Home Transport, Inc., Extension-Idaho (Moorhead, Minn.), now assigned February 4, 1974, for pre-hearing conference, at Washington, D.C., advanced to January 29, 1974, at the Offices of the Interstate Commerce Commission, Washington, D.C.

MC 2202 Sub 437, Roadway Express, Inc., continued to February 26, 1974, at the Offices of the Interstate Commerce Commission, Washington, D.C.

MC 99439 Sub-3, Suwannee Transfer, Inc., now assigned February 25, 1974, at Atlanta, Ga., will be held at the American Motor Hotel, 160 Spring Street, NW.

MC 127834 Sub 94, Cherokee Hauling & Rigging, Inc., now being assigned hearing March 6, 1974 (1 day), at the Holiday Inn Downtown, 4th and Town Streets, Columbus, Ohio.

[SEAL] ROBERT L. OSWALD,  
Secretary.

[FR Doc.74-2153 Filed 1-24-74;8:45 am]

### FOURTH SECTION APPLICATION FOR RELIEF

JANUARY 22, 1974.

An application, as summarized below, has been filed requesting relief from the requirements of section 4 of the Interstate Commerce Act to permit common carriers named or described in the application to maintain higher rates and charges at intermediate points than those sought to be established at more distant points.

Protests to the granting of an application must be prepared in accordance with rule 40 of the General rules of practice (49 CFR 1100.40) and filed on or before February 11, 1974.

FSA No. 42796—Class and Commodity Rates Between Points in Texas. Filed by Texas-Louisiana Freight Bureau, Agent (No. 676), for interested rail carriers. Rates on proprietary anti-freeze or engine coolant preparations, or proprietary de-icing preparations, in tank-car loads, as described in the application, from, to and between points in Texas, over interstate routes through adjoining states.

Grounds for relief—Maintenance of depressed rates published to meet intrastate competition without use of such rates as factors in constructing combination rates.

Tariff—Supplement 45 to Texas-Louisiana Freight Bureau, Agent, tariff 87-J, I.C.C. No. 1159. Rates are published to become effective on February 20, 1974.

By the Commission.

[SEAL] ROBERT L. OSWALD,  
Secretary.

[FR Doc.74-2152 Filed 1-24-74;8:45 am]





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FRIDAY, JANUARY 25, 1974

WASHINGTON, D.C.

Volume 39 ■ Number 18

PART II



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## **ADVISORY COUNCIL ON HISTORIC PRESERVATION**

■

### **PROCEDURES FOR THE PROTECTION OF HISTORIC AND CULTURAL PROPERTIES**

**Establishment of New Chapter and Part**

Title 36—Parks, Forests, and Public Property

CHAPTER VIII—ADVISORY COUNCIL ON HISTORIC PRESERVATION

PART 800—PROCEDURES FOR THE PROTECTION OF HISTORIC AND CULTURAL PROPERTIES

Pursuant to the National Historic Preservation Act of 1966 (80 Stat. 915, 16 U.S.C. 470) and Executive Order 11593, May 13, 1971, "Protection and Enhancement of the Cultural Environment" (36 FR 8921, 16 U.S.C. 470), the Advisory Council on Historic Preservation has established Procedures for Compliance, set forth in the FEDERAL REGISTER of February 28, 1973 (38 FR 5388), to implement the purposes of those authorities. Proposed revisions to those procedures were published in the FEDERAL REGISTER of November 5, 1973 (38 FR 30464) and 30 days were allowed for public comment. Federal agencies were also solicited to consult with the Advisory Council with regard to the development of procedures for the protection of non-federally owned historic and cultural properties as required by section 1(3) of Executive Order 11593.

In response to comments received by the Advisory Council and in consultation with Federal agencies, the proposed procedures have been revised to incorporate suggestions from Federal and State agencies and private citizens. It is the purpose of this notice, through publication of revised "Procedures for the Protection of Historic and Cultural Properties," to apprise the public as well as government agencies, associations, and all other organizations and individuals interested in historic preservation, that the following procedures are hereby adopted as set forth below. The procedures will appear in the Code of Federal Regulations in Title 36, Chapter 8 at Part 800. The procedures are being codified because they affect State and local governmental agencies, private organizations, and individuals, in addition to Federal agencies, to which they are specifically directed, and because of the resultant need to make them widely and readily available.

Federal agencies are advised that the procedures set forth certain steps for agencies to follow to fulfill their obligations pursuant to section 1(3) of Executive Order 11593 and to use as a guide in the development of their required internal procedures in consultation with the Council. The Advisory Council reiterates its solicitation of Federal agencies to consult with the Council on the development of those procedures. Inquiries regarding such consultation, as well as inquiries regarding the substance of and compliance with the procedures in general, should be directed to the Executive Secretary, Advisory Council on Historic Preservation, Suite 430, 1522 K Street NW., Washington, D.C. 20005.

Effective date: January 25, 1974.

ROBERT R. GARVEY, Jr.,  
Executive Director, Advisory  
Council on Historic Preservation.

A new Chapter VIII, Advisory Council on Historic Preservation, containing Part 800, Procedures for the Protection of Historic and Cultural Properties, is added to title 36, CFR, reading as set forth below.

Sec.	Purpose and authorities.
800.2	Coordination with agency requirements under the National Environmental Policy Act.
800.3	Definitions.
800.4	Agency procedures.
800.5	Consultation process.
800.6	Council procedures.
800.7	Other powers of the Council.
800.8	Criteria of effect.
800.9	Criteria of adverse effect.
800.10	National Register criteria.

AUTHORITY: Pub. L. 89-665, 80 Stat. 915, (16 U.S.C. 470); E.O. 11593, 3 CFR 1971 Comp., p. 154.

§ 800.1 Purpose and authorities.

(a) The National Historic Preservation Act of 1966 created the Advisory Council on Historic Preservation, an independent agency of the Executive branch of the Federal Government, to advise the President and Congress on matters involving historic preservation. Its members are the Secretary of the Interior, the Secretary of Housing and Urban Development, the Secretary of the Treasury, the Secretary of Commerce, the Attorney General, the Secretary of Transportation, the Secretary of Agriculture, the Administrator of the General Services Administration, the Secretary of the Smithsonian Institution, the Chairman of the National Trust for Historic Preservation, and 10 citizen members appointed by the President on the basis of their outstanding service in the field of historic preservation.

(b) The Council reviews Federal, federally assisted, and federally licensed undertakings affecting cultural properties as defined herein in accordance with the following authorities:

(1) *Section 106 of the National Historic Preservation Act.* Section 106 requires that Federal, federally assisted, and federally licensed undertakings affecting properties included in the National Register of Historic Places be submitted to the Council for review and comment prior to the approval of any such undertaking by the Federal agency.

(2) *Section 1(3) of Executive Order 11593, May 13, 1971, "Protection and Enhancement of the Cultural Environment."* Section 1(3) requires that Federal agencies, in consultation with the Council, establish procedures regarding the preservation and enhancement of non-federally owned historic and cultural properties in the execution of their plans and programs. After soliciting consultation with the Federal agencies, the Advisory Council has adopted procedures, set forth in §§ 800.3 through 800.10, to achieve this objective and Federal agencies should fulfill their responsibilities under section 1(3) by following these procedures. The Council further recommends that Federal agencies use these procedures as a guide in the development, in consultation with the Council, of their required internal procedures.

(3) *Section 2(b) of Executive Order 11593, May 13, 1971, "Protection and Enhancement of the Cultural Environment."* Federal agencies are required, by section 2(a) of the Executive Order, to locate, inventory, and nominate properties under their jurisdiction or control to the National Register. Until such processes are complete, Federal agencies must submit proposals for the transfer, sale, demolition, or substantial alteration of federally owned properties eligible for inclusion in the National Register to the Council for review and comment. Federal agencies must continue to comply with section 2(b) review requirements, even after the initial inventory is complete, when they obtain jurisdiction or control over additional properties that are eligible for inclusion in the National Register or when properties under their jurisdiction or control are found to be eligible for inclusion in the National Register subsequent to the initial inventory.

§ 800.2 Coordination with agency requirements under the National Environmental Policy Act.

Section 101(b)(4) of the National Environmental Policy Act (NEPA) declares that one objective of the national environmental policy is to "preserve important historic, cultural, and natural aspects of our national heritage and maintain, wherever possible, an environment which supports diversity and variety of individual choice." In order to meet this objective, the Advisory Council instructs Federal agencies to coordinate NEPA compliance with the separate responsibilities of the National Historic Preservation Act and Executive Order 11593 to ensure that historic and cultural resources are given proper consideration in the preparation of environmental impact statements. Agency obligations pursuant to the National Historic Preservation Act and Executive Order 11593 are independent from NEPA and must be complied with even when an environmental impact statement is not required. However, where both NEPA and the National Historic Preservation Act or Executive Order 11593 are applicable, the Council on Environmental Quality, in its *Guidelines for the Preparation of Environmental Impact Statements* (40 CFR Part 1500), directs that compliance with section 102(2)(C) of NEPA should, to the extent possible, be combined with other statutory obligations—such as the National Historic Preservation Act and Executive Order 11593—to yield a single document which meets all applicable requirements. To achieve this objective, Federal agencies should undertake, to the fullest extent possible, compliance with the procedures set forth below whenever properties included in or eligible for inclusion in the National Register are involved in a project to ensure that obligations under the National Historic Preservation Act and Executive Order 11593 are fulfilled during the preparation of a draft environmental impact statement required under section 102(2)(C) of NEPA. The Advisory Council recommends that compliance with these procedures be undertaken at the earliest

stages of the environmental impact statement process to expedite review of the statement. Statements on projects affecting properties included in or eligible for inclusion in the National Register should be sent directly to the Advisory Council for review. All statements involving historic, architectural, archeological, or cultural resources, whether or not included in or eligible for inclusion in the National Register, should be submitted to the Department of Interior for review.

§ 800.3 Definitions.

As used in these procedures:

(a) "National Historic Preservation Act" means Public Law 89-665, approved October 15, 1966, an "Act to establish a program for the preservation of additional historic properties throughout the Nation and for other purposes," 80 Stat. 915, 16 U.S.C. 470, as amended, 84 Stat. 204 (1970) and 87 Stat. 139 (1973) hereinafter referred to as "the Act."

(b) "Executive Order" means Executive Order 11593, May 13, 1971, "Protection and Enhancement of the Cultural Environment," 36 FR 8921, 16 U.S.C. 470.

(c) "Undertaking" means any Federal action, activity, or program, or the approval, sanction, assistance, or support of any other action, activity or program, including but not limited to:

(1) Recommendations or favorable reports relating to legislation, including requests for appropriations. The requirement for following these procedures applies to both: Agency recommendations on their own proposals for legislation and agency reports on legislation initiated elsewhere. In the latter case only the agency which has primary responsibility for the subject matter involved will comply with these procedures.

(2) New and continuing projects and program activities: directly undertaken by Federal agencies; or supported in whole or in part through Federal contracts, grants, subsidies, loans, or other forms of funding assistance; or involving a Federal lease, permit, license, certificate, or other entitlement for use.

(3) The making, modification, or establishment of regulations, rules, procedures, and policy.

(d) "National Register" means the National Register of Historic Places, which is a register of districts, sites, buildings, structures, and objects, significant in American history, architecture, archeology, and culture, maintained by the Secretary of the Interior under authority of section 2(b) of the Historic Sites Act of 1935 (49 Stat. 666, 16 U.S.C. 461) and section 101(a)(1) of the National Historic Preservation Act. The National Register is published in its entirety in the FEDERAL REGISTER each year in February. Addenda are published on the first Tuesday of each month.

(e) "National Register property" means a district, site, building, structure, or object included in the National Register.

(f) "Property eligible for inclusion in the National Register" means any dis-

trict, site, building, structure, or object which the Secretary of the Interior determines is likely to meet the National Register Criteria. As these determinations are made, a listing is published in the FEDERAL REGISTER on the first Tuesday of each month, as a supplement to the National Register.

(g) "Decision" means the exercise of agency authority at any stage of an undertaking where alterations might be made in the undertaking to modify its impact upon historic and cultural properties.

(h) "Agency Official" means the head of the Federal agency having responsibility for the undertaking or a subordinate employee of the Federal agency to whom such authority has been delegated.

(i) "Chairman" means the Chairman of the Advisory Council on Historic Preservation, or such member designated to act in his stead.

(j) "Executive Director" means the Executive Director of the Advisory Council on Historic Preservation established by Section 205 of the Act, or his designated representative.

(k) "State Historic Preservation Officer" means the official within each State, authorized by the State at the request of the Secretary of the Interior, to act as liaison for purposes of implementing the Act, or his designated representative.

(l) "Secretary" means the Secretary of the Interior, or his designee authorized to carry out the responsibilities of the Secretary of the Interior under Executive Order 11593.

§ 800.4 Agency procedures.

At the earliest stage of planning or consideration of a proposed undertaking, including comprehensive or area-wide planning in which provision may be made for an undertaking or an undertaking may be proposed, the Agency Official shall take the following steps to comply with the requirements of section 106 of the National Historic Preservation Act and sections 1(3) and 2(b) of Executive Order 11593.

(a) *Identification of resources.* As early as possible and in all cases prior to agency decision concerning an undertaking, the Agency Official shall identify properties located within the area of the undertaking's potential environmental impact that are included in or eligible for inclusion in the National Register.

(1) To identify properties included in the National Register, the Agency Official shall consult the National Register, including monthly supplements.

(2) To identify properties eligible for inclusion in the National Register, the Agency Official shall, in consultation with the appropriate State Historic Preservation Officer, apply the National Register Criteria, set forth in Section 800.10, to all properties possessing historical, architectural, archeological, or cultural value located within the area of the undertaking's potential environmental impact. If the Agency Official determines that a property appears to meet the Criteria, or if it is questionable

whether the Criteria are met, the Agency Official shall request, in writing, an opinion from the Secretary of the Interior respecting the property's eligibility for inclusion in the National Register. The Secretary of the Interior's opinion respecting the eligibility of a property for inclusion in the National Register shall be conclusive for the purposes of these procedures.

(b) *Determination of effect.* For each property included in or eligible for inclusion in the National Register that is located within the area of the undertaking's potential environmental impact, the Agency Official, in consultation with the State Historic Preservation Officer, shall apply the Criteria of Effect, set forth in Section 800.8, to determine whether the undertaking has an effect upon the property. Upon applying the Criteria and finding no effect, the undertaking may proceed. The Agency Official shall keep adequate documentation of a determination of no effect.

(c) *Effect established.* Upon finding that the undertaking will have any effect upon a property included in or eligible for inclusion in the National Register, the Agency Official, in consultation with the State Historic Preservation Officer, shall apply the Criteria of Adverse Effect, set forth in §800.9, to determine whether the effect of the undertaking is adverse.

(d) *Finding of no adverse effect.* Upon finding the effect not to be adverse, the Agency Official shall forward adequate documentation of the determination, including evidence of the views of the State Historic Preservation Officer, to the Executive Director for review. Unless the Executive Director notes an objection to the determination within 45 days after receipt of adequate documentation, the Agency Official may proceed with the undertaking.

(e) *Finding of adverse effect.* Upon finding the effect to be adverse or upon notification that the Executive Director does not accept a determination of no adverse effect, the Agency Official shall: (1) Request, in writing, the comments of the Advisory Council; (2) notify the State Historic Preservation Officer of this request; (3) prepare a preliminary case report; and (4) proceed with the consultation process set forth in Section 800.5.

(f) *Preliminary case report.* Upon requesting the comments of the Advisory Council, the Agency Official shall provide the Executive Director and the State Historic Preservation Officer with a preliminary case report, containing all relevant information concerning the undertaking. The Agency Official shall obtain such information and material from any applicant, grantee, or other beneficiary involved in the undertaking as may be required for the proper evaluation of the undertaking, its effects, and alternate courses of action.

§ 800.5 Consultation process.

(a) *Response to request for comments.* Upon receipt of a request for Advisory Council comments pursuant to Section 800.4(e), the Executive Director shall ac-

knowledge the request and shall initiate the consultation process.

(b) *On-site inspection.* At the request of the Agency Official, the State Historic Preservation Officer, or the Executive Director, the Agency Official shall conduct an on-site inspection with the Executive Director, the State Historic Preservation Officer and such other representatives of national, State, or local units of government and public and private organizations that the consulting parties deem appropriate.

(c) *Public information meeting.* At the request of the Agency Official, the State Historic Preservation Officer, or the Executive Director, the Executive Director shall conduct a meeting open to the public, where representatives of national, State, or local units of government, representatives of public or private organizations, and interested citizens can receive information and express their views on the undertaking, its effects on historic and cultural properties, and alternate courses of action. The Agency Official shall provide adequate facilities for the meeting and shall afford appropriate notice to the public in advance of the meeting.

(d) *Consideration of alternatives.* Upon review of the pending case and subsequent to any on-site inspection and any public information meeting, the Executive Director shall consult with the Agency Official and State Historic Preservation Officer to determine whether there is a feasible and prudent alternative to avoid or satisfactorily mitigate any adverse effect.

(e) *Avoidance of adverse effect.* If the Agency Official, the State Historic Preservation Officer, and the Executive Director select and unanimously agree upon a feasible and prudent alternative to avoid the adverse effect of the undertaking, they shall execute a Memorandum of Agreement acknowledging avoidance of adverse effect. This document shall be forwarded to the Chairman for review pursuant to Section 800.6(a).

(f) *Mitigation of adverse effect.* If the consulting parties are unable to unanimously agree upon a feasible and prudent alternative to avoid any adverse effect, the Executive Director shall consult with the Agency Official and the State Historic Preservation Officer to determine whether there is a feasible and prudent alternative to satisfactorily mitigate the adverse effect of the undertaking. Upon finding and unanimously agreeing to such an alternative, they shall execute a Memorandum of Agreement acknowledging satisfactory mitigation of adverse effect. This document shall be forwarded to the Chairman for review pursuant to Section 800.6(a).

(g) *Memorandum of Agreement.* It shall be the responsibility of the Executive Director to prepare each Memorandum of Agreement required under these procedures. In preparation of such a document the Executive Director may request the Agency Official to prepare a proposal for inclusion in the Memorandum, detailing actions to be taken to avoid or mitigate the adverse effect.

(h) *Failure to avoid or mitigate adverse effect.* Upon the failure of consulting parties to find and unanimously agree upon a feasible and prudent alternative to avoid or satisfactorily mitigate the adverse effect, the Executive Director shall request the Chairman to schedule the undertaking for consideration at the next Council meeting and notify the Agency Official of the request. Upon notification of the request, the Agency Official shall delay further processing of the undertaking until the Council has transmitted its comments or the Chairman has given notice that the undertaking will not be considered at a Council meeting.

#### § 800.6 Council procedures.

(a) *Review of Memorandum of Agreement.* Upon receipt of a Memorandum of Agreement acknowledging avoidance of adverse effect or satisfactory mitigation of adverse effect, the Chairman shall institute a 30-day review period. Unless the Chairman shall notify the Agency Official that the matter has been placed on the agenda for consideration at a Council meeting, the memorandum shall become final: (1) Upon the expiration of the 30-day review period with no action taken; or (2) when signed by the Chairman. Memoranda duly executed in accordance with these procedures shall constitute the comments of the Advisory Council. Notice of executed Memoranda of Agreement shall be published in the FEDERAL REGISTER monthly.

(b) *Response to request for consideration at Council meeting.* Upon receipt of a request from the Executive Director for consideration of the proposed undertaking at a Council meeting, the Chairman shall determine whether or not the undertaking will be considered and notify the Agency Official of his decision. To assist the Chairman in this determination, the Agency Official and the State Historic Preservation Officer shall provide such reports and information as may be required. If the Chairman decides against consideration at a Council meeting, he will submit a written summary of the undertaking and his decision to each member of the Council. If any member of the Council notes an objection to the decision within 15 days of the Chairman's decision, the undertaking will be scheduled for consideration at a Council meeting. If the Council members have no objection, the Chairman shall notify the Agency Official at the end of the 15-day period that the undertaking may proceed.

(c) *Decision to consider the undertaking.* Upon determination that the Council will consider an undertaking, the Chairman shall: (1) Schedule the matter for consideration at a regular meeting no less than 60 days from the date the request was received, or in exceptional cases, schedule the matter for consideration in an unassembled or special meeting; (2) notify the Agency Official and the State Historic Preservation Officer of the date on which comments will be considered; and (3) authorize the Executive Director to prepare a case report.

(d) *Content of the case report.* For

purposes of arriving at comments, the Advisory Council prescribes that certain reports be made available to it and accepts reports and statements from other interested parties. Specific informational requirements are enumerated below. Generally, the requirements represent an explication of elaboration of principles contained in the Criteria of Effect and in the Criteria of Adverse Effect. The Council notes, however, that the Act recognizes historical and cultural resources should be preserved "as a living part of our community life and development." Consequently, in arriving at final comments, the Council considers those elements in an undertaking that have relevance beyond historical and cultural concerns. To assist it in weighing the public interest, the Council welcomes information not only bearing upon physical, sensory, or esthetic effects but also information concerning economic, social, and other benefits or detriments that will result from the undertaking.

(e) *Elements of the case report.* The report on which the Council relies for comment shall consist of:

(1) A report from the Executive Director to include a verification of the legal and historical status of the property; an assessment of the historical, architectural, archeological, or cultural significance of the property; a statement indicating the special value of features to be most affected by the undertaking; an evaluation of the total effect of the undertaking upon the property; a critical review of any known feasible and prudent alternatives and recommendations to remove or mitigate the adverse effect;

(2) A report from the Agency Official requesting comment to include a general discussion and chronology of the proposed undertaking; when appropriate, an account of the steps taken to comply with section 102(2)(A) of the National Environmental Policy Act of 1969 (83 Stat. 852, 42 U.S.C. 4321): an evaluation of the effect of the undertaking upon the property, with particular reference to the impact on the historic, architectural, archeological and cultural values; steps taken or proposed by the agency to take into account, avoid, or mitigate adverse effects of the undertaking; a thorough discussion of alternate courses of action; and, if applicable and available, a copy of the draft environmental statement prepared in compliance with section 102(2)(C) of the National Environmental Policy Act of 1969;

(3) A report from any other Federal agency having under consideration an undertaking that will concurrently or ultimately affect the property, including a general description and chronology of that undertaking and discussion of the relation between that undertaking and the undertaking being considered by the Council;

(4) A report from the State Historic Preservation Officer to include an assessment of the significance of the property; an identification of features of special value; an evaluation of the effect of the undertaking upon the property and its specific components; an evaluation of

known alternate courses of action; a discussion of present or proposed participation of State and local agencies or organizations in preserving or assisting in preserving the property; an indication of the support or opposition of units of government and public and private agencies and organizations within the State; and the recommendations of his office;

(5) A report by any applicant or potential recipient when the Council considers comments upon an application for a contract, grant, subsidy, loan, or other form of funding assistance, or an application for a Federal lease, permit, license, certificate, or other entitlement for use. Arrangements for the submission and presentation of reports by applicants or potential recipients shall be made through the Agency Official having jurisdiction in the matter; and

(6) Other pertinent reports, statements, correspondence, transcripts, minutes, and documents received by the Council from any and all parties, public or private. Reports submitted pursuant to this section should be received by the Council at least two weeks prior to a Council meeting.

(f) *Coordination of case reports and statements.* In considerations involving more than one Federal department, either directly or indirectly, the Agency Official requesting comment shall act as a coordinator in arranging for a full assessment and discussion of all interdepartmental facets of the problem and prepare a record of such coordination to be made available to the Council. At the request of the Council, the State Historic Preservation Officer shall notify appropriate governmental units and public and private organizations within the State of the pending consideration of the undertaking by the Council, and coordinate the presentation of written statements to the Council.

(g) *Council meetings.* The Council does not hold formal hearings to consider comments under these procedures. Two weeks notice shall be given, by publication in the FEDERAL REGISTER, of all meetings involving Council review of Federal undertakings in accordance with these procedures. Reports and statements will be presented to the Council in open session in accordance with a prearranged agenda. Regular meetings of the Council generally occur on the first Wednesday and Thursday of February, May, August and November.

(h) *Oral statements to the Council.* A schedule shall provide for oral statements from the Executive Director; the referring Agency Official presently or potentially involved; the applicant or potential recipient, when appropriate; the State Historic Preservation Officer; and representatives of national, State, or local units of government and public and private organizations. Parties wishing to make oral remarks shall submit written statements of position in advance to the Executive Director.

(i) *Comments by the Council.* The comments of the Council, issued after consideration of an undertaking at a

Council meeting, shall take the form of a three-part statement, including an introduction, findings, and a conclusion. The statement shall include notice to the Agency Official of the report required under section 800.6(j) of these procedures. Comments shall be made to the head of the Federal Agency requesting comment or having responsibility for the undertaking. Immediately thereafter, the comments of the Council will be forwarded to the President and the Congress as a special report under authority of section 202(b) of the Act and published as soon as possible in the FEDERAL REGISTER. Comment shall be available to the public upon receipt of the comments by the head of the Federal Agency.

(j) *Report of agency action in response to Council comments.* When a final decision on the undertaking is reached by the Federal Agency, the Agency Official shall submit a written report to the Council containing a description of actions taken by the Federal Agency subsequent to the Council's comments; a description of actions taken by other parties pursuant to the actions of the Federal Agency; and the ultimate effect of such actions on the property involved. The Council may request supplementary reports if the nature of the undertaking requires them.

(k) *Records of the Council.* The records of the Council shall consist of a record of the proceedings at each meeting, the case report prepared by the Executive Director, and all other reports, statements, transcripts, correspondence, and documents received.

(l) *Continuing review jurisdiction.* When the Council has commented upon an undertaking pursuant to Section 800.6 such as a comprehensive or area-wide plan that by its nature requires subsequent action by the Federal Agency, the Council will consider its comments or approval to extend only to the undertaking as reviewed. The Agency Official shall ensure that subsequent action related to the undertaking is submitted to the Council for review in accordance with § 800.4(e) of these procedures when that action is found to have an adverse effect on a property included in or eligible for inclusion in the National Register.

§ 800.7 Other powers of the Council.

(a) *Comment or report upon non-Federal undertaking.* The Council will exercise the broader advisory powers, vested by section 202(a) (1) of the Act, to recommend measures concerning a non-Federal undertaking that will adversely affect a property included in or eligible for inclusion in the National Register: (1) upon request from the President of the United States, the President of the U.S. Senate, or the Speaker of the House of Representatives, or (2) when agreed upon by a majority vote of the members of the Council.

(b) *Comment or report upon Federal undertaking in special circumstances.* The Council will exercise its authority to comment to Federal agencies in certain special situations even though written notice that an undertaking will have an

effect has not been received. For example, the Council may choose to comment in situations where an objection is made to a Federal agency finding of "no effect."

§ 800.8 Criteria of effect.

A Federal, federally assisted, or federally licensed undertaking shall be considered to have an effect on a National Register property or property eligible for inclusion in the National Register (districts, sites, buildings, structures, and objects, including their settings) when any condition of the undertaking causes or may cause any change, beneficial or adverse, in the quality of the historical, architectural, archeological, or cultural character that qualifies the property under the National Register Criteria.

§ 800.9 Criteria of adverse effect.

Generally, adverse effects occur under conditions which include but are not limited to:

- (a) Destruction or alteration of all or part of a property;
- (b) Isolation from or alteration of its surrounding environment;
- (c) Introduction of visual, audible, or atmospheric elements that are out of character with the property or alter its setting;
- (d) Transfer or sale of a federally owned property without adequate conditions or restrictions regarding preservation, maintenance, or use; and
- (e) Neglect of a property resulting in its deterioration or destruction.

§ 800.10 National Register criteria.

(a) "National Register Criteria" means the following criteria established by the Secretary of the Interior for use in evaluating and determining the eligibility of properties for listing in the National Register: The quality of significance in American history, architecture, archeology, and culture is present in districts, sites, buildings, structures, and objects of State and local importance that possess integrity of location, design, setting, materials, workmanship, feeling and association and:

- (1) That are associated with events that have made a significant contribution to the broad patterns of our history; or
- (2) That are associated with the lives of persons significant in our past; or
- (3) That embody the distinctive characteristics of a type, period, or method of construction, or that represent the work of a master, or that possess high artistic values, or that represent a significant and distinguishable entity whose components may lack individual distinction; or
- (4) That have yielded, or may be likely to yield, information important in prehistory or history.

(b) *Criteria considerations.* Ordinarily cemeteries, birthplaces, or graves of historical figures, properties owned by religious institutions or used for religious purposes, structures that have been moved from their original locations, reconstructed historic buildings, properties primarily commemorative in na-

ture, and properties that have achieved significance within the past 50 years shall not be considered eligible for the National Register. However, such properties will qualify if they are integral parts of districts that do meet the criteria or if they fall within the following categories:

- (1) A religious property deriving primary significance from architectural or artistic distinction or historical importance;
- (2) A building or structure removed from its original location but which is

the surviving structure most importantly associated with a historic person or event;

- (3) A birthplace or grave of a historical figure of outstanding importance if there is no appropriate site or building directly associated with his productive life;
- (4) A cemetery which derives its primary significance from graves of persons of transcendent importance, from age, from distinctive design features, or from association with historic events;

(5) A reconstructed building when accurately executed in a suitable environment and presented in a dignified manner as part of a restoration master plan, and when no other building or structure with the same association has survived;

(6) A property primarily commemorative in intent if design, age tradition, or symbolic value has invested it with its own historical significance; or

(7) A property achieving significance within the past 50 years if it is of exceptional importance.

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# federad register

FRIDAY, JANUARY 25, 1974

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PART III



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## DEPARTMENT OF LABOR

Employment Standards  
Administration



### Minimum Wages for Federal and Federally Assisted Construction

General Wage Determination Decisions,

## DEPARTMENT OF LABOR

Employment Standards Administration  
MINIMUM WAGES FOR FEDERAL AND  
FEDERALLY ASSISTED CONSTRUCTION

## General Wage Determination Decisions

General Wage Determination Decisions of the Secretary of Labor specify, in accordance with applicable law and on the basis of information available to the Department of Labor from its study of local wage conditions and from other sources, the basic hourly wage rates and fringe benefit payments which are determined to be prevailing for the described classes of laborers and mechanics employed in construction activity of the character and in the localities specified therein.

The determinations in these decisions of such prevailing rates and fringe benefits have been made by authority of the Secretary of Labor pursuant to the provisions of the Davis-Bacon Act of March 3, 1931, as amended (46 Stat. 1494, as amended, 40 U.S.C. 276a) and of other Federal statutes referred to in 29 CFR 1.1 (including the statutes listed at 36 FR 306 following Secretary of Labor's Order No. 24-70) containing provisions for the payment of wages which are dependent upon determinations by the Secretary of Labor under the Davis-Bacon Act; and pursuant to the provisions of Part 1 of Subtitle A of Title 29 of Code of Federal Regulations, Procedure for Predetermination of Wage Rates (37 FR 21138) and of Secretary of Labor's Orders 12-71 and 15-71 (36 FR 8755, 8756). The prevailing rates and fringe benefits determined in these decisions shall, in accordance with the provisions of the foregoing statutes, constitute the minimum wages payable on Federal and federally assisted construction projects to laborers and mechanics of the specified classes engaged on contract work of the character and in the localities described therein.

Good cause is hereby found for not utilizing notice and public procedure thereon prior to the issuance of these determinations as prescribed in 5 U.S.C. 553 and not providing for delay in effective date as prescribed in that section, because the necessity to issue construction industry wage determinations frequently and in large volume causes these procedures to be impractical and contrary to the public interest.

General Wage Determination Decisions are effective from their date of publication in the FEDERAL REGISTER without limitation as to time and are to be used in accordance with the provisions of 29 CFR, Parts 1 and 5. Accordingly, the applicable decision together with any modifications issued subsequent to its publication date shall

be made a part of every contract for performance of the described work within the geographic area indicated as required by an applicable Federal prevailing wage law and 29 CFR, Part 5. The wage rates contained therein shall be the minimum paid under such contract by contractors and subcontractors on the work.

*Modifications and supersedeas decisions to general wage determination decisions.* Modifications and Supersedeas Decisions to General Wage Determination Decisions are based upon information obtained concerning changes in prevailing hourly wage rates and fringe benefit payments since the decisions were issued.

The determinations of prevailing rates and fringe benefits made in the Modifications and Supersedeas Decisions have been made by authority of the Secretary of Labor pursuant to the provisions of the Davis-Bacon Act of March 3, 1931, as amended (46 Stat. 1494, as amended, 40 U.S.C. 276a) and of other Federal statutes referred to in 29 CFR 1.1 (including the statutes listed at 36 FR 306 following Secretary of Labor's Order No. 24-70) containing provisions for the payment of wages which are dependent upon determination by the Secretary of Labor under the Davis-Bacon Act; and pursuant to the provisions of Part 1 of Subtitle A of Title 29 of Code of Federal Regulations, Procedure for Predetermination of Wage Rates (37 FR 21138) and of Secretary of Labor's Orders 13-71 and 15-71 (36 FR 8755, 8756). The prevailing rates and fringe benefits determined in foregoing General Wage Determination Decisions, as hereby modified, and/or superseded shall, in accordance with the provisions of the foregoing statutes, constitute the minimum wages payable on Federal and federally assisted construction projects to laborers and mechanics of the specified classes engaged in contract work of the character and in the localities described therein.

Modifications and Supersedeas Decisions are effective from their date of publication in the FEDERAL REGISTER without limitation as to time and are to be used in accordance with the provisions of 29 CFR, Parts 1 and 5.

Any person, organization, or governmental agency having an interest in the wages determined as prevailing is encouraged to submit wage rate information for consideration by the Department. Further information and self-explanatory forms for the purpose of submitting this data may be obtained by writing to the U.S. Department of Labor, Employment Standards Administration, Office of Special Wage Standards, Division of Wage Determinations, Washington, D.C. 20210. The cause for

not utilizing the rule-making procedures prescribed in 5 U.S.C. 553 has been set forth in the original General Wage Determination Decision.

*Modifications to general wage determination decisions.* The numbers of the decisions being modified and their dates of publication in the FEDERAL REGISTER are listed with each State:

Arkansas:	
AQ-2	July 13, 1973
AQ-7	July 20, 1973
Delaware:	
AQ-2029	Nov. 16, 1973
Tennessee:	
AQ-4049	Jan. 11, 1973
Virginia:	
AQ-2024	Oct. 19, 1973

*Supersedeas decisions to general wage determination decisions.* The numbers of the decisions being superseded and their dates of publication in the FEDERAL REGISTER are listed with each State; Supersedeas Decision numbers are in parentheses following the number of the decisions being superseded:

Alabama:	
AP-185 (AP-4060)	May 11, 1973
Arizona:	
AQ-1004 (AQ-1072)	July 27, 1973
AQ-1028 (AQ-1072);	
AQ-1027 (AQ-1072)	Sept. 14, 1973
AQ-1050 (AQ-1072)	Oct. 26, 1973
Florida:	
AP-1100 (AQ-4055);	
AP-1101 (AQ-4054);	
AP-1104 (AQ-4057)	June 8, 1973
AQ-4010 (AQ-4053)	Sept. 7, 1973
AQ-4035 (AQ-4056)	Nov. 23, 1973
Georgia:	
AP-151 (AQ-4058)	Feb. 9, 1973
AP-847 (AQ-2039)	June 15, 1973
Maryland:	
AP-847 (AQ-2039)	June 15, 1973
AQ-2004 (AQ-2040)	Aug. 10, 1973
Montana:	
AQ-1032 (AQ-1071);	
AQ-1038 (AQ-1071)	Sept. 14, 1973
AQ-1041 (AQ-1071)	Sept. 21, 1973
AQ-1035 (AQ-1071)	Oct. 5, 1973
New Hampshire:	
AQ-3030 (AQ-3074)	Nov. 1, 1973
AQ-3034 (AQ-3075)	Nov. 9, 1973
New York:	
AM-1736 (AQ-2041)	Aug. 11, 1971
North Carolina:	
AP-847 (AQ-2039)	June 15, 1973
South Carolina:	
AP-847 (AQ-2039)	June 15, 1973
Tennessee:	
AM-505 (AQ-4061);	Aug. 20, 1971
AP-136 (AQ-4059);	Oct. 20, 1972
AP-137 (AQ-4062)	Oct. 27, 1972
Virginia:	
AP-847 (AQ-2039)	June 15, 1973
Washington, D.C.:	
AP-847 (AQ-2039)	June 15, 1973

Signed at Washington, D.C., this 18th day of January 1974.

RAY J. DOLAN,  
Assistant Administrator,  
Wage and Hour Division.

MODIFICATIONS P. 2

Basic Hourly Rates	Fringe Benefits Payments			
	H & W	Pensions	Vacation	App. Tr. Others
\$7.10				

DECISION NO. AQ-2024 - MOD. # 3  
(38 FR 29195 - October 19, 1973)  
Henrico County and the City of Richmond, Virginia

CHANGE:  
Plasterers

MODIFICATIONS P. 1

Basic Hourly Rates	Fringe Benefits Payments			
	H & W	Pensions	Vacation	App. Tr. Others
\$5.90	.05			
\$8.075 8.20 5.90 7.30	1% 1% .05 .25		.30	1/2% 1/2% c
9.46	5%			5%
\$2.75 3.14				

DECISION #AQ-2 - Mod. #11  
(38 FR 16630 - July 13, 1973)  
Union County, Arkansas

Change:  
Roofers

Decision #AQ-7 - Mod. #3  
(38 FR 19631 - July 20, 1973)  
Pulaski County, Arkansas

Change:  
Electricians  
Cable splicers  
Roofers  
Sheet Metal Workers

DECISION NO. AQ-2029 - MOD. #2  
(38 FR 31774 - November 16, 1973)  
STATEWIDE DELAWARE

CHANGE:  
Electricians

DECISION #AQ-1019 - Mod. #1  
(39 FR 1712 - January 11, 1974)  
Statewide, Tennessee

Add:  
Flagman  
Fence erector

SUPERSEDEAS DECISION

STATE: ALABAMA  
 DECISION NUMBER: AQ-1060  
 Supersedes Decision No. AP-185  
 DESCRIPTION OF WORK: Residential construction consisting of single family homes and garden type apartments up to and including 4 stories.

COUNTY: See below  
 DATE: Date of Publication  
 36 FR 12525

19-R ALABAMA B

	Basic Hourly Rates	Fringe Benefits Payments				App. Tr.	Others
		H & W	Pensions	Vacation			
Air Conditioning Mechanic	\$3.95						
Bricklayers	4.55						
Carpenters	4.00						
Cement Masons	3.45						
Dry Wall Hangers	4.50						
Dry Wall Finishers	4.85						
Dry Wall Sanders	2.25						
Electricians	3.75						
Laborers:							
Unskilled	2.00						
Mason Tender	2.25						
Painters	4.00						
Plumbers	5.50						
Roofers	4.00						
Sheet Metal Workers	3.50						
Soft Floor Layers	4.00						
Tile Setters	4.00						
Truck Drivers	2.00						
Power Equipment Operators:							
Backhoe	3.00						
Bulldozer	3.75						
Dragline	3.75						

SUPERSEDEAS DECISION

STATE: Arizona  
 DECISION NUMBER: AQ-1072  
 Supersedes Decision Nos. AQ-1004 dated July 27, 1973, in 38 FR 20187; AQ-1026 dated September 14, 1973, in 38 FR 25856; AQ-1027 dated September 14, 1973, in 38 FR 25864 and AQ-1050 dated October 26, 1973, in 38 FR 29743.

COUNTY: Statewide \*  
 DATE: Date of Publication

DESCRIPTION OF WORK: Building, Heavy and Highway Construction \*Establish a point 35 miles due north from the City Hall of the City of Flagstaff and establish another point 35 miles due north from the City Hall of the City of Kingman, then draw a straight line from the first point to the second point and extend that same line to the intersection of the Arizona-Nevada State Line. Establish a third point 35 miles due north of the City Hall of the City of Holbrook and draw a straight line from the first point to the third point and from the third point extend a line due east to the intersection of the Arizona-New Mexico State Line.

	Basic Hourly Rates	Fringe Benefits Payments				App. Tr.	Others
		H & W	Pensions	Vacation			
ASBESTOS WORKERS	\$8.98	.50	.65		.01		
BOILERMAKERS	7.95	.60	1.00	.50	.02		
BRICKLAYERS: (Phoenix Area)							
Bricklayers; Manhole Builders; Stonemasons:							
Zone A (0-25 miles from the City Hall of Phoenix; Flagstaff and Yuma)	9.07	.50	.45		.03		
Zone B (25-40 miles from the City Hall of Phoenix; and Williams AFB)	9.52	.50	.45		.03		
Zone C (40-70 miles from the City Hall of Phoenix)	10.43	.50	.45		.03		
Zone D (70-100 miles from the City Hall of Phoenix)	10.88	.50	.45		.03		
Zone E (100-200 miles and over from the City Hall of Phoenix)	11.34	.50	.45		.03		
Zone F (200 miles and over from the City Hall of Phoenix)	11.79	.50	.45		.03		
BRICKLAYERS: (Tucson Area)							
Bricklayers; Stonemasons:							
Zone A (0-15 miles from Tucson City limits)	8.855	.50	.44		.06		
Zone B (Over 15 miles to 30 miles from Tucson City limits)	9.23	.50	.44		.06		
Zone C (Over 30 miles to 40 miles from Tucson City limits)	9.605	.50	.44		.06		
Zone D (Over 40 miles from Tucson City limits)	10.355	.50	.44		.06		

AQ-1072 P. 3

Basic Hourly Rates	Fringe Benefits Payments				Others
	H & W	Pensions	Vacation	App. Tr.	
\$9.35 9.55	.40 .40	1 1/2% 1 1/2% + .60		1/2% 1/2%	
10.85 11.05	.40 .40	1 1/2% 1 1/2% + .60		1/2% 1/2%	
8.82 9.56	.25 .25	1% 1%		1/2% 1/2%	
9.775 10.025	.45 .45	1% 1%		1/2% 1/2%	
10.475 10.725	.45 .45	1% 1%		1/2% 1/2%	
11.075 11.325	.45 .45	1% 1%		1/2% 1/2%	
11.775 12.025	.45 .45	1% 1%		1/2% 1/2%	

AQ-1072 P. 2

Basic Hourly Rates	Fringe Benefits Payments				Others
	H & W	Pensions	Vacation	App. Tr.	
\$9.105	.50	.44	.06	.06	
9.48	.50	.44	.06	.06	
9.855	.50	.44	.06	.06	
10.60	.50	.44	.06	.06	
8.25 8.50 8.625	.45 .45 .45	.60 .60 .60	.025 .025 .025	.025 .025 .025	
10.125 10.375 10.50	.45 .45 .45	.60 .60 .60	.025 .025 .025	.025 .025 .025	
7.985	.50	.60	.025	.025	
8.13	.50	.60	.025	.025	
9.96	.45	.65	.025	.025	
10.105	.45	.65	.025	.025	
8.48 9.48 9.73	.275 .275 .275	.50 .50 .50	.04 .04 .04	.04 .04 .04	
8.58 9.58 9.83	.275 .275 .275	.50 .50 .50	.04 .04 .04	.04 .04 .04	

**BRICKLAYERS: (Tucson Area) (Cont'd)**

Manhole Builders:  
Zone A (0-15 miles from Tucson City limits)  
Zone B (Over 15 miles to 30 miles from Tucson City limits)  
Zone C (Over 30 miles to 40 miles from Tucson City limits)  
Zone D (Over 40 miles from Tucson City limits)

**CARPENTERS:**

(Central and Southern Areas):  
Carpenters; Drywall Applicator; Saw Filer; Shingler  
Floorlayers (finish); Piledrivermen Millwrights  
(Northern Area)  
Carpenters; Drywall Applicator; Saw Filer; Shingler  
Floorlayers (finish); Piledrivermen Millwrights

**CEMENT MASONS:**

(Central and Southern Area)  
Cement Masons  
Concrete troweling machine; Sawing and scoring machine; Curb and gutter machine  
(Northern Area)  
Cement Masons  
Concrete troweling machine; Sawing and scoring machine; Curb and gutter machine

**DRYWALL:**

(From Court House in Phoenix, Mesa, incl. Williams AFB and Luke AFB):  
Tapers:  
Zone A (0-40 miles)  
Zone B (40-60 miles)  
Zone C (60 miles and over)

**Texture Spraymen:**

Zone A (0-40 miles)  
Zone B (40-60 miles)  
Zone C (60 miles and over)





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	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
ROOFERS (Tucson Area):					
Asbestos; Shingles; Tile and Water-proofing:					
Zone A (0-44 miles from Tucson)	\$6.92	.40	.20		.02
Zone B (Over 44 miles from Tucson)	8.17	.40	.20		.02
ROOFERS (Phoenix Area)					
Roofers and Waterproofers	7.35	.40	.20		.02
SHEET METAL WORKERS:					
Zone Bases - From the Administration Building or City Hall in Flagstaff, Holbrook, Phoenix, Prescott and Yuma):					
Zone I (0-25 miles)	9.02	.40	.56		.02
Zone II (25-50 miles)	9.67	.40	.56		.02
Zone III (50 miles and over)	11.52	.40	.56		.02
SHEET METAL WORKERS:					
Zone Bases - From the Administration Building or City Hall in Douglas and Tucson:					
Zone A (0-17 miles)	7.58	.58	1.15		.01
Zone B (18-23 miles)	8.03	.58	1.15		.01
Zone C (24-31 miles)	8.48	.58	1.15		.01
Zone D (32-43 miles)	9.08	.58	1.15		.01
Zone E (44 miles and over)	9.53	.58	1.15		.01
SPRINKLER FITTERS	9.30	.40	.60		.07
LINE CONSTRUCTION:					
Zone I (Phoenix and Tucson 30 mile radius from center of Town):	7.22	.23	1 1/4+.35		1/2%
Groundman					
Equipment operators; Powdermen;					
Mechanics	8.33	.23	1 1/4+.35		1/2%
Linemen; Technician; Crane operator;					
Linemen welder	8.85	.23	1 1/4+.35		1/2%
Cable splicers	9.17	.23	1 1/4+.35		1/2%
Zone I-A (Douglas, Flagstaff, Globe, Kingman, Prescott and Yuma 10 mile radius from center of Town):					
Groundman	7.84	.23	1 1/4+.35		1/2%
Equipment operators; Powdermen;					
Mechanics	8.91	.23	1 1/4+.35		1/2%
Linemen; Technician; Crane operator;					
Linemen welder	9.43	.23	1 1/4+.35		1/2%
Cable splicers	9.78	.23	1 1/4+.35		1/2%
Zone II (Other Areas)					
Groundman	8.43	.23	1 1/4+.35		1/2%
Equipment operators; Powdermen;					
Mechanics	9.49	.23	1 1/4+.35		1/2%
Linemen; Technicians; Crane Operator;					
Linemen welder	10.00	.23	1 1/4+.35		1/2%
Cable splicers	10.30	.23	1 1/4+.35		1/2%

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	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
PAINTERS: (Tucson Area) (Cont'd)					
Zone C (41-50 miles from Tucson Post Office):					
Brush	\$7.25	.29	.25		.02
Spray	7.75	.29	.25		.02
Steel and bridge, brush	8.20	.29	.25		.02
Steel and bridge, spray	8.70	.29	.25		.02
Zone D (51 miles and over from Tucson Post Office):					
Brush	7.50	.29	.25		.02
Spray	8.00	.29	.25		.02
Steel and bridge, brush	8.45	.29	.25		.02
Steel and bridge, spray	8.95	.29	.25		.02
PLASTERERS (Phoenix Area):					
Zone A (0-30 miles from Phoenix)	8.495	.35	.65		.035
Zone B (30-40 miles from Phoenix)	8.995	.35	.65		.035
Zone C (40-50 miles from Phoenix)	9.245	.35	.65		.035
Zone D (50 miles and over from Phoenix)	10.12	.35	.65		.035
PLASTERERS (Tucson Area):					
Zone A (0-30 miles from Tucson)	8.57	.35	.60		.035
Zone B (30-40 miles from Tucson)	9.07	.35	.60		.035
Zone C (40-50 miles from Tucson)	9.32	.35	.60		.035
Zone D (Over 50 miles from Tucson)	10.07	.35	.60		.035
PLUMBERS; Steamfitters:					
FREE ZONE 0-15 miles					
The "Free Zone" (Zone I) shall be 15 road miles from the stated base points in Flagstaff, Yuma, Tucson and Douglas. The "Free Zone" from Phoenix shall be 15 miles radius from the stated base point. In addition, all areas within the city limits of Phoenix, Chandler, Scottsdale, Tempe, Glendale, Mesa, Kingman, Havasu City, Prescott, Winslow, and Holbrook will be included as Free Zones. Any work contracted for outside of these Zones will be determined from the Phoenix and Tucson basing points.					
Zone II (15-30 miles)	8.10	.50	1.07	1.00	.10
Zone III (30-45 miles)	8.40	.50	1.07	1.00	.10
Zone IV (Over 45 miles)	8.75	.50	1.07	1.00	.10
	9.85	.50	1.07	1.00	.10

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LABORERS

FOOTNOTE:  
 a. Employer contributes 4% of basic hourly rate for 5 years' service and 2% basic hourly rate for 6 months to 5 years' service as Vacation Pay Credit.  
 Six Paid Holidays: A through F.

PAID HOLIDAYS:  
 A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day;  
 E-Thanksgiving Day; F-Christmas Day.

GROUP I  
 ALL HELPERS NOT HEREIN SEPARATELY CLASSIFIED; Gesspool diggers and installers; Chat box man; Checker, tool dispatcher; Concrete dump manbel, pipe and/or hoseman; Dumpman and/or spotter; Fence builder, guard rail builder Hwy.; Form strippers; Labor, general or construction; Landscape gardener and nurseryman; Packing rod steel and pans; Rip rap stoneman; Astro turf layer.  
 CENTRAL and SOUTHERN AREA  
 NORTHERN AREA

GROUP II  
 CEMENT FINISHER TENDER; Concrete curer (Impervious membrane); Cutting torch operator; Fine grader (highway, engineering and sewer work only); Kettleman - Tarman; Power type concrete buggy; Lazer beam operator.  
 CENTRAL and SOUTHERN AREA  
 NORTHERN AREA

GROUP III  
 BANDER; CHUCKTENDER (except tunnel); Creosote tieman; Guinea chaser; Powderman helper; Rip-rap stone paver; Sandblaster (pot tender); Spikers and wrenchers.  
 CENTRAL and SOUTHERN AREA  
 NORTHERN AREA

GROUP IV  
 CEMENT DUMPERS (Skip-type mixer or handling bulk cement); Chain saw machines (on clearing and grubbing); Concrete vibrating machines; Gribber and shorer (except tunnel); Floor Sanders - concrete; Hydraulic jacks, and similar mechanical tools not separately herein classified; Operators and tenders of pneumatic and electric tools; Pipe caulker and/or backup man (pipeline); Pipe wrapper; Pneumatic gopher; Rigger/signalman (pipeline).  
 CENTRAL and SOUTHERN AREA  
 NORTHERN AREA

Basic Hourly Rates	Fringe Benefits Payments			
	H & W	Pensions	Vacation	App. Tr.
\$5.86 7.485	.50 .50	.60 .60		.06 .06
5.97 7.595	.50 .50	.60 .60		.06 .06
6.08 7.705	.50 .50	.60 .60		.06 .06
6.16 7.785	.50 .50	.60 .60		.06 .06

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Basic Hourly Rates	Fringe Benefits Payments				Others
	H & W	Pensions	Vacation	App. Tr.	
6.055	.50	.60		.06	
7.68	.50	.60		.06	
6.19	.50	.60		.06	
7.815	.50	.60		.06	
6.29	.50	.60		.06	
7.915	.50	.60		.06	
6.39	.50	.60		.06	
8.015	.50	.60		.06	
6.59	.50	.60		.06	
8.215	.50	.60		.06	
6.725	.50	.60		.06	
8.35	.50	.60		.06	
6.925	.50	.60		.06	
8.55	.50	.60		.06	

LABORERS (cont'd)  
(TUNNEL and SHAFT WORKERS)

GROUP I  
BULL GANG, MICKERS, TRACKMAN; DUMPMEN;  
Concrete crew (includes rodders and  
spreaders); Grout crew; Swamper  
(brakeman and switchmen on tunnel work)  
CENTRAL and SOUTHERN AREA  
NORTHERN AREA

GROUP II  
NIPPER; CHUCKTENDER, CAULETENDER;  
Vibratorman, Jackhammer, Pneumatic tools  
(except drill)  
CENTRAL and SOUTHERN AREA  
NORTHERN AREA

GROUP III  
GROUT GUNMAN  
CENTRAL and SOUTHERN AREA  
NORTHERN AREA

GROUP IV  
TIMBERMAN, RETIMBERMAN - wood or steel  
blaster, driller powderman; Cherry  
pickerman; Powderman - primer house;  
Steel form raiser and setter; Kemper  
and other pneumatic concrete placer  
operator; Miner - finisher  
CENTRAL and SOUTHERN AREA  
NORTHERN AREA

GROUP IV - A  
MINERS - Tunnel (hand or machine)  
CENTRAL and SOUTHERN AREA  
NORTHERN AREA

GROUP V  
DIAMOND DRILL  
CENTRAL and SOUTHERN AREA  
NORTHERN AREA

GROUP V - A  
SHAFT AND RAISE MINER WELDER  
CENTRAL and SOUTHERN AREA  
NORTHERN AREA

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Basic Hourly Rates	Fringe Benefits Payments				Others
	H & W	Pensions	Vacation	App. Tr.	
\$6.30	.50	.60		.06	
7.925	.50	.60		.06	
6.605	.50	.60		.06	
8.23	.50	.60		.06	
7.115	.50	.60		.06	
8.74	.50	.60		.06	
6.465	.50	.60		.06	
6.78	.50	.60		.06	

LABORERS: (cont'd)

GROUP V  
AIR AND WATER WASH-OUT NOZZLEMAN;  
Asphalt rakers and ironers; Driller;  
Grade setter (pipeline); Hand guided  
trencher and similar operated  
equipment; Jackhammer and/or pavement  
breakers; Pipe layer (including but not  
limited to non-metallic, transite and  
plastic pipe, water pipe, sewer pipe,  
drain pipe, underground tile and  
conduit); Rock slinger; Scaler (using  
Boss'ns Chair of safety belt); Tampers  
(mechanical-all types); Precast manhole  
erector.  
CENTRAL and SOUTHERN AREA  
NORTHERN AREA

GROUP VI  
CONCRETE CUTTING, TORCH; CONCRETE SAW  
(Hand guided); Driller (Core, Diamond,  
Wagon or Air track); Drill doctor and/or  
air tool repairman; Gunman and  
mixerman (Gunitite); Sandblaster (Nozzle-  
man)  
CENTRAL and SOUTHERN AREA  
NORTHERN AREA

GROUP VII  
CONCRETE ROAD FORM SETTER; Gunitite  
nozzleman or rodman; Drillers, Joy  
Mustang, PR 143, 2200 Gardner-Denver,  
Hydrasonic; Powder man; Scaler  
(drillers); Welders and/or pipelayers  
installing process piping.  
CENTRAL and SOUTHERN AREA  
NORTHERN AREA

MASON TENDERS  
CENTRAL and SOUTHERN AREA

PLASTER TENDERS  
CENTRAL and SOUTHERN AREA



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Basic Hourly Rates	Fringe Benefits Payments				Others
	H & W	Pensions	Vacation	App. Tr.	
\$9.44	.55	.60		.03	
11.065	.55	.60		.03	

POWER EQUIPMENT OPERATORS (cont'd)

GROUP VII

Crane operator - pneumatic or crawler (100 ton hoisting capacity and over MRC rating); Helicopter pilot - FAA qualified when used in construction work; Highline cableway operator, over 20 ton rated capacity and using traveling head and tail tower; Remote control earth moving equipment operator; Skip loader operator - all types with rate capacity of 8 cu. yds. or more; Universal equipment - shovel, backhoe, dragline, clamshell, etc., 8 cu. yds. and over  
CENTRAL and SOUTHERN AREA  
NORTHERN AREA

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Basic Hourly Rates	Fringe Benefits Payments				Others
	H & W	Pensions	Vacation	App. Tr.	
\$8.61	.55	.60	.03		
10.235	.55	.60	.03		
8.91	.55	.60	.03		
10.535	.55	.60	.03		

GROUP V-A

Heavy duty mechanic and/or welder; Pneumatic tired scraper, all sizes and types over 12 cu. yds. up to and incl. 45 cu. yds. MRC (Turnapull, Euclid, Cat, D-W, Hancock and similar equipment); Tractor operator (Pusher, Bulldozer, Scraper) up to 400 net horsepower rating; Trenching machine operator  
CENTRAL and SOUTHERN AREA  
NORTHERN AREA

GROUP VI

Auto-Grade Machine (CMI and similar equipment); Boring machine operator (including Mole, Badger and similar type); Concrete mixer operator-paving type, and mobile mixer; Concrete pump operator with boom attachment (Truck mounted); Crane operator-crawler and pneumatic type, under 100 ton capacity MRC; Crawler type tractor operator-with boom attachment; Derrick operator; Fork-lift operator for hoisting personnel; Grade-all operator; Helicopter hoist; Highline cableway operator (less than 20 tons rated capacity); Mass excavator operator (150 Bucyrus Erie and similar types); Mechanical hoist operator (two or more drums); Motor grade operator - any type power blade; Motor grade operator with elevating grader attachment; Mucking machine operator; Overhead crane operator; Filedriver engineer (portable, stationary or skid rig); Pneumatic-tired scraper operator-all sizes and types (Turnapull, Euclid, Cat, D-W, Hancock & similar equipment over 45 cu. yds. MRC); Power driven ditch lining or ditch trimming machine operator; Skip loader operator-all types with rated capacity 4 cu. yds. but less than 8 cu. yds.; Slip form paving machine operator (including Gunnert, Zimmerman & similar types); Specialized power digger operator-attached to wheel-type tractor; Tower crane (or similar type) operator; Tractor operator (Pusher, Bulldozer, Scraper (400 net horsepower and over; Tugger operator (two or more); Universal equipment operator-shovel, Backhoe, Dragline, Clamshell, etc. up to 8 cu. yds.  
CENTRAL and SOUTHERN AREA  
NORTHERN AREA

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TRUCK DRIVERS	Fringe Benefits Payments				Fringe Benefits Payments						
	Basic Hourly Rates	H & W	Pensions	Vacation	App. Tr.	Other	H & W	Pensions	Vacation	App. Tr.	Other
<b>GROUP I</b> PICKUP; Station wagon; Teamsters CENTRAL and SOUTHERN AREA NORTHERN AREA	\$6.01 7.635	.50 .50	.60 .60	.03 .03	.03 .03						
<b>GROUP II</b> BUGGYMOBILE, 1 C.Y. OF LESS; Bulk cement spreader (2 or 3 axle); Bus driver; Dump (2 or 3 axle); Flatrack (2 or 3 axle); water (under 2500 gal.) CENTRAL and SOUTHERN AREA NORTHERN AREA	6.12 7.745	.50 .50	.60 .60	.03 .03	.03 .03			.60 .60	.03 .03		
<b>GROUP III</b> BULK CEMENT SPREADER (4 AXLE); Dump (4 axle); Dumptor or dumpter, less than 7 c.y.; Flatrack (4 axle); Water (2500 gal. but less than 4000 gal.) CENTRAL and SOUTHERN AREA NORTHERN AREA	6.28 7.905	.50 .50	.60 .60	.03 .03	.03 .03			.60 .60	.03 .03		
<b>GROUP IV</b> BULK CEMENT SPREADER (5 AXLE); Dump (5 axle); Dumptor or dumpter, 7 c.y. but less than 16 c.y.; Flashery spreader or similar type equipment or leverman; Flatrack (5 axle); Slurry type equipment or leverman; Transit mix, 8 c.y. or less mixer capacity CENTRAL and SOUTHERN AREA NORTHERN AREA	6.57 8.195	.50 .50	.60 .60	.03 .03	.03 .03			.60 .60	.03 .03		
<b>GROUP V</b> BULK CEMENT SPREADER (6 AXLE); Dump (6 axle); Flatrack (6 axle); Rock truck (Dart, Euclid and other similar type end dumps, single unit) less than 16 c.y. CENTRAL and SOUTHERN AREA NORTHERN AREA	6.70 8.325	.50 .50	.60 .60	.03 .03	.03 .03			.60 .60	.03 .03		
<b>GROUP V-A</b> OIL TANKER OR SPREADER TRUCK DRIVER and/ or boomman, retortman or leverman CENTRAL and SOUTHERN AREA NORTHERN AREA	6.84 8.465	.50 .50	.60 .60	.03 .03	.03 .03			.60 .60	.03 .03		
<b>TRUCK DRIVERS: (cont'd)</b>											
<b>GROUP VI</b> BULK CEMENT SPREADER (7 AXLE); Concrete pump truck driver, (when integral part of transit mix truck); Dump (7 axle); Flatrack (7 axle); Hydro lift, Swedish crane, Iowa 300 and similar types; Ross carrier fork lift or lift truck; Transit mix, over 10.5 c.y. but less than 14 c.y. mixer CENTRAL and SOUTHERN AREA NORTHERN AREA	\$6.95 8.575	.50 .50	.60 .60	.03 .03	.03 .03			.60 .60	.03 .03		
<b>GROUP VII</b> BULK CEMENT SPREADER (8 AXLE); Dump (8 axle); Flatrack (8 axle) CENTRAL and SOUTHERN AREA NORTHERN AREA	7.29 8.915	.50 .50	.60 .60	.03 .03	.03 .03			.60 .60	.03 .03		
<b>GROUP VIII</b> OFF-HIGHWAY EQUIPMENT DRIVER (2 or 4 wheel power unit, i.e. Cat DM series, Euclid, International, and similar type equipment, transporting material when top loaded or by external means, incl. pulling water tanks, fuel tank, or other teamsters classifications; Bulk Cement spreader (9 axle); Dump (9 axle); Dumptor or dumpter, 16 c.y. and over; Eject-allis; Flatrack (9 axle); Rock truck (dart, euclid, or other similar end dump types) 16 c.y. and over CENTRAL and SOUTHERN AREA NORTHERN AREA	7.705 9.33	.50 .50	.60 .60	.03 .03	.03 .03			.60 .60	.03 .03		
<b>HEAVY DUTY MECHANIC/WELDER; Body and Fender man</b> CENTRAL and SOUTHERN AREA NORTHERN AREA	8.62 10.245	.50 .50	.60 .60	.03 .03	.03 .03			.60 .60	.03 .03		
<b>FIELD EQUIPMENT SERVICEMAN OR FUEL TRUCK DRIVER</b> CENTRAL and SOUTHERN AREA NORTHERN AREA	8.36 9.985	.50 .50	.60 .60	.03 .03	.03 .03			.60 .60	.03 .03		
<b>HEAVY DUTY MECHANIC/WELDER HELPER</b> CENTRAL and SOUTHERN AREA NORTHERN AREA	6.70 8.325	.50 .50	.60 .60	.03 .03	.03 .03			.60 .60	.03 .03		

SUPERSEDES DECISION

STATE: Florida  
 COUNTY: Orange  
 DECISION NUMBER: AQ-4053  
 DATE: Date of Publication  
 \*Supersedes Decision No. AQ-4010, dated September 7, 1973 in 38 FR 24505,  
 DESCRIPTION OF WORK: Building Construction, (excluding single family homes  
 and garden type apartments up to and including 4 stories).

48-Florida-1-B (2-2)

Basic Hourly Rates	Fringe Benefits Payments			App. Tr.
	H & W	Pensions	Vacation	
\$5.90	.25	.05		.05
4.45	.25	.05		.05
3.80	.25	.05		.05
6.34	.20	.20	.20	.10
8.71	.40	.60	.50	.05
7.02	.40	.35		.02
6.95				.02
6.95				.02

Roofers:  
 Roofers  
 Kettlemen  
 Roofers' helpers  
 Sheet Metal Workers  
 Sprinkler Fitters  
 Steamfitters  
 Terrazzo workers  
 Tile Setters  
 Welders - Receive rate prescribed for craft performing operation to which welding is incidental.

FOOTNOTES:

- a. Six paid holidays, A through F.
- b. Employer contributes 1/4 of regular hourly rate to vacation pay credit for employee who has worked in business more than 5 years. Employer contributes 2% of regular hourly rate to vacation pay credit for employee who has worked in business less than 5 years.

PAID HOLIDAYS (WHERE APPLICABLE)

A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day;  
 E-Thanksgiving Day; F-Christmas Day.

	Basic Hourly Rates	Fringe Benefits Payments			App. Tr.
		H & W	Pensions	Vacation	
Asbestos workers	\$6.24	.25	.20	.75	.02
Boilermakers	7.13	.40	.70		.01
Bricklayers	6.95	.35	.20		.02
Bricklayers	6.95	.35	.20		.02
Stonemasons	6.95	.35	.20		.02
Marble masons	6.95	.35	.20		.02
Plasterers	6.95	.35	.20		.02
Cement masons	6.75	.35	.20		.02
Carpenters	6.65	.40		.20	.03
Carpenters	6.90	.40		.20	.03
Electricians	6.65	.40		.20	.03
Electrical contractors less than \$20,000.00	6.50	.30	1%		1/2 of 1%
All others	7.95	.30	1%		1/2 of 1%
Elevator constructors	7.035	.345	.23	.24+abb	.015
Elevator constructors' helpers	7.05JR	.345	.23	.24+abb	.015
Elevator constructors' Helpers (prob.)	5.20	.20			.005
Glaziers	6.73	.35	.27	.48	.03
Ironworkers, structural & ornamental	6.73	.35	.27	.48	.03
Ironworkers, reinforcing	4.75	.15			
Laborers:	4.60	.15			
Air tool operator	4.75	.15			
Laborers	4.75	.15			
Masons tenders	4.75	.15			
Mortar mixers	4.75	.15			
Pipelayers (concrete & clay)	4.75	.15			
Plasterers tenders	4.75	.15			
Lathers	6.25	.20	.10		1% of 1%
Linemen	7.46	.25	1%		1% of 1%
Cable splicers	7.96	.25	1%		1% of 1%
Groundmen:	3.02	.25	1%		1% of 1%
Up to 1 year experience	4.26	.25	1%		1% of 1%
Over 1 year experience	7.46	.25	1%		1% of 1%
Heavy equipment operator	5.89	.25	1%		1% of 1%
Winch truck operator	4.28	.25	1%		1% of 1%
Pick up or flat bed operator	6.35	.30	.30		.05
Painters:	6.60	.30	.30		.05
Brush, roller (9" roll & 12" pole)	6.85	.30	.30		.05
Spray	6.85	.30	.30		.05
Paperhangers	6.85	.30	.30		.05
Sandblaster	6.60	.30	.30		.05
Structural steel	7.02	.40	.35	.50	.05
Flumbers					

**BUILDING CONSTRUCTION**

**POWER EQUIPMENT OPERATORS:**

Cranes, derricks, clam shells, drag-lines, piledriver (including auger & boring machine for drilling in piling), backhoes, hydra cranes, grade all, shovels, petrols, cable-ways, tug boat captain (150 H.P. or more), multi-bowl opsr (similar to R.G. Lefourneau Model L-60-2 or 3 twenty cu yd scrapers), front end loaders, (over 4 cy cap.), side boom cats, multi-drum hoist (for rigging,), mechanic (heavy equip.) tower crane (stationary, climbing & traveling), gantry cranes, locomotive cranes, bridge cranes (over 20 ton cap.), concrete pump with boom (mobile), high lift or fork lift (second floor & higher) Locomotive engineer (jobs not covered by railroad unions)

Bulldozers, bridge cranes (20 tons & under), highlift or forklift (up to 2nd floor), straddle bugys, hoists (other than rigging) including winch truck not mobile & used as a hoist, front end loader (over 2 cy & up to & incl., 4 cy cap.), trenching machine (loader & wheel type) over 6' cut & over 24" width, concrete paver & scrapers

Concrete pumps, front end loader (2cy or less not used as hoist), mobile winch trucks, self-propelled sub-grader, asphalt paving machine concrete mixer, tractors, air compressor plant (2 or more compressors on a common manifold), lubricating engineer (mobile plant), pavement breakers, street sweeping machines

Basic Hourly Rates	Fringe Benefits Payments			
	H & W	Pensions	Vacation	App. Tr.
\$7.33	.35	.30		.05
6.29	.35	.30		.05
5.48	.35	.30		.05

Basic Hourly Rates	Fringe Benefits Payments			
	H & W	Pensions	Vacation	App. Tr.
4.51	.35	.30		.05

**POWER EQUIPMENT OPERATORS: (CONTD)**

Tractor operated sweeper, trenching machine (loader & wheel type maximum cut 6' & maximum width 24"), firemen, self-propelled rollers, well-point pump, asphalt distributor, veter truck driver, motor boat operator, oiler, mechanics' helpers pumpman (other than well point up to & incl., 5 pumps within 300 ft. radius), self-propelled sweepers, combination pump, compressor & combustion type welding machine

\*Pending the completion of surveys which will serve as the basis for new area decisions, Agencies with projects pending should utilize the project determination procedure by submitting SF-308 for heavy construction projects. See Regulations Part 1 (GFR 29), Section 1.5.

SUPERSEDES DECISION

STATE: Florida  
 COUNTY: Hillsborough  
 DECISION NUMBER: AQ-4054  
 DATE: Date of Publication  
 \*Supersedes Decision No. AP-1101 dated June 8, 1973 in 38 FR 15239.  
 DESCRIPTION OF WORK: Building Construction, (excluding single family homes and garden type apartments up to and including 4 stories).

29-Florida-1-1 (2-2)

	Basic Hourly Rates	Fringe Benefits Payments					App. Tr.	Others
		H & W	Pensions	Vacation	App. Tr.	Others		
Asbestos workers	\$6.24	.35	.20	.75	.02			
Boilemakers	7.13	.40	.70		.01			
Bricklayers:								
Bricklayers	7.05	.25	.30		.05			
Stone masons	7.05	.25	.30		.05			
Marble masons	7.20	.25	.30		.05			
Terrazzo workers	7.20	.25	.30		.05			
Tile setters	7.20	.25	.30		.05			
Cement masons	6.55	.25	.30		.05			
Cement block layers	7.05	.25	.30	.10	.02			
Carpenters	6.865	.30	.20		.02			
Millwrights	7.37	.45	.45		.04			
Piledrivers	7.115	.30	.20	.10	.12			
Electricians	8.10	.45	1%		.12			
Cable splicers	8.45	.45	1%		.12			
Elevator constructors	7.79	.395	.26	2% + a&b	.02			
Elevator constructors' helpers	7.05	.395	.26	2% + a&b	.02			
Elevator constructors' mechanics helpers (probationary)	50%JR							
Ironworkers:								
Structural	7.81	.45	.30	.25	.05			
Ornamental	7.81	.45	.30	.25	.05			
Reinforcing	7.81	.45	.30	.25	.05			
Sheeters	7.81	.45	.30	.25	.05			
Lathers	7.415	.30	.20		.025			
Laborers:								
Power tool operator	4.975	.225						
Mortar mixers	4.975	.225						
Pipelayers (concrete & clay)	4.975	.225						
Masons, plasterers' tenders	4.975	.225						
Common laborers	6.35	.25						
Lead burners								
Line Construction:								
Linemen & heavy equipment operator	7.90	.35	1%		.01			
Cable splicers	8.29	.35	1%		1%			
Cable splicers' helpers	7.90	.35	1%		1%			
Winch truck driver operator	6.16	.35	1%		1%			
Groundmen	4.59	.35	1%		1%			
Painters:								
Brush & roller	6.45	.25	.20		.06			
Swing stage & window jacks, spray & Sandblasting	6.70	.25	.20		.06			
Dry wall tapers	7.30	.25	.20		.06			
Structural steel, bridge & Ind.:								
Brush, roller, swing, stage bos'n chair	7.05	.25	.20		.06			
Spray & sandblasting	7.30	.25	.20		.06			

Painters (cont'd):

- Paperhangers
- Plasterers
- Plumbers
- Roofers
- Roofers' helpers
- Roofers, Kettlemen
- Sheet metal workers
- Soft floor layers
- Sprinkler fitters
- Steamfitters
- Terrazzo workers' helpers, tile setters helpers, and marble masons' helpers
- Terrazzo grinders
- Terrazzo base grinders

Welders - receive rate prescribed for craft performing operation to which welding is incidental

FOOTNOTES:

- Six paid holidays: A through F.
- Employer contributes 4% of regular hourly rate to Vacation Pay Credit for employee who has worked in business more than 5 years. Employer contributes 2% of regular hourly rate to Vacation Pay Credit for employee who has worked in business less than 5 years.
- Eight paid holidays: A through F, Washington's Birthday, and Good Friday, providing employee has worked 45 full days during the 120 calendar days prior to the holiday and the regular scheduled work days immediately preceding and following the holiday.

PAID HOLIDAYS: (Where Applicable):

- A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day;
- E-Thanksgiving Day; F-Christmas Day.

Basic Hourly Rates	Fringe Benefits Payments				Other
	H & W	Pensions	Vacation	App. Tt.	
\$8.49	.275	.25		.05	
7.505	.275	.25		.05	
7.74	.275	.25		.05	
7.285	.275	.25		.05	
5.475	.275	.25		.05	
5.735	.275	.25		.05	
5.245	.275	.25		.05	

POWER EQUIPMENT OPERATORS

Cat cranes, truck cranes, pile driver crane, derrick, dragline, material hoist with Chicago boom, material hoist with two drums, hydraulic lift form, diesel electric and steam generators, motor grader, pumpcrete or similar machine, cherry picker, gradall, hydro and wheelabrator and mechanic, tractor back hoe, drill, rig & tack boom tractor

Trenching machine over 24", winch truck, material hoist (elevator type)

Tugger hoist

Crawler bulldozer, crawler tractor and turnapull, heavy hufftype front end loader, heavy IM-10 to IM-21 type rubber tired tractor, road roller, fireman, forklift, concrete batch plant operator

Wellpoint system and pumps, material hoist, front end loader other than heavy huff type, rubber tired tractor with attachments other than backhoe

Air compressor 125 cu. ft. or over

Concrete mixer, rubber tired tractor without attachments, trenching machines under 24" high lift, sand blasting machines, welding machine, air compressor, miscellaneous pumps

150' boom, including jib scale of top operator classification plus .25 per hour.

Tower crane operators .25 per above top operator classification not including long boom pay.

POWER EQUIPMENT OPERATORS

On building sites and includes roads, parking lots, storm sewer systems, railroads, drain fields, settling basins, pipelines (concrete and/or clay), land clearing, bulk heads and sea walls, and site preparation exclusive of excavation for buildings.

HEAVY DUTY EQUIPMENT OPERATORS  
Cranes, shovels, draglines, pile-drivers (all types), concrete paving machines, ditching machines, mechanics, finish, motor grades, front end loaders, hoist (two drums or more), cherry pickers

MEDIUM DUTY EQUIPMENT OPERATORS  
Motor patrols, bulldozers, rubber tired scrapers (all types), winch trucks, stabilizers, asphalt spreaders, rollers, asphalt rock crushers, concrete mixers (changer pan), light duty hydraulic tractor backhoe, and wellpoint pumps

LIGHT DUTY EQUIPMENT OPERATORS  
Finishing machine, bull floats, spray machines, subgraders, rollers on subgrade, pull cats (all types), form grader, bituminous distributor, hoist (less than two drums) and fireman

\*Pending the completion of surveys which will serve as the basis for new area decisions, Agencies with projects pending should utilize the project determination procedure by submitting SF-308 for heavy construction projects. See Regulations Part 1 (CFR 29), Section 1.5.

SUPERSEDES DECISION

STATE: Florida  
 COUNTY: See below\*  
 DATE: Date of Publication  
 DECISION NUMBER: AQ-4055 dated June 8, 1973 in 38 FR 15237.  
 \*\* Supercedes Decision No. AP-1100 dated June 8, 1973 in 38 FR 15237.  
 DESCRIPTION OF WORK: Building Construction, (excluding single family homes and garden type apartments up to and including 4 stories).

\*Countries: Escambia, Okaloosa, Santa Rosa and Walton.

FOOTNOTES:  
 a. Two paid holidays: Labor Day & Mardi Gras Day - provided employee work at least one day out of the three workdays prior to the paid holidays, and the first work day after the paid holidays.  
 b. Employer Contribution of \$35.00 per year.  
 c. Six paid holidays: A through F.  
 d. Employer contributes 4% of regular hourly rate to Vacation Pay Credit for employee who has worked in business more than 5 years. Employer contributes 2% of regular hourly rate to Vacation Pay Credit for employee who has worked in business less than 5 years.  
 e. 1 paid holiday: Christmas Day.  
 f. Three paid holidays: Labor Day; Thanksgiving Day; and Christmas Day.  
 g. 7 paid holidays: New Year's Day, Easter, Independence Day, Labor Day, Thanksgiving Day, Christmas Eve, Christmas Day.

PAID HOLIDAYS (Where applicable):  
 A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.

	Basic Hourly Rates	H & W	Pensions	Vacation	App. Tr.	Others
Asbestos workers	\$7.70	.395	.75	a	.02	
Boilermakers	7.13	.40	.70		.01	
Bricklayers	7.00					
Stone masons	7.00		.25			
Tile setters	7.00		.01			
Marble masons	7.00		.01			
Terrazzo workers	7.00		.01			
Carpenters:						
Carpenters	6.25				.01	
Millwrights	7.24		.25		.01	
Piledrivers	6.50		.01		.01	
Stationary saw operator	6.50		.01		.01	
Soft floor layers	6.25		.01		.01	
Cement masons	4.00					
Electricians:						
Electricians	6.91		1%		b	
Cable splicers	7.16		1%		b	
Elevator constructors	6.72	.115	.17	3/4+e+d	.005	
Elevator constructors' helpers	70%JR	.115	.17	3/4+e+d	.005	
Elevator constructors' helpers (prob.)	50%JR			e		
Glaziers	4.81					
Ironworkers, structural & ornamental & reinforcing	7.13	.28	.25		.01	
Lathers	4.79					
Line Construction:						
Lineman; Heavy Equipment opr.	7.07		1%			
Painters, Commercial						
Brush, Roller, Paperhanger	3.90					
Spray	4.25					
Plasterers	4.375				.01	
Plumbers & Steamfitters:						
Walton Co. E. of Hwy. 331 exclud.	6.50	.30	.35	f	.02	
Defuniak Springs						
Remaining Counties & Walton Co., W of Hwy. 331 incl. Defuniak Springs	8.25	.30	.35	g	.04	
Sheet metal workers	7.15	.30	.30		.01	
Sprinkler fitters	8.41	.30	.50		.07	
Terrazzo worker helpers	4.58	.28	.25			
Tile setters' helpers	4.58	.28	.25			
Truck Drivers:						
Up to but not including 1 1/2 tons	5.04	.28	.25			
1 1/2 tons up to but not including 5 tons						
5 tons & over	5.51	.28	.25			
Mechanics	6.55	.28	.25			
Helpers (Mechanics)	7.12	.28	.25			
Welders - receive rate prescribed for craft performing operation to which welding is incidental.	5.29	.28	.25			

Basic Hourly Rates	Fringe Benefits Payments				Basic Hourly Rates	Fringe Benefits Payments					
	H & W	Pensions	Vacation	App. Tr.		Other	H & W	Pensions	Vacation	App. Tr.	Other
BUILDING CONSTRUCTION											
HEAVY EQUIPMENT:											
\$3.25	.10				\$7.16	.28					
3.50	.10										
3.75	.10										
4.25	.10										
3.35	.10				6.90	.28					.25
MEDIUM EQUIPMENT:											
LIGHT EQUIPMENT:											
					6.41	.28					.25
					5.76	.28					.25
					5.50	.28					.25

BUILDING CONSTRUCTION

Laborers:  
 Construction laborers, carpenters' tenders, bldg. wreckers  
 Minely lb. hammer, gummite, pressur conc. worker nozzle man, gummen, acid or cresote workers, (work performed over 100' high except on inside wall to wall scaffolding)  
 Form setter on streets, roads, & highway, burners for demolition or concrete, runways and courts  
 Blasting & powderman; cofferdam and tunnel workers underground; casissons  
 Air tool operators, asphalt raker & tamper, conc. or clay pipe layers & wipers, masons tenders, plasterers tenders, conc. worker, track laborers, (including preparation of track bed), roofer's helpers; single conveyor, kettlemen, well point workers, power buggy oper., building of scaffolding and staging for masons and plasterers

HEAVY EQUIPMENT:  
 Heavy Duty Mechanic, Crane, Shovel, Derrick Operator (2 or more drums), Dragline, Pile Driver Operator, Hoist Operator (2 or more drums), Trenching Machines, Cable Ways, Excavators, Front End Loader, Backhoe, Rubber Tired Backhoe, Dredges, Leverman, Welders, Mounted Rotary Drill Machines, Cherry Pickers, Side Boom Tractors, Paving Machines, Motor Patrol, Pumpcrete Machines, Gradalls, Johnson Mixers, Hydro-lift trucks, All Batch plant and Header House Operators, Panel Board (Ready-Mix), Hydro Hammers on Demolition Work, Concrete Plants, Asphalt Plants, Helicopter pilots and concrete paving trains

MEDIUM EQUIPMENT:  
 Dozer Scraper, Turnspull, One Drum Hoist, Self-Propelled Rollers, Construction Elevators, Locomotive Engineer, Elevating Grader Tractors with Power Control Attachments, Winch Truck, Tug Boats, Mixers, Asphalt Spreaders, Drilling machines, Form Graders, Asphalt Distributors, Forklift, well-point systems, Sub-graders, Finishing machines, Motorized Compactors, Wagmobiles and Push Carts

LIGHT EQUIPMENT:  
 Light Plants, Generators, Welding Machines, Air compressors, pumps, conveyors, Motor boats under 30 ft., Tow Tractors and Pile Driver Hammer (Diesel, Gas, Air or Electric)  
 Fuel Truck Oilers, Fireman Brakeman, Outboard Motor Boats, Truck Crane Oiler and Mechanic Helpers  
 Oilers (crawler), Deck Hand and Oiler Cherry Picker

\*\*Pending the completion of surveys which will serve as the basis for new area decisions, Agencies with projects pending should utilize the project determination procedure by submitting SF-308 for heavy construction projects. See regulations Part 1 (CFR 29), Section 1.5.



POWERED EQUIPMENT OPERATORS:

Cranes, hydraulic or derrick on structural or reinforcing iron  
 Crane or derrick, Clam shell, Drag-line, Filedriver operator (including auger & boring machine op. for drilling in piling), Backhoe (including hydraulic), Hydraulic crane  
 Grapple, Shovel, Motor patrol, Mechanic heavy equipment, Side boom cat & Multi-drum hoist  
 Bulldozer & trenching machine, Bridge crane, Highlift, Straddle buggy, Hoist, Earth hauling scraper (regardless how powered), Pump crete & Front end loader  
 Winch truck, Concrete/asphalt paver, Fork lift, Locomotive engineer, Boring machine, Well drilling machine & Mobile cleaning plant  
 Tractor, Well point pump & installation man, Firemen, Lubrication engineer-equipment greaser & Air compressor  
 Motor boat, Oiler, Mechanic helper, Pumpman (other than well point), Roller (steel & rubber tires) self-powered, Conveyor, Welding machine (three or more combustion engines) & Pulver mixer

BASIC HOURLY RATES	FRINGE BENEFITS PAYMENTS			OTHERS
	H & W	PENSIONS	VACATION APP. TR.	
\$6.46	.25	.20		
6.21	.25	.20		
5.90	.25	.20		
5.49	.25	.20		
5.15	.25	.20		
4.53	.25	.20		

Basic Hourly Rate	FRINGE BENEFITS PAYMENTS			Total
	H & W	Pensions	Vacation App. Tr.	
\$4.40				
4.50				
4.60				
4.65				
5.00				
5.10				

TRUCK DRIVERS:

Buses, jeeps, station wagons, pilot or escort cars, trucks up to 6 cu. yds. or 2-ton capacity, water trucks (single axle), dumpmen & tire repairmen  
 Dump trucks 6 cu. yds. to 13 cu. yds. capacity, transit mix trucks (single axle), 3 axle trucks  
 Dump trucks 13 cu. yds. capacity, truck mechanic helper  
 Asphalt distributor trucks, lumber carriers & similar type equipment, lift gate trucks, transit mix trucks (tandem axle), dump trucks 16 cu. yds. or more, fuel & grease trucks, and 4-axle trucks  
 A-frame trucks, boom trucks, gin pole trucks, winch trucks (when used for hauling material & equipment), trucks with 5-axes or more, fork lift trucks  
 Euclids, euclid water truck, caterpillars, or similar off highway earth moving equipment (not self-loaded), truck mechanic

\*\*Pending the completion of surveys which will serve as the basis for new area decisions, Agencies with projects pending should utilize the project determination procedure by submitting SF-308 for heavy construction projects. See Regulations Part I (CFR 29), Section 1.5.

AQ-4057 P. 2

52-Florida-L-C (2-2)

SUPERSEDES DECISION

STATE: Florida  
 COUNTY: Pinellas  
 DECISION NUMBER: AQ-4057  
 DATE: Date of Publication  
 \*Supersedes Decision No. AP-1104, dated June 8, 1973 in 38 FR 15245.  
 DESCRIPTION OF WORK: Building Construction, (excluding single family homes and garden type apartments up to and including 4 stories).

	Fringe Benefits Payments					
	Basic Hourly Rates	H & W	Pensions	Vacation	App. Tr.	Others
Asbestos workers	\$6.24	.35	.20	.75	.02	
Boilermakers	7.13	.40	.70		.01	
Bricklayers	7.05	.25	.30		.05	
Carpenters:						
Piledrivemen	7.115	.30	.20	.10	.02	
Soft floor layers	6.865	.30	.20	.10	.02	
Millwrights	7.37	.45	.45		.01	
Millwrights	6.55	.25	.30		.05	
Cement masons						
Electricians:						
Electricians	8.13	.25	1%	3/4 of 1%		
Cable splicers	8.83	.25	1%	3/4 of 1%		
Elevator constructors	7.79	.395	.26	2%-a+b	.02	
Elevator constructors' helpers	70%JR	.395	.26	2%-a+b	.02	
Elevator constructors' helpers (prob.)	50%JR	.15	.30	.25	.05	
Ironworkers, structural & ornamental	7.81	.15	.30	.25	.05	
Ironworkers, reinforcing	7.81	.15	.30	.25	.05	
Laborers:						
Air tool operator (jackhammer, vib.)	4.975	.225			.025	
Mason tenders	4.975	.225			.01	
Mortar mixers	4.975	.225			1/10 of 1%	
Pipelayers (concrete & clay)	4.975	.225			1/10 of 1%	
Plasterers' tenders	4.975	.225			1/10 of 1%	
Plasterers	4.825	.225			1/10 of 1%	
Common laborers	7.415	.30	.20		.05	
Lathers	6.35	.25			.01	
Lead burners						
Line Construction & Equipment Opr.:						
Class "A"	7.90	.35	1%		.06	
Class "B"	6.16	.35	1%		.06	
Cable splicers	8.30	.35	1%		.06	
Groundmen "A"	4.59	.35	1%		.06	
Groundmen "B"	3.00	.35	1%		.06	
Marble setters	7.20	.25	.30		.05	
Painters:						
Brush & roller	6.15	.25	.20		.06	
Spray & sandblasting						
Swing stage & window jacks, spray	6.70	.25	.20		.06	
Dry wall tapers	7.30	.25	.20		.06	
Structural steel, bridge & Ind.:						
Brush, roller, swing, stage	7.05	.25	.20		.06	
bos'n chair	7.30	.25	.20		.06	
Spray & sandblasting	7.06	.25	.20		.06	
Paperhangers	7.45	.25	.70		.025	
Plasterers	6.15	.25	.15			
Plumbers and steamfitters	3.30	.25	.15			
Roofers	4.20	.25	.15			
Roofers' helpers	5.85	.20	.10			
Roofers' Kettlemen	8.71	.40	.60		.10	
Sheet metal workers	7.05	.25	.30		.05	
Sprinkler fitters						
Stonemasons						

	Fringe Benefits Payments					
	Basic Hourly Rates	H & W	Pensions	Vacation	App. Tr.	Others
Terrazzo workers	7.20	.25	.30		.05	
Terrazzo workers' helpers	4.05	.20				
Terrazzo grinders	4.15	.20				
Terrazzo base grinders	4.35	.20	.30		.05	
Tile setters	7.20	.20				
Tile setters' helpers	4.05	.20				
Air conditioning or refrigeration mechanics	7.15	.25	.70		.025	
Welders - receive rate prescribed for craft performing operation to which welding is incidental.						

FOOTNOTES:

- a. Six paid holidays, A through F.
- b. Employer contributes 1% of regular hourly rate to vacation pay credit for employee who has worked in business more than 5 years. Employer contributes 2% of regular hourly rate to vacation pay credit for employer who has worked in business less than 5 years.
- c. Eight paid holidays, A through F plus Washington's Birthday and Good Friday, providing employee has worked 15 full days during the 120 calendar days prior to the holiday, and the regular scheduled work days immediately preceding and following the holiday.
- d. One-half day paid holiday: National General Election's Day.

PAID HOLIDAYS: (WHERE APPLICABLE)

- A-New Year's Day; B-Memorial Day; C-Independence Day;
- D-Labor Day; E-Thanksgiving Day; F-Christmas Day.

Basic Hourly Rates	Fringe Benefits Payments				App. Tr.	Others
	H & W	Pensions	Vacation			
\$8.49	.275	.25			.05	
7.505	.275	.25			.05	
7.74	.275	.25			.05	
7.285	.275	.25			.05	
5.475	.275	.25			.05	
5.735	.275	.25			.05	
5.245	.275	.25			.05	

Building Construction

POWER EQUIPMENT OPERATORS

Cat cranes, truck cranes, pile driver crane, derrick, dragline, material hoist with Chicago boom, material hoist with two drums, hydraulic lift form, diesel electric and steam generators, motor grader, pumcrete or similar machine, cherry picker, gradall, hypto and wheelabrator and mechanic, tractor back hoe, drill, rig & tack boom tractor

Trenching machine over 24", winch truck, material hoist (elevator type)

Tugger hoist

Crawler bulldozer, crawler tractor and turnapull, heavy huiftype front end loader, heavy DM-10 to DM-21 type rubber tired tractor, road roller, fireman, forklift, concrete batch plant operator

Wellpoint system and pumps, material hoist, front end loader other than heavy huif type, rubber tired tractor with attachments other than backhoe

Air compressor 125 cu. ft. or over

Concrete mixer, rubber tired tractor without attachments, trenching machines under 24" high lift, sand blasting machines, welding machine, air compressor, miscellaneous pumps

150' boom, including jib scale of top operator classification plus .25 per hour.

Tower crane operators .25 per above top operator classification not including logs boom pay.

Basic Hourly Rates	Fringe Benefits Payments				App. Tr.	Others
	H & W	Pensions	Vacation			
5.63	.275	.25			.05	
5.355	.275	.25			.05	
5.08	.275	.25			.05	

Building Construction

POWER EQUIPMENT OPERATORS

On building sites and includes roads, parking lots, storm sewer systems, railroads, drain fields, settling basins, pipelines (concrete and/or clay), land cleaning, bulk heads and sea walls, and site preparation exclusive of excavation for buildings.

HEAVY DUTY EQUIPMENT OPERATORS

Cranes, shovels, draglines, pile-drivers (all types), concrete paving machines, ditching machines, mechanics, finish, motor grades, front end loaders, hoist (two drums or more), cherry pickers

MEDIUM DUTY EQUIPMENT OPERATORS

Motor patrols, bulldozers, rubber tired scrapers (all types), winch trucks, stabilizers, asphalt spreaders, rollers, asphalt rock crushers, concrete mixers (changer pan), light duty hydraulic tractor backhoe, and wellpoint pumps

LIGHT DUTY EQUIPMENT OPERATORS

Finishing machine, bull floats, spray machines, subgraders, rollers on subgrade, pull cats (all types), form grader, bituminous distributor, hoist (less than two drums) and fireman

\*Pending the completion of surveys which will serve as the basis for new area decisions, Agencies with projects pending should utilize the project determination procedure by submitting SF-308 for heavy construction projects. See Regulations Part 1 (CFR 29), Section 1.5.

SUPERSEDEAS DECISION

STATE: GEORGIA  
 COUNTY: See Below  
 DECISION NUMBER: AQ-1058  
 DATE: Date of Publication  
 Supersedes Decision No. AP-151 dated February 9, 1973 - 38 FR 1088  
 DESCRIPTION OF WORK: Residential construction consisting of single family homes and garden type apartments up to and including 4 stories.

25-GA-R-C

COUNTIES: Bulloch, Bryan, Chatham, Effingham, Evans, Liberty, Long

	Basic Hourly Rates	Fringe Benefits Payments				Others
		H & W	Pensions	Vacation	App. Tr.	
Air conditioning mechanic	\$5.00					
Asbestos workers	4.00					
Bricklayers	5.75					
Carpenters	4.32					
Cement masons	4.50					
Drywall finishers	5.25					
Drywall hangers	4.44					
Electricians	4.00					
Ironworkers, ornamental	3.65					
Laborers:						
Laborers	2.50					
Mason tenders	2.75					
Pipelayer	3.00					
Painters:						
Brush	4.00					
Spray	4.50					
Plumbers	5.00					
Roofers	3.37					
Sheet metal workers	4.00					
Soft floor layers	5.00					
Tile setters	5.00					
Truck drivers	2.50					
POWER EQUIPMENT OPERATORS:						
Asphalt roller	4.99					
Asphalt mixer	5.18					
Bulldozers	5.07					
Cranes, derrick, draglines	4.425					
Graders	6.08					
Front end loaders	4.47					
Tractor, farm type	4.00					

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DREDGE-2-ATLANTIC-M 2 of 2

SUPERSEDES DECISION

STATES, Maryland, Georgia, North Carolina, South Carolina, Virginia, and Washington, D. C. DATE: Date of Publication  
 DECISION NO: AQ-2039 in 38 FR 15797  
 Supersedes Decision No. AP-847, dated June 15, 1973, in 38 FR 15797  
 DESCRIPTION OF WORK: All dredging on the Atlantic Coast from the southern border of Maryland to the northern border of Florida, including the Chesapeake Bay but excluding the Chesapeake Canal, Baltimore City and Baltimore County, Maryland.

DREDGE-2-ATLANTIC-M 1 of 2

HYDRAULIC DREDGES 20" AND OVER

	Basic Hourly Rates	Fringe Benefits Payments				App. Tr.	Others
		H & W	Pensions	Vacation	App. Tr.		
Leverman and engineer	\$ 5.94	.25	.25	a			
Mate	5.21	.25	.25	a			
Welder	5.42	.25	.25	a			
Derrick operator	5.67	.25	.25	a			
Spill barge operator	5.52	.25	.25	a			
Spider barge operator	5.52	.25	.25	a			
Tug master	5.15	.25	.25	a			
Carpenter	5.63	.25	.25	a			
Tug mate	4.85	.25	.25	a			
Electricians	5.79	.25	.25	a			
Machinist	5.57	.25	.25	a			
Steward	4.32	.25	.25	a			
Oiler and fireman	4.14	.25	.25	a			
Deckhand, tug deckhand	3.78	.25	.25	a			
Shoreman	3.68	.25	.25	a			
Second cook	3.78	.25	.25	a			
Messman	3.68	.25	.25	a			
<b>HYDRAULIC DREDGES UNDER 20"</b>							
Leverman	5.38	.25	.25	a			
First engineer	5.04	.25	.25	a			
Second engineer	4.90	.25	.25	a			
Third engineer	4.75	.25	.25	a			
Welder	5.15	.25	.25	a			
Mate	4.43	.25	.25	a			
Oiler and firemen	4.08	.25	.25	a			
Deckhand	3.78	.25	.25	a			
Launchman	4.14	.25	.25	a			
Shoreman	3.68	.25	.25	a			
Spill and spider barge operators	4.58	.25	.25	a			
Cook	4.08	.25	.25	a			
Mess cook	3.74	.25	.25	a			
Messman and janitor	3.65	.25	.25	a			
<b>DIPPER AND CLAMSHELL DREDGES</b>							
Operator	5.79	.25	.25	a			
Crateman	5.63	.25	.25	a			
First engineer	4.55	.25	.25	a			
Second engineer	4.72	.25	.25	a			
Third engineer	4.43	.25	.25	a			
Welder	5.15	.25	.25	a			
Mate	4.78	.25	.25	a			
Fireman	4.13	.25	.25	a			
Deckhand	3.78	.25	.25	a			
Launchman	4.14	.25	.25	a			
Scowman	3.86	.25	.25	a			
Cook	4.08	.25	.25	a			
Mess cook	3.74	.25	.25	a			
Messman and janitor	3.65	.25	.25	a			

TUGS (TENDING DIPPER & CLAMSHELL DREDGES)

	Basic Hourly Rates	Fringe Benefits Payments				App. Tr.	Others
		H & W	Pensions	Vacation	App. Tr.		
Tug master	\$ 5.28	.25	.25	a			
Tug mate	4.92	.25	.25	a			
Engineer	5.28	.25	.25	a			
Assistant engineer	4.78	.25	.25	a			
Deckhand	3.71	.25	.25	a			
Cook	3.86	.25	.25	a			

PAID HOLIDAYS:

A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.

FOOTNOTE:

a. Holidays: A through F, plus 5% of straight time pay.

COUNTY: Anne Arundel  
 DATE: Date of Publication  
 DECISION NO. AQ-2040  
 No. AQ-2004, dated August 10, 1973, in 38 FR 21711.  
 Supersedes Decision No. AQ-2004, dated August 10, 1973, in 38 FR 21711.  
 DESCRIPTION OF WORK: Building Construction (excluding single family houses and garden type apartments up to and including 4-stories) Heavy Construction (excluding Sewer and Water Line Construction), and Highway Construction.

2-MD-1-2 C

	Basic Hourly Rates	Fringe Benefits Payments				App. Tr.	Others
		H & W	Pensions	Vacation			
<b>BUILDING &amp; HEAVY CONSTRUCTION</b>							
Asbestos Workers	8.75	.40	.50		.07		
Boilermakers	8.20	.30	.70	.35	.01		
Bricklayers:							
From Laurel to Bodkin Point incl.							
Ft. Meade but excluding the D. C.							
Training School							
Remainder of County							
Carpenters:							
All areas north of a line starting							
at Priest Bridge and continuing							
northwest to Benfield, Pasadena,							
Arminger and Ft. Smallwood							
Remainder of County							
Cement Masons:							
North of and including Benfield,							
Arminger and Pasadena but excluding							
the D. C. Training School							
The D. C. Training School							
Remainder of County							
Electricians	8.62	.25	.30		.05		
Elevator Constructors	8.80	.25	.28				
Elevator Constructors' Helpers	8.95	.50	1 1/4	.20	1/4		
Elevator Constructors' Helpers (prob.)	8.50	.20	.20	1/4 + sabb	.005		
Glaziers:	5.54	.195	.20	1/4 + sabb	.005		
3.96							
Glaziers	6.85	.15	.10				
7.05							
Ironworkers:							
Swinging Scaffold or Bosun's Chair							
Structural, Ornamental, Rodman &							
Finishers							
Sheeters	7.96	.60	1.05		.03		
8.21							
7.96							
Pre-cast & pre-stress Erectors							
Laborers:							
Unskilled	5.60	.275	.30		.05		
5.90							
Rod Carriers	5.60	.275	.30		.05		
Plasterers' Laborers	5.65	.275	.30		.05		
Power Tool Operator	5.70	.275	.30		.05		
Pipelayers	5.80	.275	.30		.05		
Wagon Drill Operat or	5.85	.275	.30		.05		
Mason Tenders	5.80	.275	.30		.05		
Scaffold Builders	6.05	.275	.30		.05		
8.59							
Lathers	8.75	.30			.01		
Lead Burners	8.95	.25	1 1/4		1/4		
Line Construction:	5.70	.25	1 1/4		1/4		
Linemen, Cable Splicers							
Groundmen(experienced)							

2-MD-1-2 C

**BUILDING & HEAVY CONSTRUCTION**

Marble Setters:  
 From Laurel to Bodkin Point incl.  
 Ft. Meade but excluding the D. C.

Training School  
 Remainder of County

Millwrights:

All areas north of a line starting  
 at Priest Bridge & continuing  
 northeast to Benfield, Pasadena,  
 Arminger & Ft. Smallwood

Remainder of County

Painters:

Brush  
 Structural Steel, Spray (Steel),  
 Steamcleaning & Sandblasting  
 Spackling, Taping & Wall Coverings  
 Spray (except steel)

Plcedriverson:

All areas north of a line starting at  
 Priest Bridge and continuing north-  
 east to Benfield, Pasadena,  
 Arminger and Ft. Smallwood

Remainder of County

Plautcrers:

The D. C. Training School

Remainder of County

Plumbers

Roofers:

Roofers, Gamp & Waterproofer  
 Mason, Slate & Tula, Abbestos &  
 Asphalt

Sheeter, Precast & Wood Flock

Soft Floor Layers

All areas north of a line starting  
 at Priest Bridge & continuing  
 northeast to Benfield, Pasadena,  
 Arminger & Ft. Smallwood

Remainder of County

Sprinkler Fitters

Steamfitters

Stonemasons:

From Bodkin Point including Fort  
 Meade but excluding the D. C.

Training School

Remainder of County

**BUILDING & HEAVY CONSTRUCTION**

2-MD-1-2 C

**PAID HOLIDAYS:**

A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.

**FOOTNOTES:**

- a. Holidays: A through F.
- b. Employer contributes 4 1/2 basic hourly rate for 5 years or more of service or 2% Basic Hourly Rate for 6 months to 5 years of service as vacation pay credit.
- c. Holidays: A through F plus Washington's Birthday, Good Friday and Christmas Eve (provided employee has worked at least 45 full days during the 120 calendar days prior to the holiday and the regular scheduled work days immediately preceding and following the holiday).
- d. Employer contributes .25 per hour not to exceed 40 hours per week.
- e. Employer contributes .20 per hour not to exceed 40 hours per week.
- f. One week's paid vacation after employee has worked 125 days in the contract year.
- g. Holidays: A through F plus the employee's birthday; the Day after Thanksgiving Day and Christmas Eve, (provided the employee has worked one day and has been available for work during the holiday week.)
- h. \$37.92 per man per month.
- j. One paid holiday: Christmas Day
- k. Employee with 1 year of service - 1 week's vacation; 2 years of service - 2 weeks vacation; 10 years of service - 3 weeks vacation (providing employee has worked 100 days in the contract year).

Basic Hourly Rates	Fringe Benefits Payments				Others
	H & W	Pensions	Vacation	App. Tr.	
6.99	.40	.40			
8.31	.40	.30	J		.04
8.95					
7.10	h	.20			
6.00	.20	.20			
6.75	d	e	f+g		
6.55	d	e	f+g		
6.10	d	e	f+g		
5.80	d	e	f+g		
4.60	d	e	f+g		
5.00	d	e	f+g		
5.20	d	e	f+g		
4.92	d	e	f+g		
5.31	.35	.30	f+k		
5.62	.35	.30	f+k		
5.51	.35	.30	f+k		
5.13	.35	.30	f+k		
5.18	.35	.30	f+k		

Terrazzo Workers:  
Northern part of County from Laurel to Bodkin Point including Ft. Meade but excluding the D. C. Training School

The D. C. Training School  
Remainder of County

Terrazzo Workers Helpers:  
The D. C. Training School  
Remainder of County

Tile Setters:  
Northern part of County from Laurel to Bodkin Point including Ft. Meade but excluding the D. C. Training School

The D. C. Training School  
Remainder of County

Tile Setters Helpers:  
The D. C. Training School  
Remainder of County

Truck Drivers:  
Goose-necks, drop frame trailers All "A" Frames, Winch Trucks, Fork Lift and Trailers  
Flat-beds and Pick-ups  
Helpers  
Mixers with agitator of 12 yds. cap.  
Mixers with agitator over 12 yds. cap  
Euclid Wagons and Dumpsters  
Dump Trucks  
Truck Drivers: (excavation):  
Dump Trucks  
Euclid Wagon and Dumpster  
Drop-Frume, Goose-Neck & Trailer  
Pick-up  
Helpers

Welders- receive rates prescribed for craft performing operation to which welding is incidental.

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2-MD-3-A

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Basic Hourly Rates	Fringe Benefits Payments			
	H & W	Pensions	Vacation	App. Tr.
\$4.73				
4.80				
4.25				
3.00				
3.70				
3.75				
3.25				
3.00				
3.00				
3.40				
4.25				
4.32				
4.75				
4.25				
4.16				
4.08				
4.25				

HIGHWAY CONSTRUCTION

Carpenters  
 Cement masons  
 Ironworkers  
 Laborers:  
 Air tool op. (jackhammer, vibrator)  
 Asphalt rakers  
 Hydro seeder  
 Mulch blower  
 Tractor drivers  
 Power Equipment Operators:  
 Bulldozer  
 Crane  
 Grader  
 Grader  
 Loader  
 Mechanics  
 Paver  
 Holler

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3-MD-PEO-1-c

Basic Hourly Rates	Fringe Benefits Payments			
	H & W	Pensions	Vacation	App. Tr.
\$7.93	.50	.50	a	.07
7.37	.50	.50	a	.07
7.48	.50	.50	a	.07
7.14	.50	.50	a	.07
7.25	.50	.50	a	.07
6.62	.50	.50	a	.07
6.97	.50	.50	a	.07
6.80	.50	.50	a	.07
6.30	.50	.50	a	.07
6.09	.50	.50	a	.07
5.98	.50	.50	a	.07

BUILDING AND HEAVY CONSTRUCTION POWER EQUIPMENT OPERATORS:

Backfiller, backhoe, concrete mixing plants, scale type batching plants, cableway, derrick, derrick boat, boat captain, dragline, elevating grader, excavating scoop (25 yds., and over), hoist (2 active drums or more), pile driving machine, tower crane, power shovel, standard gauge locomotive, trenching machine, tunnel mucking machine, Eimco type overhead loader, Whitley rig, welder, concrete paver, double concrete pump, front end loader (1 - 3/4 yds., and over), multiple conveyor, Mighty midget with compressor, repair mechanic, twin engine scraper, Gradall Compressors (2 or more), conveyors (2 or more), space heaters, over 4 welders (more than 6, another man), well point system  
 Tractor with attachment (2 or more), autopatrol type grader  
 Concrete mixer, concrete pump, one drum hoist, elevator operator, narrow gauge locomotive, stone crusher, hi-lift, fork lift  
 Front end tractor loader (under 1-3/4 yds.), bulldozer  
 Single compressor, grout pump, power roller, pumps, well drill, engine driven welders (up to 4), space heaters (up to 4), steam hammer, pile extractor, conveyor  
 Excavating scoop (under 25 yds.), caterpillar type tractor  
 Finishing machine, bull float, sub grader, longitudinal float, screeding machine, concrete spreader, asphalt spreader  
 Fireman, truck crane oiler, grease truck, fuel truck  
 Wheel tractor  
 Oiler, deck hand, mechanic's helper

HOLIDAYS: A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.

FOOTNOTE:

a. Holidays: A through F.

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SUPERSEDEAS DECISION

STATE: Montana  
 COUNTY: Statewide  
 DATE: Date of Publication  
 DECISION NUMBER: AQ-1071  
 Supersedes Decision Nos. AQ-1032 dated September 14, 1973, in 38 FR 25873; AQ-1035 dated October 5, 1973, in 38 FR 27718; AQ-1038 dated September 14, 1973, in 38 FR 25880; and AQ-1041 dated September 21, 1973, in 38 FR 26583.  
 DESCRIPTION OF WORK: Building Construction (excluding single family homes and garden type apartments up to and including 4 stories)

Basic Hourly Rates	Fringe Benefits Payments				Others
	H & W	Pensions	Vacation	App. Tr.	
\$8.445 8.25	.44 .30	.72 1.00		.02	
6.35					
7.50 7.10					
8.15			.02		
6.85	.30				
7.65	.25				
7.00					
6.65	.30	.25			
6.47 6.72 6.97	.30 .30 .30	.45 .45 .45		.02 .02 .02	
4.75	.225	.25			
4.90 5.00	.225 .225	.25 .25			
6.25 6.40 6.50	.30 .30 .30	.45 .45 .45		.02 .02 .02	

CARPENTERS: (cont'd)  
 Daniels, Phillips, Sheridan and Valley Counties:  
 Carpenters  
 Piledrivermen  
 Millwrights  
 Wheatland County  
 Carpenters  
 Floor sanders; Sawmen  
 Piledrivermen  
 Millwrights  
 Flathead, Lincoln, Lake (Northern Area including town of Ravalli from a point where Hwy #10A and Hwy #93 intersect), Mineral (Northern area including the town of Superior), Sanders (except S.E. portion)  
 Carpenters  
 Sawmen; Filers; Piledrivers;  
 Carpenters working burned, charred, creosoted or similar treated material  
 Millwrights and machine erectors  
 Lake (Southern area, south of Ravalli), Mineral (area southeast of southeast city limits of the town of Superior), Missoula and Sander (S.E. portion)  
 Carpenters  
 Millwrights; Piledriver; Power saw; Saw Filer  
 Big Horn, Carbon, Garfield, Golden-Valley, Musselshell, Petroleum, Rosebud, Stillwater, Treasure and Yellowstone Cos.  
 Carpenters  
 Floor sander; Sawmen  
 Piledrivermen  
 Millwrights  
 Carter, Guster, Dawson, Fallon, McCone, Powder River, Prairie, Richland, Roosevelt and Wibaux Counties  
 Carpenters  
 Piledrivermen  
 Millwrights  
 Park and Sweetgrass Counties  
 Carpenters  
 Millwrights and Piledrivermen  
 Beaverhead, and Silver Bow Counties  
 Deer Lodge, Granite, Powell (Southern area) Counties  
 Gallatin, Madison (East of Madison River) Counties  
 Powell (Northern area) and Ravalli Counties  
 Jefferson, Madison (West of the Madison River)

Basic Hourly Rates	Fringe Benefits Payments				Others
	H & W	Pensions	Vacation	App. Tr.	
\$6.00 6.25 6.50	.30 .30 .30	.45 .45 .45		.02 .02 .02	
6.27 6.395 6.42 6.57	.30 .30 .30 .30	.45 .45 .45 .45		.02 .02 .02 .02	
6.00 6.25 6.50	.30 .30 .30	.45 .45 .45		.02 .02 .02	
6.13 6.38 6.11	.30 .30 .30	.45 .45 .45	.50	.02 .02 .02	
6.11	.30	.45	.25	.02	
6.13	.30	.45		.02	
5.97	.30	.35		.01	
6.25	.30	.45		.02	





NOTICES

Basic Hourly Rates	Fringe Benefits Payments			App. Tr.
	H & W	Pensions	Vacation	
7.14	.32	.20		.04
7.19	.27	.20		.01
7.05	.32	.20		.02
7.00	.32	.20		.01
7.17	.27	.20		.01
7.20	.30	.50		.05
6.85	.30			
7.75	.30	.25		.02
6.65				
7.10				

SHEET METAL WORKERS: (cont'd)

Broadwater, Jefferson, (N $\frac{1}{2}$  incl. City of Boulder), Lewis & Clark and Meagher Counties  
 Lake, Mineral, Missoula, Ravalli and Sanders Counties  
 Big Horn, Carbon, Carter, Custer, Daniels, Dawson, Fallon, Fergus, Garfield, Golden Valley, McCone, Musselshell, Petroleum, Phillips, Powder River, Park, Prairie, Richland, Roosevelt, Rosebud, Sheridan, Stillwater, Sweetgrass, Valley, Wheatland, Wibaux, Treasure and Yellowstone Counties  
 Beaverhead, Deer Lodge, Granite, Jefferson (S $\frac{1}{2}$ ), Madison, Powell, and Silver Bow Counties  
 Flathead and Lincoln Counties

SPRINKLER FITTERS

TERRAZZO WORKERS and TILE SETTERS:  
 Broadwater, Lewis and Clark, Meagher and Jefferson (Northern area) Counties  
 Big Horn, Carbon, Carter, Custer, Dawson, Fallon, McCone, Powder River, Prairie, Richland, Rosebud, Sweetgrass, Stillwater, Treasure, Wibaux and Yellowstone Counties  
 Flathead, Lake, Lincoln, Mineral, Missoula, Ravalli and Sanders Counties  
 Gallatin and Park Counties

FOOTNOTE:

a. Employer contributes 4% basic hourly rate for 5 years' service and 2% basic hourly rate for 6 months to 5 years' service as Vacation Pay Credit. Six Paid Holidays: A through F.

PAID HOLIDAYS:

A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.

Basic Hourly Rates	Fringe Benefits Payments			App. Tr.
	H & W	Pensions	Vacation	
\$7.75	.40	.40		13%
6.155				
6.15				
5.62	.37	.35	.50	
6.10				
7.31	.32	.10		.04
7.05	.32	.20		.02

PLUMBERS: (cont'd)

Big Horn, Carbon, Carter, Custer, Daniels, Dawson, Fallon Garfield, Golden Valley, Musselshell, Petroleum, Powder River, Prairie, Richland, Rosebud, Sheridan, Stillwater, Treasure, Wheatland, Wibaux and Yellowstone Counties  
 ROOFERS:  
 Big Horn, Carbon, Carter, Custer, Dawson, Fallon, Golden Valley, Musselshell, Park, Powder River, Prairie, Richland, Rosebud, Stillwater, Sweet Grass, Treasure, Wheatland, Wibaux and Yellowstone Counties  
 Blaine, Cascade, Chouteau, Daniels, Fergus, Garfield, Glacier, Hill, Judith-Basin, Liberty, Lewis & Clark, McCone, Petroleum, Phillips, Pondera, Roosevelt, Sheridan, Teton, Toole and Valley Counties  
 Beaverhead, Broadwater, Deer Lodge, Gallatin, Jefferson, Madison, Meagher, Powell and Silver Bow Counties  
 Flathead, Granite, Lake, Lincoln, Missoula, Ravalli and Sanders Counties

SHEET METAL WORKERS:

Blaine, Cascade, Chouteau, Glacier, Hill, Judith Basin, Liberty, Pondera, Teton and Toole Counties  
 Gallatin County

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4-MONT-LAB-1-b (2-2)

Basic Hourly Rates	Fringe Benefits Payments				App. Tr.	Others
	H & W	Pensions	Vacation			
\$5.35	.37	.27	.50	.03		
5.38	.37	.27	.50	.03		
5.40	.37	.27	.50	.03		
5.50	.37	.27	.50	.03		
5.60	.37	.27	.50	.03		
5.08	.37	.27	.50	.03		
5.24	.37	.27	.50	.03		
5.12	.37	.27	.50	.03		
\$ 5.20	.37	.27	.10	.03		
5.355	.37	.27	.10	.03		
5.455	.37	.27	.10	.03		
5.55	.37	.27	.10	.03		
5.19	.37	.27		.03		
5.44	.37	.27		.03		

High scaler

Dumpman (spotter)

Power saw (falling)

Rigger

Core drill operator

Concrete worker, wet or dry; Tending masons when pouring and finishing concrete

Vibrator operator; Tending stonemasons, Marble setters, Tile setters, Skagiola and Terrazzo workers; Tending brick masons or brick or stone work; Tending plasterers or stuccoing or plastering; (This does not include rubbing down of foundation or concrete walls), Surekete, Stonehard and Rubberslate; Concrete conveyor swinger operator

Power driven concrete buggies

Broadwater (Northern area), Lewis & Clark, Meagher, Powell (that portion lying east of a M-S line at the west edge of the town of Elliston) Counties  
 General laborer; Car and truck loader; Concrete handler; Form stripper; Fence erector and installer  
 Concrete buggy; Vibrator; Jackhammer; Wagon driller; Barco tamper; Pavement breaker; Powderman helper  
 All power tools; Rodder and spreader; Non-metallic pipe layers; Pipe wrappers; Sandblasters; Pot tenders; Curb form setter; Concrete tenders  
 Mortar mixer; Powderman  
 Broadwater (Southern portion incl the city of Tosten), Gallatin, Park, Sweet Grass, and Wheatland Counties  
 Common laborers  
 Semi-skilled; Hod carriers; Jack-hammer operator; Vibrator; Mixer operator; Concrete pump tender; Nozzleman; Concrete machiner; Curb form setter

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(1-2)

4-MONT-LAB-1-b

Basic Hourly Rates	Fringe Benefits Payments				App. Tr.	Others
	H & W	Pensions	Vacation			
\$5.00	.37	.27	.50	.03		
5.07	.37	.27	.50	.03		
5.08	.37	.27	.50	.03		
5.09	.37	.27	.50	.03		
5.10	.37	.27	.50	.03		
5.12	.37	.27	.50	.03		
5.16	.37	.27	.50	.03		
5.17	.37	.27	.50	.03		
5.18	.37	.27	.50	.03		
5.22	.37	.27	.50	.03		
5.25	.37	.27	.50	.03		
5.27	.37	.27	.50	.03		
5.28	.37	.27	.50	.03		

Laborers

General laborer; Axeman; Carpenter tender; Car and truck loaders, Scissor-man; Chuck tender and nipper (above ground); Cosmolene, applying and removing; Fence erector and installer incl. the installation and erection fences, guard rails, median rails, reference posts, guide posts and right-of-way markers; Form stripper; Form setter; Landscape laborer; Nozzleman-air and water, gunnite and place machine; Pilot car; Riprap helper; Scaleman; Sod cutter (hand operated) (General laborer); Stake jumper for equipment; Tool checker, toolhouseman

Ripraper; Sandblaster; Sandblaster tailhouseman; Pot tender

Hand faller

Post hole digger (power Auger)

Concrete or asphalt saws; Tar pot operator

Powderman helper

Caisson workers (free air); Choker setter; Pipe wrapper; Power saw (bucking); Spike driver, single or dual or hand

Drills, air-tract, self-propelled car or truck mount air operated drills; Jack-hammer, pavement breaker, wagon driller mechanical tamper, vibrating roller hand steered and other power tools

Asphalt raker; Dumpman (grademan)

High pressure machine nozzleman

Pipe layer (all types); Cutting torch operator

Powderman

Grade setter

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	Basic Hourly Rates	Fringe Benefits Payments				App. Tr.	Others
		H & W	Pensions	Vacation			
Flathead, Glacier National Park, Lincoln and that area of Lake and Sanders Counties lying 5 miles north of the 5th parallel Laborers Nozzlemen (air and water); Sandblast tail hoseman; Powderman helper; Powerdriven wheelbarrow; Rodder and spreader; Form setters (paving); Bucketman Small air tool operator incl. blow pipes, small power tools; Chuck tenders; Asphalt rakers; Dumpman; Rip rapping; Pipe wrapper; Pot tender Jackhammer; Pavement breaker; Vibrator; Mechanical tamper and other air tools; Cement handlers (sack or bulk) Granite, Lake (Southern area), Mineral, Missoula, Ravalli, and Sanders (Southern area) Counties Laborers All power tools, creosote workers; Jackhammer; Marble and tile setters; tenders; Pipelayers; Pipewrappers; Pot tenders; Small concrete mixers; Vibrators Cement masons and plasterer's tenders; Mason tenders; Pumpcrete, gunnite and plasterer pump	\$5.405 5.555 5.585 5.64 5.455 5.705 5.855	.37 .37 .37 .37 .37 .37 .37	.27 .27 .27 .27 .27 .27 .27			.03 .03 .03 .03 .03 .03 .03	
<b>LABORERS:</b> Carter, Custer, Dawson, Fallon, Powder-River, Prairie, and Wibaux Counties General laborers Jackhammer operator; Mechanical tampers; Pipelayers (all types) and Pavement breakers; Pneumatic and electric tools operator; Pipewrappers Mason and plasterer's tenders Big Horn, Carbon, Golden Valley, Musselshell, Rosebud, Stillwater, Treasure and Yellowstone Counties General laborers; Concrete laborers; Chuck tenders and nippers Cement handler (sack or bulk); Jackhammer operator; Mortarman; Pipelayer (all types); Pipewrapper; Primerhouse man Mason and plasterer's tenders	\$5.24 5.46 5.64 5.39 5.16 5.64	.37 .37 .37 .37 .37 .37	.27 .27 .27 .27 .27 .27			.03 .03 .03 .03 .03 .03	

AQ-1071 P. 12

	Basic Hourly Rates	Fringe Benefits Payments				App. Tr.	Others
		H & W	Pensions	Vacation			
<b>LABORERS:</b> Cascade, Chouteau, Fergus, Glacier, (Excluding Glacier National Park), Judith Basin, Pondera, Teton and Toole Counties Laborers: General laborers; Concrete (wet or dry); Dumpman (spotter); Fence erectors and installer; Sealem concrete mixers Brick tenders; Dumpman (grade); Small concrete mixers Air-Track; Asphalt raker and tampers; Barco tampers; Concrete nozzlemen; High scaler; Hod carriers; Plaster tenders Car or truck mounted air operated drills and other air tools; Mechanical tampers; Jackhammers; Pavement breakers, wagon drillers; Pipelayers (non-metallic); Power driven wheelbarrow; Power saw (bucking and fallings) Blaine, Daniels, Garfield, Hill, Liberty, McCone, Petroleum, Phillips, Richland, Roosevelt, Sheridan & Valley Cos. Laborers: Car and truck loaders; Carpenter tender and form stripper; Concrete laborers; Dumpman (spotter); Small power tools, chippers; Clay spades, pogo stick; Fence erectors and installers Dumpman (Grade) Caisson workers (free air); Concrete saw; Small concrete mixer; Concrete nozzlemen; Barco tamper; Jackhammer; Pavement breaker; Placo operator; Pipe layers (non-metallic); Power driven concrete buggies or wheelbarrows; Nozzlemen; Sandblaster; Pot tender; Tar pot tender; Tailhoseman; Vibrator (over 2 1/2"); Vibrator turtle; Bull gang; Chuck tender; Muckers and nippers pot tender; Primerhouseman Brick tenders (handling bricks and blocks only) Concrete nozzlemen; Miner Lazer tools and equipment; Powderman	\$5.52 5.92 6.02 5.77 5.17 5.29	.37 .37 .37 .37 .37 .37	.27 .27 .27 .27 .27 .27			.03 .03 .03 .03 .03 .03	

	AQ-1071 P. 13 MON-4-PEO-1-g (1-4)				AQ-1071 P. 14 MON-4-PEO-1-g (2-4)							
	Basic Hourly Rates	H & W	Pensions	Vacation	App. Tr.	Others	Basic Hourly Rates	H & W	Pensions	Vacation	App. Tr.	Others
Blaine, Cascade, Chouteau, Glacier, (excluding Glacier National Park), Hill, Liberty, Phillips, Pondera, Teton, Toole Counties <b>POWER EQUIPMENT OPERATORS</b>												
SHOVELS, incl. all attachments, over 5 yds.; Stiff-leg derrick and guy derrick; Cableway highline; Helicopter hoist; Tower crane; Whirley crane	\$7.64	.45	.45		.13		\$7.11	.45	.45		.13	
SCRAPER, tandem engine; Shovels, incl. all attachments, over 3 yds. to and incl. 5 yds.	7.51	.45	.45		.13		7.05	.45	.45		.13	
RUBBER-TIRED FRONT-END LOADERS, over 15 cu. yds.	7.45	.45	.45		.13							
RUBBER-TIRED FRONT-END LOADERS, 10 yds. to and incl. 15 yds.; Track-type front-end loaders, 10 cu. yds. to and incl. 15 cu. yds.; Concrete conveyor; Crane, to and incl. 80' boom with jib	7.35	.45	.45		.13							
QUAD CAT	7.32	.45	.45		.13							
CENTRAL MIXING PLANT, concrete and stationary	7.27	.45	.45		.13							
RUBBER-TIRED FRONT-END LOADERS, over 5 yds. to and incl. 10 yds.; Scraper, twin engine; Track-type front-end loaders, over 5 cu. yds. to and incl. 10 cu. yds.; Scraper single or twin engine, pulling belly dump trailer	7.25	.45	.45		.13							
CRANE, ELECTRIC OVERHEAD, All; Shovels, incl. all attachments, 1 yd. to and incl. 3 yds.; Track-type tractor on euclid loader	7.21	.45	.45		.13							
HOIST, TWO OR MORE DRUMS; Motor patrol; Ross and similar type carriers on construction site	7.18	.45	.45		.13							
AUTOMATIC FINESGRADER, Curries and other types; Paver; Slip form; Paving and mixing machine; Roller, 25 tons or over; Rubber tired front-end loader, over 3 yds. to and incl. 5 yds.; Scraper, single	7.15	.45	.45		.13							
<b>POWER EQUIPMENT OPERATORS (cont'd)</b> <b>MIXERMOBILE</b>												
BORING MACHINE; Jeep, pickup or farm tractor mounted; Boring machine, large; Power auger large truck or tractor, mounted and punch												
AIR DOCTOR; Asphalt paving machine; Asphalt paving machine screed operator; Bit grinder; Bituminous mixer paving travel plant; Concrete batch plant operator; Concrete curing machine; Concrete finish machine, paving; Concrete float and spreader; Concrete Power saw, self-propelled; Concrete travel batcher; Crusher; Distributor; Elevating grader; Forklift on construction job site; Gradall; Heavy duty drills, all types, Hot plant; Hot plant fireman, when in operation; Industrial locomotive; Mountain logger or similar type machine; Mucking machine; Pavement breaker, Emeco and similar; Power mixer, single or double drum; Pumpcrete or grout machine; Refrigerator plant; Roller, steel and self-propelled rubber on blade or hot mix oil paving; Roller, Wagner and similar types, rubber-tired dozer; Rubber-tired front-end loaders, 1 yd. to and incl. 3 yds.; Shovels, incl. all attachments, under 1 yd.; Track-type tractor, with or without attachments; Track-type tractor with or without attachments incl. track-type front-end loaders up to and incl. 5 cu. yds.; Trench machine; Belt finishing machine; Concrete batch plant, 1 and 2 mixers; DW 10, 15, 20 tractor pulling roller; Power saw self-propelled, multiple cut; Push tractor; Scraper, DW 15, 20, 21 and similar type if power unit is not used; Self-propelled sheepfoot; Turn-head conveyor, or head tower, on batch plant; Wagner roller; Water pull operator												

AQ-1071 .P. 15

(3-4)

MON-4-PEO-1-g

Basic Hourly Rates	Fringe Benefits Payments				Others
	H & W	Pensions	Vacation	App. Tr.	
\$6.92	.45	.45	.13	.13	
6.89	.45	.45	.13	.13	
6.81	.45	.45	.13	.13	
6.80	.45	.45	.13	.13	
6.79	.45	.45	.13	.13	
6.77	.45	.45	.13	.13	
6.72	.45	.45	.13	.13	
6.71	.45	.45	.13	.13	
6.67	.45	.45	.13	.13	
6.61	.45	.45	.13	.13	
6.60	.45	.45	.13	.13	
6.57	.45	.45	.13	.13	
6.56	.45	.45	.13	.13	
6.55	.45	.45	.13	.13	
6.52	.45	.45	.13	.13	

POWER EQUIPMENT OPERATORS (cont'd)

FIELD EQUIPMENT SERVICEMAN; Hydraulic lift and similar type; Oiler, hoist-house, dams; Shovel oiler, over 3 yds.; Winch truck with boom

CONCRETE MIXER, 4 bags and over

HOIST, SINGLE DRUM

A-FRAME TRUCK CRANE, winch truck and similar

CEMENT SILO; Form grader

HYDRO TAMPER

CHAIN BUCKET; Chip or gravel spreader, self-propelled; Conveyor loader, over 42" belt

AIR COMPRESSOR, two or more; Roller, steel and self-propelled rubber other than blade or hot mix oil paving; Rubber-tired front-end loaders, under 1 yd.

BROOM, self-propelled

CONCRETE MIXER, 3 bags and under; Fireman

CONVEYOR LOADER, up to and incl. 42" belt; Crusher conveyor

REPORT OPERATOR

MECHANIC AND/OR WELDER HELPER; Concrete batch plant oiler; Crane oiler; Farm type tractor, over 50HP engine; Hot plant oiler, 100 tons per hr. and over; Oiler driver, rubber-tired crane

PUMPMAN

AIR COMPRESSOR, SINGLE; Concrete batch plant oiler, up to and incl. 2 mixers

AQ-1071 .P. 16

(4-4)

MON-4-PEO-1-g

Basic Hourly Rates	Fringe Benefits Payments				Others
	H & W	Pensions	Vacation	App. Tr.	
\$6.51	.45	.45	.13	.13	
6.48	.45	.45	.13	.13	
7.22	.45	.45	.13	.13	
7.42	.45	.45	.13	.13	
6.83	.45	.45	.13	.13	
7.80	.45	.45	.13	.13	
7.50	.45	.45	.13	.13	
7.55	.45	.45	.13	.13	
7.60	.45	.45	.13	.13	
7.12	.45	.45	.13	.13	
6.85	.45	.45	.13	.13	

POWER EQUIPMENT OPERATORS (cont'd)

SHOVEL, OILER, 3 yds. and under

CRUSHER OILER AND HELPER; Farmtype tractor, up to and incl. 50 HP engine; Field equipment service helper; Grade setter; Heavy duty drill helper; Heaters, Herman Nelson and similar type; Oilers, other than shovels and cranes; Washer and screening plant oiler

CONCRETE BATCH PLANT, 3 and 4 mixers

CONCRETE BATCH PLANT, 5 mixers and over

CONCRETE BATCH PLANT OILER, 3 mixers and over

CONCRETE PUMP

CRANE 81' to 130' BOOM

CRANE 131' to 150' BOOM

CRANE 151' BOOM AND OVER

MECHANIC AND/OR WELDER

WHIRLEY CRANE OILER

Beaverhead, Deer Lodge, Granite, Jefferson, Madison, Powell (southern area) and Silver Bow Counties

POWER EQUIPMENT OPERATORS

(1-4)

MON-3-PRO-1-f

Basic Hourly Rates	Fringe Benefits Payments				Other
	H & W	Pensions	Vacation	App. Tr.	
\$6.86	.45	.45	.45	.13	
6.55	.45	.45	.45	.13	
6.72	.45	.45	.45	.13	

A-FRAME TRUCK CRANE

AIR COMPRESSOR, single

AIR COMPRESSOR, 2 or more; Belt finishing conveyor loader, over 42" belt; Roller, steel and self-propelled rubber on other than blade or hot-mix oil paving

AIR DOCTOR; Asphalt paving machine, or screed; Bit grinder; Bituminous mixer, paver; Boring machine, large (for guard rail holes); Bulldozer, rubber-tired or otherwise; Concrete batch plant, 1 & 2 mixers; Concrete bucket dispatcher; Concrete curing machine; Concrete finishing machine, paving; Concrete float & spreader; Concrete power saw, self-propelled; Concrete travel batcher; Crusher and/or screening plant; Distributor; Elevating grader; Gradall; Heavy duty rotary drills (Quarry Master Joy drills and similar types); Hoist, or air tugger, 2 or more drums; Hot plant; Hot plant fireman (when in operation); Industrial locomotive, all types; Loaders, rubber-tired, over 1 yds. to & incl. 3 yds.; Loaders, track-type up to & incl. 5 yds.; Loaders, track-cavator & Athey; Loader & Hoe combination, rubber-tired, loader 1 yd. & under, hoe 1 yd. & under; Mountain logger or similar; Mucking machine; Pavement breaker, Emsco and similar; Power Auger, large truck or tractor, mounted and punch; Power marker, single or double drum; Power saw, self-propelled, multiple cut; Pumpcrete or grout machine; Push tractor; Refrigerator plant; Roller, steel and self-propelled rubber on blade on hot-mix oil paving roller, 25 tons, working wt. or over, any type or make; Roller, Wagner and similar; Ross & similar type carriers (on construction site); Scraper DW 10; Scraper, DW 15, 20, 21 and similar if power unit is not used; Self-propelled sheepfoot and similar; Shovels, incl. all attachments, under 1 yd.; Trenching machine; Turnhead conveyor or head tower operator on batch plant; Water pull, when used for compaction; Washing and screening plant

7.02

.45

.13

POWER EQUIPMENT OPERATORS (cont'd)

MON-3-PEO-1-f

Basic Hourly Rates	Fringe Benefits Payments				Other
	H & W	Pensions	Vacation	App. Tr.	
\$7.15	.45	.45	.45	.13	
6.61	.45	.45	.45	.13	
6.69	.45	.45	.45	.13	
7.53	.45	.45	.45	.13	
6.81	.45	.45	.45	.13	
7.27	.45	.45	.45	.13	
6.74	.45	.45	.45	.13	
7.22	.45	.45	.45	.13	
7.42	.45	.45	.45	.13	
6.54	.45	.45	.45	.13	
6.85	.45	.45	.45	.13	
6.78	.45	.45	.45	.13	
6.60	.45	.45	.45	.13	
7.18	.45	.45	.45	.13	
7.33	.45	.45	.45	.13	
7.38	.45	.45	.45	.13	
7.43	.45	.45	.45	.13	
6.59	.45	.45	.45	.13	

AUTOMATIC FINERGRADER, gullies and similar; Motor patrol; Paving and mixing machine; Scraper, DW 15, 20, 21 and similar if power unit is used; Scraper, single engine; Slip form paver  
BORING MACHINE; Concrete mixer, 3 bags and under; Fireman; Heavy duty rotary drill helper; Retort operator  
BROOM OPERATOR, self-propelled  
CABLEWAY OPERATOR  
CEMENT SILO  
CENTRAL MIXING PLANTS, concrete dams and stationary  
CHAIN BUCKET LOADER; Chip-gravel spreader self-propelled; DW 10, 15, 20 tractor pulling roller  
CONCRETE BATCH PLANT OPERATOR, 3 & 4 mixers  
CONCRETE BATCH PLANT OPERATOR, 5 mixers and over  
CONCRETE BATCH PLANT OILER, up to and incl. 2 mixers  
CONCRETE BATCH PLANT OILER, 3 mixers and over  
CONCRETE MIXER OPERATOR, 4 bags and over  
CONVEYOR LOADER, to and incl. 42" belt  
CRANE, to and incl. 80' boom with jib  
CRANE, 81' to 130' boom  
CRANE, 131' to 150' boom  
CRANE, 151 boom and over  
CRANE OILER; Oiler driver, rubber-tired cranes

AQ-1071 P. 19

AQ-1071 P. 20

	MON-3-PEO-1-f (3-4)				MON-3-PEO-1-f (4-4)						
	Basic Hourly Rates	H & W	Pensions	Vacation	App. Tr.	Others	H & W	Pensions	Vacation	App. Tr.	Others
POWER EQUIPMENT OPERATORS (cont'd)											
- CRANES, electric overhead; Shovels, incl. all attachments 1 yd. to and incl. 3 yds.; Track type tractor, on Euclid loader	\$7.20	.45	.45	.13	.13		.45	.45	.13	.13	
CRANE, TOWER; Scraper, tandem or (engine)	7.51	.45	.45	.13	.13		.45	.45	.13	.13	
CRANE, WHIRLEY	7.55	.45	.45	.13	.13		.45	.45	.13	.13	
CRANE, WHIRLEY OILER; hydraulic and similar; Oiler, hoist house, dams, shovels oiler, over 3 yds.; Winch truck with boom	6.92	.45	.45	.13	.13		.45	.45	.13	.13	
CRUSHER AND/OR SCREENING PLANT HELPER, (if over 2 separate units); Crusher oiler; Field equipment service helper; Hot plant oiler, 100 tons per hour or over; Mechanic and/or welder helper on job; Oilers, other than shovels and cranes; Shovel oiler, 3 yds. and under; Washing and screening plant oiler	6.51	.45	.45	.13	.13		.45	.45	.13	.13	
CRUSHER CONVEYOR, when required; Farm type tractor, up to and incl. 50 H.P.; Grade setter	6.48	.45	.45	.13	.13		.45	.45	.13	.13	
DRILLING MACHINE (does not include Jack-hammer, Wagon drillers or waterlines)	6.93	.45	.45	.13	.13		.45	.45	.13	.13	
EUCLID LOADER and similar; Loader and hoe combination, rubber-tired, loader 1 yd. to and incl. 3 yds., hoe over 1 yd.	7.21	.45	.45	.13	.13		.45	.45	.13	.13	
FARM TYPE TRACTOR, over 50 H.P.; Heaters; Herman Nelson and similar	6.56	.45	.45	.13	.13		.45	.45	.13	.13	
FIELD EQUIPMENT SERVICE MAN	6.94	.45	.45	.13	.13		.45	.45	.13	.13	
FORK LIFT (on construction site)	6.83	.45	.45	.13	.13		.45	.45	.13	.13	
HOIST, OR AIR TUGGER, single drum; Farm grader	6.79	.45	.45	.13	.13		.45	.45	.13	.13	
FULLER KENYON PUMP; Loaders (Barber Green and similar)	6.67	.45	.45	.13	.13		.45	.45	.13	.13	
HELICOPTER HOIST	7.52	.45	.45	.13	.13		.45	.45	.13	.13	
LOADERS, RUBBER-TIRED, 1 yd. and under	6.73	.45	.45	.13	.13		.45	.45	.13	.13	
LOADERS, RUBBER-TIRED, over 3 yds. to and incl. 5 yds.	7.14	.45	.45	.13	.13		.45	.45	.13	.13	
LOADERS, RUBBER-TIRED, 5 yds. to and incl. 10 yds.											
LOADERS, RUBBER-TIRED, over 10 yds., to and incl. 15 yds.											
LOADERS, RUBBER-TIRED, over 15 yds. (factory rating not to incl. side-boards)											
LOADERS, TRACK-TYPE, over 5 yds. to and incl. 10 yds. Scraper, twin engine											
LOADERS, TRACK-TYPE, over 10 yds. to and incl. 15 yds.											
LOADERS, TRACK-TYPE, over 15 yds.											
MECHANIC AND/OR WELDER, on job											
MIXERMOBILE											
PLEDRIVER (when shovel equipment is not used)											
QUAD CAT											
SCRAPER, single or twin engine pulling belly dump trailer											
SHOVELS, incl. all attachments, over 3 yds. to and incl. 5 yds., Stiff-leg derrick and guy derrick											
SHOVELS, incl. all attachments, over 5 yds.											

AQ-1071 P. 22

(2-3)

MON-2-PEO-1-R

Basic Hourly Rates	Fringe Benefits Payments			App. Tr.	Others
	H & W	Pensions	Vacation		
\$7.52	.45	.45		.13	
6.72	.45	.45		.13	
7.18	.45	.45		.13	
7.33	.45	.45		.13	
7.38	.45	.45		.13	
7.43	.45	.45		.13	
7.21	.45	.45		.13	
6.57	.45	.45		.13	
6.92	.45	.45		.13	
6.81	.45	.45		.13	
7.15	.45	.45		.13	
7.25	.45	.45		.13	
7.35	.45	.45		.13	
7.45	.45	.45		.13	
6.48	.45	.45		.13	

POWER EQUIPMENT OPERATORS (cont'd):

HELICOPTER HOIST

CONVEYOR; Chip and gravel spreader

CRANE OPERATORS:

To and incl. 80' w/jibs  
81' to 130' boom  
131' to 150' boom  
151' boom and over

ELECTRIC OVERHEAD CRANE; Euclid loader and similar type; Shovels, incl. all attachments, 1 yd. to and incl. 4 yds.; Tournapull, DW 20, 21 and similar type scrapers

CRANE OILER-DRIVER, rubber tired

DRILLING MACHINE, does not incl. jack-hammer, wagon driller, or water liner; Feild equipment serviceman; Winch truck with hydraulic boom

FORK LIFT, on construction site

FRONT-END LOADER, rubber-tired, over 3 yds. and incl. 5 yds.; Lefourneau, single and similar type; Motor patrol; Automatic finegrader, gurrries and similar type

FRONT-END LOADERS, rubber-tired, over 5 yds. to and incl. 10 yds.; Scraper, twin-engine; Track-type front-end loaders, over 5 cu. yds. to and incl. 10 cu. yds.

FRONT-END LOADERS, rubber-tired, 10 yds. to and incl. 15 yds.; Track-type front-end loaders to and incl. 15 cu. yds.

FRONT-END LOADERS, rubber-tired, over 15 yds. (factory struck rating, not to include sideboards); Track-type front-end loaders, over 15 cu. yds.

GRADE SETTER; Herman Nelson heaters and similar type

LETOURNEAU, Tandem and similar type; Quad Cat

AQ-1071 P. 21

(1-3)

MON-2-PEO-1-8

Basic Hourly Rates	Fringe Benefits Payments			App. Tr.	Others
	H & W	Pensions	Vacation		
\$7.02	.45	.45		.13	
6.77	.45	.45		.13	
6.51	.45	.45		.13	
6.71	.45	.45		.13	
6.69	.45	.45		.13	
6.58	.45	.45		.13	
7.54	.45	.45		.13	
6.79	.45	.45		.13	
6.91	.45	.45		.13	

POWER EQUIPMENT OPERATORS:

ASPHALT PAVING MACHINE; Air doctor; Bit grinder; Bituminous mixer; Bulldozers; Boring machine, large; Concrete finish machine, paving; Concrete float and spreader; Crusher and/or screening plant, portable; Distributor; Elevating grader; Front end loader, rubber-tired, 1 yd. and incl. 3 yds.; Heavy duty rotary drills; Quarry master; Hoist, two or more drums; Hot plant fireman; Industrial locomotive; Mucking machine; Pavement breaker; Emsco and similar type; Paver mixer, single or double drum; Power saw, self-propelled, multiple cut; Pumcrete or grout machine; Roller, finish high type pavement; Ross and similar type carriers, on construction site; Roller, 25 tons or over; Screed; Shovel, incl. all attachments, under 1 yd.; Track-type tractor with or without attachments, incl. track-tupe loader, front-end up to and incl. 5 cu. yds.; Traxcavator, and Athey type loader; Wagner roller and similar type

A-FRAME TRUCK CRANE; Hoist; Single drum

AIR COMPRESSOR, SINGLE; Crusher and/or screening plant helper, if over 2 units

AIR COMPRESSOR, TWO OR MORE; Front-end loader, rubber-tired, under 1 yds.; Roller, grade or finish

BELT FINISHING

BORING MACHINE, Small; Firemen; Mixer, concrete, 3 bags or under; Retort

CABLEWAY

CEMENT SILO

CONCRETE BATCH PLANT; Crusher and/or screening plant stationary

Big Horn, Carter, Custer, Carbon, Fallon, Musselshell, Powder River, Rosebud, Treasure, Yellowstone, Stillwater, Sweetgrass, Golden Valley, Petroleum, Garfield, and Prairie Counties

AO-1071 P. 23

MON-2-PEO-1-g (3-3)

AO-1071 P. 24

MON-1-PEO-2-3-b (1-4)

Others

Description	MON-2-PEO-1-g (3-3)				MON-1-PEO-2-3-b (1-4)							
	Basic Hourly Rates	H & W	Pensions	Vacation	App. Tr.	Others	Basic Hourly Rates	H & W	Pensions	Vacation	App. Tr.	Others
POWER EQUIPMENT OPERATORS (cont'd)												
LOADER, BARBER GREEN and similar type	\$6.66	.45	.45	.13	.13		\$6.86	.45	.45		.13	
MECHANIC AND/OR WELDER, on job site	7.12	.45	.45	.13	.13		6.55	.45	.45		.13	
MECHANIC AND/OR WELDER, HELPER; Heavy duty rotary drill helper; Oiler	6.47	.45	.45	.13	.13		6.72	.45	.45		.13	
MIXER, CONCRETE, 3 bags and under	6.58	.45	.45	.13	.13		7.02	.45	.45		.13	
MIXER, CONCRETE, 4 bags and over	6.83	.45	.45	.13	.13		7.02	.45	.45		.13	
MIXERMOBILE	7.11	.45	.45	.13	.13		7.15	.45	.45		.13	
PUMPMAN	6.52	.45	.45	.13	.13		6.72	.45	.45		.13	
SHOVELS, over 4 yds.; Stiff leg, Guy derrick; Scraper, tandem 3 engines	7.51	.45	.45	.13	.13		7.02	.45	.45		.13	
TRACTOR, rubber-tired, (Industrial)	6.46	.45	.45	.13	.13		6.61	.45	.45		.13	
TOWER CRANE	7.51	.45	.45	.13	.13		7.02	.45	.45		.13	
TRENCHING MACHINE	6.96	.45	.45	.13	.13		6.74	.45	.45		.13	
							6.74	.45	.45		.13	
							7.02	.45	.45		.13	
							7.22	.45	.45		.13	
							7.42	.45	.45		.13	
							6.54	.45	.45		.13	
							6.85	.45	.45		.13	
							7.02	.45	.45		.13	
							7.02	.45	.45		.13	
							7.02	.45	.45		.13	
							6.61	.45	.45		.13	
							6.78	.45	.45		.13	
							7.02	.45	.45		.13	
							7.02	.45	.45		.13	
							6.60	.45	.45		.13	
							6.72	.45	.45		.13	
							7.18	.45	.45		.13	
							7.33	.45	.45		.13	

NOTICES

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MONT-1-PEO-2-3-b

Basic Hourly Rates	Fringe Benefits Payments			Others
	H & W	Pensions	Vacation	
\$ 7.02	.45	.45		.13
7.32	.45	.45		.13
7.02	.45	.45		.13
6.61	.45	.45		.13
7.02	.45	.45		.13
6.72	.45	.45		.13
7.02	.45	.45		.13
7.02	.45	.45		.13
6.73	.45	.45		.13
7.02	.45	.45		.13
7.14	.45	.45		.13
7.24	.45	.45		.13
7.34	.45	.45		.13
7.44	.45	.45		.13
7.02	.45	.45		.13
7.40	.45	.45		.13
7.15	.45	.45		.13
7.25	.45	.45		.13
7.51	.45	.45		.13
7.02	.45	.45		.13
7.02	.45	.45		.13
7.20	.45	.45		.13
7.47	.45	.45		.13
7.60	.45	.45		.13
6.51	.45	.45		.13
6.92	.45	.45		.13
7.15	.45	.45		.13
7.47	.45	.45		.13
7.02	.45	.45		.13
7.25	.45	.45		.13
7.35	.45	.45		.13

POWER EQUIPMENT OPERATORS (cont'd)

Push Tractor  
 Quad Cat  
 Refrigerator Plant  
 Retort  
 Roller, on blade or hot mix oil paving,  
 Roller, on other blade or hot mix paving  
 Roller, 25 ton or over  
 Ross & similar type carriers, on  
 construction site  
 Rubber-tired Dozer  
 Rubber-tired Front End Loader, 1 yd. &  
 under  
 Rubber-tired Front End Loader, 1 yd.  
 to and incl. 3 yds.  
 Rubber-tired Front End Loader, over  
 3 yds. to and incl. 5 yds.  
 Rubber-tired Front End Loader, over  
 5 yds. to and incl. 10 yds.  
 Rubber-tired Front End Loader, over  
 10 yds. to and incl. 15 yds.  
 Rubber-tired Front End Loader, over  
 15 yds.  
 Scraper, DW 15, 20, 21 & similar type  
 if power unit is not used  
 Scraper, single or twin engine pulling  
 belly dump trailer  
 Scraper, single engine  
 Scraper, twin engine  
 Scraper, tandem engine  
 Self-propelled sheepfoot and similar type  
 Shovels, incl. all attachments,  
 under 1 cu. yd.  
 Shovels, incl. all attachments, 1 cu.  
 yd. to & incl. 3 cu. yd.  
 Shovels, incl. all attachments, over  
 3 cu. yd. to & incl. 5 cu. yd.  
 Shovels, incl. all attachments, over  
 5 cu. yd.  
 Shovel Oiler, 3 yds. & under  
 Shovel Oiler, over 3 cu. yds.  
 Slip form paver  
 Stiff leg derrick & guy derrick  
 Track-type front end loaders; up to  
 & incl. 5 cu. yds.  
 Track-type front end loaders; over  
 5 cu. yd. to & incl. 10 cu. yd.  
 Track-type front end loaders, over  
 10 cu. yd. to & incl. 15 cu. yd.

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MONT-1-PEO-2-3-b

Basic Hourly Rates	Fringe Benefits Payments			Others
	H & W	Pensions	Vacation	
\$7.38	.45	.45		.13
7.43	.45	.45		.13
6.59	.45	.45		.13
7.02	.45	.45		.13
6.51	.45	.45		.13
6.48	.45	.45		.13
7.02	.45	.45		.13
6.74	.45	.45		.13
7.20	.45	.45		.13
7.02	.45	.45		.13
6.48	.45	.45		.13
6.56	.45	.45		.13
6.94	.45	.45		.13
6.51	.45	.45		.13
6.61	.45	.45		.13
6.83	.45	.45		.13
6.79	.45	.45		.13
7.02	.45	.45		.13
6.48	.45	.45		.13
7.02	.45	.45		.13
6.61	.45	.45		.13
6.56	.45	.45		.13
6.79	.45	.45		.13
7.02	.45	.45		.13
7.52	.45	.45		.13
7.02	.45	.45		.13
7.02	.45	.45		.13
6.51	.45	.45		.13
6.92	.45	.45		.13
7.02	.45	.45		.13
7.12	.45	.45		.13
6.51	.45	.45		.13
7.10	.45	.45		.13
7.15	.45	.45		.13
7.02	.45	.45		.13
7.02	.45	.45		.13
6.59	.45	.45		.13
6.51	.45	.45		.13
6.92	.45	.45		.13
7.02	.45	.45		.13
7.15	.45	.45		.13
7.02	.45	.45		.13
7.02	.45	.45		.13
7.02	.45	.45		.13
7.02	.45	.45		.13
7.02	.45	.45		.13
7.02	.45	.45		.13
6.55	.45	.45		.13

POWER EQUIPMENT OPERATORS (cont'd)

Crane, 131' to 150' boom  
 Crane, 151' boom & over  
 Crane Oiler  
 Crusher  
 Crusher Oiler & Helper  
 Crusher Conveyor, when required  
 Distributor  
 DM 10, 15, or 20 Tractor pulling roller  
 Electric Overhead Cranes  
 Elevating Grader  
 Farm Type Tractor, up to & incl. 50  
 HP Engine  
 Farm Type Tractor, over 50HP Engine  
 Field Equipment Serviceman  
 Field Equipment Serviceman Helper  
 Fireman  
 Forklift, on construction job site  
 Form Grader  
 Gradall  
 Grade Setter  
 Heavy Duty Drill, all types  
 Heavy Duty Driller Helper  
 Herman-Nelson Heaters & similar type  
 Hoist, Single drum  
 Hoist, two or more drums  
 Helicopter Hoist  
 Hot Plant  
 Hot Plant Fireman, when in Operation  
 Hot Plant Oiler, 100 ton per hour or  
 over  
 Hydra lift and similar types  
 Industrial Locomotive all classes  
 Mechanic and/or Welder on job  
 Mechanic and/or Welder Helper on job  
 Mixermobile  
 Motor Patrol  
 Mountain Logger or similar type  
 Mucking Machine  
 Oiler-Driver, Tubber Tired Cranes  
 Oiler, other than Shovels & Cranes  
 Oiler, hoist house, dams  
 Pavement Breaker, Emco & similar  
 Paving & Mixing Machine  
 Power Auger, Large Truck or Tractor  
 Mounted  
 Power Mixer, single or double drum  
 Power Saw, Multiple cut, self-propelled  
 Pumcrete or Grout Machine  
 Pumpman

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Basic Hourly Rates	Fringe Benefits Payments					Basic Hourly Rates	Fringe Benefits Payments												
	H & W	Pensions	Vacation	App. Tr.	Others		H & W	Pensions	Vacation	App. Tr.	Others								
\$7.45	.45	.45		.13															
7.02	.45	.45		.13															
7.20	.45	.45		.13															
7.02	.45	.45		.13															
7.02	.45	.45		.13															
7.55	.45	.45		.13															
6.92	.45	.45		.13															
7.02	.45	.45		.13															
7.02	.45	.45		.13															
6.51	.45	.45		.13															

POWER EQUIPMENT OPERATORS (cont'd)

Track-type front end loaders, over 15 cu. yd.  
 Track-type tractor with or without attachments  
 Track-type tractor, on Euclid Loader  
 Trenching Machine  
 Turnhead Conveyor, or Head Tower on Batch Plant  
 Wagner Roller & similar type  
 Whirley Crane  
 Whirley Crane Oiler  
 Water Pull when used for compaction  
 Washing and Screening Plant  
 Washing and Screening Plant Oiler

Gallatin, Park, Sweetgrass, Broadwater, (south of U. S. Highway #12), Counties  
 Truck Drivers:  
 Dump, 7 yds, or less; Pickup, hauling materials; Flat, less than 2 ton; Service and A-Frame trailers  
 House movers  
 Flat, 2 - 5 tons  
 Dump, over 7 yds. to and incl. 10 yds.; Flat, 5 - 8 tons; Semi and four wheel trailers  
 Dump, over 10 yds. to and incl. 15 yds.  
 Dump, over 15 yds. to and incl. 20 yds.

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MONF-1-TD-1-2-3-h

(2-2)

MONF-1-TD-1-2-3-h

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Statewide(Except Gallatin, Park, Sweet Grass, Broadwater(south of U. S. Hwy. #12)) Counties

Truck Drivers

COMBINATION Truck; Concrete Mixer and

Transit Mixer:  
To and incl. 4 cu. yds.  
Over 4 cu. yds. to and incl. 6 cu. yds.  
Over 6 cu. yds. to and incl. 8 cu. yds.  
Over 8 cu. yds. to and incl. 10 cu. yds.  
Over 10 cu. yds. - additional \$.08 per hour each additional 2 cu. yds. increment

DISTRIBUTOR DRIVER AND HELPER

DRY BATCH TRUCKS:

3 Batch or under  
Over 3 Batch to and incl. 5 Batch  
Over 5 Batch to and incl. 10 Batch  
Over 10 Batch to and incl. 15 Batch  
Over 15 Batch - additional \$.15 per hour each additional 5 Batch increment

DUMPWAGON, GRAVEL SPREADER BOX; Pickup Driver, Hauling Materials; Pilot Car Driver, Teamsters and Helpers; Warehousemen, Partsmen, Cardex men, Warehouse Expediter

DUMP TRUCKS AND SIMILAR EQUIPMENT WATER LEVEL CAPACITY, INCLUDING SIDEBARDS:

7 cu. yds. or less  
Over 7 cu. yds. to and incl. 10 cu. yds.  
Over 10 cu. yds. to and incl. 15 cu. yds.  
Over 15 cu. yds. to and incl. 20 cu. yds.  
Over 20 cu. yds. to and incl. 25 cu. yds.  
Over 25 cu. yds. to and incl. 30 cu. yds.  
Over 30 cu. yds. to and incl. 35 cu. yds.  
Over 35 cu. yds. to and incl. 40 cu. yds.  
Over 40 cu. yds. to and incl. 45 cu. yds.  
Over 45 cu. yds. - additional \$.06 per hour each additional 5 cu. yds. increment

DUMPSTERS

TRUCK DRIVERS

DW 20, DW 21, or EUCLID TRACTORS, PULLING P.R. 21 or SIMILAR DUMP WAGONS: To and incl. 25 cu. yds.  
Over 25 cu. yds. to and incl. 30 cu. yds.  
Over 30 cu. yds. - additional \$.06 per hour each additional 5 cu. yds. increment

SERVICEMEN

POWDER TRUCK DRIVER (bulk unloader type)

FLAT TRUCKS:  
To and incl. 3 Tons  
Over 3 tons Factory rating

FUEL TRUCK; SERVICE TIREMEN

LOWBOYS, FOUR-WHEEL TRAILER, FLOAT SEMI-TRAILER

LUMBER CARRIERS, LIFT TRUCKS; Power broom

WATER TANK DRIVERS, PETROLEUM PRODUCTS DRIVERS:  
2,500 gals. and under  
Over 2,500 gals. to and incl. 4,500 gals.  
Over 4,500 gals. to and incl. 6,000 gals.  
Over 6,000 gals. to and incl. 8,000 gals.  
Over 8,000 gals. to and incl. 10,000 gals.  
Over 10,000 gals. - additional \$.08 per hour each additional 2,000 gals. increment

WINCH, A-FRAME, SWEDISH CRANE, HYDRA-LIFT, GROUTCRETE, AND COMBINATION MULCHING, SEEDING AND FERTILIZING

TRUCK MECHANIC

	Fringe Benefits Payments			
	H & W	Pensions	Vacation	App. Tr.
Basic Hourly Rates				
\$6.54	.475	.325		
6.60	.475	.325		
6.79	.475	.325		
6.23	.475	.325		
6.05	.475	.325		
6.40	.475	.325		
6.52	.475	.325		
6.40	.475	.325		
6.14	.475	.325		
6.05	.475	.325		
6.34	.475	.325		
6.54	.475	.325		
6.60	.475	.325		
6.68	.475	.325		
6.30	.475	.325		
6.79	.475	.325		

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MONT-SW LINE CONSTRUCTION-2-3-f

REMAINING COUNTIES	Basic Hourly Rates	Fringe Benefits Payments			App. Tr.
		H & W	Pensions	Vacation	
LINE CONSTRUCTION: (Jobs 69,000 volts or less)					
Cable splicer	\$7.18	.25	1%		3/4%
Linemen	6.49	.25	1%		3/4%
Line equipment operators; Powdermen	6.38	.25	1%		3/4%
Experienced groundmen (2 yrs.); Truck drivers	5.05	.25	1%		3/4%
Groundmen	4.49	.25	1%		3/4%
(Jobs over 69,000 volts) and/or projects of \$400,000 or over					
Cable splicers	7.36	.25	1%		3/4%
Linemen; Pole sprayer	6.99	.25	1%		3/4%
Line equipment operators; Powdermen	6.42	.25	1%		3/4%
Groundmen	5.31	.25	1%		3/4%

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MONT-LINE CONSTRUCTION-2-3-c

REMAINING COUNTIES	Basic Hourly Rates	Fringe Benefits Payments			App. Tr.	Others
		H & W	Pensions	Vacation		
LINE CONSTRUCTION: (Flathead-Lake-Lincoln Counties)						
All construction of "H" fixture and Steel Tower Transmission Lines with capacity of 69 K.V. voltages & over, switch yard and substation rated at 5000 K.V.A. & all work not covered by Schedule "B".						
SCHEDULE "A"						
GROUNDMAN "B"	4.61	.25	1%		1%	
GROUNDMAN "A" (experienced)	5.31	.25	1%		1%	
HEAD GROUNDMAN; Powderman; Jackhammer- Compressorman	5.65	.25	1%		1%	
LINE EQUIPMENT OPERATOR	6.50	.25	1%		1%	
LINEMAN	7.58	.25	1%		1%	
CABLE SPLICER	8.43	.25	1%		1%	
SCHEDULE "B"						
All work for Power Utilities & R.E.A.'s except work covered under Schedule "A" all Highway Lighting, Street Lighting & Motor Traffic Controlling.						
JACKHAMMER-COMPRESSORMAN; Powderman; Head Groundman	5.13	.25	1%		1%	
LINE EQUIPMENT OPERATOR	5.88	.25	1%		1%	
LINEMEN; Pole Sprayer	6.67	.25	1%		1%	
CABLE SPLICER	7.48	.25	1%		1%	

(Flathead-Lake-Lincoln Counties)

LINE CONSTRUCTION

All construction of "H" fixture and Steel Tower Transmission Lines with capacity of 69 K.V. voltages & over, switch yard and substation rated at 5000 K.V.A. & all work not covered by Schedule "B".

SCHEDULE "A"

- GROUNDMAN "B"
- GROUNDMAN "A" (experienced)
- HEAD GROUNDMAN; Powderman; Jackhammer-Compressorman
- LINE EQUIPMENT OPERATOR
- LINEMAN
- CABLE SPLICER

SCHEDULE "B"

- All work for Power Utilities & R.E.A.'s except work covered under Schedule "A" all Highway Lighting, Street Lighting & Motor Traffic Controlling.
- JACKHAMMER-COMPRESSORMAN; Powderman; Head Groundman
- LINE EQUIPMENT OPERATOR
- LINEMEN; Pole Sprayer
- CABLE SPLICER

STATE: New Hampshire  
 DECISION NO.: AQ-3074  
 COUNTY: Rockingham  
 DATE: Date of Publication  
 SUPERSEDES DECISION No. AQ-3030 dated November 1, 1973 in 38 FR 30363.  
 DESCRIPTION OF WORK: Building construction, (excluding single family homes and garden type apartments up to and including 4-stories)

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BUILDING CONSTRUCTION

	Basic Hourly Rates	Fringe Benefits Payments				App. Tr.	Others
		H & W	Pensions	Vacation			
Asbestos workers	8.955	.55	.50		.01		
Boilermakers	8.705	.50	10%		.01		
Bricklayers, cement masons, marble masons, plasterers, stonemasons, tile setters and terrazzo workers	7.20	.45	.35		.01		
Carpenters:							
Salem:							
Carpenters and soft floor layers	8.18	.50	.50		.02		
Millwrights	9.13	.50	.50		.03		
Remainder of County:							
Carpenters and soft floor layers	6.66	.35	.30		.01		
Piledrivermen, wharf and dock builders and millwrights	7.51	.35	.30		.01		
Atkinson, Auburn, Candia, Chester, Danville, Deerfield, Derry, Fremont, Hampstead, Londonderry, Newton, Plaistow, Raymond and Windham:							
Carpenters	6.56	.35	.30		.01		
Piledrivermen, wharf and dock builders and millwrights	7.41	.35	.30		.01		
Electricians:							
Tops. of Exeter, Greenland, Hampton, Hampton Falls, Portsmouth, Newington, Newmarket, Northwood, Nottingham, Rye, Seabrook, S. New Market & Stratham	7.81	.35	1%+.10		.01		
Kingston, Kensington, Sandown, Danville							
E. Kingston, Hampstead, Plaistow, Westville, Atkinson, N. Salem and Salem:							
Electricians	8.92	.25	1%		.02		
Remainder of County:							
Elevator constructors	8.80	.25	1%		.03		
Elevator constructors' helpers	9.125	.345	.23	2%+a+b	.015		
Elevator constructors' helpers (Prob.)	6.39	.345	.23	2%+a+b	.015		
Glaziers	4.56						
Ironworkers, structural, ornamental and reinforcing	6.57	.25	.36		.02		
Laborers: Building	7.80	.50	.90		.02		
Auburn, Candia, Chester, Danville, Deerfield Center, Derry, E. Derry, Fremont, Hampstead, Londonderry, Raymond, Sandown, W. Epping and Windham, Deerfield:							
Common laborers, wreckers, tenders and hod carriers, asphalt rakers	5.56	.40	.40		.05		

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BUILDING CONSTRUCTION

	Basic Hourly Rates	Fringe Benefits Payments				App. Tr.	Others
		H & W	Pensions	Vacation			
Laborers: (cont'd)	\$5.71	.40					
Plasterers tenders					.05		
Drillers, pavement breakers, jack-hammer ops., and chipping gun ops.	5.96	.40			.05		
All other pneumatic tool operators							
on boiler and stack work	6.46	.40			.05		
Boiler and stack work	6.06	.40			.05		
Salem, Rockingham Park, Building and Demolition	6.80	.40			.05		
Remainder of County:							
Building:							
Laborers and pipelayers							
Pneumatic tool operator	5.56	.40			.05		
driller	5.96	.40			.05		
Blasters and powdermen	6.06	.40			.05		
Pavement breakers	5.96	.40			.05		
Plasterers' tenders	5.71	.40			.05		
Lathers	7.50	.45			.01		
Lead burners	8.75	.30			.01		
Line Construction:							
Linemen	7.32	.30	1%		d		
Equipment operator	6.82	.30	%		d		
Groundman	4.85	.30	1%		d		
Driver Groundman	5.70	.30	1%		d		
Painters:							
Atkinson, Brentwood, Danville, E. Kingston, Epping, Exeter, Fremont, Greenland, Hampstead, Hampton Falls, Kensington, Hampton, Kingston, New Castle, Newfields, Newington, New Market, Newton, N. Hampton, Nottingham, Plaistow, Portsmouth, Rye, Sandown, Seabrook, S. Hampton, Stratham and Northwood:							
Brush, rollers 9 inch	5.60				.25		
Spray and tender	6.30				.25		
Structural steel	5.90				.25		
Structural steel 45' or more	6.90				.25		
Salem:							
Brush	4.10	.15					
Structural	4.60	.15					
Spray	5.10	.15					
Townships or Northwood, Deerfield; Candia, Raymond, Auburn, Chester, Londonderry, Derry and Windham:							
Brush	4.70	.175					
Open structural steel, work to 25' and spray	5.95	.175					
Enclosed steel, over 25'	5.80	.175					

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BUILDING CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments				App. Tr.	Other
		H & W	Pensions	Vacation	App. Tr.		
Plumbers and Steamfitters: Plaislow, Atkinson, Danville, Hampstead and Kingston	6.50	.30	.30	.02	.02		
Salem and Windham	8.67	.30	.25	.05	.05		
Remainder of County	8.35	.43	.35	.02	.02		
Roofers	5.90						
Roofers' helpers	5.40	.31	.32	.02	.02		
Sheet metal workers	8.14	.40	.60	.07	.07		
Sprinkler fitters	8.15						
Welders - receive rate prescribed for craft performing operation to which welding is incidental.							
PAID HOLIDAYS: A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.							
FOOTNOTES: a. Employer contributes 4% of basic hourly rate for 5 years or more of service or 2% basic hourly rate for 6 months to 5 years of service as Vacation Pay Credit.							
b. Holidays: A through F.							
c. Holidays: A through F; plus Washington's Birthday, Christmas Eve and Good Friday (providing employee has worked at least 45 full days during the 120 calendar days prior to the holiday, and the regular scheduled work days immediately preceding and following the holiday).							
d. Holidays B,C,D,E,F. provided the employee has been employed 5 working days prior to the holiday and provided the employee works the day immediately preceding and following the holiday.							
e. \$.25 contribution to annuity fund.							

BUILDING CONSTRUCTION

POWER EQUIPMENT OPERATORS:

Shovels, tranes, truck cranes, cherry pickers, draglines, trench hoes, backhoe, 3 drum machines, derricks, pile-drivers, elevator towers, hoists, gradalls, shovel dozers (except when pushing), front end loaders (except when pushing), fork lifts, augers, boring machines, rotary drills, post hole hammers, post hole diggers, pumpcrete machines

Boom lengths including jib:  
Over 150 feet - additional \$.35 per hour  
Over 185 feet - additional \$.70 per hour  
Over 210 feet - additional \$1.00 per hour  
Over 250 feet - additional \$1.50 per hour  
Over 295 feet - additional \$2.00 per hour

Sonic or vibratory hammers, graders, scrapers-more than 21 yards struck, tandem scrapers, concrete pumps, bulldozers, scrapers-21 yards struck or less  
portable steam boilers, portable steam generators, rollers, spreaders, tampers, self-propelled or tractor drawn, asphalt pavers  
Mechanics, maintenance  
Pump(s) (1-3 grouped), compressors, Welding machine(s) (1-3 grouped), generators, concrete vibrators, lighting plants, heaters (power driven 1-5), wellpoint systems (operating and installing), syphons-pulsometers, concrete mixers, valves controlling permanent plant air or steam, conveyors, Jackson type tampers, single diaphragm pump

Assistant engineers (firemen)  
Oilers and apprentices (other than truck cranes and gradalls)  
Oilers and apprentices on truck cranes and gradalls

PAID HOLIDAYS:  
A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.

FOOTNOTE:  
a. Holidays: A through F; Washington's Birthday, Fast Day, Columbus Day, Veterans' Day.

Basic Hourly Rates	H & W	Pensions	Vacation	App. Tr.	Other
\$8.65	.40	.50	a		
8.53	.40	.50	a		
8.53	.40	.50	a		
7.215	.40	.50	a		
7.90	.40	.50	a		
6.34	.40	.50	a		
6.72	.40	.50	a		

	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
BUILDING CONSTRUCTION TRUCK DRIVERS						
Two Axle Equipment	\$4.16	.25	.25	a		
Three Axle Equipment including low beds	4.38	.25	.25	a		
Special earth hauling equipment other than conventional type on the road trucks and semitrailers trailer dumps	4.60	.25	.25	a		

PAID HOLIDAYS:

- A-New Year's Day; B-Memorial Day;
- C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.

FOOTNOTE:

- a. Holidays: A through F, plus Washington's Birthday, Veterans' Day and Columbus Day (provided employee works two days in the calendar week in which the holiday falls; reports for work the last day assigned prior to the holiday and the first day assigned following the holiday).

SUPERSEDES DECISION

STATE: New Hampshire  
 COUNTY: Rockingham  
 DATE: Date of Publication  
 DECISION NO.: AQ-3075  
 SUPERSEDES DECISION NO. AQ-3034 dated, November 9, 1973 in 38 FR 51132.  
 DESCRIPTION OF WORK: Residential construction (consisting of single family homes and garden type apartments up to and including 4-stories).

RESIDENTIAL CONSTRUCTION

Laborers: (cont'd)  
 Plasterers tenders  
 Drillers, pavement breakers, jack-hammers ops. and chipping gun ops.  
 All other pneumatic tool operators on boiler and stack work  
 Boiler and stack work  
 Salem, Rockingham Park, Building and Demolition  
 Remainder of County:  
 Building:  
 Laborers and pipelayers  
 Pneumatic tool operator, drillers  
 Blasters and powdermen  
 Plasterers' tenders  
 Lathers  
 Painters:  
 Atkinson, Brentwood, Danville, E. Kingston, Epping, Exeter, Fremont, Greenland, Hampstead, Hampton Falls, Kensington, Hampton, Kingston, New Castle, Newfields, Newton, New Market, Newton, N. Hampton, Nottingham, Plaistow, Portsmouth, Rye, Sandown, Seabrook, S. Hampton, Stratham and Northwood:  
 Brush, rollers 9 inch  
 Spray and tender  
 Structural steel  
 Structural steel 45' or more  
 Salem:  
 Brush  
 Structural  
 Spray  
 Townships of Northwood, Deerfield, Candia, Raymond, Auburn, Chester, Londonderry, Derry, and Windham:  
 Brush  
 Open structural steel, work to 25' and spray  
 Enclosed steel, over 25'  
 Plumbers and Steamfitters:  
 Plaistow, Atkinson, Danville, Hampstead and Kingston  
 Salem and Windham  
 Remainder of County

1 of 3

8-R-NH-1-C

Basic Hourly Rates	Fringe Benefits Payments				App. Tr.	Others
	H & W	Pensions	Vacation			
\$8.955	.55	.50		.01		
7.20	.45	.35		.01		
8.18	.50	.50		.02		
6.66	.35	.30		.02		
6.56	.35	.30		.01		
7.81	.35	1 1/4 .10		.01		
8.92	.25	1%		.02		
8.80	.25	1%		.03		
6.57	.25	.36		.02		
7.80	.50	.90		.02		
5.56	.40	.40		.05		

RESIDENTIAL CONSTRUCTION

Asbestos workers  
 Bricklayers, cement masons, marble masons, plasterers, stonemasons, tile setters and terrazzo workers  
 Carpenters:  
 Salem  
 Carpenters and soft floor layers  
 Remainder of County:  
 Carpenters and soft floor layers  
 Atkinson, Auburn, Candia, Chester, Danville, Deerfield, Derry, Fremont, Hampstead, Londonderry, Newton, Plaistow, Raymond and Windham:  
 Carpenters  
 Electricians:  
 Typs. of Exeter, Greenland, Hampton, Hampton Falls, Portsmouth, Newton, Newmarket, Northwood, Nottingham, Rye, Seabrook, S. New Market and Stratham  
 Kingston, Kensington, Sandown, Danville  
 E. Kingston, Hampstead, Plaistow, Westville, Atkinson, N. Salem and Salem:  
 Electricians  
 Remainder of County:  
 Electricians  
 Glaziers  
 Ironworkers, structural, ornamental and reinforcing  
 Laborers: Building  
 Auburn, Candia, Chester, Danville, Deerfield Center, Derry, E. Derry, Fremont, Hampstead, Londonderry, Raymond, Sandown, W. Epping and Windham, Deerfield:  
 Common laborers, wreckers, tenders and hood carriers, asphalt rakers

AQ-3075 P. 2

8-R-NH-1-C

2 of 3

Basic Hourly Rates	Fringe Benefits Payments				App. Tr.	Others
	H & W	Pensions	Vacation			
\$5.71	.40	.40		.05		
5.96	.40	.40		.05		
6.46	.40	.40		.05		
6.06	.40	.40		.05		
6.05	.20	.25		.05		
5.56	.40	.40		.05		
5.96	.40	.40		.05		
6.06	.40	.40		.05		
5.71	.40	.40		.05		
7.50	.45	.55		.01		
5.60		.25				
6.30		.25				
5.90		.25				
6.90		.25				
4.10	.15					
4.60	.15					
5.10	.15					
4.70	.175					
5.95	.175					
5.80	.175					
6.50	.30					
8.67	.30					
8.35	.43					

RESIDENTIAL CONSTRUCTION

Roofers  
Roofers' helpers  
Sheet metal workers

Welders - receive rate prescribed for craft performing operation to which welding is incidental.

Basic Hourly Rates	Fringe Benefits Payments			App. Tr.	Others
	H & W	Pensions	Vacation		
\$5.90					
5.40	.31	.32		.02	
8.14					

New Hampshire-3-PEO-1

RESIDENTIAL CONSTRUCTION

POWER EQUIPMENT OPERATORS:  
Shovels, cranes, truck cranes, cherry pickers, draglines, trench hoists, backhoe, 3 drum machines, derricks, pile-drivers, elevator towers, hoists, gradalls, shovel dozers (except when pushing), front end loaders (except when pushing), fork lifts, augers, boring machines, rotary drills, post hole hammers, post hole diggers, pumperete machines  
Boom lengths including job:  
Over 150 feet - additional \$.35 per hour  
Over 185 feet - additional \$.70 per hour  
Over 210 feet - additional \$1.00 per hour  
Over 250 feet - additional \$1.50 per hour  
Over 295 feet - additional \$2.00 per hour

Sonic or vibratory hammers, graders, scrapers-more than 21 yards struck, tandem scrapers, concrete pumps, bulldozers, scrapers-21 yards struck or less  
Portable steam boilers, portable steam generators, rollers, spreaders, tam-pers, self-propelled or tractor drawn, asphalt pavers  
Mechanics, maintenance  
Pump(s) (1-3 grouped), compressors, Welding machine(s) (1-3 grouped), generators, concrete vibrators, lighting plants, heaters (power driven 1-5), wellpoint systems (operating and in-stalling), syphons-pulsometers, concrete mixers, valves controlling permanent plant air or steam, conveyors, Jackson type tampers, single diaphragm pump  
Assistant engineers (firemen)  
Oilers and apprentices (other than truck cranes and gradalls)  
Oilers and apprentices on truck cranes and gradalls

PAID HOLIDAYS:

A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.  
FOOTNOTE:  
a. Holidays: A through F; Washington's Birthday, East Day, Columbus Day; Veterans' Day.

Basic Hourly Rates	Fringe Benefits Payments				App. Tr.	Others
	H & W	Pensions	Vacation	Other		
\$8.65	.40	.50	a			
8.53	.40	.50	a			
8.53	.40	.50	a			
7.215	.40	.50	a			
7.90	.40	.50	a			
6.34	.40	.50	a			
6.72	.40	.50	a			

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NH 1-TD-1-B

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	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr. Others
RESIDENTIAL CONSTRUCTION					
Two Axle Equipment	\$4.16	.25	.25	a	
Three Axle Equipment including low beds	4.38	.25	.25	a	
Special earth hauling equipment other than conventional type on the road trucks and semitrailers trailer dumps	4.60	.25	.25	a	
PAID HOLIDAYS: A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.					
FOOTNOTE: a. Holidays: A through F, plus Washington's Birthday, Veterans' Day and Columbus Day (provided employee works two days in the calendar week in which the holiday falls; reports for work the last day assigned prior to the holiday and the first day assigned following the holiday).					

AQ-2,041 P. 2

60-N.Y.-1-2-3-V

BUILDING, HEAVY AND HIGHWAY CONSTRUCTION

2 of 2

SUPERSEDES DECISION

COUNTY: WESTCHESTER

DATE: Date of Publication

Supersedes Decision No. AM-1,736 dated August 11, 1971 in 36 FR 14985

DESCRIPTION OF WORK: Building Construction, (excluding single family homes and garden type apartments up to and including 4 stories), heavy and highway construction.

60-N.Y.-1-2-3-V

BUILDING, HWY. & HWY. CONSTRUCTION

1 of 2

	Basic Hourly Rates	Fringe Benefits Payments				App. Tr.	Others
		H & W	Pensions	Vacation			
Asbestos workers	\$9.075	.075	.125 + e	a+b	.015		
Boilermakers	8.48	.075	.125 + e	a+b	.015		
Bricklayers	9.25	.075	.125+e	a+b	.015		
Carpenters and insulators	8.05	.075	.125	.52	.085		
Cement masons	9.25	.075	.125 + e	a+b	.015		
Electricians	9.33	.075	.125 + e	a+b	.015		
Elevator constructors	8.68	.075	.125 + e	a+b	.015		
Elevator constructors' helpers	6.51	.075	.125 + e	a+b	.015		
Elevator constructors' helpers (prob)	4.34	.075	.125 + e	a+b	.015		
Elevator constructor modernization	7.91	.075	.125 + e	a+b	.015		
Elevator constructor modern.	5.93	.075	.125 + e	a+b	.015		
Elevator constructor repair	7.06	.075	.125+e	a+b	.015		
Elevator constructor repair helper	5.29	.075	.125+e	a+b	.015		
Glaziers	7.30	.075	.125	.20	.04		
Ironworkers, structural	9.58	.075	.125	.06+g	.04		
Ironworkers, ornamental finisher	8.10	.075	.125	.09	.04		
Ironworkers, reinforcing	8.40	.075	.125	.70	.01		
Laborers: (building)							
Laborers, mason, plasterer, bricklayers, tenders, concrete laborers & pipelayers	6.95	.50	.83				
Jackhammer, vibrators, power buggies, fork lifts, all pneumatic equipment							
Lathers, nail-on	7.20	.50	.83		.01		
Lathers, metal	8.40	.655	1.655	.70	.01		
Lead burners	8.75	.30		c	.01		
Line construction:							
Linemen	9.33	.56	1 1/4 + .61	.93	1/2		
Cable splicer	9.33	.56	1 1/4 + .61	.93	1/2		
Cable splicer helper	9.33	.56	1 1/4 + .61	.93	1/2		
Groundman	9.33	.56	1 1/4 + .61	.93	1/2		
Driver groundman	9.33	.56	1 1/4 + .61	.93	1/2		
Dynamite man	9.33	.56	1 1/4 + .61	.93	1/2		
Marble setters	7.40	.63	1.41	.93	1/2		
Marble setters' helpers, crane op.	6.93	.63	1.41	.93	1/2		
Marble cutters	7.40	.63	1.41	.93	1/2		
Marble carvers	7.55	.63	1.41	.93	1/2		
Derrickmen	6.93	.63	1.41	.93	1/2		
Marble sawers, rubbers, polishers	7.17	.63	1.41	.93	1/2		
Millwrights	9.36	.90	1.53	.50	.02		
Painters:							
Brush	7.30	.34	.81-6/7				
Structural steel	8.24-6/7	.34	.81-6/7				
Spray	8.30	.34	.81-6/7				

PAID HOLIDAYS:

A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.

FOOTNOTES:

a. Holidays: A through F, Lincoln's Birthday, Washington's Birthday, Columbus Day, Armistice Day and Election Day.

b. Employer contributes 6.4% of basic hourly rate for 5 years or more of service or 4.2% basic hourly rate for 6 months to 5 years of service as Vacation Pay Credit.

c. Holidays: A through F; Washington's Birthday, Good Friday, Christmas Eve, providing employee has worked 45 full days during the 120 calendar days prior to the holiday and the regularly schedule work days immediately preceding and following the holiday.

d. Employer contributes \$4.96 per day to Security Benefit Fund, providing the employee works 3 1/2 hours or more during the working day.

e. Employer contributes \$8.00 per day to Annuity Fund.

f. Holidays: D, Armistice Day, Columbus Day, Presidential Election Day or Election Day for Governor of New York (Highway Construction only.)

g. Holidays: A through F, providing the employee works a full half day preceding the holiday.

H & W

Pensions

Vacation

App. Tr.

Others

Basic Hourly Rates

Fringe Benefits Payments

H & W

Pensions

Vacation

App. Tr.

Others

Basic Hourly Rates

Fringe Benefits Payments

H & W

Pensions

Vacation

App. Tr.

Others

Basic Hourly Rates

Fringe Benefits Payments

H & W

Pensions

Vacation

App. Tr.

Others

Basic Hourly Rates

Fringe Benefits Payments

H & W

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Basic Hourly Rates

Fringe Benefits Payments

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Basic Hourly Rates

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Basic Hourly Rates

Fringe Benefits Payments

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Basic Hourly Rates

Fringe Benefits Payments

H & W

Pensions

Vacation

App. Tr.

Others

Basic Hourly Rates

EXCAVATION, HEAVY CONSTRUCTION AND ROAD CONSTRUCTION (Open Cut)	FRINGE BENEFITS PAYMENTS				BASIC HOURLY RATES	EXCAVATION, HEAVY CONSTRUCTION AND ROAD CONSTRUCTION (Open Cut)	FRINGE BENEFITS PAYMENTS				BASIC HOURLY RATES
	H & V	PENSIONS	VACATION	APP. TR.			OTHERS	H & V	PENSIONS	VACATION	
<p>Laborers:                      Blasters, blaster (quarry master)                      Joy drillers, wagon drillers, air track drillers, concrete form aligner, concrete form and curb form highway (steel), and deck winches on scows, jumbo driller                      Asphalt curb machine operator, jeeper operator, pavement breaker operator, rock scalers, power saw operator, vibrator operator, bit grinder or grinders, barco rammer operator, air tamper and all type powered tampers not covered by any other classification, steel kings, power buggy operator, jack hammer drillers, all type pneumatic tool and gasoline drillers, concrete saw or saws, asphalt screeder on barbergreen, form pin puller rail road spike puller, pumps and their operation, and pneumatic tools and service of air power, gunniting                      General concrete laborers or anything pertaining to concrete which means any men handling aggregate or concrete materials and carpenters tender and steel handling, pipe layers, puddlers, asphalt worker, fine grade men between forms,                      Epoxy and waterproofing                      Joy driller's helper wagon driller helper, air track driller helper, common laborers, signal men and pitman, truck spotters, powdermen, landscape and nursery men, and dump men                      Wrecking:                      Barren, and burner                      Barren helpers and laborers                      Shaft and Tunnel in Fred Air:                      Blasters                      Concrete setters                      Form setters                      Mimers, drill rummers, air tuggers, chippers, pneumatic tools and source of air-power pumps and their operations, and vibrator operators                      Puddlers                      Chuck tenders, mappers, concrete laborers, tunnel sewer and water pipe reliners</p>	8%	6%	a + .50		\$ 8.53	<p>Laborers                      Powder carriers, signalmen                      Brakemen                      Outside laborers                      Powder watchman                      Paid Holidays:                      A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.</p>	8%	6%	a + .50		7.88
<p>7.88</p>	8%	6%	a + .50		7.88	<p>FOOTNOTE:                      a. Holidays: A through F; Lincoln's Birthday; Washington's Birthday; Columbus Day; November Election Day; Veteran's Day; and Good Friday, provided employee works (2) two or more days in the calendar week in which the holiday falls.</p>	8%	6%	a + .50		7.88
<p>7.73</p>	8%	6%	a + .50		7.73		8%	6%	a + .50		7.73
<p>7.63</p>	8%	6%	a + .50		7.63		8%	6%	a + .50		7.63
<p>8.13</p>	8%	6%	a + .50		8.13		8%	6%	a + .50		8.13
<p>7.98</p>	8%	6%	a + .50		7.98		8%	6%	a + .50		7.98
<p>8.78</p>	8%	6%	a + .50		8.78		8%	6%	a + .50		8.78
<p>8.98</p>	8%	6%	a + .50		8.98		8%	6%	a + .50		8.98
<p>8.48</p>	8%	6%	a + .50		8.48		8%	6%	a + .50		8.48
<p>8.28</p>	8%	6%	a + .50		8.28		8%	6%	a + .50		8.28
<p>8.23</p>	8%	6%	a + .50		8.23		8%	6%	a + .50		8.23
<p>8.13</p>	8%	6%	a + .50		8.13		8%	6%	a + .50		8.13

POWER EQUIPMENT OPERATORS, BUILDING: (CONT'D)	FRINGE BENEFITS PAYMENTS				FRINGE BENEFITS PAYMENTS							
	BASIC HOURLY RATES	H & W	PENSIONS	VACATION	APP. TR.	OTHERS	BASIC HOURLY RATES	H & W	PENSIONS	VACATION	APP. TR.	OTHERS
Concrete-portable hoist, crane, hoist engineer-steel (concrete, material, super structure, sub-structure), derrick (stone-steel), elevator & cage, engineer-pile driver, overhead crane, power house plant, telephones, whirly, hoist (single, double or triple drum), hoist (portable mobile unit), hoist engineer-concrete (crane, derrick, mine hoist), hoist engineer material	10.3725	6%+75	8 3/4%	a	1%		\$11.6575	6%+75	8 3/4%	a	1%	
Backhoe Oliver 88, Fordson, dynamoe, dual purpose & similar machine, Barber Green loader-Euclid loader or similar type, cherry picker (cableway), compressor (Steel erection), convey or similar mucking machines, dragline, gradall, shovel, backhoe, etc., (Crawler or truck), front end loaders, hydraulic boom, Jersey spreader, Letourneau or Tournapull (scrapers over 20 yds. struck), mucking machines, pavement breaker (air ram), paver (concrete), pulsemeter, push button (buzz box) elevator, road boring machine, road mix machines, Ross carrier & similar machines, post hole digger, shovel (tunnels), side boom, spreader (asphalt), scoopmobile-tractor-shovel over 1-1/2 yds., trenching machines, tractor type demolition equipment, winch truck "A" Frame	10.23	6%+75	8 3/4%	a	1%		11.43	6%+75	8 3/4%	a	1%	
Compactor self-propelled, grader, bulldozer D7 & similar tractors with a draw bar horsepower of 100 & over maintenance engineer, mechanic (outside) all types, welder, scrapers-20 yds. struck & under, machine pulling sheep's foot roller, etc., roller 4 ton and over, vib. roller Asphalt plant, boiler (high pressure), bulldozer D6 & similar tractors with a draw bar horsepower less than 100, compressor, compressor plant, concrete mixing plants, concrete pump, conveyor belt machine-irrespective of motor size, fireman, forklift, fork-lift (electric), joy drill or similar tractor drilling machine, loader-1-1/2 yds. & under, lighting unit (portable & generator), locomotive (all	9.0875 11.9425 8.1425 10.9425 13.6575 14.6575 11.93 12.43	6%+75 6%+75 6%+75 6%+75 6%+75 6%+75 6%+75 6%+75	8 3/4% 8 3/4% 8 3/4% 8 3/4% 8 3/4% 8 3/4% 8 3/4% 8 3/4%	a a a a a a a a	1% 1% 1% 1% 1% 1% 1% 1%							
PAID HOLIDAYS: A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.												
FOOTNOTE: a. Holidays: A through F, Washington's Birthday, Lincoln's Birthday, Columbus Day, November Election and Veteran's Day.												

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POWER EQUIPMENT OPERATORS HEAVY & HIGHWAY	FRINGE BENEFITS PAYMENTS				OTHERS
	BASIC HOURLY RATES	H & W	PENSIONS	VACATION	
foot roller, mixer concrete-21E and over, portable asphalt plant, portable batch plant, portable crusher, quarry master, stone crusher, welding machine (steel erection-excavation), well drilling machine, well point system	9.075	6%	8%+b	a	1 1/2%
Air tractor drill, batch plant, bending machine, concrete breaker, concrete spreader, compressor to 125 cu. ft., curb cutter machine, dust collector, farm tractor (all types), finishing machine-concrete, material hopper-sand-stone-cement, mixer-concrete-under 21E, mulching grass spreader, heater-all types, pump 4 inches and over, pump station (water & sewer), pump-gypsum, etc., pump-plaster, roller under 4 ton, shop mechanic (not employed on job site), spreading & fine grading machine, steam jenny, steel cutting machine, sweeper, syphon pump-air-steam, tar joint machine, Turbo jet burner or similar equipment, vibrator (1 to 5), fine grading machine	8.95	6%	8%+b	a	1 1/2%
Concrete saw, mechanic's helper, oiler, oiler (fuel truck), oiler (grease truck), stockroom or stockroom attendant, paint compressor, pump under 4" or any combination not equal to 4", roller motorized (walk behind), welder's helper	7.95	6%	8%+b	a	1 1/2%
Hoist engineer-steel, sub-struct., engineer-pile driver	10.20	6%	8%+b	a	1 1/2%
Jersey spreader, pavement breaker (air ram), post hole digger	9.0375	6%	8%+b	a	1 1/2%
Oilier asphalt paver, utility man	7.125	6%	8%+b	a	1 1/2%
Welder-certified	9.575	6%	8%+b	a	1 1/2%

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POWER EQUIPMENT OPERATORS HEAVY & HIGHWAY	FRINGE BENEFITS PAYMENTS				OTHERS
	BASIC HOURLY RATES	H & W	PENSIONS	VACATION	
Auger, auto grader, backhoe Oliver 88, Fordson, dynamoe, dual purpose and similar machines, barber green loader-eucild loader or similar type, central mix plant operator, cherry picker (cableway), compactor with blade, compressor (steel erection), concrete portable hoist, C.M.I. or similar Conway or similar mucking machines, Crane (crawler or truck) dragline, gradall, shovel or backhoe, etc., derrick (stone-steel), elevator & cage, front end loaders, hoist single, double, triple drum, hoist portable mobile unit, hoist engineer-concrete (crane-derrick-mine hoist), hoist engineer-material, hydraulic boom, Lefourneau or Tournepull (scrapers over 20 yards struck), mucking machines, overhead crane, paver (concrete), power house plant, pulsometer, push button (buzz box) elevator, road mix machines, Ross carrier and similar machines, shovel (tunnels), side boom, spreader (Asphalt), scoopmobile-tractor-shovel over 1 1/2 yards, trenching machines, telephies, tractor type demolition equipment, whirly, winch truck "A" frame	\$10.00	6%	8%+b	a	1 1/2%
Compactor self-propelled, grader, bulldozer D7 and similar tractors with draw bar horsepower of 100 and over, maintenance engineer, mechanic (out yards struck and under, shop foreman, vibratory roller, etc., roller 4 ton and over	9.20	6%	8%+b	a	1 1/2%

Asphalt plant, boiler (high pressure), bulldozer D6 and similar tractors with a draw bar horsepower less than 100, compressor, compressor plant, concrete pump, conveyor belt machine-irrespective of motor size, firemen, forklift, forklift (electric), joy grill or similar tractor drilling machine, loader-1 1/2 yds. and under, lighting unit (portable & generator), locomotive (all sizes), machine pulling sheeps

PAID HOLIDAYS:

A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.

FOOTNOTES:

- a. Holidays: A through F; Lincoln's Birthday; Washington's Birthday; Good Friday; Columbus Day; November Election Day and Veteran's Day.
- b. .66 per hour.

**TRUCK DRIVERS, BUILDING & HEAVY CONSTRUCTION**

Straight jobs, A-Frame (inside cab), winch (inside cab), two, dynamite, seeding, mulching, agitator, water, welding on pipelines, post hole diggers mortar mixing, suberbans, oil distributors, pick-up, hopper men & crusher op. concrete mixer, lift (in garage, yards and on job site)  
 Tractor trailers (all types), 3 axle trucks (physically load and unload), mixer men, high pressure boiler in asphalt and batch plants  
 Tractor trailers (carrying equipment), weighmasters  
 Euclid  
 Euclids, Athey wagons, trailer wagons, belly dumps (under 40 tons)  
 Athey wagons, trailer wagons, belly dumps (over 40 tons)  
 Dual purpose grease & fuel trucks, fuel trucks, tire trucks  
 Welders, maintenance men, mechanics  
 Helicopter operator  
 Mechanic helpers, stock room men  
 Yardmen and helpers  
 Darts (up to 100 tons)  
 EXS

PAID HOLIDAYS:

A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day

Footnotes:

- a. Holidays: A through F, Lincoln's Birthday, Washington's Birthday, Good Friday, Columbus Day, Election Day, Veteran's Day (provided employee works one day of the work week in which the holiday occurs).
- b. One week vacation after 90 days of employment in calendar year, plus one additional day for each additional 18 days of employment, not exceeding 10 days in any one calendar year; two weeks after 130 days of employment in a calendar year. However, an employee with 5 years of seniority service shall receive 2 weeks' paid vacation provided he works 90 days in a calendar year; three weeks and one day after 16 years of seniority service - plus 1 additional day for each year up to 19 years of seniority service; four weeks after 20 years of seniority service.

	Basic Hourly Rates	Fringe Benefits Payments				Others
		H & W	Pensions	Vacation	App. Tr.	
	\$7.675	.40	.65	a+b		
	7.80	.40	.65	a+b		
	7.925	.40	.65	a+b		
	8.05	.40	.65	a+b		
	8.425	.40	.65	a+b		
	8.675	.40	.65	a+b		
	8.125	.40	.65	a+b		
	7.90	.40	.65	a+b		
	17.65	.40	.65	a+b		
	7.55	.40	.65	a+b		
	7.425	.40	.65	a+b		
	9.175	.40	.65	a+b		
	9.55	.40	.65	a+b		

SUPERSEDES DECISION

STATE: TENNESSEE COUNTY: Washington  
 DECISION NUMBER: AQ-L059 DATE: Date of Publication  
 Supersedes Decision No. AP-136 dated October 20, 1972 - 37 FR 22702  
 DESCRIPTION OF WORK: Residential construction consisting of single family homes and garden type apartments up to and including 4 stories.

90-R-Tenn.-B

Basic Hourly Rates	Fringe Benefits Payments			
	H & W	Pensions	Vacation	App. Tr. Others
\$3.00				
5.00				
3.50				
2.50				
3.00				
3.25				
3.25				
3.50				
2.00				
2.50				
2.00				
3.25				
3.00				
3.00				
3.00				
3.00				
2.75				
4.87				
2.75				
2.25				
2.75				
3.25				
3.00				
3.50				
4.50				
3.00				

Air condition mechanic  
 Bricklayers  
 Carpenters  
 Cement masons  
 Drywall finishers  
 Drywall hanger  
 Electricians  
 Ironworker, reinforcing  
 Laborers:  
 Laborers  
 Mason tenders  
 Mortar mixers  
 Lathers  
 Painters, brush  
 Plasterers  
 Plumbers  
 Roofers  
 Sheet metal workers  
 Soft floor layers  
 Stone masons  
 Tile setters  
 Truck drivers  
 Welders - Rate for Craft.  
 Power Equipment Operators:  
 Air compressor, large  
 Backhoe  
 Blade grader  
 Bulldozers  
 Front end loader  
 Scraper, pan

SUPERSEDES DECISION

STATE: TENNESSEE COUNTY: See Below  
 DECISION NUMBER: AQ-1061 DATE: Date of Publication  
 Supersedes Decision No. AM-505 dated August 20, 1971 - 36 FR 16194  
 DESCRIPTION OF WORK: Residential construction consisting of single family homes and garden type apartments up to and including 4 stories.

19-R-Tenn.-C

Basic Hourly Rates	Fringe Benefits Payments			
	H & W	Pensions	Vacation	App. Tr. Others
\$3.00				
3.61				
3.32				
3.09				
3.19				
3.00				
2.00				
3.18				
4.50				
3.85				
3.00				
3.60				
2.75				
2.45				
2.25				
2.60				
3.50				
3.31				
3.90				
3.90				
2.50				
2.55				
3.60				
3.90				
3.90				
2.50				
3.17				
3.60				
3.90				
3.60				
2.80				
3.50				

COUNTRIES: Cheatham, Davidson, Dickson, Lawrence, Marshall, Maury, Robertson, Rutherford, Sumner, Trousdale, Williamson and Wilson  
 Air Condition Mechanic  
 Bricklayers  
 Carpenters  
 Cement Masons  
 Electricians  
 Ironworkers:  
 Structural, Ornamental & Reinforcing  
 Laborers:  
 Laborers  
 Painters, brush  
 Plumbers  
 Roofers  
 Soft floor layers  
 Tile setters  
 Truck Drivers  
 Insulator installers  
 Power Equipment Operators:  
 Air compressors  
 Backhoe  
 Blade grader  
 Bulldozers  
 Cranes, derricks, draglines  
 Forklifts  
 Finishing Machines  
 Motor grader  
 Oilers  
 Scrapers  
 Shovels  
 Tractors  
 Trax cavator  
 Wagon drill operator  
 Trenching machines  
 Welders - Rate for Craft.

SUPERSETEAS DECISION

STATE: TENNESSEE  
 DECISION NUMBER: AQ-1062  
 superseded Decision No. AP-137  
 COUNTY: Sullivan  
 DATE: Date of Publication  
 dated October 27, 1972 - 37 FR 20305  
 DESCRIPTION OF WORK: Residential construction consisting of single family homes  
 and garden type apartments up to and including 4 stories.

82-R-Tenn.-B

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr. Others
Air condition mechanics	\$4.08				
Bricklayers	5.25				
Carpenters	3.50				
Cement masons	3.25				
Drywall finishers	3.50				
Drywall hangers	3.25				
Electricians	3.87				
Ironworkers, reinforcing	2.25				
Laborsers:					
Laborers	2.04				
Mason tenders	2.25				
Mortar mixers	2.50				
Painters, brush	3.25				
Plumbers	4.50				
Power Equipment Operators:					
Bulldozers	3.50				
Front end loaders	3.50				
Trenching machine	3.00				
Shovels	3.00				
Roofers	3.00				
Sheet metal workers	3.25				
Soft floor layers	3.29				
Stonemasons	5.25				
Tile setters	3.00				
Truck drivers	3.00				
Welders - Rate for Craft.					

[FR Doc. 74-1872 Filed 1-24-74; 8:45 am]

PART IV

THE  
TREATY  
OF  
AGREEMENTS

United States Ambassador  
with a view to the  
Treaty of Commerce

Continued Table

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FRIDAY, JANUARY 25, 1974  
WASHINGTON, D.C.

Volume 39 ■ Number 18

PART IV



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## COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS

■

Textile and Apparel Categories  
with Tariff Schedules of the  
United States Annotated

Correlation Tables

**COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS**

**TEXTILE AND APPAREL CATEGORIES WITH TARIFF SCHEDULES OF THE UNITED STATES ANNOTATED**

**Correlation Tables**

JANUARY 15, 1974.

There is published below a list of the Tariff Schedules of the United States Annotated numbers arranged by the cot-

ton, wool, and man-made fiber categories used by the United States in administering the textile trade agreements program. A full description of the textile and apparel products falling within each of the cotton, wool, and man-made fiber categories may be obtained by using the Tariff Schedules of the United States Annotated item numbers in the list published below to locate the product in the Tariff Schedules of the United States Annotated where descriptive material is

provided. The list of Tariff Schedules of the United States Annotated numbers published in the FEDERAL REGISTER on April 29, 1972 (37 FR 8802), as amended, is hereby superseded effective January 25, 1974.

SETH M. BODNER,  
*Chairman, Committee for the Implementation of Textile Agreements, and Deputy Assistant Secretary for Resources and Trade Assistance.*

Textile and Apparel Categories by Tariff Schedules  
of the United States Annotated

## SECTION I COTTON

TEXTILE Category	TSUSA Number	DESCRIPTION	CONVERSION FACTOR	UNIT OF MEASURE
<u>1</u>		<u>COTTON YARN, CARDED, SINGLES</u> NOT BLEACHED OR COLORED:	<u>4.6</u>	<u>Lb.</u>
	301.--00	Not Mercerized		
	302.--20	Mercerized		
	302.--22	Bleached or Colored		
<u>2</u>		<u>COTTON YARN, CARDED, PLIED</u>	<u>4.6</u>	<u>Lb.</u>
	302.--24	Yarns, Carded, Plied		
<u>3</u>		<u>COTTON YARN, COMBED, SINGLES</u>	<u>4.6</u>	<u>Lb.</u>
	302.--26	Yarns, Combed, Singles		
<u>4</u>		<u>COTTON YARN, COMBED, PLIED</u>	<u>4.6</u>	<u>Lb.</u>
	302.--28	Yarns, Combed, Plied		
<u>5</u>		<u>GINGHAM, CARDED</u> GINGHAM, CARDED, COLORED, WHETHER OR NOT BLEACHED:	<u>1.0</u>	<u>Syd.</u>
	322.--18	Wholly Cotton, Not Fancy or Figured.		
	325.--18	Wholly Cotton, Fancy or Figured.		
	328.--18	Chief Value, but not Wholly Cotton, Not Fancy or Figured.		
	331.--18	Chief Value, but not Wholly Cotton, Fancy or Figured.		
<u>6</u>		<u>GINGHAM, COMBED</u> GINGHAM, COMBED, COLORED, WHETHER OR NOT BLEACHED:	<u>1.0</u>	<u>Syd.</u>
	322.--20	Wholly of Cotton, Not Fancy or Figured.		
	325.--20	Wholly of Cotton, Fancy or Figured.		
	328.--20	Chief Value, but Not Wholly Cotton, Not Fancy or Figured.		
	331.--20	Chief Value, but Not Wholly Cotton, Fancy or Figured.		
<u>7</u>		<u>VELVETEEN</u>	<u>1.0</u>	<u>Syd.</u>
	346.1500	Plain Back		
		OTHER, INCLUDING TWILL BACK:		
	346.2000	Valued Not Over 85c Per Syd.		
	346.2200	Valued Over 85c But Not Over \$1.10 Per Syd.		
	346.2400	Valued Over \$1.10 Per Syd.		

## NOTICES

Textile and Apparel Categories by Tariff Schedules  
of the United States Annotated

- COTTON -

TEXTILE Category	TSUSA Number	DESCRIPTION	CONVER- SION FACTOR	UNIT OF MEA- SURE
<u>8</u>		<u>CORDUROY</u>	<u>1.0</u>	<u>Syd.</u>
	346.0500	52" Or More In Width and Valued 50¢ Or More Per Syd.		
	346.1000	Other		
<u>9</u>		<u>SHEETING, CARDED</u>	<u>1.0</u>	<u>Syd.</u>
		WHOLLY OF COTTON:		
		UNBLEACHED:		
	320---36	Osnaburg		
	320---38	Classes A, B, C		
	320---40	Soft Filled Sheeting		
	320---44	Other Carded Sheeting		
		BLEACHED:		
	321---44	Other Sheeting		
		PRINTED, DYED OR COLORED:		
	322---44	Whether or Not Bleached		
		CHIEF VALUE, BUT NOT WHOLLY COTTON:		
		UNBLEACHED:		
	326---36	Osnaburg		
	326---38	Classes A, B, C		
	326---40	Soft Filled Sheeting		
326---44	Other Carded Sheeting			
	BLEACHED:			
327---44	Other Sheeting			
	PRINTED, DYED, OR COLORED:			
328---44	Whether or Not Bleached			
<u>10</u>		<u>SHEETING, COMBED</u>	<u>1.0</u>	<u>Syd.</u>
		WHOLLY OF COTTON:		
		UNBLEACHED:		
	320---42	Combed Bed Sheeting		
	320---46	Other Combed Sheeting		
		BLEACHED:		
321---46	Other Combed Sheeting			

## NOTICES

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Textile and Apparel Categories by Tariff Schedules  
of the United States Annotated

- COTTON -

TEXTILE Category	TSUSA Number	DESCRIPTION	CONVER- SION FACTOR	UNIT OF MEA- SURE
<u>10</u> CONT'D		<u>SHEETING, COMBED CONT'D</u>	<u>1.0</u>	<u>Syd.</u>
		WHOLLY OF COTTON: CONT'D		
		PRINTED, DYED, OR COLORED:		
	322.--46	Other Combed Sheeting		
		CHIEF VALUE, BUT NOT WHOLLY COTTON:		
		UNBLEACHED:		
	326.--42	Combed Bed Sheeting		
	326.--46	Other Combed Sheeting		
		BLEACHED:		
	327.--46	Other Combed Sheeting		
		PRINTED, DYED, OR COLORED WHETHER OR NOT BLEACHED:		
	328.--46	Other Combed Sheeting		
<u>11</u>		<u>LAWNS, CARDED</u>	<u>1.0</u>	<u>Syd.</u>
		WHOLLY OF COTTON:		
		NOT FANCY OR FIGURED:		
	320.--22	Not Bleached or Colored		
	321.--22	Bleached, But Not Colored		
	322.--22	Colored, Whether or Not Bleached		
		FANCY OR FIGURED:		
	323.--22	Not Bleached or Colored		
	324.--22	Bleached But Not Colored		
	325.--22	Colored, Whether or Not Bleached		
		CHIEF VALUE, BUT NOT WHOLLY COTTON:		
		NOT FANCY OR FIGURED:		
	326.--22	Not Bleached or Colored		
	327.--22	Bleached But Not Colored		
	328.--22	Colored, Whether or Not Bleached		
		FANCY OR FIGURED:		
	329.--22	Not Bleached or Colored		
	330.--22	Bleached But Not Colored		
	331.--22	Colored, Whether or Not Bleached		

## NOTICES

Textile and Apparel Categories by Tariff Schedules  
of the United States Annotated

- COTTON -

TEXTILE Category	TSUSA Number	DESCRIPTION	CONVERSION FACTOR	UNIT OF MEASURE
<u>12</u>		<u>LAWNS, COMBED</u>	<u>1.0</u>	<u>Syd.</u>
		WHOLLY OF COTTON:		
		NOT FANCY OR FIGURED:		
	320.--24	Not Bleached or Colored		
	321.--24	Bleached But Not Colored		
	322.--24	Colored Whether or Not Bleached		
		FANCY OR FIGURED:		
	323.--24	Not Bleached or Colored		
	324.--24	Bleached, But Not Colored		
	325.--24	Colored Whether or Not Bleached		
		CHIEF VALUE BUT NOT WHOLLY COTTON:		
		NOT FANCY OR FIGURED:		
	326.--24	Not Bleached or Colored		
	327.--24	Bleached, But Not Colored		
	328.--24	Colored, Whether or Not Bleached		
		FANCY OR FIGURED:		
	329.--24	Not Bleached or Colored		
	330.--24	Bleached, But Not Colored		
	331.--24	Colored, Whether or Not Bleached		
<u>13</u>		<u>VOILE, CARDED</u>	<u>1.0</u>	<u>Syd.</u>
		WHOLLY OF COTTON:		
		NOT FANCY OR FIGURED:		
	320.--68	Not Bleached or Colored		
	321.--68	Bleached But Not Colored		
	322.--68	Colored Whether or Not Bleached		
		FANCY OR FIGURED:		
	323.--68	Not Bleached or Colored		
	324.--68	Bleached But Not Colored		
	325.--68	Colored Whether or Not Bleached		
		CHIEF VALUE, BUT NOT WHOLLY COTTON:		
		NOT FANCY OR FIGURED:		
	326.--68	Not Bleached or Colored		
	327.--68	Bleached, But Not Colored		
	328.--68	Colored, Whether or Not Bleached		

## NOTICES

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Textile and Apparel Categories by Tariff Schedules  
of the United States Annotated

- COTTON -

TEXTILE Category	TSUSA Number	DESCRIPTION	CONVER- SION FACTOR	UNIT OF MEA- SURE
<u>13</u> CONT'D		<u>VOILE, CARDED</u> CONT'D	<u>1.0</u>	<u>Syd.</u>
		CHIEF VALUE BUT NOT WHOLLY COTTON: CONT'D		
		FANCY OR FIGURED:		
	329.--68	Not Bleached or Colored		
	330.--68	Bleached But Not Colored		
	331.--68	Colored, Whether or Not Bleached		
<u>14</u>		<u>VOILE, COMBED</u>	<u>1.0</u>	<u>Syd.</u>
		WHOLLY OR COTTON:		
		NOT FANCY OR FIGURED:		
	320.--70	Not Bleached or Colored		
	321.--70	Bleached But Not Colored		
	322.--70	Colored, Whether or Not Bleached		
		FANCY OR FIGURED:		
	323.--70	Not Bleached or Colored		
	324.--70	Bleached But Not Colored		
	325.--70	Colored, Whether or Not Bleached		
		CHIEF VALUE BUT NOT WHOLLY COTTON:		
		NOT FANCY OR FIGURED:		
	326.--70	Not Bleached or Colored		
	327.--70	Bleached But Not Colored		
	328.--70	Colored, Whether or Not Bleached		
		FANCY OR FIGURED:		
	329.--70	Not Bleached or Colored		
	330.--70	Bleached But Not Colored		
	331.--70	Colored, Whether or Not Bleached		
<u>15</u>		<u>POPLIN AND BROADCLOTH, CARDED</u>	<u>1.0</u>	<u>Syd.</u>
		NOT FANCY OR FIGURED:		
		WHOLLY OF COTTON:		
	320.--26	Not Bleached or Colored		
	321.--26	Bleached But Not Colored		
	322.--26	Colored, Whether or Not Bleached		

## NOTICES

Textile and Apparel Categories by Tariff Schedules  
of the United States Annotated

- COTTON -

TEXTILE Category	TSUSA Number	DESCRIPTION	CONVER- SION FACTOR	UNIT OF MEA- SURE
<u>15</u>		<u>POPLIN AND BROADCLOTH, CARDED CONT'D</u> NOT FANCY OR FIGURED: CONT'D CHIEF VALUE BUT NOT WHOLLY COTTON: 326.--26 Not Bleached or Colored 327.--26 Bleached But Not Colored 328.--26 Colored, Whether or Not Bleached	<u>1.0</u>	<u>Syd.</u>
<u>16</u>		<u>POPLIN AND BROADCLOTH, COMBED</u> NOT FANCY OR FIGURED: WHOLLY OF COTTON: 320.--28 Not Bleached or Colored 321.--28 Bleached But Not Colored 322.--28 Colored Whether or Not Bleached CHIEF VALUE BUT NOT WHOLLY COTTON: 326.--28 Not Bleached or Colored 327.--28 Bleached But Not Colored 328.--28 Colored Whether or Not Bleached	<u>1.0</u>	<u>Syd.</u>
<u>17</u>		<u>TYPEWRITER RIBBON CLOTH</u> NOT FANCY OR FIGURED: NOT BLEACHED OR COLORED: 319.2100 Of Average Yarn Numbers 51 to 59 319.2300 Of Average Yarn Numbers 60 to 79 319.2500 Of Average Yarn Numbers 80 to 140 319.2700 Bleached But Not Colored 319.2900 Colored, Whether or Not Bleached	<u>1.0</u>	<u>Syd.</u>
<u>18</u>		<u>PRINTCLOTH, SHIRTING TYPE, 80X80 TYPE, CARDED</u> NOT FANCY OR FIGURED: WHOLLY OF COTTON: 320.--30 Not Bleached or Colored 321.--30 Bleached But Not Colored 322.--30 Colored, Whether or Not Bleached	<u>1.0</u>	<u>Syd.</u>

Textile and Apparel Categories by Tariff Schedules  
of the United States Annotated

- COTTON -

TEXTILE Category	TSUSA Number	DESCRIPTION	CONVERSION FACTOR	UNIT OF MEASURE
<u>18</u>		<u>PRINTCLOTH, SHIRTING TYPE, 80X80 TYPE, CARDED CONT'D</u> NOT FANCY OR FIGURED: CCNT'D CHIEF VALUE BUT NOT WHOLLY COTTON:	<u>1.0</u>	<u>Syd.</u>
	326---30	Not Bleached or Colored		
	327---30	Bleached But Not Colored		
	328---30	Colored, Whether or Not Bleached		
<u>19</u>		<u>PRINTCLOTH, SHIRTING TYPE, OTHER THAN 80X80 TYPE, CARDED</u> NOT FANCY OR FIGURED: WHOLLY OF COTTON:	<u>1.0</u>	<u>Syd.</u>
	320---32	Not Bleached or Colored		
	321---32	Bleached But Not Colored		
	322---32	Colored, Whether or Not Bleached		
		CHIEF VALUE, BUT NOT WHOLLY COTTON:		
	326---32	Not Bleached or Colored		
	327---32	Bleached But Not Colored		
	328---32	Colored, Whether or Not Bleached		
<u>20</u>		<u>SHIRTING, JACQUARD OR DOBBY, CARDED</u> FANCY OR FIGURED: WHOLLY OF COTTON:	<u>1.0</u>	<u>Syd.</u>
	323---48	Not Bleached or Colored		
	324---48	Bleached But Not Colored		
	325---48	Colored, Whether or Not Bleached		
		CHIEF VALUE, BUT NOT WHOLLY OF COTTON:		
	329---48	Not Bleached or Colored		
	330---48	Bleached But Not Colored		
	331---48	Colored Whether or Not Bleached		
<u>21</u>		<u>SHIRTING, JACQUARD OR DOBBY, COMBED</u> FANCY OR FIGURED: WHOLLY OF COTTON:	<u>1.0</u>	<u>Syd.</u>
	323---50	Not Bleached or Colored		
	324---50	Bleached, But Not Colored		
	325---50	Colored, Whether or Not Bleached		

## NOTICES

Textile and Apparel Categories by Tariff Schedules  
of the United States Annotated

- COTTON -

TEXTILE Category	TSUSA Number	DESCRIPTION	CONVERSION FACTOR	UNIT OF MEASURE
<u>21</u>		<u>SHIRTING, JACQUARD OR DOBBY, COMBED CCNT'D</u> FANCY OR FIGURED: CCNT'D CHIEF VALUE, BUT NOT WHOLLY COTTON:	<u>1.0</u>	<u>Syd.</u>
	329---50	Not Bleached or Colored		
	330---50	Bleached, But Not Colored		
	331---50	Colored, Whether or Not Bleached		
<u>22</u>		<u>TWILL AND SATEEN, CARDED</u> WHOLLY OF COTTON: NOT FANCY OR FIGURED:	<u>1.0</u>	<u>Syd.</u>
	320---54	Sateen, Not Bleached or Colored		
	320---58	Twill, Not Bleached or Colored		
	321---54	Sateen, Bleached, But Not Colored		
	321---58	Twill, Bleached, But Not Colored		
	322---54	Sateen, Colored, Whether or Not Bleached		
	322---56	Denim, Colored, Whether or Not Bleached		
	322---58	Twill, Colored, Whether or Not Bleached		
		FANCY OR FIGURED:		
	323---54	Sateen, Not Bleached or Colored		
	323---58	Twill, Not Bleached or Colored		
	324---54	Sateen, Bleached But Not Colored		
	324---58	Twill, Bleached But Not Colored		
	325---54	Sateen, Colored Whether or Not Bleached		
	325---56	Denim, Colored Whether or Not Bleached		
	325---58	Twill, Colored Whether or Not Bleached		
		CHIEF VALUE, BUT NOT WHOLLY COTTON:		
		NOT FANCY OR FIGURED:		
	326---54	Sateens, Not Bleached or Colored		
	326---58	Twills, Not Bleached or Colored		
	327---54	Sateen, Bleached, But Not Colored		
	327---58	Twills, Bleached, But Not Colored		
	328---54	Sateens, Colored Whether or Not Bleached		
	328---56	Denim, Colored Whether or Not Bleached		
	328---58	Twills, Colored Whether or Not Bleached		

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TEXTILE Category	TSUSA Number	DESCRIPTION	CONVERSION FACTOR	UNIT OF MEASURE
<u>22</u> CONT'D		<u>TWILL AND SATEEN, CARDED, CONT'D</u>  CHIEF VALUE BUT NOT WHOLLY COTTON: CONT'D FANCY OR FIGURED:	<u>1.0</u>	<u>Syd.</u>
	329.--54	Sateens, Not Bleached or Colored		
	329.--58	Twills, Not Bleached or Colored		
	330.--54	Sateens, Bleached But Not Colored		
	330.--58	Twills, Bleached But Not Colored		
	331.--54	Sateens, Colored, Whether or Not Bleached		
	331.--56	Denim, Colored, Whether or Not Bleached		
	331.--58	Twills, Colored, Whether or Not Bleached		
<u>23</u>		<u>TWILL AND SATEEN, COMBED</u>  WHOLLY OF COTTON:  NOT FANCY OR FIGURED:	<u>1.0</u>	<u>Syd.</u>
	320.--60	Sateen, Not Bleached or Colored		
	320.--64	Twill, Not Bleached or Colored		
	321.--60	Sateen, Bleached, But Not Colored		
	321.--64	Twill, Bleached, But Not Colored		
	322.--60	Sateen, Colored, Whether or Not Bleached		
	322.--62	Denim, Colored, Whether or Not Bleached		
	322.--64	Twill, Colored, Whether or Not Bleached		
		FANCY OR FIGURED:		
	323.--60	Sateen, Not Bleached or Colored		
	323.--64	Twill, Not Bleached or Colored		
	324.--60	Sateen, Bleached But Not Colored		
	324.--64	Twill, Bleached But Not Colored		
	325.--60	Sateen, Colored Whether or Not Bleached		
	325.--62	Denim, Colored Whether or Not Bleached		
	325.--64	Twill, Colored Whether or Not Bleached		
		CHIEF VALUE, BUT NOT WHOLLY COTTON:		
		NOT FANCY OR FIGURED:		
	326.--60	Sateens, Not Bleached or Colored		
	326.--64	Twills, Not Bleached or Colored		
	327.--60	Sateen, Bleached, But Not Colored		

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TEXTILE Category	TSUSA Number	DESCRIPTION	CONVERSION FACTOR	UNIT OF MEASURE
<u>23</u> CONT'D		<u>TWILL AND SATEEN, COMBED, CONT'D</u>	<u>1.0</u>	<u>Syd.</u>
		CHIEF VALUE, BUT NOT WHOLLY COTTON: CONT'D		
		NOT FANCY OR FIGURED: CONT'D		
	327.--64	Twills, Bleached, But Not Colored		
	328.--60	Sateens, Colored Whether or Not Bleached		
	328.--62	Denim, Colored Whether or Not Bleached		
	328.--64	Twills, Colored Whether or Not Bleached		
		FANCY OR FIGURED:		
	329.--60	Sateens, Not Bleached or Colored		
	329.--64	Twills, Not Bleached or Colored		
	330.--60	Sateens, Bleached But Not Colored		
	330.--64	Twills, Bleached But Not Colored		
	331.--60	Sateens, Colored, Whether or Not Bleached		
	331.--62	Denim, Colored, Whether or Not Bleached		
	331.--64	Twills, Colored, Whether or Not Bleached		
<u>24</u>		<u>WOVEN FABRICS, N.E.S., YARN DYED, CARDED</u>	<u>1.0</u>	<u>Syd.</u>
		COLORED, WHETHER OR NOT BLEACHED:		
		WHOLLY OF COTTON:		
		NOT FANCY OR FIGURED:		
	322.--72	Yarn-Dyed Napped Fabrics		
	322.--80	Yarn-Dyed Fabrics, N.E.S., 8 oz. or Over and 52" or Over Wide		
	322.--84	Other Yarn-Dyed Fabrics, N.E.S.		
		FANCY OR FIGURED:		
	325.--72	Yarn-Dyed Napped Fabrics		
	325.--80	Yarn-Dyed Fabrics, N.E.S., 8 oz. or Over and 52" or Over Wide		
	325.--84	Other Yarn-Dyed Fabrics, N.E.S.		
		CHIEF VALUE, BUT NOT WHOLLY COTTON:		
		NOT FANCY OR FIGURED:		
	328.--72	Yarn-Dyed Napped Fabrics		
	328.--80	Yarn-Dyed Fabrics, N.E.S., 8 oz. or Over and 52" or Over Wide		
	328.--84	Other Yarn-Dyed Fabrics, N.E.S.		

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TEXTILE Category	TSUSA Number	DESCRIPTION	CONVERSION FACTOR	UNIT OF MEASURE
<u>24</u>		<u>WOVEN FABRICS, N.E.S., YARN DYED, CARDED CONT'D</u> COLORED, WHETHER OR NOT BLEACHED: CONT'D CHIEF VALUE, BUT NOT WHOLLY COTTON: CONT'D FANCY OR FIGURED: 331.--72 Yarn-Dyed Napped Fabrics 331.--80 Yarn-Dyed Fabrics, N.E.S., 8 oz. or Over and 52" or Over Wide 331.--84 Other Yarn-Dyed Fabrics, N.E.S.	<u>1.0</u>	<u>Syd.</u>
<u>25</u>		<u>WOVEN FABRICS, N.E.S., YARN-DYED, COMBED</u> COLORED, WHETHER OR NOT BLEACHED: WHOLLY OF COTTON: NOT FANCY OR FIGURED: 322.--74 Yarn-Dyed Napped Fabrics 322.--82 Yarn-Dyed Fabrics, N.E.S., 8 oz. or Over Per Sq. Yd. and 52" or Over Wide 322.--86 Other Yarn-Dyed Fabrics FANCY OR FIGURED: 325.--74 Yarn-Dyed Fabrics 325.--82 Yarn-Dyed Fabrics, N.E.S., 8 oz. or Over Per Sq. Yd. and 52" or Over Wide 325.--86 Other Yarn-Dyed Fabrics, N.E.S. CHIEF VALUE, BUT NOT WHOLLY COTTON: NOT FANCY OR FIGURED: 328.--74 Yarn-Dyed Napped Fabrics 328.--82 Yarn-Dyed Fabrics, N.E.S., 8 oz. or Over Per Sq. Yd. and 52" or Over Wide 328.--86 Other Yarn-Dyed Fabrics, N.E.S. FANCY OR FIGURED: 331.--74 Yarn-Dyed Fabrics 331.--82 Yarn-Dyed Fabrics, N.E.S., 8 oz. or Over Per Sq. Yd. and 52" or Over Wide 331.--86 Other Yarn-Dyed Fabrics, N.E.S.	<u>1.0</u>	<u>Syd.</u>

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TEXTILE Category	TSUSA Number	DESCRIPTION	CONVERSION FACTOR	UNIT OF MEASURE
26		OTHER WOVEN FABRICS, N.E.S., CARDED	1.0	Syd.
		WHOLLY COTTON:		
		NOT FANCY OR FIGURED:		
		NOT BLEACHED OR COLORED:		
		DUCK:		
	320.--01	Single Warp, Single Filling, Under 7½ oz. Per Sq. Yd.		
	320.--02	Single Warp, Single Filling, 7½ or Over Per Sq. Yd.		
	320.--03	Single Warp, Ply Filling, Under 7½ oz. Per Sq. Yd.		
	320.--04	Single Warp, Ply Filling, 7½ oz. or Over Per Sq. Yd.		
	320.--06	Ply Warp, Single Filling		
	320.--08	Ply Warp, Ply Filling		
	320.--34	Printcloth, Other Than Printcloth Type Shirting		
	320.--76	Napped Fabrics, Other Yarn Dyed		
		OTHER FABRICS:		
	320.--88	8 oz. or Over Per Sq. Yd. and 52" or Over Wide		
	320.--92	Not 8 oz. or Over Per Sq. Yd. and Not 52" or Over Wide		
		BLEACHED, BUT NOT COLORED:		
		DUCK:		
	321.--01	Single Warp, Single Filling, Under 7½ oz. Per Sq. Yd.		
	321.--02	Single Warp, Single Filling, 7½ oz. or Over Per Sq. Yd.		
	321.--03	Single Warp, Ply Filling, Under 7½ oz. Per Sq. Yd.		
	321.--04	Single Warp, Ply Filling, 7½ oz. or Over Per Sq. Yd.		
	321.--06	Ply Warp, Single Filling		
	321.--08	Ply Warp, Ply Filling		
	321.--34	Print Cloth Other Than Print Cloth Type Shirting		
	321.--76	Napped Fabrics, Other Than Yarn-Dyed		
		OTHER FABRICS:		
	321.--88	8 oz. or Over Per Sq. Yd. and 52" or Over Wide		
	321.--92	Not 8 oz. or Over Per Sq. Yd. and Not 52" or Over Wide		

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TEXTILE Category	TSUSA Number	DESCRIPTION	CONVERSION FACTOR	UNIT OF MEASURE
26 CONT'D		OTHER WOVEN FABRICS, N.E.S., CARDED, CONT'D	1.0	Syd.
		WHOLLY OF COTTON: CONT'D		
		NOT FANCY OR FIGURED: CONT'D		
		COLORED, WHETHER OR NOT BLEACHED:		
		DUCK:		
	322.--01	Single Warp, Single Filling, Under 7½ oz. Per Sq. Yd.		
	322.--02	Single Warp, Single Filling, 7½ oz. or Over Per Sq. Yd.		
	322.--03	Single Warp, Ply Filling, Under 7½ oz. Per Sq. Yd.		
	322.--04	Single Warp, Ply Filling, 7½ oz. or Over Per Sq. Yd.		
	322.--06	Ply Warp, Single Filling		
	322.--08	Ply Warp, Ply Filling		
	322.--34	Print Cloth Other Than Print Cloth Type Shirting		
	322.--76	Napped Fabrics, Other Than Yarn-Dyed		
		OTHER FABRICS:		
	322.--88	8 oz. or Over Per Sq. Yd. and 52" or Over Wide		
	322.--92	Not 8 oz. or Over Per Sq. Yd. and Not 52" or Over Wide		
		FANCY OR FIGURED:		
		NOT BLEACHED OR COLORED:		
	323.--76	Napped Fabrics, Other Than Yarn-Dyed		
		OTHER FABRICS:		
	323.--88	8 oz. or Over Per Sq. Yd. and 52" or Over Wide		
	323.--92	Not 8 oz. or Over and Not 52" or Over Wide		
		BLEACHED BUT NOT COLORED:		
	324.--76	Napped Fabrics, Other Than Yarn-Dyed		
		OTHER FABRICS:		
	324.--88	8 oz. or Over Per Sq. Yd. and 52" or Over Wide		
	324.--92	Not 8 oz. or Over and Not 52" or Over Wide		
		COLORED, WHETHER OR NOT BLEACHED:		
	325.--76	Napped Fabrics, Other Than Yarn Dyed		
		OTHER FABRICS:		
	325.--88	8 oz. or Over Per Sq. Yd. and 52" or Over Wide		
	325.--92	Not 8 oz. or Over Per Sq. Yd. and Not 52" or Over Wide		

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TEXTILE Category	TSUSA Number	DESCRIPTION	CONVERSION FACTOR	UNIT OF MEASURE
26 CONT'D		OTHER WOVEN FABRICS, N.E.S., CARDED CONT'D	1.0	Syd.
		IN CHIEF VALUE, BUT NOT WHOLLY OF COTTON, CONTAINING SILK OR MAN-MADE FIBERS OR BOTH:		
		NOT FANCY OR FIGURED:		
		NOT BLEACHED OR COLORED:		
		DUCK:		
	326.--01	Single Warp, Single Filling, Under 7½ oz. Per Sq. Yd.		
	326.--02	Single Warp, Single Filling, 7½ oz. or Over Per Sq. Yd.		
	326.--03	Single Warp, Ply Filling, Under 7½ oz. Per Sq. Yd.		
	326.--04	Single Warp, Ply Filling, 7½ oz. or Over Per Sq. Yd.		
	326.--06	Ply Warp, Single Filling		
	326.--08	Ply Warp, Ply Filling		
	326.--34	Print Cloth Other Than Print Cloth Type Shirting		
	326.--76	Napped Fabrics, Other Than Yarn-Dyed		
		OTHER FABRICS:		
	326.--88	8 oz. or Over Per Sq. Yd. and 52" or Over Wide		
	326.--92	Not 8 oz. or Over Per Sq. Yd. and Not 52" or Over Wide		
		BLEACHED, BUT NOT COLORED:		
		DUCK:		
	327.--01	Single Warp, Single Filling, Under 7½ oz. Per Sq. Yd.		
	327.--02	Single Warp, Single Filling, 7½ oz. or Over Per Sq. Yd.		
	327.--03	Single Warp, Ply Filling, Under 7½ oz. Per Sq. Yd.		
	327.--04	Single Warp, Ply Filling, 7½ oz. or Over Per Sq. Yd.		
	327.--06	Ply Warp, Single Filling		
	327.--08	Ply Warp, Ply Filling		
	327.--34	Print Cloth Other Than Print Cloth Type Shirting		
	327.--76	Napped Fabrics, Other Than Yarn-Dyed		

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TEXTILE Category	TSUSA Number	DESCRIPTION	CONVERSION FACTOR	UNIT OF MEASURE
26 CONT'D		OTHER WOVEN FABRICS, N.E.S., CARDED CONT'D	1.0	Syd.
		IN CHIEF VALUE, BUT NOT WHOLLY OF COTTON, CONTAINING SILK OR MAN-MADE FIBERS OR BOTH: CONT'D		
		NOT FANCY OR FIGURED: CONT'D		
		BLEACHED, BUT NOT COLORED: CONT'D		
		OTHER FABRICS:		
	327.--88	8 oz. or Over Per Sq. Yd. and 52" or Over Wide		
	327.--92	Not 8 oz. or Over Per Sq. Yd. and Not 52" or Over Wide		
		COLORED, WHETHER OR NOT BLEACHED:		
		DUCK:		
	328.--01	Single Warp, Single Filling, Under 7½ oz. Per Sq. Yd.		
	328.--02	Single Warp, Single Filling, 7½ oz. or Over Per Sq. Yd.		
	328.--03	Single Warp, Ply Filling, Under 7½ oz. Per Sq. Yd.		
	328.--04	Single Warp, Ply Filling, 7½ oz. or Over Per Sq. Yd.		
	328.--06	Ply Warp, Single Filling		
	328.--08	Ply Warp, Ply Filling		
	328.--34	Print Cloth Other Than Print Cloth Type Shirting		
	328.--76	Napped Fabrics, Other Than Yarn-Dyed		
		OTHER FABRICS:		
	328.--88	8 oz. or Over Per Sq. Yd. and 52" or Over Wide		
	328.--92	Not 8 oz. or Over Per Sq. Yd. and Not 52" or Over Wide		
		FANCY OR FIGURED:		
		NOT BLEACHED OR COLORED:		
	329.--76	Napped Fabrics Other Than Yarn-Dyed		
		OTHER FABRICS:		
	329.--88	8 oz. or Over Per Sq. Yd. and 52" or Over Wide		
	329.--92	Not 8 oz. or Over and Not 52" or Over Wide		
		BLEACHED BUT NOT COLORED:		
	330.--76	Napped Fabrics Other than Yarn-Dyed		
		OTHER FABRICS:		
	330.--88	8 oz. or over per Syd. and 52" or over Wide		
	330.--92	Not 8 oz. or over and not 52" or over Wide		

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TEXTILE Category	TSUSA Number	DESCRIPTION	CONVER- SION FACTOR	UNIT OF MEA- SURE
26 CONT'D		OTHER WOVEN FABRICS, N.E.S., CARDED CONT'D	1.0	Syd.
		IN CHIEF VALUE, BUT NOT WHOLLY OF COTTON, CONTAINING SILK OR MAN-MADE FIBERS OR BOTH: CONT'D		
		FANCY OR FIGURED: CONT'D		
		COLORED WHETHER OR NOT BLEACHED:		
	331.--76	Napped Fabrics Other than Yarn-Dyed		
		OTHER FABRICS:		
	331.--88	8 oz. or over per Syd. and 52" or over Wide		
	331.--92	Not 8 oz. or over and not 52" or over wide		
	332.1020	Woven Fabrics, in Chief Value, but not Wholly of Cotton, Containing Wool, Whether or not Containing Silk or Man- Made Fibers or Both, but not Containing Other Fibers		
	332.4020	Other Woven Fabrics, Chief Value but not Wholly Cotton, Carded		
	346.3020	Terry Fabrics Valued not over \$1.25 per Pound		
	346.3220	Terry Fabrics Valued over \$1.125 per Pound		
		Velvet, Plush and Velour:		
	346.3525	Under 48" in Width, with Cut Warp Pile Weighing Less than 8 oz. per Syd.		
	346.3530	Other		
	346.4020	Chenille		
	346.4520	Other Pile Fabrics, not Knit		
	346.7000	Tufted Fabrics in Which the Pile or Tuft Was Inserted or Knotted into a Pre-Existing Base, with the Pile or Tuft Covering the Entire Surface		
		WOVEN OR KNIT FABRICS, IN THE PIECE OR IN UNITS:		
	355.5000	Coated, Filled or Otherwise Prepared for Use as Artist's Canvas		
	355.6510	Woven or Knit Fabrics (Except Pile or Tufted Fabrics) Coated or Filled with Rubber or Plastic Material or Laminated with Sheet Rubber or Plastics		
	356.1010	Oilcloths		
	356.1510	Tracing Cloths		
	356.2000	Window Hollands		
	356.2510	Other, N.S.P.F.		
	357.0512	Tapestry Fabric, Jacquard-Figured		
	357.0516	Upholstery Fabric, Jacquard-Figured, Except Pile		
	364.1120	Tapestries, etc., Except Gobelin, Jacquard-Figured, Not Pile		

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27		<p><u>OTHER WOVEN FABRICS, N.E.S., COMBED</u></p> <p>WHOLLY OF COTTON:</p> <p>NOT FANCY OR FIGURED:</p> <p>NOT BLEACHED OR COLORED:</p> <p>320.--78 Napped Fabrics Other Than Yarn-Dyed</p> <p>OTHER FABRICS:</p> <p>320.--90 8 oz. or Over Per Sq. Yd. and 52" or Over Wide</p> <p>320.--94 Not 8 oz. or Over and Not 52" or Over Wide</p> <p>BLEACHED BUT NOT COLORED:</p> <p>321.--78 Napped Fabrics Other Than Yarn-Dyed</p> <p>OTHER FABRICS:</p> <p>321.--90 8 oz. or Over Per Sq. Yd. and 52" or Over Wide</p> <p>321.--94 Not 8 oz. or Over and Not 52" or Over Wide</p> <p>COLORED, WHETHER OR NOT BLEACHED:</p> <p>322.--78 Napped Fabrics Other Than Yarn-Dyed</p> <p>OTHER FABRICS:</p> <p>322.--90 8 oz. or Over Per Sq. Yd. and 52" or Over Wide</p> <p>322.--94 Not 8 oz. or Over and Not 52" or Over Wide</p> <p>FANCY OR FIGURED:</p> <p>NOT BLEACHED OR COLORED:</p> <p>323.--78 Napped Fabrics Other Than Yarn-Dyed</p> <p>OTHER FABRICS:</p> <p>323.--90 8 oz. or Over Per Sq. Yd. and 52" or Over Wide</p> <p>323.--94 Not 8 oz. or Over and Not 52" or Over Wide</p> <p>BLEACHED BUT NOT COLORED:</p> <p>324.--78 Napped Fabrics Other Than Yarn-Dyed</p> <p>OTHER FABRICS:</p> <p>324.--90 8 oz. or Over Per Sq. Yd. and 52" or Over Wide</p> <p>324.--94 Not 8 oz. or Over and Not 52" or Over Wide</p>	1.0	Syd.

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TEXTILE Category	TSUSA Number	DESCRIPTION	CONVERSION FACTOR	UNIT OF MEASURE
<u>27 CONT'D</u>		<u>OTHER WOVEN FABRICS, N.E.S., COMBED CONT'D</u>	<u>1.0</u>	<u>Syd.</u>
		WHOLLY OF COTTON: CONT'D		
		FANCY OR FIGURED: CONT'D		
		COLORED, WHETHER OR NOT BLEACHED:		
	325.--78	Napped Fabrics Other Than Yarn-Dyed.		
		OTHER FABRICS:		
	325.--90	8 oz. or Over Per Sq. Yd. and 52" or Over Wide		
	325.--94	Not 8 oz. or Over and Not 52" or Over Wide		
		IN CHIEF VALUE, BUT NOT WHOLLY OF COTTON, CONTAINING SILK OR MAN-MADE FIBERS OR BOTH:		
		NOT FANCY OR FIGURED:		
		NOT BLEACHED OR COLORED:		
	326.--78	Napped Fabrics Other Than Yarn-Dyed		
		OTHER FABRICS:		
	326.--90	8 oz. or Over Per Sq. Yd. and 52" or Over Wide		
	326.--94	Not 8 oz. or Over and Not 52" or Over Wide		
		BLEACHED BUT NOT COLORED:		
	327.--78	Napped Fabrics Other Than Yarn-Dyed		
		OTHER FABRICS:		
	327.--90	8 oz. or Over Per Sq. Yd. and 52" or Over Wide		
	327.--94	Not 8 oz. or Over and Not 52" or Over Wide		
		COLORED, WHETHER OR NOT BLEACHED:		
	328.--78	Napped Fabrics Other Than Yarn-Dyed		
		OTHER FABRICS:		
	328.--90	8 oz. or Over Per Sq. Yd. and 52" or Over Wide		
	328.--94	Not 8 oz. or Over and Not 52" or Over Wide		
		FANCY OR FIGURED:		
		NOT BLEACHED OR COLORED:		
	329.--78	Napped Fabrics Other Than Yarn-Dyed		
		OTHER FABRICS:		
	329.--90	8 oz. or Over Per Sq. Yd. and 52" or Over Wide		
	329.--94	Not 8 oz. or Over and Not 52" or Over Wide		

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TEXTILE Category	TSUSA Number	DESCRIPTION	CONVERSION FACTOR	UNIT OF MEASURE
<u>27</u> CONT'D		<u>OTHER WOVEN FABRICS, N.E.S., COMBED CONT'D</u>	<u>1.0</u>	<u>Syd.</u>
		IN CHIEF VALUE, BUT NOT WHOLLY OF COTTON, CONTAINING SILK OR MAN-MADE FIBERS OR BOTH: CONT'D		
		FANCY OR FIGURED: CONT'D		
		BLEACHED BUT NOT COLORED:		
	330.--78	Napped Fabrics Other than Yarn-Dyed		
		OTHER FABRICS:		
	330.--90	8 oz. or over per Syd. and 52" or over Wide		
	330.--94	Not 8 oz. or over and not 52" or over Wide		
		COLORED, WHETHER OR NOT BLEACHED:		
	331.--78	Napped Fabrics Other than Yarn-Dyed		
		OTHER FABRICS:		
	331.--90	8 oz. or over per Syd. and 52" or over Wide		
	331.--94	Not 8 oz. or over and not 52" or over Wide		
	332.1040	Woven Fabrics, in Chief Value, but not wholly of Cotton, Containing Wool, Whether or not Containing Silk or Man-Made Fibers or Both, but not Containing Other Fibers		
	332.4040	Other Woven Fabrics, in Chief Value but not Wholly Cotton, Combed		
	346.3040	Terry Fabrics Valued not over \$1.125 per Pound		
	346.3240	Terry Fabrics Valued over \$1.125 per Pound		
		Velvet, Plush and Velour:		
	346.3545	Velvets, under 48" in Width, with Cut Warp Pile, Weighing Less than 8 oz. per Syd.		
	346.3550	Other		
	346.4040	Chenille		
	346.4540	Other Pile Fabrics, not Knit		
	357.0514	Tapestry Fabric, Jacquard-Figured		
	357.0518	Upholstery Fabric, Jacquard-Figured Except Pile		
<u>28</u>		<u>PILLOWCASES, CARDED</u>	<u>1.084</u>	<u>No.</u>
	363.3020	Pillowcases, Carded, not Ornamented, (Including Bolster sets)		
<u>29</u>		<u>PILLOWCASES, COMBED</u>	<u>1.084</u>	<u>No.</u>
	363.3040	Pillowcases, Combed, not Ornamented, (Including Bolster Sets)		
<u>30</u>		<u>TOWELS, DISH</u>	<u>.348</u>	<u>No.</u>
	365.7820	Dish Towels, with Fringe, Ornamented		
	366.2760	Dish Towels, not Jacquard-Figured, not Ornamented		

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TEXTILE Category	TSUSA Number	DESCRIPTION	CONVERSION FACTOR	UNIT OF MEASURE
<u>31</u>		<u>TOWELS, OTHER</u>	<u>.348</u>	<u>No.</u>
		OTHER TOWELS NOT ORNAMENTED:		
		VALUED NOT OVER 45¢ EACH:		
	366.1820	Dish Towels, Terry		
	366.1840	Dish Towels of Pile or Tufted Construction		
	366.1860	Terry Towels, Other Than Dish Towels		
	366.1880	Towels of Pile or Tuft Construction, Other Than Dish Towels		
		VALUED OVER 45¢ EACH BUT NOT OVER \$1.45 PER POUND:		
	366.2120	Dish Towels, Terry		
	366.2140	Dish Towels, of Pile or Tuft Construction		
	366.2160	Terry Towels, Other Than Dish Towels		
	366.2180	Towels of Pile or Tuft Construction, Other Than Dish Towels		
		VALUED OVER 45¢ EACH AND OVER \$1.45 PER POUND:		
	366.2420	Dish Towels, Terry		
	366.2440	Dish Towels of Pile or Tuft Construction		
	366.2460	Terry Towels, Other Than Dish Towels		
	366.2480	Towels of Pile or Tuft Construction, Other Than Dish Towels		
		OTHER TOWELS, NOT ORNAMENTED:		
	366.2720	Jacquard-Figured, Not Pile		
		NOT JACQUARD-FIGURED:		
	366.2740	Shop Towels (Dedicated to Use in Garages, Filling Stations and Machine Shops)		
	366.2780	Other		
<u>32</u>		<u>HANDKERCHIEFS, WHETHER OR NOT IN THE PIECE</u>	<u>1.66</u>	<u>Doz.</u>
		LACE HANDKERCHIEFS, WHETHER OR NOT ORNAMENTED:		
		NOT CONTAINING ANY HANDMADE LACE AND NOT ORNAMENTED IN ANY PART BY HAND:		
	370.0420	Valued Not Over 70¢ Per Doz., Having Hand-Rolled or Handmade Hems		
	370.0440	Valued Not Over 70¢ Per Doz., With Other Than Hand-Rolled or Handmade Hems		
	370.0460	Valued Over 70¢ Per Doz., But Not Over \$1.50		
	370.0800	Valued Over \$1.50 Per Doz.		

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32 CONT'D		HANDKERCHIEFS, WHETHER OR NOT IN THE PIECE CONT'D	1.66	Doz.
		LACE HANDKERCHIEFS, WHETHER OR NOT ORNAMENTED: CONT'D		
		CONTAINING HANDMADE LACE OR ORNAMENTED IN PART BY HAND:		
	370.1620	Valued Not Over 70c Per Doz., and Not Made With Hand-Rolled or Handmade Hems		
	370.1640	Other Than Those Valued Not Over 70c Per Doz., and Not Made With Hand-Rolled or Handmade Hems		
		HANDKERCHIEFS, NOT HEMMED, NOT ORNAMENTED:		
		NOT FANCY OR FIGURED OR COLORED:		
	370.2400	Not Over 50s Average Yarn Number		
	370.2800	Over 50s But Not Over 70s Average Yarn Number		
	370.3200	Over 70s Average Yarn Number		
		FANCY OR FIGURED, COLORED OR BOTH:		
	370.3600	Not Over 50s Average Yarn Number		
	370.4000	Over 50s But Not Over 70s Average Yarn Number		
	370.4400	Over 70s Average Yarn Number		
		HANDKERCHIEFS, HEMMED OR HEMSTITCHED, NOT ORNAMENTED:		
		NOT FANCY OR FIGURED OR COLORED:		
	370.4800	Not Over 50s Average Yarn Number		
	370.5200	Over 50s But Not Over 70s Average Number		
	370.5600	Over 70s Average Yarn Number		
		FANCY OR FIGURED, COLORED OR BOTH:		
		NOT OVER 50s AVERAGE YARN NUMBER:		
	370.6020	Colored		
	370.6040	Not Colored		
		OVER 50s BUT NOT OVER 70s AVERAGE YARN NUMBER:		
	370.6420	Colored		
	370.6440	Not Colored		
		OVER 70s AVERAGE YARN NUMBER:		
	370.6820	Colored		
	370.6840	Not Colored		

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TEXTILE Category	TSUSA Number	DESCRIPTION	CONVERSION FACTOR	UNIT OF MEASURE
<u>33</u>		<u>TABLE DAMASK AND MANUFACTURES</u>	<u>3.17</u>	<u>Lb.</u>
		TABLE DAMASK, FANCY OR FIGURED:		
		WHOLLY OF COTTON:		
	323.--52	Not Bleached or Colored		
	324.--52	Bleached But Not Colored		
	325.--52	Colored, Whether or Not Bleached		
		CHIEF VALUE, BUT NOT WHOLLY OF COTTON:		
	329.--52	Not Bleached or Colored		
	330.--52	Bleached But Not Colored		
	331.--52	Colored, Whether or Not Bleached		
	366.4200	Tablecloths and Napkins, Damask, Not Ornamented		
	366.7500	Furnishings, Damask, Except Curtains and Drapes, Etc., Towels, Tablecloths, and Napkins, Not Ornamented		
<u>34</u>		<u>SHEETS, CARDED</u>	<u>6.2</u>	<u>No.</u>
	363.3010	Sheets, Carded, Not Ornamented		
<u>35</u>		<u>SHEETS, COMBED</u>	<u>6.2</u>	<u>No.</u>
	363.3030	Sheets, Combed, Not Ornamented		
<u>36</u>		<u>BEDSPREADS AND QUILTS</u>	<u>6.9</u>	<u>No.</u>
		LACE OR NET BEDDING, WHETHER OR NOT ORNAMENTED:		
		LACE, NET OR ORNAMENTED:		
	363.0515	Bedspreads		
	363.0520	Coverlets, Quilts and Comforters		
		NOT ORNAMENTED:		
	363.5020	Bedspreads, Tufted, Block-Printed by Hand, Not Jacquard-Figured		
	363.5040	Bedspreads, Other Than Tufted, Block-Printed by Hand, Not Jacquard-Figured		
	363.5060	Coverlets, Quilts and Comforters, Block-Printed by Hand, Not Jacquard-Figured		
	363.5120	Bedspreads, Tufted, Not Block-Printed by Hand, Not Jacquard-Figured		
	363.5140	Bedspreads, Other Than Tufted, Not Block-Printed by Hand, Not Jacquard-Figured		

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TEXTILE Category	TSUSA Number	DESCRIPTION	CONVERSION FACTOR	UNIT OF MEASURE
<u>36</u> CONT'D		<u>BEDSPREADS AND QUILTS CONT'D</u>	<u>6.9</u>	<u>No.</u>
		LACE OR NET BEDDING, WHETHER OR NOT ORNAMENTED: CONT'D		
		NOT ORNAMENTED: CONT'D		
	363.5160	Coverlets, Quilts, and Comforters, Not Block-Printed by Hand, Not Jacquard-Figured		
	363.5520	Bedspreads, Tufted, Jacquard-Figured		
	363.5540	Bedspreads, Other Than Tufted, Jacquard-Figured		
	363.5560	Coverlets, Quilts, and Comforters, Jacquard-Figured		
<u>37</u>		<u>BRAIDED AND WOVEN ELASTIC</u>	<u>4.6</u>	<u>Lb.</u>
	349.1500	Elastic Fabrics, Not Braided		
	349.3010	Elastic Yarns, Cordage Braids and Fabrics, Braided		
<u>38</u>		<u>FISHING NETS AND FISH NETTING</u>	<u>4.6</u>	<u>Lb.</u>
	355.3500	Fish Netting and Fish Nets		
<u>39</u>		<u>GLOVES AND MITTENS</u>	<u>3.527</u>	<u>Dpr.</u>
		GLOVES AND GLOVE LININGS:		
		ORNAMENTED:		
		MADE FROM PRE-EXISTING MACHINE-KNIT OR WOVEN FABRIC:		
	704.0520	Woven		
	704.1020	Not Woven		
	704.1520	Other Than Made From Pre-Existing Machine-Knit or Woven Fabric		
		NOT ORNAMENTED:		
		MADE FROM PRE-EXISTING MACHINE-KINT OR WOVEN FABRIC:		
		WOVEN:		
	704.4010	Without Fourchettes or Sidewalls		
	704.4025	Other		
		NOT WOVEN:		
	704.4510	Without fourchettes or Sidewalls		
	704.4525	Other		
	704.5015	Other Than Made From Pre-Existing Machine-Knit or Woven Fabric		

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TEXTILE Category	TSUSA Number	DESCRIPTION	CONVERSION FACTOR	UNIT OF MEASURE
<u>40</u>		<u>HOSE AND HALF HOSE</u> HOSIERY, LACE, NET OR ORNAMENTED: EMBROIDERED: 374.0520 Valued Not Over \$5 Per Doz. Pair 374.1020 Valued Over \$5 Per Doz. Pair OTHER HOSIERY, NOT ORNAMENTED: 374.4020 Not Made or Cut From Pre-Existing Fabric 374.4520 Made or Cut From Pre-Existing Fabric	<u>4.6</u>	<u>Dpr.</u>
<u>41</u>		<u>T-SHIRTS, ALL WHITE, MEN'S &amp; BOYS'</u> 380.0635 Not Ornamented, Knit	<u>7.234</u>	<u>Doz.</u>
<u>42</u>		<u>T-SHIRTS, OTHER, KNIT</u> MEN'S AND BOYS' T-SHIRTS: 380.0018 All White T-Shirts, Lace, Net or Ornamented 380.0021 Other T-Shirts, Lace, Net or Ornamented 380.0640 T-Shirts, Except All White, Not Ornamented WOMEN'S, GIRLS' AND INFANTS' T-SHIRTS: 382.0022 Lace, Net or Ornamented 382.0660 Not Ornamented	<u>7.234</u>	<u>Doz.</u>
<u>43</u>		<u>SHIRTS, KNIT, OTHER THAN T-SHIRTS OR SWEATSHIRTS</u> 380.0650 Men's and Boys', Not Ornamented 382.0670 Women's, Girls' and Infants', Not Ornamented	<u>7.234</u>	<u>Doz.</u>
<u>44</u>		<u>SWEATERS AND CARDIGANS</u> SWEATERS AND CARDIGANS, KNIT, NOT ORNAMENTED: 380.0655 Men's and Boys' 382.0680 Women's, Girls' and Infants'	<u>36.8</u>	<u>Doz.</u>
<u>45</u>		<u>SHIRTS, DRESS, NOT KNIT, MEN'S AND BOYS'</u> 380.0061 Men's and Boys' Dress Shirts, Lace, Net or Ornamented 380.0064 Men's and Boys' Work Shirts, Lace, Net or Ornamented	<u>22.186</u>	<u>Doz.</u>

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<u>45</u> CONT'D		<u>SHIRTS, DRESS, NOT KNIT, MEN'S AND BOYS' CONT'D</u>	<u>22.186</u>	<u>Doz.</u>
		DRESS SHIRTS:		
		MEN'S:		
	380.2752	Poplin and Broadcloth, Not Ornamented		
	380.2755	Gingham, Not Ornamented		
	380.2759	Other Than Poplin, Broadcloth or Gingham, Not Ornamented		
		BOYS':		
	380.2762	Poplin and Broadcloth, Not Ornamented		
	380.2765	Gingham, Not Ornamented		
	380.2769	Other Than Poplin, Broadcloth, or Gingham, Not Ornamented		
		INFANTS':		
	382.0078	Other Than Sport Shirts, Lace, Net or Ornamented		
	382.3370	Other Than Sport Shirts, Not Ornamented		
<u>46</u>		<u>SHIRTS, SPORT, NOT KNIT, MEN'S AND BOYS'</u>	<u>24.457</u>	<u>Doz.</u>
		MEN'S AND BOYS' SPORT SHIRTS:		
	380.0067	Lace, Net or Ornamented		
		MEN'S SPORT SHIRTS:		
	380.2782	Of Corduroy, Not Ornamented		
	380.2785	Of Gingham, Not Ornamented		
	380.2787	Of Flannel, Not Ornamented		
	380.2789	Of Other Fabric, Not Ornamented		
		BOYS' SPORT SHIRTS:		
	380.2792	Of Corduroy, Not Ornamented		
	380.2795	Of Gingham, Not Ornamented		
	380.2797	Of Flannel, Not Ornamented		
	380.2799	Of Other Fabrics, Not Ornamented		
		INFANTS' SPORT SHIRTS:		
	382.0076	Lace, Net or Ornamented		
	382.3368	Not Ornamented		

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<u>47</u>		<u>SHIRTS, WORK, NOT KNIT</u>	<u>22.186</u>	<u>Doz.</u>
		MEN'S AND BOY' WORK SHIRTS, NOT KNIT, NOT ORNAMENTED:		
	380.2772	Of Poplin and Broadcloth		
	380.2775	Of Corduroy		
	380.2777	Of Yarn-Dyed Fabrics, Except Gingham		
	380.2778	Of Twill or Sateen		
	380.2779	Of Other Fabrics		
<u>48</u>		<u>RAINCOATS, 3/4 LENGTH OR LONGER, NOT KNIT</u>	<u>50.0</u>	<u>Doz.</u>
		MEN'S AND BOYS' RAINCOATS, 3/4 LENGTH OR LONGER, NOT ORNAMENTED:		
		VALUED NOT OVER \$4 EACH:		
	380.0910	Corduroy		
	380.0920	Not Corduroy		
		VALUED OVER \$4 EACH:		
	380.1210	Corduroy		
	380.1220	Not Corduroy		
		VALUED NOT OVER \$4 EACH:		
		WOMEN'S, NOT ORNAMENTED:		
	382.0902	Of Corduroy		
	382.0904	Of Velveteen		
	382.0906	Of Other Than Corduroy or Velveteen		
		GIRLS' AND INFANTS', NOT ORNAMENTED:		
	382.0908	Of Corduroy		
	382.0910	Of Velveteen		
	382.0912	Of Other Than Corduroy or Velveteen		
		VALUED OVER \$4 EACH:		
		WOMEN'S, NOT ORNAMENTED:		
	382.1202	Of Corduroy		
	382.1204	Of Velveteen		
	382.1206	Of Other Than Corduroy or Velveteen		

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TEXTILE Category	TSUSA Number	DESCRIPTION	CONVERSION FACTOR	UNIT OF MEASURE
<u>48</u> CONT'D		<u>RAINCOATS, 3/4 LENGTH OR LONGER, NOT KNIT CONT'D</u>	<u>50.0</u>	<u>Doz.</u>
		VALUED OVER \$4 EACH: CONT'D		
		GIRLS' AND INFANTS', NOT ORNAMENTED:		
	382.1208	Of Corduroy		
	382.1210	Of Velveteen		
	382.1212	Of Other Than Corduroy and Velveteen		
<u>49</u>		<u>COATS, OTHER, NOT KNIT</u>	<u>32.5</u>	<u>Doz.</u>
		MEN'S AND BOYS' OTHER COATS, NOT ORNAMENTED:		
		VALUED NOT OVER \$4 EACH:		
	380.0940	Suit-Type Coats, Suit-Type Sport Coats, and Suit-Type Jackets of Corduroy		
	380.0960	Suit-Type Coats, Suit-Type Sport Coats, and Suit-Type Jackets of Other Than Corduroy		
	380.0980	Other Men's and Boys' Coats, Other Than Raincoats, 3/4 Length or Longer and Suit-Type Coats, Etc., of Corduroy		
	380.0990	Other Men's and Boys' Coats, Other Than Raincoats, 3/4 Length or Longer and Suit-Type Coats, Etc., of Other Than Corduroy		
		VALUED OVER \$4 EACH:		
	380.1240	Suit-Type Coats, Suit-Type Sport Coats, and Suit-Type Jackets of Corduroy		
	380.1260	Suit-Type Coats, Suit-Type Sport Coats, and Suit-Type Jackets of Other Than Corduroy		
	380.1280	Other Men's and Boys' Coats, Other Than Raincoats 3/4 Length or Longer and Suit-Type Coats, Etc., of Corduroy		
	380.1290	Other Men's and Boys' Coats, Other Than Raincoats 3/4 Length or Longer and Suit-Type Coats, Etc., of Other Than Corduroy		
		VALUED NOT OVER \$4 EACH:		
		NOT ORNAMENTED:		
		WOMEN'S, GIRLS' AND INFANTS' COATS (EXCEPT RAINCOATS):		
	382.0914	Of Corduroy, 3/4 Length or Longer		
	382.0916	Of Velveteen, 3/4 Length or Longer		
	382.0918	Of Other Than Corduroy and Velveteen, 3/4 Length or Longer		

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<u>49</u> CONT'D		<u>COATS, OTHER, NOT KNIT</u> CONT'D	<u>32.5</u>	<u>Doz.</u>
		VALUED NOT OVER \$4 EACH: CONT'D		
		NOT ORNAMENTED: CONT'D		
		WOMEN'S, GIRLS' AND INFANTS' COATS (EXCEPT RAIN- COATS 3/4 LENGTH OR LONGER AND OTHER COATS 3/4 LENGTH OR LONGER):		
	382.0920	Of Corduroy		
	382.0922	Of Velveteen		
	382.0924	Of Other Than Corduroy and Velveteen		
		VALUED OVER \$4 EACH:		
		NOT ORNAMENTED:		
		WOMEN'S, GIRLS' AND INFANTS' COATS (EXCEPT RAIN- COATS):		
	382.1214	Of Corduroy, 3/4 Length or Longer		
	382.1216	Of Velveteen, 3/4 Length or Longer		
	382.1218	Of Other Than Corduroy or Velveteen, 3/4 Length or Longer		
		WOMEN'S, GIRLS' AND INFANTS' OTHER COATS, (EXCEPT RAINCOATS, 3/4 LENGTH OR LONGER AND OTHER COATS 3/4 LENGTH OR LONGER):		
	382.1220	Of Corduroy		
	382.1222	Of Velveteen		
	382.1224	Of Other Than Corduroy or Velveteen		
<u>50</u>		<u>TROUSERS, SLACKS AND SHORTS (OUTER) NOT KNIT, MEN'S AND BOYS'</u>	<u>17.797</u>	<u>Doz.</u>
		MEN'S TROUSERS, SLACKS AND SHORTS, NOT ORNAMENTED:		
	380.3922	Of Yarn-Dyed Fabric		
	380.3925	Of Twill		
	380.3927	Of Corduroy		
	380.3929	Of Other Than Yarn-Dyed Fabric, Twill or Corduroy		
		BOYS' TROUSERS, SLACKS AND SHORTS, NOT ORNAMENTED:		
	380.3932	Of Yarn-Dyed Fabric, Except Gingham		
	380.3935	Of Twill		
	380.3937	Of Corduroy		
	380.3939	Of Other Than Yarn-Dyed Fabrics Except Gingham, Twills or Corduroy		

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<u>51</u>		<u>TROUSERS, SLACKS AND SHORTS (OUTER) NOT KNIT, WOMEN'S, GIRLS' AND INFANTS'</u>	<u>17.797</u>	<u>Doz.</u>
		ORNAMENTED:		
	382.0084	Women's		
	382.0086	Girls' and Infants'		
		NOT ORNAMENTED:		
	382.3346	Women's, of Yarn-Dyed Fabrics, N.E.S.		
	382.3348	Girls' and Infants' of Yarn-Dyed Fabrics, N.E.S.		
		TWILL:		
	382.3350	Women's		
	382.3352	Girls' and Infants'		
		CORDUROY:		
	382.3354	Women's		
	382.3356	Girls' and Infants'		
		VELVETEEN:		
	382.3358	Women's		
	382.3360	Girls' and Infants'		
		OF OTHER THAN YARN-DYED FABRICS, N.E.S., TWILL, CORDUROY OR VELVETEEN:		
	382.3362	Women's		
	382.3364	Girls' and Infants'		
<u>52</u>		<u>BLOUSES, NOT KNIT</u>	<u>14.53</u>	<u>Doz.</u>
		BLOUSES, LACE, NET OR ORNAMENTED:		
		WOMEN'S:		
	382.0040	Of Poplin and Broadcloth		
	382.0042	Of Gingham		
	382.0044	Of Other Than Gingham, Poplin and Broadcloth		
		GIRLS' AND INFANTS':		
	382.0046	Of Poplin and Broadcloth		
	382.0048	Of Gingham		
	382.0050	Of Other Than Gingham, Poplin and Broadcloth		

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<u>52</u> CONT'D		<u>BLOUSES, NOT KNIT CONT'D</u>	<u>14.53</u>	<u>Doz.</u>
		BLOUSES, NOT ORNAMENTED:		
		POPLIN AND BROADCLOTH:		
	382.3302	Women's		
	382.3304	Girls' and Infants'		
		GINGHAM:		
	382.3306	Women's		
	382.3308	Girls' and Infants'		
		OTHER THAN POPLINS AND BROADCLOTH OR GINGHAMS:		
	382.3310	Women's		
	382.3312	Girls' and Infants'		
<u>53</u>		<u>DRESSES, (INCLUDING UNIFORMS) NOT KNIT</u>	<u>45.3</u>	<u>Doz.</u>
		DRESSES, LACE, NET OR ORNAMENTED:		
		WOMEN'S:		
	382.0058	Of Corduroy		
	382.0060	Of Velveteen		
	382.0062	Of Other Than Corduroy or Velveteen		
		GIRLS' AND INFANTS':		
	382.0064	Of Corduroy		
	382.0066	Of Velveteen		
	382.0068	Of Other Than Corduroy or Velveteen		
		DRESSES, NOT ORNAMENTED:		
		VELVETEEN:		
	382.3314	Women's		
	382.3316	Girls' and Infants'		
		CORDUROY:		
	382.3318	Women's		
	382.3320	Girls' and Infants'		
		OTHER THAN CORDUROY OR VELVETEEN:		
	382.3322	Women's		
	382.3324	Girls' and Infants'		

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<u>54</u>		<u>PLAYSUITS, SUNSUITS, WASHSUITS, CREEPERS, ROMPERS, ETC., NOT KNIT, N.E.S.</u>	<u>25.0</u>	<u>Doz.</u>
		MEN'S AND BOYS':		
	380.0058	Ornamented		
	380.3912	Not Ornamented		
		WOMEN'S, GIRLS' AND INFANTS':		
	382.0074	Lace, Net or Ornamented		
		NOT ORNAMENTED:		
	382.3328	Corduroy		
	382.3330	Velveteen		
	382.3332	Other Than Corduroy or Velveteen		
<u>55</u>		<u>DRESSING GOWNS, INCLUDING BATHROBES AND BEACHROBES, LOUNGING GOWNS, HOUSE COATS AND DUSTERS, NOT KNIT</u>	<u>51.0</u>	<u>Doz.</u>
		MEN'S AND BOYS':		
	380.0049	Lace, Net or Ornamented		
		NOT ORNAMENTED:		
		VALUED NOT OVER \$2.50 EACH:		
	380.1520	Of Corduroy		
	380.1540	Of Other Than Corduroy		
		VALUED OVER \$2.50 EACH:		
	380.1820	Of Corduroy		
	380.1840	Of Other Than Corduroy		
		WOMEN'S, GIRLS' AND INFANTS':		
	382.0070	Lace, Net or Ornamented		
		VALUED NOT OVER \$2.50 EACH:		
	382.1520	Of Corduroy		
	382.1540	Of Velveteen		
	382.1560	Of Other Than Corduroy or Velveteen		
		VALUED OVER \$2.50 EACH:		
	382.1820	Of Corduroy		
	382.1840	Of Velveteen		
	382.1860	Of Other Than Corduroy or Velveteen		

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TEXTILE Category	TSUSA Number	DESCRIPTION	CONVER- SION FACTOR	UNIT OF MEA- SURE
<u>56</u>		<u>UNDERSHIRTS, KNIT, MEN'S AND BOYS'</u> NOT ORNAMENTED: VALUED NOT OVER \$4 PER POUND: 378.1014 Athletic-Type Undershirts 378.1029 Other Than Athletic-Type Undershirts, Unionsuits, Briefs, Drawers and Undershorts VALUED OVER \$4 PER POUND: 378.1514 Athletic-Type Undershirts 378.1529 Other Than Athletic-Type Undershirts, Unionsuits, Briefs, Drawers and Undershorts	<u>9.2</u>	<u>Doz.</u>
<u>57</u>		<u>BRIEFS AND UNDERSHORTS</u> BRIEFS, DRAWERS AND UNDERSHORTS: KNIT, NOT ORNAMENTED: VALUED NOT OVER \$4 PER POUND: 378.1016 Men's and Boys' 378.1034 Women's, Girls' and Infants' VALUED OVER \$4 PER POUND: 378.1516 Men's and Boys' 378.1534 Women's, Girls' and Infants' NOT KNIT, NOT ORNAMENTED: MEN'S AND BOYS': 378.2012 Valued Not Over 75c Per Separate Piece 378.2512 Valued Over 75c Per Separate Piece	<u>11.25</u>	<u>Doz.</u>
<u>58</u>		<u>OTHER UNDERWEAR, KNIT, N.E.S.</u> 378.0521 Men's and Boys' Underwear, Lace or Net WOMEN'S GIRLS' AND INFANTS': LACE OR NET: 378.0531 Undershirts 378.0532 Briefs, Drawers, and Shorts 378.0533 Underwear Other Than Undershirts, Briefs, Drawers and Shorts	<u>5.0</u>	<u>Doz.</u>

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TEXTILE Category	TSUSA Number	DESCRIPTION	CONVER- SION FACTOR	UNIT OF MEA- SURE
<u>58</u> CONT'D		<u>OTHER UNDERWEAR, KNIT, N.E.S., CONT'D</u>	<u>5.0</u>	<u>Doz.</u>
		MEN'S AND BOYS':		
		ORNAMENTED:		
	378.0541	Unionsuits		
	378.0542	Athletic-Type Undershirts		
	378.0544	Briefs, Drawers and Undershorts		
	378.0546	Underwear Other Than Unionsuits, Athletic-Type Under- shirts, Briefs, Drawers and Undershorts		
		WOMEN'S, GIRLS' AND INFANTS':		
		ORNAMENTED:		
	378.0551	Undershirts		
	378.0552	Briefs, Drawers and Undershorts		
	378.0554	Underwear Other Than Undershirts, Briefs, Drawers and Undershorts		
		NOT ORNAMENTED:		
		VALUED NOT OVER \$4 PER POUND:		
	378.1032	Undershirts		
	378.1039	Underwear Other Than Undershirts, Briefs, Drawers and Undershorts		
		VALUED OVER \$4 PER POUND:		
	378.1532	Undershirts		
	378.1539	Underwear Other Than Undershirts, Briefs, Drawers and Undershorts		
<u>59</u>		<u>ALL OTHER UNDERWEAR, NOT KNIT</u>	<u>16.0</u>	<u>Doz.</u>
		ORNAMENTED:		
		MEN'S AND BOYS':		
	378.0562	Briefs, Drawers and Undershorts		
	378.0564	Other		
	378.0571	Women's, Girls' and Infants' Underwear		
		NOT ORNAMENTED:		
		VALUED NOT OVER 75c PER SEPARATE PIECE:		
	378.2018	Other, Men's and Boys'		
	378.2030	Women's, Girls' and Infants' Underwear		

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<u>59</u> CONT'D		<u>ALL OTHER UNDERWEAR, NOT KNIT CONT'D</u>	<u>16.0</u>	<u>Doz.</u>
		NOT ORNAMENTED: CONT'D		
		VALUED OVER 75c PER SEPARATE PIECE:		
		MEN'S AND BOYS'		
	378.2518	Other		
	378.2530	Women's, Girls' and Infants' Underwear		
<u>60</u>		<u>PAJAMAS AND OTHER NIGHTWEAR</u>	<u>51.96</u>	<u>Doz.</u>
		MEN'S AND BOYS':		
		KNIT:		
	380.0012	Pajamas, Lace, Net or Ornamented		
	380.0625	Pajamas and Other Nightwear, Not Ornamented		
		NOT KNIT:		
		NOT ORNAMENTED:		
	380.2100	Pajamas, Valued Not Over \$1.50 Per Suit		
	380.2400	Pajamas, Valued Over \$1.50 Per Suit		
	380.3909	Nightwear except Pajamas		
		WOMEN'S, GIRLS' AND INFANTS':		
		KNIT:		
	382.0018	Pajamas and Other Nightwear, Lace, Net or Ornamented		
	382.0650	Pajamas and Other Nightwear, Not Ornamented		
		NOT KNIT:		
		NOT ORNAMENTED:		
	382.2100	Pajamas, Valued Not Over \$1.50 Per Suit		
	382.2400	Pajamas, Valued Over \$1.50 Per Suit		
	382.3326	Nightwear, Except Pajamas		

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<u>61</u>		<u>BRASSIERES AND OTHER BODY SUPPORTING GARMENTS</u>	<u>4.75</u>	<u>Doz.</u>
		LACE, NET OR ORNAMENTED:		
	376.2425	Brassieres		
	376.2465	Body Supporting Garments, (Except Brassieres) Women's, Girls' and Infants'		
	376.2490	Other Body Supporting Garments, Men's and Boys'		
		NOT ORNAMENTED:		
	376.2825	Brassieres		
	376.2865	Body Supporting Garments, Except Brassiers, Women's, Girls' and Infants'		
	376.2890	Other Body Supporting Garments, Men's and Boys'		
<u>62</u>		<u>WEARING APPAREL, KNIT, N.E.S.</u>	<u>4.6</u>	<u>Lb.</u>
		MUFFLERS, SCARVES, SHAWLS:		
	372.1010	Lace, Net or Ornamented		
	372.1520	Not Ornamented		
		MEN'S AND BOYS' NECKTIES:		
	373.0510	Ornamented		
	373.1010	Not Ornamented		
	374.1520	Hosiery, Lace, Net or Ornamented, Not Embroidered		
		MEN'S AND BOYS' UNIONSUITS:		
		NOT ORNAMENTED:		
	378.1012	Valued Not Over \$4 Per Pound		
	378.1512	Valued Over \$4 Per Pound		
		MEN'S AND BOYS' OTHER WEARING APPAREL:		
		ORNAMENTED:		
		COATS:		
	380.0003	Raincoats, 3/4 Length or Longer		
	380.0006	Other Coats		
	380.0009	Dressing Gowns, Incl. Bathrobes, Beachrobes, Etc.		
	380.0015	Playsuits, Sun suits, Washsuits, Etc.		
	380.0024	Sweatshirts		
	380.0027	Shirts, Other Than T-Shirts and Sweatshirts		
	380.0030	Sweaters		
	380.0033	Trousers, Slacks and Shorts		
	380.0036	Other Wearing Apparel		

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TEXTILE Category	TSUSA Number	DESCRIPTION	CONVERSION FACTOR	UNIT OF MEASURE
62 CONT'D		WEARING APPAREL, KNIT, N.E.S. CONT'D	4.6	Lb.
		MEN'S AND BOYS' OTHER WEARING APPAREL: CONT'D		
		NOT ORNAMENTED:		
		COATS:		
	380.0610	Raincoats, 3/4 Length or Longer		
	380.0615	Other Coats		
	380.0620	Dressing Gowns, Incl. Bathrobes, Beachrobes, Lounging Gowns, Etc.		
	380.0630	Playsuits, Sun suits, Washsuits, Etc.		
	380.0645	Sweatshirts		
	380.0660	Trousers, Slacks and Shorts		
	380.0690	Other Wearing Apparel		
		WOMEN'S, GIRLS' AND INFANTS':		
		LACE, NET OR ORNAMENTED:		
	382.0002	Blouses		
		RAINCOATS, 3/4 LENGTH OR LONGER:		
	382.0004	Women's		
	382.0006	Girls' and Infants'		
	382.0008	Other Coats, 3/4 Length or Longer		
	382.0010	Other Coats, Other Than 3/4 Length or Longer		
		DRESSES:		
	382.0012	Women's		
	382.0014	Girls' and Infants'		
	382.0016	Dressing Gowns, Etc.		
	382.0020	Playsuits, Sun suits, Washsuits, Etc.		
	382.0024	Sweatshirts		
	382.0026	Other Shirts, Other Than T-Shirts and Sweatshirts		
	382.0028	Skirts		
	382.0030	Sweaters		
	382.0032	Trousers, Slacks and Shorts		
	382.0034	Other Wearing Apparel		

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TEXTILE Category	TSUSA Number	DESCRIPTION	CONVERSION FACTOR	UNIT OF MEASURE
<u>62</u> CONT'D		<u>WEARING APPAREL, KNIT, N.E.S. CONT'D</u>	<u>4.6</u>	<u>Lb.</u>
		WOMEN'S, GIRLS' AND INFANTS': CONT'D		
		NOT ORNAMENTED:		
		BLOUSES:		
	382.0605	Women's		
	382.0610	Girls' and Infants'		
		RAINCOATS, 3/4 LENGTH OR LONGER:		
	382.0615	Women's		
	382.0620	Girls' and Infants'		
	382.0625	Other Coats (Except Raincoats) 3/4 Length or Longer		
	382.0630	Other Coats Other Than 3/4 Length or Longer		
		DRESSES:		
	382.0635	Women's		
	382.0640	Girls' and Infants'		
	382.0645	Dressing Gowns		
	382.0655	Playsuits, Sun suits, Washsuits, Etc.		
	382.0665	Sweatshirts		
	382.0675	Skirts		
		TROUSERS, SLACKS AND SHORTS (OUTER):		
	382.0685	Women's		
	382.0690	Girls' and Infants'		
	382.0695	Other Wearing Apparel		
	702.0520	Headwear, of Cotton, Flax or Both, Knit		
<u>63</u>		<u>WEARING APPAREL, NOT KNIT, N.E.S.</u>	<u>4.6</u>	<u>Lb.</u>
		MUFFLERS:		
	372.1040	Ornamented		
		NOT ORNAMENTED:		
	372.1540	Hemmed		
	372.1560	Not Hemmed		
		NECKTIES:		
	373.0540	Ornamented		
	373.1045	Not Ornamented		

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TEXTILE Category	TSUSA Number	DESCRIPTION	CONVERSION FACTOR	UNIT OF MEASURE
63 CONT'D		WEARING APPAREL, NOT KNIT, N.E.S. CONT'D	4.6	Lb.
	376.5400	Garments Designed for Rainwear, Hunting, Fishing, or Similar Uses, Wholly or Almost Wholly of Fabrics Which Are Coated or Filled, or Laminated with Rubber or Plastics		
		MEN'S AND BOYS':		
		LACE, NET OR ORNAMENTED:		
	380.0040	Raincoats, 3/4 Length or Longer		
	380.0043	Suit-Type Coats, Incl. Suit-Type Sport Coats, Suit-Type Sport Jackets, Etc.		
	380.0046	Other Coats		
	380.0052	Pajamas		
	380.0055	Other Nightwear		
	380.0070	Trousers, Slacks, and Shorts		
	380.0073	Vests		
	380.0076	Other Wearing Apparel		
		NOT ORNAMENTED:		
	380.3000	Shirt Collars and Cuffs		
		VESTS:		
	380.3300	Valued Not Over \$2 Each		
	380.3600	Valued Over \$2 Each		
	380.3980	Shoe Uppers		
	380.3982	Judo and Karate Uniforms		
	380.3984	Other Wearing Apparel		
		WOMEN'S, GIRLS' AND INFANTS':		
		LACE, NET OR ORNAMENTED:		
	382.0052	Raincoats, 3/4 Length or Longer		
	382.0054	Coats, (Except Raincoats) 3/4 Length or Longer		
	382.0056	Other Coats		
	382.0072	Pajamas		
		SKIRTS:		
	382.0080	Women's		
	382.0082	Girls' and Infants'		
	382.0088	Vests		
	382.0090	Other Wearing Apparel		

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TEXTILE Category	TSUSA Number	DESCRIPTION	CONVER- SION FACTOR	UNIT OF MEA- SURE
<u>63</u> CONT'D		<u>WEARING APPAREL, NOT KNIT, N.E.S. CONT'D</u>	<u>4.6</u>	<u>Lb.</u>
		WOMEN'S, GIRLS' AND INFANTS': CONT'D		
		NOT ORNAMENTED:		
		VESTS:		
	382.2700	Valued Not Over \$2 Each		
	382.3000	Valued Over \$2 Each		
		CORDUROY SKIRTS:		
	382.3334	Women's		
	382.3336	Girls' and Infants'		
		VELVETEEN SKIRTS:		
	382.3338	Women's		
	382.3340	Girls' and Infants'		
		OTHER SKIRTS:		
	382.3342	Women's		
	382.3344	Girls' and Infants'		
	382.3380	Shoe Uppers		
	382.3385	Other Wearing Apparel		
	702.1020	Headwear, of Cotton, Flax or Both, not Knit		
<u>64</u>		<u>ALL OTHER COTTON TEXTILES</u>	<u>4.6</u>	<u>Lb.</u>
		YARNS:		
		IN CHIEF VALUE, BUT NOT WHOLLY OF COTTON:		
		CARDED:		
		SINGLES:		
	300.6020	Not Bleached or Colored		
	300.6022	Bleached or Colored		
	300.6024	Plied		
		COMBED:		
	300.6026	Singles		
	300.6028	Plied		
	303.1000	Chenille Yarns		
	303.2040	Sewing Threads		
	303.2042	Knitting, Darning, Embroidery and Tatting Yarns for Handwork in Length Not Over 840 Yards		

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<u>64 CONT'D</u>		<u>ALL OTHER COTTON TEXTILES CONT'D</u>	<u>4.6</u>	<u>Lb.</u>
		COTTON CORDAGE:		
	315.0500	Not of Stranded Construction		
		OF STRANDED CONSTRUCTION:		
	315.1000	Under 3/16 Inch in Diameter		
	315.1500	3/16 Inch or Over in Diameter		
		FABRICS:		
	345.1020	Circular Knit Fabrics		
	345.1040	Other Knit Fabrics		
	346.4560	Pile Fabrics, Except Terry, Knit		
	347.1000	Pile Ribbons		
	347.1500	Seamless Tubings, Except Wicking		
	347.2520	Wicking		
	347.3320	Typewriter and Machine Ribbons		
	347.3340	Zipper Tapes		
	347.3380	Other Narrow Fabrics, Other Than Pile Ribbons, Seamless Tubing, Wicking, Typewriter and Machine Ribbons and Zipper Tapes		
	348.0010	Tubular Braids, With Non-Elastic Core, Not Suitable for Making or Ornamenting Headwear		
	348.0510	Other Braids		
	349.1010	Elastic Yarns and Cordage With Rubber Core		
	349.1012	Elastic Tubular Braids With Rubber Core		
		VEILING AND LACE:		
	350.0010	Veiling Made on a Lace Maching or a Net Machine, Whether or Not Ornamented		
		LACE:		
		IN THE PIECE OR MOTIFS:		
		WHETHER OR NOT ORNAMENTED:		
		MADE WHOLLY BY HAND:		
	351.0500	Not Over \$50 Per Pound		
	351.2510	Over \$50 Per Pound		
		MADE ON A LEAVERS MACHINE:		
	351.4010	12 Points or Finer		
	351.4610	Not 12 Points or Finer		

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64 CONT'D		<u>ALL OTHER COTTON TEXTILES CONT'D</u>	4.6	Lb.
		VEILING AND LACE CONT'D:		
		LACE: CONT'D		
		IN THE PIECE OR MOTIFS: CONT'D		
		WHETHER OR NOT ORNAMENTED: CONT'D		
		MADE ON A LEAVERS MACHINE: CONT'D		
	351.5010	Made on a Bobbinet-Jacquard Machine		
	351.6010	Made on a Nottingham Lace-Curtain Machine		
	351.8010	Other Machine Made		
	351.9010	Partly Handmade		
		NETTING:		
		IN THE PIECE, MADE ON A LACE, NET OR KNITTING MACHINE:		
	332.1010	Netting, Ornamented		
	352.3010	Quilling, Not Ornamented		
		OTHER THAN QUILLING, IN THE PIECE:		
		NOT ORNAMENTED:		
	352.4010	Made on a Mechlin (or Malines) Net Machine		
	352.5000	Made on a Bobbinet Machine, Not Over 224 Holes Per Sq. Inch		
	352.8010	Made on a Lace, Net or Knitting Machine Other Than a Mechlin or Bobbinet Machine		
	353.1010	Burnt-out Lace, In the Piece or in Motifs		
		ORNAMENTED FABRICS AND ORNAMENTED MOTIFS, N.S.P.F., IN THE PIECE:		
	353.5012	Woven		
	353.5014	Knit		
	353.5016	Other		
	355.0200	Wadding, Batting and Non-Woven Fabrics, Etc.		
	357.6010	Textile Fabrics With Tucks in Parallel Rows Formed in the Weaving or the Knitting Process or by Folding and Sewing		
	357.7010	Edgings, Insertings, Galloons, Fringes, Etc., Whether in the Piece or Otherwise		
	357.8010	Textile Fabrics for Use in Pneumatic Tires		
	358.0210	V-Belts for Machinery of Textile Fiber		
	358.0510	Beltting and Belts for Machinery, Not in Part of Rubber or Plastic		

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<u>64 CONT'D</u>		<u>ALL OTHER COTTON TEXTILES CONT'D</u>	<u>4.6</u>	<u>Lb.</u>
	358.0610	Belting and Belts for Machinery in Part of Rubber or Plastic		
	358.2410	Printers Rubberized Blankets		
	358.2610	Clothing for Paper-Making, Printing, or Other Machines, in the Piece or as Units (Except Printers' Rubberized Blankets), N.S.P.F.		
	359.1020	Woven Fabrics Including Laminated Fabrics, N.S.P.F.		
	359.1040	Knit Fabrics Including Laminated Fabrics, N.S.P.F.		
	359.1060	Other Fabrics Including Laminated Fabrics, N.S.P.F.		
		FLOOR COVERINGS:		
	360.2000	Chenille		
	360.2500	Imitation Oriental, With Pile Not Hand-Inserted and Not Hand-Knotted		
	360.3000	Of Pile or Tuft Construction, Other Than Chenille or Imitation Oriental, Pile Not Hand-Inserted and Not Hand-Knotted		
	360.7522	Of Pile or Tuft, Hand-Hooked, in Which Pile or Tuft Were Inserted or Knotted into a Pre-Existing Base		
	360.8022	Of Pile or Tuft, Not Hand-Hooked, in Which the Pile or Tuft Were Inserted or Knotted into a Pre-Existing Base		
	361.0522	Wholly or In Part of Braids (Except Tubular Braids With a Core) Over 50% by Weight Cotton		
	361.0542	Wholly or In Part of Braids (Except Tubular Braids With a Core) Chief Value Cotton but Containing Not More Than 50% by Weight Cotton		
	361.1820	With Over 50% by Weight of the Fibers, Exclusive of any Core, Being Cotton		
	361.2010	Other		
	361.5000	"Hit-And-Miss" Rag Floor Coverings		
		FLOOR COVERINGS, N.S.P.F.:		
	361.5422	Woven but Not Made on a Power-Driven Loom		
	361.5622	Other		
	363.0100	Lace or Net Sheets and Pillowcases (Including Bolster Cases) and Other Sheets and Pillowcases, Ornamented		
	363.0510	Blankets of Lace or Net and Other Blankets Ornamented		
	363.0525	Lace or Net Bedding and Other Bedding Ornamented, Except Sheets and Pillowcases, Blankets, Bedspreads, Coverlets, Quilts, and Comforters		

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<u>64 CONT'D</u>		<u>ALL OTHER COTTON TEXTILES CONT'D</u>	<u>4.6</u>	<u>Lb.</u>
		BLANKETS:		
		NOT ORNAMENTED:		
		VALUED NOT OVER 47.5 CENTS PER POUND:		
	363.4020	Jacquard-Figured		
	363.4040	Not Jacquard-Figured		
		VALUED OVER 47.5 CENTS PER POUND:		
	363.4520	Jacquard-Figured		
	363.4540	Not Jacquard-Figured		
	363.6025	Quilt Covers, Not Ornamented		
	363.6040	Bedding, Other Than Sheets, Pillowcases, Blankets, Bed-Spreads, Etc., and Quilt Covers, Not Ornamented		
		TAPESTRIES, ETC., EXCEPT GOBELIN, ETC.:		
		JACQUARD-FIGURED:		
	364.1220	Pile		
	364.1520	Not Jacquard-Figured		
		HANDMADE LACE FURNISHINGS:		
	365.0000	Valued Not Over \$50 Per Pound		
	365.1510	Valued Over \$50 Per Pound		
		LACE FURNISHINGS:		
		MADE ON A LEAVERS MACHINE (INCLUDING GO-THROUGH):		
	365.2510	12 Points or Finer		
	365.3110	Not 12 Points or Finer		
	365.3510	Made on a Bobbinet-Jacquard Machine		
	365.4010	Made on a Nottingham Lace-Curtain Machine		
	365.5010	Made on Other Machines		
		NET CURTAINS AND DRAPES INCLUDING PANELS AND VALANCES:		
	365.7010	Burnt-Out Lace Furnishings		
	365.7510	Furnishings of Lace, Netting or Both and Made in Designs or Pattern Formed Wholly or in Substantial Part by Joining (By Applique or Otherwise) Machine-Made or Hand-Made Machine-Made Materials by Handwork		
	365.7700	Curtain and Drapes, Including Panels and Valances, Whether or Not Machine Embroidered but Not Otherwise Ornamented		
	365.7830	Other Net Furnishings, Other Than Dish Towels, Curtains, Drapes and Valances, Whether or Not Machine Embroidered but Not Otherwise Ornamented		

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64 CONT'D		ALL OTHER COTTON TEXTILES CONT'D	4.6	Lb.
		CURTAINS AND DRAPES (INCLUDING PANELS AND VALANCES):		
		NOT ORNAMENTED:		
	366.0300	Of Velveteen, Velvet, Plush, Velour or any Combination Thereof		
	366.0600	Of Corduroy		
	366.0900	Of Pile or Tuft Construction Other Than Corduroy, Velvet, Velveteen, Plush, Velour or any Combination Thereof		
	366.1520	Of Other Than Pile or Tuft Construction		
		TABLECLOTHS AND NAPKINS (EXCEPT DAMASK):		
		NOT ORNAMENTED:		
	366.4500	Block-Printed by Hand		
		NOT BLOCK-PRINTED BY HAND:		
	366.4600	Plain Woven		
	366.4700	Other		
		OTHER FURNISHINGS:		
		OTHER THAN CURTAINS AND DRAPES, TOWELS, TABLECLOTHS, NAPKINS, ETC.:		
		NOT ORNAMENTED:		
	366.5720	Knit (Except Pile or Tuft)		
		PILE OR TUFT CONSTRUCTION:		
	366.6000	Velveteen, Velvet, Plush, Velour or any Combination Thereof		
	366.6300	Corduroy		
	366.6500	Terry		
	366.6900	Other		
		OTHER (NOT KNIT, NOT PILE OR TUFTED):		
	366.7700	Plain-Woven		
	366.7900	Other		
	372.0400	Lace, Net or Ornamented Veils		
	376.0420	Garters, Garter Belts and Suspenders, of Cotton or Cotton and Rubber or Plastics		

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64 CONT'D		ALL OTHER COTTON TEXTILES CONT'D	4.6	Lb.
		DUST CLOTHS, MOP CLOTHS AND POLISHING CLOTHS:		
	385.2500	Of Pile Construction		
	385.3000	Not of Pile Construction		
	385.4000	Ladder Tapes		
	385.5520	Bags and Sacks, or Other Shipping Containers		
	385.6020	Labels, Not Ornamented		
	385.7020	Tassels, and Cords and Tassels		
		CORSET LACINGS, FOOTWEAR LACINGS, WITH OR WITHOUT CORDS, OR SIMILAR LACINGS:		
	385.7520	Braided		
	385.8020	Other Than Braided		
		LUGGAGE AND HANDBAGS, WHETHER OR NOT FITTED WITH BOTTLE, DINING, DRINKING, MANICURE, SEWING, TRAVELING, OR SIMILAR SETS, AND FLAT GOODS:		
		WHETHER OR NOT ORNAMENTED:		
	706.2015	Wholly or in Part of Braid		
		OTHER:		
		NOT OF PILE OR TUFT CONSTRUCTION:		
	706.2240	Handbags		
	706.2270	Other		
	706.2415	Other		
		PILLOWS, CUSHIONS, MATTRESSES AND SIMILAR FURNISHINGS, WHETHER OR NOT FITTED WITH COVERS AND WITH AND WITHOUT HEATING ELEMENTS:		
	727.8020	Pillows and Cushions		
	727.8040	Other		
	745.7420	Parts of Slide Fasteners, of Cotton		

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## SECTION II WOOL

TEXTILE Category	TSUSA Number	DESCRIPTION	CONVERSION FACTOR	UNIT OF MEASURE
<u>101</u>		<u>WOOL TOPS AND WOOL ADVANCED</u> PROCESSED BEYOND WASHED, SCOURED OR CARBONIZED CONDITION:	<u>1.95</u>	<u>Lb.</u>
	307.5000	Tops		
	307.5200	Other		
<u>102</u>	307.6200	YARNS OF ANGORA RABBIT HAIR	<u>1.95</u>	<u>Lb.</u>
<u>103</u>		<u>OTHER YARNS OF WOOL AND HAIR</u> OTHER YARNS:	<u>1.95</u>	<u>Lb.</u>
	307.6403	Handknitting and Fancy		
		OTHER:		
	307.6406	Measuring Over 22,399 Yards Per Pound		
	307.6409	Measuring Over 11,199 Yards but Not Over 22,399		
	307.6412	Measuring Over 5,599 Yards but Not Over 11,199		
	307.6415	Measuring Not Over 5,599 Yards Per Pound		
<u>104</u>		<u>WOVEN FABRICS OF WOOL (INCLUDING BLANKETS, CARRIAGE ROBES, LAP ROBES AND STEAMER RUGS) OVER 3 YARDS IN LENGTH</u>	<u>1.0</u>	<u>Syd.</u>
	335.5500	WOVEN FABRICS OF VEGETABLE FIBER, CONTAINING OVER 17% OF WOOL BY WEIGHT OTHER FABRICS:		
		FABRICS, HANDWOVEN, WITH A LOOM WIDTH OF LESS THAN 30 INCHES:		
	336.1000	Weighing Not Over 4 Ounces Per Square Yard with Warp of Vegetable Fiber OTHER:		
	336.1520	Not Over 10 Ounces Per Square Yard		
	336.1540	Over 10 Ounces Per Square Yard		
		SERGES, WEIGHING NOT OVER 6 OUNCES PER SQUARE YARD AND OTHER FABRICS WEIGHING NOT OVER 4 OUNCES PER SQUARE YARD NOT INCLUDING HANDWOVEN FABRICS WITH A LOOM WIDTH OF LESS THAN 30 INCHES OF SHEEP'S WOOL, VALUED OVER \$4 PER POUND, IN SOLID COLORS, IMPORTED TO BE USED IN THE MANUFACTURE OF APPAREL FOR MEMBERS OF RELIGIOUS ORDERS:		
	336.2000	Weighing Not Over 4 Ounces Per Square Yard with Warp of Vegetable Fiber		
	336.2500	Other WEIGHING NOT OVER 4 OUNCES PER SQUARE YARD WITH WARP OF VEGETABLE FIBER:		
	336.3000	Valued Not Over \$1.26 2/3 Per Pound		
	336.3500	Valued Over \$1.26 2/3 but Not Over \$2 Per Pound		

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Textile and Apparel Categories by Tariff Schedules  
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- WOOL -

TEXTILE Category	TSUSA Number	DESCRIPTION	CONVERSION FACTOR	UNIT OF MEASURE
104 CONT'D		WOVEN FABRICS OF WOOL (INCLUDING BLANKETS, CARRIAGE ROBES, LAP ROBES AND STEAMER RUGS) OVER 3 YARDS IN LENGTH CONT'D	1.0	Syd.
		OTHER: CONT'D:		
		WEIGHING NOT OVER 4 OUNCES PER SQUARE YARD WITH WARP OF VEGETABLE FIBER: CONT'D:		
		VALUED OVER \$2 PER POUND:		
	336.4020	Over \$2 but Not Over \$4 Per Pound		
	336.4040	Over \$4 but Not Over \$6 Per Pound		
	336.4060	Over \$6 Per Pound		
		OTHER:		
		VALUED NOT OVER \$1.26 2/3 PER POUND:		
	336.5012	Tailor Cuts		
		OTHER:		
	336.5014	Wholly or in Part of Hair Similar to Wool of the Sheep		
		OTHER:		
	336.5016	Not Over 6 Ounces Per Square Yard		
		OVER 6 BUT NOT OVER 8 OUNCES PER SQUARE YARD:		
	336.5018	Worsted		
	336.5020	Woolens		
	336.5022	Over 8 but Not Over 10 Ounces Per Square Yard		
	336.5024	Over 10 but Not Over 12 Ounces Per Square Yard		
	336.5026	Over 12 Ounces Per Square Yard		
		VALUED OVER \$1.26 2/3 BUT NOT OVER \$2 PER POUND:		
	336.5512	Tailor Cuts		
		OTHER:		
	336.5514	Wholly or in Part of Hair Similar to Wool of the Sheep		
		OTHER:		
	336.5516	Not Over 6 Ounces Per Square Yard		
		OVER 6 BUT NOT OVER 8 OUNCES PER SQUARE YARD:		
	336.5518	Worsteds		
	336.5520	Woolens		
	336.5522	Over 8 but Not Over 10 Ounces Per Square Yard		
	336.5524	Over 10 but Not Over 12 Ounces Per Square Yard		

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Textile and Apparel Categories by Tariff Schedules  
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TEXTILE Category	TSUSA Number	DESCRIPTION	CONVERSION FACTOR	UNIT OF MEASURE
104 CONT'D		WOVEN FABRICS OF WOOL (INCLUDING BLANKETS, CARRIAGE ROBES, LAP ROBES AND STREAMER RUGS) OVER 3 YARDS IN LENGTH CONT'D	1.0	Syd.
		VALUED OVER \$1.26 2/3 BUT NOT OVER \$2 PER POUND CONT'D:		
		OTHER CONT'D:		
		OTHER:		
	336.5526	Over 12 Ounces Per Square Yard		
		VALUED OVER \$2 PER POUND:		
	336.6022	Tailor Cuts		
		OTHER:		
		VALUED OVER \$2 BUT NOT OVER \$4 PER POUND:		
	336.6024	Wholly or in Part of Hair Similar to Wool of Sheep		
		OTHER:		
	336.6026	Not Over 6 Ounces Per Square Yard		
		OVER 6 BUT NOT OVER 8 OUNCES PER SQUARE YARD:		
	336.6028	Worsteds		
	336.6030	Woolens		
	336.6032	Over 8 but Not Over 10 Ounces Per Square Yard		
	336.6034	Over 10 but Not Over 12 Ounces Per Square Yard		
	336.6036	Over 12 Ounces Per Square Yard		
		VALUED OVER \$4 BUT NOT OVER \$6 PER POUND:		
		WHOLLY OR IN PART OF HAIR SIMILAR TO WOOL OF SHEEP:		
	336.6038	Not Over 6 Ounces Per Square Yard		
	336.6040	Over 6 but Not Over 8 Ounces Per Square Yard		
	336.6042	Over 8 but Not Over 10 Ounces Per Square Yard		
	336.6044	Over 10 but Not Over 12 Ounces Per Square Yard		
	336.6045	Over 12 Ounces Per Square Yard		
		OTHER:		
	336.6046	Not Over 6 Ounces Per Square Yard		
		OVER 6 BUT NOT OVER 8 OUNCES PER SQUARE YARD:		
	336.6048	Worsteds		
	336.6050	Woolens		

Textile and Apparel Categories by Tariff Schedules  
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TEXTILE Category	TSUSA Number	DESCRIPTION	CONVERSION FACTOR	UNIT OF MEASURE
104 CONT'D		WOVEN FABRICS OF WOOL (INCLUDING BLANKETS, CARRIAGE ROBES, LAP ROBES AND STEAMER RUGS) OVER 3 YARDS IN LENGTH CONT'D	1.0	Syd.
		OTHER CONT'D:		
	336.6052	Over 8 but Not Over 10 Ounces Per Square Yard		
	336.6054	Over 10 but Not Over 12 Ounces Per Square Yard		
	336.6056	Over 12 Ounces Per Square Yard		
		VALUED OVER \$6 PER POUND:		
		WHOLLY OR IN PART OF HAIR SIMILAR TO WOOL OF SHEEP:		
	336.6058	Not Over 6 Ounces Per Square Yard		
	336.6060	Over 6 but Not Over 8 Ounces Per Square Yard		
	336.6062	Over 8 but Not Over 10 Ounces Per Square Yard		
	336.6064	Over 10 but Not Over 12 Ounces Per Square Yard		
	336.6065	Over 12 Ounces Per Square Yard		
		OTHER:		
	336.6066	Not Over 6 Ounces Per Square Yard		
		OVER 6 BUT NOT OVER 8 OUNCES PER SQUARE YARD:		
	336.6068	Worsteds		
	336.6070	Woolens		
	336.6072	Over 8 but Not Over 10 Ounces Per Square Yard		
	336.6074	Over 10 but Not Over 12 Ounces Per Square Yard		
	336.6076	Over 12 Ounces Per Square Yard		
		WOVEN FABRICS OF SILK, CONTAINING OVER 17% OF WOOL BY WEIGHT:	1.0	Syd.
		NOT JACQUARD FIGURED:		
		Valued Not Over \$2 Per Pound:		
	337.5010	Not Over 6 Ounces Per Square Yard		
	337.5012	Over 6 Ounces but Not Over 8 Ounces Per Square Yard		
	337.5014	Over 8 Ounces but Not Over 10 Ounces Per Square Yard		
	337.5016	Over 10 Ounces but not Over 12 Ounces Per Square Yard		
	337.5018	Over 12 Ounces Per Square Yard		
		Valued Over \$2 Per Pound:		
	337.5020	not Over 6 Ounces Per Square Yard		
	337.5022	Over 6 Ounces but Not Over 8 Ounces Per Square Yard		
	337.5024	Over 8 Ounces but Not Over 10 Ounces Per Square Yard		
	337.5026	Over 10 Ounces but Not Over 12 Ounces Per Square Yard		
	337.5028	Over 12 Ounces Per Square Yard		

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TEXTILE Category	TSUSA Number	DESCRIPTION	CONVERSION FACTOR	UNIT OF MEASURE
<u>104</u> CONT'D		<u>WOVEN FABRICS OF WOOL (INCLUDING BLANKETS, CARRIAGE ROBES, LAP ROBES AND STEAMER RUGS) OVER 3 YARDS IN LENGTH CONT'D</u>	<u>1.0</u>	<u>Syd.</u>
	337.5500	JACQUARD FIGURED		
		OTHER WOVEN FABRICS, N.S.P.F.:		
	339.0500	Containing Over 17% of Wool by Weight		
		BLANKETS, OVER 3 YARDS IN LENGTH:		
		ORNAMENTED:		
	363.1520	Baby Carriage Robes, Lap Robes, and Steamer Rugs		
	363.1540	Other		
		NOT ORNAMENTED:		
	363.7020	Baby Carriage Robes, Lap Robes, and Steamer Rugs		
	363.7040	Other		
<u>105</u>		<u>BILLIARD CLOTH</u>	<u>1.0</u>	<u>Syd.</u>
	357.2000	Woven, Green Billiard Cloth, Weighing Over 11 but Not Over 15 Ounces Per Square Yard		
<u>106</u>		<u>BLANKETS, WOOL</u>	<u>1.295</u>	<u>Lb.</u>
		BLANKETS NOT OVER 3 YARDS IN LENGTH:		
		ORNAMENTED:		
	363.1040	Other Than Baby Carriage Robes, Lap Robes, and Steamer Rugs		
		NOT ORNAMENTED:		
	363.6540	Other Than Baby Carriage Robes, Lap Robes, and Steamer Rugs		
<u>107</u>		<u>CARRIAGE AND AUTO ROBES, ETC., N.E.S.</u>	<u>1.295</u>	<u>Lb.</u>
		NOT OVER 3 YARDS IN LENGTH:		
	363.1020	Ornamented Baby Carriage Robes, Lap Robes, Etc.		
	363.6520	Not Ornamented Baby Carriage Robes, Lap Robes, Etc.		
<u>108</u>		<u>TAPESTRIES AND UPHOLSTERY FABRICS</u>	<u>1.0</u>	<u>Syd.</u>
		WOVEN, JACQUARD FIGURED (EXCLUDING BED TICKING AND PILE FABRICS):		
	357.1000	Valued Not Over \$2 Per Pound		
	357.1500	Valued Over \$2 Per Pound		
		HANDWOVEN, PETIT-POINT AND OTHER NEEDLE-POINT TAPESTRIES:		
	364.2000	Valued Not Over \$2 Per Pound		
	364.2200	Valued Over \$2 Per Pound		

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TEXTILE Category	TSUSA Number	DESCRIPTION	CONVERSION FACTOR	UNIT OF MEASURE
<u>109</u>		<u>PILE AND TUFTED FABRICS</u>	<u>1.0</u>	<u>Syd.</u>
		Pile Fabrics:		
	346.5010	Of Vegetable Fiber, Except Cotton, Containing Wool		
	346.5200	Of Wool, in Which the Pile Was Inserted or Knitted during the Weaving or Knitting, Whether or Not the Pile Covers the Entire Surface		
	346.5610	Of Silk, Containing Wool		
		Tufted Fabrics:		
	346.8200	In Which the Pile or Tuft Was Inserted or Knitted Into a Pre-Existing Base, with the Pile or Tuft Covering the Entire Surface		
<u>110</u>		<u>KNIT FABRICS IN THE PIECE</u>	<u>1.95</u>	<u>Lb.</u>
		Knit Fabrics:		
	345.1070	Of Vegetable Fiber, Containing Wool		
	345.3000	Of Wool		
	345.3510	Of Silk, Containing Wool		
<u>111</u>		<u>HOSIERY</u>	<u>2.7814</u>	<u>Dpr.</u>
		ORNAMENTED:		
		LACE OR NET:		
		EMBROIDERED:		
	374.2000	Valued Not Over \$3.50 Per Dozen Pair		
	374.2500	Valued Over \$3.50 Per Dozen Pair		
		NOT ORNAMENTED:		
	374.5000	All Other Hosiery		
<u>112</u>		<u>GLOVES AND MITTENS</u>	<u>2.093</u>	<u>Dpr.</u>
		Ornamented, Lace or Net Gloves:		
		Of Vegetable Fiber, Except Cotton, Containing Wool		
		Made From A Pre-Existing Machine-Knit Or Woven-Fabric Or Any Combination Of These:		
	704.0570	Woven		
	704.1070	Not Woven		
	704.1570	Other		
		Of Wool:		
	704.2000	Embroidered		
		Not Embroidered:		
	704.2500	Not Appliqued		
	704.3000	Appliqued		

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TEXTILE Category	TSUSA Number	DESCRIPTION	CONVERSION FACTOR	UNIT OF MEASURE
<u>112</u>		<u>GLOVES AND MITTENS CONT'D</u> Not Ornamented, Not of Lace or Net: Of Vegetable Fiber, Except Cotton, Containing Wool Made From A Pre-Existing Machine-Knit Or Woven- Fabric Or Any Combination Of These: 704.4070 Woven 704.4570 Not Woven 704.5070 Other Of Wool: VALUED NOT OVER \$1.75 PER DOZEN PAIR: 704.5500 Knit 704.5600 Not Knit 704.6000 Valued Over \$1.75 but Not Over \$4 Per Dozen Pair 704.6500 Valued Over \$4 Per Dozen Pair 704.7000 Glove Linings	<u>2.093</u>	<u>Dpr.</u>
<u>113</u>		<u>UNDERWEAR, KNIT</u> ORNAMENTED: WOMEN'S, GIRLS' AND INFANTS': 378.0535 Lace or Net 378.0556 Knit NOT ORNAMENTED: 378.3510 Men's and Boys' 378.3530 Women's, Girls' and Infants'	<u>1.95</u>	<u>Lb.</u>
<u>114</u>		<u>OTHER INFANTS' ARTICLES, KNIT, NOT ORNAMENTED</u> NOT LACE OR NET: 372.2500 Mufflers, Scarves, Shawls, and Veils, for Infants 382.4800 Other Articles for Infants	<u>1.95</u>	<u>Lb.</u>
<u>115</u>		<u>KNIT HATS AND SIMILAR ITEMS</u> 702.5400 Valued Not Over \$2 Per Pound 702.5600 Valued Over \$2 Per Pound	<u>1.95</u>	<u>Lb.</u>

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TEXTILE Category	TSUSA Number	DESCRIPTION	CONVERSION FACTOR	UNIT OF MEASURE
<u>116</u>		<u>KNIT WEARING APPAREL, N.E.S., VALUED NOT OVER \$5 PER POUND</u>	1.95	Lb.
	372.3000	Mufflers, Scarves and Shawls, Other Than Net or Lace		
		WEARING APPAREL, NOT ORNAMENTED:		
		MEN'S AND BOYS':		
	380.5710	Coats, Outer, Including Sport Coats and Jackets		
	380.5720	Shirts		
		SWEATERS:		
	380.5730	Wholly or In Part of Cashmere		
	380.5740	Wholly or In Part of Hair Similar to Wool of Sheep		
	380.5750	Other		
	380.5790	Other Wearing Apparel		
		WOMEN'S, GIRLS' AND INFANTS':		
	382.5410	Blouses		
	382.5420	Dresses		
	382.5425	Skirts		
		SWEATERS:		
	382.5430	Wholly or In Part of Cashmere		
	382.5435	Wholly or In Part of Hair Similar to Wool of Sheep		
	382.5440	Other		
	382.5445	Other Wearing Apparel		
<u>117</u>		<u>OTHER WOOL KNIT OUTERWEAR</u>	<u>1.95</u>	<u>Lb.</u>
	372.1020	Mufflers, Scarves, Shawls, Lace or Net		
	372.3500	Mufflers, Scarves, Shawls, Other Than Lace or Net		
	373.0520	Men's and Boys' Neckties, Ornamented		
	373.1520	Men's and Boys' Neckties, not Ornamented		
		ORNAMENTED:		
	374.3000	Hosiery, Not Embroidered		
	380.0205	Shirts, Men's and Boys'		
		SWEATERS:		
	380.0210	Wholly or In Part Cashmere		
	380.0215	Wholly or In Part of Hair Similar to Wool of Sheep		
	380.0220	Other		

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TEXTILE Category	TSUSA Number	DESCRIPTION	CONVER- SION FACTOR	UNIT OF MEA- SURE
<u>117</u>		<u>KNIT WEARING APPAREL, N.E.S., VALUED OVER \$5 PER POUND CONT'D</u>	<u>1.95</u>	<u>Lb.</u>
		MEN'S AND BOYS' OTHER WEARING APPAREL:		
	380.0225	Other Wearing Apparel of Wool		
	380.0505	Of Other Fiber, Containing Wool		
		NOT ORNAMENTED:		
	380.4510	Of Vegetable Fiber, Except Cotton, Containing Wool		
		OF WOOL:		
	380.5900	Sweaters Valued Over \$18 Per Pound, Wholly Cashmere		
		OTHER:		
	380.6110	Coats, Including Sport Coats, Jackets		
	380.6120	Shirts		
		SWEATERS:		
	380.6130	Wholly or In Part of Cashmere		
	380.6140	Wholly or In Part of Hair Similar to Wool of Sheep		
	380.6150	Other		
	380.6160	Other Wearing Apparel of Wool		
	380.7210	Of Silk, Containing Wool		
		WOMEN'S, GIRLS' AND INFANTS':		
		ORNAMENTED:		
	382.0205	Blouses		
	382.0210	Dresses		
	382.0215	Skirts		
		SWEATERS:		
	382.0220	Wholly or In Part of Cashmere		
	382.0225	Wholly or In Part of Hair Similar to Wool of Sheep		
	382.0230	Other		
	382.0235	Suits		
	382.0240	Other Wearing Apparel of Wool		
	382.0515	Other Wearing Apparel of Other Fiber, Containing Wool		
		Of Vegetable Fiber, Except Cotton, Containing Wool:		
	382.3905	Blouses, waists and shirts		
	382.3915	Dresses		
	382.3930	Sweaters		
	382.3940	Other		

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TEXTILE Category	TSUSA Number	DESCRIPTION	CONVER- SION FACTOR	UNIT OF MEA- SURE
<u>117</u>		<u>KNIT WEARING APPAREL, N.E.S. VALUED OVER \$5 PER POUND CONT'D</u>	<u>1.95</u>	<u>Lb.</u>
		WOMEN'S, GIRLS' AND INFANTS': CONT'D		
		NOT ORNAMENTED:		
	382.5600	Sweaters Valued Over \$18 Per Pound, Wholly Cashmere		
		OTHER:		
	382.5810	Blouses		
	382.5820	Coats		
	382.5830	Dresses		
	382.5840	Skirts		
	382.5845	Suits		
		SWEATERS:		
	382.5850	Wholly or In Part of Cashmere		
	382.5860	Wholly or In Part of Hair Similar to Wool of Sheep		
	382.5870	Other		
	382.5890	Other Wearing Apparel of Wool		
		Other Wearing Apparel of Silk, Containing Wool:		
	382.6905	Blouses, waists and shirts		
	382.6910	Dresses		
	382.6917	Sweaters		
	382.6935	Other		
<u>118</u>		<u>HATS, CAPS, NOT BLOCKED</u>	<u>1.95</u>	<u>Lb.</u>
	702.6000	Felts, Not Knit or Woven, Not Pulled, Stamped or Blocked and Not Trimmed		
<u>119</u>		<u>HATS, CAPS, BLOCKED, FINISHED</u>	<u>1.95</u>	<u>Lb.</u>
		PULLED, STAMPED, BLOCKED OR TRIMMED:		
	702.6500	Valued Not Over \$12 Per Dozen		
	702.7000	Valued Over \$12 Per Dozen		
<u>120</u>		<u>MEN'S AND BOYS' SUITS, NOT KNIT</u>	<u>4.5</u>	<u>No.</u>
		ORNAMENTED:		
	380.0260	Of Wool		
	380.5130	Of Vegetable Fiber, Except Cotton, Containing Wool		
		NOT ORNAMENTED:		
	380.6350	Valued Not Over \$4 Per Pound		
	380.6650	Valued Over \$4 Per Pound		

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TEXTILE Category	TSUSA Number	DESCRIPTION	CONVERSION FACTOR	UNIT OF MEASURE
<u>121</u>		<u>MEN'S AND BOYS' OUTER COATS, NOT KNIT</u>	<u>4.5</u>	<u>No.</u>
		ORNAMENTED:		
		Of Wool:		
	380.0240	Suit-Type Coats, Including Suit-Type Sport Coats and Suit-Type Jackets		
	380.0245	Other		
		NOT ORNAMENTED:		
		Of Vegetable Fiber, Except Cotton, Containing Wool:		
	380.5110	Suit-Type Coats, Including Suit-Type Sport Coats, and Suit-Type Jackets		
	380.5115	Other Separate Coats		
		Of Wool:		
		VALUED NOT OVER \$4 PER POUND:		
	380.6310	Suit-Type Coats, Including Sport Coats, Jackets, Etc.		
	380.6320	Other Separate Coats		
		VALUED OVER \$4 PER POUND:		
	380.6610	Suit-Type Coats, Including Sport Coats, Jackets, Etc.		
	380.6620	Other Separate Coats		
<u>122</u>		<u>WOMEN'S, MISSES', AND CHILDREN'S COATS AND SUITS, NOT KNIT</u>	<u>4.75</u>	<u>No.</u>
		ORNAMENTED:		
	382.0255	Coats		
		NOT ORNAMENTED:		
		Of Vegetable Fiber, Except Cotton, Containing Wool:		
	382.4210	Coats		
	382.4225	Suits		
		OTHER:		
		OF WOOL:		
		VALUED NOT OVER \$4 PER POUND:		
		COATS:		
	382.6015	3/4 Length or Longer		
	382.6020	Other		
	382.6040	Suits		
		VALUED OVER \$4 PER POUND:		
		COATS:		
	382.6315	3/4 Length or Longer		
	382.6320	Other		
	382.6340	Suits		

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TEXTILE Category	TSUSA Number	DESCRIPTION	CONVERSION FACTOR	UNIT OF MEASURE
<u>123</u>		<u>WOMEN'S, MISSES', CHILDREN'S SEPARATE SKIRTS, NOT KNIT</u>	<u>1.5</u>	<u>No.</u>
	382.0265	Ornamented		
		NOT ORNAMENTED:		
		Of Vegetable Fiber, Except Cotton, Containing Wool:		
	382.3920	Knit		
	382.4220	Not Knit		
		Of Wool:		
	382.6035	Valued Not Over \$4 Per Pound		
	382.6335	Valued Over \$4 Per Pound		
<u>124</u>		<u>TROUSERS, SLACKS AND SHORTS</u>	<u>1.5</u>	<u>No.</u>
		MEN'S AND BOYS':		
		NOT KNIT:		
	380.0265	Ornamented		
		NOT ORNAMENTED:		
	380.5135	Of Vegetable Fiber Containing Wool		
		OF WOOL:		
	380.6360	Valued Not Over \$4 Per Pound		
	380.6660	Valued Over \$4 Per Pound		
		WOMEN'S, GIRLS' AND INFANTS':		
		NOT ORNAMENTED:		
		OF VEGETABLE FIBER CONTAINING WOOL:		
	382.3935	Knit		
	382.4235	Not Knit		
		OF WOOL:		
		NOT KNIT:		
	382.6045	Valued Not Over \$4 Per Pound		
	382.6345	Valued Over \$4 Per Pound		
		OF SILK, CONTAINING WOOL:		
	382.6930	Knit		
	382.7230	Not Knit		

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- WOOL -

TEXTILE Category	TSUSA Number	DESCRIPTION	CONVER- SION FACTOR	UNIT OF MEA- SURE
<u>125</u>		<u>ARTICLES OF WEARING APPAREL, N.E.S.</u>	<u>2.0</u>	<u>Lb.</u>
	372.1050	Mufflers, Scarves, Shawls, Other Than Veils, Not Knit		
		OTHER ARTICLES, NOT KNIT:		
	372.4000	Valued Not Over \$4 Per Pound		
	372.4500	Valued Over \$4 Per Pound		
		MEN'S AND BOYS' NECKTIES, NOT KNIT:		
	373.0550	Ornamented		
	373.1540	Not Ornamented		
		WOMEN'S, GIRLS' AND INFANTS' UNDERWEAR:		
	378.0574	Not Knit, Ornamented		
		OTHER UNDERWEAR, NOT ORNAMENTED, NOT KNIT:		
		VALUED NOT OVER \$4 PER POUND:		
	378.4010	Men's and Boys'		
	378.4030	Women's, Girls' and Infants'		
		VALUED OVER \$4 PER POUND:		
	378.4510	Men's and Boys'		
	378.4530	Women's, Girls' and Infants'		
		OTHER MEN'S AND BOYS' WEARING APPAREL:		
		NOT KNIT:		
		ORNAMENTED:		
		OF WOOL:		
	380.0250	Dressing Gowns, Including Bathrobes, Beach Robes, Etc.		
	380.0255	Shirts		
	380.0270	Other		
	380.0545	Of Vegetable Fiber, Except Cotton, Containing Wool		
		NOT ORNAMENTED:		
		OF VEGETABLE FIBER, EXCEPT COTTON, CONTAINING WOOL:		
	380.5125	Shirts		
	380.5145	Other		

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TEXTILE Category	TSUSA Number	DESCRIPTION	CONVERSION FACTOR	UNIT OF MEASURE
125 Cont'd		ARTICLES OF WEARING APPAREL, N.E.S. CONT'D	2.0	Lb.
		OTHER MEN'S AND BOYS' WEARING APPAREL: CONT'D		
		NOT KNIT: CONT'D		
		NOT ORNAMENTED: CONT'D		
		OF WOOL:		
		VALUED NOT OVER \$4 PER POUND:		
	380.6330	Dressing Gowns, Including Bathrobes, Beach Robes, Etc.		
	380.6340	Shirts		
	380.6390	Other		
		VALUED OVER \$4 PER POUND:		
	380.6630	Dressing Gowns, Including Bathrobes, Beach Robes, Etc.		
	380.6640	Shirts		
	380.6690	Other		
	380.7510	Of Silk, Containing Wool		
	380.9010	Of Other, Containing Wool		
		OTHER WOMEN'S, GIRLS' AND INFANTS' WEARING APPAREL:		
		NOT KNIT:		
		ORNAMENTED:		
		OF WOOL:		
	382.0250	Blouses		
	382.0260	Dressing Gowns, Bathrobes, Beach Robes, Etc.		
	382.0270	Other		
	382.0545	Of Other		
		NOT ORNAMENTED:		
		OF VEGETABLE FIBER, EXCEPT COTTON, CONTAINING WOOL:		
	382.4205	Blouses, Waists, Shirts		
	382.4215	Dresses		
	382.4240	Other		
		OF WOOL:		
		Valued Not Over \$4 Per Pound:		
	382.6010	Blouses		
	382.6025	Dresses		
	382.6030	Dressing Gowns, Including Bathrobes, Beach Robes, Etc.		
	382.6090	Other		

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TEXTILE Category	TSUSA Number	DESCRIPTION	CONVERSION FACTOR	UNIT OF MEASURE
125 CONT'D		<p>ARTICLES OF WEARING APPAREL N.E.S. CONT'D</p> <p>OTHER WOMEN'S, GIRLS' AND INFANTS' WEARING APPAREL: CONT'D</p> <p>NOT KNIT: CONT'D</p> <p>NOT ORNAMENTED: CONT'D</p> <p>OF WOOL: CONT'D</p> <p>Valued Over \$4 Per Pound:</p> <p>382.6310 Blouses</p> <p>382.6325 Dresses</p> <p>382.6330 Dressing Gowns, Including Bathrobes, Beach Robes, Etc.</p> <p>382.6390 Other</p> <p>OF SILK, CONTAINING WOOL:</p> <p>382.72C5 Blouse, Waists, Shirts</p> <p>382.7210 Dresses</p> <p>382.7215 Dressing Gowns, Bathrobes, Beach Robes, Etc.</p> <p>382.7225 Pajamas and Other Nightwear</p> <p>382.7235 Other</p> <p>382.8710 Of Other</p>	2.0	Lb.

OTHER OF WOOL:

Soles and Uppers of Wool Felt:

- 700.7510 For men
- 700.7520 For youths and boys
- 700.7530 For women
- 700.7540 For misses
- 700.7550 For children
- 700.7560 For infants

OTHER HEADWEAR OF WOOL:

- 702.7500 Valued Not Over \$4 Per Pound
- 702.8000 Valued Over \$4 Per Pound

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TEXTILE Category	TSUSA Number	DESCRIPTION	CONVERSION FACTOR	UNIT OF MEASURE
<u>126</u>		<u>LACE AND NET ARTICLES INCLUDING VEILING</u>	<u>1.95</u>	<u>Lb.</u>
		BRAIDS NOT SUITABLE FOR MAKING OR ORNAMENTS HEADWEAR:		
	348.0040	Tubular Braids With Non-Elastic Core		
	348.0540	Other		
	350.0040	Veiling Made on a Lace or Net Machine		
		HANDMADE LACE, IN THE PIECE OR IN MOTIFS:		
	351.2040	Valued Not Over \$50 Per Pound		
	351.2540	Valued Over \$50 Per Pound		
		LACE, IN THE PIECE OR MOTIFS:		
		MADE ON A LEAVERS MACHINE:		
	351.4040	12 Points or Finer		
	351.4440	Not 12 Points or Finer		
	351.5040	Made on a Bobbinet-Jacquard Machine		
	351.7040	Made on a Nottingham Lace-Curtain Machine		
	351.8040	Made on Any Other Machine		
	351.9040	Other Lace		
		NETTING, IN THE PIECE, MADE ON A LACE, NET OR KNITTING MACHINE:		
	352.2040	Ornamented		
		NOT ORNAMENTED:		
	352.3040	Quilling		
		OTHER:		
	352.4040	Made on a Mechlin (or Malines) Machine		
	352.8040	Other		
	353.1040	Burnt Out Lace, in the Piece or Motifs		
		ORNAMENTED FABRICS, ORNAMENTED MOTIFS, N.S.P.F.:		
		OF WOOL BY WEIGHT:		
	353.5032	Woven		
	353.5034	Knit		
	353.5036	Other		
	357.6040	Textile Fabrics with Tucks in Parellel Rows Formed in the Weaving or Knitting Process by Folding and Sewing		
	357.7040	Edgings, Insertings, Galloons Fringes and Other Trimmings		
	363.2000	Other Bedding, Lace, Net, or Otherwise Ornamented		

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TEXTILE Category	TSUSA Number	DESCRIPTION	CONVERSION FACTOR	UNIT OF MEASURE
<u>126</u> CONT'D		<u>LACE AND NET ARTICLES INCLUDING VEILING CONT'D</u>	<u>1.95</u>	<u>Lb.</u>
		OTHER LACE OR NET FURNISHINGS:		
		HANDMADE:		
	365.1040	Valued Not Over \$50 Per Pound		
	365.1540	Valued Over \$50 Per Pound		
		MACHINE-MADE:		
		MADE ON A LEAVERS MACHINE:		
	365.2540	12 Points or Finer		
	365.2940	Not 12 Points or Finer		
	365.3540	Made on a Bobbinet- Jacquard Machine		
	365.4540	Made on a Nottingham Lace-Curtain Machine		
	365.5040	Made on Any Other Machine		
	365.7040	Burnt Out Lace Furnishings		
	365.7540	Of Lace and/or Netting, Combined Machine-Made and Handmade		
	365.8540	Other Furnishings, Ornamented		
		ARTICLES, N.S.P.F. ORNAMENTED:		
	372.0840	Veils		
	386.0820	Other		
<u>128</u>		<u>MISCELLANEOUS WOOL MANUFACTURES</u>	<u>1.95</u>	<u>Lb.</u>
	307.3000	Flock, Fiber Recovered From Tanned-Skin Scraps and Fibers Cut to Length		
	307.6000	Yarns of Wool, Colored, and Cut Into Uniform Lengths of Not Over 3 Inches		
	316.4000	Cordage		
	347.4000	Narrow Fabrics of Wool		
		ELASTIC YARNS, CORDAGE, BRAIDS, AND FABRICS:		
	349.1040	Yarns and Cordage, and Tubular Braids with Rubber Core		
	349.2520	Fabrics, Not Braided		
	349.3040	Other		
		FELTS AND ARTICLES OF FELT:		
		VALUED NOT OVER \$1.50 PER POUND:		
		ROLL FELTS:		
	355.1520	Weighing Not Over 10 Ounces Per Square Yard		
	355.1540	Weighing Over 10 Ounces Per Square Yard		

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TEXTILE Category	TSUSA Number	DESCRIPTION	CONVERSION FACTOR	UNIT OF MEASURE
128 CONT'D		MISCELLANEOUS WOOL MANUFACTURES CONT'D	1.95	Lb.
	355.1560	Sheet Felts		
	355.1580	Piano Hammer Felts		
	355.1590	Other		
		VALUED OVER \$1.50 PER POUND:		
		ROLL FELTS:		
	355.1620	Weighing Not Over 10 Ounces Per Square Yard		
	355.1640	Weighing Over 10 Ounces Per Square Yard		
	355.1660	Sheet Felts		
	355.1680	Piano Hammer Felts		
	355.1690	Other		
	355.1800	Other Webs, Wadding, Etc.		
	355.7000	Woven or Knit Fabrics, Coated or Filled With Rubber or Plastics, or Laminated with Sheet Rubber or Plastics (Except Pile or Tufted Fabrics)		
		WOVEN OR KNIT FABRICS (EXCEPT PILE OR TUFT), COATED OR FILLED, N.S.P.F.:		
	356.1040	Oil Cloths		
	356.1540	Tracing Cloth		
	356.3000	Other		
		BELTING AND BELTS FOR MACHINERY OTHER THAN V-BELTS:		
	358.0800	Woven		
	358.0900	Other		
		CLOTHING FOR PAPER-MAKING, PRINTING, OR OTHER MACHINES:		
	358.3000	Woven		
	358.3500	Other		
		TEXTILE FABRICS, INCLUDING LAMINATED FABRICS, N.S.P.F.:		
		OF VEGETABLE FIBER, EXCEPT COTTON, CONTAINING WOOL:		
	359.2025	Woven		
	359.2045	Knit		
		OF WOOL:		
	359.3020	Woven		
	359.3040	Knit		
	359.3060	Other		

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TEXTILE Category	TSUSA Number	DESCRIPTION	CONVER- SION FACTOR	UNIT OF MEA- SURE
<u>128</u> CONT'D		<u>MISCELLANEOUS WOOL MANUFACTURES CONT'D</u>	<u>1.95</u>	<u>Lb.</u>
	361.8000	Floor Coverings Underlays with Over 50% by Weight Wool		
	363.7500	Other Bedding, Not Ornamented		
		OTHER FURNISHINGS, NOT ORNAMENTED:		
		KNIT:		
	367.0500	Valued Not Over \$5 Per Pound		
	367.1000	Valued Over \$5 Per Pound		
	367.1500	Pile or Tuft Construction		
		NON-WOVEN FELT:		
	367.2000	Valued Not Over \$1.50 Per Pound		
	367.2500	Valued Over \$1.50 Per Pound		
	367.3000	Other Furnishings		
		GARTERS, GARTER BELTS, SUSPENDERS:		
	376.0800	Of Wool and Rubber or Plastics		
	385.2000	Fabric Samples, Not Knit, Not Pile		
		OTHER ARTICLES:		
		NOT ORNAMENTED:		
		KNIT:		
	388.1000	Valued Not Over \$5 Per Pound		
	388.2000	Valued Over \$5 Per Pound		
	388.3000	Pile or Tuft Construction		
	388.4000	Other		
<u>131</u>		<u>WOOL RUGS AND CARPETS, BRAIDED</u>	<u>0.11</u>	<u>Sft.</u>
	361.0550	Braided Wool Floor Coverings		
<u>132</u>		<u>WOOL RUGS AND CARPETS, WOVEN</u>	<u>0.11</u>	<u>Sft.</u>
		FLOOR COVERINGS OF PILE OR TUFT CONSTRUCTION:		
		WITH PILE OR TUFT BEING HAND-INSERTED OR HAND-KNOTTED DURING THE WEAVING OR KNITTING PROCESS:		
	360.0500	With Over 50% by Weight of Pile Being Hair of the Alpaca, Quanao, Huarizo, Llama, Misti, Suri, or Any Combination of These		
		OTHER:		
	360.1000	Valued Not Over 66 2/3c Per Square Foot		
	360.1500	Valued Over 66 2/3c Per Square Foot		

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- WOOL -

TEXTILE Category	TSUSA Number	DESCRIPTION	CONVER- SION FACTOR	UNIT OF MEA- SURE
132	CONT'D	WOOL RUGS AND CARPETS, WOVEN CONT'D:	0.11	Sft.
		FLOOR COVERINGS OF PILE OR TUFT CONSTRUCTION CONT'D:		
		WITH PILE NOT HAND-INSERTED OR HAND-KNOTTED:		
	360.4000	Chenille		
		Wilton and Velvet Floor Coverings:		
	360.4610	Imitation Oriental Floor Covering		
	360.4620	Other		
		OTHER:		
	360.4820	Asminster		
	360.4840	Other		
		WITH PILE OR TUFTS INSERTED OR KNOTTED INTO A PRE- EXISTING BASE:		
		WITH OVER 50% BY WEIGHT BEING WOOL:		
	360.6500	Valued Not Over 40c Per Square Foot		
	360.7000	Valued Over 40c Per Square Foot		
		FLOOR COVERINGS COMPOSED OF BRAIDS, CORDS, FABRIC STRIPS, ETC., BUT NOT WOVEN:		
		WITH OVER 50% BY WEIGHT BEING WOOL:		
	361.0700	Valued Not Over 40c Per Square Foot		
	361.1000	Valued Over 40c Per Square Foot		
	361.2030	Other		
		FLOOR COVERINGS, N.S.P.F.:		
		WOVEN BUT NOT ON A POWER-DRIVEN LOOM:		
	361.4200	Valued Not Over 30c Per Square Foot		
	361.4400	Valued Over 30c Per Square Foot		
		OTHER:		
	361.4600	Valued Not Over 40c Per Square Foot		
	361.4800	Valued Over 40c Per Square Foot		

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## SECTION III MAN-MADE FIBER

TEXTILE Category	TSUSA Number	DESCRIPTION	CONVERSION FACTOR	UNIT OF MEASURE
<u>200</u>		<u>TEXTURED YARNS</u>	<u>3.51</u>	<u>Lb.</u>
		WHOLLY OF CONTINUOUS FILAMENT:		
		WITH TWIST NOT OVER 20 TURNS PER INCH:		
		SINGLES:		
	310.0115	Not Over \$1 Per Pound		
	310.0215	Over \$1 Per Pound		
		PLIED:		
	310.1015	Not Over \$1 Per Pound		
	310.1115	Over \$1 Per Pound		
		WHOLLY OF NON-CONTINUOUS MAN-MADE FIBERS:		
	310.4010	Singles		
	310.5010	Plied		
	310.6015	Other		
<u>201</u>		<u>YARN WHOLLY OF CONTINUOUS FILAMENT, CELLULOSIC</u>	<u>5.19</u>	<u>Lb.</u>
		SINGLES:		
		WITH TWIST NOT OVER 20 TURNS PER INCH:		
	310.0125	Not Over \$1 Per Pound		
	310.0225	Over \$1 Per Pound		
		WITH TWIST OVER 20 TURNS PER INCH:		
	310.0520	Not Over \$1 Per Pound		
	310.0620	Over \$1 Per Pound		
		PLIED:		
		WITH TWIST NOT OVER 20 TURNS PER INCH:		
	310.1025	Not Over \$1 Per Pound		
	310.1125	Over \$1 Per Pound		
		WITH TWIST OVER 20 TURNS PER INCH:		
	310.2020	Not Over \$1 Per Pound		
	310.2120	Over \$1 Per Pound		

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- MAN-MADE FIBER-

TEXTILE Category	TSUSA Number	DESCRIPTION	CONVERSION FACTOR	UNIT OF MEASURE
<u>202</u>		<u>YARN WHOLLY OF CONTINUOUS FILAMENT, OTHER</u>	<u>11.6</u>	<u>Lb.</u>
		SINGLES:		
		WITH TWIST NOT OVER 20 TURNS PER INCH:		
	310.0145	Not Over \$1 Per Pound, Wholly Non-Cellulosic		
	310.0165	Not Over \$1 Per Pound, Other		
	310.0245	Over \$1 Per Pound, Wholly Non-Cellulosic		
	310.0265	Over \$1 Per Pound, Other		
		WITH TWIST OVER 20 TURNS PER INCH:		
	310.0540	Not Over \$1 Per Pound, Wholly Non-Cellulosic		
	310.0560	Not Over \$1 Per Pound, Other		
	310.0640	Over \$1 Per Pound, Wholly Non-Cellulosic		
	310.0660	Over \$1 Per Pound, Other		
		PLIED:		
		WITH TWIST NOT OVER 20 TURNS PER INCH:		
	310.1045	Not Over \$1 Per Pound, Wholly Non-Cellulosic		
	310.1065	Not Over \$1 Per Pound, Other		
	310.1145	Over \$1 Per Pound, Wholly Non-Cellulosic		
	310.1165	Over \$1 Per Pound, Other		
		WITH TWIST OVER 20 TURNS PER INCH:		
	310.2040	Not Over \$1 Per Pound, Wholly Non-Cellulosic		
	310.2060	Not Over \$1 Per Pound, Other		
	310.2140	Over \$1 Per Pound, Wholly Non-Cellulosic		
	310.2160	Over \$1 Per Pound, Other		
<u>203</u>		<u>YARN WHOLLY OF NON-CONTINUOUS FILAMENT, CELLULOSIC</u>	<u>3.4</u>	<u>Lb.</u>
	310.4025	Singles		
	310.5025	Plied		
<u>204</u>		<u>YARN WHOLLY OF NON-CONTINUOUS FILAMENT, OTHER</u>	<u>4.12</u>	<u>Lb.</u>
	310.4045	Singles		
	310.5045	Plied		

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- MAN-MADE FIBER -

TEXTILE Category	TSUSA Number	DESCRIPTION	CONVERSION FACTOR	UNIT OF MEASURE
<u>205</u>		<u>YARNS, OTHER</u>	<u>3.51</u>	<u>Lb.</u>
		WHOLLY OF MAN-MADE FIBERS AND NON-CONTINUOUS SILK FIBERS:		
		SINGLES:		
	308.6000	Not Bleached and Not Colored		
		BLEACHED OR COLORED:		
	308.6500	Not Colored, Measuring Over 58,800 yds. Per Pound		
	308.6600	Other		
		PLIED:		
	308.7000	Not Colored, Measuring Over 29,400 Yds. Per Pound		
	308.7100	Other		
	308.7500	OTHER		
		OF GLASS:		
	309.9800	Not Colored		
	309.9900	Colored		
	310.6030	Other (Not Elsewhere Specified)		
	310.8000	Chenille Yarns of Man-Made Fiber		
		FOR HANDWORK AND SEWING THREADS:		
	310.9000	Valued Not Over 90¢ Per Pound		
	310.9100	Valued Over 90¢ Per Pound		
		CORDAGE OF MAN-MADE FIBER:		
	316.6010	Measuring Under 3/16" In Diameter		
	316.6020	Other		
	349.1060	Elastic Yarns, Cordage, and Tubular Braids With Rubber Core		
<u>206</u>		<u>WOVEN FABRICS, CELLULOSIC, WHOLLY OF CONTINUOUS MAN-MADE FIBER</u>	<u>1.0</u>	<u>Syd.</u>
		NOT BLEACHED AND NOT COLORED:		
	338.3022	Acetate		
	338.3023	Rayon		
		OTHER:		
	338.3039	Necktie Fabric		
		OTHER:		
	338.3051	Acetate		
	338.3052	Rayon		

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TEXTILE Category	TSUSA Number	DESCRIPTION	CONVER- SION FACTOR	UNIT OF MEA- SURE
<u>207</u>		<u>WOVEN FABRICS, CELLULOSIC, WHOLLY OF NON-CONTINUOUS FIBERS</u>	<u>1.0</u>	<u>Syd.</u>
		NOT BLEACHED AND NOT COLORED:		
	338.3062	Acetate		
	338.3063	Rayon		
		OTHER:		
	338.3082	Acetate		
	338.3083	Rayon		
<u>208</u>		<u>WOVEN FABRICS, OTHER, WHOLLY OF CONTINUOUS MAN-MADE FIBER</u>	<u>1.0</u>	<u>Syd.</u>
		NOT BLEACHED AND NOT COLORED:		
	338.3024	Polyamide		
	338.3025	Polyester		
	338.3026	Acrylic		
	338.3029	Other		
		OTHER:		
		NECKTIE FABRIC:		
	338.3035	Polyamide		
	338.3036	Polyester		
		OTHER:		
	338.3053	Polyamide		
	338.3054	Polyester		
	338.3055	Acrylic		
	338.3059	Other		
<u>209</u>		<u>WOVEN FABRICS, OTHER, WHOLLY OF NON-CONTINUOUS FIBERS</u>	<u>1.0</u>	<u>Syd.</u>
		NOT BLEACHED AND NOT COLORED:		
	338.3064	Polyamide		
	338.3065	Polyester		
	338.3066	Acrylic		
	338.3069	Other		
		OTHER:		
	338.3084	Polyamide		
	338.3085	Polyester		
	338.3086	Acrylic		
	338.3089	Other		

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- MAN-MADE FIBER -

TEXTILE Category	TSUSA Number	DESCRIPTION	CONVERSION FACTOR	UNIT OF MEASURE
210		<p><u>WOVEN FABRICS, OTHER, OF MAN-MADE FIBER (INCLUDING FABRIC CONTAINING MORE THAN 17% BY WEIGHT OF WOOL; GLASS FABRICS AND MIXED YARN FABRICS)</u></p> <p>335.6000 Fabrics Containing Over 50 Percent By Weight Of Yarns Which Are Composed Wholly Or Almost Wholly Of Fiber Not Exceeding 5 Inches In Length And Contain Not Less Than 50 Percent By Weight Of Man-Made Fiber Or Of Man-Made Fiber And Cotton</p> <p>Of Silk, Containing Man-Made Fiber</p> <p>NOT JACQUARD FIGURED:</p> <p>337.6005 Not Degummed, Not Bleached And Not Colored</p> <p>337.7005 Degummed, Bleached Or Colored</p> <p>JACQUARD FIGURED:</p> <p>337.8005 Not Degummed, Not Bleached And Not Colored</p> <p>337.9005 Degummed, Bleached Or Colored</p> <p>OF MAN-MADE FIBER, CONTAINING OVER 17% BY WEIGHT OF WOOL:</p> <p>VALUED NOT OVER \$2 PER POUND:</p> <p>338.1010 Not Over 6 Ounces Per Yard</p> <p>338.1012 Over 6 Ounces but Not Over 8 Ounces Per Square Yard</p> <p>338.1014 Over 8 Ounces but Not Over 10 Ounces Per Square Yard</p> <p>338.1016 Over 10 Ounces but Not Over 12 Ounces Per Square Yard</p> <p>338.1018 Over 12 Ounces Per Square Yard</p> <p>VALUED OVER \$2 PER POUND:</p> <p>338.1510 Not Over 6 Ounces Per Square Yard</p> <p>338.1512 Over 6 Ounces but Not Over 8 Ounces Per Square Yard</p> <p>338.1514 Over 8 Ounces but Not Over 10 Ounces Per Square Yard</p> <p>338.1516 Over 10 Ounces but Not Over 12 Ounces Per Square Yard</p> <p>338.1518 Over 12 Ounces Per Square Yard</p>	1.0	Syd.

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- MAN-MADE FIBER -

TEXTILE Category	TSUSA Number	DESCRIPTION	CONVERSION FACTOR	UNIT OF MEASURE
210 CONT'D		WOVEN FABRICS, OTHER, OF MAN-MADE FIBERS (INCLUDING FABRIC CONTAINING MORE THAN 17% BY WEIGHT OF WOOL; GLASS FABRICS AND MIXED YARN FABRICS CONT'D	1.0	Syd.
		OF GLASS:		
	338.2500	Not Colored		
	338.2700	Colored		
		OTHER:		
	338.3012	Suitable For Making Typewriter Ribbon Cloth		
		OTHER:		
		NOT BLEACHED AND NOT COLORED:		
	338.3072	Acetate		
	338.3073	Rayon		
	338.3074	Polyamide		
	338.3075	Polyester		
	338.3076	Acrylic		
	338.3079	Other		
		OTHER:		
	338.3092	Acetate		
	338.3093	Rayon		
	338.3094	Polyamide		
	338.3095	Polyester		
	338.3096	Acrylic		
	338.3099	Other		

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- MAN-MADE FIBER -

TEXTILE Category	TSUSA Number	DESCRIPTION	CONVERSION FACTOR	UNIT OF MEASURE
<u>211</u>		<u>KNIT FABRICS</u>	<u>7.8</u>	<u>Lb.</u>
	345.1080	Of Vegetable Fiber, Except Cotton, Containing Man-Made Fiber		
	345.3520	Of Silk, Containing Man-Made Fiber		
	345.5011	Of Man-Made Fiber, But Containing Over 17% By Weight Of Wool		
		OTHER MAN-MADE FIBER KNIT FABRICS:		
		WHOLLY CONTINUOUS:		
		NOT BLEACHED AND NOT COLORED:		
	345.5021	Acetate		
	345.5022	Rayon		
	345.5024	Acrylic		
	345.5026	Polyamide		
	345.5028	Polyester		
	345.5029	Other		
		OTHER:		
	345.5041	Acetate		
	345.5042	Rayon		
	345.5044	Acrylic		
	345.5046	Polyamide		
	345.5048	Polyester		
	345.5049	Other		
		OTHER:		
		NOT BLEACHED AND NOT COLORED:		
	345.5061	Acetate		
	345.5062	Rayon		
	345.5064	Acrylic		
	345.5066	Polyamide		
	345.5068	Polyester		
	345.5069	Other		
		OTHER:		
	345.5081	Acetate		
	345.5082	Rayon		
	345.5084	Acrylic		
	345.5086	Polyamide		
	345.5088	Polyester		
	345.5089	Other		

**Textile and Apparel Categories by Tariff Schedules  
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TEXTILE Category	TSUSA Number	DESCRIPTION	CONVER- SION FACTOR	UNIT OF MEA- SURE
<u>212</u>		<u>PILE AND TUFTED FABRICS</u>	<u>1.0</u>	<u>Syd.</u>
		PILE:		
	346.5020	Of Vegetable Fiber, Except Cotton, Containing Man-Made Fiber		
	346.5620	Of Silk, Containing Man-Made Fiber		
		OF MAN-MADE FIBER:		
		Velvets:		
	346.6045	Velvets, under 48" in Width, with Cut Warp Pile, Weighing Less than 8 oz. per Syd.		
	346.6050	Other		
	346.9000	TUFTED FABRICS		
<u>213</u>		<u>SPECIALTY FABRICS</u>	<u>7.8</u>	<u>Lb.</u>
		NARROW FABRICS:		
	347.5500	Pile Ribbons		
	347.6020	Typewriter and Machine Ribbons		
	347.6040	Other Ribbons		
	347.6500	Seamless Tubings		
		OTHER:		
		OF GLASS:		
	347.6800	Not Colored		
	347.6900	Colored		
	347.7000	Other		
	349.2540	Fabrics Not Braided, Elastic		
	349.3060	Other, Elastic		
	350.0060	Veiling Made on a Lace Machine or on a Net Machine, Whether or Not Ornamented		
		LACE AND NETTING WHETHER OR NOT ORNAMENTED, AND ORNAMENTED FABRICS IN THE PIECE AND IN MOTIFS, ETC.:		
		HAND-MADE LACE, WHETHER OR NOT ORNAMENTED:		
	351.2060	Valued Not Over \$50 Per Pound, in the Piece or Motifs		
	351.2560	Valued Over \$50 Per Pound, in the Piece or Motifs		
		MADE ON A LEAVERS MACHINE:		
	351.3000	12 Points or Finer in the Piece or Motifs		
	351.4660	Not 12 Points or Finer in the Piece or Motifs		
	351.5060	Made on a Bobbinette-Jacquard Machine, in the Piece or Motifs		
	351.7060	Made on a Nottingham Lace-Curtain Machine		

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- MAN-MADE FIBER -

TEXTILE Category	TSUSA Number	DESCRIPTION	CONVER- SION FACTOR	UNIT OF MEA- SURE
213 CONT'D		<u>SPECIALTY FABRICS CONT'D</u>	<u>7.8</u>	<u>Lb.</u>
		LACE AND NETTING WHETHER OR NOT ORNAMENTED, AND ORNAMENTED FABRICS IN THE PIECE AND IN MOTIFS, ETC. CONT'D:		
	351.8060	Made on Any Other Machine		
	351.9060	Other		
		NETTING, IN THE PIECE, MADE ON A LACE, NET OR KNITTING MACHINE:		
	352.2060	Ornamented		
		NOT ORNAMENTED:		
	352.3060	Quilling		
		OTHER:		
	352.4060	Made on a Mechlin Machine		
	352.8060	Other		
	353.1060	Burnt Out Lace, in the Piece, or in Motifs		
		ORNAMENTED FABRICS, IN THE PIECE AND IN MOTIFS, N.S.P.F., OF MAN-MADE FIBER BY WEIGHT:		
	353.5052	Woven		
	353.5054	Knit		
	353.5056	Other		
	355.6000	Woven or Knit Fabrics, in the Piece or Unit, Coated, Filled, or Otherwise Prepared for Use as Artists Canvas		
		WOVEN OR KNIT FABRICS (EXCEPT PILE OR TUFTED FABRICS) COATED OR FILLED WITH RUBBER OR PLASTICS, OR LAMINATED WITH SHEET RUBBER OR PLASTICS:		
	355.8100	Over 70 Percent by Weight of Rubber or Plastics		
	355.8200	Other		
		WOVEN OR KNIT FABRICS (EXCEPT PILE OR TUFTED) COATED OR FILLED, N.S.P.F.:		
	356.1060	Oilcloths		
	356.1560	Tracing Cloths		
	356.4000	Other		
	357.3500	Woven Bolting Cloth		
	357.4500	Woven Fabrics Chiefly Used for Stenciling Purposes in Screen Process Printing		

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- MAN-MADE FIBER -

TEXTILE Category	TSUSA Number	DESCRIPTION	CONVERSION FACTOR	UNIT OF MEASURE
<u>213</u> CONT'D		<u>SPECIALTY FABRICS CONT'D</u>	<u>7.8</u>	<u>Lb.</u>
	357.6060	Fabrics With Tucks In Parallel Rows Formed In the Weaving or Knitting Process Or By Folding and Sewing		
	357.8060	Fabrics For Use In Pneumatic Tires		
		TEXTILE FABRICS, INCLUDING LAMINATED FABRICS, N.S.P.F.:		
		OF VEGETABLE FIBER, EXCEPT COTTON, CONTAINING MAN-MADE FIBER:		
	359.2030	Woven		
	359.2050	Knit		
		OF MAN-MADE FIBER:		
	359.5020	Woven		
	359.5040	Knit		
	359.5060	Other		
<u>214</u>		<u>GLOVES AND MITTENS, KNIT, WHETHER OR NOT ORNAMENTED</u>	<u>3.52</u>	<u>Dpr.</u>
		GLOVES AND GLOVE LININGS:		
		LACE OR NET WHETHER OR NOT ORNAMENTED:		
		Of Vegetable Fiber, Containing Man-Made Fiber		
		MADE FROM A PRE-EXISTING MACHINE-KNIT-OR-WOVEN FABRIC OR COMBINATION OF THESE FABRICS:		
	704.0580	Woven		
	704.1080	Not Woven		
	704.1580	Other		
		OF MAN-MADE FIBERS:		
	704.3535	Made From A Pre-Existing Fabric		
	704.3545	Other		
		NOT OF LACE OR NET AND NOT ORNAMENTED:		
		OF VEGETABLE FIBER, EXCEPT COTTON, CONTAINING MAN-MADE FIBER:		
		MADE FROM A PRE-EXISTING FABRIC:		
	704.4080	Woven		
	704.4580	Not Woven		
	704.5080	OTHER		

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- MAN-MADE FIBER -

TEXTILE Category	TSUSA Number	DESCRIPTION	CONVERSION FACTOR	UNIT OF MEASURE	
214 CONT'D		<u>GLOVES AND MITTENS, KNIT, WHETHER OR NOT ORNAMENTED CONT'D</u>	3.52	Dpr.	
		GLOVES AND GLOVE LININGS: CONT'D			
		NOT OF LACE OR NET AND NOT ORNAMENTED: CONT'D			
		OF MAN-MADE FIBER:			
		KNIT:			
	704.8520	Made or Cut from a Pre-Existing Knit Fabric			
	704.8550	Other			
	704.9000	Not Knit			
215		<u>HOSIERY</u>	4.6	Dpr.	
		HOSIERY:			
		374.3540			Ornamented
		374.6000			Not Ornamented
					PANTY HOSE:
					WOMEN'S, GIRLS' AND INFANTS':
	382.0425	Ornamented			
	382.7827	Not Ornamented			
216		<u>DRESSES, KNIT</u>	45.3	Doz.	
		ORNAMENTED:			
		OF MAN-MADE FIBER:			
		382.0413			Women's
		382.0415			Girls' and Infants'
		382.3960			Of Vegetable Fiber, Except Cotton, Containing Man-Made Fiber
		382.6950			Of Silk, Containing Man-Made Fiber
					NOT ORNAMENTED:
		382.7817			Women's
		382.7819			Girls' and Infants'
217		<u>PAJAMAS AND OTHER NIGHTWEAR, KNIT</u>	51.96	Doz.	
		MEN'S OR BOYS'			
		380.0411			Ornamented
		380.8123			Not Ornamented
					WOMEN'S, GIRLS' AND INFANTS'
	382.0423	Ornamented			
	382.7825	Not Ornamented			

Textile and Apparel Categories by Tariff Schedules  
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- MAN-MADE FIBER -

TEXTILE Category	TSUSA Number	DESCRIPTION	CONVERSION FACTOR	UNIT OF MEASURE
<u>218</u>		<u>T-SHIRTS, KNIT</u>	<u>7.24</u>	<u>Doz.</u>
		T-SHIRTS, MEN'S AND BOYS':		
		ORNAMENTED:		
	380.0416	All White		
	380.0417	Other		
		NOT ORNAMENTED:		
	380.8133	All White		
	380.8135	Other		
		T-SHIRTS, WOMEN'S, GIRLS' AND INFANTS':		
	382.0439	Ornamented		
	382.7851	Not Ornamented		
<u>219</u>		<u>SHIRTS, OTHER (INCLUDING BLOUSES), KNIT</u>	<u>18.36</u>	<u>Doz.</u>
		MEN'S AND BOYS' KNIT SHIRTS:		
	380.0419	Ornamented		
	380.8137	Not Ornamented		
		WOMEN'S, GIRLS' AND INFANTS' KNIT:		
		BLOUSES, WAISTS, AND SHIRTS:		
		ORNAMENTED:		
		OF MAN-MADE FIBERS:		
	382.0401	Blouses		
	382.0443	Other Shirts		
	382.3950	Of Vegetable Fiber, Except Cotton, Containing Man-Made Fiber		
	382.6945	Of Silk, Containing Man-Made Fiber		
		NOT ORNAMENTED:		
	382.7801	Blouses		
	382.7859	Other Knit Shirts, Women's, Girls' and Infants'		
<u>220</u>		<u>SKIRTS, KNIT</u>	<u>17.8</u>	<u>Doz.</u>
		WOMEN'S, GIRLS' AND INFANTS':		
	382.0445	Ornamented		
		NOT ORNAMENTED:		
	382.3965	Of Vegetable Fiber, Except Cotton, Containing Man-Made Fiber		
	382.7865	Of Man-Made Fibers		

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- MAN-MADE FIBER -

TEXTILE Category	TSUSA Number	DESCRIPTION	CONVERSION FACTOR	UNIT OF MEASURE
<u>221</u>		<u>SWEATERS AND CARDIGANS, KNIT</u>	<u>36.8</u>	<u>Doz.</u>
		MEN'S AND BOYS':		
	380.0423	Ornamented		
	380.8147	Not Ornamented		
		WOMEN'S, GIRLS' AND INFANTS':		
	382.0452	Ornamented		
		NOT ORNAMENTED:		
	382.3970	Of Vegetable Fiber, Except Cotton, Containing Man-Made Fiber		
	382.6953	Of Silk, Containing Man-Made Fiber		
	382.7871	Of Man-Made Fiber		
<u>222</u>		<u>TROUSERS, SLACKS AND SHORTS, KNIT</u>	<u>17.8</u>	<u>Doz.</u>
		MEN'S AND BOYS':		
	380.0428	Ornamented		
	380.8165	Not Ornamented		
		WOMEN'S, GIRLS' AND INFANTS':		
	382.0457	Ornamented		
		NOT ORNAMENTED:		
	382.3980	Of Vegetable Fiber, Except Cotton, Containing Man-Made Fiber		
	382.6965	Of Silk, Containing Man-Made Fiber		
	382.7880	Of Man-Made Fibers		
<u>223</u>		<u>UNDERWEAR, KNIT</u>	<u>16.0</u>	<u>Doz.</u>
		LACE OR NET UNDERWEAR, WHETHER OR NOT ORNAMENTED:		
	378.0524	Men's and Boys'		
	378.0537	Women's, Girls' and Infants'		
		OTHER UNDERWEAR:		
		ORNAMENTED:		
	378.0548	Men's and Boys'		
	378.0558	Women's, Girls' and Infants'		
		NOT ORNAMENTED:		
	378.6010	Men's and Boys'		
	378.6030	Women's, Girls' and Infants'		

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- MAN-MADE FIBER -

TEXTILE Category	TSUSA Number	DESCRIPTION	CONVERSION FACTOR	UNIT OF MEASURE
<u>224</u>		<u>OTHER WEARING APPAREL, KNIT, WHETHER OR NOT ORNAMENTED</u>	<u>7.8</u>	<u>Lb.</u>
		MUFFLERS, SCARVES AND SHAWLS:		
	372.1030	Ornamented		
	372.7000	Not Ornamented		
		NECKTIES, MEN'S AND BOYS':		
	373.0530	Ornamented		
	373.2500	Not Ornamented		
		OTHER MEN'S AND BOYS' WEARING APPAREL:		
		ORNAMENTED:		
		COATS, INCLUDING JACKETS:		
	380.0401	Raincoats, 3/4 Length or Longer		
	380.0402	Suit-Type Coats, Including Suit-Type Sport Coats and Suit-Type Sport Jackets		
	380.0404	Other		
	380.0407	Coveralls, Overalls and Jumpsuits		
	380.0408	Dressing Gowns, Including Bathrobes, Beach Robes, Lounging Robes, etc.		
	380.0414	Playsuits, Sunsuits, Washsuits, Creepers, etc.		
	380.0420	Suits		
	380.0425	Swimming Trunks and Other Swimwear		
	380.0439	Other		
	380.0515	Other, Containing Man-Made Fiber		
		NOT ORNAMENTED:		
	380.4520	Of Vegetable Fiber, Except Cotton, Containing Man-Made Fiber		
	380.7220	Of Silk, Containing Man-Made Fiber		
		OF MAN-MADE FIBER:		
		COATS, INCLUDING JACKETS:		
	380.8101	Raincoats, 3/4 Length or Longer		
	380.8103	Suit-Type Coats, Including Suit-Type Sport Coats, and Suit-Type Sport Jackets		
	380.8107	Other		
	380.8113	Coveralls, Overalls and Jumpsuits		
	380.8117	Dressing Gowns, Including Bathrobes, Beach Robes, Lounging Robes, etc.		

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- MAN-MADE FIBER -

TEXTILE Category	TSUSA Number	DESCRIPTION	CONVERSION FACTOR	UNIT OF MEASURE
224	CONT'D	OTHER WEARING APPAREL, KNIT, WHETHER OR NOT ORNAMENTED CONT'D	7.8	Lb.
		OTHER MEN'S AND BOYS' WEARING APPAREL: CONT'D		
		NOT ORNAMENTED: CONT'D		
		OF MAN-MADE FIBER: CONT'D		
	380.8127	Playsuits, Sun suits, Washsuits, Creepers, etc.		
	380.8143	Suits		
	380.8163	Swimming Trunks and Other Swimwear		
	380.8192	Other		
		OTHER WOMEN'S, GIRLS' OR INFANTS' WEARING APPAREL:		
		ORNAMENTED:		
	382.0403	Bodysuits and Bodyshirts		
		COATS, INCLUDING JACKETS:		
	382.0405	Raincoats, 3/4 Length or Longer		
	382.0407	Other		
	382.0409	Coveralls, Overalls, and Jumpsuits		
	382.0411	Culottes		
	382.0417	Dressing Gowns, Including Bathrobes, Beach Robes, Lounging Robes, Dusters and Housecoats		
	382.0437	Playsuits, Sun suits, Washsuits, Creepers, Crawlers, etc.		
	382.0451	Suits		
	382.0453	Swimming Suits and Other Swimwear		
	382.0455	Tops and Vests		
	382.0459	Other		
	382.0525	Other Wearing Apparel, of Other Fiber, Containing Man-Made Fiber		
		NOT ORNAMENTED:		
	382.3985	Of Vegetable Fiber, Except Cotton, Containing Man-Made Fiber		
	382.6967	Of Silk, Containing Man-Made Fiber		
		OF MAN-MADE FIBER:		
	382.7805	Bodysuits and Bodyshirts		
		COATS, INCLUDING JACKETS:		
	382.7807	Raincoats, 3/4 Length or Longer		
	382.7809	Other		

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- MAN-MADE FIBER -

TEXTILE Category	TSUSA Number	DESCRIPTION	CONVERSION FACTOR	UNIT OF MEASURE
<u>224</u> CONT'D		<u>OTHER WEARING APPAREL, KNIT, WHETHER OR NOT ORNAMENTED</u> CONT'D	<u>7.8</u>	<u>Lb.</u>
		OTHER WOMEN'S, GIRLS' OR INFANTS' WEARING APPAREL: CONT'D		
		NOT ORNAMENTED: CONT'D		
		OF MAN-MADE FIBER: CONT'D		
	382.7811	Coveralls, Overalls, and Jumpsuits		
	382.7815	Culottes		
	382.7821	Dressing Gowns, Including Bathrobes, Beach Robes, Lounging Robes, Dusters, Housecoats		
	382.7841	Playsuits, Sun suits, Washsuits, Creepers, Crawlers, etc.		
	382.7867	Suits		
	382.7877	Swimming Suits and Other Swimwear		
	382.7879	Tops and Vests		
	382.7891	Other		
	703.1000	Headwear, not in Part of Braid, Knit		
<u>225</u>		<u>BODY SUPPORTING GARMENTS</u>	<u>4.75</u>	<u>Doz.</u>
	376.1600	Garters, Garter Belts and Suspenders of Man-Made Fibers or of Such Fiber and Rubber or Plastics		
		CORSETS, GIRDLES, BRASSIERES AND SIMILAR BODY SUPPORTING GARMENTS FOR MEN AND BOYS, WOMEN, GIRLS AND INFANTS:		
		ORNAMENTED, LACE OR NET:		
	376.2445	Brassieres, Women's and Girls'		
	376.2485	Body Supporting Garments, Except Brassieres, Women's and Girls'		
	376.2495	Body Supporting Garments, Men's and Boys'		
		NOT ORNAMENTED:		
	376.2845	Brassieres, Women's and Girls'		
	376.2885	Body Supporting Garments, Except Brassieres, Women's Girls' and Infants'		
	376.2895	Body Supporting Garments, Men's and Boys'		
<u>226</u>		<u>HANDKERCHIEFS</u>	<u>1.66</u>	<u>Doz.</u>
	370.2020	Lace Handkerchiefs, Ornamented		
		LACE HANDKERCHIEFS, NOT ORNAMENTED:		
	370.8820	Hemmed		
	370.8840	Not Hemmed		

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- MAN-MADE FIBER -

TEXTILE Category	TSUSA Number	DESCRIPTION	CONVERSION FACTOR	UNIT OF MEASURE
<u>227</u>		<u>MUFFLERS, SCARVES AND SHAWLS, NOT KNIT</u>	<u>7.8</u>	<u>Lb.</u>
	372.1060	Ornamented		
		NOT ORNAMENTED:		
	372.7520	Hemmed		
	372.7540	Not Hemmed		
<u>228</u>		<u>BLOUSES, NOT KNIT</u>	<u>14.53</u>	<u>Doz.</u>
		BLOUSES, WAISTS AND SHIRTS:		
		ORNAMENTED:		
	382.0460	Women's, Girls' and Infants'		
		NOT ORNAMENTED:		
	382.4250	Of Vegetable Fiber, Except Cotton, Containing Man-Made Fiber		
	382.7245	Of Silk, Containing Man-Made Fiber		
		OF MAN-MADE FIBER:		
	382.8102	Women's		
	382.8104	Girl's And Infants'		
<u>229</u>		<u>COATS, NOT KNIT</u>	<u>41.25</u>	<u>Doz.</u>
		MEN'S AND BOYS':		
		ORNAMENTED:		
	380.0440	Raincoats, 3/4 Length or Longer		
		OTHER COATS:		
	380.0443	Suit Type Coats		
	380.0446	Other		
		NOT ORNAMENTED:		
		OF VEGETABLE FIBER, EXCEPT COTTON, CONTAINING MAN-MADE FIBER:		
	380.5150	Suit-Type Coats Including Suit-Type Sport Coats And Suit-Type Jackets		
	380.5155	Other Separate Coats		
		OF MAN-MADE FIBERS:		
380.8410	Raincoats, 3/4 Length or Longer			
	OTHER COATS:			
380.8415	Suit Type Coats			
380.8420	Other Coats			

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- MAN-MADE FIBER -

TEXTILE Category	TSUSA Number	DESCRIPTION	CONVER- SION FACTOR	UNIT OF MEA- SURE
<u>229</u> CONT'D		<u>COATS, NOT KNIT CONT'D</u>	<u>41.25</u>	<u>Doz.</u>
		WOMEN'S, GIRLS' AND INFANTS':		
		ORNAMENTED:		
	382.0462	Raincoats, 3/4 Length or Longer		
	382.0464	Other Coats		
		NOT ORNAMENTED:		
	382.4255	Of Vegetable Fiber, Except Cotton, Containing Man-Made Fiber		
		OF MAN-MADE FIBERS:		
	382.8106	Raincoats, 3/4 Length or Longer		
	382.8108	Other Coats, 3/4 Length or Longer		
	382.8110	Other Coats		
<u>230</u>		<u>DRESSES, NOT KNIT</u>	<u>45.3</u>	<u>Doz.</u>
		ORNAMENTED:		
	382.0466	Women's		
	382.0468	Girls' and Infants'		
		NOT ORNAMENTED:		
	382.4260	Of Vegetable Fiber, Except Cotton, Containing Man-Made Fiber		
	382.7250	Of Silk, Containing Man-Made Fiber		
		OF MAN-MADE FIBERS:		
	382.8112	Women's		
	382.8114	Girls' And Infants'		
<u>231</u>		<u>DRESSING GOWNS, INCLUDING BATHROBES AND BEACH ROBES, NOT KNIT</u>	<u>51.0</u>	<u>Doz.</u>
		MEN'S AND BOYS':		
	380.0449	Ornamented		
	380.8425	Not Ornamented		
		WOMEN'S, GIRLS' AND INFANTS':		
	382.0470	Ornamented		
		NOT ORNAMENTED:		
	382.7255	Of Silk, Containing Man-Made Fibers		
	382.8116	Of Man-Made Fibers		

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TEXTILE Category	TSUSA Number	DESCRIPTION	CONVERSION FACTOR	UNIT OF MEASURE
<u>232</u>		<u>PAJAMAS AND OTHER NIGHTWEAR, NOT KNIT</u>	<u>51.96</u>	<u>Doz.</u>
		MEN'S AND BOYS':		
	380.0452	Ornamented		
	380.8430	Not Ornamented		
		WOMEN'S, GIRLS' AND INFANTS':		
	382.0472	Ornamented		
		NOT ORNAMENTED:		
	382.7257	Of Silk, Containing Man-Made Fibers		
	382.8118	Of Man-Made Fibers		
<u>233</u>		<u>PLAYSUITS, SUNSUITS, WASHSUITS, ETC., NOT KNIT</u>	<u>21.3</u>	<u>Doz.</u>
		WOMEN'S, GIRLS' AND INFANTS':		
	382.0474	Ornamented		
	382.8120	Not Ornamented		
<u>234</u>		<u>DRESS SHIRTS, NOT KNIT</u>	<u>22.19</u>	<u>Doz.</u>
		MEN'S AND BOYS':		
	380.0455	Ornamented		
	380.8435	Not Ornamented		
<u>235</u>		<u>SHIRTS, OTHER, NOT KNIT</u>	<u>24.46</u>	<u>Doz.</u>
		MEN'S AND BOYS':		
		ORNAMENTED:		
	380.0458	Work Shirts		
	380.0461	Sport Shirts		
		NOT ORNAMENTED:		
	380.5165	Of Vegetable Fiber, Except Cotton, Containing Man-Made Fiber		
		OF MAN-MADE FIBERS:		
	380.8440	Work Shirts		
	380.8445	Sport Shirts		

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TEXTILE Category	TSUSA Number	DESCRIPTION	CONVERSION FACTOR	UNIT OF MEASURE
<u>236</u>		<u>SKIRTS, NOT KNIT</u>	<u>17.8</u>	<u>Doz.</u>
		ORNAMENTED:		
	382.0476	Women's, Girls' and Infants'		
		NOT ORNAMENTED:		
	382.4265	Of Vegetable Fiber, Except Cotton, Containing Man-Made Fiber		
		OF MAN-MADE FIBERS:		
	382.8122	Women's		
	382.8124	Girls' And Infants'		
<u>237</u>		<u>SUITS, NOT KNIT</u>	<u>4.5</u>	<u>No.</u>
		MEN'S AND BOYS':		
	380.0464	Ornamented		
		NOT ORNAMENTED:		
	380.5170	Of Vegetable Fiber, Except Cotton, Containing Man-Made Fiber		
	380.8450	Of Man-Made		
		WOMEN'S, GIRLS' AND INFANTS':		
	382.0478	Ornamented		
	NOT ORNAMENTED:			
	382.4275	Of Vegetable Fiber, Except Cotton, Containing Man-Made Fiber		
	382.8126	Of Man-Made		
<u>238</u>		<u>TROUSERS, SLACKS AND SHORTS, NOT KNIT</u>	<u>17.8</u>	<u>Doz.</u>
		MEN'S AND BOYS':		
	380.0467	Ornamented		
		NOT ORNAMENTED:		
	380.5175	Of Vegetable Fiber, Except Cotton, Containing Man-Made Fiber		
	380.8455	Of Man-Made		
		WOMEN'S, GIRLS' AND INFANTS':		
	382.0480	Ornamented		
	NOT ORNAMENTED:			
	382.4280	Of Vegetable, Except Cotton, Containing Man-Made Fiber		
	382.7265	Of Silk, Containing Man-Made Fiber		
	382.8128	Of Man-Made Fiber		

## NOTICES

Textile and Apparel Categories by Tariff Schedules  
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- MAN-MADE FIBER -

TEXTILE Category	TSUSA Number	DESCRIPTION	CONVER- SION FACTOR	UNIT OF MEA- SURE
<u>239</u>		<u>UNDERWEAR, NOT KNIT</u>	<u>16.0</u>	<u>Doz.</u>
		ORNAMENTED:		
		MEN'S AND BOYS':		
	378.0566	Briefs, Drawers, and Shorts		
	378.0568	Other		
	378.0576	Women's, Girls' and Infants'		
		NOT ORNAMENTED:		
		MEN'S AND BOYS':		
	378.6512	Briefs, Drawers, and Shorts		
	378.6518	Other		
	378.6530	Women's, Girls' and Infants'		
<u>240</u>		<u>OTHER WEARING APPAREL, NOT KNIT, WHETHER OR NOT ORNAMENTED</u>	<u>7.8</u>	<u>Lb.</u>
		NECKTIES, MEN'S AND BOYS':		
	373.0560	Ornamented		
	373.2700	Not Ornamented		
	376.5600	Garments Designed For Rainwear, Etc., Coated, Filled Or Laminated With Rubber Or Plastics.		
		LACE OR NET WEARING APPAREL, OTHER:		
		MEN'S AND BOYS':		
		ORNAMENTED:		
	380.0470	Of Man-Made Fiber		
	380.0555	Of Silk, containing man-made fiber		
		NOT ORNAMENTED:		
	380.5180	Of Vegetable Fiber, Except Cotton, Containing Man-Made Fiber		
	380.7520	Of Silk, Containing Man-Made Fiber		
		OF MAN-MADE FIBER:		
	380.8460	Judo and Karate Uniforms		
	380.8485	Other Wearing Apparel		
	380.9020	Of Other, Containing Man-Made Fiber		
		WOMEN'S, GIRLS' AND INFANTS':		
		ORNAMENTED:		
	382.0482	Of Man-Made Fiber		
	382.0555	Of Other		

Textile and Apparel Categories by Tariff Schedules  
of the United States Annotated

- MAN-MADE FIBER -

TEXTILE Category	TSUSA Number	DESCRIPTION	CONVERSION FACTOR	UNIT OF MEASURE
<u>240</u> CONT'D		<u>OTHER WEARING APPAREL, NOT KNIT, WHETHER OR NOT ORNAMENTED</u>	<u>7.8</u>	<u>Lb.</u>
		LACE OR NET WEARING APPAREL, OTHER: CONT'D		
		WOMEN'S, GIRLS' AND INFANTS': CONT'D		
		NOT ORNAMENTED:		
	382.4285	Of Vegetable Fiber, Except Cotton, Containing Man-Made Fiber		
	382.7267	Of Silk, Containing Man-Made Fiber		
	382.8150	Of Man-Made Fiber		
	382.8720	Of Other		
		HEADWEAR:		
	703.0500	Wholly Or In Part Of Braid		
	703.1500	Not In Part Of Braid, Not Knit		
<u>241</u>		<u>FLOOR COVERINGS</u>	<u>0.11</u>	<u>Sft.</u>
	360.7540	In Which the Pile or Tuft Were Inserted or Knotted into a Pre-Existing Base, Handhooked Using Hand Tool		
	360.8042	In Which the Pile or Tuft Were Inserted or Knotted into a Pre-Existing Base, Other Than Handhooked		
	361.0560	Wholly or in Part of Braids (Except Tubular Braids with Core)		
	361.1840	Wholly or in Part of Braids, Other		
	361.2050	Other than of Wholly or in Part of Braids		
	361.5425	Other Floor Coverings, N.S.P.F. Woven but Not Made on a Power Driven Loom		
	361.5642	Other Floor Coverings, N.S.P.F. Other than Woven, Etc.		
<u>242</u>		<u>OTHER FURNISHINGS</u>	<u>7.8</u>	<u>Lb.</u>
		LACE OR NET BEDDING:		
	363.2560	Ornamented		
		OTHER BEDDING:		
		NOT ORNAMENTED:		
	363.8520	Blankets		
	363.8540	Bedspreads, Coverlets, Quilts and Comforters		
	363.8560	Other		
	364.3000	Tapestries, Including Hand-Worked Petit-Point and Other Needle Point Tapestries		

## NOTICES

Textile and Apparel Categories by Tariff Schedules  
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- MAN-MADE FIBER -

TEXTILE Category	TSUSA Number	DESCRIPTION	CONVER- SION FACTOR	UNIT OF MEA- SURE
242 CONT'D		OTHER FURNISHINGS CONT'D	7.8	Lb.
		HANDMADE-LACE FURNISHINGS, ORNAMENTED:		
	365.1060	Valued Not Over \$50 Per Pound		
	365.1560	Valued Over \$50 Per Pound		
		MACHINE-MADE LACE FURNISHINGS:		
		MADE ON A LEAVERS MACHINE:		
	365.2000	12 Points or Finer		
	365.3160	Not 12 Points or Finer		
	365.3560	Made on a Bobbinette-Jacquard Machine		
	365.4560	Made on a Nottingham-Lace Curtain Machine		
	365.5060	Made on Any Other Machine		
	365.7060	Burnt Out Lace Furnishings		
	365.7560	Of Lace, Of Netting, or of Both, Made in Designs or Patterns Formed Wholly or in Substantial Part by Machine- Made Materials by Handwork		
	365.8560	Other Furnishings Made on a Lace, Net, or Knitting Machine, Whether or Not Ornamented and ther Lace or Net Furnish- ings, Ornamented		
		OTHER FURNISHINGS, NOT ORNAMENTED:		
	367.5000	Knit, Except Pile or Tufted		
	367.5500	Pile or Tufted		
	367.5900	Of Glass		
	367.6000	Other		
243		MAN-MADE FIBER MANUFACTURES, N.E.S.	7.8	Lb.
		BRAIDS, NOT SUITABLE FOR MAKING OR ORNAMMENTING HEADWEAR:		
		TUBULAR BRAIDS WITH NON-ELASTIC CORE:		
		CABLE, ROPE, CORD AND TWINE:		
	348.0065	Measuring Under 3/16" In Diameter		
	348.0075	Other		
	348.0080	Other		
		OTHER:		
		CABLE, ROPE, CORD AND TWINE:		
	348.0565	Measuring Under 3/16" In Diameter		
	348.0575	Other		
	348.0580	Other		

Textile and Apparel Categories by Tariff Schedules  
of the United States Annotated

- MAN-MADE FIBER -

TEXTILE Category	TSUSA Number	DESCRIPTION	CONVERSION FACTOR	UNIT OF MEASURE
243 CONT'D		MAN-MADE FIBER MANUFACTURES, N.E.S. CONT'D	7.8	Lb.
	355.2500	Weds, Wadding, Batting and Non-Woven Fabrics, Etc.		
	355.4560	Fish Netting, and Fishing Nets (Including Sections Thereof)		
	357.7060	Edgings, Insertings, Galloons, Fringes and Trimmings, Whether in the Piece or Otherwise		
	357.9560	Hose Suitable for Conducting Gases or Liquids, with or Without Attached Fittings (Exclusive of Fittings)		
	358.1400	Belting and Belts, for Machinery, of Textile Fibers or of Such Fibers and Rubber or Plastics, Other Than V-Belts		
	358.5000	Clothing for Paper-Making, Printing, or Other Machine, in the Piece or Unit, N.S.P.F.		
	372.0600	Veils, Ornamented		
	385.5300	Bags, Sacks and Other Shopping Containers		
		LABELS, NOT ORNAMENTED:		
	385.6120	Woven		
	385.6140	Other		
	385.7040	Tassels and Cords of Textile Materials		
		CORSET LACINGS, FOOTWEAR LACINGS, OR SIMILAR FACINGS:		
	385.7540	Braided, with or without Core		
	385.8500	Other than Braided		
		OTHER ARTICLES, N.S.P.F.:		
	389.6010	Tarpaulins and Tents		
		NON-ELASTIC BRAIDS AND OTHER BRAIDS SUITABLE FOR MAKING OR ORNAMENTING HEADWEAR:		
		IN SUBSTANTIAL PART OF MAN-MADE FIBERS:		
	703.9020	Of Ramie		
	703.9040	Other		
	703.9500	Of Other Textile Material		

NOTICES

Textile and Apparel Categories by Tariff Schedules  
of the United States Annotated

SECTION IV CROSS-REFERENCE

COTTON, WOOL AND MAN-MADE FIBER TSUSA CLASSES BY CATEGORY

TSUSA	CAT								
300.6020	64	310.9100	205	321.--94	27	324.--92	26	327.--30	18
22	64	315.0500	64	322.--01	26	--94	27	--32	19
24	64	.1000	64	--02	26	325.--18	5	--34	26
26	64	.1500	64	--03	26	--20	6	--44	9
28	64	316.4000	128	--04	26	--22	11	--46	10
301.--00	1	.6010	205	--06	26	--24	12	--54	22
302.--20	1	.6020	205	--08	26	--48	20	--58	22
--22	1		5	--18	5	--50	21	--60	23
--24	2	319.2100	17	--20	6	--52	33	--64	23
--26	3	.2300	17	--22	11	--54	22	--68	13
--28	4	.2500	17	--24	12	--56	22	--70	14
303.1000	64	.2700	17	--26	15	--58	22	--76	26
.2040	64	.2900	17	--28	16	--60	23	--78	27
42	64	320.--01	26	--30	18	--62	23	--88	26
307.3000	128	--02	26	--32	19	--64	23	--90	27
.5000	101	--03	26	--34	26	--68	13	--92	26
.5200	101	--04	26	--44	9	--70	14	--94	27
.6000	128	--06	26	--46	10	--72	24	328.--01	26
.6200	102	--08	26	--54	22	--74	25	--02	26
.6403	103	--22	11	--56	22	--76	26	--03	26
06	103	--24	12	--58	22	--78	27	--04	26
09	103	--26	15	--60	23	--80	24	--06	26
12	103	--28	16	--62	23	--82	25	--08	26
15	103	--30	18	--64	23	--84	24	--18	5
308.6000	205	--32	19	--68	13	--86	25	--20	6
.6500	205	--34	26	--70	14	--88	26	--22	11
.6600	205	--36	9	--72	24	--90	27	--24	12
.7000	205	--38	9	--74	25	--92	26	--26	15
.7100	205	--40	9	--76	26	--94	27	--28	16
.7500	205	--42	10	--78	27	326.--01	26	--30	18
309.9800	205	--44	9	--80	24	--02	26	--32	19
.9900	205	--46	10	--82	25	--03	26	--34	26
310.0115	200	--54	22	--84	24	--04	26	--44	9
25	201	--58	22	--86	25	--06	26	--46	10
45	202	--60	23	--88	26	--08	26	--54	22
65	202	--64	23	--90	27	--22	11	--56	22
.0215	200	--68	13	--92	26	--24	12	--58	22
25	201	--70	14	--94	27	--26	15	--60	23
45	202	--76	26	323.--22	11	--28	16	--62	23
65	202	--78	27	--24	12	--30	18	--64	23
.0520	201	--88	26	--48	20	--32	19	--68	13
40	202	--90	27	--50	21	--34	26	--70	14
60	202	--92	26	--52	33	--36	9	--72	24
.0620	201	--94	27	--54	22	--38	9	--74	25
40	202	321.--01	26	--58	22	--40	9	--76	26
60	202	--02	26	--60	23	--42	10	--78	27
.1015	200	--03	26	--64	23	--44	9	--80	24
25	201	--04	26	--68	13	--46	10	--82	25
45	202	--06	26	--70	14	--54	22	--84	24
65	202	--08	26	--76	26	--58	22	--86	25
.1115	200	--22	11	--78	27	--60	23	--88	26
25	201	--24	12	--88	26	--64	23	--90	27
45	202	--26	15	--90	27	--68	13	--92	26
65	202	--28	16	--92	26	--70	14	--94	27
.2020	201	--30	18	--94	27	--76	26	329.--22	11
40	202	--32	19	324.--22	11	--78	27	--24	12
60	202	--34	26	--24	12	--88	26	--48	20
.2120	201	--44	9	--48	20	--90	27	--50	21
40	202	--46	10	--50	21	--92	26	--52	33
60	202	--54	22	--52	33	--94	27	--54	22
.4010	200	--58	22	--54	22	327.--01	26	--58	22
25	203	--60	23	--58	22	--02	26	--60	23
45	204	321.--64	23	--60	23	--03	26	--64	23
.5010	200	--68	13	--64	23	--04	26	--68	13
25	203	--70	14	--68	13	--06	26	--70	14
45	204	--76	26	--70	14	--08	26	--76	26
.6015	200	--78	27	--76	26	--22	11	--78	27
30	205	--88	26	--78	27	--24	12	--88	26
.8000	205	--90	27	--88	26	--26	15	--90	27
.9000	205	--92	26	--90	27	--28	16	--92	26

Textile and Apparel Categories by Tariff Schedules  
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-CROSS REFERENCE-

COTTON, WOOL AND MAN-MADE FIBER TSUSA CLASSES BY CATEGORY

TSUSA	CAT								
329.--94	27	336.5512	104	338.3026	208	346.2000	7	351.4010	64
330.--22	11	14	104	29	208	.2200	7	40	126
..--24	12	16	104	35	208	.2400	7	.4440	126
..--48	20	18	104	36	208	.3020	26	.4610	64
..--50	21	20	104	39	206	40	27	60	213
..--52	33	22	104	51	206	.3220	26	.5010	64
..--54	22	24	104	52	206	40	27	40	126
..--58	22	26	104	53	208	.3525	26	60	213
..--60	23	.6022	104	54	208	30	26	.6010	64
..--64	23	24	104	55	208	45	27	.7040	126
..--68	13	26	104	59	208	50	27	60	213
..--70	14	28	104	62	207	.4020	26	.8010	64
..--76	26	30	104	63	207	40	27	40	126
..--78	27	32	104	64	209	.4520	26	60	213
..--88	26	34	104	65	209	40	27	.9010	64
..--90	27	36	104	66	209	60	64	40	126
..--92	26	38	104	69	209	.5010	109	60	213
..--94	27	40	104	72	210	20	212	352.1010	64
331.--18	5	42	104	73	210	.5200	109	.2040	126
..--20	6	44	104	74	210	.5610	109	60	213
..--22	11	45	104	75	210	20	212	.3010	64
..--24	12	46	104	76	210	.6045	212	40	126
..--48	20	48	104	79	210	50	212	60	213
..--50	21	50	104	82	207	60	212	.4010	64
..--52	33	52	104	83	207	.7000	26	40	126
..--54	22	54	104	84	209	.8200	109	60	213
..--56	22	56	104	85	209	.9000	212	.5000	64
..--58	22	58	104	86	209	347.1000	64	.8010	64
..--60	23	60	104	89	209	.1500	64	40	126
..--62	23	62	104	92	210	.2520	64	60	213
..--64	23	64	104	93	210	.3320	64	353.1010	64
..--68	13	65	104	94	210	40	64	40	126
..--70	14	66	104	95	210	80	64	60	213
..--72	24	68	104	96	210	.4000	128	.5012	64
..--74	25	70	104	99	210	.5500	213	14	64
..--76	26	72	104	339.0500	104	.6020	213	16	64
..--78	27	74	104	345.1020	64	40	213	32	126
..--80	24	76	104	40	64	.6500	213	34	126
..--82	25	337.5010	104	70	110	.6800	213	36	126
..--84	24	12	104	80	211	.6900	213	52	213
..--86	25	14	104	.3000	110	.7000	213	54	213
..--88	26	16	104	.3510	110	348.0010	64	56	213
..--90	27	18	104	20	211	40	126	355.0200	64
..--92	26	20	104	.5011	211	65	243	.1520	128
..--94	27	22	104	21	211	75	243	40	128
332.1020	26	24	104	22	211	80	243	60	128
40	27	26	104	24	211	.0510	64	80	128
.4020	26	28	104	26	211	40	126	90	128
40	27	.5500	104	28	211	65	243	.1620	128
335.5500	104	.6005	210	29	211	75	243	40	128
.6000	210	.7005	210	41	211	80	243	60	128
336.1000	104	.8005	210	42	211	349.1010	64	80	128
.1520	104	.9005	210	44	211	12	64	90	128
40	104	338.1010	210	46	211	40	128	.1800	128
.2000	104	12	210	48	211	60	205	.2500	243
.2500	104	14	210	49	211	.1500	37	.3500	38
.3000	104	16	210	61	211	.2520	128	.4560	243
.3500	104	18	210	62	211	40	213	.5000	26
.4020	104	.1510	210	64	211	.3010	37	.6000	213
40	104	12	210	66	211	40	128	.6510	26
60	104	14	210	68	211	60	213	.7000	128
.5012	104	16	210	69	211	350.0010	64	.8100	213
14	104	18	210	81	211	40	126	.8200	213
16	104	.2500	210	82	211	60	213	356.1010	26
18	104	.2700	210	84	211	351.0500	64	40	128
20	104	.3012	210	86	211	.2040	126	60	213
22	104	22	206	88	211	60	213	.1510	26
24	104	23	206	89	211	.2510	64	40	128
26	104	24	208	346.0500	8	40	126	60	213
		25	208	.1000	8	60	213	.2000	26
				.1500	7	.3000	213	.2510	26

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COTTON, WOOL AND MAN-MADE FIBER TSUSA CLASSES BY CATEGORY

TSUSA	CAT								
356.3000	128	361.2030	132	365.3540	126	370.3200	32	376.2865	61
.4000	213	50	241	60	242	.3600	32	85	225
357.0512	26	.4200	132	.4010	64	.4000	32	90	61
14	27	.4400	132	.4540	126	.4400	32	95	225
16	26	.4600	132	60	242	.4800	32	5600	63
18	27	.4800	132	.5010	64	.5200	32	.5600	240
.1000	108	.5000	64	40	126	.5600	32	378.0521	58
.1500	108	.5422	64	60	242	.6020	32	24	223
.2000	105	25	241	.7010	64	.6040	32	31	58
.3500	213	.5622	64	40	126	.6420	32	32	58
.4500	213	42	241	60	242	.6440	32	33	58
.6010	64	.8000	128	.7510	64	.6820	32	35	113
40	126	363.0100	64	40	126	.6840	32	37	223
60	213	.0510	64	60	242	.8820	226	41	58
.7010	64	15	36	.7700	64	40	226	42	58
40	126	20	36	.7820	30	372.0400	64	44	58
60	243	25	64	30	64	.0600	243	46	58
.8010	64	.1020	107	.8540	126	.0840	126	48	223
60	213	40	106	60	242	.1010	62	51	58
.9560	243	.1520	104	366.0300	64	20	117	52	58
358.0210	64	40	104	.0600	64	30	224	54	58
.0510	64	.2000	126	.0900	64	40	63	56	113
.0610	64	.2560	242	.1520	64	50	125	378.0558	223
.0800	128	.3010	34	.1820	31	60	227	62	59
.0900	128	20	28	40	31	.1520	62	64	59
.1400	243	30	35	60	31	40	63	66	239
.2410	64	40	29	80	31	60	63	68	239
.2610	64	.4020	64	366.2120	31	372.2500	114	71	59
.3000	128	40	64	40	31	.3000	116	74	125
.3500	128	.4520	64	60	31	.3500	117	76	239
.5000	243	40	64	80	31	.4000	125	378.1012	62
359.1020	64	.5020	36	.2420	31	.4500	125	14	56
40	64	40	36	40	31	.7000	224	16	57
60	64	60	36	60	31	.7520	227	29	56
.2025	128	.5120	36	80	31	40	227	32	58
.2030	213	40	36	.2720	31	373.0510	62	34	57
.2045	128	60	36	40	31	20	117	39	58
.2050	213	.5520	36	60	30	30	224	378.1512	62
.3020	128	40	36	80	31	40	63	14	56
40	128	60	36	366.4200	33	50	125	16	57
60	128	.6025	64	.4500	64	60	240	29	56
.5020	213	40	64	.4600	64	.1010	62	32	58
40	213	.6520	107	.4700	64	45	63	34	57
60	213	40	106	.5720	64	.1520	117	39	58
360.0500	132	.7020	104	.6000	64	40	125	378.2012	57
.1000	132	40	104	.6300	64	.2500	224	18	59
.1500	132	.7500	128	.6500	64	.2700	240	30	59
.2000	64	.8520	242	.6900	64	37.0520	40	378.2512	57
.2500	64	40	242	.7500	33	.1020	40	18	59
.3000	64	60	242	.7700	64	.1520	62	30	59
.4000	132	364.1120	26	.7900	64	.2000	111		
.4610	132	.1220	64	367.0500	128	.2500	111		
.4620	132	.1520	64	.1000	128	.3000	117	378.3510	113
.4820	132	.2000	108	.1500	128	.3540	215	30	113
.4840	132	.2200	108	.2000	128	.4020	40	378.4010	125
.6500	132	.3000	242	.2500	128	.4520	40	30	125
.7000	132	365.0000	64	.3000	128	.5000	111	378.4510	125
.7522	64	.1040	126	367.5000	242	.6000	215	30	125
40	241	60	242	.5500	242	376.0420	64	378.6010	223
.8022	64	.1510	64	.5900	242	.0800	128	30	223
42	241	40	126	.6000	242	.1600	225	378.6512	239
361.0522	64	60	242	370.0420	32	.2425	61	18	239
42	64	.2000	242	.0440	32	45	225	30	239
50	131	.2510	64	.0460	32	65	61	380.0003	62
60	241	40	126	.0800	32	85	225	06	62
.0700	132	.2940	126	.1620	32	90	61	09	62
.1000	132	.3110	64	.1640	32	95	225	12	60
.1820	64	60	242	.2020	226	376.2825	61	15	62
.1840	241	.3510	64	.2400	32	45	225	18	42
.2010	64			.2800	32				

Textile and Apparel Categories by Tariff Schedules  
of the United States Annotated

-CROSS REFERENCE-

COTTON, WOOL AND MAN-MADE FIBER TSUSA CLASSES BY CATEGORY

TSUSA	CAT								
380.0021	42	380.0660	62	380.5730	116	382.0028	62	382.0470	231
24	62	90	62	40	116	30	62	72	232
27	62	.0910	48	50	116	32	62	74	233
30	62	20	48	90	116	34	62	76	236
33	62	40	49	.5900	117	40	52	78	237
36	62	60	49	.6110	117	42	52	80	238
40	63	80	49	20	117	44	52	82	240
43	63	90	49	30	117	46	52	.0515	117
46	63	.1210	48	40	117	48	52	25	224
49	55	20	48	50	117	50	52	45	125
52	63	40	49	60	117	52	63	55	240
55	63	60	49	.6310	121	54	63	.0605	62
58	54	80	49	20	121	56	63	10	62
61	45	90	49	30	125	58	53	15	62
64	45	.1520	55	40	125	60	53	20	62
67	46	40	55	50	120	62	53	25	62
70	63	.1820	55	60	124	64	53	30	62
73	63	40	55	90	125	66	53	35	62
76	63	.2100	60	.6610	121	68	53	40	62
.0205	117	.2400	60	20	121	70	55	45	62
10	117	.2752	45	30	125	72	63	50	60
15	117	55	45	40	125	74	54	55	62
20	117	59	45	50	120	76	46	60	42
25	117	62	45	60	124	78	45	65	62
40	121	65	45	90	125	80	63	70	43
45	121	69	45	.7210	117	82	63	75	62
50	125	72	47	20	224	84	51	80	44
55	125	75	47	.7510	125	86	51	85	62
60	120	77	47	20	240	88	63	90	62
65	124	78	47	.8101	224	90	63	95	62
70	125	79	47	03	224	.0205	117	.0902	48
.0401	224	82	46	07	224	10	117	04	48
02	224	85	46	13	224	15	117	06	48
04	224	87	46	17	224	20	117	08	48
07	224	89	46	23	224	25	117	10	48
08	224	92	46	27	217	30	117	12	48
11	217	95	46	33	218	35	117	14	49
14	224	97	46	35	218	40	117	16	49
16	218	99	45	37	219	50	125	18	49
17	218	.3000	63	43	224	55	122	20	49
19	219	.3300	63	47	221	60	125	22	49
20	224	.3600	63	63	224	65	123	24	49
23	221	.3909	60	65	222	70	125	.1202	48
25	224	12	54	92	224	.0401	219	04	48
28	222	22	50	.8410	229	03	224	06	48
39	224	25	50	15	229	05	224	08	48
40	229	27	50	20	229	07	224	10	48
43	229	29	50	25	231	09	224	12	48
46	229	32	50	30	232	11	224	14	49
49	231	35	50	35	234	13	216	16	49
52	232	37	50	40	235	15	216	18	49
55	234	39	50	45	235	17	224	20	49
58	235	80	63	50	237	23	217	22	49
61	235	82	63	55	238	25	215	24	49
64	237	84	63	60	240	37	224	.1520	55
67	238	.4510	117	85	240	39	218	40	55
70	240	20	224	.9010	125	43	219	60	55
.0505	117	.5110	121	20	240	45	220	.1820	55
15	224	15	121	382.0002	62	51	224	40	55
45	125	25	125	04	62	52	221	60	55
55	240	30	120	06	62	53	224	.2100	60
.0610	62	35	124	08	62	55	224	.2400	60
15	62	45	125	10	62	57	222	.2700	63
20	62	50	229	12	62	59	224	.3000	63
25	60	55	229	14	62	49	215	.3302	52
30	62	65	235	16	62	50	224	04	52
35	41	70	237	18	60	60	228	06	52
40	42	75	238	20	62	62	229	08	52
45	62	80	240	22	42	64	229	10	52
50	43	.5710	116	24	62	66	230	12	52
55	44	20	116	26	62	68	230	14	53

## NOTICES

Textile and Apparel Categories by Tariff Schedules  
of the United States Annotated

-CROSS REFERENCE-

COTTON, WOOL AND MAN-MADE FIBER TSUSA CLASSES BY CATEGORY

TSUSA	CAT	TSUSA	CAT	TSUSA	CAT	TSUSA	CAT	TSUSA	CAT
382.3316	53	382.5860	117	382.7876	221	704.1570	112		
18	53	70	117	80	222	80	214		
20	53	90	117	81	215	.2000	112		
22	53	.6010	125	83	224	.2500	112		
24	53	15	122	85	224	.3000	112		
26	60	20	122	87	224	.3535	214		
28	54	25	125	.8102	228	45	214		
30	54	30	125	04	228	.4010	39		
32	54	35	123	06	229	25	39		
34	63	40	122	08	229	70	112		
36	63	45	124	10	229	80	214		
38	63	.6090	125	12	230	.4510	39		
40	63	.6310	125	14	230	25	39		
42	63	15	122	16	231	70	112		
44	63	20	122	18	232	80	214		
46	51	25	125	20	233	.5015	39		
48	51	30	125	22	236	70	112		
50	51	35	123	24	236	80	214		
52	51	40	122	26	237	.5500	112		
54	51	45	124	28	238	.5600	112		
56	51	90	125	50	240	.6000	112		
58	51	.6905	117	.8710	125	.6500	112		
60	51	10	117	20	240	.7000	112		
62	51	17	117	385.2000	128	.8520	214		
64	51	30	124	.2500	64	50	214		
68	46	35	117	.3000	64	.9000	214		
70	45	45	219	.4000	64	706.2015	64		
80	63	50	216	.5300	243	.2240	64		
85	63	53	221	.5520	64	70	64		
.3905	117	65	222	.6020	64	.2415	64		
15	117	67	224	.6120	243	727.8020	64		
20	123	.7205	125	40	243	40	64		
30	117	10	125	.7020	64	745.7420	64		
35	124	15	125	40	243				
40	117	25	125	.7520	64				
50	219	30	124	40	243				
60	216	35	125	.8020	64				
65	220	45	228	.8500	243				
70	221	50	230	386.0820	126				
80	222	55	231						
85	224	57	232	388.1000	128				
.4205	125	65	238	.2000	128				
10	122	67	240	.3000	128				
15	125	.7801	219	.4000	128				
20	123	05	224	389.6010	243				
25	122	07	224						
35	124	09	224	700.7500	125				
40	125	11	224	702.0520	62				
50	228	15	224	.1020	63				
55	229	17	216	.5400	115				
60	230	19	216	.5600	115				
65	236	21	224	.6000	118				
75	237	25	217	.6500	119				
80	238	27	215	.7000	119				
85	240	41	224	.7500	125				
.4800	114	51	218	.8000	125				
.5410	116	59	219	703.0500	240				
20	116	65	220	.1000	224				
25	116	67	224	.1500	240				
30	116	71	221	.9020	243				
35	116	77	224	40	243				
40	116	79	224	.9500	243				
45	116	80	222	704.0520	39				
.5600	117	91	224	70	112				
.5810	117	.7862	220	80	214				
20	117	64	220	.1020	39				
30	117	66	220	70	112				
45	117	72	221	80	214				
50	117	74	221	.1520	39				



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