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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 7—Agriculture

CHAPTER I—AGRICULTURAL MARKETING SERVICE (STANDARDS, INSPECTIONS, MARKETING PRACTICES), DEPARTMENT OF AGRICULTURE

PART 27—COTTON CLASSIFICATION UNDER COTTON FUTURES LEGISLATION

Removal of Atlanta, Georgia From List of Bona Fide Spot Markets

On July 2, 1974, a notice of proposed rule making was published in the FEDERAL REGISTER (39 FR 24375) regarding the proposed amendment of § 27.93 of the regulations for cotton classification under cotton futures legislation (7 CFR Part 27, Subpart A).

Statement of Considerations. This amendment of the regulations for cotton classification under cotton futures legislation removes Atlanta, Georgia from the list of bona fide spot markets (§ 27.93). Cotton is no longer traded in such volume and under such conditions in the Atlanta, Georgia market as needed to reflect the value of spot cotton.

No objections to this action were received pursuant to the notice. One comment was received expressing regret relative to the decision to remove Atlanta from the list of bona fide spot markets but recognizing the need for markets to meet the criteria established for a bona fide spot market.

Pursuant to authority contained in the cotton futures provisions in sections 4862 and 4863 of the Internal Revenue Code of 1954 (68A Stat. 581, 582; (26 U.S.C. 4862, 4863)), the regulations governing cotton classification (7 CFR Part 27) under such provisions are hereby amended by revising § 27.93 to read as follows:

§ 27.93 Bona Fide Spot Markets.

The following markets have been determined, after investigation, and are hereby designated to be bona fide spot markets within the meaning of the act:

Augusta, Ga.	Houston, Tex.
Dallas, Tex.	Lubbock, Tex.
Fresno, Calif.	Memphis, Tenn.
Greenville, S.C.	Montgomery, Ala.
Greenwood, Miss.	Phoenix, Ariz.

(Secs. 4862 and 4863, 68A Stat. 581, 582; (26 U.S.C. 4862, 4863))

Inasmuch as the Atlanta, Georgia market no longer has a sufficient volume of trading to provide an accurate basis for spot price quotations, it should be removed as soon as possible from the list of bona fide spot markets. Furthermore, the proposed effective date of August 1, 1974 contained in the notice of proposed rule making coincides with the beginning of the 1974 cotton marketing year and should be made effective concurrently therewith.

After consideration of all relevant matter, including the proposal set forth in the aforesaid notice, and other available information, it is hereby found that there is good cause, pursuant to the administrative procedure provisions of 5 U.S.C. 533, for making the amendment effective less than 30 days after publication in the FEDERAL REGISTER.

Effective date. This amendment shall become effective August 1, 1974.

Dated: July 22, 1974.

JOHN C. BLUM,
Acting Administrator.

[FR Doc.74-17040 Filed 7-24-74;8:45 am]

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

SUBCHAPTER A—AGRICULTURAL CONSERVATION PROGRAMS

[Amdt. 1]

PART 701—NATIONAL RURAL ENVIRONMENTAL CONSERVATION PROGRAM FOR 1974 AND SUBSEQUENT YEARS

State Allocations for 1974

The regulations governing the National Rural Environmental Conservation Program for 1974 and subsequent years, 39 FR 24871 are hereby amended to add to § 701.4(a) the State allocations for 1974:

§ 701.4 State funds.

(a) * * * The allocation of funds among the States for 1974 is as follows:

Alabama	$2,048,000
Alaska	57,000
Arizona	693,000
Arkansas	1,730,000
California	2,143,000
Colorado	1,645,000
Connecticut	159,000
Delaware	107,000
Florida	1,468,000
Georgia	2,426,000
Hawaii	133,000
Idaho	967,000
Illinois	2,908,000
Indiana	1,934,000
Iowa	3,207,000
Kansas	2,602,000
Kentucky	2,353,000
Louisiana	1,585,000
Maine	597,000
Maryland	464,000
Massachusetts	190,000
Michigan	1,766,000
Minnesota	2,587,000
Mississippi	2,175,000
Missouri	3,099,000
Montana	2,099,000
Nebraska	2,128,000
Nevada	296,000
New Hampshire	198,000
New Jersey	254,000
New Mexico	926,000
New York	1,844,000
North Carolina	2,170,000
North Dakota	2,088,000
Ohio	2,011,000
Oklahoma	2,411,000
Oregon	1,220,000
Pennsylvania	1,712,000
Puerto Rico	285,000
Rhode Island	27,000
South Carolina	1,234,000
South Dakota	1,637,000
Tennessee	1,874,000
Texas	7,160,000
Utah	622,000
Vermont	370,000
Virginia	1,504,000
Virgin Islands	6,000
Washington	1,380,000
West Virginia	614,000
Wisconsin	2,094,000
Wyoming	813,000
Total	78,000,000

(Sec. 4, 49 Stat. 164, (16 U.S.C. 590d))

Effective date. Since farmers are now completing plans for participating in the 1974 Rural Environmental Conservation Program, it is essential that the foregoing amendment be made effective as soon as possible. It is hereby found and determined that compliance with the notice and public procedure provisions of 5 U.S.C. 553 is impracticable and contrary to the public interest.

Accordingly this amendment shall become effective on July 25, 1974.

Signed at Washington, D.C. on July 19, 1974.

CLAYTON YEUTTER,
Assistant Secretary.

[FR Doc.74-17009 Filed 7-24-74;8:45 am]

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

[Valencia Orange Reg. 475]

PART 908—VALENCIA ORANGES GROWN IN ARIZONA AND DESIGNATED PART OF CALIFORNIA

Limitation of Handling

This regulation fixes the quantity of California-Arizona Valencia oranges that may be shipped to fresh market during the weekly regulation period July 26–August 1, 1974. It is issued pursuant to the Agricultural Marketing Agreement Act of 1937, as amended, and Marketing

Order No. 908. The quantity of Valencia oranges so fixed was arrived at after consideration of the total available supply of Valencia oranges, the quantity of Valencia oranges currently available for market, the fresh market demand for Valencia oranges, Valencia orange prices, and the relationship of season average returns to the parity price for Valencia oranges.

§ 908.775 Valencia Orange Regulation 475.

(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 908, as amended (7 CFR Part 908), regulating the handling of Valencia 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 Valencia 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 Valencia oranges, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) The need for this section to limit the respective quantities of Valencia 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 Valencia orange industry.

(i) The committee has submitted its recommendation with respect to the quantities of Valencia 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 Valencia oranges continues to show improvement. Prices f.o.b. averaged $3.50 per carton on a reported sales volume of 566 carlots last week, compared with an average f.o.b. price of $3.40 per carton and sales of 569 carlots a week earlier. Track and rolling supplies at 345 cars were up 83 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 Valencia 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 section 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 Valencia oranges 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 Valencia oranges; it is necessary, in order to effectuate the declared policy of the act, to make this section 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 July 23, 1974.

(b) *Order.* (1) The respective quantities of Valencia oranges grown in Arizona and designated part of California which may be handled during the period July 26, 1974, through August 1, 1974, are hereby fixed as follows:

(i) District 1: 344,000 cartons;

(ii) District 2: 281,000 cartons;

(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: July 24, 1974.

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

[FR Doc.74–17226 Filed 7–24–74;12:24 pm]

PART 916—NECTARINES GROWN IN CALIFORNIA

Reporting Procedure

This document further amends the rules and regulations established pursuant to the amended marketing agreement and Order No. 916, as amended, regulating the handling of nectarines grown in California. Such amendment requires each handler to file with the Nectarine Administrative Committee manager or other committee designee (1) a daily report showing the number of packages of nectarines by container type, variety, and district of origin packed the preceding day and (2) a monthly report filed by the 10th of each month of shipments of those varieties of nectarines completed during the preceding month showing the name of the shipper, the shipping point, the district of origin, the variety, and the number of packages, by size, for each container type. Such information is necessary to enable the committee to perform its duties under the program.

In the past shipment and packout reports have been provided by the handlers on a voluntary basis. The committee has found that requiring handlers to report on a mandatory basis is desirable and necessary to the effective administration of the order. The amendment will make such reporting requirements mandatory.

Notice was published in the June 17, 1974, issue of the FEDERAL REGISTER (39 FR 20978) that the Department was giving consideration to proposed amendment to the rules and regulations (Subpart—Rules and Regulations, 7 CFR 916.102–916.115), currently in effect pursuant to the applicable provisions of the amended marketing agreement and Order No. 916, as amended, hereinafter "the order." This is a regulatory program effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674). The notice specified that interested persons could submit written data, views, or arguments for consideration with respect to the proposed amendment until July 7, 1974. No comments were received. The amendment of said rules and regulations was proposed by the Nectarine Administrative Committee, established under the Order, as the agency to administer the terms and provisions thereof.

After consideration of all relevant matter presented, including that in the notice, it is hereby found that the amendment, as hereinafter set forth, of said rules and regulations is in accordance with the Order and will tend to effectuate the declared policy of the act.

It is hereby further found that good cause exists for not postponing the effective date hereof August 26, 1974 (5 U.S.C. 553) in that: (1) Shipments of nectarines are currently being made and this amendment should be applicable, insofar as practicable, to all such shipments; (2) notice was given of the proposed amendment through publicity in the production area and by publication in the June 17, 1974, issue of the FEDERAL REGISTER; and the specifications of the amendment are the same as those in the notice; and (3) compliance with this amendment will not require of handlers any preparation that cannot be completed prior to the effective time hereof.

The amendment is as follows:

1. A new § 916.160 *Reporting procedure* is added to read:

§ 916.160 Reporting procedure.

(a) *Report of daily packout.* When requested by the Nectarine Administrative Committee, each shipper who ships nectarines shall furnish to the manager

of the Nectarine Administrative Committee or its designee a report of the number of packages by container type, by variety and by district of origin, which the shipper packed during the preceding day.

(b) *Recapitulation of shipments.* Each shipper of nectarines shall furnish to the manager of the Nectarine Administrative Committee not later than the 10th day of each month a recapitulation of his shipments of each variety completed during the preceding month. The recapitulation shall show: (1) The name of the shipper, (2) the shipping point, (3) the district of origin, (4) the variety, and (5) the number of packages, by size, for each container type.

Dated July 19, 1974, to become effective on July 29, 1974.

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

[FR Doc.74-17041 Filed 7-24-74;8:45 am]

PART 917—FRESH PEARS, PLUMS, AND PEACHES GROWN IN CALIFORNIA

Limitation of Handling

This document further amends the rules and regulations established pursuant to the amended marketing agreement and Order No. 917, as amended, regulating the handling of fresh pears, plums, and peaches grown in California. Such amendment requires each handler to file with the Control Committee manager or other committee designee (1) a daily report showing the number of packages of pears, plums, and peaches by container type, variety, and district of origin packed the preceding day, (2) a monthly report filed by the 10th of each month of shipments of those varieties of peaches and plums completed during the preceding month showing the name of the shipper, the shipping point, the district of origin, the variety, and the number of packages, by size, for each container type, and (3) upon request a recapitulation report for pears showing for the season the name of the shipper, the shipping point, the district of origin, the variety, and the number of packages, by size, for each container type. Such information is necessary to enable the committee to perform it duties under the program.

Subject rules currently require more detailed information on daily shipments than that required by this amendment. Such information is furnished to the committee by the shippers or, when authorized by the shipper, by the transportation companies transporting the shipments. The committee has found that order administration would be facilitated by submission of less detailed reports on shipments supplemented by daily reports of the fruits packed, as hereinafter set forth in the amendment.

Notice was published in the June 19, 1974, issue of the FEDERAL REGISTER (39 FR 21151) that the Department was giving consideration to proposed amendment to the rules and regulations (Subpart—Rules and Regulations, 7 CFR Part 917 §§ 917.100—917.179), currently in effect pursuant to the applicable provisions of the amended marketing agreement and Order No. 917, as amended, hereinafter "the order." This is a regulatory program effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674). The notice specified that interested persons could submit written data, views, or arguments for consideration with respect to the proposed amendment until July 10, 1974. During the specified time the Pear Commodity Committee, the local administrative agency for pears under the Order which initiated the proposed amendment with respect to pears, met and unanimously recommended that the proposal with respect to pears be changed as hereinafter set forth to allow the committee to require pear handlers to file a recapitulation report upon request rather than monthly as proposed. The Pear Commodity Committee reported that a recapitulation of shipments report of pears submitted by each handler when his shipments for the season are completed will be sufficient and this would be consistent with the reporting requirements for intrastate shipments of pears under the companion State pear program. Therefore, it is concluded that the amendment of the rules for pears should be as hereinafter set forth.

After consideration of all relevant matter presented, including that in the notice and the further recommendation of the Pear Commodity Committee, it is hereby found that the amendment, as hereinafter set forth, of said rules and regulations is in accordance with said marketing agreement and order and will tend to effectuate the declared policy of the act.

It is hereby further found that it is impracticable, unnecessary, and contrary to the public interest to engage in further rulemaking and good cause exists in the June 19, 1974, issue of the FEDERAL hereof until 30 days after publication in the FEDERAL REGISTER (5 U.S.C. 553) in that: (1) Shipments of pears, plums, and peaches are currently being made and this amendment should be applicable, insofar as practicable, to all such shipments; (2) notice was given of the proposed amendment through publicity in the production area and by publication in the June 19, 1974, issue of the FEDERAL REGISTER; and the specifications of the amendment are the same as in the notice for plums and peaches and with respect to pears the amendment provides for reports at less frequent intervals than were specified in the notice; and (3) compliance with this amendment will not require of handlers any preparation that cannot be completed prior to the effective time hereof.

The amendment is as follows:

1. In § 917.176 paragraphs (a) and (b) are added superseding the existing paragraph (a) and the existing paragraph (b) is redesignated as paragraph (c). As revised, § 917.176 reads as follows:

§ 917.176 Pears.

(a) *Report of daily packout.* When requested by the Pear Commodity Committee, each shipper who ships pears shall furnish to the manager of the Control Committee or when designated to the Federal-State Inspection Service a report of the number of packages by container type, by variety and by district of origin, which the shipper packed during the preceding day.

(b) *Recapitulation of shipments.* When requested by the Pear Commodity Committee, each shipper of pears shall furnish to the manager of the Control Committee a recapitulation of his shipments. The recapitulation shall show: (1) the name of the shipper, (2) the shipping point, (3) the district of origin, (4) the variety, and (5) the number of packages, by size, for each container type.

(c) *Report of pears held in storage.* Each shipper who has pears under refrigeration in a storage warehouse shall upon request, file with the manager of the Control Committee within the time specified in the request an accurate report containing the following information:

(1) The name and address of the shipper; and

(2) The total quantity, as of the date specified in the request, of pears in storage outside of the State of California and in storage in the State of California.

2. In § 917.177 paragraphs (a) and (b) are added superseding the existing paragraph (a) and the existing paragraph (b) is redesignated as paragraph (c). As revised § 917.177 reads as follows:

§ 917.177 Plums.

(a) *Report of daily packout.* When requested by the Plum Commodity Committee, each shipper who ships plums shall furnish to the manager of the Control Committee or when designated to the Federal-State Inspection Service a report of the number of packages by container type, by variety and by district of origin, which the shipper packed during the preceding day.

(b) *Recapitulation of shipments.* Each shipper of plums shall furnish to the manager of the Control Committee not later than the tenth day of each month a recapitulation of his shipments of each variety completed during the preceding month. The recapitulation shall show: (1) the name of the shipper, (2) the shipping point, (3) the district of origin, (4) the variety, and (5) number of packages, by size, for each container type.

(c) *Report of plums held in storage.* Each shipper who has plums under refrigeration in storage warehouse shall, upon request, file with the manager of the Control Committee within the time specified in the request, an accurate report containing the following information:

(1) The name and address of the shipper;

(2) The total quantity, as of the date specified in the request, of each variety of such plums in storage in the State of California, and the portion of such quantity which has been in such shortage for a period less than 60 hours; and

(3) The total quantity of each variety of such plums in storage outside of the State of California as of such date.

3. Section 917.178 is revised to read as follows:

§ 917.178 Peaches.

(a) *Report of daily packout.* When requested by the Peach Commodity Committee, each shipper who ships peaches shall furnish to the manager of the Control Committee or when designated to the Federal-State Inspection Service a report of the number of packages by container type, by variety and by district or origin, which the shipper packed during the preceding day.

(b) *Recapitulation of shipments.* Each shipper of peaches shall furnish to the manager of the Control Committee not later than the tenth day of each month a recapitulation of his shipments of each variety completed during the preceding month. The recapitulation shall show: (1) The name of the shipper, (2) the shipping point, (3) the district of origin, (4) the variety, and (5) the number of packages, by size, for each container type.

Dated July 18, 1974, to become effective on July 29, 1974.

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

[FR Doc.74-17008 Filed 7-24-74;8:45 am]

CHAPTER XIV—COMMODITY CREDIT CORPORATION, DEPARTMENT OF AGRICULTURE

SUBCHAPTER B—LOANS, PURCHASES, AND OTHER OPERATIONS

[CCC Grain Price Support Regs. 1974 Crop Grain Sorghum Supplement]

PART 1421—GRAINS AND SIMILARLY HANDLED COMMODITIES

1974 Crop Grain Sorghum Loan and Purchase Program

On August 29, 1973, the U.S. Department of Agriculture announced loan rates for the 1974 crop grain sorghum on a national average of $1.88 per hundredweight. On May 10, 1974, the Department announced that beginning with the 1974 crop grain sorghum, storage deductions would no longer be made from the loan value of the commodity for unpaid storage. Instead, in order for a producer to obtain a warehouse storage loan on grain sorghum, the warehouse receipt must indicate that storage has been paid or otherwise provided for through the loan maturity date. Since storage prepayment is required, § 1421.237, "Warehouse charges" is hereby deleted and § 1421.238, "Maturity of loans" is renumbered § 1421.237 also, § 1421.239, "Loan and purchase rates and discounts" is renumbered § 1421.238. In view of the need for early announcement of the 1974 Feed Grain Program and inasmuch as grain sorghum is currently being harvested in many parts of sorghum-producing area it has been determined that compliance with notice of proposed rulemaking procedure is impracticable and contrary to public interest. Therefore, this supplement is issued without following such procedure.

Support rates, at the county level for the 1974-crop grain sorghum, reflect adjustments necessary to reflect consideration for historical grain sorghum prices received by farmers by States and districts.

The general regulations governing price support for the 1970 and subsequent crops, published at 35 FR 7363 and 7781, and any amendments thereto and the 1970 and subsequent crops grain sorghum loan and purchase program regulations, published at 35 FR 10745 and any amendments to such regulations are further supplemented for the 1974 crop of grain sorghum. The material previously appearing in these §§ 1421.235 through 1421.239 shall remain in full force and effect as to the crops to which it is applicable.

Sec.
1421.235 Availability.
1421.236 Compliance requirements.
1421.237 Maturity of loans.
1421.238 Loan and purchase rates and discounts.

AUTHORITY: Sec. 4, 62 Stat. 1070, as amended, (15 U.S.C. 714b). Interpret or apply sec. 5, 62 Stat. 1072, (15 U.S.C. 715c); secs. 105, 401, 63 Stat. 1051, as amended, (7 U.S.C. 1421, 1441).

§ 1421.235 Availability.

(a) *Loans.* A producer desiring to participate in the program through loans must request a loan on his 1974 crop of eligible grain sorghum, (1) on or before March 31, 1975, on grain sorghum stored in the following counties in Texas and all counties in Texas south thereof: Austin, Bexar, Caldwell, Colorado, Comal, Galveston, Gonzales, Harris, Hays, Kinney, Lavaca, Medina, Uvalde, Val Verde, and Waller; (2) on or before May 31, 1975, on grain sorghum stored in Oklahoma and in counties in Texas north of those named in paragraph (a)(1) of this section; and (3) on or before June 30, 1975, on grain sorghum stored in States other than Texas and Oklahoma.

(b) *Purchases.* To sell eligible grain sorghum to CCC a producer must execute and deliver to the appropriate county ASCS office a Purchase Agreement (Form CCC-614), indicating the approximate quantity of 1974 crop grain sorghum he will sell to CCC on or before the applicable maturity date specified in § 1421.237.

§ 1421.236 Compliance requirements.

A producer shall be eligible for a loan or purchase with respect to the grain sorghum being tendered if the producer files intention to participate in the 1974 Feed Grain Program appearing in the regulations published in Part 775 of this title pertaining to the Feed Grain Program for crop years 1974 through 1977 and any amendments thereto, on the farm on which such grain sorghum was produced if such farm is in an area in which the Feed Grain Program is in effect.

§ 1421.237 Maturity of loans.

Loans mature on demand but not later than (a) April 30, 1975, on grain sorghum stored in the following counties in Texas and all counties in Texas south thereof: Austin, Bexar, Caldwell, Colorado, Comal, Galveston, Gonzales, Harris, Hays, Kinney, Lavaca, Medina, Uvalde, Val Verde, and Waller; (b) June 30, 1975, on grain sorghum stored in Oklahoma and in counties in Texas north of those named in paragraph (a) of this section; (c) July 31, 1975, on grain sorghum stored in States other than Oklahoma and Texas.

§ 1421.238 Loan and purchase rates and discounts.

(a) *Basic rates (counties).* Basic county rates for loan and settlement purposes are established for grain sorghum grading U.S. No. 2 or better and are as follows:

BASIC COUNTY LOAN AND PURCHASE RATES FOR GRAIN SORGHUM NO. 2 OR BETTER

ALABAMA

County	Rate per hundredweight
All Counties	$1.89

ARIZONA

County	Rate per hundredweight	County	Rate per hundredweight
Apache	$1.84	Mohave	$2.32
Cochise	2.06	Navajo	1.84
Coconino	1.84	Pima	2.12
Gila	1.84	Pinal	2.20
Graham	1.88	Santa Cruz	2.09
Greenlee	1.84	Yavapai	1.84
Maricopa	2.20	Yuma	2.25

ARKANSAS

Arkansas	$1.97	Izard	$1.88
Ashley	1.93	Jackson	1.97
Baxter	1.85	Jefferson	1.93
Benton	1.78	Johnson	1.83
Boone	1.81	Lafayette	1.89
Bradley	1.91	Lawrence	1.97
Calhoun	1.90	Lee	2.00
Carroll	1.78	Lincoln	1.94
Chicot	1.93	Little River	1.86
Clark	1.86	Logan	1.83
Clay	1.99	Lonoke	1.95
Cleburne	1.92	Madison	1.79
Cleveland	1.93	Marion	1.82
Columbia	1.89	Miller	1.88
Conway	1.88	Mississippi	2.01
Craighead	2.00	Monroe	1.99
Crawford	1.83	Montgomery	1.83
Crittenden	2.01	Nevada	1.87
Cross	2.00	Newton	1.82
Dallas	1.89	Ouachita	1.88
Desha	1.95	Perry	1.86
Drew	1.93	Phillips	2.00
Faulkner	1.91	Pike	1.85
Franklin	1.83	Poinsett	2.00
Fulton	1.90	Polk	1.83
Garland	1.85	Pope	1.85
Grant	1.88	Prairie	1.97
Greene	1.99	Pulaski	1.93
Hempstead	1.87	Randolph	1.96
Hot Spring	1.86	St. Francis	2.00
Howard	1.84	Saline	1.87
Independence	1.92	Scott	1.83
		Searcy	1.84

ARKANSAS—Continued

County	Rate per hundredweight	County	Rate per hundredweight
Sebastian	$1.83	Van Buren	$1.89
Sevier	1.84	Washington	1.79
Sharp	1.92	White	1.95
Stone	1.88	Woodruff	1.98
Union	1.89	Yell	1.85

CALIFORNIA

Alameda	$2.34	Riverside	$2.29
Amador	2.33	Sacramento	2.34
Butte	2.23	San Benito	2.27
Calaveras	2.33	San Bernardino	2.32
Colusa	2.27	San Diego	2.34
Contra Costa	2.34	San Francisco	2.34
El Dorado	2.32	San Joaquin	2.34
Fresno	2.26	San Luis Obispo	2.18
Glenn	2.24	San Mateo	2.33
Humboldt	1.98	Santa Barbara	2.21
Imperial	2.29	Santa Clara	2.34
Inyo	2.05	Santa Cruz	2.26
Kern	2.30	Shasta	2.04
Kings	2.25	Sierra	2.11
Lake	2.17	Siskiyou	2.00
Lassen	2.02	Solano	2.33
Los Angeles	2.34	Sonoma	2.29
Madera	2.29	Stanislaus	2.34
Marin	2.30	Sutter	2.34
Mariposa	2.29	Tehama	2.22
Mendocino	2.09	Tulare	2.24
Merced	2.30	Tuolumne	2.29
Modoc	2.01	Ventura	2.31
Monterey	2.21	Yolo	2.27
Napa	2.28	Yuba	2.26
Orange	2.34		
Placer	2.27		
Plumas	2.09		

COLORADO

Baca	$1.81	All other counties	$1.77

DELAWARE

All counties $1.94

FLORIDA

All counties $1.89

GEORGIA

All counties $1.94

IDAHO

All counties $1.63

ILLINOIS

Alexander	$1.94	Massac	$1.92
Bond	1.86	Monroe	1.89
Calhoun	1.82	Perry	1.89
Clay	1.88	Pope	1.91
Clinton	1.88	Pulaski	1.94
Edwards	1.86	Randolph	1.90
Franklin	1.90	Richland	1.85
Gallatin	1.88	Saint Clair	1.89
Hamilton	1.89	Saline	1.89
Hardin	1.90	Union	1.93
Jackson	1.91	Wabash	1.85
Jefferson	1.88	Washington	1.88
Jersey	1.84	Wayne	1.87
Johnson	1.92	White	1.88
Lawrence	1.84	Williamson	1.91
Madison	1.89	All other counties	1.76
Marion	1.87		

INDIANA

All counties $1.79

IOWA

Adair	$1.77	Bremer	$1.61
Adams	1.76	Buchanan	1.61
Allamakee	1.58	Buena Vista	1.71
Appanoose	1.73	Butler	1.62
Audubon	1.75	Calhoun	1.70
Benton	1.62	Carroll	1.74
Black Hawk	1.61	Cass	1.78
Boone	1.70	Cedar	1.61

IOWA—Continued

County	Rate per hundredweight	County	Rate per hundredweight
Cerro Gordo	$1.63	Lucas	$1.73
Cherokee	1.72	Lyon	1.71
Chickasaw	1.60	Madison	1.75
Clarke	1.74	Mahaska	1.69
Clay	1.70	Marion	1.70
Clayton	1.60	Marshall	1.65
Clinton	1.60	Mills	1.79
Crawford	1.75	Mitchell	1.62
Dallas	1.72	Monona	1.76
Davis	1.71	Monroe	1.71
Decatur	1.75	Montgomery	1.78
Delaware	1.60	Muscatine	1.63
Des Moines	1.64	O'Brien	1.71
Dickinson	1.68	Osceola	1.72
Dubuque	1.60	Page	1.79
Emmet	1.68	Palo Alto	1.68
Fayettee	1.61	Plymouth	1.73
Floyd	1.62	Pocahontas	1.68
Franklin	1.63	Polk	1.70
Fremont	1.79	Pottawattamie	1.79
Greene	1.71	Poweshiek	1.65
Grundy	1.62	Ringgold	1.77
Guthrie	1.74	Sac	1.72
Hamilton	1.66	Scott	1.62
Hancock	1.63	Shelby	1.76
Hardin	1.63	Sioux	1.72
Harrison	1.77	Story	1.68
Henry	1.66	Tama	1.63
Howard	1.60	Taylor	1.79
Humboldt	1.66	Union	1.75
Ida	1.72	Van Buren	1.70
Iowa	1.64	Wapello	1.71
Jackson	1.60	Warren	1.73
Jasper	1.67	Washington	1.64
Jefferson	1.68	Wayne	1.74
Johnson	1.62	Webster	1.68
Jones	1.61	Winnebago	1.63
Keokuk	1.67	Winneshiek	1.59
Kossuth	1.64	Woodbury	1.74
Lee	1.68	Worth	1.63
Linn	1.62	Wright	1.63
Louisa	1.64		

KANSAS

Allen	$1.89	Harvey	$1.78
Anderson	1.91	Haskell	1.75
Atchison	1.92	Hodgeman	1.76
Barber	1.79	Jackson	1.90
Barton	1.75	Jefferson	1.91
Bourbon	1.89	Jewell	1.78
Brown	1.89	Johnson	1.91
Butler	1.79	Kearny	1.73
Chase	1.84	Kingman	1.79
Chautauqua	1.84	Kiowa	1.77
Cherokee	1.88	Labette	1.88
Chevenne	1.71	Lane	1.72
Clark	1.78	Leavenworth	1.92
Clay	1.82	Lincoln	1.77
Cloud	1.80	Linn	1.91
Coffey	1.89	Logan	1.72
Comanche	1.78	Lyon	1.86
Cowley	1.79	McPherson	1.77
Crawford	1.89	Marion	1.80
Decatur	1.73	Marshall	1.84
Dickinson	1.80	Meade	1.77
Doniphan	1.89	Miami	1.91
Douglas	1.91	Mitchell	1.78
Edwards	1.75	Montgomery	1.88
Elk	1.84	Morris	1.84
Ellis	1.75	Morton	1.77
Ellsworth	1.77	Nemaha	1.87
Finney	1.74	Neosho	1.89
Ford	1.77	Ness	1.72
Franklin	1.91	Norton	1.74
Geary	1.83	Osage	1.88
Gove	1.74	Osborne	1.78
Graham	1.75	Ottawa	1.78
Grant	1.75	Pawnee	1.74
Gray	1.76	Phillips	1.76
Greeley	1.72	Pottawatomie	1.87
Greenwood	1.85	Pratt	1.76
Hamilton	1.73	Rawlins	1.72
Harper	1.79	Reno	1.77

KANSAS—Continued

County	Rate per hundredweight	County	Rate per hundredweight
Republic	$1.79	Stafford	$1.75
Rice	1.77	Stanton	1.75
Riley	1.84	Stevens	1.77
Rooks	1.75	Sumner	1.79
Rush	1.74	Thomas	1.72
Russell	1.75	Trego	1.75
Saline	1.78	Wabaunsee	1.86
Scott	1.72	Wallace	1.72
Sedgwick	1.79	Washington	1.80
Seward	1.77	Wichita	1.72
Shawnee	1.88	Wilson	1.88
Sheridan	1.74	Woodson	1.89
Sherman	1.71	Wyandotte	1.92
Smith	1.77		

KENTUCKY

All counties $1.89

LOUISIANA

All counties $1.89

MICHIGAN

All counties $1.74

MINNESOTA

All counties $1.69

MISSISSIPPI

All counties $1.89

MISSOURI

Adair	$1.75	Knox	$1.74
Andrew	1.86	Laclede	1.81
Atchison	1.80	Lafayette	1.90
Audrain	1.79	Lawrence	1.76
Barry	1.76	Lewis	1.72
Barton	1.82	Lincoln	1.80
Bates	1.87	Linn	1.84
Benton	1.83	Livingston	1.85
Bollinger	1.90	McDonald	1.76
Boone	1.80	Macon	1.80
Buchanan	1.83	Madison	1.90
Butler	1.96	Maries	1.79
Caldwell	1.87	Marion	1.74
Callaway	1.78	Mercer	1.80
Camden	1.81	Miller	1.80
Cape Girardeau	1.92	Mississippi	1.96
Carroll	1.87	Moniteau	1.78
Carter	1.89	Monroe	1.79
Cass	1.90	Montgomery	1.79
Cedar	1.81	Morgan	1.82
Chariton	1.84	New Madrid	1.96
Christian	1.77	Newton	1.76
Clark	1.70	Nodaway	1.83
Clay	1.90	Oregon	1.88
Clinton	1.88	Osage	1.81
Cole	1.78	Ozark	1.83
Cooper	1.83	Pemiscot	2.00
Crawford	1.81	Perry	1.91
Dade	1.79	Pettis	1.83
Dallas	1.81	Phelps	1.79
Daviess	1.86	Pike	1.80
De Kalb	1.86	Platte	1.88
Dent	1.83	Polk	1.79
Douglas	1.83	Pulaski	1.79
Dunklin	2.00	Putnam	1.78
Franklin	1.84	Ralls	1.75
Gasconade	1.79	Randolph	1.80
Gentry	1.82	Ray	1.90
Greene	1.76	Reynolds	1.85
Grundy	1.83	Ripley	1.94
Harrison	1.81	Saint Charles	1.84
Henry	1.87	Saint Clair	1.84
Hickory	1.83	Sainte Genevieve	1.90
Holt	1.85	Saint Francois	1.89
Howard	1.83	Saint Louis	1.89
Howell	1.85	Saline	1.86
Iron	1.89	Schuyler	1.72
Jackson	1.92	Scotland	1.70
Jasper	1.80	Scott	1.93
Jefferson	1.89	Shannon	1.84
Johnson	1.90		

MISSOURI—Continued

County	Rate per hundred-weight	County	Rate per hundred-weight
Shelby	$1.76	Warren	$1.81
Stoddard	1.96	Washington	1.88
Stone	1.77	Wayne	1.93
Sullivan	1.78	Webster	1.76
Taney	1.79	Worth	1.81
Texas	1.80	Wright	1.79
Vernon	1.85		

NEBRASKA

Antelope	$1.74	Otoe	$1.79
Burt	1.78	Pawnee	1.81
Butler	1.77	Pierce	1.76
Cass	1.79	Platte	1.75
Colfax	1.78	Polk	1.75
Cuming	1.78	Richardson	1.83
Dodge	1.79	Saline	1.78
Douglas	1.79	Sarpy	1.79
Gage	1.80	Saunders	1.78
Hall	1.74	Seward	1.79
Hamilton	1.75	Stanton	1.77
Jefferson	1.77	Thayer	1.74
Johnson	1.80	Thurston	1.78
Lancaster	1.80	Washington	1.79
Madison	1.75	York	1.76
Merrick	1.74	All other counties	1.73
Nemaha	1.81		

NEVADA

All counties $1.79

NEW MEXICO

Chaves	$1.84	Lea	$1.86
Curry	1.86	Luna	1.90
De Baca	1.83	Quay	1.86
Guadalupe	1.83	Roosevelt	1.86
Harding	1.85	All other counties	1.82
Hidalgo	1.90		

NORTH CAROLINA

All counties $1.94

NORTH DAKOTA

All counties $1.64

OHIO

All counties $1.79

OKLAHOMA

Adair	$1.89	Kay	$1.86
Alfalfa	1.87	Kingfisher	1.93
Atoka	1.97	Kiowa	1.96
Beaver	1.83	Latimer	1.96
Beckham	1.93	Le Flore	1.95
Blaine	1.93	Lincoln	1.96
Bryan	1.98	Logan	1.93
Caddo	1.97	Love	1.98
Canadian	1.96	McClain	1.98
Carter	1.98	McCurtain	1.96
Cherokee	1.94	McIntosh	1.95
Choctaw	1.97	Major	1.88
Cimarron	1.83	Marshall	1.99
Cleveland	1.97	Mayes	1.89
Coal	1.97	Murray	1.98
Comanche	1.98	Muskogee	1.95
Cotton	1.98	Noble	1.90
Craig	1.87	Nowata	1.87
Creek	1.95	Okfuskee	1.95
Custer	1.93	Oklahoma	1.96
Delaware	1.89	Okmulgee	1.95
Dewey	1.88	Osage	1.88
Ellis	1.87	Ottawa	1.87
Garfield	1.90	Pawnee	1.91
Garvin	1.98	Payne	1.93
Grady	1.98	Pittsburg	1.96
Grant	1.86	Pontotoc	1.97
Greer	1.93	Pottawatomie	1.96
Harmon	1.93	Pushmataha	1.97
Harper	1.83	Roger Mills	1.89
Haskell	1.95	Rogers	1.89
Hughes	1.96	Seminole	1.96
Jackson	1.94	Sequoyah	1.94
Jefferson	1.98	Stephens	1.98
Johnston	1.98		

OKLAHOMA—Continued

County	Rate per hundred-weight	County	Rate per hundred-weight
Texas	$1.83	Washington	$1.86
Tillman	1.94	Washita	1.95
Tulsa	1.94	Woods	1.87
Wagoner	1.93	Woodward	1.85

OREGON

All counties $1.78

PENNSYLVANIA

All counties $1.94

SOUTH CAROLINA

All counties $1.94

SOUTH DAKOTA

Bon Homme	$1.73	Turner	$1.72
Clay	1.75	Union	1.75
Hutchinson	1.72	Yankton	1.75
Lincoln	1.74	All other counties	1.71

TENNESSEE

Shelby	$2.01	All other counties	$1.89

TEXAS

Anderson	$2.06	Dallas	$1.98
Andrews	1.86	Dawson	1.88
Angelina	2.11	Deaf Smith	1.88
Aransas	2.19	Delta	1.97
Archer	1.96	Denton	1.98
Armstrong	1.89	De Witt	2.12
Atascosa	2.11	Dickens	1.94
Austin	2.16	Dimmit	1.98
Bailey	1.88	Donley	1.89
Bandera	2.11	Duval	2.14
Bastrop	2.06	Eastland	1.98
Baylor	1.96	Ector	1.84
Bee	2.18	Edwards	1.97
Bell	2.03	Ellis	1.98
Bexar	2.06	El Paso	1.78
Blanco	2.11	Erath	1.98
Borden	1.88	Falls	2.05
Bosque	1.98	Fannin	1.98
Bowie	1.95	Fayette	2.08
Brazoria	2.19	Fisher	1.94
Brazos	2.10	Floyd	1.90
Brewster	1.78	Foard	1.93
Briscoe	1.90	Fort Bend	2.19
Brooks	2.17	Franklin	1.96
Brown	1.96	Freestone	2.04
Burleson	2.08	Frio	2.02
Burnet	2.06	Gaines	1.88
Caldwell	2.07	Galveston	2.23
Calhoun	2.15	Garza	1.90
Callahan	1.96	Gillespie	2.05
Cameron	2.23	Glasscock	1.87
Camp	1.96	Goliad	2.18
Carson	1.89	Gonzales	2.08
Cass	1.95	Gray	1.89
Castro	1.88	Grayson	1.99
Chambers	2.23	Gregg	1.96
Cherokee	2.03	Grimes	2.15
Childress	1.93	Guadalupe	2.06
Clay	1.98	Hale	1.88
Cochran	1.88	Hall	1.92
Coke	1.93	Hamilton	1.98
Coleman	1.96	Hansford	1.83
Collin	1.98	Hardeman	1.93
Collingsworth	1.93	Hardin	2.23
Colorado	2.13	Harris	2.23
Comal	2.06	Harrison	1.97
Comanche	1.98	Hartley	1.83
Concho	1.97	Haskell	1.96
Cooke	1.98	Hays	2.06
Coryell	1.99	Hemphill	1.87
Cottle	1.93	Henderson	2.02
Crane	1.85	Hidalgo	2.20
Crockett	1.83	Hill	1.99
Crosby	1.91	Hockley	1.88
Culberson	1.78	Hood	1.98
Dallam	1.83	Hopkins	1.97
		Houston	2.11

TEXAS—Continued

County	Rate per hundred-weight	County	Rate per hundred-weight
Howard	$1.88	Pecos	$1.83
Hudspeth	1.79	Polk	2.16
Hunt	1.97	Potter	1.88
Hutchinson	1.84	Presidio	1.78
Irion	1.89	Rains	1.98
Jack	1.98	Randall	1.88
Jackson	2.11	Reagan	1.86
Jasper	2.13	Real	2.04
Jeff Davis	1.79	Red River	1.96
Jefferson	2.23	Reeves	1.85
Jim Hogg	2.14	Refugio	2.20
Jim Wells	2.20	Roberts	1.85
Johnson	1.98	Roberston	2.06
Jones	1.96	Rockwall	1.98
Karnes	2.16	Runnels	1.94
Kaufman	2.00	Rusk	2.00
Kendall	2.07	Sabine	2.08
Kenedy	2.17	San Augustine	2.08
Kent	1.94	San Jacinto	2.14
Kerr	2.06	San Patricio	2.23
Kimble	2.01	San Saba	1.98
King	1.94	Schleicher	1.90
Kinney	1.99	Scurry	1.91
Kleberg	2.20	Shackelford	1.98
Knox	1.96	Shelby	2.04
Lamar	1.97	Sherman	1.83
Lamb	1.88	Smith	2.00
Lampasas	2.01	Somervell	1.98
La Salle	2.03	Starr	2.16
Lavaca	2.09	Stephens	1.98
Lee	2.08	Sterling	1.89
Leon	2.06	Stonewall	1.96
Liberty	2.19	Sutton	1.95
Limestone	2.04	Swisher	1.88
Lipscomb	1.83	Tarrant	1.98
Live Oak	2.16	Taylor	1.96
Llano	2.03	Terrell	1.83
Loving	1.84	Terry	1.88
Lubbock	1.88	Throckmorton	1.96
Lynn	1.88	Titus	1.96
McCulloch	1.97	Tom Green	1.93
McLennan	2.03	Travis	2.06
McMullen	2.07	Trinity	2.12
Madison	2.10	Tyler	2.13
Marion	1.96	Upshur	1.96
Martin	1.88	Upton	1.84
Mason	2.01	Uvalde	2.04
Matagorda	2.17	Val Verde	1.94
Maverick	1.93	Van Zandt	1.98
Medina	2.05	Victoria	2.15
Menard	1.97	Walker	2.15
Midland	1.86	Waller	2.17
Milan	2.07	Ward	1.85
Mills	1.98	Washington	2.16
Mitchell	1.91	Webb	2.01
Montague	1.98	Wharton	2.15
Montgomery	2.20	Wheeler	1.90
Moore	1.83	Wichita	1.94
Morris	1.96	Wilbarger	1.94
Motley	1.92	Willacy	2.22
Nacogdoches	2.04	Williamson	2.06
Navarro	2.03	Wilson	2.11
Newton	2.13	Winkler	1.84
Nolan	1.94	Wise	1.98
Nueces	2.23	Wood	1.98
Ochiltree	1.83	Yoakum	1.88
Oldham	1.88	Young	1.99
Orange	2.19	Zapata	2.13
Palo Pinto	1.98	Zavala	1.98
Panola	2.02		
Parker	1.94		
Parmer	1.88		

UTAH

All counties $1.76

VIRGINIA

All counties $1.94

WASHINGTON

All counties $1.78

WISCONSIN

All counties $1.69

WYOMING

All counties $1.68

(b) *Discounts.* The basic county rate shall be adjusted as applicable by discounts as follows:

	Cents per bushel
(1) Class: Mixed grain sorghum	3
(2) Grade:	
U.S. No. 3 (not over 14 percent moisture)	3
U.S. No. 4 (not over 14 percent moisture)	5
Smutty	5
(3) Weed control law (where required by § 1421.25)	15

(4) Other factors: Amounts determined by CCC to represent market discounts for quality factors not specified above which affect the value of the grain sorghum, such as (but not limited to) moisture, heat damage, test weight, weevily, musty, sour, stones, weathered, discolored. Such discounts will be established not later than the time delivery of grain sorghum to CCC begins and will thereafter be adjusted from time to time as CCC determines appropriate to reflect changes in market conditions. Producers may obtain schedules of such factors and discounts at county ASCS offices approximately 1 month prior to maturity date.

NOTE: Discounts are cumulative except only one grade discount shall be applied.

Effective date. July 25, 1974.

Signed at Washington, D.C., on July 18, 1974.

GLENN A. WEIR,
Acting Executive Vice President, Commodity Credit Corporation.

[FR Doc.74-16868 Filed 7-24-74;8:45 am]

Title 10—Energy

CHAPTER I—ATOMIC ENERGY COMMISSION

MISCELLANEOUS AMENDMENTS TO CHAPTER

Notice is hereby given of the amendment of the Atomic Energy Commission's regulations in 10 CFR Parts 20, 50, and 70.

The amendments of Part 20 correct a reference to § 20.106 which appears in § 20.301 and make minor corrections in Appendix B and Appendix D.

The amendments of Part 50 correct a number of words and make an editorial change in § 50.46.

The amendment of Part 70 corrects a reference to § 73.41(c) which appears in § 70.22(g).

Because these amendments relate solely to corrections and minor matters, good cause exists for omitting notice of proposed rule making, and public procedure thereon, as unnecessary, and for making the amendments effective July 25, 1974.

Pursuant to the Atomic Energy Act of 1954, as amended and sections 552 and 553 of title 5 of the United States Code, the following amendments to Title 10, Chapter I, Code of Federal Regulations, Parts 20, 50, and 70, are published as a document subject to codification.

PART 20—STANDARDS FOR PROTECTION AGAINST RADIATION

§ 20.301 [Amended]

1. Section 20.301(c) is amended by deleting "(Concentrations in Effluents to Unrestricted Areas)" and substituting therefor "(Radioactivity in effluents to unrestricted areas)".

2. Appendix B is amended by correcting "Cm 244a" in the second column to read "Cm 244" and correcting "Ieon (26)" in the first column to read "Iron (26)".

3. Appendix D is amended by changing the telephone number for Region II in columns 3 and 4 to read "440-526-4503".

PART 50—LICENSING OF PRODUCTION AND UTILIZATION FACILITIES

§ 50.46 [Amended]

4. The prefatory language of § 50.46 (a)(2) is amended by correcting "ssue" to read "issue".

5. Section 50.46(a)(2)(i) is amended to read as follows:

(a) * * *

(2) * * *

(i) The time within which actions required or permitted under this subparagraph (2) must occur shall begin to run on February 4, 1974.

* * * * *

6. Section 50.46(a)(2)(iii) is amended by deleting "which in this judgment" and substituting therefor "which in his judgment".

PART 70—SPECIAL NUCLEAR MATERIAL

§ 70.22 [Amended]

7. Section 70.22(g) is amended by deleting "73.41(c)" and substituting therefor "73.70(g)".

(Sec. 161, Pub. L. 83-703, 68 Stat. 948 (42 U.S.C. 2201))

Dated at Bethesda, Md., this 17th day of July 1974.

For the Atomic Energy Commission.

L. MANNING MUNTZING,
Director of Regulation.

[FR Doc.74-16972 Filed 7-24-74;8:45 am]

Title 12—Banks and Banking

CHAPTER V—FEDERAL HOME LOAN BANK BOARD

SUBCHAPTER B—FEDERAL HOME LOAN BANK SYSTEM

PART 528—NONDISCRIMINATION IN LENDING

Data on Loan Applicants; Forms

In the issue of Wednesday, May 29, 1974, 39 FR 18642, FR Doc. 74-12270, the Federal Home Loan Bank Board published amendments to § 528.6 to clarify and simplify the application of certain requirements imposed by that section. Certain forms referred to in that document were omitted in printing and filed as part of the original document.

The following forms are added to read as follows:

FORM 'A'

FAIR HOUSING INFORMATION STATEMENT

Jointly Sponsored By

BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM Washington, D.C. 20551	OFFICE OF THE COMPTROLLER OF THE CURRENCY Washington, D.C. 20220	FEDERAL HOME LOAN BANK BOARD Washington, D.C. 20552	FEDERAL DEPOSIT INSURANCE CORPORATION Washington, D.C. 20429

SECTION I. APPLICANT RETAIN *(To be completed by Lender)*

TO PROTECT THE CIVIL RIGHTS OF ALL BORROWERS IN ACCORDANCE WITH FEDERAL LAW, THE FEDERAL GOVERNMENT REQUESTS THAT YOU PROVIDE THE FOLLOWING INFORMATION WHICH MAY BE REVIEWED BY GOVERNMENT AUTHORITIES TO ASSURE FAIR TREATMENT OF ALL LOAN APPLICANTS.

This lending institution does not consider race, color, religion, or national origin in determining whether or not you should receive a loan. It reviews a variety of factors when considering a loan application. These include: (1) the income of the applicant and other family members; (2) the appraised value of the property; and (3) credit references.

If your loan application is disapproved, you are entitled to have the reasons explained to you. If you have cause to believe that you have been denied a loan because of race, color, religion, or national origin, you may discuss the matter with the management of this lending institution, and you have the right to file a complaint, containing relevant facts, including dates, and your name, with:

Assistant Secretary for Equal Opportunity
Department of Housing and Urban Development
Washington, D.C. 20410

or your local department of Housing and Urban Development or Federal Housing Administration Office, or you may take any other appropriate action provided by law. *(Title 42, Section 3612, United States Code).*

NAME AND ADDRESS OF LENDING OFFICE	APPLICANT SUPPLIED INFORMATION ☐ Yes ☐ No	DATE	APPLICATION NO.

SECTION II. TO BE COMPLETED BY LENDER

1. NAME AND ADDRESS OF LENDING OFFICE	2. IDENTIFICATION NUMBER	Type	3. APPLICATION APPROVED	Yes	No	4. APPLICATION NO.
	001		002			003

5. ADDRESS OF PROPERTY *(No., Street, City)*	6. N/A	7. STATE	8. SMSA	9. CENSUS TRACT
	004	005	006	007

SECTION III. TO BE COMPLETED BY APPLICANT

10. TO THE APPLICANT: *COMPLETION OF SECTION III OF THIS FORM IS COMPLETELY VOLUNTARY.* If, after reading this form, you decline to supply this information, "X" this box → and sign your name in box 20. — 008

11. NAME OF APPLICANT	12. AGE	13. SEX			14. MARITAL STATUS				
		010		MALE	012		SINGLE	014		MARRIED
	009	011		FEMALE	013		DIVORCED	015		WIDOWED
15. NAME OF SPOUSE OR OTHER APPLICANT	**16. AGE**	**17. SEX**			**18. MARITAL STATUS**				
		017		MALE	019		SINGLE	021		MARRIED
	016	018		FEMALE	020		DIVORCED	022		WIDOWED

19. RACE OR ETHNIC DESCENT		APPLICANT		SPOUSE/OTHER APPLICANT	
Please indicate your race or ethnic descent. If you fit into more than one category, please check the one which you believe best describes you. "Spanish Descent" includes persons of Puerto Rican, Cuban, Mexican and Central and South American descent.	AMERICAN INDIAN	023	–	029	
	ASIAN	024		030	
	BLACK/NEGRO	025		031	
	SPANISH DESCENT	026		032	
	WHITE	027		033	
	OTHER (Specify)	028		034	

I have read this form and acknowledge receipt of Section I. →	20. SIGNATURE OF APPLICANT	21. DATE

FHIS
April 1974

U.S. GOVERNMENT PRINTING OFFICE : 1974 O - 537-614

FORM 'B'

Federal Deposit Insurance Corporation	Board of Governors of the Federal Reserve System	Federal Home Loan Bank Board	Office of the Comptroller of the Currency

FAIR HOUSING INFORMATION STATEMENT

INSTRUCTIONS: *The original of this statement is to be retained by the lending institution. One copy is to be given to the applicant immediately upon the occasion of his application. If the subject loan request is disapproved the remaining copy with the reasons for such disapproval is also to be forwarded to the applicant.*

DATE OF APPLICATION	AMOUNT OF LOAN REQUESTED	APPLICATION NO
NAME OF APPLICANT	ADDRESS OF PROPERTY WHICH IS THE SUBJECT OF THIS APPLICATION *(Street and No City State and ZIP Code)*	
NAME OF SPOUSE OR OTHER APPLICANT		

TO PROTECT THE CIVIL RIGHTS OF ALL BORROWERS IN ACCORDANCE WITH FEDERAL LAW, THE FEDERAL GOVERNMENT REQUESTS THAT YOU PROVIDE THE FOLLOWING INFORMATION IT WILL NOT BE CONSIDERED BY THIS LENDING INSTITUTION IN DECIDING WHETHER OR NOT TO MAKE A LOAN TO YOU, BUT IT MAY BE REVIEWED BY GOVERNMENT AUTHORITIES TO ASSURE FAIR TREATMENT OF ALL LOAN APPLICANTS

This institution does not consider race, color, religion, or national origin in determining whether or not you should receive a loan

PART I *(To be completed by applicant)*

NOTE: Your completion of this form is completely voluntary. If you decline to fill out this form, check here ☐ and sign your name below.

PLEASE **INDICATE RACE OR ETHNIC DESCENT** *(If you fit more than one category, please check the one which you believe best describes you. "Spanish descent" includes persons of Puerto Rican, Cuban, Mexican and Central and South American descent.)*

APPLICANT	SPOUSE OR OTHER APPLICANT
☐ (I) AMERICAN INDIAN	☐ (I) AMERICAN INDIAN
☐ (A) ASIAN	☐ (A) ASIAN
☐ (B) BLACK/NEGRO	☐ (B) BLACK/NEGRO
☐ (S) SPANISH DESCENT	☐ (S) SPANISH DESCENT
☐ (W) WHITE NON-SPANISH	☐ (W) WHITE NON-SPANISH
☐ (O) OTHER *(Specify)*.	☐ (O) OTHER *(Specify)*.

If you have reason to believe that you have been denied a loan because of race, color, religion, or national origin, you have the right to file a complaint, containing relevant facts including dates and your name, with

Assistant Secretary for Equal Opportunity
Department of Housing and Urban Development
Washington, D.C. 20410

or your local **Department of Housing and Urban Development** or **Federal Housing Administration** office, or you may take any other appropriate action provided by law.

SIGNATURE OF APPLICANT	SIGNATURE OF SPOUSE OR OTHER APPLICANT

PART II *(To be completed by the lending institution only if the application is disapproved)*

REASONS FOR DISAPPROVAL

SIGNATURE OF BANK OFFICER	DATE OF DECISION

5200/02 (4-74)

FORM 'C'

EQUAL HOUSING LENDER FORM

Jointly Sponsored By

BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM Washington, D.C 20551	OFFICE OF THE COMPTROLLER OF THE CURRENCY Washington, D.C 20220	FEDERAL HOME LOAN BANK BOARD Washington, D.C. 20552	FEDERAL DEPOSIT INSURANCE CORPORATION Washington, D.C. 20429

Disposition:
(Circle the appropriate lettered box.)

[A] Approved [B] Denied [C] N/A

EHLF NO.

INSTITUTION I.D. [ ][ ][ ][ ][ ]-[ ] suffix
STATE. [ ][ ]
SMSA . [ ][ ][ ][ ]
TRACT. . . . . [ ][ ][ ][ ].[ ][ ]
LOAN APPLICATION NO. _____

Part I PERSONAL ECONOMIC DATA

Applicant's Name (Last) (First) (Middle)

Spouse's Name (Last) (First) (Middle)

Address

City, State & Zip Code

Subject Property

Street Address

City, State, & Zip Code

(For Items 1 through 8 circle the appropriate lettered box.)

1. COMBINED GROSS ANNUAL INCOME

[A] $0 - 5,000 [B] $5,001 - 10,000 [C] $10,001 - 15,000 [D] $15,001 - 25,000 [E] Over $25,000

2. YEARS AT PRESENT OCCUPATION:

(A Applicant)
[A] Not Employed [B] Less than 1 Year
[C] 1 Year [D] 2 Years [E] 3 - 5 Years
[F] Over 5 Years

(B. Spouse)
[A] Not Employed [B] Less than 1 Year
[C] 1 Year [D] 2 Years [E] 3 - 5 Years
[F] Over 5 Years

3. AMOUNT OF COMBINED OUTSTANDING DEBTS

[A] $0 - 5,000 [B] $5,001 - 10,000 [C] $10,001 - 20,000 [D] $20,001 - 35,000 [E] Over $35,000

4. COMBINED MONTHLY DEBT PAYMENTS:

[A] $0 - 100 [B] $101 - 200 [C] $201 - 300 [D] $301 - 500 [E] $501 - 800 [F] Over $800

5. COMBINED ASSETS:

[A] $0 - 5,000 [B] $5,001 - 10,000 [C] $10,001 - 20,000 [D] $20,001 - 30,000
[E] $30,001 - 60,000 [F] $60,001 - 100,000 [G] Over $100,000

6. AMOUNT OF LOAN REQUESTED:

[A] $0 - 2,500 [B] $2,501 - 5,000 [C] $5,001 - 10,0C. [D] $10,001 - 15,000
[E] $15,001 - 25,000 [F] $25,001 - 35,000 [G] $35,001 - 45,000 [H] $45,001 - 60,000
[I] $60,001 - 75,000 [J] Over $75,000

7. PURCHASE PRICE OF SUBJECT PROPERTY·

[A] $0 - 5,000 [B] $5,001 - 10,000 [C] $10,001 - 20,000 [D] $20,001 - 30,000
[E] $30,001 - 50,000 [F] $50,001 - 75,000 [G] Over $75,000

8. SUBJECT PROPERTY WILL BE OWNER-OCCUPIED·

[A] Yes [B] No

Part II: PERSONAL DESCRIPTIVE DATA

The Federal Government, not this lending insitution, asks you to provide the following information as part of its program to assure equal treatment of all citizens under the Civil Rights Act of 1968. Federal law prohibits this institution from denying a housing loan or discriminating in the amount, interest rate, duration, or other terms of the loan because of the applicant's race, color, religion or national origin.

1. Please circle the lettered box below which you believe best describes your ethnic identification.

("Spanish Descent" includes persons of Puerto Rican, Cuban, Mexican and Central and South American descent.)

[A] American Indian [B] Asian [C] Black/Negro [D] Spanish Descent

[E] White/Caucasian [F] Other

2. MARITAL STATUS

(Circle the appropriate lettered box.)

[A] Single [B] Married [C] Divorced [D] Widowed

3. SEX

(Circle the appropriate lettered box.)

[A] Male [B] Female

Part III: DENIAL OR FAILURE TO SUBMIT

(To be filled in by institution only if loan is denied or if written application is not submitted.)

(a) Date of denial by institution if written application has been submitted:

_____

(b) Reasons for decision or for failure to submit written application:

APPLICANT COMPLETED:

Part I [ ] Part II [ ] None [ ]

_____ _____

Signature of Applicant Date

OFFICER COMPLETED:

Part I [ ] Part II [ ] None [ ]

_____ _____

Signature of Interviewing Officer Date

_____ _____

Signature of Officer Completing Part III Date

Title 14—Aeronautics and Space

CHAPTER I—FEDERAL AVIATION ADMINISTRATION, DEPARTMENT OF TRANSPORTATION

[Airspace Docket No. 74-GL-9]

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

Alteration of Transition Area

On page 17978 of the FEDERAL REGISTER dated May 22, 1974, the Federal Aviation Administration published a notice of proposed rulemaking which would amend § 71.181 of Part 71 of the Federal Aviation regulations so as to alter the transition area at Chicago, Illinois.

Interested persons were given 30 days to submit written comments, suggestions or objections regarding the proposed amendment.

No objections were received and the proposed amendment is hereby adopted without change and is set forth below.

This amendment shall be effective 0901 G.m.t. September 12, 1974.

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

Issued in Des Plaines, Illinois, on July 3, 1974.

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

Part 71 is amended as follows:

CHICAGO, ILLINOIS

That airspace extending upward from 700 feet above the surface within an area bounded by a line beginning at Latitude 42°-29'00" N, Longitude 88°30'00" W, to Latitude 42°29'00" N, Longitude 88°03'00" W, to Latitude 42°40'00" N, Longitude 88°03'00" W, to Latitude 42°43'00" N, Longitude 87°-57'00" W, to Latitude 42°30'00" N, Longitude 87°35'00" W, to Latitude 41°55'00" N, Longitude 87°19'00" W, to Latitude 41°38'-00" N, Lognitude 87°19'00" W, to Latitude 41°33'00" N, Longitude 87°10'00" W, to Latitude 41°28'00" N, Longitude 87°14'00" W, to Latitude 41°22'00" N, Longitude 87°40'00" W, to Latitude 41°22'00" N, Longitude 88°30'00" W, to Latitude 41°41'00" N, Longitude 88°30'00" W, to Latitude 41°53'00" N, Longitude 88°50'00" W, to Latitude 42°-01'00" N, Longitude 88°50'00" W, to Latitude 42°00'00" N, Longitude 88°25'00" W, to Latitude 42°15'00" N, Longitude 88°25'00" W, to Latitude 42°21'00" N, Longitude 88°30'00" W, to point of beginning.

In § 71.181 (39 FR 440) the following transition areas are deleted:

Crystal Lake, Illinois	Griffith, Indiana
De Kalb, Illinois	Joliet, Illinois
Frankfort, Illinois	Kenosha, Wisconsin
Gary, Indiana	Lockport, Illinois
Greenwood, Illinois	Morris, Illinois

[FR Doc.74-16997 Filed 7-24-74;8:45 am]

Title 15—Commerce and Foreign Trade

CHAPTER III—DOMESTIC AND INTERNATIONAL BUSINESS ADMINISTRATION, DEPARTMENT OF COMMERCE

PART 377—SHORT SUPPLY CONTROLS

Method of Licensing Exports of Petroleum Products in the Third Quarter 1974

The licensing system adopted for the first and second quarters for exports of petroleum products other than crude oil is generally continued on the same basis for the third quarter 1974. The country quotas for each Petroleum Commodity Group that will be available in the third quarter are announced in Supplement No. 2 to Part 377 of the Export Administration Regulations. As previously, 5 percent of the overall quota for each Group will be reserved for contingencies.

The base period for determining exporters' shares of the country quotas for exports of products in Petroleum Commodity Group I (butane, propane, and natural gas liquids) is changed to the period July 1, 1972–September 30, 1972, to conform to the same historical patterns as the mandatory allocation program of the Federal Energy Office.

The policy on exports of crude oil will remain the same as previously announced.

Accordingly, the Export Administration Regulations (15 CFR Part 377) are amended as follows:

1. By altering the third sentence of paragraph (c) of § 377.6 to read "The base period used for quota determinations is the period from January 1, 1971 to June 30, 1973, except that the base period for Petroleum Commodity Group I for each quarter shall be as indicated in Supplement No. 2."

2. By revising Supplement No. 2 to Part 377 to read:

PETROLEUM AND PETROLEUM PRODUCTS SUBJECT TO SHORT SUPPLY LICENSING CONTROLS

Schedule B No.:	*Commodity description*
	GROUP A
331.0100	Crude petroleum.
331.0200	Petroleum partly refined for further refining.
	GROUP B
332.1015	Aviation gasoline.
	GROUP C
332.1030	Gasoline, n.e.c.
332.1050	Gasoline blending agents, hydrocarbon compounds only, n.e.c.
	GROUP D
332.2010	Kerosene, except kerosene-type jet fuel.
	GROUP E
332.2020	Jet fuel.
	GROUP F
332.3000	Distillate fuel oils.
	GROUP G
332.4000	Residual fuel oils.
	GROUP H
332.9160	Carbon black feedstock oil.
	GROUP I
341.1025	Butane.
341.1030	Propane.
341.1040	Natural gas liquids, including LPG, n.e.c.

Quantities: Report the above commodities in barrels of 42 gallons.

Shipping tolerance: 10 percent.

SUBMISSION DATES: Not prior to the beginning of the applicable quarter, and not later than:

	Third quarter 1974
Historical exporters of petroleum commodities other than crude oils	Sept. 20, 1974.
Hardships and crude oil exporters	At any time.

Country quotas: Third quarter 1974

COUNTRY QUOTAS FOR GROUP B

(Schedule B No. 332.1015, Aviation Gasoline)

Country:	*Quota (barrels)*
Bahamas	1,676
Belgium	78
Bolivia	2,761
Cameroon	65
Canada	3,313
Dahomey	58
French Pacific Islands	3,853
Gabon	115
Holland	18,940
Honduras	307
India	12,743
Ivory Coast	98
Mexico	10,509
Singapore	14,783
All other countries	165

COUNTRY QUOTAS FOR GROUP C

(Schedule B No. 332.1030 Gasoline, n.e.c.)

(Schedule B No. 332.1050, Gasoline blending agents, hydrocarbon compounds only, n.e.c.)

Country:	*Quota (barrels)*
Australia	554
Austria	139
Bahamas	872
Belgium	3,929
Brazil	29,061
Canada	76,078
Denmark	76
Finland	162
France	635
French Pacific Islands	18,523
Holland	48,039
India	143
Iran	106
Italy	314
Japan	299
Leeward & Windward Islands	1,109
Mexico	149,791
Mozambique	66
Nigeria	143
Philippines	137
South Africa	556
Sweden	56
United Kingdom	3,111
Venezuela	165
West Germany	3,966
All other countries	513

COUNTRY QUOTAS FOR GROUP D

(Schedule B No. 332.2010, Kerosene, except kerosene-type jet fuel)

Country:	*Quota (barrels)*
Australia	1,118
Brazil	150
Canada	1,667
Chile	122
Congo	56
Egypt	88
France	59
French Pacific Islands	3,046
Gabon	266
Holland	349
Israel	586
Italy	467
Japan	2,354
Mexico	72
Nigeria	740
Peru	71
Philippines	89

Country:	Quota (barrels)
Singapore	442
South Africa	371
United Kingdom	9,391
Venezuela	454
West Germany	7,047
All other countries	252

COUNTRY QUOTAS FOR GROUP E

(Schedule B No. 332.2020, Jet Fuel)

Country:	Quota (barrels)
Bahamas	31
Canada	42,797
Mexico	48,794

COUNTRY QUOTAS FOR GROUP F

(Schedule B No. 332.3000, Distillate fuel oils)

Country:	Quota (barrels)
Bahamas	3,125
Canada	98,156
Colombia	36,385
Denmark	22,413
French Pacific Islands	10,086
Holland	58,895
Japan	11,636
Mexico	190,448
Netherlands Antilles	34,072
Peru	13,577
Surinam	327
All other countries	1,359

COUNTRY QUOTAS FOR GROUP G

(Schedule B No. 332.4000, Residual fuel oils)

Country:	Quota (barrels)
Bahamas	110,780
Barbados	11,275
Belgium	12,865
Brazil	63,662
Canada	833,224
Canary Islands	14,182
Denmark	32,003
France	2,493
French Pacific Islands	16,967
Greece	19,798
Holland	50,108
Ireland	11,626
Italy	181,579
Jamaica	152,086
Japan	266,1 5
Leeward & Windward Islands	12,745
Mexico	643,500
Netherlands Antilles	99,078
Panama	74,793
Peru	30,821
Philippines	26,937
Poland	2,070
Singapore	15,455
South Africa	21,432
Spain	36,283
Sweden	75,413
United Kingdom	227,631
All other countries	814

COUNTRY QUOTAS FOR GROUP H

(Schedule B No. 332.9160, Carbon black feedstock oil)

Country:	Quota (barrels)
Australia	157,544
Brazil	96,087
Canada	134,550
France	153,186
Holland	199,258
Israel	1,727
Italy	271,906
Philippines	28,899
South Africa	72,727
Spain	139,862
Sweden	39,813
United Kingdom	308,355
West Germany	12,905

COUNTRY QUOTAS FOR GROUP I

(Schedule B No. 341.1025, Butane)

(Schedule B No. 341.1030, Propane)

(Schedule B No. 341.1040, Natural gas liquids)

Country:	Quota (barrel)
Canada	7,379
Guatemala	2,102
Japan	221,337
Mexico	2,953,665
New Zealand	1,041
All other countries	17

Base period: The base period for determining historical quota shares for Group I commodities in the third quarter 1974 is the period from July 1, 1972 to September 30, 1972.

Effective date of action, July 22, 1974.

RAUER H. MEYER,
Director, Office of Export Administration.

[FR Doc.74-16955 Filed 7-24-74;8:45 am]

Title 16—Commercial Practices

CHAPTER II—CONSUMER PRODUCT SAFETY COMMISSION

SUBCHAPTER C—FEDERAL HAZARDOUS SUBSTANCES ACT REGULATIONS

PART 1512—REQUIREMENTS FOR BICYCLES

Banning of Hazardous Bicycles; Establishment of Safety Requirements; Correction

In FR Doc. 74-15315 appearing at page 26100 in the FEDERAL REGISTER of July 16, 1974, 16 CFR 1512.4(g) on page 26106 is corrected in item (4) by changing "handbar" to "handlebar".

Dated: July 22, 1974.

SADYE E. DUNN,
Secretary, Consumer Product Safety Commission.

[FR Doc.74-17036 Filed 7-24-74;8:45 am]

Title 19—Customs Duties

CHAPTER I—UNITED STATES CUSTOMS SERVICE, DEPARTMENT OF THE TREASURY

[T.D. 74-201]

PART 1—GENERAL PROVISIONS

Customs Regions, Districts and Ports

On June 2, 1970, the provisions of 19 U.S.C. 2 were amended (Pub. L. 91-271) by deleting the provisions contained in that statute which limited the number of customs-collection districts and ports of entry to those established and authorized as of August 1, 1914. The statute has also eliminated provisions requiring the collector of Customs (district director) of each customs-collection district to be officially designated by the number of the district to which he was appointed.

Accordingly, to conform the Customs regulations to the amended provisions of 19 U.S.C. 2, the first paragraph of footnote 1 of §1.2(b) of the Customs regulations (19 CFR 1.2(b)) is amended to read as follows:

§ 1.2 Customs regions, districts and ports.

* * * * *

[1] "The President is authorized from time to time, as the exigencies of the service may require, to rearrange, by consolidation or otherwise, the several customs-collection districts and to discontinue ports of entry by abolishing the same or establishing others in their stead. The President is authorized from time to time to change the location of the headquarters in any customs-collection district as the needs of the service may require." (19 U.S.C. 2)

* * * * *

(R.S. 251, as amended; (5 U.S.C. 301, 19 U.S.C. 66))

Because this amendment merely conforms the Customs regulations with certain changes in the law, notice and public procedure thereon is found to be unnecessary, and good cause exists for dispensing with a delayed effective date under the provisions of 5 U.S.C. 553.

Effective date. This amendment shall be effective July 25, 1974.

[SEAL] VERNON D. ACREE,
Commissioner of Customs.

Approved: July 16, 1974.

DAVID R. MACDONALD,
Assistant Secretary of the Treasury.

[FR Doc.74-17003 Filed 7-24-74;8:45 am]

[T.D. 74-200]

LICENSES

Application Fees

On January 25, 1974, a notice of proposed rulemaking was published in the FEDERAL REGISTER (39 FR 3292) setting forth proposed amendments to § 111.12 (a) of the Customs regulations (19 CFR 111.12(a)), which would specify the fee to accompany an application for a customhouse broker's license (currently specified in § 24.12(a)(1)(v) of the regulations (19 CFR 24.12(a)(1)(v)) and would increase that fee from $150 to $200, and to § 112.22(a) of the regulations (19 CFR 112.22(a)), which would increase the fee to accompany an application for a customhouse cartage or lighterage license from $50 to $100. These increases are necessary to recover the actual costs incurred by the United States Customs Service in rendering these services to the public.

It was also proposed to delete § 24.12 (a)(1)(v) of the Customs regulations, which presently specifies the fee to accompany the application for a customhouse broker's license and which would be made superfluous by the incorporation of that fee in § 111.12(a) of the regulations.

No comments were received in response to the notice of proposed rulemaking. Accordingly, the Customs regulations are amended as set forth below.

Effective date. These amendments shall become effective August 26, 1974.

[SEAL] VERNON D. ACREE,
Commissioner of Customs.

Approved: July 16, 1974.

DAVID R. MACDONALD,
Assistant Secretary of the Treasury.

PART 24—CUSTOMS FINANCIAL AND ACCOUNTING PROCEDURE

Section 24.12 is amended by deleting paragraph (a)(1)(v).

(R.S. 251, as amended, sec. 624, 46 Stat. 759; (5 U.S.C. 301, 19 U.S.C. 66, 1624))

PART 111—CUSTOMHOUSE BROKERS

Section 111.12(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.

* * * * *

(R.S. 251, as amended, secs. 624, 641, 46 Stat. 759, as amended, sec. 501, 65 Stat. 290; (5 U.S.C. 301, 19 U.S.C. 66, 1624, 1641 31 U.S.C. 483(a)))

PART 112—CARRIERS, CARTMEN, AND LIGHTERMEN

Section 112.22(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.

* * * * *

(R.S. 251, as amended, secs. 565, 624, 46 Stat. 747, as amended, 759, sec. 501, 56 Stat. 290; (5 U.S.C. 301, 19 U.S.C. 66, 1565, 1624, 31 U.S.C. 483(a)))

[FR Doc.74-17004 Filed 7-24-74;8:45 am]

Title 21—Food and Drugs

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

SUBCHAPTER B—FOOD AND FOOD PRODUCTS

PART 3—STATEMENTS OF GENERAL POLICY OR INTERPRETATION

PART 20—FROZEN DESSERTS

Mellorine, Establishment of Standard of Identity; Parevine, Termination of Rule Making Procedure

In the matter of establishing identity standards for mellorine, a food made in semblance of ice cream but with substitution of other edible fats for a part or all of the milkfat contained, and for parevine, a food resembling ice cream but containing no milk, meat, or ingredients derived from milk or meat; and revoking § 3.39.

A notice of proposed rule making in the above-identified matter published on the initiative of the Commissioner of Food and Drugs in the FEDERAL REGISTER of January 19, 1973 (38 FR 2150) provided for the filing of comments within 60 days following its publication date. A second 30-day period for receipt of comments dealing specifically with the issues of what the minimum fat content in mellorine should be, and whether a separate standard should be established for a reduced fat mellorine type product resembling ice milk, was published in the FEDERAL REGISTER of August 2, 1973 (38 FR 20745).

Of the 21 comments received in response to the notices, one favored adoption of the Commissioner's proposal, while the other comments opposed adoption of or advocated changes in the proposed identity standards. The issues raised by the comments, and the Commissioner's conclusions concerning them, are as follows:

1. There were objections to the mandatory addition of vitamin A to mellorine. It was pointed out that this would require nutrition labeling under § 1.17 (21 CFR 1.17) and that such labeling would present problems for a frozen dessert because of the many different flavors used, each having different nutritional properties. It was argued that consumers do not expect any significant vitamin content in frozen desserts, and that mellorine is an illogical choice for vitamin fortification.

The Commissioner concludes that it is reasonable to require that new foods intended for use as substitutes for existing foods be substantially equivalent in nutritive value to the foods for which they substitute. Milkfat is an important dietary source of vitamin A, and new products patterned after traditional dairy products, but with substitution of other edible fats for milkfat, should contain the vitamin A levels that would be present in the traditional products.

2. Comments objected to the requirement of the proposal that mellorine must contain milk, skim milk, or buttermilk in such quantity that the protein content is not less than 3 percent by weight of the finished food. It was contended that the 3 percent minimum could be met by using other proteins, including whey protein which has a higher biological value than does whole milk protein.

The recent final order for milk and cream published in the FEDERAL REGISTER of October 10, 1973 (38 FR 27924) allows the use of milk-derived solids in skim milk and lowfat milk, provided they contain protein sufficient in quantity and quality to the nonfat solids in milk. The Commissioner believes such milk-derived solids are also appropriate for use in frozen desserts. By establishing a minimum protein requirement for mellorine, the final order assures consumers of a product of suitable nutritional quality regardless of the specific ingredients used. Accordingly, the final order permits the use of milk-derived solids.

The nutritive requirements for mellorine are based upon those for ice cream under the provisions of 21 CFR Part 20. The present standards of identity for ice cream require a minimum of 20 percent total milk solids, a minimum of 10 percent milkfat content with a resultant requirement of 10 percent nonfat milk solids, and permit a substitution of whey not in excess of 25 percent of the nonfat milk solids employed. Calculations based upon these requirements reveal that a 10 percent milkfat ice cream has contained a milk protein level of approximately 2.7 percent. The Commissioner concludes that this level of 2.7 percent is a reasonable minimum level of milk protein in mellorine and the present order adopts this value.

The Commissioner concludes that protein from any milk-derived ingredients used should be counted toward meeting the 2.7 percent protein minimum required for mellorine, provided that the protein efficiency ratio (PER) of the protein in the finished food is not less than that of whole milk protein (120 percent of casein as determined by the method prescribed in the regulation). He further concludes that the minimum protein requirement should be based on the weight of the finished food, except that when bulky flavoring ingredients such as fruits, nuts, and chocolate or cocoa are used, the minimum milk-derived protein content should be 2.7 percent of the weight of the food exclusive of the weight of such flavoring ingredients. This change makes possible the use of one basic frozen dessert mix for all flavors of mellorine.

3. Comments objected to the fat and total solids content minimum proposed for mellorine. Some comments stated that the minimum fat content of mellorine should be raised so as to be consistent with that of ice cream under § 20.1 (21 CFR 20.1). Other comments suggested reducing the minimum food solids from 1.6 to 1.3 pounds per gallon, and reducing the minimum fat content from 6 percent to 4 percent for mellorine containing bulky flavoring ingredients, such as fruits, nuts, or chocolate. Following publication of the proposal

which provided for one standard having a minimum of 6 percent fat, there was support from some State officials for two separate standards, one for "mellorine," an analog of ice cream, and another for "lorine," an analog of ice milk. Following publication of the August 2, 1973 notice inviting additional comments dealing specifically with the issues of whether there should be more than one standard, and what fat content should be required, 12 further comments were received. One State official supported the two-standard concept while the remaining comments from industry and academic sources advocated just one standard with a minimum fat content requirement of 6 percent.

The Commissioner concludes that the adoption of a fat level higher than 6 percent, e.g., 8 or 10 percent, would not improve the quality of the product. In fact, a higher fat content would result in a product less acceptable to the consumer because it would not permit the characteristics associated with this frozen dessert. Increasing the fact content would have the effect of limiting the use of some fats or oils because of processing limitations. While raising the fat level would be a means of meeting the total food solids requirement, higher fat mellorine formulas are generally avoided. Unlike milkfat, other fats and oils do not contribute to the optimum flavor of frozen desserts, and the blandest and most stable fats and oils are desired. Because of the significant differences in technological characteristics of the vegetable or animal fats or oils used in mellorine, and their tendency to be conspicuous in the texture of the product, levels of fat must be below the minimum values required for ice cream.

Although many of the states permitting sale of mellorine-type frozen desserts presently require a minimum fat content of 8 or 10 percent, most of the actual production and consumption is in states that permit a 6 percent product. Establishment of the proposed 6 percent minimum will not preclude the marketing of mellorine having a higher fat content, but will provide the flexibility necessary to develop the formula having the fat content most acceptable to the consumer. The requirements for a 1.6-pound minimum food solids per gallon and a 2.7 percent protein minimum in mellorine together with mandatory vitamin A addition based on the fat content, will ensure that mellorine is substantially equivalent to ice cream in nutritive value. Thus, there is no compelling reason for requiring that mellorine have the same fat level as ice cream.

Based on these considerations, and in the absence of technological, production or consumer data to support an increase, the Commissioner concludes that the proposed 6 percent fat content should be retained for mellorine except that when bulky flavoring ingredients are used, the fat content may be reduced in proportion to the bulky ingredients added but in no case less than 4.8 percent. This 20 percent maximum reduction in the fat content to accommodate bulky flavor ingredients is compatible with the ice cream standard, which has the same provision.

4. It was contended that section 403(c) of the Federal Food, Drug, and Cosmetic Act requires use of the name "imitation ice cream" rather than "mellorine" and that the word "mellorine" has not been established as the common or usual name for vegetable fat frozen desserts except in a few of the States. It was pointed out that the other States either do not permit this frozen dessert to be marketed or specify names other than "mellorine."

The Commissioner recognizes that many consumers are not familiar with the name "mellorine." However, this is the name used in a number of Eastern and Southern States, including Texas, the leader in production of vegetable fat frozen dessert. Among the names specified by various States for vegetable fat frozen desserts, "mellorine" is the most familiar.

The Commissioner concludes that it is in the interest of consumers and consistent with the intent of Congress to restrict application of the term "imitation" to a substitute food which is nutritionally inferior to the food for which it is a substitute. Accordingly, the name "mellorine" has been retained.

5. The advisability of establishing an identity standard for parevine, a frozen dessert made in semblance of ice cream but containing no ingredients derived from milk or meat, was questioned. Comments pointed out that parevine is now marketed only in certain areas of the country and in limited amounts. It was stated that parevine is presently used as a special dietary food for individuals suffering from phenylketonuria (PKU), but that the proposed requirement for a minimum protein content of 3 percent by weight of the food would render parevine unsuitable for this use.

In view of these comments, the Commissioner concludes that an identity standard for parevine will not be of significant benefit to consumers, and should not be promulgated at this time. Parevine may be the subject of a standard in the future, should sufficient consumer interest require it. In the interim, it may properly be labeled and marketed under the common or usual name of "parevine" if it is nutritionally equivalent to ice cream or, if it is not nutritionally equivalent to ice cream, as an imitation ice cream, pursuant to § 1.8(e) (21 CFR 1.8 (e)).

6. Published elsewhere in this issue of the FEDERAL REGISTER is a proposal to revise 21 CFR Part 20—Frozen Desserts. The Commissioner has under consideration the issue of whether to retain the three category labeling scheme for characterizing flavor declaration found in the ice cream standard under § 20.1 or to replace it with the general flavor declaration requirements of § 1.12(i) (21 CFR 1.12(i)) as published in the FEDERAL REGISTER of December 3, 1973 (38 FR 33284). Any decision that the frozen dessert standard should adopt the requirements of § 1.12(i) will be published as a proposal in a future issue of the FEDERAL REGISTER. Therefore, the order set forth below incorporates by cross-reference the flavor declaration requirements of the existing ice cream standard under § 20.1. The requirements for ingredient declaration on mellorine labels have also been changed so that they are consistent with the labeling requirements proposed for the other sections of Part 20. In the event that the order ruling on the proposed revisions of Part 20 makes further changes in that proposal based on comments received, amendment of the mellorine standard will be made at the same time in order to maintain uniform labeling requirements for all standardized frozen desserts.

7. The Commissioner has published in the FEDERAL REGISTER of June 14, 1974 (39 FR 20890) a proposed amendment of § 1.10 (21 CFR 1.10) to establish group terms for closely related milk and other ingredients. Accordingly, it is unnecessary to repeat those terms in this standard.

Accordingly, having considered the comments received and other relevant information, the Commissioner concludes that it will promote honesty and fair dealing in the interest of consumers to adopt the modified proposal, as set forth below. Therefore, pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (secs, 401, 701, 52 Stat. 1046, 1055–1056 as amended by 70 Stat. 919 and 72 Stat. 948; (21 U.S.C. 341, 371)) and under authority delegated to the Commissioner (21 CFR 2.120), *It is ordered*, That:

1. The proposed rule making procedure to establish a standard of identity for parevine, published in the FEDERAL REGISTER of January 19, 1973 (38 FR 2150), is terminated without prejudice to future action in this matter.

§ 3.39 [Revoked]

2. Part 3 is amended by revoking § 3.39.

3. Part 20 is amended by adding a new § 20.8, to read as follows:

§ 20.8 Mellorine; identity; label statement of optional ingredients.

(a) *Description.* (1) Mellorine is a food produced by freezing, while stirring, a pasteurized mix consisting of safe and suitable ingredients including, but not limited to, milk-derived nonfat solids and animal or vegetable fat, or both, only part of which may be milkfat. Mellorine is sweetened with nutritive carbohydrate sweetener and is characterized by the addition of flavoring ingredients.

(2) Mellorine contains not less than 1.6 pounds of total solids to the gallon, and weighs not less than 4.5 pounds to the gallon. Mellorine contains not less than 6 percent fat and 2.7 percent protein by weight of the food, exclusive of the weight of any bulky flavoring ingredients used. In no case shall the fat content of the finished food be less than 4.8 percent or the protein content be less than 2.2 percent. The protein to

meet the minimum protein requirements shall be provided by milk solids not fat and/or other milk-derived ingredients, and shall have a protein efficiency ratio (PER) not less than that of whole milk protein (120 percent of casein as determined by the method prescribed in paragraph (d) (3) of this section).

(3) When calculating the minimum amount of milkfat and protein required in the finished food, the solids of chocolate or cocoa used shall be considered a bulky flavoring ingredient. In order to make allowance for additional sweetening ingredients needed when certain bulky ingredients are used, the weight of chocolate or cocoa solids used may be multiplied by 2.5; the weight of fruit or nuts used may be multiplied by 1.4; and the weight of partially or wholly dried fruits or fruit juices may be multiplied by appropriate factors to obtain the original weights before drying and this weight may be multiplied by 1.4.

(b) *Fortification.* Vitamin A is present in a quantity which will ensure that 40 international units (IU) are available for each gram of fat in mellorine, within limits of good manufacturing practice.

(c) *Definitions.* For the purposes of this section a pasteurized mix is one every particle of which has been heated in properly operated equipment to one of the temperatures specified in the table of this paragraph and held continuously at or above that temperature for the specified time (or other time/temperature relationship which has been demonstrated to be equivalent thereto in microbial destruction):

Temperature:	*Time*
155° F	30 minutes
175° F	25 seconds

(d) *Methods of analysis.* Fat and protein content, and the PER shall be determined by the methods contained in the "Official Methods of Analysis of the Association of Official Analytical Chemists," 11th ed., 1970.[1]

(1) Fat content shall be determined by the method: "Fat, Roese-Gottlieb Method—Official Final Action," § 16.228.

(2) Protein content shall be determined by one of the following methods: "Nitrogen—Official Final Action," Kjeldahl Method, section 16.226, or Dye Binding Method, § 16.227.

(3) PER shall be determined by the method: "Biological Evaluation of Protein Quality-Official Final Action" §§ 39.166–39.170.

(e) *Nomenclature.* The name of the food is "mellorine." The name of the food on the label shall be accompanied by a declaration indicating the presence of characterizing flavoring in the same manner as is specified in § 20.1(g).

(f) *Label declaration.* The common or usual name of each of the ingredients used shall be declared on the label as required by the applicable sections of Part 1 of this chapter, except that sources of milkfat or milk solids not fat may be declared, in descending order of predominance, either by the use of all the terms "water, milkfat, and nonfat milk solids", or alternatively as permitted in § 1.10 of this chapter.

Any person who will be adversely affected by the foregoing order may at any time on or before August 26, 1974, file with the Hearing Clerk, Food and Drug Administration, Rm. 6–86, 5600 Fishers Lane, Rockville, MD 20852, written objections thereto. Objections shall show wherein the person filing will be adversely affected by the order, specify with particularity the provisions of the order deemed objectionable, and state the grounds for the objections. If a hearing is requested, the objections shall state the issues for the hearing, shall be supported by grounds factually and legally sufficient to justify the relief sought, and shall include a detailed description and analysis of the factual information intended to be presented in support of the objections in the event that a hearing is held. Objections may be accompanied by a memorandum or brief in support thereof. Six copies of all documents shall be filed. Received objections may be seen in the above office during working hours, Monday through Friday.

Effective date. Unless stayed by the filing of proper objections, compliance with this order, which shall include any labeling changes required, may begin on September 23, 1974, and all labeling used for products shipped in interstate commerce after December 31, 1974, shall comply with these regulations.

Dated: July 16, 1974.

NOTE: Incorporation by reference provisions approved by the Director of the Federal Register, March 26, 1973.

SHERWIN GARDNER,
Acting Commissioner of Food and Drugs.

[FR Doc.74–17000 Filed 7–24–74;8:45 am]

[1] Copies may be obtained from: Association of Official Analytical Chemists, P.O. Box 540, Ben Franklin Station, Washington, DC 20044.

Title 23—Highways

CHAPTER I—FEDERAL HIGHWAY ADMINISTRATION, DEPARTMENT OF TRANSPORTATION

SUBCHAPTER G—ENGINEERING AND TRAFFIC OPERATIONS

PART 635—CONSTRUCTION AND MAINTENANCE

Subpart C—Physical Construction Authorization

As part of the Federal Highway Administration's program of converting the Agency's Policy and Procedure Memorandum to Regulations, the following new part is added to Title 23 of the Code of Federal Regulations.

This part converts Policy and Procedure Memorandum 21–12 on Physical Construction Authorization to Part 635 of Title 23 of the Code of Federal Regulations.

As no substantive change is made in current substantive policies or procedures, this part is made effective on date of issuance.

Part 635 of Title 23 CFR is added to read as follows:

Sec.
635.301 Purpose.
635.302 Applicability.
635.303 Physical construction.
635.304 Coordination.
635.305 Authorization.

AUTHORITY: 23 U.S.C. 112; 23 U.S.C. 113; 23 U.S.C. 114; 23 U.S.C. 117; 23 U.S.C. 128; 42 U.S.C. 3334; 42 U.S.C. 4231–4233; 42 U.S.C. 4601 et seq.

§ 635.301 Purpose.

To prescribe the policies and procedures under which a State highway department may be authorized to advance a Federal-aid highway project to the physical construction stage.

§ 635.302 Applicability.

The provisions of this directive are applicable to all Federal-aid highway construction projects except projects constructed under an approved Certification Acceptance Plan.

§ 635.303 Physical construction.

For purposes of this directive the physical construction of a project is considered to consist of the actual construction of the highway itself with its appurtenant facilities. It includes any removal, adjustment or demolition of buildings or major obstructions, and utility or railroad work that is a part of the contract for the physical construction.

§ 635.304 Coordination.

(a) The right-of-way clearance, utility, and railroad work are to be so coordinated with the physical construction that no unnecessary delay or cost to the physical construction will occur.

(b) All right-of-way clearance, utility, and railroad work performed separately from the contract for the physical construction of the project is to be accomplished under the provisions of the Federal-Aid Highway Program Manual, Volume 7, Chapter 4, Section 2 (PPM 80-6.1); Volume 1, Chapter 4, Section 4 (PPM 30–4); or Volume 1, Chapter 4, Section 3 (PPM 30–3), respectively.

§ 635.305 Authorization.

Authorization to advertise the physical construction for bids or to proceed with force account construction thereof shall normally be issued as soon as, but not until, all of the following conditions have been met:

(a) The plans, specifications, and estimates (PS&E) therefor have been approved.

(b) A statement is received from the State, either separately or combined with the information required by section 635.305(c), that either all right-of-way clearance, utility, and railroad work has been completed or that all necessary arrangements have been made for it to be undertaken and completed as required for proper coordination with the physical construction schedules. Where it is determined that the completion of such work in advance of the highway construction is not feasible or practical due

to economy, special operational problems and the like, there shall be appropriate notification provided in the bid proposals identifying the right-of-way clearance, utility, and railroad work which is to be underway concurrently with the highway construction.

(c) A statement is received from the State certifying that all individuals and families have been relocated to decent, safe and sanitary housing or the State has made available to relocatees adequate replacement housing in accordance with the provisions of the current Federal Highway Administration (FHWA) directive(s) covering the administration of the Highway Relocation Assistance Program and that one of the following has application:

(1) All necessary rights-of-way, including control of access rights when pertinent, have been acquired including legal and physical possession. Trial or appeal of cases may be pending in court but legal possession has been obtained. There may be some improvements remaining on the right-of-way but all occupants have vacated the lands and improvements and the State has physical possession and the right to remove, salvage or demolish these improvements and enter on all land.

(2) Although all necessary rights-of-way have not been fully acquired, the right to occupy and to use all rights-of-way required for the proper execution of the project has been acquired. Trial or appeal of some parcels may be pending in court and on other parcels full legal possession has not been obtained but right of entry has been obtained, the occupants of all lands and improvements have vacated and the State has physical possession and right to remove salvage or demolish these improvements.

(3) The circumstances with respect to acquisition or right of occupancy and use of a few parcels warrant proceeding with advertisement for bids or with force account construction on the basis it will be in the public interest to do so in advance of completion of the acquisition of the rights of the said few parcels. The physical construction, except for the removal or demolition of permanently vacated improvements, will not be permitted to proceed until the occupants of all residentially improved properties have vacated and specific dates for termination of operation of business have been established so as not to interfere in any way with construction operations. When justified, the requirements concerning the vacation of residentially improved properties and the establishment of specific dates for termination of business operations may be waived by the Regional Administrator (FHWA) in cases where there is a definite finding by the highway department and concurred in by the Regional Administrator (FHWA) that it is in the public interest to proceed with the physical construction. This certification may be resorted to only in very unusual circumstances. This exception should never be allowed to become the rule. When this certification is used, full explanation and reasons therefor must be given including identification of right-of-way parcels where right to physically occupy and use is not obtained. Estimated date for each parcel must be given when physical occupancy and use will be obtained and substantiation that such date is realistic. Appropriate notification shall be provided in the bid proposals in accordance with Volume 6, Chapter 4, Section 1, Subsection 6 (PPM 21-6.3, paragraph 6e).

(d) The State highway department has satisfied the requirements of Volume 7, Chapter 7, Section 5 (PPM 20-8) where applicable or, under alternate procedures which have been incorporated in an approved Action Plan, has submitted public hearing transcripts, certifications and reports pursuant to 23 U.S.C. 128.

(e) An affirmative finding of public interest has been made as required by 23 U.S.C. 112, in case construction by some method other than contract based on competitive bidding is contemplated.

(f) Minimum wage rates determined by the Department of Labor in accordance with the provisions of 23 U.S.C. 113, are in effect and will not expire before the end of the period within which it can reasonably be expected that the contract will be awarded.

(g) A statement has been received that right-of-way has been acquired or will be acquired in accordance with the current FHWA directive(s) covering the acquisition of real property or that acquisition of right-of-way is not required.

(h) A statement has been received that the steps relative to relocation advisory assistance and payments as required by the current FHWA directive(s) covering the administration of the Highway Relocation Assistance Program have been taken, or that they are not required.

(i) The Division Engineer (FHWA) has determined that appropriate measures have been included in the PS&E in keeping with approved guidelines, for minimizing possible soil erosion and water pollution as a result of highway construction operations.

(j) The Division Engineer (FHWA) has determined that requirements of Volume 7, Chapter 7, Section 2 (PPM 90-1) have been fulfilled and appropriate measures have been included in the PS&E to satisfy interests of the public, and Federal, State, and local agencies.

(k) Where utility facilities are to use and occupy the right-of-way, the State has demonstrated to the satisfaction of the Division Engineer (FHWA) that the provisions of Volume 1, Chapter 4, Section 4 (PPM 30-4, paragraph 16b) have been fulfilled.

(l) The Division Engineer (FHWA) has verified the fact that adequate replacement housing is in place and has been made available to all affected persons.

(m) Where applicable, areawide agency review has been accomplished as required by 42 U.S.C. 3334 and 4231-4233.

(n) The Division Engineer (FHWA) has determined that the PS&E provide for the erection of only those information signs and traffic control devices that conform with the standards developed by the Secretary of Transportation and do not include construction identification or other informational signs regarding such State matters as the identification of responsible State officials.

This regulation will be effective on the date of issuance set forth below.

Issued on: July 17, 1974.

NORBERT T. TIEMANN,
Federal Highway Administrator.

[FR Doc.74-17019 Filed 7-24-74;8:45 am]

Title 25—Indians

CHAPTER I—BUREAU OF INDIAN AFFAIRS, DEPARTMENT OF THE INTERIOR

SUBCHAPTER O—RIGHTS-OF-WAY ROADS

PART 162—ROADS OF THE BUREAU OF INDIAN AFFAIRS

Construction and Maintenance

JULY 18, 1974.

This notice is published in the exercise of rulemaking authority delegated by the Secretary of the Interior to the Commissioner of Indian Affairs by 230 DM 2 (32 FR 13938). The authority to issue regulations is vested in the Secretary of the Interior by 5 U.S.C. 301 and sections 463 and 465 of the Revised Statutes (25 U.S.C. 2 and 9).

Beginning on Page 9197 of the FEDERAL REGISTER of March 8, 1974 (39 FR 9197), there was published a notice of proposed rulemaking to revise §§ 162.1-162.9 of Part 162 of Title 25 of the Code of Federal Regulations. The purpose of the proposed revision was to update the regulations for constructing roads by the Bureau of Indian Affairs. The revisions were proposed pursuant to the authority contained in the Act of May 26, 1928 (45 Stat. 750 (25 U.S.C. 318a)).

Interested persons were given 30 days in which to submit written comments, suggestions, or objections regarding the proposed regulations.

During this period comments, suggestions, and objections were submitted by interested persons. Careful consideration was given to the comments received and certain revisions were made as a result of them. Among the revisions are the following:

1. Paragraph (a) of § 162.2 is revised to define "Commissioner" instead of "Secretary." Since the Commissioner is the Secretary's authorized representative for Indian affairs, the term "Commissioner" replaces the term "Secretary" in this part.

2. Paragraph (b) of § 162.2 is revised to designate the Area Director as the official responsible for making determinations on the arterial roads of the Navajo Reservation. This revision clarifies the intent.

3. Paragraph (f) of § 162.2 is reworded to more clearly convey the intent of 25 U.S.C. 318a. An additional sentence is also added to further clarify the intent.

4. Paragraph (g) is added to § 162.2 to define the term "construction" as used in this part.

5. Paragraph (h) is added to § 162.2 to define the term "maintenance" as used in this part.

6. A sentence is added to § 162.4a to include the process whereby the annual priorities for the road construction projects are established by tribes.

7. The fourth sentence of § 162.5 is reworded so that before construction is undertaken on tribal land upon which an Indian has an interest by virtue of a land use assignment the consent of both the holder of the assignment and the tribe is required. Comments were received recommending that where an Indian has an interest in tribal land by virtue of a land use assignment that such consent shall be obtained from the tribe only. Such comments and recommendations were not acted upon since they are contrary to policy.

8. One sentence is added to § 162.6 to prohibit the use of construction funds authorized under 23 U.S.C. 208 for the maintenance of roads.

9. Paragraph (b) is added to § 162.8 to clarify the procedures for erecting regulatory signs on roads which the Commissioner maintains.

These proposed revisions to Part 162 shall become effective August 26, 1974. As revised, §§ 162.1–162.9 reads as follows:

CONSTRUCTION AND MAINTENANCE OF ROADS

Sec.

162.1 Purpose.
162.2 Definitions.
162.3 Construction and improvement.
162.4 Approval of road construction activities.
162.4a Selection of road construction projects.
162.5 Rights-of-way.
162.5a Employment of Indians.
162.6 Maintenance of Indian roads.
162.6a Contributions from tribes.
162.7 Cooperation with States.
162.8 Use of roads.
162.9 Roadless and wild areas.

AUTHORITY: 36 Stat. 861; 78 Stat. 241, 253, 257; 45 Stat. 750 (25 U.S.C. 47; 42 U.S.C. 2000e(b), 2000e–2(i); 23 U.S.C. 101(a), 208, 308).

CONSTRUCTION AND MAINTENANCE OF ROADS

§ 162.1 Purpose.

The regulations in this part govern the planning, design, construction, maintenance and general administration of certain Indian reservation roads and bridges.

§ 162.2 Definitions.

As used in this part:

(a) "Commissioner" means the Commissioner of Indian Affairs.

(b) "Superintendent" means the Agency Superintendent at all locations, with the exception that at the Navajo Reservation this term shall mean the Area Director or his designated representative for public hearings on arterial roads which cross Agency boundaries of jurisdiction.

(c) "State" means a State or territory or political subdivision thereof.

(d) "Indian Reservation Roads and Bridges" means roads and bridges that are located within or provide access to an Indian reservation or Indian trust land or restricted Indian land which is not subject to fee title alienation without the approval of the Federal Government, or Indian and Alaska Native villages, groups or communities in which Indians and Alaskan Natives reside, whom the Commissioner has determined are eligible for services generally available to Indians under Federal laws specifically applicable to Indians. (23 U.S.C. 101(a))

(e) "Indian and Alaskan Native villages, groups, or communities in which Indian or Alaska Natives reside" means villages, groups or communities or portions of villages, groups, or communities in which the majority of the residents are Indians or Alaska Natives.

(f) "Federal-Aid Indian Road System" means those Indian reservation roads and bridges for which financial aid for construction is available only from specific appropriations of Federal funds therefor and which are designated by the Bureau of Indian Affairs and the Federal Highway Administration. This term does not include roads or bridges on Indian reservations for which financial aid for construction and improvement is available to a State under the Federal-Aid Highway Act. (45 Stat. 750)

(g) "Construction" means supervising, inspecting, actual building, and all expenses incidental to the construction and improvement of roads and bridges including the elimination of roadway hazards and the acquisition of rights-of-way.

(h) "Maintenance" means the act of preserving the entire roadway, including surface, shoulders, roadsides, structures, and the necessary traffic control devices as nearly as possible in the as-built condition and to provide services for the satisfactory and safe use of such roads.

§ 162.3 Construction and improvement.

Subject to the availability of appropriations for Indian reservation roads and bridges and any other contribution of State or Indian tribal funds, the Commissioner shall plan, survey, design and construct roads on the Federal-Aid Indian Road System to provide an adequate system of road facilities serving Indian lands.

§ 162.4 Approval of road construction activities.

The Secretary of Transportation or his authorized representative shall approve the location, type, and design of all projects on the Federal-Aid Indian Road System before any construction expenditures are made. All such construction shall be under the general supervision of the Secretary of Transportation or his authorized representative.

(23 U.S.C. 208)

§ 162.4a Selection of road construction projects.

The Commissioner, who is responsible for the planning, surveys and design, shall keep the appropriate local tribal officials informed of all technical information relating to the project alternatives of proposed road developments. The Commissioner shall recommend to the tribe those proposed road projects having the greatest need as determined by the comprehensive transportation analysis. Tribes shall then establish annual priorities for road construction projects. Subject to the approval of the Commissioner, the annual selection of road projects for construction shall be performed by tribes. Funds available for the construction of roads on the Federal-Aid Indian Road System shall not be used for the capital improvement to privately-owned property. (39 Stat. 355)

§ 162.5 Rights-of-way.

(a) The procedure for obtaining permission to survey and for granting any necessary right-of-way are governed by Part 161 of this chapter. Tribal consent as required under § 161.3(a) may be made by public dedication where proper tribal authority exists. Before any work is undertaken for the construction of road projects, the Commissioner shall obtain the written consent of the Indian landowners. Where an Indian has an interest in tribal land by virtue of a land use assignment, such consent shall be obtained from both the land holder of the assignment and the Indian tribe. Right-of-way easements are to be on a form approved by the Commissioner.

(b) If it appears that the road might be transferred to the tribe, the county or the State within 10 years, then before such construction is undertaken, right-of-way easements for the project shall be obtained in favor of the United States, its successors and assigns, with the right to construct, maintain, and repair improvements thereon and thereover, for such purposes and with the further right in the United States, its successors and assigns, to transfer the right-of-way easements by assignment, grant or otherwise.

§ 162.5a Employment of Indians.

The Bureau of Indian Affairs road program shall be administered in such a way as to provide training and employment of Indians. The Commissioner may contract with tribes and Indian-owned construction companies, or the Commissioner may purchase materials, obtain equipment and employ Indian labor in the construction and maintenance of roads.

(36 Stat. 861; 78 Stat. 241, 253; 78 Stat. 257; 25 U.S.C. 47; 42 U.S.C. 2000e(b), 2000e–2(i); 23 U.S.C. 208(c))

§ 162.6 Maintenance of Indian roads.

The administration and maintenance of Indian reservation roads and bridges is basically a function of the local Government. Subject to the availability of funds, the Commissioner shall maintain, or cause to be maintained, those approved roads on the Federal-Aid Indian Road System. The Commissioner may also maintain roads not on the Federal-Aid Indian Road System if such roads meet the definition of "Indian reservation roads and bridges" and are approved

for maintenance by the Commissioner. No funds authorized under 23 U.S.C. section 208 are available for the maintenance of roads.

§ 162.6a Contributions from tribes.

The Commissioner may enter into agreements with an Indian tribe for a contribution from its tribal funds for the construction or maintenance of roads governed by regulations of this part. However, the tribe must be able to make such contributions without undue impairment of the necessary tribal functions.

§ 162.7 Cooperation with States.

The Commissioner may enter into an agreement with the State for cooperation in the construction and the maintenance of certain Indian reservation roads and bridges, especially at those locations where road projects serve non-Indian land as well as Indian land.

(23 U.S.C. 208(d); 23 U.S.C. 308(a))

§ 162.8 Use of roads.

(a) Free public use is required on roads eligible for construction and maintenance with Federal funds under this part. When required for public safety, fire prevention or suppression, or fish or game protection, or to prevent damage to unstable roadbed, the Commissioner may restrict the use of them or may close them to public use.

(b) The Commissioner shall conduct engineering and traffic analysis in accordance with established traffic engineering practices and determine the necessary maximum speed limit, maximum vehicular weight limit and other needed regulatory signs for roads which he maintains. The Commissioner shall make recommendations to local Government officials, who are authorized to enact and enforce ordinances on Indian lands, of his determination of the needed regulatory signs. Such regulatory signs as are authorized by established ordinances shall be erected by the Commissioner. At locations under the jurisdiction of the Court of Indian Offenses the Commissioner shall erect such regulatory signs as he determines are needed.

§ 162.9 Roadless and wild areas.

Roads passable to motor transportation shall not be constructed under the regulations in this part within the boundaries of the roadless and wild areas established in Part 163 of this chapter.

CLARENCE ANTIOQUIA,
Acting Deputy Commissioner of Indian Affairs.

[FR Doc.74-17029 Filed 7-24-74;8:45 am]

Title 33—Navigation and Navigable Waters

CHAPTER II—CORPS OF ENGINEERS, DEPARTMENT OF THE ARMY

PART 204—DANGER ZONE REGULATIONS

Atlantic Ocean, Puerto Rico

On April 18, 1974, the Department of the Army, acting through the Chief of Engineers, published proposed regulations to amend the present regulations in 33 CFR 204.230, to revoke the present regulations in 33 CFR 204.232 and to promulgate new regulations in 33 CFR 204.234. These proposed regulations govern the use, and navigation of danger zones in the Atlantic Ocean near Puerto Rico.

The public comment period for this regulation expired on May 20, 1974. No comments were received.

The Department of the Army, acting through the Corps of Engineers is publishing herewith the final regulations as follows:

1. Section 204.230 (a) and (b)(1) are revised to read as follows:

§ 204.230 Atlantic Ocean and Vieques Sound, in vicinity of Culebra Island bombing and gunnery target area.

(a) *The Danger Zone.* From Punta Resaca on the north coast of Culebra at latitude 18°20'12", longitude 65°17'29" to the charted position of buoy "4RA" at latitude 18°25'07", longitude 65°-12'07"; thence to the charted position of buoy "2RA" at latitude 18°26'31", longitude 65°16'45"; thence to latitude 18°-23'00", longitude 65°24'30"; thence to the charted position of nun buoy "2" at latitude 18°20'19", longitude 65°24'51"; thence to the charted position of buoy "24" at latitude 18°18'47", longitude 65°-24'35"; thence to latitude 18°15'30", longitude 65°21'30"; thence to a point on the southeast coast of Cayo de Luis Pena at latitude 18°17'51", longitude 65°19'41"; and thence to Punta Tamarindo on the west coast of Culebra at latitude 18°19'12", longitude 65°19'22".

(b) *The Regulations.* (1) The danger zone is subject to use as a target area for bombing and gunnery practice. It will be open to navigation at all times except when firing is being conducted. At such times no surface vessels, except those patrolling the area, shall enter or remain within the danger area. Prior to conducting each firing or dropping of ordnance the danger area will be patrolled to insure that no watercraft are within the danger area. Any watercraft in the vicinity will be warned that practice firing is about to take place and advised to vacate the area.

* * * * *

§ 204.232 [Revoked]

2. Section 204.232 Waters of Vieques Passage in the vicinity of Point Cascajo, Puerto Rico; antiaircraft artillery and waterborne target range, United States Army Forces Antilles and Military District of Puerto Rico is revoked.

3. Section 204.234 is added to read as follows:

§ 204.234 Caribbean Sea and Vieques Sound in vicinity of Eastern Vieques, bombing and gunnery target area.

(a) *The Danger Zone.* From Punta Conejo on the south coast of Vieques at latitude 18°06'30", longitude 65°22'33"; thence to latitude 18°03'00", longitude 65°21'00"; thence to latitude 18°03'00", longitude 65°15'30"; thence to latitude 18°11'30", longitude 65°14'30"; thence to latitude 18°12'00", longitude 65°-20'00"; and thence to Cabellos Colorados on the north coast of Vieques at latitude 18°09'49", longitude 65°23'27".

(b) *Regulations.* (1) It will be open to navigation at all times except when firing is being conducted. At such times no surface vessels, except those patrolling the area, shall enter or remain within the danger area. Prior to conducting each firing or dropping of ordnance the danger area will be patrolled to insure that no watercraft are within the danger area. Any watercraft in the vicinity will be warned that practice firing is about to take place and advised to vacate the area.

(2) The regulations will be enforced by the Commander, Caribbean Sea Frontier, San Juan, P.R., and such agences as he may designate.

Effective date: These regulations are effective on July 25, 1974.

[Regs., June 24, 1974; 1522-15-(Atlantic Ocean, Puerto Rico)-ENGCW-ON] (Sec. 7, 40 Stat. 266; (33 U.S.C. 1))

By Authority of the Secretary of the Army:

FRED R. ZIMMERMAN,
Lt. Colonel, U.S. Army, Chief, Plans Office, TAGO.

[FR Doc.74-17024 Filed 7-24-74;8:45 am]

Title 34—Government Management

CHAPTER II—OFFICE OF FEDERAL MANAGEMENT POLICY, GENERAL SERVICES ADMINISTRATION

SUBCHAPTER D—FINANCIAL MANAGEMENT

PART 255—COST PRINCIPLES APPLICABLE TO GRANTS AND CONTRACTS WITH STATE AND LOCAL GOVERNMENTS

This document converts Office of Management and Budget Circular A-87 into a General Services Administration Federal Management Circular (FMC 74-4) in accordance with Executive Order 11717 and Office of Management and Budget Bulletin 74-4 which transferred certain Office of Management and Budget responsibilities to the General Services Administration.

FMC 74-4, dated July 18, 1974, provides principles for determining costs applicable to grants and contracts with State and local governments.

Effective date. This regulation is effective July 18, 1974.

Dated: July 18, 1974.

DWIGHT A. INK,
Acting Administrator of General Services.

Part 255, Cost principles applicable to grants and contracts with State and local governments, is added to read as set forth below.

Sec.
255.1 Purpose.
255.2 Supersession.
255.3 Policy intent.
255.4 Applicability and scope.
255.5 Appendixes.
255.6 Inquiries.

AUTHORITY: Executive Order 11717 (38 FR 12315, May 11, 1973).

§ 255.1 Purpose.

This part establishes principles and standards for determining costs applicable to grants and contracts with State and local governments.

§ 255.2 Supersession.

The President by Executive Order 11717 transferred the functions covered by this part from the Office of Management and Budget to the General Services Administration. This part is therefore issued as a replacement for previous Office of Management and Budget Circular No. A-87. No substantive changes have been made.

§ 255.3 Policy intent.

This part provides principles for determining the allowable costs of programs administered by State and local governments under grants from and contracts with the Federal Government. They are designed to provide the basis for a uniform approach to the problem of determining costs and to promote efficiency and better relationships between grantees and the Federal Government. The principles are for determining costs only and are not intended to identify the circumstances nor to dictate the extent of Federal and State or local participation in the financing of a particular project. They are designed to provide that federally assisted programs bear their fair share of costs recognized under these principles except where restricted or prohibited by law. No provision for profit or other increment above cost is intended.

§ 255.4 Applicability and scope.

(a) The provisions of this part apply to all Federal agencies responsible for administering programs that involve grants and contracts with State and local governments.

(b) Its provisions do not apply to grants and contracts with:

(1) Publicly financed educational institutions subject to the provisions of Part 254; and

(2) Publicly owned hospitals and other providers of medical care subject to requirements promulgated by the sponsoring Federal agencies.

Any other exceptions will be approved by the General Services Administration in particular cases where adequate justification is presented.

§ 255.5 Appendixes.

The principles and related policy guides are set forth in the appendixes, which are:

Appendix A—Principles for determining costs applicable to grants and contracts with State and local governments.

Appendix B—Standards for selected items of cost.

§ 255.6 Inquiries.

Further information concerning this part may be obtained by contacting:

General Services Administration (AMF)
Washington, DC 20405
Telephone: IDS 183-7747, FTS 202-343-7747

APPENDIX A

PRINCIPLES FOR DETERMINING COSTS APPLICABLE TO GRANTS AND CONTRACTS WITH STATE AND LOCAL GOVERNMENTS

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5. Negotiation and approval of indirect cost proposals for local governments.
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A. *Purpose and scope.* 1. *Objectives.* This appendix sets forth principles for determining the allowable costs of programs administered by State and local governments under grants from and contracts with the Federal Government. The principles are for the purpose of cost determination and are not intended to identify the circumstances or dictate the extent of Federal and State or local participation in the financing of a particular grant. They are designed to provide that federally assisted programs bear their fair share of costs recognized under these principles, except where restricted or prohibited by law. No provision for profit or other increment above cost is intended.

2. *Policy guides.* The application of these principles is based on the fundamental premises that: a. State and local governments are responsible for the efficient and effective adminstration of grant and contract programs through the application of sound management practices.

b. The grantee or contractor assumes the responsibility for seeing that federally assisted program funds have been expended and accounted for consistent with underlying agreements and program objectives.

c. Each grantee or contractor organization, in recognition of its own unique combination of staff facilities and experience, will have the primary responsibility for employing whatever form of organization and management techniques may be necessary to assure proper and efficient administration.

3. *Application.* These principles will be applied by all Federal agencies in determining costs incurred by State and local governments under Federal grants and cost reimbursement type contracts (including subgrants and subcontracts) except those with (a) publicly financed educational institutions subject to the provisions of Part 254, and (b) publicly owned hospitals and other providers of medical care subject to requirements promulgated by the sponsoring Federal agencies.

B. *Definitions.* 1. *Approval or authorization of the grantor Federal agency* means documentation evidencing consent prior to incurring specific cost.

2. *Cost allocation plan* means the documentation identifying, accumulating, and distributing allowable costs under grants and contracts together with the allocation methods used.

3. *Cost,* as used herein, means cost as determined on a cash, accrual, or other basis acceptable to the Federal grantor agency as a discharge of the grantee's accountability for Federal funds.

4. *Cost objective* means a pool, center, or area established for the accumulation of cost. Such areas include organizational units, functions, objects or items of expense, as well as ultimate cost objectives including specific grants, projects, contracts, and other activities.

5. *Federal agency* means any department, agency, commission, or instrumentality in the executive branch of the Federal Government which makes grants to or contracts with State or local governments.

6. *Grant* means an agreement between the Federal Government and a State or local government whereby the Federal Government provides funds or aid in kind to carry out specified programs, services, or activities. The principles and policies stated in this part as applicable to grants in general also apply to any federally sponsored cost reimbursement type of agreement performed by a State or local government, including contracts, subcontracts and subgrants.

7. *Grant program* means those activities and operations of the grantee which are necessary to carry out the purposes of the grant, including any portion of the program financed by the grantee.

8. *Grantee* means the department or agency of State or local government which is responsible for administration of the grant.

9. *Local unit* means any political subdivision of government below the State level.

10. *Other State or local agencies* means departments or agencies of the State or local unit which provide goods, facilities, and services to a grantee.

11. *Services*, as used herein, means goods and facilities, as well as services.

12. *Supporting services* means auxiliary functions necessary to sustain the direct effort involved in administering a grant program or an activity providing service to the grant program. These services may be centralized in the grantee department or in some other agency, and include procurement, payroll, personnel functions, maintenance and operation of space, data processing, accounting, budgeting, auditing, mail and messenger service, and the like.

C. *Basic guidelines*. 1. *Factors affecting allowability of costs*. To be allowable under a grant program, costs must meet the following general criteria:

a. Be necessary and reasonable for proper and efficient administration of the grant program, be allocable thereto under these principles, and, except as specifically provided herein, not be a general expense required to carry out the overall responsibilities of State or local governments.

b. Be authorized or not prohibited under State or local laws or regulations.

c. Conform to any limitations or exclusions set forth in these principles, Federal laws, or other governing limitations as to types or amounts of cost items.

d. Be consistent with policies, regulations, and procedures that apply uniformly to both federally assisted and other activities of the unit of government of which the grantee is a part.

e. Be accorded consistent treatment through application of generally accepted accounting principles appropriate to the circumstances.

f. Not be allocable to or included as a cost of any other federally financed program in either the current or a prior period.

g. Be net of all applicable credits.

2. *Allocable costs*. a. A cost is allocable to a particular cost objective to the extent of benefits received by such objective.

b. Any cost allocable to a particular grant or cost objective under the principles provided for in this part may not be shifted to other Federal grant programs to overcome fund deficiencies, avoid restrictions imposed by law or grant agreements, or for other reasons.

c. Where an allocation of joint cost will ultimately result in charges to a grant program, an allocation plan will be required as prescribed in section J.

3. *Applicable credits*. a. Applicable credits refer to those receipts or reduction of expenditure-type transactions which offset or reduce expense items allocable to grants as direct or indirect costs. Examples of such transactions are: purchase discounts; rebates or allowances; recoveries or indemnities on losses; sale of publications, equipment, and scrap; income from personal or incidental services; and adjustments of overpayments or erroneous charges.

b. Applicable credits may also arise when Federal funds are received or are available from sources other than the grant program involved to finance operations or capital items of the grantee. This includes costs arising from the use or depreciation of items donated or financed by the Federal Government to fulfill matching requirements under another grant program. These types of credits should likewise be used to reduce related expenditures in determining the rates or amounts applicable to a given grant.

D. *Composition of cost*. 1. *Total cost*. The total cost of a grant program is comprised of the allowable direct cost incident to its performance, plus its allocable portion of allowable indirect costs, less applicable credits.

2. *Classification of costs*. There is no universal rule for classifying certain costs as either direct or indirect under every accounting system. A cost may be direct with respect to some specific service or function, but indirect with respect to the grant or other ultimate cost objective. It is essential therefore that each item of cost be treated consistently either as a direct or an indirect cost. Specific guides for determining direct and indirect costs allocable under grant programs are provided in the sections which follow.

E. *Direct costs*. 1. *General*. Direct costs are those that can be identified specifically with a particular cost objective. These costs may be charged directly to grants, contracts, or to other programs against which costs are finally lodged. Direct costs may also be charged to cost objectives used for the accumulation of costs pending distribution in due course to grants and other ultimate cost objectives.

2. *Application*. Typical direct costs chargeable to grant programs are: a. Compensation of employees for the time and effort devoted specifically to the execution of grant programs.

b. Cost of materials acquired, consumed, or expended specifically for the purpose of the grant.

c. Equipment and other approved capital expenditures.

d. Other items of expense incurred specifically to carry out the grant agreement.

e. Services furnished specifically for the grant program by other agencies, provided such charges are consistent with criteria outlined in Section G. of these principles.

F. *Indirect costs*. 1. *General*. Indirect costs are those (a) incurred for a common or joint purpose benefiting more than one cost objective, and (b) not readily assignable to the cost objectives specifically benefited, without effort disproportionate to the results achieved. The term "indirect costs," as used herein, applies to costs of this type originating in the grantee department, as well as those incurred by other departments in supplying goods, services, and facilities, to the grantee department. To facilitate equitable distribution of indirect expenses to the cost objectives served, it may be necessary to establish a number of pools of indirect cost within a grantee department or in other agencies providing services to a grantee department. Indirect cost pools should be distributed to benefiting cost objectives on bases which will produce an equitable result in consideration of relative benefits derived.

2. *Grantee departmental indirect costs*. All grantee departmental indirect costs, including the various levels of supervision, are eligible for allocation to grant programs provided they meet the conditions set forth in this part. In lieu of determining the actual amount of grantee departmental indirect cost allocable to a grant program, the following methods may be used:

a. *Predetermined fixed rates for indirect costs*. A predetermined fixed rate for computing indirect costs applicable to a grant may be negotiated annually in situations where the cost experience and other pertinent facts available are deemed sufficient to enable the contracting parties to reach an informed judgment (1) as to the probable level of indirect costs in the grantee department during the period to be covered by the negotiated rate, and (2) that the amount allowable under the predetermined rate would not exceed actual indirect cost.

b. *Negotiated lump sum for overhead*. A negotiated fixed amount in lieu of indirect costs may be appropriate under circumstances where the benefits derived from a grantee department's indirect services cannot be readily determined as in the case of small, self-contained or isolated activity. When this method is used, a determination should be made that the amount negotiated will be approximately the same as the actual indirect cost that may be incurred. Such amounts negotiated in lieu of indirect costs will be treated as an offset to total indirect expenses of the grantee department before allocation to remaining activities. The base on which such remaining expenses are allocated should be appropriately adjusted.

3. *Limitation on indirect costs*. a. Federal grants may be subject to laws that limit the amount of indirect cost that may be allowed. Agencies that sponsor grants of this type will establish procedures which will assure that the amount actually allowed for indirect costs under each such grant does not exceed the maximum allowable under the statutory limitation or the amount otherwise allowable under this part, whichever is the smaller.

b. When the amount allowable under a statutory limitation is less than the amount otherwise allocable as indirect costs under this part, the amount not recoverable as indirect costs under a

grant may not be shifted to another federally sponsored grant program or contract.

G. *Cost incurred by agencies other than the grantee.* 1. *General.* The cost of service provided by other agencies may only include allowable direct costs of the service plus a prorata share of allowable supporting costs (section B.12.) and supervision directly required in performing the service, but not supervision of a general nature such as that provided by the head of a department and his staff assistants not directly involved in operations. However, supervision by the head of a department or agency whose sole function is providing the service furnished would be an eligible cost. Supporting costs include those furnished by other units of the supplying department or by other agencies.

2. *Alternative methods of determining indirect cost.* In lieu of determining actual indirect cost related to a particular service furnished by another agency, either of the following alternative methods may be used provided only one method is used for a specific service during the fiscal year involved.

a. *Standard indirect rate.* An amount equal to ten percent of direct labor cost in providing the service performed by another State agency (excluding overtime, shift, or holiday premiums and fringe benefits) may be allowed in lieu of actual allowable indirect cost for that service.

b. *Predetermined fixed rate.* A predetermined fixed rate for indirect cost of the unit or activity providing service may be negotiated as set forth in section F.2.a.

H. *Cost incurred by grantee department for others.* 1. *General.* The principles provided in section G. will also be used in determining the cost of services provided by the grantee department to another agency.

J. *Cost allocation plan.* 1. *General.* A plan for allocation of costs will be required to support the distribution of any joint costs related to the grant program. All costs included in the plan will be supported by formal accounting records which will substantiate the propriety of eventual charges.

2. *Requirements.* The allocation plan of the grantee department should cover all joint costs of the department as well as costs to be allocated under plans of other agencies or organizational units which are to be included in the costs of federally sponsored programs. The cost allocation plans of all the agencies rendering services to the grantee department, to the extent feasible, should be presented in a single document. The allocation plan should contain, but not necessarily be limited to, the following:

a. The nature and extent of services provided and their relevance to the federally sponsored programs.

b. The items of expense to be included.

c. The methods to be used in distributing cost.

3. *Instructions for preparation of cost allocation plans.* The Department of Health, Education, and Welfare, in consultation with the other Federal agencies concerned, will be responsible for developing and issuing the instructions for use by State and local government grantees in preparation of cost allocation plans. This responsibility applies to both central support services at the State and local government level and indirect cost proposals of individual grantee departments.

4. *Negotiation and approval of indirect cost proposals for States.* a. The Department of Health, Education, and Welfare, in collaboration with the other Federal agencies concerned, will be responsible for negotiation, approval, and audit of cost allocation plans, which will be submitted to it by the States. These plans will cover central support service costs of the State.

b. At the grantee department level in a State, a single Federal agency will have responsibility similar to that set forth in a., above, for the negotiation, approval, and audit of the indirect cost proposal. Cognizant Federal agencies have been designated for this purpose. Changes which may be required from time to time in agency assignments will be arranged by the Department of Health, Education, and Welfare in collaboration with the other interested agencies, and submitted to the General Services Administration for final approval. A current list of agency assignments will be maintained by the Department of Health, Education, and Welfare.

c. Questions concerning the cost allocation plans approved under a. and b., above, should be directed to the agency responsible for such approvals.

5. *Negotiation and approval of indirect cost proposals for local governments.* a. Cost allocation plans will be retained at the local government level for audit by a designated Federal agency except in those cases where that agency requests that cost allocation plans be submitted to it for negotiation and approval.

b. A list of cognizant Federal agencies assigned responsibility for negotiation, approval and audit of central support service cost allocation plans at the local government level is being developed. Changes which may be required from time to time in agency assignments will be arranged by the Department of Health, Education, and Welfare in collaboration with the other interested agencies, and submitted to the General Services Administration for final approval. A current list of agency assignments will be maintained by the Department of Health, Education, and Welfare.

c. At the grantee department level of local governments, the Federal agency with the predominant interest in the work of the grantee department will be responsible for necessary negotiation, approval and audit of the indirect cost proposal.

6. *Resolution of problems.* To the extent that problems are encountered among the Federal agencies in connection with 4. and 5. above, the General Services Administration will lend assistance as required.

APPENDIX B

STANDARDS FOR SELECTED ITEMS OF COST

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3. Contributions and donations.
4. Entertainment.
5. Fines and penalties.
6. Governor's expenses.
7. Interest and other financial costs.
8. Legislative expenses.
9. Underrecovery of costs under grant agreements.

A. *Purpose and applicability.* 1. *Objective.* This appendix provides standards for determining the allowability of selected items of cost.

2. *Application.* These standards will apply irrespective of whether a particular item of cost is treated as direct or indirect cost. Failure to mention a particular item of cost in the standards is not intended to imply that it is either allowable or unallowable, rather determination of allowability in each case should be based on the treatment of standards provided for similar or related items of cost. The allowability of the selected items of cost is subject to the general policies and principles stated in appendix A of this part.

B. *Allowable costs.* 1. *Accounting.* The cost of establishing and maintaining accounting and other information systems required for the management of grant programs is allowable. This includes cost incurred by central service agencies for these purposes. The cost of maintaining central accounting records required for overall State or local government purposes, such as appropriation and fund accounts by the Treasurer, Comptroller, or similar officials, is considered to be a general expense of government and is not allowable.

2. *Advertising.* Advertising media includes newspapers, magazines, radio and television programs, direct mail, trade papers, and the like. The advertising costs allowable are those which are solely for:

a. Recruitment of personnel required for the grant program.

b. Solicitation of bids for the procurement of goods and services required.

c. Disposal of scrap or surplus materials acquired in the performance of the grant agreement.

d. Other purposes specifically provided for in the grant agreement.

3. *Advisory councils.* Costs incurred by State advisory councils or committees established pursuant to Federal requirements to carry out grant programs are allowable. The cost of like organizations is allowable when provided for in the grant agreement.

4. *Audit service.* The cost of audits necessary for the administration and management of functions related to grant programs is allowable.

5. *Bonding.* Costs of premiums on bonds covering employees who handle grantee agency funds are allowable.

6. *Budgeting.* Costs incurred for the development, preparation, presentation, and execution of budgets are allowable. Costs for services of a central budget office are generally not allowable since these are costs of general government. However, where employees of the central budget office actively participate in the grantee agency's budget process, the cost of identifiable services is allowable.

7. *Building lease management.* The administrative cost for lease management which includes review of lease proposals, maintenance of a list of available property for lease, and related activities is allowable.

8. *Central stores.* The cost of maintaining and operating a central stores organization for supplies, equipment, and materials used either directly or indirectly for grant programs is allowable.

9. *Communications.* Communication costs incurred for telephone calls or service, telegraph, teletype service, wide area telephone service (WATS), centrex, telpak (tie lines), postage, messenger service and similar expenses are allowable.

10. *Compensation for personal services.* a. *General.* Compensation for personal services includes all remuneration, paid currently or accrued, for services rendered during the period of performance under the grant agreement, including but not necessarily limited to wages, salaries, and supplementary compensation and benefits (section B.13.). The costs of such compensation are allowable to the extent that total compensation for individual employees: (1) Is reasonable for the services rendered, (2) follows an appointment made in accordance with State or local government laws and rules and which meets Federal merit system or other requirements, where applicable; and (3) is determined and supported as provided in b. below. Compensation for employees engaged in federally assisted activities will be considered reasonable to the extent that it is consistent with that paid for similar work in other activities of the State or local government. In cases where the kinds of employees required for the federally assisted activities are not found in the other activities of the State or local government, compensation will be considered reasonable to the extent that it is comparable to that paid for similar work in the labor market in which the employing government competes for the kind of employees involved. Compensation surveys providing data representative of the labor market involved will be an acceptable basis for evaluating reasonableness.

b. *Payroll and distribution of time.* Amounts charged to grant programs for personal services, regardless of whether treated as direct or indirect costs, will be based on payrolls documented and approved in accordance with generally accepted practice of the State or local agency. Payrolls must be supported by time and attendance or equivalent records for individual employees. Salaries and wages of employees chargeable to more than one grant program or other cost objective will be supported by appropriate time distribution records. The method used should produce an equitable distribution of time and effort.

11. *Depreciation and use allowances.* a. Grantees may be compensated for the use of buildings, capital improvements, and equipment through use allowances or depreciation. Use allowances are the means of providing compensation in lieu of depreciation or other equivalent costs. However, a combination of the two methods may not be used in connection with a single class of fixed assets.

b. The computation of depreciation or use allowance will be based on acquisition cost. Where actual cost records have not been maintained, a reasonable estimate of the original acquisition cost may be used in the computation. The computation will exclude the cost or any portion of the cost of buildings and equipment donated or borne directly or indirectly by the Federal Government through charges to Federal grant programs or otherwise, irrespective of where title was originally vested or where it presently resides. In addition, the computation will also exclude the cost of land. Depreciation or a use allowance on idle or excess facilities is not allowable, except when specifically authorized by the grantor Federal agency.

c. Where the depreciation method is followed, adequate property records must be maintained, and any generally accepted method of computing depreciation may be used. However, the method of computing depreciation must be consistently applied for any specific asset or class of assets for all affected federally sponsored programs and must result in equitable charges considering the extent of the use of the assets for the benefit of such programs.

d. In lieu of depreciation, a use allowance for buildings and improvements may be computed at an annual rate not exceeding two percent of acquisition cost. The use allowance for equipment (excluding items properly capitalized as building cost) will be computed at an annual rate not exceeding six and two-thirds percent of acquisition cost of usable equipment.

e. No depreciation or use charge may be allowed on any assets that would be considered as fully depreciated, provided, however, that reasonable use charges may be negotiated for any such assets if warranted after taking into consideration the cost of the facility or item involved, the estimated useful life remaining at time of negotiation, the effect of any increased maintenance charges or decreased efficiency due to age, and any other factors pertinent to the utilization of the facility or item for the purpose contemplated.

12. *Disbursing service.* The cost of disbursing grant program funds by the Treasurer or other designated officer is allowable. Disbursing services cover the processing of checks or warrants, from preparation to redemption, including the necessary records of accountability and reconciliation of such records with related cash accounts.

13. *Employee fringe benefits.* Costs identified under a. and b. below are allowable to the extent that total compensation for employees is reasonable as defined in section B.10.

a. Employee benefits in the form of regular compensation paid to employees during periods of authorized absences from the job, such as for annual leave, sick leave, court leave, military leave, and the like, if they are: (1) Provided pursuant to an approved leave system, and (2) the cost thereof is equitably allocated to all related activities, including grant programs.

b. Employee benefits in the form of employers' contribution or expenses for social security, employees' life and health insurance plants, unemployment insurance coverage, workmen's compensation insurance, pension plans, severance pay, and the like, provided such benefits are granted under approved plans and are distributed equitably to grant programs and to other activities.

14. *Employee morale, health and welfare costs.* The costs of health or first-aid clinics and/or infirmaries, recreational facilities employees' counseling services, employee information publications, and any related expenses incurred

in accordance with general State or local policy, are allowable. Income generated from any of these activities will be offset against expenses.

15. *Exhibits.* Costs of exhibits relating specifically to the grant programs are allowable.

16. *Legal expenses.* The cost of legal expenses required in the administration of grant programs is allowable. Legal services furnished by the chief legal officer of a State or local government or his staff solely for the purpose of discharging his general responsibilities as legal officer are unallowable. Legal expenses for the prosecution of claims against the Federal Government are unallowable.

17. *Maintenance and repair.* Costs incurred for necessary maintenance, repair, or upkeep of property which neither add to the permanent value of the property nor appreciably prolong its intended life, but keep it in an efficient operating condition, are allowable.

18. *Materials and supplies.* The cost of materials and supplies necessary to carry out the grant programs is allowable. Purchases made specifically for the grant program should be charged thereto at their actual prices after deducting all cash discounts, trade discounts, rebates, and allowances received by the grantee. Withdrawals from general stores or stockrooms should be charged at cost under any recognized method of pricing consistently applied. Incoming transportation charges are a proper part of material cost.

19. *Memberships, subscriptions and professional activities.* a. *Memberships.* The cost of membership in civic, business, technical and professional organizations is allowable provided: (1) The benefit from the membership is related to the grant program, (2) the expenditure is for agency membership, (3) the cost of the membership is reasonably related to the value of the services or benefits received, and (4) the expenditure is not for membership in an organization which devotes a substantial part of its activities to influencing legislation.

b. *Reference material.* The cost of books, and subscriptions to civic, business, professional, and technical periodicals is allowable when related to the grant program.

c. *Meetings and conferences.* Costs are allowable when the primary purpose of the meeting is the dissemination of technical information relating to the grant program and they are consistent with regular practices followed for other activities of the grantee.

20. *Motor pools.* The costs of a service organization which provides automobiles to user grantee agencies at a mileage or fixed rate and/or provides vehicle maintenance, inspection and repair services are allowable.

21. *Payroll preparation.* The cost of preparing payrolls and maintaining necessary related wage records is allowable.

22. *Personnel administration.* Costs for the recruitment, examination, certification, classification, training, establishment of pay standards, and related activities for grant programs, are allowable.

23. *Printing and reproduction.* Cost for printing and reproduction services necessary for grant administration, including but not limited to forms, reports, manuals, and informational literature, are allowable. Publication costs of reports or other media relating to grant program accomplishments or results are allowable when provided for in the grant agreement.

24. *Procurement service.* The cost of procurement service, including solicitation of bids, preparation and award of contracts, and all phases of contract administration in providing goods, facilities and services for grant programs, is allowable.

25. *Taxes.* In general, taxes or payments in lieu of taxes which the grantee agency is legally required to pay are allowable.

26. *Training and education.* The cost of in-service training, customarily provided for employee development which directly or indirectly benefits grant programs is allowable. Out-of-service training involving extended periods of time is allowable only when specifically authorized by the grantor agency.

27. *Transportation.* Costs incurred for freight, cartage, express, postage and other transportation costs relating either to goods purchased, delivered, or moved from one location to another are allowable.

28. *Travel.* Travel costs are allowable for expenses for transportation, lodging, subsistence, and related items incurred by employees who are in travel status on official business incident to a grant program. Such costs may be charged on an actual basis, on a per diem or mileage basis in lieu of actual costs incurred, or on a combination of the two, provided the method used is applied to an entire trip, and results in charges consistent with those normally allowed in like circumstances in nonfederally sponsored activities. The diffrence in cost between first-class air accommodations and less-than-first-class air accommodations is unallowable except when less-than-first-class air accommodations are not reasonably available.

C. *Costs allowable with approval of grantor agency.* 1. *Automatic data processing.* The cost of data processing services to grant programs is allowable. This cost may include rental of equipment or depreciation on grantee-owned equipment. The acquisition of equipment, whether by outright purchase, rental-purchase agreement or other method of purchase, is allowable only upon specific prior approval of the grantor Federal agency as provided under the selected item for capital expenditures.

2. *Building space and related facilities.* The cost of space in privately or publicly owned buildings used for the benefit of the grant program is allowable subject to the conditions stated below. The total cost of space, whether in a privately or publicly owned building, may not exceed the rental cost of comparable space and facilities in a privately owned building in the same locality. The cost of space procured for grant program usage may not be charged to the program for periods of nonoccupancy, without authorization of the grantor Federal agency.

a. *Rental cost.* The rental cost of space in a privately owned building is allowable.

b. *Maintenance and operation.* The cost of utilities, insurance, security, janitorial services, elevator service, upkeep of grounds, normal repairs and alterations and the like, are allowable to the extent they are not otherwise included in rental or other charges for space.

c. *Rearrangements and alterations.* Cost incurred for rearrangement and alteration of facilities required specifically for the grant program or those that materially increase the value or useful life of the facilities (section C.3.) are allowable when specifically approved by the grantor agency.

d. *Depreciation and use allowances on publicly owned buildings.* These costs are allowable as provided in section B.11.

e. *Occupancy of space under rental-purchase or a lease with option-to-purchase agreement.* The cost of space procured under such arrangements is allowable when specifically approved by the Federal grantor agency.

3. *Capital expenditures.* The cost of facilities, equipment, other capital assets, and repairs which materially increase the value or useful life of capital assets is allowable when such procurement is specifically approved by the Federal grantor agency. When assets acquired with Federal grant funds are (a) sold, (b) no longer available for use in a federally sponsored program, or (c) used for purposes not authorized by the grantor agency, the Federal grantor agency's equity in the asset will be refunded in the same proportion as Federal participation in its cost. In case any assets are traded on new items, only the net cost of the newly acquired assets is allowable.

4. *Insurance and indemnification.* a. Costs of insurance required, or approved and maintained pursuant to the grant agreement, is allowable.

b. Costs of other insurance in connection with the general conduct of activities is allowable subject to the following limitations:

(1) Types and extent and cost of coverage will be in accordance with general State or local government policy and sound business practice.

(2) Costs of insurance or of contributions to any reserve covering the risk of loss of, or damage to, Federal Government property is unallowable except to the extent that the grantor agency has specifically required or approved such costs.

c. Contributions to a reserve for a self-insurance program approved by the Federal grantor agency are allowable to the extent that the type of coverage, extent of coverage, and the rates and

premiums would have been allowed had insurance been purchased to cover the risks.

d. Actual losses which could have been covered by permissible insurance (through an approved self-insurance program or otherwise) are unallowable unless expressly provided for in the grant agreement. However, costs incurred because of losses not covered under nominal deductible insurance coverage provided in keeping with sound management practice, and minor losses not covered by insurance, such as spoilage, breakage and disappearance of small hand tools which occur in the ordinary course of operations, are allowable.

e. *Indemnification* includes securing the grantee against liabilities to third persons and other losses not compensated by insurance or otherwise. The Government is obligated to indemnify the grantee only to the extent expressly provided for in the grant agreement, except as provided in d. above.

5. *Management studies.* The cost of management studies to improve the effectiveness and efficiency of grant management for ongoing programs is allowable except that the cost of studies performed by agencies other than the grantee department or outside consultants is allowable only when authorized by the Federal grantor agency.

6. *Preagreement costs.* Costs incurred prior to the effective date of the grant or contract, whether or not they would have been allowable thereunder if incurred after such date, are allowable when specifically provided for in the grant agreement.

7. *Professional services.* Cost of professional services rendered by individuals or organizations not a part of the grantee department is allowable subject to such prior authorization as may be required by the Federal grantor agency.

8. *Proposal costs.* Costs of preparing proposals on potential Federal Government grant agreements are allowable when specifically provided for in the grant agreement.

D. *Unallowable costs.* 1. *Bad debts.* Any losses arising from uncollectible accounts and other claims, and related costs, are unallowable.

2. *Contingencies.* Contributions to a contingency reserve or any similar provision for unforeseen events are unallowable.

3. *Contributions and donations.* Unallowable.

4. *Entertainment.* Costs of amusements, social activities, and incidental costs relating thereto, such as meals, beverages, lodgings, rentals, transportation, and gratuities, are unallowable.

5. *Fines and penalties.* Costs resulting from violations of, or failure to comply with Federal, State and local laws and regulations are unallowable.

6. *Governor's expenses.* The salaries and expenses of the Office of the Governor of a State or the chief executive of a political subdivision are considered a cost of general State or local government and are unallowable.

7. *Interest and other financial costs.* Interest on borrowings (however represented), bond discounts, cost of financing and refinancing operations, and legal and professional fees paid in connection therewith, are unallowable except when authorized by Federal legislation.

8. *Legislative expenses.* Salaries and other expenses of the State legislature or similar local governmental bodies such as county supervisors, city councils, school boards, etc., whether incurred for purposes of legislation or executive direction, are unallowable.

9. *Underrecovery of costs under grant agreements.* Any excess of cost over the Federal contribution under one grant agreement is unallowable under other grant agreements.

[FR Doc.74-16980 Filed 7-24-74;8:45 am]

Title 43—Public Lands: Interior

SUBTITLE A—OFFICE OF THE SECRETARY OF THE INTERIOR

PART 23—SURFACE EXPLORATION, MINING AND RECLAMATION OF LANDS

CFR Correction

In Title 43, Code of Federal Regulations, Parts 1–999, revised as of October 1, 1973, in § 23.11, on page 165, paragraphs (d) and (e) were inadvertently omitted and should be reinserted to read as follows:

§ 23.11 Notice of noncompliance: Revocation.

* * * * *

(d) A notice of noncompliance shall specify in what respects the operator has failed to comply with the terms and conditions of a permit, lease, or contract, or the requirements of an exploration or mining plan, or the provisions of applicable regulations, and shall specify the action which must be taken to correct the noncompliance and the time limits within which such action must be taken.

(e) Failure of the operator to take action in accordance with the notice of noncompliance shall be grounds for suspension by the mining supervisor or the district manager of operations or for the initiation of action for the cancellation of the permit, lease, or contract and for forfeiture of the performance bond required under § 23.9.

Title 49—Transportation

CHAPTER II—FEDERAL RAILROAD ADMINISTRATION, DEPARTMENT OF TRANSPORTATION

[Docket Nos. RSFC–1, 2 and 3]

PART 215—RAILROAD FREIGHT CAR SAFETY STANDARDS

Correction

The text of §§ 215.3(c), and 215.11 (c)(1) as amended, published on page 25498 of the July 11, 1974 issue of the FEDERAL REGISTER (39 FR 25498; FR Doc. 74–15772) is hereby corrected to read as follows:

§ 215.3 Application.

* * * * *

(c) This part does not apply to railroad freight cars which are operated only—

(1) On track inside an installation which is not part of the general railroad system of transportation.

(2) In dedicated service over short distances of track which is part of the general railroad system of transportation in accordance with conditions approved by the Federal Railroad Administrator. Requests for approval must be submitted in accordance with the requirements of § 215.225(b).

* * * * *

§ 215.11 Stencilling.

* * * * *

(c) * * *

(1) The symbol "BLT" followed by the month and year the car was originally constructed and, on cars originally constructed after July 31, 1974, the reporting mark of the railroad that initially operated the car.

* * * * *

Issued in Washington, D.C. on July 19, 1974.

JOHN W. INGRAM,
Administrator.

[FR Doc.74-17005 Filed 7-24-74;8:45 am]

CHAPTER V—NATIONAL HIGHWAY TRAFFIC SAFETY ADMINISTRATION, DEPARTMENT OF TRANSPORTATION

PART 501—ORGANIZATION AND DELEGATION OF POWERS AND DUTIES

The purpose of this notice is to amend Part 501 of Title 49, Code of Federal Regulations, to reflect organizational changes in the National Highway Traffic Safety Administration, resulting from the enactment of the Motor Vehicle Information and Cost Savings Act (Pub. L. 92–513, 15 U.S.C. 1901–1993) and the Highway Safety Act of 1973 (Pub. L. 93–87), and from administrative decisions aimed at simplifying the agency's structure. The notice also incorporates recent changes in delegations of authority from the Administrator to other officials in the agency.

The amendment set forth in this notice relates solely to the organization and assignment of duties within the agency and has no substantive regulatory effect. Notice and public procedure are therefore not required and the amendment may be made effective in less than 30 days after publication.

In consideration of the foregoing, Part 501 of Title 49, Code of Federal Regulations is amended as set forth below.

Effective date: July 25, 1974.

Issued on: July 18, 1974.

JAMES B. GREGORY,
Administrator, National Highway Traffic Safety Administration.

Sec.
501.1 Purpose.
501.2 General.
501.3 Organization and general responsibilities.
501.4 Succession to Administrator.
501.5 Exercise of authority.
501.6 Secretary's reservations of authority.
501.7 Administrator's reservations of authority.
501.8 Delegations.

AUTHORITY: Sec. 9, 80 Stat. 930 (49 U.S.C. 1659).

§ 501.1 Purpose.

This part describes the organization of the National Highway Safety Administration (NHTSA) through Associate Administrator and Staff Office Director levels in NHTSA and provides for the performance of duties imposed, and the exercise of powers vested in the Administrator of the NHTSA (hereafter referred to as the "Administrator").

§ 501.2 General.

The National Highway Traffic Safety Administrator is delegated authority by the Secretary of Transportation (49 C.F.R. 1.51) to:

(a) Carry out the National Traffic and Motor Vehicle Safety Act of 1966, as amended (80 Stat. 718; (15 U.S.C. 1381, et seq.)).

(b) Carry out the Highway Safety Act of 1966, as amended (80 Stat. 731) (including chapter 4 of title 23, U.S.C.) except for highway safety programs, research, and development relating to highway design, construction and maintenance, traffic control devices, identification and surveillance of accident locations, and highway-related aspects of pedestrian safety.

(c) Exercise the authority vested in the Secretary by section 210(2) of the Clean Air Act (42 U.S.C. 1857, et seq.) as amended by section 10(b) of Pub. L. 91-604 (84 Stat. 1700).

(d) Exercise the authority vested in the Secretary by section 204(b) of the Federal Railroad Safety Act of 1970 (84 Stat. 972; (45 U.S.C. 433(b))) with respect to the laws administered by the National Highway Safety Administrator pertaining to highway, traffic, and motor vehicle safety.

(e) Carry out the Act of July 14, 1960, as amended (74 Stat. 526 (23 U.S.C. 313 note)).

(f) Carry out the functions vested in the Secretary by the Motor Vehicle Information and Cost Savings Act of 1972 (86 Stat. 947; 15 U.S.C. 1901).

(g) Carry out the functions vested in the Secretary by Section 211(c) of the Highway Safety Act of 1973, Pub. L. 93-87, Title II (87 Stat. 282).

§ 501.3 Organization and general responsibilities.

The organization of, and general spheres of responsibility within, the NHTSA, through the level of the immediate Office of the Administrator (which includes the Deputy Administrator, Director, Office of Civil Rights, Director, Office of Public Affairs and Consumer Services and the Executive Secretary), the offices of Associate Administrators, and the Chief Counsel, are as follows:

(a) *Office of the Administrator.* (1) *Administrator.* Provides for:

(i) Representation of the Department and is the principal advisor to the Secretary in all matters relating to functions under the National Traffic and Motor Vehicle Safety Act of 1966, as amended; to the driver and motor vehicle functions assigned under the Highway Safety Act of 1966; to motor vehicle and consumer information functions under the Motor Vehicle Information and Cost Savings Act of 1972; and to such other authorities as delegated by the Secretary of Transportation (49 CFR 1.51);

(ii) Establishing NHTSA program policies, objectives, and priorities, and directing development of action plans to accomplish the NHTSA missions;

(iii) Directing, controlling, and evaluating the organization, program activities, and performance of NHTSA staff, program, and field offices;

(iv) Approving broad legislative, budgetary, fiscal and program proposals and plans; and

(v) Taking management actions of major significance, such as those relating to changes in basic organization pattern, appointment of key personnel, allocation of resources, and matters of special political or public interest or sensitivity.

(2) *Deputy Administrator.* Assists the Administrator in the discharge of his responsibilities and is responsible for: directing and coordinating the Administration's management and operational programs as well as the related policies and procedures at headquarters and in the field; and day-to-day direction of the Regional Administrators.

(3) *Director, Office of Public Affairs and Consumer Services.* Acts as principal staff advisor to the Administrator on consumer services programs, and provides comprehensive programs for public information and public affairs covering all NHTSA activities.

(4) *Director, Office of Civil Rights.* Acts as Director of Equal Employment Opportunity; Contracts Compliance Officer; Title VI (Civil Rights Act of 1964) Coordinator; assures Administration-wide compliance with related laws, Executive Orders, regulations, and policies; and provides assistance to the Office of the Secretary in investigating and adjudicating formal complaints of discrimination.

(5) *Executive Secretary.* Provides a central facilitative staff for the Administrator and Deputy Administrator and services and support to the National Highway Safety Advisory Committee, the National Motor Vehicle Safety Advisory Council, and such other committees as designated by the Administrator.

(b) *Associate Administrators.* (1) *Associate Administrator for Motor Vehicle Programs.* Directs programs relating to: safety and damageability performance standards and other regulations for new motor vehicles and equipment including tires; investigation and notification or disclosure of safety related motor vehicle defects; tests, inspections, and investigations to assist enforcement of prescribed motor vehicle safety and damageability performance standards; communicating to the public passenger vehicle characteristics with respect to damage susceptibility, degree of crashworthiness, and ease of diagnosis and repair, and attendant operating costs, including insurance costs.

(2) *Associate Administrator for Traffic Safety Programs.* Directs programs relating to: State and community uniform traffic safety performance standards, including vehicle-in-use performance inspection standards; financial and technical assistance to States and communities to achieve comprehensive traffic safety programs; and promotion of National programs on traffic safety, including the reduction of alcohol and drug use by drivers.

(3) *Associate Administrator for Research and Development.* Directs programs relating to: research; development; accident investigation and information collection, analysis and dissemination; and development of facilities requirements to support NHTSA research and development efforts.

(4) *Associate Administrator for Planning and Evaluation.* Acts as advisor to the Administrator and Deputy Administrator on all matters involving NHTSA policies, objectives, programs, and plans, and their relationship to those of the Department of Transportation.

(5) *Associate Administrator for Administration.* Acts as advisor to the Administrator and Deputy Administrator on all administrative and managerial matters as they relate to NHTSA missions, programs, and objectives; organization and delegations of authority; management studies; personnel management; training; logistics and procurement; budget; financial management; accounting and data systems design; paperwork management; investigations and security; audit; defense readiness; and administrative support services.

(6) *Chief Counsel.* The Chief Counsel provides legal services to the Administrator and officers of the Administration, as Chief Officer of the Administration on legal matters; prepares litigation for the Administration; effects rulemaking actions; and serves as coordinator on legislative affairs.

§ 501.4 Succession to Administrator.

The following officials in the order indicated, shall act as Administrator of the National Highway Traffic Safety Administration, in the case of the absence or disability of the Administrator, until the absence or disability ceases, or in the case of a vacancy in the Office of the Administrator, until a successor is appointed:

(a) Deputy Administrator.

(b) Chief Counsel.

(c) Associate Administrator for Motor Vehicle Programs.

(d) Associate Administrator for Research and Development.
(e) Associate Administrator for Traffic Safety Programs.
(f) Associate Administrator for Administration.
(g) Associate Administrator for Planning and Evaluation.

§ 501.5 Exercise of Authority.

(a) In exercising the powers and performing the duties delegated by this part, officers of the NHTSA and their delegates are governed by applicable laws, executive orders, regulations, and other directives, and by policies, objectives, plans, standards, procedures, and limitations as may be issued from time to time by or on behalf of the Secretary of Transportation, the Administrator and Deputy Administrator, or, with respect to matters under their jurisdictions, by or on behalf of the Associate Administrators, and Directors of staff offices.

(b) Each officer to whom authority is delegated by this Part may redelegate and authorize successive redelegations of that authority subject to any conditions he may prescribe. Redelegations of authority shall be in written form and shall be published in the FEDERAL REGISTER when they affect the public.

(c) Each officer to whom authority is delegated will administer and perform the functions described in his respective functional statements.

§ 501.6 Secretary's reservations of authority.

The authorities reserved to the Secretary of Transportation are set forth in § 1.44 of Part 1 and in Part 95 of the regulations of the Office of the Secretary of Transportation in Subtitle A of this Title (49 CFR Parts 1 and 95).

§ 501.7 Administrator's reservations of authority.

The delegations of authority in this part do not extend to the following, authority for which is reserved to the Administrator:

(a) The authority under the National Traffic and Motor Vehicle Safety Act of 1966, as amended, to:

(1) Establish, amend, or revoke final new and used motor vehicle safety standards and regulations except for the issuance of amendments to existing standards through the abbreviated rulemaking procedures concerning tires and tire-rims;

(2) Make final determinations concerning violations of the Act and regulations issued thereunder; and

(3) Fix the rate of compensation for nongovernment members of the National Motor Vehicle Safety Advisory Council.

(b) The authority under the Highway Safety Act of 1966, as amended, to:

(1) Apportion authorization amounts and distribute obligation limitations for State and community highway safety programs (jointly with the Federal Highway Administrator);

(2) Approve the awarding of incentive grants to the States authorized under 23 U.S.C. 402(j);

(3) Promulgates uniform State and community highway safety standards;

(4) Amend or revoke State and community highway safety standards and appurtenant regulations; and

(5) Fix the rate of compensation for non-government members of the National Highway Safety Advisory Committee.

(c) The authority under the Motor Vehicle Information and Cost Savings Act of 1972 to:

(1) Establish, amend, revoke, or grant exemptions from final motor vehicle standards;

(2) Release initially compiled official information to consumers and automobile dealers, and issue final rules and regulations developed under the Act;

(3) Make final determinations concerning violations of the Act and regulations issued thereunder.

(d) The authority under § 211(c) of the Highway Safety Act of 1973, to allocate funds to the States.

§ 501.8 Delegations.

(a) *Deputy Administrator.* The Deputy Administrator is delegated authority to act for the Administrator, except where specifically limited by law, order, regulation, reservation, or instructions of the Administrator.

(b) *Director, Office of Civil Rights.* The Director, Office of Civil Rights is delegated authority to:

(1) Act as the NHTSA Director of Equal Employment Opportunity.

(2) Act as NHTSA Contracts Compliance Officer.

(3) Act as NHTSA coordinator for matters under Title VI of the Civil Rights Act of 1964, Executive Order 11247, and regulations of the Department of Justice.

(c) *Associate Administrator for Motor Vehicle Programs.* Except for those portions that have been reserved to the Administrator, the Associate Administrator for Motor Vehicle Programs is delegated authority to exercise the powers and perform the duties of the Administrator with respect to: the National Traffic and Motor Vehicle Safety Act of 1966, as amended (80 Stat. 718; 15 U.S.C. 1381, et seq.), except section 108(b)(1) regarding used motor vehicles and State inspections, including the issuance of amendments to existing standards concerning tires and tire-rims through the prescribed abbreviated rulemaking procedures, subject to prior coordination with the Chief Counsel; and Titles I, II, and IV of the Motor Vehicle Information and Cost Savings Act of 1972 (86 Stat. 947; 15 U.S.C. 1901).

(d) *Associate Administrator for Traffic Safety Programs.* Except for those portions that have been reserved to the Administrator, the Associate Administrator for Traffic Safety Programs is delegated authority to exercise the powers and perform the duties of the Administrator with respect to: the Highway Safety Act of 1966 (80 Stat. 731), as amended; section 108(b)(1) of the National Traffic and Motor Vehicle Safety Act of 1966, as amended, (80 Stat. 718; 15 U.S.C. 1381, et seq.), regarding used motor vehicles and State inspection; the authority vested by section 210(2) of the Clean Air Act (42 U.S.C. 1857, et seq.), as amended by section 10(b) of Pub. L. 91-604 (84 Stat. 1700); the authority vested by section 204(b) of the Federal Railroad Safety Act of 1970 (84 Stat. 972; 45 U.S.C. 433(b)), with respect to the laws administered by the Administrator pertaining to highway, traffic, and motor vehicle safety; administering Title III of the Motor Vehicle Information and Cost Savings Act of 1972 (86 Stat. 959; 15 U.S.C. 1901); carrying out the requirements of § 211(c) of the Highway Safety Act of 1973 (87 Stat. 288); and the carrying out of the Act of July 14, 1960 (National Driver Register), as amended (74 Stat. 526; 23 U.S.C. 313 note).

(e) *Associate Administrator for Research and Development.* The Associate Administrator for Research and Development is delegated authority to:

(1) Develop and conduct research and development programs and projects necessary to support the purposes of the National Traffic and Motor Vehicle Safety Act of 1966, as amended, the Highway Safety Act of 1966, as amended, and the Motor Vehicle Information and Cost Savings Act in coordination with the appropriate Associate Administrators and the Chief Counsel;

(2) Conduct safety research, either independently or in cooperation with other public or private organizations, to improve the total state-of-the-art of motor vehicle and highway traffic safety.

(f) *Associate Administrator for Planning and Evaluation.* The Associate Administrator for Planning and Evaluation is delegated authority to:

(1) Direct the NHTSA planning and evaluation system in conjunction with Departmental requirements and planning goals;

(2) Develop, manage, and conduct analyses of systems for integrated program planning and evaluation throughout the NHTSA.

(g) *Associate Administrator for Administration.* The Associate Administrator for Administration is delegated authority to:

(1) Exercise procurement authority with respect to requirements of the NHTSA;

(2) Administer and conduct personnel management activities of the NHTSA;

(3) Administer NHTSA fiscal management programs, including systems of funds control and accounts of all financial transactions, budgetary programs and controls, and the allocation of personnel resources; and

(4) Administer business management operations in support of NHTSA missions and programs.

(h) *Regional Administrators.* Each Regional Administrator is delegated authority to:

(1) Approve or disapprove State annual highway safety work programs (including changes in the initial agreement and approval of final vouchers) in accordance with procedural requirements

of the Administration (jointly with the delegate of the Federal Highway Administrator), except for highway safety programs administered on Indian reservations by the Secretary of the Interior under 23 U.S.C. 402(i);

(2) Administer the operational phases of alcohol safety action projects within his Region as contract technical manager and such other projects that may be delegated for Regional administration.

(3) Approve or disapprove proposed revisions to NHTSA approved State Highway Safety Comprehensive Plans, except that final action on revisions to conditionally approved portions of such plans is subject to prior concurrence by the Associate Administrator for Traffic Safety Programs; approve or disapprove revisions to conditionally approved portions of Comprehensive Plans that concern standards administered by the Federal Highway Administration.

[FR Doc.74-16975 Filed 7-24-74;8:45 am]

Title 50—Wildlife and Fisheries

CHAPTER I—BUREAU OF SPORT FISHERIES AND WILDLIFE, FISH AND WILDLIFE SERVICE, DEPARTMENT OF THE INTERIOR

PART 32—HUNTING

Certain National Wildlife Refuges in Oregon

The following regulations are issued and are effective on August 24, 1974. These regulations apply to public hunting on portions of certain National Wildlife Refuges in Oregon.

General Conditions. Hunting shall be in accordance with applicable State reguations. Portions of refuges which are open to hunting are designated by signs and/or delineated on maps. No vehicle travel is permitted except on maintained roads and trails. Special conditions applying to individual refuges are listed on the reverse side of maps available at refuge headquarters and from the office of the Regional Director, Fish and Wildlife Service, P.O. Box 3737, Portland, Oregon 97208.

§ 32.32 Special regulations; big game; for individual wildlife areas.

Big game animals may be hunted on the following refuge areas:

Deer Flat National Wildlife Refuge, Snake River Sector (Headquarters: Deer Flat National Wildlife Refuge, Route 1, Box 1457, Nampa, Idaho 83651).

Hart Mountain National Antelope Refuge, P.O. Box 111, Lakeview, Oregon 97630.

Deer may be hunted on the following refuge areas:

Malheur National Wildlife Refuge, P.O. Box 113, Burns, Oregon 97720.

Special Conditions: 1. That portion of the refuge in the Blitzen Valley west of Highway 205 will be open as posted to deer hunting in accordance with regular State season.

2. The special archery area (bow and arrow only) will be opened for hunting from August 28 through September 8, 1974.

William L. Finley National Wildlife Refuge, Route 2, Box 208, Corvallis, Oregon 97330.

Special Conditions: 1. No hunting permitted after November 3, 1974.

2. All hunters are required to obtain a refuge permit and check in and out of the refuge daily.

3. The use of rifles is prohibited.

The provisions of these special regulations supplement the regulations which govern hunting on wildlife refuge areas generally and which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through June 30, 1975.

L. EDWARD PERRY,
Acting Regional Director,
Fish and Wildlife Service.

[FR Doc.74-16978 Filed 7-24-74;8:45 am]

PART 32—HUNTING

Kirwin National Wildlife Refuge

The following special regulation is issued and is effective on July 25, 1974. The limited time ensuing from the date of the adoption of the Federal migratory game bird regulations to and including the establishment of State hunting seasons makes it impracticable to give public notice of proposed rulemaking.

§ 32.12 Special regulations; migratory game birds; for individual wildlife refuge areas.

KANSAS

KIRWIN NATIONAL WILDLIFE REFUGE

Public hunting of teal ducks on the Kirwin National Wildlife Refuge, Kansas, is permitted from September 7 through September 15, 1974, inclusive, but only on the area designated by signs as open to hunting. This open area comprising 3,700 acres, is delineated on maps available at refuge headquarters, 5 miles west of Kirwin, Kansas, and from the Regional Director, U.S. Fish and Wildlife Service, P.O. Box 25486, Denver Federal Center, Denver, Colorado 80225. Hunting shall be in accordance with applicable State and Federal regulations covering the hunting of teal ducks subject to the following special condition:

(1) Blinds—Temporary blinds constructed above ground from natural vegetation are permitted. Digging of holes or pits to serve as blinds is prohibited.

The Provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through September 15, 1974.

KEITH S. HANSEN,
Refuge Manager, Kirwin National Wildlife Refuge, Kirwin, Kansas.

JULY 17, 1974.

[FR Doc.74-16981 Filed 7-24-74;8:45 am]

PART 32—HUNTING

Kirwin National Wildlife Refuge

The following special regulation is issued and is effective on July 25, 1974. The limited time ensuing from the date of the adoption of the Federal migratory game bird regulations to and including the establishment of State hunting seasons makes it impracticable to give public notice of proposed rulemaking.

§ 32.12 Special regulations; migratory game birds; for individual wildlife refuge areas.

KANSAS

KIRWIN NATIONAL WILDLIFE REFUGE

Public hunting of doves on the Kirwin National Wildlife Refuge, Kansas, is permitted from September 1 through October 30, 1974, inclusive, but only on the area designated by signs as open to hunting. This open area, comprising 3,700 acres, is delineated on maps available at refuge headquarters, 5 miles west of Kirwin, Kansas, and from the Regional Director, U.S. Fish and Wildlife Service, P.O. Box 25486, Denver Federal Center, Denver, Colorado 80225. Hunting shall be in accordance with applicable State and Federal regulations covering the hunting of doves.

The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through October 30, 1974.

KEITH S. HANSEN,
Refuge Manager, Kirwin National Wildlife Refuge, Kirwin, Kansas.

JULY 17, 1974.

[FR Doc.74-16982 Filed 7-24-74;8:45 am]

PART 32—HUNTING

National Wildlife Refuges, North Dakota

The following special regulations are issued and are effective on July 25, 1974.

§ 32.32 Special regulations; big game; for individual wildlife refuge areas.

NORTH DAKOTA

ARROWWOOD NATIONAL WILDLIFE REFUGE

Public hunting of deer on the Arrowwood National Wildlife Refuge, North Dakota, is permitted only on the area designated by signs as open to hunting. This open area, comprising 15,900 acres, is delineated on a map available at the refuge headquarters and from the Regional Director, U.S. Fish and Wildlife Service, P.O. Box 25486, Denver Federal Center, Denver, Colorado 80225. Hunting shall be in accordance with all applicable State regulations covering the hunting of deer subject to the following conditions:

(1) Hunting with guns is not permitted.

(2) The open season for hunting deer on the refuge is from 12:00 Noon to sunset on August 30, 1974 and from ½ hour before sunrise to sunset thereafter thru the day before the 1974 waterfowl hunting season starts. Bow hunting will be permitted again on November 19, 1974 and remain open until December 31, 1974.

The provisions of this special regulation supplement the regulations which govern hunting in wildlife refuge areas generally are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through December 31, 1974.

CHASE LAKE NATIONAL WILDLIFE REFUGE

Public hunting of deer on Chase Lake National Wildlife Refuge, North Dakota; is closed for the 1974 season.

JIM MATTHEWS,
Refuge Manager,
Arrowwood National Wildlife Refuge.

JULY 15, 1974.

[FR Doc.74-16984 Filed 7-24-74;8:45 am]

PART 32—HUNTING

Certain National Wildlife Refuges in Nevada

The following regulations are issued and are effective August 24, 1974. These regulations apply to public hunting on portions of certain National Wildlife Refuges in Nevada.

General conditions: Hunting shall be in accordance with applicable State and Federal regulations. Portions of refuges which are open to hunting are designated by signs and/or delineated on maps. No vehicle travel is permitted except on maintained roads and trails. Special conditions applying to individual refuges are listed on the reverse side of maps available at refuge headquarters and from the office of the Regional Director, Fish and Wildlife Service, 1500 Northeast Irving Street, Portland, Oregon 97208.

§ 32.12 Special regulations; migratory game birds; for individual wildlife refuge areas.

Migratory game birds may be hunted on the following refuges:

Fallon National Wildlife Refuge, P.O. Box 592, Fallon, Nevada 89406.

Stillwater Wildlife Management Area, P.O. Box 592, Fallon, Nevada 89406.

Pahranagat National Wildlife Refuge, P.O. Box 232, Alamo, Nevada 89001.

Special Conditions: (1) The use of motors on boats is not permitted.

(2) Refuge closed to goose and snipe hunting.

Ruby Lake National Wildlife Refuge, Ruby Valley, Nevada 89833.

Special Condition: Migratory birds, except doves and pigeons, may be hunted.

§ 32.22 Special regulations; upland game; for individual wildlife refuge areas.

Upland game may be hunted on the following refuge areas:

Fallon National Wildlife Refuge, P.O. Box 592, Fallon, Nevada 89406.

Pahranagat National Wildlife Refuge, P.O. Box 232, Alamo, Nevada 89001.

Special Condition: Quail and rabbit only may be hunted.

Charles Sheldon Antelope Range, Nevada (Headquarters: P.O. Box 111, Lakeview, Oregon 97630).

Special Condition: Cottontail rabbit may be hunted only during the deer hunting season.

Stillwater Wildlife Management Area, P.O. Box 592, Fallon, Nevada 89406.

§ 32.32 Special regulations; big game; for individual wildlife refuge areas.

Big game animals may be hunted on the following refuge areas:

Desert National Wildlife Range, 1500 North Decatur Boulevard, Las Vegas, Nevada 89108.

Special Condition: Desert bighorn sheep only may be hunted.

Charles Sheldon Antelope Range, Nevada (Headquarters: P.O. Box 111, Lakeview, Oregon 97630).

The provisions of these special regulations supplement the regulations which govern hunting on wildlife refuge areas generally and which are set forth in Title 50, Code of Federal Regulations, Part 32, and are effective through June 30, 1975.

L. EDWARD PERRY,
Acting Regional Director,
Fish and Wildlife Service.

[FR Doc.74-17031 Filed 7-24-74;8:45 am]

PART 33—SPORT FISHING

Crescent Lake National Wildlife Refuge, Nebraska

The following special regulation is issued and is effective on July 25, 1974.

§ 33.5 Special regulations; sport fishing; for individual wildlife refuge areas.

NEBRASKA

CRESCENT LAKE NATIONAL WILDLIFE REFUGE

Sport fishing on the Crescent Lake National Wildlife Refuge, Nebraska, is permitted on Crane and Island Lakes only on the areas designated by signs as open to fishing. These open areas, comprising about 860 acres, are delineated on maps available at refuge headquarters and from the office of the Regional Director, U.S. Fish and Wildlife Service, Federal Center, P.O. Box 25486, Denver, Colorado 80225. Sport fishing shall be in accordance with all applicable State regulations subject to the following special conditions:

(1) The open season for sport fishing on the refuge extends from January 1 through December 31, 1975.

(2) Boats propelled with poles, oars, paddles or electric motors only may be used for fishing.

(3) No person shall use live minnows or fish for bait, nor have in possession any live minnows or seine or net for capturing minnows.

(4) Overnight camping is not permitted.

(5) Open fires are not permitted.

The provisions of this special regulation supplement the regulations which govern fishing on wildlife refuge areas generally which are set forth in Title 50, Part 33, and are effective through December 31, 1975.

NORTH PLATTE NATIONAL WILDLIFE REFUGE

Sport fishing on the North Platte National Wildlife Refuge, Nebraska, is permitted only on the areas designated by signs open to fishing. This open area, comprising 3,300 acres, is delineated on maps available at the refuge headquarters and from the office of the Regional Director, U.S. Fish and Wildlife Service, P.O. Box 25486, Denver Federal Center, Denver, Colorado 80225. Sport fishing shall be in accordance with all applicable State regulations subject to the following conditions:

(1) The open season for sport fishing on the refuge extends from January 15, 1975 through September 30, 1975, inclusive.

(2) Boats, motorboats, and other floating craft may be used.

The provisions of this special regulation supplement the regulations which govern fishing on wildlife refuge areas generally which are set forth in Title 50, Part 33, and are effective through October 30, 1975.

RONALD L. PERRY,
Refuge Manager, Crescent Lake
National Wildlife Refuge.

JULY 15, 1974.

[FR Doc.74-17023 Filed 7-24-74;8:45 am]

Title 5—Administrative Personnel

CHAPTER I—CIVIL SERVICE COMMISSION

PART 213—EXCEPTED SERVICE

Executive Office of the President; Temporary Boards and Commissions

Part 213 is amended to show that all positions at the grade levels GS-7 through GS-15 on the staff of the Domestic Council Committee on the Right of Privacy, presently appearing under Temporary Boards and Commissions, are transferred to the Office of Telecommunications Policy, Executive Office of the President.

Effective on July 25, 1974, § 213.3303 (e)(2) is added and § 213.3199(r) is revoked as set out below.

§ 213.3103 Executive Office of the President.

* * * * *

(c) *Office of Telecommunications Policy.* * * *

(2) All positions assigned to the staff of the Domestic Council Committee on the Right of Privacy in grades GS-7 through GS-15.

* * * * *

§ 213.3199 Temporary Boards and Commissions.

* * * * *

(r) [Revoked.]

(5 U.S.C. secs. 3301, 3302; E.O. 10577, 3 CFR 1954-58 comp. p. 218)

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] JAMES C. SPRY,
Executive Assistant
to the Commissioners.

[FR Doc.74-17176 Filed 7-24-74;10:30 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 HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

[21 CFR Part 20]

FROZEN DESSERTS

Proposed Identity Standards

Notice is given that the Commissioner of Food and Drugs, on his own initiative, proposes to amend the identity standard for frozen desserts under Part 20 (21 CFR Part 20).

Notice is also given that a petition to amend the frozen dessert standard has been received from the International Association of Ice Cream Manufacturers (IAICM), 910 17th Street, NW. Washington, DC 20006, and is on file in the office of the Hearing Clerk.

The IAICM petition proposes that all ingredients present in these frozen desserts be declared on the labels by their common or usual name as required by applicable provisions of Part 1 (21 CFR Part 1), except that generic names may be used for certain groupings of ingredients; for example, the term "milk products" for milk, cream, skim milk, or buttermilk in liquid, condensed, or dried forms. The IAICM proposal would also eliminate the recipe-type lists of emulsifiers, stabilizers and miscellaneous functional ingredients now found in these standards. Instead, the IAICM proposal would permit use of any safe and suitable ingredients in amounts not more than necessary to accomplish their intended functions. In addition to those dairy ingredients and nutritive sweeteners listed in the existing frozen dessert standards, IAICM proposes that any such ingredients not listed shall be permitted. Grounds given in support of the IAICM proposal are that there is significant consumer interest that labels of standardized foods bear complete information on the ingredients contained in the foods, and that provision for use of any "safe and suitable" ingredients which accomplish certain functions will give manufacturers appropriate flexibility in formulating frozen desserts.

The Commissioner of Food and Drugs is of the opinion that the several changes proposed by the petitioner would be in the interest of consumers, but that certain further changes to Part 20 should also be proposed, as follows.

The petitioner's proposal would remove present restrictions in the standard for use of concentrated and dried whey of a maximum acidity commonly referred to as "sweet dairy whey," and propose the use of liquid, concentrated and dried whey in a limited amount so as to contribute not more than 25 percent of the total nonfat milk solids content of the frozen dessert. The Commissioner is of the opinion that, with the provision for safe and suitable ingredients in the standard, all forms of milk or milk-derived materials may be used in making ice cream and related frozen desserts.

There is no method of analysis available to differentiate the milk solids of frozen desserts from other solids in the foods, and therefore the total milk solids minimums specified for ice cream and related frozen desserts are not enforceable except through direct factory inspection at time of formulation and manufacture. The proposed revision by the Commissioner set forth below does not specify total milk solids minimums, but instead would require that certain frozen desserts contain specified minimum amounts of protein derived from milk. Analytical methods are available for determining the milk protein content of frozen desserts, and the levels proposed bear a close correlation to the protein content of the milk and whey solids in ice cream, frozen custard and ice milk constituted in accordance with the presently effective standards promulgated in 1964.

The recent final order for milk and cream published in the FEDERAL REGISTER of October 10, 1973 (38 FR 27924) allows the use of milk-derived solids in skim milk and lowfat milk to increase the nonfat solids content of the food, provided that the ratio of protein to total nonfat solids of the food and the protein efficiency ratio (PER) of all protein present shall not be decreased as a result of adding such ingredients. The Commissioner believes such milk-derived solids are also appropriate for use in frozen desserts.

The present standards of identity for ice cream require a minimum of 20 percent total milk solids and a minimum of 10 percent milkfat content with a resultant requirement of 10 percent nonfat milk solids, and permit a substitution of whey not in excess of 25 percent of the nonfat milk solids employed. Calculations based upon these requirements reveal that a 10 percent milkfat ice cream has contained a milk protein level of approximately 2.7 percent.

This level of 2.7 percent is proposed by the Commissioner as a reasonable minimum level of protein in ice cream, frozen custard, and ice milk. He is of the opinion that protein from any milk-derived ingredients used should be counted toward meeting the 2.7 percent protein minimum required for ice cream, provided that the PER of the protein in the finished food is not less than that of whole milk protein (120 percent of casein as determined by the method prescribed in the regulation).

He further concludes that the minimum protein requirement should be based on the weight of the finished food, except that when bulky flavoring ingredients such as fruits, nuts, and chocolate or cocoa are used, the minimum milk-derived protein content should be 2.7 percent of the weight of the food exclusive of the weight of such flavoring ingredients. This change makes possible the use of one basic frozen dessert mix for all flavors of ice cream and frozen custard, thus maximizing economy in production costs to the benefit of the consumer.

In the case of ice milk, evidence does not exist to justify the lowering of milkfat and protein content with the addition of bulky flavoring ingredients. In the absence of any recognized current need for change, the present proposal makes no such adjustment.

While the petitioner's proposal provides for safe and suitable emulsifiers and stabilizers, the Commissioner is of the opinion that, once milkfat and milk-derived protein minimums have been satisfied, use of any safe and suitable ingredients that serve a useful function should be permitted.

The Commissioner is of the opinion that use of the term "milk products" in ingredient statements to indicate the presence of ingredients as divergent in nature as skim milk and cream would not be sufficiently informative. The proposal set forth below specifies that use of all of the terms "water, milkfat, and nonfat milk solids" be permitted as an alternative to declaring sources of milk solids by their common or usual names. Since it is required that ingredients be declared in order of predominance, an ingredient statement that lists "milkfat" before "nonfat milk solids" would indicate to consumers that the food contains a relatively high amount of milkfat. This option to declare each dairy ingredient by grouping rather than common or usual name would permit manufacturers to vary the sources of milkfat and nonfat milk solids used, depending on availability and price, without the necessity of changing labels to reflect each change in formula.

The Commissioner has published in the FEDERAL REGISTER of June 14, 1974 (39 FR 20890) a proposed amendment of § 1.10 (21 CFR 1.10) to establish group

terms for closely related milk and other ingredients. Accordingly, it is unnecessary to repeat those terms in this standard.

The Commissioner proposes that the identity standards for ice cream and frozen custard be consolidated in one section of Part 20. Frozen custard or french ice cream, under § 20.2, differs from ice cream only in that it contains a higher level of egg yolk solids than is permitted in ice cream. Similarly, he proposes that the identity standards for fruit sherbet and nonfruit sherbet, under §§ 20.4 and 20.6, be consolidated, and that the identity standards for water ice and nonfruit water ice, under §§ 20.5 and 20.7, be consolidated.

As a result of this consolidation of sherbets and ices, and the necessary cross-referencing, there has been inserted in the proposed sherbet standard an added provision providing for not less than 1 percent nonfat milk solids. Finding of Fact 57 to the ice cream standard published in the FEDERAL REGISTER of July 27, 1960 (25 FR 7126) states:

> The quantity of milk constituent solids necessary to characterize fruit sherbet is at least 2 percent by weight of the finished product. More than 5 percent of such solids tends to make the product resemble ice cream or ice milk as does a quantity of milkfat above 2 percent. Maxima of not more than 5 percent total milk-constituted solids and not more than 2 percent milkfat and minima of not less than 2 percent total milk constituent solids and not less than 1 percent milkfat are reasonable limits to differentiate it from ice milk and water ice.

Without this insertion of the minimum figure for nonfat milk solids it would be possible to comply with the standard by use of milkfat only at the 2 percent level and thereby eliminate the necessary characterizing nonfat milk solids, embraced in the Finding under the term "milk constituent solids."

In item 28 of the preamble to the final order amending § 1.12 *Food labeling; spices, flavoring, colorings, and chemical preservatives*, published in the FEDERAL REGISTER of December 3, 1973 (38 FR 33284), the Commissioner announced that he was deferring decision as to whether the new requirements of § 1.12(i) would govern the designation of the type of flavor used in ice cream and ice milk. The Commissioner has under consideration the issue of whether to retain the three-category labeling scheme for the characterizing flavor declaration found in the ice cream standard under § 20.1 or to replace it with the general flavor declaration requirements in § 1.12(i), as published in the FEDERAL REGISTER of December 3, 1973. Any decision that the frozen dessert standard should adopt the requirements of § 1.12(i) will be published as a proposal in a future issue of the FEDERAL REGISTER. Therefore, the proposal set forth below incorporates the flavor declaration requirements of the existing ice cream standard under § 20.1.

Therefore, pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (secs. 401, 701, 52 Stat. 1046, 1055–1056 as amended by 70 Stat. 919 and 72 Stat. 948 (21 U.S.C. 341, 371)) and under authority delegated to the Commissioner (21 CFR 2.120), it is proposed that Part 20 be revised to read as follows:

PART 20—FROZEN DESSERTS

Sec.
20.1 Definitions.
20.2 Ice cream, frozen custard, french ice cream, french custard ice cream; identity; label statement of optional ingredients.
20.3 Ice milk; identity; label statement of optional ingredients.
20.4 Sherbet; identity.
20.5 Water ices; identity; label statement of optional ingredients.

AUTHORITY: Secs. 401, 701, 52 Stat. 1046, 1055–1056 as amended by 70 Stat. 919, 72 Stat. 948; 21 U.S.C. 341, 371.

§ 20.1 Definitions.

For the purposes of this part a pasteurized mix is one every particle of which has been heated in properly operated equipment to one of the temperatures specified in the table in this paragraph and held continuously at or above that temperture for the specified time (or other time/temperature relationship which has been demonstrated to be equivalent thereto in microbial destruction):

Temperature:	*Time*
155° F	30 minutes
175° F	25 seconds

§ 20.2 Ice cream, frozen custard, french ice cream, french custard ice cream; identity; label statement of optional ingredients.

(a) *Description.* (1) Ice cream is a food produced by freezing, while stirring, a pasteurized mix consisting of safe and suitable ingredients including, but not limited to, milkfat and nonfat milk solids, or milk-derived ingredients alone or in combination; and excluding other food fats, except such as are natural components of flavoring ingredients used or are added in incidental amounts to accomplish specific functions. Ice cream is sweetened with nutritive carbohydrate sweeteners and may or may not be characterized by the addition of flavoring ingredients.

(2) Ice cream contains not less than 1.6 pounds of total solids to the gallon, and weighs not less than 4.5 pounds to the gallon. Ice cream contains not less than 10 percent milkfat, nor less than 2.7 percent protein, and, except in the case of frozen custard, ice cream contains less than 1.4 percent egg yolk solids by weight of the food, exclusive of the weight of any bulky flavoring ingredients used. In no case shall the milkfat content of the finished food be less than 8 percent or the protein content be less than 2.2 percent, or, in the case of frozen custard, shall the content of egg yolk solids be less than 1.12 percent. The protein to meet the minimum protein requirement shall be provided by milk solids not fat and/or other milk-derived ingredients, and shall have a protein efficiency ratio (PER) not less than that of whole milk protein (120 percent of casein as determined by the method prescribed in paragraph (b)(3) of this section). A product containing egg yolk solids in excess of 1.4 percent, the maximum set forth in this paragraph for ice cream, may be marketed if labeled as specified by paragraph (c)(1) of this section.

(3) When calculating the minimum amount of milkfat and protein required in the finished food, the solids of chocolate or cocoa used shall be considered a bulky flavoring ingredient. In order to make allowance for additional sweetening ingredients needed when certain bulky ingredients are used, the weight of chocolate or cocoa solids used may be multiplied by 2.5; the weight of fruit or nuts used may be multiplied by 1.4; and the weight of partially or wholly dried fruits or fruit juices may be multiplied by appropriate factors to obtain the original weights before drying and this weight may be multiplied by 1.4.

(b) *Methods of analysis.* Fat and protein content, and the PER shall be determined by the methods contained in the "Official Methods of Analysis of the Association of Official Analytical Chemists," 11th ed., 1970.[1]

(1) Fat content shall be determined by the method: "Fat; Roese-Gottlieb Method—Official Final Action," § 16.228.

(2) Protein content shall be determined by one of the methods: "Nitrogen—Official Final Action," Kjeldahl Method, § 16.226, or Dye Binding Method, § 16.227.

(3) PER shall be determined by the method: "Biological Evaluation of Protein Quality-Official Final Action," §§ 39.166–39.170.

(c) *Nomenclature.* (1) The name of the food is "ice cream"; except that when the egg yolk solids content of the food is in excess of that specified for ice cream by paragraph (a) of this section, the name of the food is "frozen custard" or "french ice cream" or "french custard ice cream".

(2)(i) If the food contains no artificial flavor, the name on the principal display panel or panels of the label shall be accompanied by the common or usual name of the characterizing flavor, e.g., "vanilla", in letters not less than one-half the height of the letters used in the words "ice cream".

(ii) If the food contains both a natural characterizing flavor and an artificial flavor simulating it, and if the natural flavor predominates, the name on the principal display panel or panels of the label shall be accompanied by the common name of the characterizing flavor, in letters not less than one-half the height of the letters used in the words "ice cream", followed by the word "flavored", in letters not less than one-half the height of the letters in the name

[1] Copies may be obtained from: Association of Official Analytical Chemists, Post Office Box 540, Benjamin Franklin Station, Washington, DC 20044.

of the characterizing flavor, e.g., "VANILLA flavored", or "PEACH flavored", or "VANILLA flavored and STRAWBERRY flavored".

(iii) If the food contains both a natural characterizing flavor and an artificial flavor simulating it, and if the artificial flavor predominates, or if artificial flavor is used alone the name on the principal display panel or panels of the label shall be accompanied by the common name of the characterizing flavor in letters not less than one-half the height of the letters used in the words "ice cream", preceded by "artificial" or "artificially flavored", in letters not less than one-half the height of the letters in the name of the characterizing flavor, e.g., "artificial VANILLA", or "artificially flavored STRAWBERRY" or "artificially flavored VANILLA and artificially flavored STRAWBERRY".

(3) (i) If the food is subject to the requirements of paragraph (c) (2) (ii) of this section or if it contains any artificial flavor not simulating the characterizing flavor, the label shall also bear the words "artificial flavor added" or "artificial _____ flavor added", the blank being filled with the common name of the flavor simulated by the artificial flavor in letters of the same size and prominence as the words that precede and follow it.

(ii) Wherever the name of the characterizing flavor appears on the label so conspicuously as to be easily seen under customary conditions of purchase, the words prescribed by this subparagraph shall immediately and conspicuously precede or follow such name, in a size reasonably related to the prominence of the name of the characterizing flavor and in any event the size of the type is not less than 6-point on packages containing less than 1 pint, not less than 8-point on packages containing at least 1 pint but less than one-half gallon, not less than 10-point on packages containing at least one-half gallon but less than 1 gallon, and not less than 12-point on packages containing 1 gallon or over: *Provided, however,* That where the characterizing flavor and a trademark or brand are presented together, other written, printed, or graphic matter that is a part of or is associated with the trademark or brand, may intervene if the required words are in such relationship with the trademark or brand as to be clearly related to the characterizing flavor: *And provided further,* That if the finished product contains more than one flavor of ice cream subject to the requirements of this subparagraph, the statements required by this subparagraph need appear only once in each statement of characterizing flavors present in such ice cream, e.g., "VANILLA flavored, CHOCOLATE and STRAWBERRY flavored, artificial flavors added".

(4) If the food contains both a natural characterizing flavor and an artificial flavor simulating the characterizing flavor, any reference to the natural characterizing flavor shall, except as otherwise authorized by this paragraph, be accompanied by a reference to the artificial flavor, displayed with substantially equal prominence, e.g., "strawberry and artificial strawberry flavor".

(5) An artificial flavor simulating the characterizing flavor shall be deemed to predominate:

(i) In the case of vanilla beans or vanilla extract used in combination with vanillin if the amount of vanillin used is greater than 1 ounce per unit of vanilla constituent, as that term is defined in § 22.1(c) of this chapter.

(ii) In the case of fruit or fruit juice used in combination with artificial fruit flavor, if the quantity of the fruit or fruit juice used is such that, in relation to the weight of the finished ice cream, the weight of the fruit or fruit juice, as the case may be (including water necessary to reconstitute partially or wholly dried fruits or fruit juices to their original moisture content) is less than 2 percent in the case of citrus ice cream, 6 percent in the case of berry or cherry ice cream, and 10 percent in the case of ice cream prepared with other fruits.

(iii) In the case of nut meats used in combination with artificial nut flavor, if the quantity of nut meats used is such that, in relation to the finished ice cream the weight of the nut meats is less than 2 percent.

(iv) In the case of two or more fruits or fruit juices, or nut meats, or both, used in combination with artificial flavors simulating the natural flavors and dispersed throughout the food, if the quantity of any fruit or fruit juice or nut meat is less than one-half the applicable percentage specified in paragraph (c) (5) (ii) or (iii) of this section. For example, if a combination ice cream contains less than 5 percent of bananas and less than 1 percent of almonds it would be "artificially flavored banana-almond ice cream". However, if it contains more than 5 percent of bananas and more than 1 percent of almonds it would be "banana-almond flavored ice cream".

(6) If two or more flavors of ice cream are distinctively combined in one package, e.g., "Neapolitan" ice cream, the applicable provisions of this paragraph shall govern each flavor of ice cream comprising the combination.

(d) *Label declaration.* Each of the optional ingredients used shall be declared on the label as required by the applicable sections of Part 1 of this chapter, except that sources of milkfat or milk solids not fat may be declared in descending order of predominance either by the use of all the terms "water, milkfat, and nonfat milk solids", or alternatively as permitted in § 1.10 of this chapter. Pursuant to section 403(k) of the Federal Food, Drug, and Cosmetic Act artificial color need not be declared in ice cream. Voluntary declaration of such color in ice cream is recommended.

§ 20.3 Ice milk; identity; label statement of optional ingredients.

(a) *Description.* Ice milk is the food prepared from the same ingredients and in the same manner prescribed in § 20.2 for ice cream and complies with all the provisions of § 20.2 (including the requirements for label statement of optional ingredients), except that:

(1) Its content of milkfat is more than 2 percent but not more than 7 percent.

(2) The provision for reduction in milkfat and protein content from the addition of bulky ingredients in § 20.2 (a) does not apply.

(3) The quantity of food solids per gallon is not less than 1.3 pounds.

(4) When any artificial coloring is used in ice milk, directly or as a component of any other ingredient, the label shall bear the statement "artificially colored", "artificial coloring added", "with added artificial color", or "_____, an artificial color added", the blank being filled in with the common or usual name of the artificial color; or in lieu thereof, in case the artificial color is a component of another ingredient, "_____ artificially colored".

(5) If both artificial color and artificial flavoring are used, the label statements may be combined.

(b) *Nomenclature.* The name of the food is "ice milk".

§ 20.4 Sherbet; identity.

(a) *Description.* (1) Sherbet is a food produced by freezing, while stirring, a pasteurized mix consisting of safe and suitable ingredients including but not limited to milkfat and nonfat milk solids, and excluding other food fats, except such as are added in small amounts to accomplish specific functions or are natural components of flavoring ingredients used. Sherbet is sweetened with nutritive carbohydrate sweeteners and is characterized by the addition of one or more of the characterizing fruit ingredients specified in paragraph (b) of this section or one or more of the nonfruit characterizing ingredients specified in paragraph (c) of this section.

(2) Sherbet weighs not less than 6 pounds to the gallon. The milkfat content is not less than 1 percent nor more than 2 percent, the nonfat milk solids content not less than 1 percent and the total milk or milk-derived solids content is not less than 2 percent nor more than 5 percent by weight of the finished food. Sherbet that is characterized by a fruit ingredient shall have a titratable acidity, calculated as lactic acid, of not less than 0.35 percent.

(b) The optional fruit characterizing ingredients referred to in paragraph (a) of this section are any mature fruit or the juice of any mature fruit. The fruit or fruit juice used may be fresh, frozen, canned, concentrated, or partially or wholly dried. The fruit may be thickened with pectin or other optional ingredients. The fruit is prepared by the removal of pits, seeds, skins, and cores, where such removal is usual in preparing that kind

of fruit for consumption as fresh fruit. The fruit may be screened, crushed, or otherwise comminuted. It may be acidulated. In the case of concentrated fruit or fruit juices, from which part of the water is removed, substances contributing flavor volatilized during water removal may be condensed and reincorporated in the concentrated fruit or fruit juice. In the case of citrus fruits, the whole fruit or fruit juice. In the case of citrus fruits, the whole fruit, including the peel but excluding the seeds, may be used, and in the case of citrus juice or concentrated citrus juices, cold-pressed citrus oil may be added thereto in an amount not exceeding that which would have been obtained if the whole fruit had been used. The quantity of fruit ingredients used is such that, in relation to the weight of the finished sherbet, the weight of fruit or fruit juice, as the case may be (including water necessary to reconstitute partially or wholly dried fruits or fruit juices to their original moisture content), is not less than 2 percent in the case of citrus sherbets, 6 percent in the case of berry sherbets, and 10 percent in the case of sherbets prepared with other fruits. For the purpose of this section, tomatoes and rhubarb are considered as kinds of fruit.

(c) The optional nonfruit characterizing ingredients referred to in paragraph (a) of this section include but are not limited to the following:

(1) Ground spice or infusion of coffee or tea.

(2) Chocolate or cocoa, including sirup.

(3) Confectionery.

(4) Distilled alcoholic beverage, including liqueurs or wine, in an amount not to exceed that required for flavoring the sherbet.

(5) Any natural or artificial food flavoring (except any having a characteristic fruit or fruit-like flavor).

(d) *Nomenclature.* (1) The name of each sherbet is as follows:

(i) The name of each fruit sherbet is "_____ sherbet", the blank being filled in with the common name of the fruit or fruits from which the fruit ingredients used are obtained. When the names of two or more fruits are included, such names shall be arranged in order of predominance, if any, by weight of the respective fruit ingredients used.

(ii) The name of each nonfruit sherbet is "_____ sherbet", the blank being filled in with the common or usual name or names of the characterizing flavor or flavors; for example, "peppermint", except that if the characterizing flavor used is vanilla, the name of the food is "_____ sherbet", the blank being filled in as specified by § 20.2(c)(2) and (5)(i) of this part.

(2) When the optional ingredients, artificial flavoring, or artificial coloring are used in sherbet, they shall be named on the label as follows:

(i) If the flavoring ingredient or ingredients consists exclusively of artificial flavoring, the label designation shall be "artificially flavored".

(ii) If the flavoring ingredients are a combination of natural and artificial flavors, the label designation shall be "artificial and natural flavoring added".

(iii) The label shall designate artificial coloring by the statement "artificially colored", "artificial coloring added", "with added artificial coloring", or "_____, an artificial color added", the blank being filled in with the name of the artificial coloring used.

(e) Wherever there appears on the label any representation as to the characterizing flavor or flavors of the food and such flavor or flavors consist in whole or in part of artificial flavoring, the statement required by paragraph (d)(2)(i) and (ii) of this section, as appropriate, shall immediately and conspicuously precede or follow such representation, without intervening written, printed, or graphic matter (except that the word "sherbet" may intervene) in a size reasonably related to the prominence of the name of the characterizing flavor and in any event the size of the type is not less than 6-point on packages containing less than 1 pint, not less than 8-point on packages containing at least 1 pint but less than one-half gallon, not less than 10-point on packages containing at least one-half gallon but less than 1 gallon, and not less than 12-point on packages containing 1 gallon or over.

(f) Except as specified in paragraph (e) of this section, the statements required by paragraph (d)(2) of this section shall be set forth on the principal display panel or panels of the label with such prominence and conspicuousness as to render them likely to be read and understood by the ordinary individual under customary conditions of purchase and use.

(g) Label declaration: Each of the optional ingredients used shall be declared on the label as required by the applicable sections of Part 1 of this chapter.

§ 20.5 Water ices; identity; label statement of optional ingredients.

(a) *Description.* Water ices are the foods each of which is prepared from the same ingredients and in the same manner prescribed in § 20.4 for sherbets and complies with all the provisions of § 20.4 (including the requirements for label statement of optional ingredients) except that no milk or milk-derived ingredient and no egg ingredient, other than egg white, is used.

(b) *Nomenclature.* The name of the food is "_____ ice", the blank being filled in, in the same manner as specified in § 20.4(d)(1)(i) and (ii), as appropriate.

Interested persons may, on or before September 23, 1974, file with the Hearing Clerk, Food and Drug Administration, Rm. 6-86, 5600 Fishers Lane, Rockville, MD 20852, written comments (preferably in quintuplicate) regarding this proposal and the IAICM petition. Comments may be accompanied by a memorandum or brief in support thereof. Received comments may be seen in the above office during working hours, Monday through Friday.

Dated: July 16, 1974.

SHERWIN GARDNER,
Acting Commissioner of Food and Drugs.

[FR Doc.74-16999 Filed 7-24-74;8:45 am]

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

[14 CFR Part 91]

[Docket No. 13929; Notice 74-28]

EQUIPMENT AND OTHER REQUIREMENTS FOR OPERATION IN GROUP II TERMINAL CONTROL AREAS

Automatic Pressure Altitude Reporting Equipment

The Federal Aviation Administration is considering amending Part 91 of the Federal Aviation Regulations to modify the requirements for operation within Group II Terminal Control Areas (TCA's). The major proposal would rescind the requirement for automatic pressure altitude reporting equipment in those TCA's.

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 or notice number and be submitted in duplicate to: Federal Aviation Administration, Office of the Chief Counsel, Attention: Rules Docket, AGC-24, 800 Independence Avenue, SW, Washington, D.C. 20591. All communications received on or before September 9, 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.

As originally promulgated, § 91.24 of the Federal Aviation regulations required an operable 4096 code transponder and automatic altitude reporting equipment after January 1, 1975, in Group II TCA's, except for certain helicopter operations at or below 1,000 feet.

Because of a critical problem in producing and delivering the required equipment, the FAA issued Notice 74-17, published in the FEDERAL REGISTER (39 FR 13785) on April 17, 1974, which proposed to extend the original compliance date for the 4096 code transponder and altitude reporting equipment by six months. Amendment 91-123 effected this extension on June 27, 1974. Many of the comments to this notice endorsed the six months extension but strongly objected to the requirement for automatic pressure altitude reporting equipment in Group II TCA's. One of the common arguments advanced was the undue economic impact imposed on general avia-

tion in relation to the advantages of the automatic altitude reporting equipment.

The FAA has been continually reviewing the terminal control area rules, as the concept has developed, to insure their appropriateness. As a result of this review and the many comments received, the FAA now considers that two-way radio communication in combination with a 4096 code transponder may satisfy ATC operational requirements for Group II TCA's.

In addition, the Aircraft Owners and Pilots Association (AOPA) petitioned the Administrator to reconsider the requirement for transponders and automatic altitude reporting equipment within Group II TCA's and requested that the transponder requirement for Group III TCA's be made applicable in Group II TCA's also. This would allow flight within Group II TCA's without such equipment if a pilot, prior to entering, provides ATC with position, altitude, and proposed flight path, and if two-way radio communication is maintained while within the TCA.

As noted above, the AOPA petition involves both the transponder requirement and the altitude reporting equipment requirement for Group II TCA's. For some time prior to receiving the petition, the FAA had been reviewing the possibility of relaxing the altitude reporting equipment requirement in those TCA's. That review provides the basis for this notice. The FAA is still considering the AOPA request concerning relaxation of the transponder requirement in Group II TCA's and, rather than delay the potential benefits of this notice pending such consideration, will grant or deny that request as a separate action. This notice thus does not constitute denial of the transponder aspect of the petition, but is issued to obtain the earliest possible public comment on the automatic pressure altitude reporting equipment relaxation requested in the petition.

An additional exception to the present rules is proposed for Group II TCA's. Section 91.90(b)(2)(iii) now contains an exception to the transponder requirement for IFR flights operating to or from a secondary airport located within the TCA, and for IFR flights operating to or from an airport outside of, but in close proximity to, a Group II terminal control area when the commonly used transition, approach, or departure procedures for that airport require flight within the TCA. This exception would expire on the date specified in § 91.24. It has been determined that this should be proposed as a permanent exception to the rules for Group II TCA's rather than being terminated after the specified date.

In summary, subject to the exceptions set forth in the rule, the general requirements for transponders within TCA's would then be as follows: In Group I TCA's (unchanged by this amendment) a 4096 code transponder with Mode C automatic altitude reporting capability and prior authorization from ATC; in Group II TCA's, a 4096 code transponder, prior authorization from ATC, and two-way radio communications; in Group III TCA's (unchanged by this amendment) either a 4096 code transponder and Mode C automatic altitude reporting capability, or two-way radio communications.

(Secs. 307(a), 313(a) of the Federal Aviation Act of 1958 (49 U.S.C. 1348(a) and 1354(a)); and sec. 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)))

In consideration of the foregoing, Part 91 of the Federal Aviation Regulations would be amended as follows:

1. Section 91.24(b)(2) would be amended to read as follows:

§ 91.24 ATC transponder equipment.

* * * * *

(b) *Controlled airspace: all aircraft.*

* * * * *

(2) After July 1, 1975, in Group II Terminal Control Areas governed by § 91.90(b), except as provided therein;

* * * * * *

2. In § 91.90 paragraph (b)(1)(i) is revised, and paragraph (b)(2)(iii) is amended by deleting the words "notwithstanding the exceptions in this section" at the end thereof and inserting in place thereof the following to read as follows:

§ 91.90 Terminal Control Areas.

* * * * *

(b) *Group II Terminal Control Areas.*

(1) *Operating rules.*

* * * * *

(i) No person may operate an aircraft within a Group II Terminal Control Area unless he has received an appropriate authorization from ATC prior to operation of that aircraft in that area, and unless two-way radio communications are maintained, within that area, between that aircraft and the ATC facility.

* * * * *

(2) *Equipment requirements.*

* * * * *

(iii) "* * * except that automatic pressure altitude reporting equipment is not required for any operation within the terminal control area, and a transponder is not required for IFR flights operating to or from a secondary airport within the terminal control area, or to IFR flights operating to or from an airport outside of but in close proximity to the terminal control area, when the commonly used transition, approach, or departure procedures to such airport require flight within the terminal control area."

Issued in Washington, D.C., on July 17, 1974.

RAYMOND G. BELANGER,
Director, Air Traffic Service.

[FR Doc.74-16998 Filed 7-24-74;8:45 am]

ENVIRONMENTAL PROTECTION AGENCY

[40 CFR Part 52]

[FRL 241-2]

ALABAMA

Approval and Promulgation of Implementation Plans; Proposed Plan Revision

On April 23, 1974 (39 FR 14338), the Administrator approved Part 4.10 of the Alabama air pollution control regulations, adopted by the State for the purpose of providing specific limits for particulate emissions from primary aluminum smelters. Alabama now proposes to revise section 4.10.2, Emission Limits, of this newly approved portion of its regulations. The revised section 4.10.2 had received public hearing and had been officially adopted by the Alabama Air Pollution Control Commission before being submitted for the Environmental Protection Agency's approval on May 27, 1974. The purpose of this notice is to describe this proposed plan revision and to offer it for public comment.

As approved by the Administrator, section 4.10.2 provides emission limits, for the reduction process, of 15 pounds of solid particulate and 22 pounds of total particulate for each ton of aluminum produced. "Solid particulate" is defined as that which is not benzene soluble. Because of differences in the processing techniques used by the two existing aluminum smelters in the State, that of Revere Copper and Brass, Inc., in Scottsboro and the facility of Reynolds Metals Company in Listerhill, only the former must meet the 15 pound limit.

The State has ascertained that this differentiation in the degree of control required of the two smelters is not warranted by air quality considerations. Accordingly, Alabama proposes to revise section 4.10.2 by removing from it the specific limit for solid particulate matter and by making the remaining limit apply to combined emissions from the reduction process (potlines) and from the baking of carbon anodes. Both sources would then be subject to the same emission limit, 22 pounds for each ton of metal produced on a given day.

The State has submitted information intended to show that the proposed change will not jeopardize the attainment and maintenance of the national air quality standards in the vicinity of the smelter for which the applicable emission limit would be relaxed, that is, in the Scottsboro area. This information is based on dispersion modeling results and on monitoring performed in the affected area.

Copies of the information submitted by Alabama to support the proposed plan revision are available for public inspection at the following locations:

Air Programs Office
Environmental Protection Agency
Region IV
1421 Peachtree St., NE.
Atlanta, Georgia 30309

Division of Air Pollution Control
Alabama Department of Health
645 South McDonough St.
Montgomery, Alabama 36104

Tri-County District Health Service
510 Cherry St., NE.
Decatur, Alabama 35601

Interested persons are encouraged to submit written comments on the proposed change in the Alabama plan, and all relevant comments will be weighed carefully by the Agency before it takes action on the present revision. The Administrator's decision in this matter, however, will be based primarily on his judgment as to whether the revision meets the requirements of section 110(a) of the Clean Air Act, as amended, and the implementing regulations of 40 CFR Part 51. Comments will be accepted on or before August 26, 1974, and should be addressed to the Acting Director, Air Programs Office, Environmental Protection Agency, Region IV, 1421 Peachtree St., NE., Atlanta, Georgia 30309.

(Section 110(a) of the Clean Air Act, as amended 1970 (42 U.S.C. 1857c-5(a)))

Dated: July 18, 1974.

JACK E. RAVAN,
Regional Administrator, Region IV.

[FR Doc.74-17056 Filed 7-24-74;8:45 am]

[40 CFR Part 52]

[FRL 241-3]

GEORGIA

Approval and Promulgation of Implementation Plans; Proposed Plan Revision

On May 31, 1972 (37 FR 10842), the Administrator approved portions of the Georgia plan to attain and maintain the national ambient air quality standards. The State now proposes to revise its approved plan by changing the regulations dealing with operating permits and with the revocation of permits, sections 391-3-1-.03 (2) and (3) respectively of the Rules of the Department of Natural Resources—formerly sections 270-5-24-.03 (2) and (3) of the rules of the Department of Public Health. These changes had received public hearing before being submitted to the Agency for its approval on May 20, 1974. The purpose of the present notice is to describe the proposed Georgia plan revision and to invite public comment on it.

As revised, section 391-3-1-.03(2) of the Georgia regulations would require an operating permit of any source of air contaminant emissions, whereas the present regulation requires this only of sources for which a construction permit has been obtained, i.e., of new or modified sources. Sources affected by the new requirement could continue to operate until the State acted on their application for an operating permit, but there would be no set deadline for the State's action as in the present regulation. Provision would be made in the new regulation for delayed submittal of supporting information, now required at the time of application. Operating permits would contain specific conditions designed to assure compliance with applicable State regulations and statutes, and sources could be required to monitor and report operations as well as to conduct the performance tests now required. The State would grant a temporary operating permit in cases where time was needed to correct deficiencies in an existing facility; in such cases, the permit would contain a specific schedule for compliance within the shortest practical time period—not to extend beyond July 31, 1975, in the case of sources subject to regulations effective prior to January 1, 1973.

Section 391-3-1-.03(3), Revocation of Permits, would provide for periodic review and possible modification of permits already issued. In the case of sources subject to regulations effective prior to January 1, 1973, no modification or revocation of a permit could extend the deadline for final compliance beyond July 31, 1975.

Copies of the Georgia permit regulations may be examined at the following locations during normal business hours:

Air Programs Office
Environmental Protection Agency
Region IV
1421 Peachtree St., NE.
Atlanta, Georgia 30309

Air Quality Control Section
Environmental Protection Division
Georgia Department of Natural Resources
19 Hunter St., SW.
Atlanta, Georgia 30334

Interested persons are encouraged to submit written comments on the present plan revision, and all relevant comments will be weighed carefully by the Agency before it takes action on the Georgia proposal. The Administrator's decision in this matter, however, will be based primarily on his judgment as to whether the revision meets the requirements of section 110(a) of the Clean Air Act, as amended, and the implementing regulations of 40 CFR Part 51. Comments will be accepted on or before August 26, 1974, and should be addressed to the Acting Director, Air Programs Office, Environmental Protection Agency, Region IV, 1421 Peachtree St. NE., Atlanta, Georgia 30309.

(Section 110(a) of the Clean Air Act, as amended 1970 (42 U.S.C. 1857c-5(a)))

Dated: July 18, 1974.

JACK E. RAVAN,
Regional Administrator, Region IV.

[FR Doc.74-17057 Filed 7-24-74;8:45 am]

FEDERAL ENERGY ADMINISTRATION

[10 CFR Part 211]

RESIDUAL FUEL OIL

Exemption From the Mandatory Petroleum Allocation Regulations; Extension of Comment Period; Postponement of Effective Date

Notice is hereby given that the closing date for submission of comments concerning the notice of proposed rulemaking issued July 3, 1974 (39 FR 24669, July 5, 1974) proposing the exemption of residual fuel oil from allocation under the Mandatory Petroleum Allocation Regulations is changed from July 22, 1974, to August 2, 1974. In addition, the effective date of the proposed regulation is changed from August 1, 1974, to September 1, 1974.

Issued in Washington, D.C., July 22, 1974.

ROBERT E. MONTGOMERY, JR.,
Acting General Counsel,
Federal Energy Administration.

[FR Doc.74-17095 Filed 7-23-74;11:11 am]

notices

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

DEPARTMENT OF DEFENSE

Department of the Air Force

USAF SCIENTIFIC ADVISORY BOARD

Meeting

JULY 18, 1974.

The USAF Scientific Advisory Board Tactical Panel will hold a closed meeting on August 6 and 7, 1974, from 8:30 a.m. until noon, each day, at Langley Air Force Base, Virginia.

The meeting will consist of classified briefings on Tactical Air Command requirements.

For further information on this meeting, contact the Scientific Advisory Board Secretariat at 202-697-8845.

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

[FR Doc.74-17022 Filed 7-24-74;8:45 am]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[NM 20125]

NEW MEXICO

Notice of Application

JULY 18, 1974.

Notice is hereby given that, pursuant to section 28 of the Mineral Leasing Act of 1920 (30 U.S.C. 185), as amended by the Act of November 16, 1973 (87 Stat. 576), El Paso Natural Gas Company has applied for a natural gas pipeline right-of-way across the following lands:

NEW MEXICO PRINCIPAL MERIDIAN, NEW MEXICO

T. 22 S., R. 30 E.,
Sec. 11, SW¼NE¼.

This pipeline will convey natural gas across 0.078 mile of national resource land in Eddy County, New Mexico.

The purpose of this notice is to inform the public that the Bureau will be proceeding with consideration of whether the application should be approved, and if so, under what terms and conditions.

Interested persons desiring to express their views should promptly send their name and address to the District Manager, Bureau of Land Management, P.O. Box 1397, Roswell, NM 88201.

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

[FR Doc.74-17033 Filed 7-24-74;8:45 am]

[NM 22013]

NEW MEXICO

Notice of Application

JULY 18, 1974.

Notice is hereby given that, pursuant to section 28 of the Mineral Leasing Act of 1920 (30 U.S.C. 185), as amended by the Act of November 16, 1973 (87 Stat. 576), El Paso Natural Gas Company has applied for an 8⅝ inch natural gas pipeline right-of-way across the following lands:

NEW MEXICO PRINCIPAL MERIDIAN, NEW MEXICO

T. 26 S., R. 30 E.,
Sec. 3, SW¼SE¼;
Sec. 10, W½E½;
Sec. 15, W½E½;
Sec. 22, W½E½;
Sec. 27, W½E½;
Sec. 34, NW¼NE¼.

This pipeline will convey natural gas across 4.195 miles of national resource land in Eddy County, New Mexico.

The purpose of this notice is to inform the public that the Bureau will be proceeding with consideration of whether the application should be approved, and if so, under what terms and conditions.

Interested persons desiring to express their views should promptly send their name and address to the District Manager, Bureau of Land Management, P.O. Box 1397, Roswell, NM 88201.

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

[FR Doc.74-17034 Filed 7-24-74;8:45 am]

UTAH STATE ADVISORY BOARD

Meeting

Notice is hereby given that the Bureau of Land Management Utah State Advisory Board will meet August 27 and 28, 1974, in Cedar City, Utah. The Board was established to advise the BLM Utah State Director concerning matters relating to the multiple use of BLM-administered lands in Utah.

On August 27, board members will take a field trip to the Alton coal field and Warner Valley, along with sites on BLM-administered national resource lands in southwestern Utah. The tour will begin at 7:30 am at 301 South Main, Cedar City. Members of the public may attend but will have to provide their own transportation.

On August 28, the board will meet at 8:00 am in the Music Recital Hall, Southern Utah State College, Cedar City. The agenda will include reports of the most recent meeting of the National Advisory Board Council, proposals for a study of the BLM Field Organization in Utah, discussion of the Federal Advisory Committee Act and a Department of the Interior and Department of Agriculture presentation about wild horses and burros. Board members will be divided into committees to consider and make recommendations about state and district advisory boards, Utah BLM Field Organization, resource management matters and public affairs.

The August 28 meeting will be open to the public. Persons wishing to have written statements presented to the board should submit them in advance. Oral presentations from members of the public may be made as time permits and persons desiring to make oral statements should contact in advance Paul L. Howard, State Director, Bureau of Land Management, P.O. Box 11505, Salt Lake City, Utah, 84111 (Telephone: 524-5311).

A summary of the meeting will be available for public inspection October 1, at the BLM Utah State Office in Salt Lake City, or at the bureau's district offices in Cedar City, Fillmore, Kanab, Monticello, Price, Richfield, Salt Lake City and Vernal.

PAUL L. HOWARD,
State Director.

[FR Doc.74-17028 Filed 7-24-74;8:45 am]

[OR 12169; 2320 (943.1)]

OREGON

Proposed Withdrawal and Reservation of Land

JULY 12, 1974.

The Bureau of Sport Fisheries and Wildlife, Department of the Interior, has filed an application, Serial No. OR 12169, for the withdrawal of public land described below, from all forms of appropriation under the public land laws, including the mining laws but not from leasing under the mineral leasing laws.

The applicant desires the use of the land as part of the Lower Klamath National Wildlife Refuge for the management of migratory birds and other wildlife.

All persons who wish to submit comments, suggestions, or objections in connection with the proposed withdrawal may present their views in writing no later than August 16, 1974, to the undersigned officer of the Bureau of Land

Management, Department of the Interior, 729 NE. Oregon Street (P.O. Box 2965), Portland, Oregon 97208.

The authorized officer of the Bureau of Land Management will undertake such investigations as are necessary to determine the existing and potential demand for the land and its resources. He will also undertake negotiations with the applicant agency with the view of adjusting the application to reduce the area to the minimum essential to meet the applicant's needs, to provide for the maximum concurrent utilization of the land for purposes other than the applicant's, to eliminate land needed for purposes more essential than the applicant's, and to reach agreement on the concurrent management of the land and its resources.

He will also prepare a report for consideration by the Secretary of the Interior who will determine whether or not the land will be withdrawn as requested by the applicant agency.

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

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

The land involved in the application is:

WILLAMETTE MERIDIAN

T. 41 S., R. 10 E.
Sec. 15, lots 1, 2, 3, and SE¼NE¼;
Sec. 16, lots 3 and 4.

The area described aggregates 201.94 acres in Klamath County, Oregon.

VIRGIL O. SEISER,
Acting Chief, Branch of Lands and Mineral Operations.

[FR Doc.74-16976 Filed 7-24-74;8:45 am]

[Wyoming 47028]

WYOMING

Notice of Application

JULY 16, 1974.

Notice is hereby given that, pursuant to Section 28 of the Mineral Leasing Act of 1920, as amended (30 U.S.C. 185), the Marathon Pipe Line Company has applied for a right-of-way for a rectifier, deep well grounded and related facilities across the following lands:

SIXTH PRINCIPAL MERIDIAN, WYOMING

T. 48 N., R. 91 W.,
Sec. 29, N½NW¼.

The purpose of this notice is to inform the public that the Bureau will be proceeding with consideration of whether the application should be approved and, if so, under what terms and conditions.

Interested persons desiring to express their views should send their name and address to the District Manager, Bureau of Land Management, P.O. Box 119, Worland, Wyoming 82401.

PHILIP C. HAMILTON,
Chief, Branch of Lands and Minerals Operations.

[FR Doc.74-16983 Filed 7-24-74;8:45 am]

[FES 74-41]

OUTER CONTINENTAL SHELF OFFSHORE LOUISIANA

Availability of Final Environmental Impact Statement Regarding Possible Oil and Gas Lease Sale

Pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969, the Department of the Interior has prepared a final environmental impact statement relating to a possible Outer Continental Shelf general oil and gas lease sale of 295 tracts of submerged lands on the Outer Continental Shelf in the Gulf of Mexico offshore Louisiana.

Single copies of the final environmental statement can be obtained from the Office of the Manager, Gulf of Mexico Outer Continental Shelf Office, Bureau of Land Management, Suite 3200, The Plaza Tower, 1001 Howard Avenue, New Orleans, Louisiana 70113, and from the Office of Public Affairs, Bureau of Land Management (130), Washington, D.C. 20240.

Copies of the final environmental statement will also be available for public review in the main public libraries in the following cities: New Orleans, Lafayette, and Baton Rouge, Louisiana.

CURT BERKLUND,
Director.

Approved: July 24, 1974.

STANLEY D. DOREMUS,
Deputy Assistant Secretary of the Interior.

[FR Doc.74-17184 Filed 7-24-74;10:38 am]

National Park Service

WHITE SANDS NATIONAL MONUMENT

Intention To Negotiate Concession Contract

Pursuant to the provisions of section 5 of the Act of October 9, 1965 (79 Stat. 969; (16 U.S.C. 20)), public notice is hereby given that on August 26, 1974, the Department of the Interior, through the Director of the National Park Service, proposes to negotiate a concession contract with White Sands Souvenirs, Inc., authorizing it to continue to provide concession facilities and services for the public at White Sands National Monument for a period of five (5) years from January 1, 1975, through December 31, 1979.

An assessment of the environmental impact of this proposed action has been made and it has been determined that it will not significantly affect the quality of the human environment, and that it is not a major Federal action under the National Environmental Policy Act and the guidelines of the Council on Environmental Quality. The environmental assessment may be reviewed in the Southwest Regional Office, National Park Service, Santa Fe, New Mexico 87501.

The foregoing concessioner has performed its obligations under the expired contract to the satisfaction of the National Park Service, and therefore, pursuant to the Act cited above, is entitled to be given preference in the renewal of the contract and in the negotiation of a new contract. However, uder the Act cited above, the Secretary is also required to consider and evaluate all proposals received as a result of this notice. Any proposal to be considered and evaluated must be submitted on or before August 26, 1974.

Interested parties should contact the Assistant Director, Concessions Management, National Park Service, Washington, D.C. 20240, for information as to the requirements of the proposed contract.

Dated: July 17, 1974.

J. L. NORWOOD,
Acting Director, National Park Service.

[FR Doc.74-16974 Filed 7-24-74;8:45 am]

Office of Hearings and Appeals

[Docket No. M 74-167]

ISLAND CREEK 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. 861(c) (1970), Island Creek Coal Company has filed a petition to modify the application of 30 CFR 75.1105 to its Birch Mine located in Richwood, West Virginia.

30 CFR 75.1105 provides:

> Underground transformer stations, battery charging stations, sub-stations, compressor stations, shops, and permanent pumps shall be housed in fire-proof structures or areas. Air currents used to ventilate structures or areas enclosing electrical installations shall be coursed directly into the return. Other underground structures installed in a coal mine as the Secretary may prescribe shall be of fire proof construction.

In support of its petition, Petitioner states:

1. Petitioner's Birch Mine has seven permanent pump stations (numbered 13 through 19) located adjacent to the number one, two and three belt conveyor lines. Said pumps are housed in fireproof structures, as required by § 75.1105.

2. The area of the mine in which these pump stations are located is not an active working area and only three belt personnel per shift are required to work in this area.

3. Each of these pumps is to be ventilated directly by intake air, which would then be coursed to a common point in the mine to be routed directly on a return path to the ventilation fan. The ventilating air would not enter any other portion of the mine after providing ventilation for these seven pumps, and would not pass any working area.

4. Petitioner proposes to ventilate said pumps in the manner aforesaid rather than causing the air ventilating each pump to be directly coursed into the return airway. In addition to this ventilating plan, Petitioner will cause each pump to be protected by automatic heat

sensors which will activate a twenty-pound dry-type chemical fire suppression device located in the fire-proof housing structure. Said automatic fire suppression devices satisfy the requirements of § 75.1107 of the Regulations.

5. Petitioner states that the proposed method of ventilating said pumps together with the additional fire protection installed thereon would at all times guarantee no less than the same measure of protection afforded mine personnel in the affected mine than would be provided by application of the mandatory standard. The addition of the extraordinary fire suppression system in these pump stations would in fact improve the safety measures provided in Petitioner's mine beyond that required by the mandatory standards.

Persons interested in this petition may request a hearing on the petition or furnish comments on or before August 26, 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.

JAMES R. RICHARDS,
Director, Office of Hearings and Appeals.

JULY 17, 1974.

[FR Doc.74-16990 Filed 7-24-74;8:45 am]

[Docket No. M 74-169]

ISLAND CREEK 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. 861(c) (1970), Island Creek Coal Company has filed a petition to modify the application of 30 CFR 75.1405 to its Guyan No. 1 Mine, located at Holden, West Virginia.

30 CFR 75.1405 provides:

All haulage equipment acquired by an operator of a coal mine on or after March 30, 1971, shall be equipped with automatic couplers which couple by impact and uncouple without the necessity of persons going between the ends of such equipment. All haulage equipment without automatic couplers in use in a mine on March 30, 1970, shall also be so equipped within 4 years after March 30, 1970.

In support of its petition, Petitioner states: (1) On March 27, 1974, MESA informed Petitioner that, contrary to earlier practice, Section 314(f) of the Act would, effective March 30, 1974, be deemed applicable and would be enforced with respect to all vehicles used on track even if equipped for off-track use. Said application will result in a diminution of safety to the miners in Petitioner's mine.

(2) Petitioner's mine employes a track haulage system, but all coal cars are handled as a unit. The only time said cars are uncoupled is when they are on the surface at the dump area.

(3) Track haulage cars used for transporting supplies in Petitioner's mine are not regularly coupled and uncoupled as the majority of all supply trips are coupled before entering the mine and not uncoupled prior to returning from said trip. Supplies are unloaded directly from the cars while on track.

(4) Petitioner's equipment currently uses link-and-pin couplers on its track equipment. Said system, furthermore, allows closer and more accessible inspection of coupling parts than possible with automatic couplers which would aid in the prevention of coupling failure.

(5) Petitioner states that its training program and safety record using the present coupling system has been excellent in the above-mentioned mine.

(6) Because of the foregoing facts, installation of automatic couplers on all equipment used on track in Petitioner's mine would diminish safety and, in fact, create hazards or the risk of hazards not now present.

Persons interested in this petition may request a hearing on the petition or furnish comments on or before August 26, 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.

JAMES R. RICHARDS,
Director, Office of Hearings and Appeals.

JULY 17, 1974.

[FR Doc.74-16988 Filed 7-24-74;8:45 am]

[Docket No. M 74-154]

M AND C 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. 861(c) (1970), M and C Coal Company has filed a petition to modify the application of 30 CFR 75.500(b) to its Nos. 1 & 4 Mines, McDowell County, West Virginia.

30 CFR 75.500(b) reads as follows:

On and after March 30, 1971:

* * * * *

(b) All handheld electric drills, blower and exhaust fans, electric pumps, and such other low horsepower electric face equipment as the Secretary may designate on or before May 30, 1970, which are taken into or used in by the last open crosscut of any coal mine shall be permissible;

* * * * *

In support of its petition to secure a waiver of 30 CFR 75.500(b) Petitioner states in pertinent part that:

1. Petitioners have consulted with manufacturers of drilling equipment and have not been able to discover the availability of any permissible hand-held drills.

2. Petitioners proposes the following alternative method:

a. Any electric hand-held drill which is operated in or inby the last open crosscut will only be so operated while a continuously monitoring methane detector is in operation.

b. Such detector shall be so calibrated that upon detection of as little as 0.25 percent methane in a working place where the electrical drill is being operated it will issue a visual and audible signal.

c. Such detector shall be positioned on the air return side of the working place no less than one foot and no more than two feet from face, rib and roof being drilled.

d. If at any time a visual and/or audible signal is emitted, the person operating the electric drill shall immediately de-energize such drill:

(1) By releasing the trigger; and

(2) Thereafter by disconnecting the drill cable at the power source.

e. Such electric drill shall not be re-energized until clearance is obtained from a MESA inspector following his investigation of the incident and the surrounding circumstances.

3. The proposed alternate system is the only way this safety protection can be achieved without foregoing the labor saving feature of electrically powered drills, since no electric hand drills are available which can satisfy the technical requirements of permissibility.

4. No methane has ever been encountered in these two mines, and under the alternate system proposed, the slightest indication of methane would result in cessation of drilling. This would in fact achieve perfect permissibility.

5. Since the drill mechanism is hand held and a rather compact instrument, it is not subject to accumulations of any quantities of coal dust which might help propagate any ignition caused by methane.

6. It is not feasible or desirable to forego the use of electric power and require that holes be drilled laboriously by hand using "breastplate" and "hand auger" as was the practice under hand-loading twenty years ago. The physical strain and exposure to hernia that would be entailed could not be justified from a safety standpoint, particularly when one considers the 53 year average age of the miners at this mine.

7. The continuously-monitoring and signaling methane detector which is a part of this proposed alternate method has been approved by the Mining Enforcement and Safety Administration and is currently available in the market.

Petitioner asserts that its proposed alternative will at all times afford the same protection as the application of the mandatory standard.

Persons interested in this petition may request a hearing on the petition or furnish comments on or August 26, 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.

JAMES R. RICHARDS,
Director, Office of Hearings and Appeals.

JULY 17, 1974.

[FR Doc.74-16992 Filed 7-24-74;8:45 am]

[Docket No. M74-168]

NATIONAL COAL MINING 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. 861(c) (1970), National Coal Mining Company has filed a petition to modify the application of 30 CFR 75.1105 to its No. 14 Mine located in Holden, West Virginia.

30 CFR 75.1105 provides:

Underground transformer stations, battery-charging stations, substations, compressor stations, shops, and permanent pumps shall be housed in fireproof structures or areas. Air currents used to ventilate structures or areas enclosing electrical installations shall be coursed directly into the return. Other underground structures installed in a coal mine as the Secretary may prescribe shall be of fireproof construction.

In support of its petition, Petitioner states: 1. On March 1, 1974, MESA informed Petitioner that contrary to earlier practices, Section 75.1105 would be deemed applicable and would be enforced with respect to the requirement that all transformers be ventilated directly into return airways. Said application will result in dimunition of safety to the miners in Petitioner's mine.

2. Petitioner's mine has nine transformers underground; and in all instances, except one, said transformers are ventilated directly into the return airways. A transformer, which is located at "B" belt drive, cannot be ventilated in accordance with the Federal Coal Mine Health and Safety Act of 1969 as there is no return air course in this area of the mine.

3. It would be impractical and a diminution of safety to move the transformer to another area of the mine so that the transformer could be ventilated directly into a return air course because if the power needed to be shut off in the event of an emergency it would take entirely too long to get to the power source to disconnect the power.

4. The cumulative effect of the foregoing is that it would be impractical and more dangerous to ventilate the transformer located at "B" belt drive in accordance with the Federal Coal Mine Health and Safety Act of 1969 and, in fact, create hazards and risks which are not now present.

5. Petitioner submits that it will install an automatic fire suppression system at this transformer, enclose the area in additional fireproof housing, and ventilate the transformer to the belt entry with said air going into the closest return airway in the mine. Air lock doors will be used to ventilate the belt system directly into the return.

Persons interested in this petition may request a hearing on the petition or furnish comments on or before August 26, 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.

JAMES R. RICHARDS,
Director, Office of Hearings and Appeals.

JULY 17, 1974.

[FR Doc.74-16989 Filed 7-24-74;8:45 am]

[Docket No. M 74-159]

WALLICK COAL, 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. 861(c) (1970), Wallick Coal, Inc., has filed a petition to modify the application of 30 CFR 71.600 to its No. 30 Mine.

30 CFR 71.600 reads in pertinent part as follows:

An adequate supply of potable water shall be provided for drinking purposes in each surface installation and at each surface worksite of the mine.

In support of its petition to secure a waiver of 30 CFR 71.600 Petitioner states in pertinent part that: 1. Each of the employees at the mine has carried and continues to carry his own supply of fresh potable water. This is done by personal preference, as it is the most expedient method of adequate supply of beverages in the mine. This practice guarantees the miner ready access to drinking water and eliminates the worry of centrally located water being contaminated or otherwise tampered with by the elements or pranksters. Furthermore, the employees like to carry thermos bottles containing coffee in the winter months; and many miners prefer iced tea or lemonade in their thermos bottles or jugs in the warmer months.

2. Since this practice of employees carrying their own water and beverages is so widespread in the mines, it is hereby proposed that this practice be recognized and established as the alternate method in lieu of the mandatory standard. This alternate method of compliance with Standard 71.600 will not result in any loss of safety or convenience to the miners in the affected mine.

Petitioner asserts that its proposed alternative will at all times afford the same protection as the application of the mandatory standard.

Persons interested in this petition may request a hearing on the petition or furnish comments on or before August 26, 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.

JAMES R. RICHARDS,
Director, Office of Hearings and Appeals.

JULY 17, 1974.

[FR Doc.74-16991 Filed 7-24-74;8:45 am]

Office of the Secretary

[INT FES 74-40]

COLORADO RIVER STORAGE PROJECT, COLORADO

Hayden-Ault 345-kV Transmission Line & Ault Substation; 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 proposed Hayden-Ault 345-kV Transmission Line and the Ault Substation. This Environmental Statement concerns the recommended corridor for the line; its construction and operation and the construction of the substation. The function of the joint-use line is to transmit power from hydro resources in the Colorado River Basin and thermal resources from the western Colorado coal fields to municipal and rural loads in eastern Colorado.

Copies are available from:

Office of Ecology, Room 7620 Bureau of Reclamation, Department of the Interior, Washington, D.C. 20240. Telephone (202) 343-4991.

Division of Engineering Support, Technical Services Branch, E&R Center, Denver Federal Center, Denver, Colorado 80225. Telephone (303) 234-3007.

Office of the Regional Director Bureau of Reclamation, Building 20, Denver Federal Center, Denver, Colorado 80225. Telephone (303) 234-4441.

Construction Engineer, Cheyenne Construction Office, P.O. Box 507, Cheyenne, Wyoming 82001. Telephone (307) 778-2465.

Single copies of the Final Environmental Statement may be obtained on request to the Commissioner of Reclamation or the Regional Director.

Please refer to the Statement number above.

Dated: July 22, 1974.

STANLEY D. DOREMUS,
Deputy Assistant Secretary of the Interior.

[FR Doc.74-17011 Filed 7-24-74;8:45 am]

NUECES RIVER PROJECT, TEXAS

Notice of Public Hearing on Draft Environmental Statement

Pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969, the Department of the Interior has prepared a draft environmental statement for the Nueces River Project, Texas. This statement (INT DES 74-71, dated June 25, 1974) was filed with the

Council on Environmental Quality on June 25 and was made available to the public on July 1, 1974.

The draft environmental statement covers the impacts on the environment of the proposed project, which consists of the construction of Choke Canyon Dam and Reservoir. The dam would be of earthfill construction and would be located on the Frio River in the Nueces River Basin about 4 miles west of the town of Three Rivers in Live Oak and McMullen Counties, Texas. The project would provide a dependable source of municipal and industrial water supply in the Corpus Christi Coastal Bend area and additional recreational and fishing opportunities in the area.

A public hearing will be held in Corpus Christi, Texas, in the central jury room of the Nueces County Courthouse, at 10 a.m. on August 29, 1974, and will continue into the evening if necessary, to receive views and comments from interested organizations or individuals relating to the environmental impacts of this project. Oral statements at the hearing will be limited to a period of 10 minutes. Speakers will not trade their time to obtain a longer oral presentation; however, the person authorized to conduct the hearing may allow any speaker to provide additional oral comment after all persons wishing to comment have been heard. Speakers will be scheduled according to the time preference mentioned in their letters or telephone requests whenever possible, and any scheduled speaker not present when called will lose his privilege in the scheduled order and his name will be recalled at the end of the scheduled speakers. Requests for scheduled presentation will be accepted up to 4 p.m., August 26, 1974, and any subsequent requests will be handled on a first-come-first-served basis following the scheduled presentation.

Organizations or individuals desiring to present statements at the hearing should contact Regional Director James A. Bradley, Room 1418, 317 East Third Street, Amarillo, Texas 79101, telephone (806) 376-2401, and announce their intention to participate. Written comments from those unable to attend and from those wishing to supplement their oral presentation at the hearing should be received by September 9, 1974, for inclusion in the hearing record.

Dated: July 18, 1974.

G. G. STAMM,
Commissioner of Reclamation.

[FR Doc.74-17018 Filed 7-24-74;8:45 am]

DEPARTMENT OF AGRICULTURE

Animal and Plant Health Inspection Service

CERTAIN STOCKYARDS AND LIVESTOCK MARKETS

Notice of Approval

The regulations in 9 CFR Part 76, as amended, contain restrictions on the interstate movement of swine and swine products to prevent the spread of hog cholera and other swine diseases. This document adds certain livestock markets to the list of livestock markets approved for purposes of the regulations on the basis of a determination of their eligibility for such approval under § 76.18 of the regulations.

The following livestock markets preceded by an asterisk are specifically approved to handle any class of swine and those livestock markets not preceded by an asterisk are specifically approved to handle slaughter swine only:

ALABAMA	
Agricultural Marketing Association of Alabama, Inc.	Andalusia.
*Atmore Truckers Association, Inc.	Atmore.
Beard Livestock Market	Scottsboro.
*Central Alabama Feeder Pig Association	Clanton.
*Conecuh Stockyard	Evergreen.
*Coosa Valley Feeder Pig Association	Anniston.
*Cullman Feeder Pig Association	Cullman.
Evergreen Livestock Co., Inc.	Evergreen.
Florence Trading Post	Florence.
Fort Payne Livestock Commission Co.	Fort Payne.
Frosty Morn Meats Buying Station	Elba.
H. E. Fulford Stockyard	Hartford.
*Geneva Stock Yard	Geneva.
*Headland Stockyards, Inc.	Headland.
*Henry County Livestock Association, Inc.	Abbeville.
Hodges Stockyards of Alabama	Selma.
Kennamer Livestock, Inc.	Guntersville.
*Limestone County Feeder Pig Association, Inc.	Athens.
McArthur Brothers Livestock Co.	Ashford.
*Northeast Alabama Feeder Pig Association	Section.
*Northwest Alabama Feeder Pig Association, Inc.	Russellville.
*Perry-Dallas Feeder Pig Sale	Suttle.
Pickens County Livestock Commission Co.	Aliceville.
Carl Register Stockyards	Slocomb.
*Robertsdale Livestock Auction, Inc.	Robertsdale.
*Sane Mountain Feeder Pig Association	Guntersville.
*South Alabama Feeder Pig Producers Association	Greenville.
*Southeast Alabama Feeder Pig Association, Inc.	Dothan.
Stokes & Brogden Stock Yard	Andalusia.
*Tennessee Valley Feeder Pig Association	Huntsville.
*Upper Costal Feeder Pig Association, Inc.	Fayette.
Valleydale Packers, Inc. d.b.a. Valleydale Stockyard	Section.
David West Livestock Co.	Cottonwood.
ARKANSAS	
*Arkansas National Stockyards	Little Rock.
*Ash Flat Livestock Auction	Ash Flat.
*Beebe Auction, Inc.	Beebe.
*Bentonville Livestock Auction	Bentonville.
*Carroll County Livestock Auction	Berryville.
*Clark County Livestock Auction	Arkadelphia.
Cleburne County Livestock Auction	Herber Springs.
*Corning Livestock Auction	Corning.
*Davis Livestock Auction	Batesville.
Decatur Livestock Auction	Decatur.
Drew County Auction	Monticello.
Eudora Livestock Auction	Eudora.
*Farmers Livestock Auction	Springdale.
Glover Livestock Commission Co.	Pine Bluff.
*Gordon Livestock Auction, Bob	Mena.
Gravette Community Sales	Gravette.
*Harrison Stockyards Auction, Inc.	Harrison.
*Hill Livestock Auction, Nuel	Batesville.
Hope Livestock Auction	Hope.
Huntsville Livestock Auction	Huntsville.
*Jonesboro Stockyards	Jonesboro.
*Major, Lewis Livestock Auction	Conway.
*Loftin Pig Farm	West Fort.
Magnolia Livestock Auction	Magnolia.
*MFA Livestock Association	Imboden.
*Montgomery Auction	Searcy.
*Mountain Home Livestock Auction	Mt. Home.
*Nettleton Livestock Auction	Jonesboro.
North Arkansas Livestock Auction	Green Forest.
*Oak Lawn Farms	Pine Bluff.
*Paragould Stockyards	Paragould.
*Randolph County Livestock Auction Co.	Pocahontas.
Saline-Ouachita Commission Co.	Warren.
*Scott County Livestock Auction	Waldron.
*Searcy County Livestock Auction	Marshall.
*Shantz Livestock Commission Co.	North Little Rock.
Siloam Springs Sale Barn	Siloam Springs.
*Washington County Sales	Fayetteville.

COLORADO

*A. A. Blakely Livestock Commission Co	Denver.
*Burlington Prod. Livestock Marketing Association	Burlington.
*Producers Livestock Mktg. Association	Greeley.
*Union Stockyards	Denver.

DELAWARE

*Carroll's Sales Co	Felton.
Goldinger Brothers, Inc	Smyrna.
Charles F. Poore Livestock Market	Do.
Floyd E. West Livestock	Frankford.

FLORIDA

*Chipley Livestock Market	Chipley.
*Columbia Livestock Market	Lake City.
*Gadsden County Livestock Auction Market	Quincy.
*Gainesville Livestock Market, Inc	Gainesville.
Jacksonville Livestock Auction Co	Whitehouse.
*Jay Livestock Auction Market	Jay.
*Madison Stockyards	Madison.
*Milis Auction Market	Ocala.
Monticello Livestock Market, Inc	Monticello.
Paxton Livestock Co-op	Florala, Alabama
*Suwannee Valley Livestock Market	Live Oak.
*Tindel Livestock Market	Graceville.
West Florida Livestock Auction Market	Marianna.

GEORGIA

*Appling Stockmen's Association	Baxley.
Bacon County Stockyards	Alma.
Bainbridge Auction Market	Bainbridge.
Bartow Livestock Commission Co	Cartersville.
*Bleckley County Feeder Pig Sale	Cochran.
Bulloch Stockyards	Statesboro.
Carroll County Livestock Sale Barn	Carrollton.
Chatham Livestock Co	Savannah.
Citizens Stockyard	Arlington.
Columbus-Muscogee Livestock	Columbus.
Cordele Livestock Commission Co	Cordele.
County Line Milling Co., Inc	Pelham.
County Stock Barn	Sandersville.
*CSRA Feeder Pig Association	Warrenton.
Dawson Livestock Co	Dawson.
*Dodge County Stock Barn	Eastman.
Dublin Livestock & Commission Co	Dublin.
Eastonolle Livestock Auction, Inc	Eastonolle.
Effingham County Stockyard	Springfield.
Farmers Livestock Market	Douglas.
Farmers Stockyard	Sylvania.
Farmers Stockyard of McRae, Inc	McRae.
Fitzgerald Farmers Auction, Inc	Fitzgerald.
Flint River Livestock Market	Bainbridge.
*Forshee Livestock Co., Inc	Statesboro.
Fortner Buying Station	Kite.
*Four County Farm Bureau Market, Association, Inc	Twin City.
Franklin County Livestock Market, Inc	Carnesville.
Georgia Farmers Livestock, Inc	Cumming.
Georgia Farm Products Sales Corp	Thomaston.
*Grady County Swine Producers Association	Cairo.
Grady Stockyards, Inc	Cairo.
Gwaltneys Daily Hog Market	Glennville.
Hagan Livestock Market, Inc	Hagan.
Irwin County Livestock Co	Ocilla.
Jepeway-Craig Commission Co	Dublin.
Livestock Marketers, Inc	Douglas.
*Lolli Sales Pavilion	Macon.
McClure-Burnett Commission Co	Rome.
Metter Livestock Market	Metter.
Miles Stockyard	Baxley.
Mitchell County Livestock Market	Camilla
John Mosley Livestock and Holman Auction Co	Blakely.
*Moultrie Livestock Co	Moultrie.
Mt. Vernon Hog Market	Mt. Vernon.
North Georgia Livestock Auction, Inc	Athens.
Peoples Stockyard	Cuthbert.
Pierce County Stockyard	Blackshear.
Pulaski Stockyard	Hawkinsville.
Seminole Livestock, Inc	Donalsonville.
Sam Simmons Gordon County Livestock Commission Co	Calhoun.
Seaboard Stockyard	Colquitt.
Smith Brothers Stockyard	Bartow.
Soperton Stockyard	Soperton.
*Sumter Livestock Association	Americus.
*Sutton Livestock Co	Sylvester.
Swainsboro Stockyard	Swainsboro.

GEORGIA (CONT.)

Sylvania Stockyard	Sylvania.
Tattnall & Long N.F.O. Collection Point	Glennville.
Thomas County Stockyard	Thomasville.
Thomson Stock Yard, Inc	Thomson.
Tifton Stockyards	Tifton.
Toccoa Livestock Auction & Speedway, Inc	Toccoa.
Toombs County Stockyard	Lyons.
*Tri-County Feeder Pig Sale	Broxton.
Tri-County Livestock Co	Social Circle.
*Turner County Stockyard	Ashburn.
Union Stockyards	Albany.
Valdosta Livestock Co., Inc	Valdosta.
Vidalia Livestock Auction, Inc	Vidalia.
Wayne County Livestock Stockyard	Jesup.
Wilkes County Stockyard	Washington.

IDAHO

*Blackfoot Livestock Commission Co	Blackfoot.
*Bonners Ferry Livestock, Inc	Bonners Ferry.
Burley Livestock Commission Co	Burley.
Cache Valley Livestock Auction	Preston.
*Coeur d'Alene Livestock, Inc	Coeur d'Alene.
Cottonwood Sales Yard	Cottonwood.
Gooding Livestock Commission Co	Gooding.
*Idaho Livestock Auction, Inc	Idaho Falls.
*Nampa Livestock Markets, Inc	Nampa.
Producer's Jerome Livestock Marketing Association	Jerome.
Rexburg Livestock Auction, Inc	Rexburg.
Salmon River Livestock Commission Co	Salmon.
Shoshone Sale Yard	Shoshone.
*Spencer Livestock Commission Co	Lewiston.
Stockgrowers Commission Co., Inc	Twin Falls.
*Treasure Valley Livestock Auction	Caldwell.
*Twin City Salesyard	Lewiston.
*Twin Falls Livestock Commission Co	Twin Falls.
*Valley Livestock Commission Co	Rupert.
*Weiser Livestock Commission Co	Weiser.

ILLINOIS

Albion Livestock	Albion.
Armour-Klarer & Co	Marshall.
*Barnard Livestock Auction	Wayne City.
*Benton Livestock Association	Benton.
*Bloomington Livestock Commission Co	Bloomington.
*Breed's Livestock Sales	Elizabeth.
*Carthage Livestock Auction	Carthage.
Carthage Order Buyers	Carthage.
*Cherry Nellis (Bros.)	Shannon.
Chicago Stockyards—Atkinson Market, Inc	Atkinson.
Cudahy, Patrick	Orangeville.
*Dameron Livestock Auction	Vienna.
*Danville Livestock Commission Co	Danville.
Deckers Livestock	Charleston.
*Decker's Livestock Inc	Milford.
*DeWane's Livestock Exchange	Belvidere.
Edgar County Marketing Association	Paris.
Emge Stock Yards	Palestine.
Farmers Hog Market of Ursa	Ursa.
*Galesburg Livestock Sale	Galesburg.
*Greenville Livestock Auction Co	Greenville.
Heinold Hog Market	Brookport.
Do	Girard.
Do	Leland.
Do	Marengo.
Heinold Hog Market, Inc	Atkinson.
Hesselbacher, Bros	Scales Mound.
Huber Livestock Co	Greenville.
*Illinois Auction Commission Co	Paris.
*Interstate Producers Livestock Association	Shelbyville.
Interstate Producers Livestock Association	Apple River.
*Interstate Producers Livestock Association	Fieldon.
Do	Danville.
Do	Dongola.
Interstate Producers Livestock Association	Elvaston.
Do	Erie.
*Interstate Producers Livestock Association	Fairfield.
Do	Golconda.
Do	Harrisburg.
Do	Pinckneyville.
Do	Quincy.
Do	Salem.
*Jennings Sales Co	Macomb.
Joliet Livestock Marketing Center, Inc	Joliet.

ILLINOIS—Continued

Kewanee Sale Barn	Kewanee.
K-M Livestock Center	Robinson.
Knowles Stock Yards	Marshall.
*Knoxville Sale Co., Inc	Knoxville.
*Kuntz, Clyde	Gridley.
LaHarpe Order Buyers	LaHarpe.
Mayer, Oscar & Co	Barry.
Do	Davis.
Do	Esmond.
Do	German Valley.
Do	McConnell.
Do	Milledgeville.
Do	Pleasant Hill.
Do	Pittsfield.
Do	Polo.
Do	Quincy.
Do	Shannon.
Do	Warren.
*Mehler Stock Yards	West York.
Mendon Order Buyers	Mendon.
*Mercer County Livestock Co	Viola.
*Olney Livestock Commission Co	Olney.
*Paris Livestock Sales Co	Paris.
Paris Union Stockyards	Paris.
Peoria Union Stockyards Co	Peoria.
*Rock Island Auction Sales, Inc	Rock Island.
St. Louis National Stockyards	National Stockyards.
*Donald R. Rohn Livestock Market	Dallas City.
*Savanna Livestock Sales	Savanna.
*Schrader, Harry Consignment	Dakota.
*Southeastern Livestock Association, Inc	Albion.
Stanton Stock Yard	Lena.
State Line Reload—NFO	Roscoe.
*Walnut Auction Co	Walnut.
*Warren County Livestock Auction	Monmouth.
*Winslow Marketing Center, Inc	Winslow.
Winslow Stockyards	Do.
*Wood, Marvin T	Morrison.

INDIANA

D. M. Archer	Princeton.
Attica Stockyards	Attica.
Joe Ault	Claypool.
Bauman Stockyards	Columbia City.
Do	South Whitley.
*Boone County Sale Barn	Lebanon.
*Boswell Livestock Commission	Boswell.
*Raymond Boyce Livestock Co	Monon.
Mike Brady Stockyards	Lagrange.
Do	Waterloo.
*Brookville Sale Barn	Brookville.
Camden Hog Market	Camden.
Glen Carr	Parker.
Jack Childs	Muncie.
*Don Clark Feeder Pig	Brook.
*Claypool Sale Inc	Silver Lake.
*Delta Livestock Yards	Fort Wayne.
Delta Livestock Yards	Do.
I. Duffey & Son	Largo.
Do	Peru.
*Robert Elliott	Westport.
Emge Packing Co., Inc	Anderson.
Emge Packing Co	Fairmount.
Emge Packing Co., Inc	Fort Branch.
Emge Packing Co	Montpelier.
*Evansville Union Stockyards Co., Inc	Evansville.
*Fountain County Livestock Commission Co	Veedersburg.
*Geneva Berne Livestock Sale	Berne.
*Goshen Commission Sale	Goshen.
Greencastle Livestock Center	Greencastle.
J. L. Hawkins Co	Logansport.
Heinold Hog Market	Bluffton.
Do	Burlington.
Do	Cambridge City.
Do	Chalmers.
Do	Crawfordsville.
Do	Goodland.
Heinold Market, Inc	Jasper.
Heinold Hog Market	Kendallville.
Heinold Hog Market, Inc	Kouts.
Heinold Hog Market	Liberty.
Heinold Market	Milroy.
Do	North Manchester.

INDIANA—Continued

Heinold Hog Market	Portland.
Do	Rensselaer.
Do	Rushville.
Do	Tipton.
Heinold Hog Market	Wheatland.
*Henry County Livestock Auction	New Castle.
*Hilltop Auction Sale	Hanover.
Hoosier Stockyards Inc	Frankfort.
Do	Knightstown.
Do	Ladoga.
Do	Lebanon.
Do	Roann.
*Huntington Livestock Co	Huntington.
Indianapolis Stockyards Corp	Indianapolis.
*Johnson County Sale Pavilion	Franklin.
*Knightstown Sale Barn	Knightstown.
*Gordon Jones	Ridgeville.
*La Fountain Livestock Sale	La Fountain.
Logansport Livestock Yards, Inc	Logansport.
Logansport Livestock	Winamac.
*Lowell Livestock Auction	Lowell.
*Loy's Sale Barn	Portland.
M & R Livestock Market	Culver.
M & R Livestock Co	Huntington.
Do	Loogootee.
Do	Spencer.
*Bill Manns	Rensselaer.
Marhoefer Packing Co., Inc	Muncie.
Mentone Stockyards	Mentone.
*Mid-States Feeder Pig Co., Inc	Flora.
*Jack Milhollin	Parker.
*Montgomery County Sale Pavillion	Crawfordsville.
*Morton Sale Barn	Morton.
Muncie Livestock Co	Muncie.
*Muscatatuck Valley Feeder Pig Association	North Vernon.
New Castle Stockyards	New Castle.
Ohio Valley Livestock Corp	Williamsburg.
*Ohio Valley Producers	Evansville.
*Owen-Monroe Feeder Association	Spencer.
*Parke County Sales Pavilion	Rockville.
Pavy Stockyard	Greensburg.
Pavy Stockyards	Milroy.
Porkland	Crawfordsville.
*Producers Livestock Association	Bath.
Do	Vincennes
Producers Livestock Association	Do.
Do	Winchester.
Do	Amboy.
*Producers Marketing Association	Boonville.
*Producers Marketing Association, Inc	Centerville.
Producers Marketing Association, Stockyards	Do.
*Producers Marketing Association	Clayton.
Do	Columbia.
Producers Marketing Association	Frankfort.
Do	Greensburg.
*Producers Market Association	Mentone.
*Producers Marketing Association, Inc	Montgomery.
*Producers Marketing Association Feeder Pig	Montpelier.
Producers Marketing Association	Rensselaer.
Do	Rockville.
*Producers Marketing Association	Salem.
Do	Seymour.
*Producers Marketing Association, Inc	Terre Haute.
Producers Marketing Association	Do.
*Producers Marketing Association, Inc	Topeka.
Producers Marketing Association	Uniondale.
*Producers Marketing Association	West Lafayette.
Producers Marketing Association	Do.
Producers Marketing Association, Inc	Worthington.
*Reynolds Sale Barn	Reynolds.
Reynolds Stockyards	Do.
*Rochester Sale Barn	Rochester.
*Royal Center Sale Barn	Royal Center.
Rushville Community Sale	Rushville.
*Russellville Feeder Pig Co	Russellville.
*Scottsburg Salebarn	Scottsburg.
*Shipshewana Auction Co	Shipshewana.
*Southeastern Indiana Feeder Pig Auction Association	Osgood.
*Southern Indiana Livestock Exchange	Scottsburg.
*Springville Feeder Auction Association, Inc	Springville.
P. B. Stewart Co	Berne.
Do	Decatur.

INDIANA—Continued

Do	Fulton.
Do	Plymouth.
Do	Shipshewana.
Do	South Whitley.
Stoney Pike Sale Barn	Logansport.
Sullivan County Livestock Market	Sullivan.
*Topeka Livestock Auction Co	Topeka.
Topeka Livestock Auction, Inc	Wakarusa.
Valleydale Stockyard	Burlington.
*Valparaiso Community Sale Barn	Valparaiso.
Wabash Valley Order Buyers, Inc	Arcadia.
Do	Bippus.
Do	Clarks Hill.
Do	Monon.
Do	Rossville.
Do	Valparaiso.
Do	Warsaw.
Wabash Valley Stockyard	Wolcott.
*White River Valley Feeder Auction Association	Worthington.
Whiting and Decker	Vincennes.
Wilson and Co., Inc	North Judson.
Winner Order Buyers	Converse.
Do	Warren.
*Ralph Yarling	Elwood.
*Yeager and Sullivan, Inc	Camden.
Zechiel Stockyards	Knox.

IOWA

*Allerton Sale Co	Allerton.
Applegate Hog Yard	Leon.
Armour and Co	Mt. Ayr.
Armour & Co	Shenandoah.
*B & H Cattle Co	Ida Grove.
Bank's Hog Yards	Seymour.
*Bedford Sale Co	Bedford.
*Bingley Sales Co., Inc	Knoxville.
Brighton Stockyards Inc	Brighton.
Brookhiser *W. H. & Sons	Wever.
*Cascade Sale Barn	Cascade.
*Centerville Sales Co	Centerville.
*Clarinda Auction Co	Clarinda.
*Davis County Sale Co	Bloomfield.
Decker Livestock	Chariton.
*DeVries Auction Co	Buffalo Center.
*Dunlap Livestock Auction	Dunlap.
*Edgewood Sale Barn, Inc	Edgewood.
*Elkader Sale Barn	Elkader.
J. G. Foecke & Co	Hillsboro.
Do	Pilot Grove.
*Forest City Cow Palace, Jennings Brothers, Inc	Forest City.
*Gaffney Storm Lake Auction	Storm Lake.
*Galva Pig Market	Galva.
*Garner Livestock Sales, Inc	Garner.
*Grassland Co	Odebolt.
*The Harlan Auction	Harlan.
*Haupert Livestock Co., Inc	Fairfield.
Heinold Hog Market	Birmingham.
Do	Donnellson.
Do	Seymour.
*Herbold Livestock Auction	Kingsley.
*Hilltop Feeder Pig Co	Aplington.
*Hubbard Feeder Pig Co	Hubbard.
*Carroll Huffman Livestock Market	Eldon.
*Humeston Sale Barn	Humeston.
Hygrade Food Products Corp	Clarinda.
*Interstate Producers Livestock Association	Waukon.
*Kalona Sale Barn, Inc	Kalona.
*Keoco Auction Co	Sigourney.
Keosauqua Sale Co., Inc	Keosauqua.
*Lamoni Livestock Sales Co., Inc	Lamoni.
*Leon Sale	Leon.
*Livestock Specialist, Inc	Webster City.
Lucas Hog Yard	Bedford.
*Manning Livestock Auction	Manning.
*Mapleton Livestock Sales Co	Mapleton.
*Maquoketa Sale Co	Maquoketa.
*Drs. Spear & Allison (Marshall Co. Feeder Pig Associates)	Marshalltown.
*Middletown Auction Sales, Inc	Middletown.
*Monticello Sale Barn	Monticello.
Moore Hog Yards	Braddyville.
*Moorhead Auction Co	Moorhead.
*Mt. Ayr Livestock Market	Mt. Ayr.
Ralph Mullenback	Stacyville.

IOWA—Continued

*Keith Myers	Grundy Center.
Myers Livestock	Creston.
*Northeast Iowa Sales Commission	Waukon.
*Northside Sales Co	Sibley.
*Pella Sales Co	Pella.
*Perry Sales Pavilion	Perry.
*Petefish Scale Yard	Bloomfield.
*Producers Livestock Marketing Agency Feeder Pig Division	Creston.
Quale Livestock	Chester.
*Riceville Sales Pavilion	Riceville.
*Norb Roecker Feeder Pigs	Denison.
*Jerry Rolston, Inc	Sheldon.
Osage NFO Collection Point	Osage.
*Sales Company of Hawarden, Inc	Hawarden.
*Schleswig Transfer, Inc	Schleswig.
*Sheldon Approved Hog Mart	Sheldon.
*Sheldon Livestock Co	Do.
*Shenandoah Livestock Auction	Shenandoah.
Simmons Hog Buyer	Farmington.
*Sioux City Stockyards	Sioux City.
*Smylie-Haupert Livestock, Inc	Columbus Junction.
*Spirit Lake State-Federal Approved Feeder Pig Market	Spirit Lake.
Steeples Hog Market	Bonaparte.
Thompson Livestock Commission Co	Davis City.
Carl S. Thurn Stockyard	Edgewood.
*Tri-State Livestock Auction Co., Inc	Sioux Center.
*Wallace Livestock Market	Riceville.
*Wapello Livestock Sales, Inc	Wapello.
*Wayland Livestock Auction Market	Wayland.
Weerheim Livestock	Rock Rapids.
Wiechman Pig Co., Inc	Des Moines.

KANSAS

Altoona Stockyards	Altoona.
*Atchison County Auction Co	Atchison.
*Atwood Sale Barn	Atwood.
*Belleville Livestock Commission Co	Belleville.
*Caldwell Community Sale	Caldwell.
Chandler Livestock Auction, Inc	Smith Center.
Clougherty Packing Co	Marysville.
*Coffeyville Livestock Sales	Coffeyville.
*Colby Livestock Auction	Colby.
*Concordia Sales Co	Concordia.
*Dodge City Livestock Commission Co	Dodge City.
*Effingham Auction Co	Effingham.
*Goodland Livestock Commission Co	Goodland.
*Hansens Livestock Auction	Concordia.
*Hiawatha Auction Co	Hiawatha.
*Hoxie Livestock Sale	Hoxie.
Junction City Livestock Sales, Co., Inc	Junction City.
Kansas Hog Co	Morland.
*Liberal Livestock Co	Liberal.
Lowe & Sons Finished Hog Buyers	Girard.
Do	Mound City.
Luckeroth Hog Market	Seneca.
*Mankato Livestock Commission Co	Mankato.
*Marysville Livestock and Commission Co	Marysville.
Mauer-Neuer Packing Co. Buying Station	Independence.
*Medicine Lodge Sales Co., Inc	Medicine Lodge.
*Miami County Livestock Sale Co., Inc	Paola.
*Mid-Kansas Swine Association Improvement Association	Hutchinson.
*Moline Auction Co	Moline.
N.F.O. Hog Buying Station	Marysville.
*Norton Livestock Auction, Inc	Norton.
*Norton Livestock Commission Co	Do.
*Oberlin Livestock Commission Co., Inc	Oberlin.
*Parsons Livestock Auction Inc	Parsons.
*Parsons Stockyards Co	Do.
*Phillipsburg Sales Co	Phillipsburg.
*Sabetha Livestock Auction	Sabetha.
*St. Francis Livestock Sale	St. Francis.
*South Central Kansas Feeder Pig Association	Medicine Lodge.
*South East Kansas Feeder Pig Association	Fredonia.
*Stafford Brothers Hog Market	Fort Scott.
*Syracuse Sale Co	Syracuse.
*Washington Sale Co	Washington.
Wilson Buying Station	Independence.
*Wichita Union Stockyards	Wichita.
Winfield Auction, Co	Winfield.

KENTUCKY

Adair County Stockyard	Columbia.
Albany Stockyard	Albany.
R. B. Berry & Son	Clinton.
*Blue Grass Stockyard	Lexington.
*Bourbon Livestock Center	Bowling Green.
*Bourbon Stockyard Co	Louisville.
*Bowling Green Stockyard	Bowling Green.
*Boyle County Stockyard	Danville.
Breckinridge Livestock Center	Irvington.
Brown Livestock Co	Clinton.
*Bullitt County Stockyard	Shepherdsville.
Burkesville Stockyard	Burkesville.
Billy Carnes Stockyard	Leitchfield.
*Catlettsburg Livestock Market	Catlettsburg.
Christian County Livestock Market, Inc	Hopkinsville.
Clinton Livestock Reload Collection Point	Clinton.
*Dinwiddie Feeder Pig	Leitchfield.
Edmonston Livestock Market	Edmonston.
Faire Stockyards	Bardwell.
*Farmers Commission Co., Inc	Tompkinsville.
*Farmers Livestock Market	Glasgow.
Do	London.
*Farmers Stockyards	Flemingsburg.
Do	Mount Sterling.
Farmers Livestock Market	Morganfield.
Do	Mayfield.
Field Packing Co. Stockyard	Owensboro.
*Florence, Peak, and Fryman	Cynthiana.
Franklin Livestock Market	Franklin.
*Garfield Auction Barn	Garfield.
*Garrard County Stockyard	Lancaster.
*Glasgow Livestock Market	Glasgow.
*Grayson County Stockyards	Leitchfield.
*Green County Stockyards	Greensburg.
Hart County Livestock Market	Munfordville.
Heinold Hog Markets, Inc	Fancy Farm.
Heinold Hog Markets	Marion.
Heinold Hog Markets, Inc	Morganfield.
Horse Cave Stockyards	Horse Cave.
Jollys Feeder Pig	Albany.
*Kentuckiana Livestock Market	Owensboro.
*Kentucky-Tennessee Livestock Market	Guthrie.
*King Livestock Company, Inc	Hopkinsville.
*Laurel Sales Company	London.
Louisa Stockyards	Louisa.
*Madison Sales Co	Richmond.
*Mammoth Cave Marketing Corp	Smiths Grove.
Mantle Stockyards	Bardwell.
*Mayfield Feeder Pig Sale	Mayfield.
Mayfield Livestock Sales Co	Do.
*Maysville Stockyard	Maysville.
Morganfield Stockyards	Morganfield.
Murray Livestock Market	Murray.
*N.F.O. Stockyards	Cynthiana.
Ohio Valley Producers	Corydon.
*Ohio Valley Producers Livestock Association, Inc	Clinton.
*OK Stockyards	Maysville.
Olive Hill Stockyards	Olive Hill.
*Owen County Stockyard	Owenton.
*Owsley County Stockyard	Booneville.
Paducah Livestock Co	Paducah.
*Paintsville Livestock Market	Paintsville.
*Paris Stockyard	Paris.
*Ratliff Stockyards	Mt. Sterling.
*Russell County Stockyard	Russell Springs.
*Schneider & Colston Sale Barn	South Walton.
Smith Livestock Co	Symsonia.
*Somerset & Pulaski Livestock Market, Inc	Somerset.
*Taylor County Stockyards	Campbellsville.
*Wayne County Feeder Pig Auction	Monticello.
Wayne County Livestock Market, Inc	Do.
*West Kentucky Land and Cattle Co., Inc	Marion.
*Wigwam Hog and Feeder Pig Market	Horse Cave.
*Williamstown Stockyard	Williamstown.
*Winchester Stockyards	Winchester.

LOUISIANA

*Avoyelles Swine Association	Marksville.
*Bastrop Livestock Auction	Bastrop.
*Central Louisiana Swine Producer's Association	Jena.
*DeQuincy Livestock Commission Co	DeQuincy.
*DeRidder Livestock Market	DeRidder.
*Florida Parishes Feeder Pig Association	Amite.
*Franklinton Stockyards, Inc	Franklinton.
Homer Livestock Commission Co	Homer.
*Macon Ridge Swine Producers Association	Winnsboro.
*Micelle's Commission Yard, Inc	Lake Charles.
*Northwest Louisiana Swine Growers Association	Minden.
*Southwest Louisiana Swine Producers Association	Basile.
*West Monroe Livestock Auction	West Monroe.

MARYLAND

*Aberdeen Sales Co	Aberdeen.
Adkin Livestock, Inc	Parsonburg.
Baltimore Livestock Exchange, Inc	West Friendship.
*Caroline Sales Co	Denton.
*Cumberland Stockyards, Inc	Cumberland.
*Dukes Brothers Stockyards, Inc	Eden.
Esskay Buying Station	Baltimore.
Do	Wye Mills.
*Farmers Livestock Exchange, Inc	Boonsboro.
*Farmers Market and Auction	Mechanicsville.
*Four State's Livestock Sales, Inc	Hagerstown.
*Frederick Livestock Auction, Inc	Frederick.
*Friend's Stock Yard, Inc	Accident.
*Grantsville Community Sales, Inc	Grantsville.
*Harry Rudnick & Sons, Inc	Galena.
*West Nottingham Auction	Rising Sun.
*Western Maryland Stock Yards, Inc	Westminster.
*Woodsboro Livestock Sales, Inc	Walkersville.

MASSACHUSETTS

*Farmers Live Animal Market Exchange, Inc	Littleton.
Northampton Cooperative Livestock Auction	Whately.

MICHIGAN

Andy Adams Sale Barn	Hillsdale.
Clare Bordner	Burr Oak
Camden Stockyards	Camden.
Coldwater Livestock Auction	Coldwater.
Dundee Livestock Sales Inc	Dundee.
Heinold Hog Markets, Inc	Burlington.
Do	Jones.
Linsmeier Livestock Auction	Menominee.
Lugbill Brothers, Inc	Morenci.
Michigan Live Stock Exchange	Battle Creek.
Do	Cassopolis.
Do	Manchester.
Napoleon Livestock Commission Co	Napoleon.
Tecumseh NFO Collection Point	Britton.
Westfall Stockyards	Hillsdale.

MINNESOTA

*Arends Sale Yards, Inc	Blue Earth.
Armour and Co	Browns Valley.
Do	Dawson.
Do	Winona.
Armour & Co. Hog Buying	Harmony.
Armour Hog Buying Station	Ortonville.
Armour Pork Co	Ivanhoe.
Breckenridge Livestock	Breckenridge.
*Cottonwood Veterinary Clinic	Windom.
*Equity Livestock Auction Market	Zumbrota.
*Faribault Livestock Sales	Faribault.
*Farmers Feeder Pig Association	Worthington.
*Farmers Livestock Auction Market	Caledonia.
Farmers Livestock Co	Elmore.
*Geneva Livestock Exchange	Geneva.
Gries Livestock Market	Kiester.
*G and L Feeder Pigs	Ellsworth.
Hokah Stockyards	Hokah.
*Hollerich, John, Feeder Pigs	Good Thunder.
Ivanhoe NFO Collection Point	Ivanhoe.
*Jackson Livestock Exchange, Inc	Jackson.
*Kasson Livestock Exchange	Kasson.
Lakefield N.F.O. Collection Point	Lakefield.
*L. & L. Livestock	Dunnell.
*Lamberton Stockyards	Springfield.

MINNESOTA—Continued

Lee Livestock	Harmony.
*Long Prairie Livestock Auction Market	Long Prairie.
*Luverne Livestock Auction	Luverne.
*Midwest Livestock Producers Cooperative	Mora.
Morrell Hog Buying Station	Madison.
John Morrell Buying Station	Ivanhoe.
*Pipestone Livestock Auction Market	Pipestone.
Rath Packing Co	Prosper.
*Rice Feeder Pig Center	Rice.
Rosen Livestock	Fairmont.
*Rush City Livestock, Inc	Rush City
*Rushford Feeder Pig Tel-O-Auction	Rushford.
*Sawyer Livestock Co., Inc	Little Falls.
*Spring Valley Sales Co., Inc	Spring Valley.
*St. Paul Union Stockyards	South St. Paul.
*Tenney Feeder Pig Co	St. James.
*Top Livestock Auction	Edgerton.
Welcome NFO Livestock Collection Point	Welcome.
Wilson & Co., Inc	Bricelyn.
*Windom Sale Co., Inc	Windom.
*Wisconsin Feeder Pig Marketing Cooperative	Perham.
Do	Sauk Centre.
*Worthington Livestock Sales Co	Worthington.

MISSISSIPPI

*Alcorn County Stockyards	Corinth.
Max Alman's Assembly Point	Pelahatchie.
*Amory Area Feeder Pig Sale	Amory.
S. K. Askew Assembly Point	Edwards.
*Baker Commission Company	Batesville.
Billingsley's Auction Sale, Inc	Senatobia.
*Booneville Area Feeder Pig Association	Booneville.
*Booneville Commission Co	Do.
*H. T. Branning Livestock Co	French Camp.
*Bruce Area Feeder Pig Sale	Bruce.
R. C. Bryan Farms	West Point.
Central Livestock Co	Brandon.
*Central Mississippi Livestock Commission Co	Carthage.
*Chickasaw Commission Co	Houston.
*Clarksdale Livestock Sales Co	Clarksdale.
*Corinth Livestock Commission Co	Corinth.
Decatur Stockyards, Inc	Decatur.
*Dixie Stockyards, Inc	Meridian.
Donald & Vines Assembly Point	Morton.
*East Mississippi Farmer's Livestock Co	Philadelphia.
Fairchild Livestock Commission Co	Hazelhurst.
Felders Livestock Sales Co	Summit.
George County Stockyards, Inc	Lucedale.
*Glynn Robinson Stockyard	West Point.
*Graves Livestock Co	Winona.
*Grenada Livestock Exchange	Grenada.
Harrell's Stockyard	Morton.
Liberty Stockyard	Liberty.
*Knight Stockyard	Carthage.
Laurel Stockyards	Laurel.
*Lexington Sales Co	Lexington.
Lincoln County Livestock Commission Co	Brookhaven.
Lipscomb Commission Co	Como.
Livestock Producers Association	Tylertown.
*Lucedale Area Feeder Pig Association	Lucedale.
A. D. Lum Assembly Point	Vicksburg.
*Lum Commission Co	Do.
Edward McCaughn Assembly Point	Morton.
*McComb Area Feeder Pig Sale	McComb.
D & O McCrory	Morton.
*Meridian Area Feeder Pig Sale	Meridian.
Meridian Stockyards	Do.
Moore & Woods Commission Co., Inc	Macon.
*Natchez Stockyards	Natchez.
Thomas Nazary Assembly Point	Carthage.
*New Albany Feeder Pig Sale	New Albany.
New Albany Sales Co	Do.
Oxford Livestock Commission Co	Oxford.
*Peelers Livestock Sales	Kosciusko.
Pontotoc Livestock Commission Co	Pontotoc.
*Port Gibson Area Feeder Pig Association	Port Gibson.
Prentiss Stockyards	Prentiss.
Ripley Sale Company	Ripley.
Riverside Stockyard, Inc	Monticello.
Smith Brothers Stockyard	Poplarville.
T. Smith Livestock	Hattiesburg.
Spicer Livestock, Inc	Tupelo.
*Southeast Mississippi Feeder Pig Association	Laurel.

MISSISSIPPI—Continued

*Southeast Mississippi Livestock Farmers Association	Hattiesburg.
*Southwest Livestock, Inc	Lorman.
Spicer Brothers	Tupelo.
Starkville Livestock Auction	Starkville.
Stockyard Beef Sale, Inc	Tupelo.
Stringer Sale Barn	Columbia.
*Tadlock Stockyards	Forest.
Jack Theobald (Order Buyer)	Oxford.
*Triangle Stockyards, Inc	Columbus.
Tri-State Stockyards, Inc	Greenville.
*Walnut Sales Co	Walnut.
*Wayne Area Pork Producers Association	Waynesboro.
*Waynesboro Livestock Yards, Inc	Do.
Winston County Community Sale	Louisville.

MISSOURI

*Alton Sale Co	Alton.
*Armour and Co.—Pig Station	Amity.
Armour & Co	Corder.
*Ava Sale Co	Ava.
*Beck & McCord Auction Co	Sikeston.
*Benton County Producers Association	Warsaw.
*Bollinger County Livestock Producers Association	Marble Hill.
*Browning & Crowe Order Buyers	Monroe.
Browning and Crowe Livestock Order Buyers, Inc	Paris.
*Bryant and Kirkman	Summersville.
*Buffalo Sale Barn	Buffalo.
Burrus & Troutman Livestock	Memphis.
*Butler Community Sale	Butler.
*Cabool Livestock Market	Cabool.
*Callaway Stock Sales Co	Fulton.
*Cantrell & Sons	Archie.
*Carrollton Livestock Auction	Carrollton.
*Cassville Livestock Market, Inc	Cassville.
*Cattlemen Auction Co., Inc	Jumansville.
Central Hog Market	Rich Fountain.
*Central Missouri Livestock Auction, Inc	Mexico.
*Central Missouri Sales Co., Inc	Sedlia.
*Central Ozark Auction	West Plains.
*Charleston Auction Co	Charleston.
*Chillicothe Livestock Market, Inc	Chillicothe.
*Circle S Livestock Market	Stanberry.
*Clark County Sale Co	Kahoka.
Clinton Hog Market	Clinton.
*Columbia Livestock Auction Market, Inc	Columbia.
*Concordia Livestock Auction	Concordia.
Constable Stockyards	Princeton.
*Dent County Livestock Improvement Association	Salem.
Direct Livestock Buyers, Inc	Marshall.
*Downing Stockyards	Downing.
*Edina Auction Market, Inc	Edina.
Edina Stockyards—NFO Buying Station	Do.
Eldon Hog Market	Eldon.
*Farmers Auction Co	Mountain View.
*Farmers & Traders Commission Co., Inc	Palmyra.
*Farmington Auction Market	Farmington.
Fayette Hog Market	Fayette.
Ferguson Hog Market	Sedalia.
Four Rivers Collection Point	Labadie.
*Four-Square Markets, Inc	Marshall.
*Four State Livestock Auction Center	Diamond.
*Fredericktown Auction Co	Fredericktown.
*Fruitland Livestock Auction, Inc	Jackson.
*Gallatin Livestock Auction, Inc	Gallatin.
Golden Valley NFO Collection Point	Clinton.
*Goodman Auction Market	Goodman.
*Grant City Livestock Market, Inc	Grant City.
Grant City Sale Barn	Do.
*Green City Auction Market, Inc	Green City.
*Hannibal Sale Co., Inc	Hannibal.
Harkins Livestock Co	Trenton.
Heinold Hog Market, Inc	Bloomfield.
Heinold Hog Buyers, Inc	Bowling Green.
Heinold Hog Market	Hawk Point.
Do	King City.
Do	Labelle.
Do	Maryville.
Do	Monroe City.
Do	Stet.
Heinold Hog Market, Inc	Tarkio.
Do	Wellsville.
*Hinds Sale Co	Memphis.
*Interstate Producers Livestock Association	Brookfield.
*Ireland and Thorne Livestock Market, Inc	Trenton.

MISSOURI—Continued

*Interstate Producers Livestock Association	Deepwater.
Interstate Producers Livestock Association	Albany.
*Interstate Producers Livestock Association	Caledonia.
Interstate Producers Livestock Association	Callao.
Do	Cape Girardeau.
*Interstate Producers Livestock Association	Cuba.
Do	Fredericktown.
*Interstate Producers Livestock Association Pig Market	Hamilton.
*Interstate Producers Livestock Association	Jackson.
Do	Perryville.
*Johnson County Livestock Market, Inc	Warrensburg.
*Joplin Stockyards	Joplin.
*Kahoka Sale Co., Inc	Kahoka.
*Kansas City Stockyards	Kansas City.
*Kennett Sales Company, Inc	Kennett.
Kingsville NFO Collection Point	Kingsville.
Kirksville Community Sale, Inc	Kirksville.
Kleen-Leen, Inc	Jackson.
Harold Kornbrust Hog Buying Station	Marceline.
*Laclede County Livestock Producers Association	Lebanon.
*Lamar Auction Market	Lamar.
*The Lamar Cattle Auction	Do.
*Lamar Sales	Do.
*Lexington Livestock Auction	Lexington.
*Licking Livestock Auction	Licking.
Lamonte Livestock Collection Point (NFO)	Lamonte.
*Lewis County Auction Co	Lewiston.
Lewis & Son Hog Buyers	Glasgow.
*Licking Livestock Auction	Licking.
*Lindsay Livestock Auction, Inc	Lebanon.
*Linn County Auction Co	Brookfield.
*Linn County Beef Producers, Inc	Do.
*Lockwood Sales Barn	Lockwood.
*Lolli Sales Pavilion	Macon.
*Mansfield Livestock Auction, Inc	Mansfield.
*Marshall Livestock Auction	Marshall.
Marv's Hog Market	Chillicothe.
*Maryville Auction Co	Maryville.
Maryville NFO Collection Point	Do.
McCallister Hog Buying Station	Marshall.
*McDonald County Livestock Market	Jane.
*Means Auction Co	Boonville.
*Mercer County Auction	Princeton.
*Mercer County Producers Association	Do.
*MFA Feeder Pig Assembly Point	Ellington.
MFA Feeder Pig Tele Auction	Doniphan.
MFA Feeder Pig Yards	Rolla.
*MFA Feeder Pig Market	Sedalia.
*MFA Feeder Pig Yards	Stockton.
*MFA Feeder Pig Market	Taneyville.
*MFA Feeder Pig Yards	Westphalia.
MFA Hog Market	Boonville.
Do	Carrollton.
Do	Centerview.
Do	Chillicothe.
Do	Marshall.
Do	Salisbury.
Do	Sedalia.
*MFA Livestock Association	Alton.
Do	Cabool.
MFA Livestock Association	Gallatin.
MFA Livestock Association, Inc	Lexington.
MFA Livestock Association	Mansfield.
Do	Moberly.
Do	Stanberry.
Do	Tipton.
*MFA Livestock Market Association	Cassville.
*Moberly Auction Co	Moberly.
*Monett Sale Co	Monett.
*Monticello Livestock Order Buyers	Monticello City.
*Mountain Grove Livestock Auction Co., Inc	Mountain Grove.
NFO Collection Point	Armstrong.
Do	Chillicothe.
Oscar Mayer Stockyards	Brookfield.
Do	Macon.
Do	Palmyra.
Do	Shelbina.
*National Feeder Pig Co	Buffalo.
Do	Mountain Grove.
*Nevada Livestock Auction, Inc	Nevada.
NFO Collection Point	Bethany.
NFO Cameron Collection Point	Cameron.
Nichols Stockyards	Bethany.

MISSOURI—Continued

*Odessa Community Sale	Odessa.
*Olean Livestock Sales	Olean.
Otto Hollon Hog Market	Milan.
Do	Browning.
*Oregon Livestock Sales Co	Oregon.
Oregon Swine Buying Station	Do.
Osage County Hog Buying Station	Linn.
*Osage County Livestock Producers Association	Do.
*Palmyra Livestock Auction Market	Palmyra.
*Pasley Auction Co	Osceola.
*Platte County Sale Co	Platte.
*Poplar Bluff Sales Co	Poplar Bluff.
*Potosi Livestock Market	Potosi.
*Puxico Stockyards & Auction Co	Puxico.
Rains Livestock	Poplar Bluff.
Reeds Livestock Co	Dexter.
Reed (Chester) Livestock Market	Mountain Grove.
*Roberts Livestock Auction	Bolivar.
*Rockport Sales Pavilion, Inc	Rockport.
*Rolla Auction Co	Edgar Springs.
*St. Clair Auction Co	St. Clair.
*St. James Livestock Auction	St. James.
*St. Joseph Livestock Auction Center	South St. Joseph.
St. Joseph Livestock Auction Center	South St. Joseph.
*St. Joseph Stockyards	Do.
*Salem Auction Co	Salem.
*Savannah Sales Co	Savannah.
*Schuyler County Sales Co	Lancaster.
*Sedgewickville Auction	Sedgewickville.
Sedgewickville NFO Collection Point	Do.
*Seneca Community Sale	Seneca.
*Shelbina Auction Co	Shelbina.
Shell Feed & Supply	Frederickstown.
Do	Perryville.
Do	Lutesville.
*Sho-Me-Feeder Pig, Inc	Ava.
*Sho-Me-Feeder Pigs, Inc	Thayer.
*Jack Sivils Sale Co., Inc	Butler.
Southeast Missouri Stockyards Co	Oran.
*Southern Missouri Hog Sales, Inc	Mountain Grove.
*Southwest Missouri Livestock Association, Inc	Sarcoxie.
*Summerville Auction Co	Summerville.
Swift Fresh Meats Co	Eolia.
Tarkio Hog Yards	Tarkio.
A. C. Thomas & Son	Syracuse.
Thompson Livestock Company (NFO)	Armstrong.
Tipton NFO Collection Point	Versailles.
*Union Stockyards	Springfield.
*Unionville Sale Co	Unionville.
*Van Meter Auction Co	Kingsville.
Carroll Warnock Stockyards	Lineville, Iowa.
Warnock Stockyard	Trenton.
*Warsaw Auction Co	Warsaw.
West Plains City Scales	West Plains.
*West Plains Livestock Auction	Do.
Do	Pomona.
*Wheaton Livestock Auction	Wheaton.
Wilson Certified Foods, Inc	Marshall.
Wilson Hog Buying Station	Greenfield.

MONTANA

*Baker Livestock Auction, Inc	Baker.
Glendive Livestock Sales Co	Glendive.
*Sidney Livestock Market Center	Sidney.

NEBRASKA

*Alma Sale Barn	Alma.
*Beatrice Sales Pavilion	Beatrice.
*Beatrice 77 Livestock Sales Co	Do.
*Butte Livestock Market	Butte.
*Chappell Livestock Auction, Inc	Chappell.
*Farmers Livestock Sales Co	Benkelman.
*Hebron Livestock Commission Co	Hebron.
George A. Hormell Co	Falls City.
*Imperial Auction Market, Inc	Imperial.
*Kimball Livestock Auction	Kimball.
*Morris Livestock Auction	Plattsmouth.
*Morrison's Twin City Livestock Auction Market	Gering.
National Farmers Organization	Guide Rock.
Do	Pawnee City.
*Nebraska City Salebarn, Inc	Nebraska City.
*Pawnee Livestock Co	Pawnee City.
*Platte Valley Livestock Auction	Gering.

NEBRASKA—Continued

*Red Cloud Livestock Commission Co., Inc	Red Cloud.
*Republican Valley Livestock Auction	Franklin.
*Sheridan Livestock Commission Co	Rushville.
Superior Hog Market	Superior.
*Superior Livestock Commission Co	Do.
*Tri-State Livestock Commission Co., Inc	McCook.
Union Stockyards Co	Omaha.
*The Welchman Pig Co., Inc	Fremont.
Wilson & Co	Auburn.
Do	Pawnee City.
Do	Syracuse.
York Packing Co., Inc	York.

NEW JERSEY

Arbry Livestock Inc	Westville.
Flemington Agricultural Marketing Co-op Association, Inc	Flemington.
Jaeger's Livestock Market	Sussex.
*Livestock Cooperative Auction Market Association of North Jersey, Inc.	Hackettstown.

NEW MEXICO

*Clovis Hog Company, Inc	Clovis.
*Five States Livestock Auction, Inc	Clayton.

NEW YORK

Buffalo Stockyards Co., Inc	Buffalo.
*Empire Livestock Marketing Cooperative, Inc	Caledonia.
Empire Livestock Marketing Cooperative, Inc	Waterloo.
Luther's Livestock Commission Market	Wassaic.

NORTH CAROLINA

*Albemarle Cooperative Association, Inc	Edenton.
M. D. Baker Hog Market	Tyner.
*Bethall's Graded Feeder Pig Sale	Rich Square.
Brite-Tatum Livestock Auction	Elizabeth City.
*Carolina Stockyards	Siler City.
*Carolina-Virginia Stockyard	Windsor.
*Central Carolina Farmers Livestock Market Quality Feeder Pig Sale.	Hillsborough.
*Chadbourn Graded Feeder Pig Sale	Chadbourn.
Chadbourn Livestock Market	Do.
Creech Livestock Market, Inc	Norlina.
D. F. Foust Livestock Auction, Inc	Greensboro.
*Greensboro Graded Feeder Pig Sale	Do.
Greenville Livestock Sales	Greenville.
Greenville Stock Yard	Do.
Gwaltney-Hertford Livestock Market	Hertford.
*Iredell Livestock Co	Turnersburg.
*Kinston Stockyard, Inc	Kinston.
George P. Kittrell Livestock Market	Corapeake.
*Gus Z. Lancaster Quality Feeder Pig Sale	Dunn.
Do	Rocky Mount.
Gus Z. Lancaster Stockyards, Inc	Do.
Laurinburg Livestock Market	Laurinburg.
Lumberton Auction Co	Lumberton.
*MCM Livestock, Inc	Whiteville.
Miller & Humphlett	Winfall.
Murphy Livestock Auction Co	Murphy.
*Norwood Graded Quality Feeder Pig Sale	Norwood.
*Oxford Livestock Market, Inc	Oxford.
*Pates Stockyard, Inc	Pembroke.
*Powell Livestock Co. of Smithfield	Smithfield.
Reaves Livestock, Inc	Rowland.
Smithfield Packing Co. Hog Buying Station	Murfreesboro.
*Union County Livestock Auction, Inc	Monroe.
*Wells Livestock Market Graded Feeder Pig Sale	Wallace.
R. G. Whitley & Son, Inc., Hog Buying Station	Como.
*Western Carolina Feeder Pig Sale	Asheville.

NORTH DAKOTA

Armour & Co	Wahpeton.
*Ashley Livestock Sales Co	Ashley.
*Carrington Livestock Sales, Inc	Carrington.
C. M. Cook Hog Yard	Hettinger.
Dakota Meats, Inc	Minot.
*Edgeley Livestock Sales, Inc	Edgeley.
*Ellendale Livestock Sales Co	Ellendale.
*Harvey Livestock Auction	Harvey.
*Hettinger Auction Market, Inc	Hettinger.
*Jamestown Livestock Sales Co	Jamestown.
*Kist Livestock Auction Co	Mandan.
*Lake Region Auction & Livestock Market, Inc	Devils Lake.
Larsen Bros., Carl & Howard Larsen	Kenmare.
*Linton Livestock Sales, Inc	Linton.

NORTH DAKOTA—Continued

*Lorenz Livestock Sale	Hazen.
*Minot Livestock Auction	Minot.
*Missouri Slope Livestock Auction, Inc	Bismarck.
*Napoleon Livestock Auction	Napoleon.
NFO Collection Point	Beach.
*Oakes Livestock Terminal, Inc	Oakes.
*Park River Auction Market	Park River.
*Ranchers & Farmers Livestock Sales, Inc	Minot.
*Rugby Livestock Auction, Inc	Rugby.
*Schnell's Beulah Livestock Auction Market	Buelah.
*Schnells Dickinson Livestock Sales Co	Dickinson.
*Sitting Bull Auction	Williston.
*Sprecker's Premium Pork, Inc	Mott.
*Turtle Lake Livestock Sales, Inc	Turtle Lake.
*Union Stockyards Company of Fargo	West Fargo.
*Watford City Livestock Auction	Watford City.
*Western Livestock, Inc	Dickinson.
*Wilkenheiser Livestock	Strasburg.
*Wisconsin Feeder Pig Market Co-op	Oakes.
*Wishek Livestock Market	Wishek.

OHIO

Bauman Stockyards, Inc	Napoleon.
*Bloomfield Livestock Auction	North Bloomfield.
Merle A. Bussert Livestock	Amanda.
*Carrollton Livestock Auction	Carrollton.
Chickasaw Stockyard	Chickasaw.
*Cincinnati Union Stockyard Co	Cincinnati.
Cisco Stockyard, Inc	St. Marys.
*Damascus Livestock Auction	Damascus.
*Delta Livestock Auction	Delta.
*Dicke Stockyard	New Bremen.
*Findlay Producers Livestock Association	Findlay.
Filz Rancho, Inc	Greenville.
Gamboe Stockyards	Pioneer.
*Geauga Livestock Commission	Middlefield.
Harpster Stockyards	Ashland.
Harvey Livestock, Inc	Coldwater.
Heinold Hog Market	Eldorado.
Heinold Hog Markets	Gettysburg.
Frank D. Helsel Livestock	Washington Court House.
Interstate Farmers Livestock Co	Oxford.
Kleinhenz Brothers Stockyard	Celina.
Do	Ft. Recovery.
*Kleinhenz Brothers Stockyard	St. Henry.
Kleinhenz, Inc	St. Marys.
Kloeppel Livestock	Sidney.
*Krugh's Stockyards	Wren.
*Virgil Lampert Stockyards	New Bremen.
*Lugbill Bros	Archbold.
Lugbill Bros	Fayette.
Do	Wauseon.
*Middendorf Stockyards	Botkins.
Do	Celina.
*Middendorf Stockyards Co	Fort Loramie.
Middleton Stockyards, Inc	New Madison.
A. E. Miller Stockyard	Middle Point.
*Ohio Valley Livestock Co	Gallipolis.
*Wilson Bros d/b/a Peoples Livestock Exchange	Greenville.
Philothea Stockyard	Coldwater.
*Producers Livestock Association	Bucyrus.
Do	Cadiz.
Do	Eaton.
Do	Findlay.
Producers Livestock Association	Greenville.
*Producers Livestock Association	Hillsboro.
Do	Lancaster.
Producers Livestock Association	London.
*Producers Livestock Association	Marysville.
Do	Mt. Vernon.
Do	Orrville.
Do	Springfield.
Do	Wapakoneta.
Do	Woodville.
Selected Meat Co	Greenfield.
Don H. Smith Stockyard	Fort Recovery.
P. B. Stewart	Edon.
Tuente Stockyards	Saint Sebastian.
Tuente Stock Yards	Yorkshire.
*The Union Stockyards Co	Hillsboro.
Ward Livestock Co	Stryker.
Waynesfield Stockyard	Waynesfield.
Werling & Sons, Inc. d.b.a. Burkettsville Stockyard	Burkettsville.

OHIO—Continued

Jerome Winner Stockyard	New Weston.
Robert Winner Sons, Inc	Osgood.
*Zeigler Livestock Feeders, Inc	Delta.

OKLAHOMA

*Adair County Livestock Auction, Inc	Stilwell.
Ag Markets Inc	Woodward.
*Joe Brewster Pig Parlor	Pryor.
*Davis Feeder Pig Market	Midwest City.
*Durant Stockyards Co., Inc	Durant.
*Farmers and Ranchers Livestock Auction	Vinita.
*R. C. Forrest Pig Market	Tahlequah.
*Ft. Smith Stockyards Co., Inc	West Fort Smith.
*Hugo Sales Commission, Inc	Hugo.
*Indian Nation Livestock Market	Muskogee.
Arthur Kelly Stockyards	Do.
*LeFlore County Livestock Auction	Wister.
*Northeast Oklahoma Feeder Pig & Livestock Market	Leach.
Maurer & Neuer	Enid.
*Maxson Sales Co., Inc	South Coffeyville.
Do	Welch.
*Muskogee Stockyards & Livestock Auction, Inc	Muskogee.
*Newkirk Sale Co	Newkirk.
*Oklahoma National Stockyards	Oklahoma City.
*Panhandle Livestock Commission Co	Guymon.
Small Hog Co	Alva.
*Tahlequah Sale Barn	Tahlequah.
*Tulsa Stockyards	Tulsa.
Woodward Hog Buying Station	Woodward.

OREGON

*Hermiston Livestock Commission Co	Hermiston.
*Northwestern Livestock Commission Co	Do.
*Ontario Livestock Commission Co	Ontario.
*The Portland Livestock Market, Inc	North Portland.
*The Dalles Auction Yard	The Dalles.
*Vale Livestock Auction	Vale.

PENNSYLVANIA

*Belknap Livestock Market, Inc	Dayton.
*Belleville Livestock Market	Belleville.
Edgar K. Black	Skippack.
K. M. Border Livestock	Dover.
*Carlisle Livestock Market, Inc	Carlisle.
*Chambersburg Livestock Sales	Chambersburg.
*Chesley's Sales, Inc	Northeast.
*Cowanesque Valley Livestock Market	Knoxville.
Wayne F. Craig & Son	Shippensburg.
*Dewart Livestock Market	Dewart.
*Eighty Four Auction Sales, Inc	Eighty Four.
*Enon Valley Community Sale	Enon Valley.
*Farmer's Tri-County Livestock Auction, Inc	Scenery Hill.
*Fayette Stockyards Co	Uniontown.
*Greencastle Livestock Market	Greencastle.
*Hickory Auction Sales, Inc	Hickory.
*Hulshart, C. A. Swine Receiving Station	Stewartstown.
*Indiana Livestock Auction, Inc	Homer City.
*Jersey Shore Livestock Inc	Jersey Shore.
*Lancaster Stockyards, Inc	Lancaster.
*Lebanon Valley Livestock Market	Fredericksburg.
*Leesport Market & Auction	Leesport.
*Meadville Livestock Auction	Saegertown.
*Mercer Livestock Yards	Mercer.
*Montague Livestock Auction	Union City.
*Montour Farmers Livestock Market, Inc	Danville.
*Morrisons Cove Livestock Market	Martinsburg.
New Holland Sales Stables, Inc	New Holland.
*New Wilmington Livestock Auction, Inc	New Wilmington.
*Nicholson Sales Co	Nicholson.
*Penns Valley Livestock Auction, Inc	Centre Hall.
*Pennsylvania Livestock Auction, Inc	Waynesburg.
*Perkiomenville Sales Stables, Inc	Perkiomenville.
*Quakertown Livestock Sale	Quakertown.
*Sechrist Sales Co., Inc	Fawn Grove.
W. R. Sellers Livestock	Greencastle.
*Showalter's Livestock Exchange	Duncansville.
*Silver Springs Livestock Market	Mechanicsburg.
*Tri-County Livestock Auction, Inc	Brockway.
*Troy Sales Cooperative	Troy.
*Valley Stockyards, Inc	Athens.
Vintage Sales Stables, Inc	Paradise.
*Wayne County Livestock Exchange	Honesdale.
*Western Pa. Swine Producers Association, Inc	Brookville.
*Wyalusing Livestock Market	Wyalusing.
*York Livestock Market, Inc	York.

SOUTH CAROLINA

P. L. Bruce Stockyard	Greenville.
*Central Carolina Livestock Market	Lugoff.
Chesnee Livestock Co	Chesnee.
*Clarendon Auction Sales Market	Manning.
Conway Stockyard	Conway.
Do	Loris.
*Darlington Auction Market	Darlington.
Dorchester Marketing Association	St. George.
*Farmers County Line Stockyards	Andrews.
*Farmers Market	Estill.
Farmers Livestock Market	Leesville.
Florence Union Stockyards	Florence.
Greenwood Stockyard, Inc	Greenwood.
*Hemingway Livestock Market	Hemingway.
*Herndon's Stockyards, Inc	Ehrhardt.
Herndon Stockyard, Inc	Yemassee.
*Hutto Stockyard, Inc	Holly Hill.
Kingstree Union Stockyard	Kingstree.
Loris Livestock Market Inc	Loris.
M & R Livestock	Neeses.
M & R Livestock Co	Nichols.
Do	Ruffin.
*Orangeburg Stockyard, Inc	Orangeburg.
*Saluda County Stockyards	Saluda.
South Carolina Farm Bureau, Jim's Livestock	Kingstree.
S.C. Farm Bureau Market Association	Orangeburg.
Spartanburg Livestock Market	Spartanburg.
*Springfield Stockyard, Inc	Springfield.
S & S Milling Co	Hemingway.
John C. Taylor Stockyard	Anderson.
*Walterboro Stockyards Co., Inc	Walterboro.
York County Stockyards	York.

SOUTH DAKOTA

*Aberdeen Livestock Sales Co., Inc	Aberdeen.
*Belle Fourche Livestock Exchange, Inc	Belle Fourche.
Browns Valley Collection Point, Inc	Browns Valley, Mn.
*Burke Livestock Auction	Burke.
*Canton Livestock Sales Co	Canton.
*Chamberlain Livestock Sales, Inc	Chamberlain.
*Corsica Livestock Sales Co	Corsica.
Country Boy Livestock, Inc	Aberdeen.
*Edgemont Livestock Commission Co	Edgemont.
*Eureka Livestock Commission Co	Eureka.
*Faith Livestock Commission Co., Inc	Faith.
*Gregory Livestock Auction Co	Gregory.
*Herreid Livestock Commission Co	Herreid.
*Hub City Livestock Sales	Aberdeen.
*Kramer's Livestock Auction Co., Inc	Sioux Falls.
*Lemmon Livestock Market, Inc	Lemmon.
*Loken's Watertown Sale Pavilion	Watertown.
*Madden's Livestock Auction Market, Inc	St. Onge.
*Magness-Huron Livestock Exchange, Inc	Huron.
*Marshall Livestock Auction Co	Britton.
*Martin Auction Co., Inc	Martin.
*McLaughlin Commission Co., Inc	McLaughlin.
*Mobridge Livestock Auction Sales, Inc	Mobridge.
Owen Livestock Co	Britton.
*Philip Livestock Auction	Philip.
*Rapid City Livestock Commission Co	Rapid City.
*Sioux Falls Stock Yards Co	Sioux Falls.
*Sisseton Livestock Auction Inc	Sisseton.
*South Dakota Livestock Sales Co	Watertown.
*Stockmen's Livestock Auction Co	Yankton.
*Sturgis Livestock Exchange, Inc	Sturgis.
*Timber Lake Livestock Auction	Timber Lake.
*Wall Livestock Auction	Wall.
*Webster Livestock Exchange	Webster.
*Willow Lake Livestock Auction	Willow.
*Winner Livestock Auction Co	Winner.
*Yankton Livestock Auction Market	Yankton.

TENNESSEE

Algood Stockyard	Algood.
Athens Livestock Auction Co	Athens.
*Bedford County Feeder Pig Sale	Unionville.
*Harry Bogle Feeder Pig Barn	Murfreesboro.
*Johnny Boyce Feeder Pig Barn	Unionville.
*Boyce Livestock Co	Do.
*Brownsville Feeder Sale Association	Brownsville.
Bryan, R. D	Morrison.
C & M Livestock Market	Jamestown.
Caldwell Livestock, Inc	Jackson.
*Carroll County Feeder Pig Association	Huntingdon.

TENNESSEE—Continued

Chattanooga Union Stockyard	Chattanooga.
Altsheler & Payne d.b.a. Clarksville Livestock Co	Clarksville.
Frosty Morn Meats d.b.a. Clarksville Livestock Market	Do.
Cleveland Livestock Auction Co	Cleveland.
*Chickasaw Feeder Association	Selmer.
Clinton Livestock Auction Co	Clinton.
Coffee County Livestock Market	Manchester.
Collierville Livestock Auction Co	Collierville.
Cookeville Livestock Market	Cookeville.
*Covington Feeder Pig Sale	Covington.
Covington Sales Co	Do.
Crockett County Sales Co	Maury City.
Cumberland City Stockyard	Cumberland City.
*Cumberland Feeder Pig Sales	Cookeville.
DeKalb County Livestock Co	Alexandria.
*Joe H. Derryberry d.b.a. Derryberry Pig Farm	Chesterfield.
Dickson Livestock Center	Dickson.
*Dickson County Feeder Pig Sale	White Bluff.
*Dixie National Stockyards	Memphis.
East Tennessee Livestock Center	Sweetwater.
Farmers Auction Co	Fayetteville.
Farmers Commission Co	Carthage.
Farmers Livestock Exchange	Union City.
Farmers Livestock Market	Greeneville.
*Feeder Pig Division of Humphreys County Livestock Association	Waverly.
*Feeder Pig Division of Lawrence County Livestock Association	Lawrenceburg.
*Feeder Pig Division of Marshall County Livestock Association	Lewisburg.
Gamaliel Livestock Market	Gamaliel.
*T. D. Garrett & Sons	College Grove.
*Giles County Feeder Pig Sales	Pulaski.
Giles County Stockyard	Do.
Greeneville Livestock Co., Inc	Greeneville.
*Hardin County Livestock Association	Savannah.
Hardin County Stockyards	Do.
Hartsville Livestock Market	Hartsville.
*J. T. Herren Feeder Pig Market	Baxter.
*Hickman County Area Feeder Pig Sale	Centerville.
*Higgins, (Brady and Jimmy) Pig Barn	Woodbury.
*Grady Higgins Pig Barn	Do.
*Hughes Feeder Pig	Guys.
Jackson County Commission Co	Gainesboro.
*Jamestown Feeder Pig Market	Jamestown.
*Johns Bros. Feeder Pigs	Chapel Hill.
Johnson City Livestock Market	Johnson City.
*Jolley Brothers	Doyle.
Jonesboro Livestock Yard, Inc	Telford.
Kingsport Livestock Market	Kingsport.
Lawrence County Stockyards	Lawrenceburg.
Lewis County Stockyard	Hohenwald.
Lexington Sales Co	Lexington.
Logan Livestock Co	Union City.
*McMinnville Area Feeder Pig Sale	McMinnville.
McNairy County Livestock and Auction Corporation	Selmer.
Macon County Livestock Market	Lafayette.
Middleton Sales Co	Middleton.
Mid-South Livestock Commission Co	Columbia.
*Mid-State Producers Feeder Pig Sale	Woodbury.
*J. H. Hudson d.b.a. Montgomery County Feeder Pig Sales	Clarksville.
Morristown Stockyards, Inc	Morristown.
Murfreesboro Livestock Market Co	Murfreesboro.
Nashville Union Stockyard	Nashville.
Newbern Livestock Co	Newbern.
David Via—Newbern Sales Co., Inc	Do.
New Tazewell Livestock Market	New Tazewell.
*Northwest Tennessee Feeder Pig Association	Trenton.
Oliver Livestock Co	Union City.
Paris Livestock Commission Co	Paris.
Peoples Livestock Market	Cookeville.
Peoples Stockyard	Fayetteville.
Plateau Livestock Exchange	Crossville.
Pulaski Stockyard	Pulaski
Ramsey, Bob	Viola.
*Robinson, Jimmie & Son	Franklin.
Rogersville Livestock Market	Rogersville.
Sampson & Maxwell Livestock Auction (Odell Sampson)	Lewisburg.
Scotts Hill Auction Co., Inc	Scotts Hill.
*Sells, Lonnie	Winchester
*Sevier County Livestock Association	Sevierville.
Sevier County Livestock Auction	Seymour.
Shelbyville Livestock Market	Shelbyville.
Smith County Commission Co., Inc	Carthage.
*Smith County Feeder Pig Association	Do.
Smithville Livestock Market	Smithville.

TENNESSEE—Continued

*Smotherman, E. H.	Murfreesboro.
South Memphis Stock Yards Co.	Memphis.
Southern Livestock Auction Co.	Columbia.
Southwestern Sales Co., Inc.	Huntingdon.
*Taylor Bros. Feeder Pigs	College Grove.
Tennessee Livestock Producers, Inc.	Fayetteville.
Do	Thompson Station.
Do	Woodbury.
Thompson Livestock Co.	Obion.
Trenton Livestock Sales	Trenton.
*Tri-County Feeder Pig Sale	Do.
Tri-County Stockyards	McKenzie.
Charles B. Davis & W. B. Lackery d.b.a. Tri-State Livestock Commission Co., Inc.	Chattanooga.
Trousdale County Livestock Market	Hartsville.
Union Livestock Yards, Inc.	Knoxville.
Unionville Livestock Market	Unionville.
*Volunteer Feeder Pig Association	Lexington.
*Walker, Dallas Livestock	Rutherford.
Ward, William Stockyard	South Fulton.
Warren County Livestock Co.	McMinnville.
*Weakley County Feeder Pig Sale	Dresden.
West Tennessee Auction Co.	Martin.
*D. L. Simpson d.b.a. White County Feeder Pig Association	Sparta.
White County Livestock Market	Do.
Wilson County Livestock Market	Lebanon.
Wilson Livestock Market	Newport.

TEXAS

*Dalhart Auction Co.	Dalhart.
*Fort Worth Stockyards	Fort Worth.
*Gainesville Livestock Auction	Gainesville.
*J & J Livestock Commission Co., Inc.	Texarkana.
Muenster Livestock Auction	Muenster.
*Pantex Feeder Pig Sale	Darrouzett.
*Texarkana Stockyards Co.	Texarkana.

UTAH

*Producers Livestock Marketing Association & North Salt Lake Livestock Co.	North Salt Lake.
Uintah Sales Barn, Inc.	Roosevelt.
Vernal Livestock Auction	Vernal.

VIRGINIA

Abingdon Livestock Market, Inc.	Abingdon.
Albermarle Livestock Market, Inc.	Charlottesville.
Bedford Livestock Market, Inc.	Bedford.
Caret Livestock Collection Point	Caret.
Christiansburg Livestock Market, Inc.	Christiansburg.
Creech Livestock Market, Inc.	South Hill.
Eddins Livestock Market	Standardsville.
Emporia Hog Market	Emporia.
Esskay Buying Station	Caret.
Farmers Livestock Market	Gate City.
Farmers Livestock Market, Inc.	Tazewell.
Do	Ewing.
*Farmers Livestock Exchange, Inc.	Winchester.
*Farmville Livestock Market	Farmville.
Fauquier Livestock Exchange, Inc.	Marshall.
Fredericksburg Stockyard, Inc.	Fredericksburg.
Front Royal Livestock Market	Front Royal.
Galax Livestock Market, Inc.	Galax.
Halifax Livestock Market	Halifax.
Lee Farmers Livestock Market, Inc.	Jonesville.
Leesburg Livestock Market, Inc.	Leesburg.
Leonard Harrell Livestock	Chesapeake.
Lottsburg Buying Station	Lottsburg.
Lynchburg Livestock Market	Lynchburg.
Madison Livestock Market, Inc.	Madison Mills.
McComb & Block, Inc. (Buying Station) Lawrenceville Hog Market	Lawrenceville.
Monterey Livestock Sales, Inc.	Monterey.
Narrows Livestock Auction Market	Narrows.
*Nokesville Livestock Market	Nokesville.
Old Dominion Livestock, Inc.	Culpeper.
*Orange Livestock Market, Inc.	Orange.
Pearce's Livestock Market	Holland.
Phenix Livestock Market	Phenix.
Pulaski County Livestock Market	Dublin.
Richmond Union Stockyards	Richmond.
Roanoke-Hollins Livestock Market	Hollins.
Roanoke Livestock Market	Roanoke.
*Rockingham Livestock Sales, Inc.	Harrisonburg.
J. L. Rose Hog Buying Stations	Courtland.

VIRGINIA—Continued

Do	Wakefield.
Saluda Buying Station	Glennis.
Scott County Livestock Market	Gates City.
Shen-Valley Buying Station	Dillwyn.
Do	Madison Mills.
*Shenandoah Valley Livestock Sales, Inc	Harrisonburg.
Smithfield Livestock Market, Inc	Smithfield.
Smithfield Packing Co. Buying Station	Courtland.
South Boston Livestock Market	South Boston.
Southampton Peanut Co. Buying Station	Branchville.
Southside Stockyards, Inc	Blackstone.
*Southside Stockyards, Inc	Petersburg.
*Staunton Livestock Market, Inc	Staunton.
*Staunton Union Stockyards	Do.
*Tappahannock Livestock Market, Inc	Tappahannock.
Tazewell Livestock Market, Inc	Tazewell.
*Tidewater Livestock Sales Co	Courtland.
Tri-State Livestock Market, Inc	Abingdon.
B. C. Umbargers Assembly Yard	Wytheville.
*Virginia-Carolina Livestock & Agricultural Market, Inc	Danville.
Victoria Livestock Market	South Hill.
*Walker Bros. Livestock Pavilion	Seven Mile Ford.
*Woodstock Livestock Market, Inc	Woodstock.
Wytheville Livestock Market, Inc	Wytheville.

WASHINGTON

*Auburn Livestock, Inc	Auburn.
*Prosser Commission Co., Inc	Prosser.
*Stockland Union Stockyards	Spokane.
*Walla Walla Livestock & Feedlot	Walla Walla.

WEST VIRGINIA

*Bluegrass Market, Inc	North Caldwell.
*BlueRidge Livestock Sales, Inc	Charles Town.
Bridgeport Stockyards, Inc	Bridgeport.
*Buckhannon Stockyards	Buckhannon.
Elkins Stockyard, Inc	Elkins.
*Jackson County Livestock Market, Inc	Ripley.
Mannington Livestock Sales, Inc	Mannington.
*Moundsville Livestock Auction Co	Moundsville.
*Ohio County Livestock Auction	Mt. Echo.
*Point Pleasant Livestock Co	Point Pleasant.
South Branch Stockyard, Inc	Moorfield.
*Terra Alta Stockyard, Inc	Terra Alta.
*United Livestock Sales Co	Parkersburg.

WISCONSIN

*Clarance Acker	Middleton.
*Belmont Livestock Market	Belmont.
Al Berning	Cuba City.
Condon Stockyards	Brodhead.
Do	Juda.
Darlington N.F.O. Stockyards	Darlington.
*Dittner Feeder Pigs	Marshfield.
*Drees Livestock Co	Peshtigo.
Dubuque Packing Co. Stockyards	Browntown.
Dubuque Packing Co. Stockyards	Browntown.
Dubuque Stockyards	Gratiot.
Dubuque Stockyards (Kuhl's)	Hazel Green.
*Don Eilers	Marshfield.
Ellsworth N.F.O. Collection Point	Ellsworth.
*Equity Co-op Livestock Sales	Johnson Creek.
Grant County Livestock Exchange	Hazel Green.
*Grassland Feeder Pig Co	Neillsville.
*3-H Association Pig Growers	Waupun.
*Iowa County Livestock Market	Dodgeville.
Oscar Mayer & Co	Avalon.
Do	Cuba City.
Do	Darlington.
Do	Monroe.
Do	Prairie du Chien.
Do	Shullsburg.
*Midwest Livestock Producers Co-op	Darlington.
*Midwest Livestock Producers, Inc	Fennimore.
Do	Francis Creek.
Do	Lomira.
Do	New Richmond.
Milwaukee Stockyards	Milwaukee.
*Monticello Livestock Sales	Monticello.
NFO Collection Point	Independence.
*Tim Orr Livestock Market	Waupaca.

WISCONSIN—Continued

*Gordon Peterson	Waupaca.
*Charles Pufahl Market	Do.
*Lawrence Richter & Son	Rice Lake.
Rock County Reload Market	Hanover.
*Donald Schwebs Market	De Forest.
Emil Treuthardt	Juda.
*Waupaca County Feeder Pig Sales	Scandinovia.
*Welsh's Feeder Pig Market	Fennimore.
*Wisconsin Feeder Pig Cooperative Livestock Market	Almena.
*Wisconsin Feeder Pig Co-op	Boltenville.
Do	Francis Creek.
Do	Galesville.
*Wisconsin Feeder Pig Market Co-op	Lancaster.
*Wisconsin Feeder Pig Co-op	Waupaca.
*Ray Wolosek	Wisconsin Rapids.

WYOMING

*Douglas Livestock Exchange, Co	Douglas.
*Gillette Livestock Exchange	Gillette.
*Greybull Livestock Auction	Greybull.
Pierce Packing Co. Buying Station	Powell.
*Powell Auction Market	Do.
*Sheridan Livestock Exchange	Sheridan.
*Stockgrowers Livestock Auction	Worland.
*Torrington Livestock Commission Co	Torrington.
*Stockman's Livestock Auction	Do.

(Sec. 2, 32 Stat. 792, as amended; secs. 4 and 5, 23 Stat. 32, as amended; sec. 1, 75 Stat. 481; sec. 1, 32 Stat. 791, as amended; secs. 3 and 4, 33 Stat. 1265, as amended; secs. 3 and 11, 76 Stat. 130, 132 (21 U.S.C. 111–113, 114g, 120, 125, 126, 134b, 134f); 37 FR 28464, 28477; 38 FR 19141).

Effective date. The foregoing notice shall become effective on July 25, 1974.

This action imposes certain restrictions necessary to prevent the spread of hog cholera and must be made effective immediately to accomplish its purpose in the public interest. Accordingly, under the administrative procedure provisions of 5 U.S.C. 553, it is found upon good cause that notice and other public procedure with respect to this action are impracticable and contrary to the public interest, and good cause is found for making this notice effective less than 30 days after publication in the FEDERAL REGISTER.

Done at Washington, D.C., this 19th day of July, 1974.

J. M. HEJL,
Deputy Administrator, Veterinary Services, Animal and Plant Health Inspection Service.

[FR Doc.74-17010 Filed 7-24-74;8:45 am]

[PPQ 639]

SOIL SAMPLES FOR PROCESSING, TESTING, OR ANALYSIS

List of Approved Laboratories Authorized To Receive Interstate and Foreign Shipments

This document revises the regulation listing laboratories authorized to receive interstate or foreign shipments, or both, of soil samples for processing, testing, or analysis by deleting reference to laboratories which no longer receive interstate shipments of soil samples for analysis, and by deleting reference to laboratories whose permits to receive foreign soil samples have expired. It further revises the regulations by adding laboratories approved since the last revision of the list to receive such soil samples. It reflects the new import permit expiration dates for laboratories whose permits to receive foreign soil samples have been extended since the last revision of the list. It also deletes the footnote reference and expiration date for those laboratories whose permit to receive foreign soil samples have expired but whose permits to receive interstate shipments are still valid. Various other changes were also made.

Under the Japanese Beetle, White-fringed Beetle, Witchweed, Imported Fire Ant, and Golden Nematode Quarantines (Notices of Quarantine Nos. 48, 72, 80, 81, and 85; 7 CFR 301.48, 301.72, 301.80, 301.81, and 301.85), under sections 8 and 9 of the Plant Quarantine Act of August 20, 1912, as amended, and section 106 of the Federal Plant Pest Act (7 U.S.C. 161, 162, 150ee), the list of laboratories (39 FR 8362) operating under a compliance agreement and approved under said quarantines to receive interstate or foreign shipments, or both, of soil samples for processing, testing, or analysis is hereby revised as follows:

LABORATORY AND ADDRESS

A

A & H Corp., Consulting Engineers, Carbondale, IL.
A & H Corp., Consulting Engineers, Champaign, IL.
A & H Corp., Consulting Engineers, Chicago, IL.
A & H Corp., Consulting Engineers, Peoria, IL.
A & H Engineering Corp., Springfield, IL.
A & L Laboratory, Memphis, TN [2] (6-30-79).
ATS, Arvin, CA [2] (6-30-76).
Abbott Laboratories, North Chicago, IL [2] (6-30-76).
Ackenheil, A. C., & Associates, Inc., Pittsburgh, PA.
Agrico Chemical Co., Washington Courthouse, OH.
Agricultural Service Laboratories, Pharr, TX [2] (6-30-77).
Alfred Agricultural and Technical Institute, State University of New York, Deparment of Agronomy, Alfred, NY.
Allied Chemical Corp., Morristown, NJ.
Ambric Testing & Engineering Associates, Inc., Testing Laboratories, Arlington, VA.
American Cyanamide Co., Princeton, NJ.
American Oil Co., Soil Laboratories, Holland, TX.
American Oil Co., Soil Testing Laboratory, Yoder, IN.
Ameron, South Gate, CA.
Amoco, Soil Guide Laboratory, Rochelle, GA.
Analysis Laboratories, Inc., Metairie, LA.
Analytical Biochemistry Laboratories, Inc., Columbia, MO.
Analytical Development Corp., Monument, CO [2] (6-30-79).
Anco Testing Laboratory, Inc., St. Louis, MO.
Arizona State University, Tempe, AZ.
Arizona State University, Department of Anthropology, Tempe, AZ [2] (6-30-79).
Arizona Testing Laboratory, Phoenix, AZ.
Arizona, University of, Department of Plant Pathology, Tucson, AZ [2] (6-30-77).
Arizona, University of, Department of Soils, Water, and Engineering, Tucson, AZ [2] (6-30-75).
Arkansas, University of, Experiment Station, Fayetteville, AR.
Arkansas, University of, Experiment Station, Mariana, AR.
Arkansas Highway Department, Materials and Testing Laboratory, Little Rock, AR.
Arkansas Laboratories, Inc., Fort Smith, AR.
Asphalt Institute, College Park, MD.
Asphalt Technology, Bellmawr, NJ.
Astrotech, Inc., Harrisburg, PA.
Atkins Farmlab, Chico, PA.
Atlanta Testing & Engineering Co., Atlanta, GA.
Auburn University, Soil Testing Laboratory, Auburn, AL.

B

Babcock, Edward S. & Sons, Riverside, CA.
Baker, Michael, Inc., Rochester, PA.
Barbot, D. C. & Associates, Inc., Florence, SC.
Barrow-Agee Laboratories, Inc., Memphis, TN.[1]
Beckman, Inc., Microbics Operations, La Habra, CA.
Bethany Laboratory of Uni-Royal Chemical, Division of Uni-Royal, Inc., Bethany, CT.
Biological Testing and Research Laboratory, Lindsay, CA.
Boring Soils & Testing Co., Inc., Harrisburg, PA.
Boswell, J. G., Co., Corcoran, CA [2] (6-30-76).
Bowes & Associates, Strawberry Park Road, Steamboat Springs, CO [2] (6-30-76).
Bowser-Morner Testing Laboratories, Inc., Dayton, OH.
Brandley, Reinard W., Sacramento, CA.
Braun, Skaggs, and Kevorkian Engineering, Inc., Fresno, CA.
Bristol Laboratories, Syracuse, NY.
Broeman, F. C., & Co., Cincinnati, OH.
Brookside Laboratory, Division of Chemical Service Laboratory, Inc., New Knoxville, OH.
Brown and Root-Northrop IRL, Houston, TX.
Brucker & Associates, St. Louis, MO.

C

CIBA-Geigy Corp., Agriculture Division, Greensboro, NC [2] (6-30-77).
CPC International, Inc., Argo, IL.
California Department of Food & Agriculture, Chemistry Laboratories, Sacramento, CA.
California Department of Public Works, Division of Highways Materials and Research, Sacramento, CA.
California State Polytechnic College, Department of Biological Sciences, Pomona, CA [2] (6-30-75).

California State University, Dept. of Biology, San Diego, CA [2] (6-30-75).
California Testing Laboratories, Los Angeles, CA.
California, University of, Agricultural Extension Service, Riverside, CA.
Calif., Univ. of, Dept. of Agronomy & Range, Science, Davis, CA [2] (6-30-75).
California, Univ. of, Dept. of Civil Engineering, Davis, CA [2] (6-30-77).
California, University of, Department of Food Science & Technology, Davis, CA [2] (6-30-77).
California, University of, Department of Plant Pathology, Berkeley, CA [2] (12-31-74).
California, University of, Department of Soil Science & Agricultural Engineering, Riverside, CA [2] (6-30-75).
California, University of, Department of Soils & Plant Nutrition, Berkeley, CA [2] (6-30-75).
California, University of (Los Angeles), Laboratory of Nuclear Medicine and Radiation Biology, Los Angeles, CA.
California State College San Bernardino, Department of Biology, San Bernardino, CA [2] (6-30-75).
Calspan Corp., Buffalo, NY.
Campbell Institute for Agricultural Research, Riverton, NJ [2] (6-30-79).
Capozzoli, Louis J., & Associates, Inc., Baton Rouge, LA.
Carnegie-Mellon University, Civil Engineering Department, Pittsburgh, PA [2] (6-30-75).
Carpenter Construction Co., Inc., Virginia Beach, VA.
Cascade Agricultural Service Co., Mt. Vernon, WA.
Central Michigan University, Department of Biology, Mount Pleasant, MI [2] (6-30-75).
Chemagro Corp., Kansas City, MO [2] (6-30-77).
Chembac Laboratories, Charlotte, NC.
Chemical Service Laboratory, Inc., Jeffersonville, IN [2] (6-30-75).
Chemical Service Laboratory, Inc., New Knoxville, OH [2] (6-30-76).
Chemonics Industries, Phoenix, AZ [2] (6-30-78).
Chevron Chemical Co., Richmond, CA.
Chevron Oil Field Research Co., La Habra, CA.
Christian Testing Laboratories, Inc., Montgomery, AL.
Cincinnati, University of, Dept. of Geology, Cincinnati, OH [2] (6-30-75).
Citizens National Bank of Paris Soil Testing Laboratory, Paris, IL.
Clarkson Laboratory & Supply, Inc., San Diego, CA [2] (6-30-75).
Clemson University, Clemson, SC.
Clinton Corn Processing Company, Clinton, IA [2] (6-30-79).
Coenen and Associates-Engineers, Newport News, VA.
Colorado State University, Dept. of Agronomy, Fort Collins, CO [2] (6-30-75).
Colorado State University, Department of Economics, Fort Collins, CO.
Colorado, University of, Department of Geological Sciences, Boulder, CO.
Commercial Laboratory, Inc., Richmond, VA.
Commercial Testing & Engineering Co., Chicago, IL.[1]
Connecticut, University of, Soil Testing Laboratory, Plant Science Department, College of Agriculture and Natural Resources, Storrs, CT.
Consolidated Cigar Corp., Glastonbury, CT.
Construction Aggregates Corp., Ferrysburg, MI.
Contractors & Engineers Service, Inc., Fayetteville, NC.
Contractors & Engineers Service, Inc., Goldsboro, NC.
Converse, Davis, and Associates, Pasadena, CA [2] (6-30-75).
Cook Research Laboratories, Inc., Menlo Park, CA.
Cookwell Strainer, Cincinnati, OH.
Cooper-Clark & Associates, Palo Alto, CA.
Coors Spectro-Chemical Laboratory, Denver, CO.
Core Laboratories, Inc., Aurora, CO.
Core Laboratories, Inc., Houma, LA.
Core Laboratories, Inc., Lafayette, LA.
Core Laboratories, Inc., New Orleans, LA.
Core Laboratories, Inc., Shreveport, LA.
Core Laboratories, Inc., Farmington, NM.
Core Laboratories, Inc., Hobbs, NM.
Core Laboratories, Inc., Dallas, TX.
Core Laboratories, Inc., Casper, WY.
Cornell University, Department of Agronomy, Ithaca, NY [2] (6-30-79).
Cornell University, Food Science Department, Ithaca, NY [2] (6-30-75).
Cornell University, Department of Floriculture and Ornamental Horticulture, Ithaca, NY [2] (6-30-76).
Craig Testing Laboratories, Mays Landing, NJ.
Crobaugh Laboratories, Cleveland, OH.
Crop Chemical Testing Services, Inc., Arcola, IL.

D

Dade County Soils Laboratory, Homestead, FL [2] (6-30-75).
Dames & Moore, Los Angeles, CA [2] (6-30-76).
Dames & Moore, San Francisco, CA [2] (6-30-77).
Dames & Moore, Atlanta, GA [2] (6-30-76).
Dames & Moore, Houston, TX [2] (6-30-75).
Dames & Moore, Park Ridge, IL [2] (6-30-78).
Dames & Moore, Cranford, NJ [2] (6-30-75).
D'Appolonia, E., Consulting Engineers, Inc., Pittsburgh, PA [2] (6-30-77).
Darwin, Charles, Research Institute, Dana Point, CA [2] (6-30-77).
Davey Tree Expert Co., Kent, OH.
Daylin Laboratories, Inc., Los Angeles, CA.
Del Monte Corp., San Leandro, CA.
Del Monte Corp., Walnut Creek, CA.
Delta Testing and Inspection, Inc., Baton Rouge, LA.
Delta Testing and Inspection, Inc., Lafayette, LA.
Delta Testing and Inspection, Inc., New Orleans, LA.
Denver, University of, Department of Geography, Denver, CO [2] (6-30-77).
Diamond Shamrock Corp., Painesville, OH.
Dickinson Laboratories, Inc., Mobile, AL.
Dixie Laboratories, Inc., Mobile, AL.
Dow Chemical Co., Walnut Creek, CA [2] (6-30-77).
Dow Chemical Co., Midland, MI [2] (6-30-76).
du Pont de Nemours, E. I. & Co., Industrial and Biochemicals Department, Foreign Sales, Wilmington, DE [2] (6-30-76).
Duke University, Durham, NC.
See footnotes at end of document.
Duke University, Department of Botany, Durham, NC [2] (6-30-75).
Duke University, Department of Zoology, Durham, NC [2] (6-30-76).

E

EFCO Laboratories, Tucson, AZ [2] (6-30-78).
Eagle Iron Works, Des Moines, IA [2] (6-30-77).
Earlham College, Department of Biology, Richmond, IN [2] (6-30-75).
Eli Lilly & Co., Lilly Research Laboratories, Indianapolis, IN [2] (6-30-75).
Eisenhauer Laboratories, Covina, CA.
Ellerbe Architect, Bloomington, MN.
Elmira College, Department of Botany, Elmira, NY [2] (6-30-75).
El Paso Chemical Laboratories, El Paso, TX [2] (6-30-78).
Empire Soils Investigations, Groton, NY.
Engineering, Surveys, and Services, Columbia, MO.
Engineers Laboratories, Inc., Jackson, MS.
Engineers Testing Laboratories, Phoenix, AZ.
Environmental Science & Engineering Corp., Mt. Juliet, TN.
Eustis Engineering Co., Metairie, LA.
Evans, Jay, Testing Laboratory, Albany, GA.
Evans, L. T., Inc., Los Angeles, CA.
Everglades Laboratories, Inc., West Palm Beach, FL [2] (6-30-75).

F

Farm Clinic, West Lafayette, IN [2] (6-30-76).
Federal Chemical Co., Columbus, OH.
Federal Chemical Co., Nashville, TN.
Fertilizers, John Taylor, Sacramento, CA.
Florida Department of Agriculture and Consumer Services, Pesticide Residue Program, Tallahassee, FL.
Florida State University, Dept. of Geology, Tallahassee, FL [2] (6-30-75).
Florida State University, Dept. of Oceanography, Tallahassee, FL [2] (6-30-75).
Florida Testing Laboratories, Inc., St. Petersburg, FL.
Florida, University of, Agricultural Research and Education Center, Bradenton, FL [2] (6-30-76).
Florida, University of, Agricultural Research and Education Center, Lake Alfred, FL.
Florida, University of, Agricultural Extension Service, Soil Testing Laboratory, McCarty Hall, Gainesville, FL.
Florida, Univ. of, Dept. of Geology, Floyd Hall, Gainesville, FL [2] (6-30-79).
Foley, Hubert L., Jr., New Albany, MS.
Flowers Chemical Laboratories, Altamonte Springs, FL.
Foundation Test Services, Inc., Bethesda, MD.
Franklin, R. T., & Assoc., Burbank, CA.
Froehling & Robertson, Inc., Richmond, VA.[1]
Fruco & Associates, St. Louis, MO.
Fruin-Colnon Corp., St. Louis, MO.
Fugro, Inc., Long Beach, CA [2] (6-30-75).
Fugro Gulf, Inc., Houston, TX [2] (6-30-75).

G

GHT Laboratories of Imperial Valley, Inc., Brawley, CA.
GREFCO, Inc., Torrance, CA [2] (6-30-78).
GREFCO, Inc., Lompoc, CA [2] (6-30-79).
GX Laboratories, Inc., Golden, CO [2] (6-30-77).
General Testing Laboratory, Kansas City, MO.
Geochemical Surveys, Dallas, TX.
Geologic Associates, Franklin, TN.
Geologic Associates, Knoxville, TN.
Georgia State Department of Transportation, Office of Material and Pest, Forest Park, GA.[1]
Georgia Testing Laboratory, Atlanta, GA.
Georgia, University of, Department of Agronomy, Athens, GA [2] (6-30-78).
Georgia, University of, Institute of Ecology, Athens, GA [2] (6-30-75).
Georgia, University of, Experiment, GA.
Georgia, University of, Tifton, GA.
Geo-Survey, Inc., Camp Hill, PA [2] (6-30-75).
Geotechnical Consultants, Inc., Burbank, CA.[1]
Geo-Testing, Inc., San Rafael, CA [2] (6-30-79).
Gillen Engineering Co., Inc., Metairie, LA.
Girdler Foundation & Exploration Co., Lenexa, VA.
Glassmire, S. H., & Associates, Metairie, LA [2] (6-30-75).
Gooch, George W., Laboratory, Ltd., Los Angeles, CA.
Gore Engineering, Inc., Metairie, LA.
Grace, W. R., & Co., Fort Pierce, FL [2] (6-30-76).
Grace, W. R., & Co., Washington Research Center, Clarksville, MD [2] (6-30-77).
Grace, W. R., & Co., Nashville, TN.
Green Engineering Co., Sewickley, PA.
Green Giant Co., Agricultural Research Department, Le Sueur, MN [2] (6-30-75).
Grimes, Walter B., & Associates, Chico, CA.
Growers Chemical Corp., Milan, OH.

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Grubbs Consulting Engineers, Little Rock, AR.
Gulf Coast Testing Laboratory, Inc., Corpus Christi, TX.
Gulf South Research Institute, Baton Rouge, LA.
Gulf South Research Institute, New Orleans, LA.

H

Hales Testing Laboratories, Santa Clara, CA.
Hales Testing Laboratories, Oakland, CA.
Hamilton Company, Soil Testing Laboratory, McLeansboro, IL.
Hampton Roads Testing Laboratories, Newport News, VA.
Hanks, Abbot A., Testing Laboratory, San Francisco, CA.
Hanson Engineers, Inc., Springfield, IL [3] (6–30–78).
Harding, Miller, Lawson, & Associate, San Rafael, CA [2] (6–30–75).
Harris, Inc., Frederick R., Woodbridge, NJ [3] (6–30–76).
Harris Laboratories, Inc., Phoenix, AZ [1 3] (6–30–77).
Harris Laboratories, Inc., Lincoln, NE.
Harvard University, Peabody Museum, Cambridge, MA [3] (6–30–78).
Harvard University, Soil Mechanics Laboratory, Cambridge, MA.
Harza Engineering Co., Chicago, IL [3] (6–30–77).
Hawley & Hawley, Division of Skyline Labs, Inc., Tucson, AZ [3] (6–30–75).
Haynes, John H., Consulting Engineer, Dallas, TX.
Hazen Research Inc., Golden, CO [2] (6–30–78).
Hazelton Laboratories, Inc., Falls Church, VA.
Hector Supply Co., Miami, FL.
Heinrichs Geoexploration Co., Tucson, AZ [2] (6–30–76).
Heinz, H. J., Bowling Green, OH.
Hemphill Corp., Tulsa, OK.
Herbert & Associates, Virginia Beach, VA.
Hercules, Inc., Wilmington, DE [2] (6–30–75).
Hess, John D., Testing Corp., El Centro, CA.
Hill-Harned & Associates, Redding, CA.
Hill Top Research, Inc., Miamiville, OH.
Hoffman-LaRoche, Inc., Nutley, NJ [3] (6–30–78).
Hollywood Testing Laboratories, Hollywood, CA.
Horvitz Research Laboratories, Houston, TX.
Hunt, Robert W., Co., Chicago, IL.
Hunter College, Department of Anthropology, New York, NY.
Hurst-Rosche Engineers, Inc., Hillsboro, IL.

I

IIT Research Institute, Chicago, IL.
IRI Research Institute, Inc., New York, NY.
Illinois Division of Highways, Bureau of Materials, Chicago, IL.
Illinois Division of Highways, Bureau of Materials, Dixon, IL.
Illinois Division of Highways, Bureau of Materials, Effingham, IL.
Illinois Division of Highways, Bureau of Materials, Elgin, IL.
Illinois Division of Highways, Bureau of Materials, Paris, IL.
Illinois Division of Highways, Bureau of Materials, Springfield, IL.
Illinois Division of Highways, Carbondale, IL.
Illinois Division of Highways, East St. Louis, IL.
Illinois Division of Highways, Ottawa, IL.
Illinois Division of Highways, Peoria, IL.
Illinois, University of, Department of Agronomy, Urbana, IL.
Illinois, University of, Department of Anthropology, Urbana, IL [2] (6–30–75).
Illinois, University of, at Chicago Circle, Department of Geography, Chicago, IL [3] (6–30–78).
Indiana Farm Bureau Co-op, Indianapolis, IN.
Indiana State Highway Commission, Division of Materials and Testing, Indianapolis, IN.
Indiana University, Biology Department, Bloomington, IN [2] (6–30–75).
Indiana University, Department of Geology, Bloomington, IN.
Industrial Bio-Test Laboratories, Inc., Northbrook, IL.
Institute for Research, Inc., Houston, TX.
International Agriculture Services, San Francisco, CA [2] (6–30–77).
International Mineral & Chemical Corp., Libertyville, IL.
International Mineral & Chemical Corp., Mulberry, FL.
International Mineral Engineers, Inc., Golden, CO.
International Research Corp., Mattawan, MI.
Interpace Corp., Los Angeles, CA [2] (6–30–75).
Iowa State Highway Commission Soil Laboratory, Ames, IA.
Iowa State University, Engineering Research Institute, Ames, IA [2] (6–30–75).

J

Jennings Laboratories, Virginia Beach, VA.
Jersey Testing Laboratories, Atco, NJ.
Jersey Testing Laboratories, Newark, NJ.
Jewell, G. K., & Associates, Columbus, OH.
Johnson Soil Engineering Laboratory, Palisades Park, NJ.

K

Kaiser Agricultural Chemical Co., Sullivan, IL.
Kaiser Agricultural Chemicals Corp., Liberty, IN.
Kaiser Agricultural Chemicals Corp., Savannah, GA.
Kalo Laboratories, Inc., Quincy, IL.
Kansas City Testing Laboratory, Inc., Kansas City, MO.
Kansas, University of, Department of Geography, Lawrence, KS [2] (6–30–75).
Kearney Field Station, University of California, Division of Agricultural Sciences, Parlier, CA.
Kentucky, University of, Department of Agronomy, Lexington, KY [2] (6–30–76).
Kentucky, University of, Division of Regulatory Services, Lexington, KY.
Kleinfelder, J. H., & Associates, Fresno, CA.
Kleinfelder, J. H., & Associates, Merced, CA.
Kleinfelder, J. H., & Associates, Sacramento, CA.
Kleinfelder, J. H., & Associates, Stockton, CA.

L

LFE Environmental Analysis Laboratory, Richmond, CA.
Lake Ontario Environmental Laboratory, Oswego, NY.
Lancaster Laboratories, Inc., Lancaster, PA [2] (6–30–75).
Langan Engineering Associates, Clinton, NJ.
Langford & Meredith Laboratories, Division of The Analysts, Inc., The Analysts, Inc., New Orleans, LA.
Larsen, Herluf T., Enola, PA.
Larutan of the South, Hiram, GA.
La Salle County Farm Bureau, Soil Testing Laboratory, Ottawa, IL.
Law Engineering Testing Co., Atlanta, GA [1 3] (6–30–78).
Law Engineering Testing Co., McLean, VA [3] (6–30–79).
Layne-Western Co., Kansas City, MO.
Layne-Western Co., Kirkwood, MO.
Lederle Laboratories, Pearl River, NY [3] (6–30–75).
Leroy Crandall & Associates, Los Angeles, CA [2] (6–30–77).
Lewin, David W., Corp., Geotechnical Engineering, The Arcade, Cleveland, OH.
Libby, McNeill, & Libby, Janesville, WI [3] (6–30–76).
Lilly, Eli, & Co., Greenfield, IN [3] (6–30–79).
Lilly, Eli, & Co., Lilly Research Laboratories, Indianapolis, IN [3] (6–30–75).
Loma Linda University, Department of Biology, Loma Linda, CA [2] (6–30–75).
Louisiana Department of Highways, Baton Rouge, LA.
Louisiana State University, Department of Agronomy Laboratory, Baton Rouge, LA.
Louisiana State University, Coastal Studies Institute, Baton Rouge, LA.
Louisiana State University, New Orleans, LA.
Lowry Testing Laboratory, Sacramento, CA.
Lubbock Labs, Lubbock, TX.

M

M & T Chemicals, Inc., Rahway, NJ.
Maine State Highway Commission, Bangor, ME.
Maine, University of, Orono, ME.
Manchester College, Biology Department, North Manchester, IN.
Mapco, Inc., Indiana Point Division, Athens, IL.
Marr-Waddoups and Associates, Pasco, WA.
Mason Johnston & Associates, Inc., Dallas, TX.
Massachusetts Department of Public Works, Wellesley Hills, MA.
Massachusetts Institute of Technology, Soil Mechanics Division, Cambridge, MA [3] (6–30–75).
Massachusetts, University of, Department of Plant and Soil Sciences, Amherst, MA.
Maurseth Howe Lockwood & Associates, Los Angeles, CA [2] (6–30–75).
McCallum Inspection Co., Chesapeake, VA. [1]
McClelland Engineers, Clayton, MO.
McClelland Engineres, Inc., Houston, TX [3] (6–30–79).
McGauthy, Marshall, and McMillian, Norfolk, VA.
McGillivray, Ross T., Consulting Engineer, Temple Terrace, FL.
Memphis State University, Department of Biology, Memphis, TN.
Memphis State University, Department of Civil Engineering, Memphis, TN.
Merck Institute for Therapeutic Research, Rahway, NJ [2] (6–30–78).
Merck & Co., Inc., Agri Chemical Development, Rahway, NJ.
Michigan Department of Public Health, Bureau of Laboratories, Division of Antibiotics and Fermentation, Lansing, MI [2] (6–30–78).
Michigan State University, Department of Botany and Plant Pathology, East Lansing, MI [3] (6–30–77).
Michigan State University, Soil Science Department, East Lansing, MI [3] (6–30–76).
Michigan State University, Soil Testing Laboratory, East Lansing, MI.
Michigan, University of, Botany Department, Ann Arbor, MI [2] (6–30–79).
Michigan, University of Department of Zoology, Ann Arbor, MI [2] (6–30–75).
Michigan Testing Engineers, Inc., Michigan Drilling Division, Detroit, MI.
Midwest Soil Testing Service, Danforth, IL.
Mier, Ezra, Raleigh, NC.
Miles Laboratories, Inc., Marshall Division, Elkhart, IN [2] (6–30–77).
Miles Laboratories, Inc., Miles Research Division, West Haven, CT [2] (6–30–77).
Milwaukee, City of, Sewage Commission, Milwaukee, WI.
Minnesota Department of Transportation, St. Paul, MN.
Minnesota, University of, Department of Soil Science , St. Paul, MN [3] (6–30–75).
Mississippi State University, State College, MS.
Mississippi, University of, University, MS.
Missouri Highway Commission, Jefferson City, MO.

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Missouri, University of, Department of Food Sciences and Nutrition, Columbia, MO [3] (6-30-75).
Missouri, University of, Division of Biology, Columbia, MO [2] (6-30-76).
Monsanto Co., Agricultural Division, St. Louis, MO [3] (6-30-78).
Morse Laboratories, Sacramento, CA.
Mueser, Rutledge, Wentworth, and Johnston, New York, NY.

N

Na-Churs Plant Food Co., Marion, OH [3] (6-30-75).
Na-Churs, Red Oak, IA.
National Bulk Carriers, Inc., New York, NY.
National Laboratories, Evansville, IN.
Natural Resources Laboratory, Golden, CO.
National Soil Services, Inc., Dallas, TX.
National Soil Services, Inc., Houston, TX [2] (6-30-75).
Nebraska Department of Roads, Soil Testing Laboratory, Lincoln, NE.
Nebraska, University of, Department of Agronomy, Heim Hall, Lincoln, NE [3] (6-30-78).
Nelson Laboratories, Stockton, CA [3] (6-30-75).
Nevada State Highway Department Laboratory, Carson City, NV.
New Jersey Department of Transportation, Trenton, NJ.
New Mexico State Highway Department, Santa Fe, NM.
New Mexico State University, Soil Testing Laboratory, Las Cruces, NM [2] (6-30-76).
Niagara Chemical Division of FMC Corp., Middleport, NY.
North Carolina Department of Agriculture, Raleigh, NC.
North Carolina Department of Geology, Raleigh, NC.
North Carolina State University, Department of Soil Science, International Soil Testing Project, Raleigh, NC [3] (6-30-75).
North Carolina, University of, Department of Botany, Chapel Hill, NC (Dr. J. N. Couch).
North Carolina, University of, Department of Botany, Chapel Hill, NC (Dr. N. G. Miller).
North Carolina, University of, Department of Botany, Chapel Hill, NC [3] (6-30-75) (Dr. Edward G. Barry).
North Dakota State Highway Department, State Highway Department Laboratory, Bismarck, ND.
Norvell Plowman Laboratories, Little Rock, AR.
Nu-ag, Division of U.S. Testing Co., Inc., Rochelle, IL [3] (6-30-75).
Nutting, H. C., Co., Cincinnati, OH.

O

Ohio Florist Association, Columbus, OH.
Ohio State University, Botany Department, Columbus, OH [3] (6-30-76).
Ohio State University, Department of Agronomy, Columbus, OH.
Ohio State University, Institute of Polar Studies, Columbus, OH [3] (6-30-76).
Ohio State University, Zoology Department, Columbus, OH [3] (6-30-76).
Oklahoma State Highway Department, Materials Division, Oklahoma City, OK.
Oklahoma State University, Stillwater, OK.
Oklahoma State University, Department of Agronomy, Stillwater, OK.
Oklahoma State University, School of Civil Engineering, Stillwater, OK.
Oklahoma Soil Testing Laboratories, Oklahoma City, OK.
Oklahoma, University of, School of Civil Engineering and Environmental Science, Norman, OK.
Old Dominion University, Norfolk, VA.
Olson Management Service, Freeport, IL.
O'Neal, Carl & Associates, Dallas, TX.
Onondaga Soil Testing, Inc., East Syracuse, NY.
Oregon State Highway Department, Salem, OR.[1]
Oregon State University, Soils Department, Corvallis, OR [2] (6-30-76).
Osborne Laboratories, Inc., Los Angeles, CA.

P

Pacific Environmental Laboratory, San Francisco, CA [2] (6-30-75).
Pacific Spectro Chemical Laboratory, Los Angeles, CA.
Parke, Davis, & Co. (Joseph Campau at the River), Detroit, MI.
Parke, Davis, & Co., Medical and Science Affairs Division, Detroit, MI [2] (6-30-75).
Parrill, Irwin H., Edwardsville, IL.
Pattison's Laboratories, Inc., Harlingen, TX [3] (6-30-75).
Penniman & Browne, Inc., Baltimore, MD.
Penniman & Browne, Inc., Richmond, VA.
Pennsylvania State University, Department of Agronomy, University Park, PA [2] (6-30-76).
Pennsylvania, University of, Department of Geology, Philadelphia, PA [2] (6-30-78).
Perry Laboratory, Los Gatos, CA [2] (6-30-75).
Peters, Robert B., Co., Allentown, PA.
Pfeiffer Foundation, Inc., Threefold Farm, Spring Valley, NY [2] (6-30-78).
Pfizer, Charles, & Co., Inc., Groton, CT [3] (6-30-75).
Phifer, Allen, Thorofare, NJ.
Pickett, Ray, and Silver, St. Peters, MO.
Pioneer Testing Laboratory, Inc., Redlands, CA.
Pittsburgh Testing Laboratory, Pittsburgh, PA [1 3] (6-30-75).
Plains Laboratory, Lubbock, TX.
Pope, W. I., Mobile, AL.
Portland Cement Association, Skokie, IL.
Portland State College, Department of Biology, Portland, OR [2] (6-30-77).
Princeton University, Department of Geological & Geophysical Sciences, Princeton, NJ [2] (6-30-76).
Purdue University, Department of Agronomy, Lafayette, IN [3] (6-30-79).
Purdue University, Department of Entomology, Lafayette, IN.

Q

Queens College, Flushing, NY.

R

Raamot Associates, P.C., Corona, NY [2] (6-30-75).
Rabe, Fred N., Engineering, Inc., Fresno, CA.
Raymond International, St. Louis, MO.
Reitz and Jens, Clayton, MO.
Resources International, Fresno, CA [3] (6-30-79).
Richfield Oil Corp., Long Beach, CA.
Ringel and Associates, Chico, CA.
Rochester, University of, Department of Biology, Rochester, NY [2] (6-30-79).
Rocky Mountain Geochemical Corp., Midvale, UT.
Rocky Mountain Geochemical Corp., Prescott, AZ.
Rocky Mountain Technology, Inc., Golden, CO.
Rohm & Haas Company, Bristol, PA [2] (6-30-75).
Royster Co., Norfolk, VA.[1]
Rummel, Klepper, & Kahl, Lansdowne, MD.
Rutgers, the State University, Department of Soils and Crops, New Brunswick, NJ [2] (6-30-76).
Rutgers, the State University, International Agricultural Programs, New Brunswick, NJ [2] (6-30-76).
Rutgers, the State University, Soils Extension Specialist, New Brunswick, NJ.

S

San Fernando Valley State College, Department of Biology, Northridge, CA.
Sayre, Robert D., Richmond, VA.
Sayre & Sutherland, Inc., Richmond, VA [3] (6-30-75).
Schering Corp., Bloomfield, NJ [3] (6-30-79).
Scientific Associates, Inc., St. Louis, MO [3] (6-30-78).
Scott, O. M., & Sons, Seed Co., Marysville, OH.
Scottland Soil Laboratory, Chrisman, IL.
Seabrook Farms, Seabrook, NJ.
Shankman Laboratories, Los Angeles, CA.
Shannon & Wilson, Inc., Burlingame, CA.
Shannon & Wilson, Inc., Portland, OR.
Shannon & Wilson, Inc., Seattle, WA [3] (6-30-75).
Shawnee College Soils Laboratory, Ullin, IL.
Shell Development Co., Biological Sciences Research Center, Modesto, CA.
Shilstone Testing Laboratory, Inc., Baton Rouge, LA.
Shilstone Testing Laboratory, Corpus Christi, TX.
Shilstone Testing Laboratory, Inc., Houston, TX.
Shilstone Testing Laboratory, Inc., Lafayette, LA.
Shilstone Testing Laboratory, Inc., Monroe, LA.
Shilstone Testing Laboratory, Inc., New Orleans, LA.
Skyline Laboratories, Inc., Wheat Ridge, CO [3] (6-30-77).
Smith-Douglas, Chesapeake, VA.
Smith, Kline & French Laboratories, Swedeland, PA [2] (6-30-79).
Snohomish Farm Veterinary Service, Snohomish, WA.
Soil and Materials Engineers, Detroit, MI.
Soil and Plant Laboratory, Inc., Santa Ana, CA [2] (6-30-77).
Soil and Plant Laboratory, Inc., Santa Clara, CA [3] (6-30-75).
Soil Consultants, Inc., Charleston, SC.
Soil Consultants, Inc., Merrifield, VA.
Soil Control Laboratory, Watsonville, CA [3] (6-30-75).
Soil Engineering Services, Decatur, IL.
Soil Engineering Services, Inc., Minneapolis, MN.
Soil Exploration Co., St. Paul, MN.
Soil Services, Inc., Mountain View, CA [3] (6-30-78).
Soil Test, Moorestown, NJ.
Soil Testing, Burlington, WA.
Soil Testing Services, Inc., Northbrook, IL [2] (6-30-75).
Soilab Enterprises, Lancaster, CA.
Soils Mechanics Services, Mt. Vernon, NY [2] (6-30-75).
South Alabama, University of, Department of Geology, Mobile, AL [2] (6-30-78).
South Carolina University of, Columbia, SC.
South Carolina, University of, Department of Anthropology and Sociology, Columbia, SC [2] (6-30-75).
South Dakota State Highway Department, Materials and Testing Department, Pierre, SD.
South Dakota, University of, Department of Zoology, Vermillion, SD [2] (6-30-75).
Southern Illinois Farm Foundation, Vienna, IL.
Southern Laboratories, Mobile, AL.
Southern Technical Services, Inc., Jackson, MS.
Southern Testing and Research Laboratories, Wilson, NC.
Southern Testing Laboratory, Montgomery, AL.
Southern Turf Nurseries, Tifton, GA [2] (6-30-79).
Southwestern Agricultural Testing Co., Fabens, TX [2] (6-30-75).
Southwestern Assayers & Chemists, Inc., Tucson, AZ [2] (6-30-79).
Southwestern Irrigation Field Station, Brawley, CA.

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Southwestern Laboratories, Inc., Houston, TX [1].
Southwestern Laboratories of Louisiana, Inc Alexandria, LA.
Southwestern Laboratories of Louisiana, Inc., Baton Rouge, LA.
Southwestern Laboratories of Louisiana, Inc., Monroe, LA.
Southwestern Laboratories of Louisiana, Inc., Shreveport, LA.
Southeastern Materials Laboratory, Phoenix, AZ.
Squibb, E. R., & Sons, Dept. of Microbiology, Lawrenceville, NJ [2] (6-30-79).
St. Louis Testing Laboratories, Inc., St. Louis, MO.
Stabilization Chemicals, Orange, CA [2] (6-30-77).
Standard Laboratories, Goodfield, IL.
Standard Testing & Engineering Co., Oklahoma City, OK [2] (6-30-76).
Stanford Research Institute, Menlo Park, CA [2] (6-30-77).
Stauffer Chemical Co., Mountain View, CA.
Stauffer Chemical Co., Richmond, CA.
Stillwell & Gladding, Inc., New York, NY.
Stone & Webster Engineering Corp., Boston, MA [2] (6-30-75).
Stoner Laboratories, Campbell, CA.
Strawinsky Laboratory, Long Beach, CA.
Suerdrup and Parcel & Associates, Inc., St. Louis, MO.
Superior Oil Company, Geophysical Laboratory, Houston, TX [2] (6-30-79).
Syracuse University Research Corp., Syracuse, NY.

T

T-M-T Chemical Co., Inc., Five Points, CA.
Techlab, Inc., Cincinnati, OH.
Teledyne Isotopes, Palo Alto, CA.
Tennent & Associates, Memphis, TN.
Tennessee, University of, Soil Testing Laboratory, Nashville, TN.
Tennessee Valley Authority, Materials Engineering Laboratory, Knoxville, TN.
Test, Inc., Memphis, TN.
Testing Engineers, Inc., Oakland, CA.
Testing Engineers, Inc., San Jose, CA.
Testing Laboratories, Inc., El Paso, TX [2] (6-30-75).
Testing Service Corp., Wheaton, IL.
Tetco, Trinity Engineering Testing Corp., Corpus Christi, TX.
Texas A & M University, Department of Sociology and Anthropology, College Station, TX [2] (6-30-75).
Texas A & M University, Soil & Crop Sciences Department, College Station, TX [2] (6-30-75).
Texas A & M University, Soil Testing Laboratory, Agricultural Extension Service and Experiment Station, College Station, TX [2] (6-30-75).
Texas Soil Laboratory, McAllen, TX [2] (6-30-78).
Texas Technological University, Department of Agronomy, Lubbock, TX [2] (6-30-76).
Texas Testing Laboratories, Dallas, TX.
Texas, University of, Department of Botany, Austin, TX [2] (6-30-75).
Thompson, Vester J., Jr., Inc., Mobile, AL.
Thornton Laboratories, Inc., Tampa, FL.
Three Gee Dee, Pembroke, FL.
Tippetts - Abbett - McCarthy - Stration, New York, NY [2] (6-30-76).
Tri-State Soil Laboratory, Toledo, OH.
Trinity Testing Laboratories, Inc., Corpus Christi, TX.
Triple S Laboratory, Inc., Loveland, CO.
Truesdale Laboratories, Inc., Los Angeles, CA.
Twin City Testing and Engineering Laboratory, Inc., St. Paul, MN [2] (6-30-75).
Twin County Services Co., Murphysboro, IL.
Twining Laboratories, Inc., Fresno, CA [2] (6-30-79).
Twining Laboratory of Southern California, Long Beach, CA.

U

U.S. Agricultural Consultants Laboratories, San Gabriel, CA.
U.S. Borax Research Corp., Anaheim, CA.
U.S. Plant, Soil, and Nutrition Laboratory, Ithaca, NY.
U.S. Sugar Corporation, Research Department, Clewiston, FL.
U.S. Terrestrial Plants Laboratory, Hanover, NH.
U.S. Testing Co., Inc., Los Angeles, CA.
U.S. Testing Co., Inc., Hoboken, NJ.
U.S. Testing Co., Memphis Laboratory, Memphis, TN [2] (6-30-79).
U.S. Testing Laboratory, Richland, WA.
USS Agri-Chemicals, Belmond, IA.
USS Agri-Chemicals, Decatur, GA.
Union Carbide Corp., Grand Junction, CO.
Union Carbide Corp., Niagara Falls, NY [2] (6-30-75).
Union Carbide Corp., South Charleston, WV.
Union Oil Company of California, Brea, CA.
Upjohn Co., Pharmaceutical Division, Kalamazoo, MI.
Utah State University, College of Engineering, Agriculture and Irrigation Engineering, Logan, UT.
Utah State University, Department of Biology, Logan, UT [2] (6-30-79).
Utah State University, Soil Laboratory, Logan, UT.
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Utah State University, Corps Research Laboratory, Logan, UT.

U.S. GOVERNMENT

U.S. Department of Agriculture, APHIS, Environmental Quality Laboratory, Brownsville, TX
U.S. Department of Agriculture, APHIS, Golden Nematode Laboratory, Hicksville NY.
U.S. Department of Agriculture, APHIS, Gypsy Moth Laboratory, Otis AFB, MA.
U.S. Department of Agriculture, APHIS, Environmental Quality Laboratory, Gulfport, MS.
U.S. Department of Agriculture, APHIS, Southern Methods Development Laboratory, Gulfport, MS.
U.S. Department of Agriculture, ARS, CARD, U.S. Fruit, Vegetable, Soil, and Water Laboratory, Nematology Investigation, Weslaco, TX [2] (6-30-77).
U.S. Department of Agriculture, ARS, SWC, Citrus, Vegetable, Soil, and Water Laboratory, Weslaco, TX [2] (6-30-75).
U.S. Department of Agriculture, ARS, Plant and Entomological Sciences, Washington, DC.[1]
U.S. Department of Agriculture, ARS, Soil, Water, and Air Sciences, Washington, D.C.[1]
U.S. Department of Agriculture, ARS, Southern Piedmont Conservation Research Center, Watkinsville, GA [2] (6-30-78).
U.S. Department of Agriculture, ARS, U.S. Water Conservation Lab, Phoenix, AZ [2] (6-30-79).
U.S. Department of Agriculture, Forest Service, Riverside, CA.
U.S. Department of Agriculture, FS, Southern Forest Experiment Station, Pineville, LA.
U.S. Department of Agriculture, FS, SEFES, Athens, GA [2] (6-30-75).
U.S. Department of Agriculture, FS, Washington, D.C.[1]
U.S. Department of Agriculture, FS, Wood Products Insect Laboratory, Gulfport, MS.
U.S. Department of Agriculture, SCS, Engineering and Watershed Planning Unit, Materials Testing Section, Portland, OR.
U.S. Department of Agriculture, SCS, Engineering Division, Washington, D.C.[1]
U.S. Department of Agriculture, SCS, Soil Mechanics Laboratory, Lincoln, NE.
U.S. Department of Agriculture, SCS, Soil Survey Investigations Unit, Lincoln, NE [2] (6-30-78).
U.S. Department of Agriculture, SCS, Soil Survey Laboratory, Riverside, CA [2] (6-30-77).
U.S. Department of Agriculture, SCS, Soil Survey, Washington, D.C.[1]
U.S. Department of Agriculture, SCS, Survey Investigations Unit, Beltsville, MD [2] (6-30-75).
U.S. Department of Commerce, National Bureau of Standards, Health Physics Section, Gaithersburg, MD [2] (6-30-75).
U.S. Department of Defense, U.S. Air Force, AFCES/DL Civil Engineering Center, Tyndall AFB, Panama City, FL [2] (6-30-78).
U.S. Department of Defense, U.S. Air Force, Air Force Cambridge Research Laboratories (AFSC), Laurence G. Hanscom Field, Bedford, MA.
U.S. Department of Defense, U.S. Air Force, Air Force Weapons Laboratory, Kirkland AFB, Albuquerque, NM [2] (6-30-76).
U.S. Department of Defense, U.S. Army, Construction Engineering Research Laboratory, Champaign, IL [2] (6-30-75).
U.S. Department of Defense, U.S. Army Corps of Engineers, Chicago, IL.
U.S. Department of Defense, U.S. Army Corps of Engineers, Engineering Division Laboratory, Marietta, GA [2] (6-30-77).
U.S. Department of Defense, U.S. Army Corps of Engineers, Vicksburg, MS.
U.S. Department of Defense, U.S. Army Corps of Engineers, Washington, D.C.[1]
U.S. Department of Defense, U.S. Army, Electronics Command, Institute for Exploratory Research, Fort Monmouth, NJ [2] (6-30-75).
U.S. Department of Defense, U.S. Army Engineer Power Group, Engineering Division, Pollution Control Laboratory, Fort Belvoir, VA [2] (6-30-79).
U.S. Department of Defense, U.S. Army Mobile Equipment Research Development Center, Countermine/Counter Intrusion Dept., Fort Belvoir, VA [2] (6-30-79).
U.S. Department of Defense, U.S. Army, South Pacific Corps of Engineers, Engineering Division Laboratory, Sausalito, CA [2] (6-30-78).
U.S. Department of Defense, U.S. Navy, Naval Facilities Engineering Command, Soil Mechanics and Paving Branch, Norfolk, VA.
U.S. Department of Health, Education, and Welfare, National Communicable Disease Center, Mycology Branch, Atlanta, GA [2] (6-30-78).
U.S. Department of the Interior, Bureau of Indian Affairs, Soil Testing Laboratory, Gallup, NM.
U.S. Department of the Interior, Bureau of Central Environmental Geology, Denver, CO [2] (6-30-75).
U.S. Department of the Interior, Engineering and Research Center, Bureau of Reclamation, Denver, CO [2] (6-30-75).
U.S. Department of the Interior, Geological Survey, Branch of Exploration Research, Denver, CO [2] (6-30-75).
U.S. Department of the Interior, Geological Survey, Washington, D.C.[1]
U.S. Department of Transportation, Federal Highway Administration, Fairbanks Highway Research Station, McLean, VA.
U.S. Department of Transportation, Federal Highway Administration, Materials Testing Laboratory, Vancouver, WA [2] (6-30-77).
U.S. Department of Transportation, Federal Highway Administration, Washington, D.C.[1]
U.S. Environmental Protection Agency, Pesticides Monitoring Laboratory, Bay St. Louis, MS.

U.S. Environmental Protection Agency, Robert Kerr Laboratories, Ada, OK[3] (6-30-75).

V

Valmont Industries, Inc., Valley, NE[2] (6-30-75).
Value Engineering Company, Alexandria, VA.
See footnotes at end of document.
Velsicol Chemical Corp., Chicago, IL[2] (6-30-75).
Vermillion Co., Farm Bureau, Danville, IL.
Vermont, University of, Burlington, VT.
Virginia Department of Highways, Richmond, VA.
Virginia Polytechnic Institute, Blacksburg, VA.
Virginia Truck Experiment Station, Painter, VA.
Virginia Truck Experiment Station, Virginia Beach, VA.
Vistron Company, Lima, OH.

W

Wahler, W. A., & Associates, Palo Alto, CA.[3] (6-30-75).
Walker Laboratories, Columbia, SC.
Walker Laboratories, Florence, SC.
Ward, J. S., & Associates, Caldwell, NJ[2] (6-30-76).
Ward Lind Engineers, Inc., Jackson, MS.
Warf Institute, Inc., Madison, WI.
Washington State University, Department of Agronomy and Soils, Pullman, WA[2] (6-30-75).
Washington State University, Department of Botany, Pullman, WA[2] (6-30-76).
Washington, University of, College of Forest Resources, Seattle, WA[2] (6-30-76).
Washington, University of, Department of Geological Sciences, Seattle, WA[2] (6-30-77).
Washington University, St. Louis, MO.
Weber State College, Department of Microbiology, Ogden, UT.
Western Agricultural Laboratory, Redlands, CA[3] (6-30-77).
Western Research Laboratories, Niagara Chemical Division, FMC, Richmond, CA.
West Virginia Department of Highways, Charleston, WV.
West Virginia, University of, Soil Testing Laboratory, Morgantown, WV.
Westfall Engineers, Saratoga, CA[3] (6-30-75).
Wharton County Junior College, Soil Testing Laboratory, Wharton, TX.
Whittaker Corp., San Diego, CA.
William and Mary, College of, Williamsburg, VA.
Williams, E. V., Co., Inc., Virginia Beach, VA.
Wisconsin Department of Transportation, Madison, WI.
Wisconsin, University of, Department of Soil Science, Madison, WI[2] (6-30-79).
Wisconsin, University of, Department of Anthropolgy, Milwaukee, WI[2] (6-30-79).
Wisconsin, University of, Department of Geography, Milwaukee, Wisconsin[2] (6-30-75).
Wisconsin, University of, Soils Department, Madison, WI.
Wolf's, Dr., Agricultural Laboratories, Fort Lauderdale, FL[2] (6-30-75).
Woodard Research Corp., Herndon, VA.
Woodson-Tenent Laboratories, Memphis, TN.
Woodward & Associates, Inc., Baton Rouge, LA.
Woodward-Clevenger & Associates, Inc., Denver, CO[2] (6-30-75).
Woodward, Clyde, & Associates, Orange, CA.
Woodward, Clyde, & Associates, Clifton, NJ.
Woodward, Clyde, & Associates, San Diego, CA.
Woodward-Gardner & Associates, Philadelphia, PA.
Woodward-Krazynski & Associates, Inc., Houston, TX[2] (6-30-78).
Woodward-Lundgren, & Associates, San Jose, CA.
Woodward-McMaster & Associates, Kansas City, MO.
Woodward-McMaster & Associates, Inc., St. Louis, MO.
Woodward-Moorehouse & Associates, Inc., Clifton, NJ[2] (6-30-76).
Woodville Lime Products, Woodville, OH.
Wyoming, University of, Department of Botany, Laramie, WY[3] (6-30-76).

Y

Yakima Testing Laboratory, Yakima, WA.
Yale University, Department of Geology & Geophysics, New Haven, CT[2] (6-30-78).
Yale University, Greeley Laboratories, New Haven, CT[3] (6-30-77).
Yeshiva University, New York, NY.
Yule, Jordan, and Associates, Camp Hill, PA.

Z

Zoecon Corp., Palo Alto, CA.

(Secs. 8 and 9, 37 Stat. 318, as amended, sec. 106, 71 Stat. 33 (7 U.S.C. 161, 162, 150ee); 37 FR 28464, 28477, 38 FR 19140; 7 CFR 301.48, 301.72, 301.80, 301.81, and 301.85.)

Effective date. This revision of the list of approved laboratories, PPQ 639, shall become effective July 25, 1974.

Under the provisions of the regulations supplemental to the notices of quarantine cited herein, soil samples for processing, testing, or analysis may be moved interstate from any regulated area specified in the regulations to laboratories approved by the Deputy Administrator and so listed by him. A laboratory may be approved if a compliance agreement is signed, samples are packaged to prevent spillage of soil, and soil residues, hazardous water residues, and shipping containers are treated in accordance with specified procedures.

The Deputy Administrator of Plant Protection and Quarantine Programs has approved the above-listed laboratories as establishments which meet the qualifications required under the regulations. The listed laboratories are, therefore, authorized to receive soil samples from the regulated areas specified in the regulations without certificates or permits attached.

With respect to establishments added to the list of approved laboratories, this revision relieves certain restrictions presently imposed and should be made effective promptly in order to be of maximum benefit to persons subject to the restrictions that are being relieved. The deletion of laboratories from such list imposes certain restrictions that are necessary to prevent the spread of the above-named pests and should be made effective promptly to prevent the interstate spread of such dangerous pests.

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

Done at Washington, D.C., this 19 day of July.

LEO G. IVERSON,
Deputy Administrator, Plant Protection and Quarantine Programs.

[FR Doc.74-17007 Filed 7-24-74;8:45 am]

[1] National Compliance Agreement—applies to all branch laboratories in conterminous United States.

[2] Authorized to receive unsterilized foreign samples only.

[3] Authorized to receive unsterilized foreign samples also.

NOTE.—A date after a name indicates when the import permit expires.

Forest Service

MANTI-LASAL NATIONAL FOREST; MANTI DIVISION G-10 ADVISORY BOARD

Notice of Meeting

The Manti Division Regulation G-10 Advisory Board will hold a summer tour on August 7, 1974.

The tour will leave at 10:00 a.m. from the turnoff to the Wilberg Coal Mine, 5 miles east of the Manti-LaSal National Forest Boundary on Utah Highway 29.

This meeting is being held to acquaint the Advisory Board members with recent developments and impacts of coal mining and other activities on the Manti Division.

A short formal business session will be held at noon to discuss such topics as the Chairman and Board members believe desirable.

The meeting will be open to the public. To the extent time permits, persons may be permitted to comment on topics brought before the Board at anytime during the discussion.

Persons desiring additional detailed information regarding food and lodging necessary on the tour should contact Forest Supervisor George McLaughlin, Manti-LaSal National Forest, 350 East Main Street, Price, Utah 84501.

Dated: July 12, 1974.

GEORGE F. MCLAUGHLIN,
Forest Supervisor.

[FR Doc.74-16979 Filed 7-24-74;8:45 am]

TIERRA AMARILLA GRAZING ADVISORY BOARD, CARSON NATIONAL FOREST

Notice of Meeting

A special meeting of the Tierra Amarilla Grazing Advisory Board will be held at the Tres Piedras Ranger Station, Tres Piedras, New Mexico, on Wednesday, August 21, 1974, at 8:00 p.m.

The purpose of the meeting is to hear the appeal of Candido Sandoval, grazing permittee on the Tio Grande Allotment of the Carson National Forest.

The meeting will be open to the public. Persons who wish to attend should notify W. R. Snyder, Forest Supervisor, Carson National Forest, P.O. Box 558, Taos, New Mexico, phone (505) 758-2237. Written statements may be filed with the Board before or after the meeting.

Dated: July 10, 1974.

W. R. SNYDER,
Forest Supervisor.

[FR Doc.74-16977 Filed 7-24-74;8:45 am]

CULLASAJA RIVER UNIT AND WHITEWATER RIVER UNIT

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 the Cullasaja River Unit and Whitewater River Unit, Nantahala National Forest, North Carolina, USDA–FS–R8–DES (Adm.)–75–2.

This environmental statement concerns the proposed management direction and resource allocation for the Cullasaja River and Whitewater River Units, Highland and Wayah Ranger Districts, Nantahala National Forest.

This draft environmental statement was transmitted to CEQ on July 17, 1974.

Copies are available for inspection during regular working hours at the following locations:

USDA, Forest Service
South Agriculture Bldg., Room 3230
12th St. & Independence Ave., SW.
Washington, D.C. 20250

USDA, Forest Service
1720 Peachtree Road, NW., Room 804
Atlanta, Georgia 30309

USDA, Forest Service
National Forests in North Carolina
P.O. Box 2750
Asheville, North Carolina 28802

A limited number of single copies are available upon request to Jack S. Kelley, Acting Forest Supervisor, National Forests in North Carolina, P.O. Box 2750, Asheville, North Carolina 28802.

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 Jack S. Kelley, Acting Forest Supervisor, National Forests in North Carolina, P.O. Box 2750, Asheville, North Carolina 28802. Comments must be received by September 17, 1974 in order to be considered in the preparation of the final environmental statement.

DAVID E. KETCHAM,
Deputy Regional Forester.

JULY 16, 1974.

[FR Doc.74–16996 Filed 7–24–74;8:45 am]

SOUTH KAIBAB GRAZING ADVISORY BOARD

Meeting

The South Kaibab Grazing Advisory Board will meet at 1 p.m. August 23, 1974, at the Williams Country Club, Country Club Road, Williams, Arizona.

The purpose of this meeting is to accomplish the installation of new board members and the election of a Chairman for 1974. The Forest Service will discuss current programs, policies and trends in National Forest administration.

The meeting will be open to the public. Persons who wish to attend should notify the Forest Supervisor, Kaibab National Forest, P.O. Box 817, Williams, Arizona, telephone 635–4481. Written statements may be filed with the committee before or after the meeting.

Those attending may express their views when recognized by the Chairman.

Dated: June 19, 1974.

DEAN C. GOSSARD,
Acting Forest Supervisor.

[FR Doc.74–17030 Filed 7–24–74;8:45 am]

Office of the Secretary

CITIZENS ADVISORY COMMITTEE ON CIVIL RIGHTS

Public Meeting

Pursuant to the provisions of the Federal Advisory Committee Act of October 6, 1972 (Pub. L. 92–463, 86 Stat. 770–776), notice is hereby given that a public meeting of the USDA Citizens Advisory Committee on Civil Rights will be held on August 7–8, 1974 at Denver, Colorado. The meeting will convene at 9 a.m. on each day and adjourn at noon on August 8, 1974. The meeting is open to the public.

The purpose of the meeting is to hear from five Departmental Regional Representatives on outreach efforts within their states to increase minority participation of minority group persons in USDA programs and services.

Further information concerning this meeting may be obtained by contacting the Director, Office of Equal Opportunity, Washington, D.C. 20250. Interested persons may file written statements with the committee before or after the meeting.

Done at Washington, D.C., this 17th day of July, 1974.

MILES S. WASHINGTON, Jr.,
Director, Office of Equal Opportunity.

[FR Doc.74–16993 Filed 7–24–74;8:45 am]

DEPARTMENT OF COMMERCE

Maritime Administration

[Docket No. S–421]

WATERMAN STEAMSHIP CORP.

Notice of Application

Notice is hereby given that Waterman Steamship Corporation, a New York Corporation, has filed an application with the Maritime Subsidy Board pursuant to Title VI (46 U.S.C. 1171–1183) of the Merchant Marine Act 1936, as amended, (the Act) for a long term operating-differential subsidy agreement for operations on Trade Route No. 21 (U.S. Gulf/Western Europe). This company is presently the holder of a short term operating-differential subsidy agreement, Contract No. MA/MSB–253, covering operations on Trade Route No. 21.

In its present application, Waterman Steamship Corporation is requesting operating-differential subsidy on up to a maximum of 42 sailings per annum, over the full range of Trade Route No. 21 ports including ports in Scandinavia and Baltic countries (including ports in the U.S.S.R.) and ports east of Finland in the Barents Sea, with such sailings to be performed initially with four vessels, as currently provided for in the aforementioned Contract No. MA/MSB–253. The applicant has not yet proposed a specific vessel replacement program for Trade Route No. 21.

Any person, firm or corporation having any interest in such application and desiring a hearing on issues pertinent to section 605(c) of the Act (46 U.S.C. 1175), should, by the close of business on August 6, 1974, notify the Secretary, Maritime Subsidy Board, in writing, in triplicate, and file petition for leave to intervene in accordance with the Rules of Practice and Procedure of the Maritime Subsidy Board.

In the event that a section 605(c) hearing is ordered to be held, the purpose thereof will be to receive evidence relevant to (1) whether the application is one with respect to a vessel or vessels to be operated in an essential service, served by citizens of the United States which would be in addition to the existing service, or services, and if so, whether the service already provided by vessels of United States registry is inadequate, (2) whether in the accomplishment of the purposes and policy of the Act additional vessels should be operated thereon, (3) whether the application is one with respect to a vessel or vessels operated or to be operated on an essential service served by two or more citizens of the United States with vessels of United States registry, and if so, whether the effect of the requested contract would be to give undue advantage or be unduly prejudicial as between citizens of the United States, in the operation of vessels in such essential service, and (4) whether it is necessary to enter into such contract in order to provide adequate service by vessels of United States registry.

If no request for hearing and petition for leave to intervene is received within the specified time, or if the Maritime Subsidy Board determines that petitions for leave to intervene filed within the specified time do not demonstrate sufficient interest to warrant a hearing, the Maritime Subsidy Board will take such action as may be deemed appropriate.

(Catalog of Federal Domestic Assistance Program No. 11.504 Operating-Differential Subsidies (ODS).)

By Order of the Maritime Subsidy Board/Maritime Administration.

Dated: July 22, 1974.

JAMES S. DAWSON, Jr.,
Secretary.

[FR Doc.74-17042 Filed 7-24-74;8:45 am]

Social and Economic Statistics Administration

MULTI-ESTABLISHMENT COMPANIES

Notice of Determination for Surveys

In conformity with Title 13, United States Code, sections 181, 224, and 225 and due notice of consideration having been published on June 5, 1974 (39 FR 19972), I have determined that a 1974 Company Organization Survey is needed to provide a base for the general purpose Standard Statistical Establishment List. The survey is designed to collect information on the number of employees, payrolls, geographic location, current status and kind of business for the establishments of multi-establishment companies. The data will have significant application to the needs of the public and to governmental agencies and are not publicly available from nongovernmental or governmental sources.

Report forms will be furnished to firms included in the survey and additional copies of the forms are available on request to the Director, Bureau of the Census, Washington, D.C. 20233.

I have, therefore, directed that a survey be conducted for the purpose of collecting these data.

EDWARD D. FAILOR,
Administrator, Social and Economic Statistics Administration.

JULY 19, 1974.

[FR Doc.74-17014 Filed 7-24-74;8:45 am]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

COSMETIC INGREDIENT LABELING

Notice of Availability of Tentative Revised Final Order and Opportunity for Further Comment

In the FEDERAL REGISTER of October 17, 1973 (38 FR 28912), the Commissioner of Food and Drugs promulgated a new § 1.205 (recodified as § 701.3 in the FEDERAL REGISTER of March 15, 1974 (39 FR 10056)) requiring the declaration of ingredients on cosmetic labels. A period of 30 days was provided for the filing of objections by any person adversely affected by the order. Thirteen objections, including four requests for hearing, were received.

The objections have been considered, and a tentative revised final order has been prepared. The Commissioner believes that the tentative revised final order meets the objections and eliminates any need for a public hearing.

A copy of the tentative revised final order is being sent to all persons objecting to the regulation and has been placed on display in the office of the Hearing Clerk, Food and Drug Administration, Rm. 4-65, 5600 Fishers Lane, Rockville, MD 20852 for a period of 30 days beginning July 25, 1974 and ending on August 23, 1974. Any person who wishes to submit further comment or to meet with Food and Drug Administration officials to discuss it may do so within the 30 days.

Dated: July 22, 1974.

SAM D. FINE,
Associate Commissioner for Compliance.

[FR Doc.74-17092 Filed 7-24-74;8:45 am]

National Institutes of Health

CANCER CLINICAL INVESTIGATION REVIEW COMMITTEE

Meeting

Pursuant to Pub. L. 92-463, notice is hereby given of the meeting of the Cancer Clinical Investigation Review Committee, National Cancer Institute, September 23-25, 1974, National Institutes of Health, Building 31C, Conference Room 6. This meeting will be open to the public on September 23, from 8:30 a.m. to 12 noon and September 24, from 8:30 a.m. to 12 noon, to discuss previous minutes, conference and symposia plans, group meetings reports, DCRRC Director's report and Clinical Investigations Branch program status. During the morning of September 24, a mini symposium on the utilization of computers in group operations and studies will be conducted under the co-chairmanship of Drs. Nell Sedransk and Edmund Gehan. Attendance by the public will be limited to space available.

The meeting will be closed to the public on September 23 from 1 p.m. to 5 p.m. and September 24, from 1 p.m. to 5 p.m., and September 25 until adjournment to review, discuss and evaluate grant applications, in accordance with the provisions set forth in Sections 552(b)4 and 552(b)6 of Title 5, U.S. Code, and section 10(d) of P.L. 92-463.

Mrs. Marjorie F. Early, Committee Management Officer, NCI, Building 31, Room 3A16, National Institutes of Health, Bethesda, Maryland 20014 (301/496-5708) will furnish summaries of the meeting and rosters of committee members.

John E. Lane, Executive Secretary, Westwood Building, Room 803, National Institutes of Health, Bethesda, Maryland 20014 (301/496-7903) will furnish substantive program information.

(Catalog of Federal Domestic Assistance Program No. 13.314, National Institutes of Health.)

ROBERT S. STONE,
Director, National Institutes of Health.

JULY 18, 1974.

[FR Doc.74-17015 Filed 7-24-74;8:45 am]

NATIONAL HEART AND LUNG PROGRAM PROJECT COMMITTEE

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, September 27-28, 1974, 8:30 a.m., National Institutes of Health, Building 31, Conference Room 9.

This meeting will be open to the public on September 27, 1974, from 8:30 a.m. to 9:30 a.m. to discuss administrative details and to review a report of the current status of the Grants Management Branch, Division of Extramural Affairs. Attendance by the public will be limited to space available. The meeting will be closed to the public on September 27, 1974, from 9:30 a.m. until the adjournment on September 28, 1974, to review, discuss and evaluate research grant applications, in accordance with the provisions set forth in section 552(b)4 and 552(b)6, Title 5, U.S. Code and section 10(d) of Pub. L. 92-463.

Mr. Hugh J. Lee, Acting Chief, Office of Public Inquiries and Report Branch, NHLI, Building 31, Room 4B44, phone (301) 496-4236, will furnish summaries of the meeting and rosters of the committee members. Dr. Arthur W. Merrick, Executive Secretary, NHLI, NIH Westwood Building, Room 655, phone (301) 496-7351, will furnish substantive program information.

(Catalog of Federal Domestic Assistance Program No. 13,346, National Institutes of Health.)

ROBERT S. STONE,
Director, National Institutes of Health.

JULY 18, 1974.

[FR Doc.74-17016 Filed 7-24-74;8:45 am]

ADVISORY COMMITTEES

Notice of Renewals

Pursuant to the Federal Advisory Committee Act of October 6, 1972 (Pub. L. 92-463, 86 Stat. 770-776), the National Institutes of Health announces the renewal of the charters of the following committees by the Secretary, DHEW, on June 28, 1974:

Allergy and Immunology Research Committee, National Institute of Allergy and Infectious Diseases: This committee advises the Secretary, DHEW, and the Director, NIAID, concerning programs and activities in the areas of allergy, immunology and immunology of infectious diseases. It provides a primary review of applications for special clinical research programs, fellowships, and special development award programs in those areas.

Behavioral Sciences Research Contract Review Committee, National Institute of Child Health and Human Development: This committee advises the Secretary, DHEW, and the Director, NICHD, concerning the behavioral aspects of population. It identifies priority areas for

such research, and provides advice to the NICHD on contract proposals and program activities.

Board of Scientific Counselors, National Institute of Neurological Diseases and Stroke: This committee advises the Director, NIH, the Director, NINDS, and the Director of Intramural Research, NINDS, on the intramural research programs through periodic visits to the laboratories for assessment of the research in progress, and evaluates the productivity and performance of staff scientists.

Cardiovascular and Renal Study Section, Division of Research Grants: This committee advises the Secretary, DHEW, and the Director, NIH, regarding applications for grants-in-aid relating to the basic and clinical aspects of the function of normal and disease states, which includes all aspects of the cardiovascular system and certain aspects of the renal system. As scientific leaders, members of the committee survey the status of research in relevant fields.

Contraceptive Development Contract Review Committee, National Institute of Child Health and Human Development: This committee advises the Secretary and the Director, NICHD, concerning the Institute's program to enhance research on contraceptive development; it identifies priority areas for such research; and it provides advice to the NICHD on contract proposals and program activities.

Contraceptive Evaluation Research Contract Review Committee, National Institute of Child Health and Human Development: This committee advises the Secretary, DHEW, and the Director, NICHD, concerning the Institute's program to enhance research on contraceptive evaluation; it identifies priority areas for such research; and it provides advice to the NICHD on contract proposals and program activities.

Dental Caries Program Advisory Committee, National Institute of Dental Research: This committee advises the Secretary, DHEW, the Director, NIH, and the Director, NIDR, in identifying new research leads in the field of dental caries; it evaluates research plans and progress in the field; it facilitates communication between the dental and other scientific communities; and it advises on other aspects of the various research areas within the overall dental caries program.

Epidemiology and Disease Control Study Section, Division of Research Grants: This committee advises the Secretary, DHEW, and the Director, NIH, regarding applications for grants-in-aid relating to studies concerned with the interaction of man and his social, physical, and biological environment. As scientific leaders, members of the committee survey the status of research in relevant fields.

Experimental Therapeutics Study Section, Division of Research Grants: This committee advises the Secretary, DHEW, and the Director, NIH, concerning applications for grants-in-aid relating to the various aspects of experimental therapy of neoplastic diseases and some associated disorders, and applications concerned with immunotherapy at the clinical level. As scientific leaders, members of the committee survey the status of research in relevant fields.

General Medicine B Study Section, Division of Research Grants: This committee advises the Secretary, DHEW, and the Director, NIH, regarding applications for grants-in-aid relating to clinical investigation and/or animal experimentation in the field of endocrinology and in a limited area of nephrology. As scientific leaders, members of the committee survey the status of research in relevant fields.

Neurological Disorders Program-Project Review A Committee, National Institute of Neurological Diseases and Stroke: This committee provides technical advice to the Secretary, DHEW, and the Director, NIH, and reviews applications for support of clinical research centers in the clinical science aspects of the neurological disease areas.

Neurological Disorders Program-Project Review B Committee, National Institute of Neurological Diseases and Stroke: This committee provides technical advice to the Secretary, DHEW, and the Director, NIH, and reviews applications for support of research and program projects in the basic science aspects of the neurological disease areas.

Primate Research Centers Advisory Committee, Division of Research Resources: This committee advises the Secretary, DHEW, and the Director, NIH, concerning program development of primate research centers and pertinent administrative policies; it reviews applications for primate research centers for the National Advisory Research Resources Council and, upon request, for the Division of Research Grants.

Transplantation and Immunology Committee, National Institute of Allergy and Infectious Diseases: This committee advises the Secretary, DHEW, and the Director, NIAID, on the Institute's program for developing and coordinating methods, procedures, and resources to enhance research in transplantation and immunology and on methods of evaluating and monitoring the results. It also provides advice on contract proposals and program activities.

Visual Sciences B Study Section, Division of Research Grants: This committee advises the Secretary, DHEW, and the Director, NIH, regarding applications for grants-in-aid relating to research in the various areas of visual physiology, including psychophysics. As scientific leaders, members of the committee survey the status of research in relevant fields.

Authority for these commitees will expire June 30, 1976, unless the Secretary, DHEW, formally determines that continuance is in the public interest.

ROBERT S. STONE,
Director,
National Institutes of Health.

JULY 22, 1974.

[FR Doc.74-17063 Filed 7-24-74;8:45 am]

ATOMIC ENERGY COMMISSION

ADVISORY COMMITTEE ON REACTOR SAFEGUARDS SUBCOMMITTEE ON REGULATORY GUIDES

Notice of Meeting

JULY 22, 1974.

In accordance with the purposes of section 29 and 182 b. of the Atomic Energy Act (42 U.S.C. 2039, 2232 b.), the Advisory Committee on Reactor Safeguards' Subcommittee on Regulatory Guides will hold a meeting at 5:30 p.m. on August 7, 1974 in Room 1046 at 1717 H Street, NW., Washington, D.C. This meeting will be closed to the public.

The Subcommittee will meet in closed session with the AEC Regulatory Staff to discuss a working paper on Inservice Inspection of Prestressed Concrete with Grouted Tendons and a working paper on Qualification of Class I.E. Equipment. In connection with this matter, the Subcommittee may hold Executive Session, not open to the public, prior to and at the conclusion of the meeting with the AEC Regulatory Staff, to exchange opinions and formulate recommendations to the ACRS.

I have determined, in accordance with subsection 10(d) of Public Law 92-463, that the closed session will consist of exchanges of opinions and formulation of recommendations, the discussion of which, if written, would fall within exemption (5) of 5 U.S.C. 552(b). Any factual material that may be presented during this portion of the meeting will be inextricably intertwined with such exempt material and no separation of exempt and non-exempt material is considered practical. It is essential to close this meeting to protect the free interchange of internal views and to avoid undue interference with Subcommittee and agency operation.

JOHN C. RYAN,
Advisory Committee
Management Officer.

[FR Doc.74-16971 Filed 7-24-74;8:45 am]

ADVISORY COMMITTEE ON REACTOR SAFEGUARDS

Notice of Meeting

JULY 22, 1974.

In accordance with the purposes of sections 29 and 182 b. of the Atomic Energy Act (42 U.S.C. 2039, 2232 b.), the Advisory Committee on Reactor Safeguards will hold a meeting on August 8-10, 1974, in Room 1046, 1717 H Street, NW., Washington, D.C.

The following constitutes that portion of the Committee's agenda for the above meeting which will be open to the public:

THURSDAY, AUGUST 8, 1974

9:30 a.m.-1:30 p.m.—Clinch River Breeder Reactor. The Committee will hear presentations by and hold discussions with representatives of the AEC Division of Reactor Research and Development, the AEC Regulatory Staff, and the Project Management Corporation regarding the bases and criteria related to the design of safety related equipment and structures. This meeting will be part of a

pre-application information review of this facility.

This session will include closed portions, if required, to discuss proprietary information related to the design, fabrication or operation of this plant, its systems, or components.

Closed portions will also be held, if necessary, for Committee deliberative sessions.

3:00 p.m.–3:45 p.m.—Meeting with Directorate of Licensing. The Committee will meet with representatives of the Directorate of Licensing to discuss the bases for issuance of Limited Work Authorizations.

3:45 p.m.–4:30 p.m.—Meeting with the Directorate of Regulatory Operations. The Committee will hear presentations and hold discussions with representatives of the Directorate of Regulatory Operations regarding reactor operating experience and a report on a recent turbine failure in a non-nuclear plant.

4:30 p.m.–6:45 p.m.—Crystal River Nuclear Generating Plant, Unit 3. The Committee will conduct a review of the application for an Operating License for this plant. This will include presentations by and discussions with representatives of the AEC Regulatory Staff and the Florida Power Corporation.

Portions of this session will be closed, if required, to discuss proprietary information related to the design, fabrication, and operation of this plant, its systems, or components.

Closed portions will also be held, if necessary, to discuss security plans for this plant and for Committee deliberative sessions.

FRIDAY, AUGUST 9, 1974

1:30 p.m.–3:00 p.m.—Emergency Core Cooling System Evaluation Models. The Committee will hear presentations by and hold discussions with representatives of the AEC Regulatory Staff regarding proposed analytical models to evaluate ECCS performance. This portion of the meeting will include closed portions, if required, to discuss proprietary information.

3:45 p.m.–8:45 p.m.—Perry Nuclear Power Plant, Units 1 & 2. The Committee will consider the application for a Construction Permit for this plant. This will include presentations by and discussions with representatives of the AEC Regulatory Staff and the Cleveland Electric Illuminating Company.

Portions of this session will be closed, if required, to discuss proprietary information related to the design, fabrication and operation of this plant. Closed portions will also be held to discuss security plans for this facility and for Committee deliberative sessions, if necessary.

In the event it is necessary to defer ACRS consideration of the Perry Nuclear Power Plant, the Committee will consider the application for a Construction Permit for the Greenwood Nuclear Energy Center, Units 2 & 3.

This would include presentations by and discussions with representatives of the AEC Regulatory Staff and the Detroit Edison Company during the time period noted above for review of the Perry Nuclear Power Plant.

This would include closed portions, if necessary, to discuss security plans for this facility, to discuss proprietary information related to the design, fabrication or operation of the plant, its systems and components, and for Committee deliberative sessions.

It should be noted that, in addition to the closed portions of the agenda items noted above, the Committee will hold other sessions not open to the public under the authority of section 10(d) of Public Law 92–463 (the Federal Advisory Committee Act), to consider the above applications and other matters. I have determined in accordance with subsection 10(d) of Public Law 92–463 that it is necessary to close such portions of the meeting to protect proprietary data (5 U.S.C. 552(b)(4)), and to protect the free interchange of internal views to avoid undue interference with agency or Committee operation (5 U.S.C. 552(b)(5)). Any non-exempt material that may be discussed during the closed portions of the meeting will be inextricably intertwined with discussion of exempt material and no further separation is practical. Practical considerations may dictate alterations in the above agenda or schedule.

The Chairman of the Committee is empowered to conduct the meeting in a manner that in his judgment will facilitate the orderly conduct of business, including provisions to carry over an incompleted open session from one day to the next.

With respect to public participation in the open portion of the meeting, the following requirements shall apply:

a. Persons wishing to submit written statements regarding the agenda items may do so by mailing 25 copies thereof, postmarked no later than July 31, 1974, to the Executive Secretary, Advisory Committee on Reactor Safeguards, U.S. Atomic Energy Commission, Washington, D.C. 20545. Such written comments shall be based on documents related to the agenda items noted above, and related documents on file and available for public inspection at the Atomic Energy Commission's Public Document Room, 1717 H Street, NW., Washington, D.C. 20545, and as follows:

Crystal River Nuclear Generating Plant, Unit 3
Crystal River Public Library
Crystal River, Florida 32629

Perry Nuclear Power Plant, Units 1 & 2
Perry Public Library
3753 Main Street
Perry, Ohio 44081

Greenwood Nuclear Energy Center, Units 2 & 3
St. Clair County Library
210 McMorran Boulevard
Port Huron, Michigan 48060

b. Those persons submitting a written statement in accordance with paragraph a. above may request an opportunity to make oral statements concerning the written statement. Such requests shall accompany the written statement and shall set forth reasons justifying the need for such oral statement and its usefulness to the Committee. To the extent that the time available for the meeting permits, the Committee will receive oral statements during a period of no more than 30 minutes at an appropriate time, chosen by the Chairman of the Committee.

c. Requests for the opportunity to make oral statements shall be ruled on by the Chairman of the Committee, who is empowered to apportion the time available among those selected by him to make oral statements.

d. Information as to whether the meeting or portions of the meeting have been cancelled or rescheduled, and in regard to the Chairman's ruling on requests for the opportunity to present oral statements, and the time allotted, can be obtained by a prepaid telephone call on August 7, 1974, to the Office of the Executive Secretary of the Committee (telephone: 301–973–5651) between 8:30 a.m. and 5:15 p.m. eastern daylight saving time. It should be noted that the schedule noted above is tentative, based on the anticipated availability of related information, etc. It may be necessary to reschedule items noted from one day to another to accommodate or to reschedule items during the same day to accommodate required changes. The ACRS Executive Secretary will be prepared to describe these changes on August 7, 1974.

In addition, it may be necessary to defer review of the Perry Nuclear Power Plant to a subsequent ACRS meeting. If the review of the Perry Nuclear Power Plant is deferred, the time allocated will be devoted to the review of the Greenwood Nuclear Energy Center, Units 2 & 3. A determination regarding this matter will be made following Subcommittee meetings on these projects on July 23 and July 24, 1974.

e. Questions may be propounded only by members of the Committee and its consultants.

f. The use of still, movie, and television cameras, the physical installation and presence of which will not interfere with the course of the meeting, will be permitted both before and after the meeting and during any recess. The use of such equipment will not, however, be allowed while the meeting is in session.

g. Persons desiring to attend portions of the meeting where proprietary information is being discussed may do so by providing to the Executive Secretary 7 days prior to the meeting, a copy of an executed agreement with the owner of the proprietary information to safeguard this material.

h. A copy of the transcript of the open portions of the meeting will be available for inspection during the following workday at the Atomic Energy Commission's Public Document Room, 1717 H Street, NW., Washington, D.C. On request, copies of the minutes of the meeting will be made available for inspection at the Atomic Energy Commission's Public Document Room, 1717 H Street, NW., Washington, D.C., on or after October 9, 1974. Copies may be obtained upon payment of appropriate charges.

JOHN C. RYAN,
Advisory Committee Management Officer.

[FR Doc.74–17038 Filed 7–24–74;8:45 am]

CONSUMER PRODUCT SAFETY COMMISSION

PRODUCT SAFETY ADVISORY COUNCIL

Meeting

Notice is given that a meeting of the Product Safety Advisory Council will be held on Monday, August 12 from 8 a.m. to 4:30 p.m. and Tuesday, August 13, 1974 from 9 a.m.—4 p.m. Meetings will be held in the 6th floor conference room,

Consumer Product Safety Commission, 1750 "K" Street, NW., Washington, D.C.

The Council has been established pursuant to section 28 of the Consumer Product Safety Act (Pub. L. 92–573, 86 Stat 1230; (15 U.S.C. 2077)). The Act provides that the Commission may consult the Council before prescribing a consumer product safety rule or taking other action under the Act.

Members of the Advisory Council have organized themselves into subgroups to consider the following subjects: State Relations and Legislation; Enforcement and Surveillance; Education; Bans and Recalls; and Standards. These subcommittees will meet sequentially in the order listed above, each for an hour beginning at 8 a.m. on Monday, August 12. The afternoon session of Monday, August 12 will consist of reports from the subcommittees for discussion by the full Council.

The subcommittee reports and discussion will continue on Tuesday, August 13, as required. Also to be discussed on August 13, is the role of the Advisory Council as the Council envisions it and as envisioned by the Commission.

The meeting is open to the public, however, space is limited. Further information concerning this meeting may be obtained from the Office of the Secretary, Consumer Product Safety Commission, Washington, D.C. 20207, phone (202) 634–7700.

Dated July 22, 1974.

SADYE E. DUNN,
Secretary, Consumer Product Safety Commission.

[FR Doc.74–17037 Filed 7–24–74;8:45 am]

DEFENSE MANPOWER COMMISSION

MEETING

Pursuant to Pub. L. 92–463, notice is hereby given of the meeting of the Defense Manpower Commission on August 9, 1974, at 1 p.m. in Room 301F, 1111 18th Street, NW., Washington, D.C. 20036.

The purpose of the meeting is to discuss staffing, program progress and direction, and policies and procedures of the Commission.

The meeting will be open to the public. Interested persons wishing to attend should telephone 202/382–1331 by close of business Tuesday, August 6, 1974.

Dated: July 22, 1974.

LESTER E. HUBBELL,
Acting Executive Director.

[FR Doc.74–17039 Filed 7–24–74;8:45 am]

DELAWARE RIVER BASIN COMMISSION

COMPREHENSIVE PLAN AND APPLICATION FOR WATER QUALITY CERTIFICATION

Public Hearing

Notice is hereby given that the Delaware River Basin Commission will hold a public hearing on Wednesday, July 31, 1974, in the South Auditorium of the ASTM Building, 1916 Race Street, Philadelphia, Pa., beginning at 2 p.m. The subjects of the hearing will be as follows:

A. A proposal to amend the Comprehensive Plan so as to include therein the following projects:

1. *Birdsboro Municipal Authority.* A sewage treatment plant expansion located in and principally serving the Borough of Birdsboro, Bucks County, Pa. The facility would remove 94 percent of BOD_5 and more than 90 percent of suspended solids from a sewage flow of one million gallons per day prior to discharge to Hay Creek, a tributary of the Schuylkill River.

2. *Borough of Palmyra.* Alterations to the sewage treatment plant located in and principally serving the Borough of Palmyra, Burlington County, N.J. A sewage volume of 530,000 gallons per day will be treated prior to discharge to the Delaware River. While the alterations would result in some increase in the current 72 percent rate of BOD_5 removal, they would not be expected to raise effluent quality to required levels. However, this project is designed as an interim step only until regional facilities are available to service the Borough.

3. *Wrightstown Municipal Utilities Authority.* A well water supply project designed to yield 300,000 gallons per day. Designated as Well No. 3, it will be located in and serve Wrightstown Borough, Burlington County, N.J., for the purpose of replacing supplies from other wells containing excessive iron.

4. *Muhlenberg Township Authority.* A well water supply project yielding 1.4 million gallons per day to meet increased demands in the Authority's service area of Muhlenberg Township and Laureldale Borough, Berks County, Pa. The designation is Well No. 12.

5. *Great Valley Water Co.* A well water supply project to accommodate expanded demands in portions of West Whiteland, West Goshen and East Goshen Townships, Chester County, Pa. The designation is Well No. 16, the yield will be 360,000 gallons per day and the location is West Whiteland Township.

B. Application for water quality certification pursuant to section 401 of the Federal Water Pollution Control Act:

1. *U.S. Coast Guard.* A maintenance dredging project at the Brandywine Coast Guard Light Station in Delaware Bay off the Cape May County, N.J., shoreline. The volume to be dredged for navigation access is 3,300 cubic yards.

Documents relating to the items on this hearing notice may be examined at the Commission's offices. Persons wishing to testify are requested to notify the Secretary prior to the hearing.

DAWES THOMPSON,
Acting Secretary.

JULY 19, 1974.

[FR Doc.74–17032 Filed 7–24–74;8:45 am]

ENVIRONMENTAL PROTECTION AGENCY

[OPP–32000/86; FRL 240–7]

RECEIPT OF APPLICATIONS FOR PESTICIDE REGISTRATION

Data To Be Considered in Support of Applications

On November 19, 1973, the Environmental Protection Agency (EPA) 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. This policy provides that EPA will, upon receipt of every application for registration, 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.

Any person who (a) is or has been an applicant, (b) believes that data he developed and submitted to EPA on or after October 21, 1972, is being used to support an application described in this notice, (c) desires to assert a claim for compensation under section 3(c)(1)(D) for such use of his data, and (d) wishes to preserve his right to have the Administrator determine the amount of reasonable compensation to which he is entitled for such use of the data, must, on or before September 23, 1974, notify the Administrator and the applicant named in the notice in the FEDERAL REGISTER of his claim by certified mail. Notification to the Administrator should be addressed to the Information Coordination Section, Technical Services Division (WH–569), Office of Pesticide Programs, 401 M Street SW., Washington, D.C. 20460. Every such claimant must include, at a minimum, the information listed in the interim policy of November 19, 1973.

Applications submitted under 2(a) or 2(b) of the interim policy will be processed to completion in accordance with existing procedures. Applications submitted under 2(c) of the interim policy cannot be made final until the 60 day period has expired. If no claims are received within the 60 day period, the 2(c) application will be processed according to normal procedure. However, if claims are received within the 60 day period, the applicants against whom the 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 September 23, 1974.

APPLICATIONS RECEIVED

EPA Reg. No. 8590–39. Agway Inc. Fertilizer-Chemical Div., Box 1333, Syracuse NY 13201. WEED KILLER "66" IMPROVED. Active Ingredients: Triethanolamine salt of 2,4-dichlorophenoxyacetic acid 64.7 percent. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 5440–RNI. Cardinal Chemical Co., Green & Sansome St., San Francisco CA 94111. U.L.V. (ULTRA LOW VOLUME) INSECTICIDE. Active Ingredients. Pyrethrins 3.00 percent; Piperonyl butoxide, technical 6.00 percent; N-octyl bicycloheptene dicarboximide 10.00 percent; Petroleum distillate 81.00 percent. Method of Support: Application proceeds under 2(c) of interim policy.

EPA Reg. No. 3125–278. Chemagro, Div. of Baychem Corp., P.O. Box 4913, Kansas City MO 64120. CHEMAGRO DYLOX 1.5 OIL INSECTICIDE. Active Ingredients: Dimethyl (2,2,2-trichloro-1-hydroxyethyl) phosphonate 18.5 percent; Refined Petroleum Distillates 77.0 percent. Method of Support: Application proceeds under 2(c) of interim policy.

EPA Reg. No. 464–1. Dow Chemical Co., Agri. Dept., PO Box 1706, Midland MI 48640. DOW FORMULA 40 HERBICIDE. Active Ingredients: Alkanolamine Salts (of the Ethanol and Isopropanol series) of 2,4-Dichlorophenoxyacetic acid 59.7 percent; 2,4-Dichlorophenoxyacetic Acid Equivalent 38.6 percent. Method of Support: Application proceeds under 2(c) of interim policy.

EPA Reg. No. 464–196. Dow Chemical Co. DOW DMA 4 HERBICIDE. Active Ingredients: Dimethylamine Salt of 2,4-Dichlorophenoxyacetic acid 49.3 percent. Method of Support: Application proceeds under 2(c) of interim policy.

EPA Reg. No. 464–368. Dow Chemical Co. DOW DURSBAN M INSECTICIDE. Active Ingredients: Chlorpyrifos [0,0-diethyl 0(3,5,6-tricholor-2-pyridyl) phosphorothioate] 41.2 percent; Aromatic petroleum derivative solvent 29.5 percent. Method of Support: Application proceeds under 2(b) of interim policy.

EPA Reg. No. 1757–17. Drew Chemical Corp., PO Box 248, Parsippany NJ 07054. BIOSPERSE 230 FOR CONTROL OF THE GROWTH OF ALGAE AND BACTERIA. Active Ingredients: Trichloro-s-triazinetrione 20.0 percent. Method of Support: Application proceeds under 2(c) of interim policy.

EPA Reg. No. 5736–5. DuBois Chemicals, Div. of Chemed Corp., 3630 E. Kemper Rd., Sharonville OH 45241. D-TROL (FOR SANITIZING AND BREWERY PASTEURIZERS, FOR SANITIZING AND PACKAGE WARMERS). Active Ingredients: N-Alkyl (60 percent C14, 30 percent C16, 5 percent C12, 5 percent C18) dimethyl benzyl ammonium chlorides 5.25 percent; N-Alkyl (68 percent C12, 32 percent C14) dimethyl ethylbenzyl ammonium chlorides 5.25 percent. Method of Support: Application proceeds under 2(c) of interim policy.

EPA Reg. No. 352–370. DuPont, 7056 DuPont Bldg., Wilmington DE 19898. DUPONT LANNATE L METHOMYL INSECTICIDE. Active Ingredients: S-methyl-N-[(methylcarbamoyl) oxy] thioacetimidate 24 percent. Method of Support: Application proceeds under 2(b) of interim policy.

EPA File Symbol 8540–RT. Garratt-Callahan Co., 111 Rollins Rd., Millbrae CA 94030. GARRAT-CALLAHAN FORMULA 37 WATER TREATMENT MICROBIOCIDE. Active Ingredients: Sodium dimethyldithiocarbamate 15 percent; disodium ethylene-bisdithiocarbamate 15 percent. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 6284–EU. Kiefer McNeil-Div. of McNeil Corp., 99 Sweitzer Ave., Akron OH 44311. GRANTSPORT T.A.S.K. FORCE CHLORINE TABLETS. Active Ingredients: Trichloro-s-triazinetrione 100 percent. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 8123–LG. Frank Miller & Sons, Inc., 13831 So. Emerald Avenue, Chicago IL 60627. CLINGING PORCELAIN AND BOWL CLEANSER, CLEANS, DISINFECTS, DEODORIZES. Active Ingredients: n-Alkyl (60 percent C12, 30 percent C14, 5 percent C16, 5 percent C18) dimethyl benzyl ammonium chlorides 0.025 percent; n-Alkyl (68 percent C12, 32 percent C14) dimethyl ethylbenzyl ammonium chlorides 0.025 percent; Hydrogen Chloride 9.000 percent. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 12487–G. National Colloid Co., 906 Adams St., Steubenville OH 43952. NATCOLENE SPA–30. Active Ingredients: Poly[oxyethylene (dimethyliminio) ethylene(dimethyliminio)-ethylene dichloride] 30.0 percent. Method of Support: Application proceeds under 2(b) of interim policy.

EPA File Symbol 12487–U. National Colloid Co., 906 Adams St., Steubenville OH 43952. NATCOLENE SPA–15. Active Ingredients: Poly[oxyethylene (dimethyliminio) ethylene(dimethyliminio)-ethylene dichloride] 15.0 percent. Method of Support: Application proceeds under 2(b) of interim policy.

EPA File Symbol 1020–RT. Oakite Products, Inc., 50 Valley Rd., Berkeley Heights NJ 07922. BIOCIDE 20. Active Ingredients: Poly[oxyethylene (dimethyliminio) ethylene(dimethyliminio)-ethylene dichloride] 20.0 percent. Method of Support: Application proceeds under 2(b) of interim policy.

EPA File Symbol 1020–RA. Oakite Products, Inc., 50 Valley Rd., Berkeley Heights NJ 07922. BIOCIDE 40. Active Ingredients: Disodium cyanodithioimidocarbonate 6.35 percent; Ethylenediamine 2.40 percent; Potassium N-methyldithiocarbamate 8.75 percent. Method of Support: Application proceeds under 2(b) of interim policy.

EPA File Symbol 10659–UA. Occidental Chemical Co., A Div. of Occidental Petroleum Corp., PO Box 1185, Houston TX 77001. OXY COTTON DEFOLIANT. Active Ingredients: Sodium Chlorate 28 percent. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 7001–ROL. Occidental Chemical Co., PO Box 198, Lathrop CA 95330. METHYL PARATHION . TOXAPHENE 3–6. Active Ingredients: O,O-Dimethyl O-p-nitrophenyl phosphorothioate 26.0 percent; Toxaphene (Technical Chlorinated Camphene (67–69 percent Chlorine) 52.0 percent; Xylene 16.0 percent. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 30949–G. Owyhee Rodent Extermination District, PO Box 400, Marsing ID 83639. 1.82 percent ZINC PHOSPHIDE TREATED GRAIN BAIT. Active Ingredients: Zinc Phosphide 1.82 percent. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 390–LG. Pettit Paint Co., Inc., 36 Pine St., Borough of Rockaway NJ 07866. PETTIT BOAT BUILDERS MARINE PAINT UNEPOXY, TROPIC, MEDIUM BLUE, 219. Active Ingredients: Cuprous Oxide 51 percent. Method of Support: Application proceeds under 2(c) of interim policy.

EPA Reg. No. 904–199. B. G. Pratt Div., Gabriel Chemicals Ltd., PO Box 2138, Paterson NJ 07509. DURSBAN G5 GRANULAR LAWN INSECT CONTROL. Active Ingredients: Chlorpyrifos [O,O-Diethyl O(3,5,6-trichloro-2-pyridyl) phosphorothioate] 0.46 percent; Aromatic Petroleum Derivative Solvent 0.25 percent. Method of Support: Application proceeds under 2(b) of interim policy.

EPA Reg. No. 707–98. Rohm and Haas, Independence Mall West, Philadelphia PA 19105. KERB 50–W A SELECTIVE HERBICIDE. Active Ingredients: 3,5-dichloro-N-(1,1-dimethyl-2-propynyl)-benzamide 50.0 percent. Method of Support: Application proceeds under 2(b) of interim policy.

EPA File Symbol 11265–RT. Seymour Chemical Associates Inc., 1609 Arbor Ave., Highland Park IL 60035. PRESERVATIVE SG–30. Active Ingredients: 3,5-Dimethyl-4-chlorophenol 30 percent. Method of Support: Application proceeds under 2(c) of interim policy.

EPA Reg. No. 538–28. O. M. Scott & Sons, Marysville OH 43040. (SCOTTS) TURF BUILDER PLUS 2 BRAND WEED CONTROL PLUS LAWN FERTILIZER. Active Ingredients: 2,4-Dichlorophenoxyacetic acid 0.80 percent; 2-(2-Methyl-4-chlorophenoxy) propionic acid 0.80 percent. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 1729–RNT. Tesco Chemicals, Inc., 1860 Airport Ind. Park Dr., Marietta, GA 30060. TES-CLORON QUICK DISSOLVING TABLETS NEW FIRE RESISTANT CONCENTRATED POOL CHLORINE. Active Ingredients: Sodium Dichloro-s-triazinetrione dihydrate 88 percent. Method of Support: Application proceeds under 2(b) of interim policy.

EPA Reg. No. 1023–23. Tuco Products Co., Div. of UpJohn Co., 7171 Portage Rd., Kalamazoo MI 49001. ENIDE 50W. Active Ingredients: Diphenamid (N,N-Dimethyl-2,2-diphenylacetamide) 50 percent. Method of Support: Application proceeds under 2(c) of interim policy.

EPA File Symbol 10292–ER. Venus Laboratories, 1025 Industrial Dr., Bensenville IL 60106. VENUSCIDE INSECTICIDE CONCENTRATE YNERGIZED PYRETHRIN SPRAY FOR MILLS, FOOD PLANTS AND THE HOME. Active Ingredients: Pyrethrins 0.100 percent; Piperonyl butoxide, technical 0.200 percent; N-octyl bicycloheptene dicarboximide 0.333 percent; Petroleum distillate 99.367 percent. Method of Support: Application proceeds under 2(c) of interim policy.

EPA Reg. No. 1700–160. Winru Chemical & Sales Co., 923 State Line, Kansas City MO 64101. WINRU MPB RESIDUAL SPRAY. Active Ingredients: Malathion 3.00 percent; Pyrethrins 0.15 percent; Technical piperonyl butoxide 1.50 percent; Aromatic petroleum hydrocarbons 95.20 percent. Method of Support: Application proceeds under 2(c) of interim policy.

EPA Reg. No. 7738–3. Winthrop Laboratories, Veterinary Department, Div. of Sterling Drug Inc., 90 Park Ave., New York NY 10016. ROCCAL-D VIRUCIDE DISINFECTANT-DETERGENT-DEODORANT. Active Ingredients: Alkyl (67 percent C12, 25 percent C14, 7 percent C16, 1 percent C8, C10, and C18) dimethyl benzyl ammonium chlorides 20.00 percent; Monoethanolamine ethylenediamine tetraacetate 1.75 percent; Essential oils 2.52 percent. Method of Support: Application proceeds under 2(a) of interim policy.

Dated: July 20, 1974.

JOHN B. RITCH, Jr.,
Director, Registration Division.

[FR Doc.74–17017 Filed 7–24–74;8:45 am]

[OPP–50007; FRL 241–1]

SOUTH DAKOTA

Issuance of Experimental Use Permit for Predator Control (Coyotes and Red Foxes)

Pursuant to section 5 of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended (86 Stat. 983), the South Dakota Department of Game, Fish, and Parks applied to the Environmental Protection Agency (EPA) for an experimental use permit. This permit (No. 34275–EXP–1G) is hereby issued in accordance with 40 CFR Part 162.19 as promulgated in the FEDERAL REGISTER on January 31, 1974 (39 FR 3939) and allows the shipment and use of sodium cyanide in the sodium cyanide spring-loaded ejector mechanism (SCSLEM) for control of predation by coyotes and red foxes. The SCSLEM is to be used only in an experimental program approved by the EPA in 23 approved counties in the State of South Dakota only, under the supervision and control of approved SCSLEM applicators as designated by the

South Dakota Department of Game, Fish, and Parks.

This program began on July 1, 1974, and will expire on July 1, 1975. However, it may be revoked at any time for violation of the terms thereof, or to avoid deleterious effects on the environment.

EPA invites interested persons to submit written comments with reference to this notice to the Federal Register Section, Technical Services Division (WH-569), Office of Pesticide Programs, Environmental Protection Agency, 401 M Street, SW., Room EB-1, Washington, D.C. 20460. Three copies of the comments must be submitted to facilitate the work of EPA and others interested in inspecting them. The comments must be received on or before August 26, 1974, and should bear the notation OPP-50007. All written comments filed pursuant to this notice will be available for public inspection in the Office of the Federal Register Section from 8:30 a.m. to 4 p.m., Monday through Friday.

The application, the permit issued and the label and directions for use of sodium cyanide in the SCSLEM are available for public inspection at the Environmental Protection Agency, Room EB-37, East Tower, 401 M Street, SW., Washington, D.C.

PROGRAM FOR EXPERIMENTAL USE OF SODIUM CYANIDE SPRING-LOADED EJECTOR MECHANISM (SCSLEM) FOR PREDATOR CONTROL IN STATE OF SOUTH DAKOTA

I. *Purpose.* Sodium cyanide will be used in the spring-loaded ejector mechanism (SCSLEM) in an experimental program. This experimental program is designed to measure the usefulness of this tool as a method of reducing domestic livestock losses due to predation by coyotes and red foxes. This program will also evaluate the effect of the method on non-target species.

II. *Objectives.* A. Determine the effects of the SCSLEM's on livestock losses by coyotes and red foxes where the SCSLEM's are used as compared to livestock losses where the SCSLEM's are not used.

B. Determine the effects of the use of the SCSLEM's on the non-target species in the SCSLEM use areas.

C. Determine the cost of controlling coyotes and red foxes with the SCSLEM's as compared to trapping, snaring, shooting, denning or the other methods used to control coyotes and red foxes in South Dakota.

D. Determine the selectivity of the SCSLEM's when used to control coyotes and red foxes.

E. Determine the effects of the use of the mechanisms in coyote and red fox control with regard to human safety.

F. Determine the effectiveness of the use of other coyote and red fox control methods relative to the effectiveness of the SCSLEM's.

G. Determine the economic benefits derived from the use of the SCSLEM's and other methods of controlling coyotes and red foxes in South Dakota.

H. Determine the amount of coyote and red fox control that can be achieved through the use of the SCSLEM's without causing "unreasonable adverse effects" on the environment.

I. Determine the most effective placement location of SCSLEM for taking coyotes and red foxes.

J. Determine the influence of climatic conditions upon effectiveness of SCSLEM's.

III. *Control.* A. *State Coordinator.* The program will be directed by the South Dakota Department of Game, Fish and Parks in cooperation with the Agricultural Extension Service and South Dakota State University. The State Coordinator of this program was to be named prior to July 1, 1974.

B. *District Coordinators.* The Animal Damage Control (ADC) Trapper in each district in the program will serve as district coordinator. The responsibilities of the district coordinator are as follows:

1. Work with designated representatives of the South Dakota Department of Game, Fish and Parks to arrange for and coordinate the training of applicators.

2. Assists in gathering data reports from applicators and ranchers in control area. Report this data to the South Dakota Department of Game, Fish and Parks.

3. Maintain a list giving the name, address, and locations of land of each person certified as an approved applicator and designated ranchers in the control area.

C. *State Game, Fish and Parks Department Supervisors.* The South Dakota Game, Fish and Parks Department supervisors will assume responsibility for seeing that the ADC Trappers in the districts concerned are fully apprised of their responsibilities in the conduct of the program and will monitor this phase of the program to see that the duties outlined above are carried out in accordance with the intent of this proposal.

IV. *Procedures for implementation.* A. *Applicators' Qualifications.* Applicators of the SCSLEM will be ranchers or farmers holding land in the districts in the program and/or their designated agents. These applicators will be approved by the South Dakota Department of Game, Fish and Parks upon successful completion of an approved training program conducted by the State Coordinator. The training program will include information necessary for the approved SCSLEM applicator to understand the nature of the chemical and the mechanism, the techniques of selection of placement sites, selection of SCSLEM baits or scents, actual setting of the mechanism, visitation periods, record keeping and reporting, legal responsibility, identifying methods of tripping device other than pull, training to identify kill types, locating kills from device, proper storage of the chemical capsule and mechanism when not in use, and method for disposal of used or inoperative capsules. Special emphasis will be given to environmental and human safety precautions to be observed when using the SCSLEM.

B. *Distribution of Chemical Capsules and Mechanisms.* Each district in the program will have one ADC Trapper for distributing capsules and spring-loaded ejector mechanisms. Mechanisms and capsules will only be available to approved SCSLEM applicators. These approved applicators may purchase the capsules and mechanisms only from the district ADC Trapper. Capsules may be purchased by approved applicators for use in the spring-loaded ejector mechanisms already owned, provided the mechanism owners agree to abide by the conditions of the experimental use program and reporting system. No explosive devices will be permitted. The antidote, amyl nitrite capsules, must be available for purchasers of the SCSLEM at each distribution point. Each purchaser must be advised of the antidote and the availability of this antidote at the time of purchase of capsules and/or mechanisms.

C. *Record Keeping.* A record of each applicator who obtains the chemical capsules and/or mechanisms will be kept. These records will include:

1. Name of approved applicator of the SCSLEM and name of one other person who will be knowledgeable of the site locations of the SCSLEM's or written direction from the ranch headquarters to the SCSLEM sites, with each site marked.

2. Location of ranch or farm headquarters, directions and mileage from nearest town.

3. The number of acres and livestock by type to be protected from depredation on the ranch.

4. The number of capsules and mechanisms purchased.

5. A signed agreement to comply with the terms of the damage assessment reporting system and the conditions of the experimental program.

D. *Data Reporting.* Each applicator must submit the following information to the district ADC Trapper at least once each month or when he purchases additional capsules and/or devices, whichever comes first.

1. Name of ranch, farm where SCSLEM's are placed and name of owner.

2. Type of ranch or farm operation [cattle, horses, sheep or other, including the type of livestock production conducted, i.e., range (herded, fenced pastures), ewe, lamb, purebred, farm flock, feeder lambs (pasture, feedlot), etc.].

3. Name of applicator of SCSLEM.

4. Number of SCSLEM's in use each month.

5. Number of capsules used each month at each specific placement location.

6 Number of coyotes, red foxes and non-target species taken each month.

7. Number of discharges each month at each SCSLEM location which results in no animal recovery.

8. Number of livestock losses from July 1, 1973, to June 30, 1974 (need only be included in first monthly report) to:
a. Coyotes and red foxes
b. Other known causes (list by name)
c. Unknown causes.
9. Number and type of livestock losses each month of SCSLEM used to:
a. Coyotes or red foxes
b. Other known causes (list by name)
c. Unknown causes.
10. Number and type of accidents causing injury to humans, domestic animals and/or livestock.
11. Other control measures used at the same time that SCSLEM's are in use and animals taken.
12. Description of any climatic effects upon the SCSLEM's.

Permission must be granted in writing at time of purchase by the applicator to allow representatives or designated agents of the South Dakota Department of Game, Fish and Parks and the Environmental Protection Agency to enter upon his property for the purpose of inspecting and monitoring all aspects of the experimental program. Any person found to be using the materials improperly or falsifying required data will have his classification as an approved applicator revoked and will be denied further use of the device and capsules.

An approved applicator may be subject to the civil and criminal penalties under the Federal Insecticide, Fungicide, and Rodenticide Act as amended. Furthermore, failure to adhere to the provisions of this program on the part of any ADC Trapper, landowner, applicator or other persons engaged in this program may result in suspension of the program within the district in question. ADC Trappers are subject to provisions and penalties of the program.

V. *Data summarization and analysis.* A. The South Dakota Department of Game, Fish and Parks, through the designated ADC Trappers, will be responsible for collecting required SCSLEM data report forms from approved applicators. These data report forms will be referred to the State Coordinator for summary and computation of data. Quarterly reports of these summaries shall be sent to the Hazardous Materials Control Division, EPA Region 8, Denver. The Department of Game, Fish and Parks will collect requested data from control areas where the SCSLEM is not used for summarization and comparison with data from SCSLEM use areas. The State Coordinator will also send this information to the Regional office on a quarterly basis.

The data from control areas will consist of livestock losses due to coyote and red fox predation, losses due to other or unknown causes, and coyote or red fox kills due to other control methods, such as trapping, snaring, shooting, denning and other methods.

A precensus of livestock to be protected and an index of coyote and red fox populations both in the control areas and in those districts in the SCSLEM use program must be conducted prior to the introduction of SCSLEM use. This information will be provided as indicated in paragraph B of this section.

A postcensus of livestock populations and the index of coyote and red fox populations will be conducted in both areas at the completion of the program.

B. Additional census and loss data will be supplied by the U.S. Crop and Livestock Reporting Service. This data will give the number of sheep in each county and number lost to predators in 1973 (the only full year when the SCSLEM or similar devices were not in use), as compared to losses in 1974. This information is to be obtained by polling of producers by mail, phone and personal contacts.

C. This program will begin about July 1, 1974 and end June 30, 1975. No mechanisms or capsules may be distributed after June 1, 1975. All unused capsules must be returned to distribution points before July 15, 1975. Final data summaries and analyses must be submitted to the Registration Division, Office of Pesticide Programs, Environmental Protection Agency, 401 M St., SW, Room E-347, Washington, D.C. 20460 by September 15, 1975.

D. Use of the SCSLEM will not be permitted where use of the mechanism will harm endangered or threatened species that may be attracted to the SCSLEM.

VI. *Experimental program.* A. *Location of SCSLEM Sites.* This program will be conducted in 23 counties west of the Missouri River:

Bennett	Lyman
Butte	Meade
Corson	Mellette
Custer	Pennington
Dewey	Perkins
Fall River	Shannon
Gregory	Stanley
Haakon	Todd
Harding	Tripp
Jackson	Washabaugh
Jones	Ziebach
Lawrence	

The designated counties west of the river were selected on the material basis of the occurrence of greatest predation losses of livestock.

1. Areas will be selected in each approved county where the SCSLEM will be used by approved applicators to control predation.

2. Estimated numbers of devices and capsules that will be permitted to be purchased and set in each district by the approved applicators was to be determined prior to July 1, 1974. The total number of devices and capsules for the entire program will not exceed 2,500 devices and 25,000 capsules.

3. All expenses incurred in purchasing and placement of the mechanisms and sodium cyanide capsules will be the responsibility of the approved applicators.

4. Control areas have been selected in three of the 12 districts which will be representative of areas where SCSLEM's are used. No SCSLEM's will be used in control areas. Other methods of controlling will be permitted, such as trapping, snaring, shooting and denning. These control areas shall be at least 100 square miles in area, and shall be at least 5 miles from the nearest site where SCSLEM's are used.

Control areas have been selected in the following counties:

1. Fall River,
2. An area in Harding and Butte counties,
3. Perkins.

These counties may be changed prior to initiation of the program if the change has been approved by the Environmental Protection Agency. This system of control areas will be reevaluated by EPA and the South Dakota Department of Game, Fish and Parks before next spring.

B. *Work to be accomplished.*

1. Training of approved applicators.
2. Establishment of distribution points and methods for the distribution of the mechanisms and antidote to approved applicators.
3. Collection of program data from approved applicators.
4. Establishment of activities needed for monitoring and surveillance of all aspects of the experimental program by the South Dakota Department of Game, Fish and Parks and EPA.
5. Establishment of a method to evaluate the selectivity of the SCSLEM's.
6. Establishment of a method to evaluate the program as a mechanism for measuring efficacy of the SCSLEM's in order to meet the program objectives.
7. Coordination of the program work and objectives in order to use the data already being collected and generated by predator control of the Department of Interior's Bureau of Sport Fisheries and Wildlife, the U.S. Department of Agriculture's W-123 Predator Control Research Committee, and the U.S.D.A. Economic Research Service's study on the economic aspects of the livestock industry and predator control.
8. Establishment of a method for an economic analysis of coyote and red fox control with the SCSLEM's.
9. Establishment of methods to census the livestock, coyote, and red fox populations in the SCSLEM use areas and the areas where no SCSLEM's are used.
10. Collection of monthly program data from SCSLEM use areas and control areas where no SCSLEM's are used.
11. Submission of all data to the South Dakota Department of Game, Fish and Parks for summarization, analysis and distribution to the Environmental Protection Agency.

Dated: July 19, 1974.

JAMES L. AGEE,
Acting Assistant Administrator for Water and Hazardous Materials.

[FR Doc.74-17055 Filed 7-24-74;8:45 am]

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

COOPERATION IN ENFORCEMENT OF SECTION 707 OF THE CIVIL RIGHTS ACT OF 1964

Pursuant to section 706(g)(1) of Title VII of the Civil Rights Act of 1964, 42 U.S.C. 2000e–4(g)(1) allowing the Equal Employment Opportunity Commission to utilize the services of other appropriate Federal agencies in the enforcement of non-discrimination in employment, the Equal Employment Opportunity Commission (EEOC) and the United States Attorney's Office, Southern District of New York, agree to the following:

That since section 707(c) of Title VII of the Civil Rights Act of 1964, 42 U.S.C. 2000e–6(c) provides that after March 24, 1974, the authority for Federal enforcement of violations of the Act committed by private employers shall rest exclusively with the EEOC; since the United States Attorney's Office under previously existing authority had brought several such enforcement actions on behalf of the Government; and since the United States Attorney's Office maintains a litigation staff, the continued involvement of which will benefit the Government's enforcement of civil rights in employment, the parties to this agreement hereby adopt a cooperative policy and express an intention to continue the involvement of the United States Attorney in appropriate cases arising under section 707 of Title VII, 42 U S.C. 2000e–6, in the Southern District of New York, as follows:

a. On cases brought on behalf of the United States by the United States Attorney for the Southern District of New York prior to March 24, 1974, the EEOC will be formally substituted as party plaintiff, and the United States Attorney will, in association with the Office of General Counsel, represent the EEOC before the Court.

b. In Title VII actions filed in the Southern District of New York after March 24, 1974, which are generated by the United States Attorney or referred to him by the EEOC, the United States Attorney will, in association with the Office of General Counsel, represent the EEOC before the Court.

In effectuating the provisions of this agreement, the parties recognize that the litigant in all actions arising under the provisions of section 707 of Title VII is the EEOC, that policy decisions affecting the enforcement of the Act rest with that agency and that the United States Attorney when representing the EEOC will coordinate its litigation efforts with the Office of General Counsel of the EEOC.

Dated: June 21, 1974: As of March 24, 1974.

PAUL J. CURRAN,
U.S. Attorney,
Southern District of New York.

JOHN H. POWELL, Jr.,
Chairman, Equal Employment Opportunity Commission.

WILLIAM A. CAREY,
General Counsel, Equal Employment Opportunity Commission.

[FR Doc.74–17006 Filed 7–24–74;8:45 am]

FEDERAL POWER COMMISSION

[Docket Nos. E–8308, E–7206]

DETROIT EDISON CO. AND CONSUMERS POWER CO.

Availability of Staff Draft Environmental Impact Statement

Notice is hereby given that on July 22, 1974, as required by § 2.81(b) of Commission Order No. 415–C, a draft environmental impact statement prepared by the Staff of the Federal Power Commission was made available for comments. This statement deals with the environmental impact of (1) an application filed by the Detroit Edison Company in Docket No. E–8308 for a permit, pursuant to Executive Order No. 10485, dated September 3, 1953, authorizing the construction, operation, maintenance and connection at the international border between the United States and Canada of facilities for the transmission of electric energy between the United States and Canada, and (2) a joint application filed by The Detroit Edison Company and Consumers Power Company in Docket No. E–7206 for a supplemental order, pursuant to section 202(e) of the Federal Power Act, authorizing the transmission of electric energy from the United States to Canada by means of certain existing facilities and the above-mentioned proposed facilities.

This statement has been circulated for comments to Federal, State and local agencies, has been placed in the public files of the Commission, and is available for public inspection both in the Commission's Office of Public Information, Room 1000, 825 North Capitol Street, NE., Washington, D.C. 20426 and its Chicago Regional Office located at 610 S. Canal Street, Room 1051, Chicago, Illinois 60606. Copies may be ordered from the Commission's Office of Public Information, Washington, D.C. 20426.

The proposed project is a joint undertaking by the Applicants and The Hydro-Electric Power Commission of Ontario (Ontario Hydro). Under the terms of the Application submitted to the Commission, Edison proposes to construct an overhead 345 kv transmission line approximately 3.3 miles in length from its St. Clair Generating Station located in St. Clair County, Michigan, to a point on the international border in the St. Clair River. Ontario Hydro will build a similar line about 0.8 miles in length from its Lambton Generating Station and interconnect with the Edison line at the international border.

The tower on the United States side of the river and the electric conductors it supports to the international border are the only facilities under application.

Any person who wishes to do so may file comments on the staff draft statement for the Commission's consideration. All comments must be filed on or before September 5, 1974.

Any person who wishes to present evidence regarding environmental matters in this proceeding must file with the Commission a petition to intervene pursuant to § 1.8 of the Commission's rules of practice and procedure. Petitioners must also file timely comments on the draft statement in accordance with § 2.81 (c) of Order No. 415–C.

All petitions to intervene must be filed on or before September 5, 1974.

KENNETH F. PLUMB,
Secretary.

[FR Doc.74–17060 Filed 7–24–74;8:45 am]

[Docket Nos. RI74–136, et al.]

SKELLY 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 [1]

JULY 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 unlawfulness 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

[1] Does not consolidate for hearing or dispose of the several matters herein.

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.*

APPENDIX A

Docket No.	Respondent	Rate schedule No.	Supplement No.	Purchaser and producing area	Amount of annual increase	Date filing tendered	Effective date unless suspended	Date suspended until—	Cents per Mcf* Rate in effect	Cents per Mcf* Proposed increased rate	Rate in effect subject to refund in docket Nos.
RI74-136	Skelly Oil Co	264	6	El Paso Natural Gas Co. (San Juan Basin Area, Rio Arriba County, N.Mex.).	$1,123	6-17-74		(12)	[2] 28.5	[4] 28.8117	RI74-136.
RI74-136	do			do	2,923	6-17-74		(13)	[3] 28.0	[4] 28.8117	RI74-136.
RI74-191	do	273	2	do	1,123	6-19-74		7-2-74	28.5	[4] 28.8117	RI74-191.
RI74-114	do	107	24	Northwest Pipeline Corp. (Rio Arriba County, N.Mex., and La Plata County, Colo.) (San Juan Basin Area).	561	6-20-74		(12)	[5] 26.64	[4] [5] 26.9314	RI74-114.
RI74-114	do			do	697	6-20-74		(12)	[3] 28.5	[4] [3] 28.8117	RI74-114.
RI74-114	do	90	26	El Paso Natural Gas Co. (San Juan Basin Area) (Rio Arriba County, N.Mex.).	1,969	6-19-74		(12)	[5] 26.64	[4] [5] 26.9314	RI74-114.
RI74-98	do			do	2,368	6-19-74		(12)	[3] 28.5	[4] [3] 28.8117	RI74-98.
RI74-132	do	141	25	El Paso Natural Gas Co. (San Juan Basin Area) (San Juan and Rio Arriba Counties, N.Mex.).	2,913	6-19-74		(12)	[5] 26.64	[4] [5] 26.9314	RI74-132.
RI74-132	do			do	(1)	6-19-74		(13)	[3] 28.5	[4] [3] 28.8117	RI74-132
RI75-8	Burmah Oil & Gas Co	8	9	Montana-Dakota Utilities Co. (Tioga Gasoline Plant, Williams County, N.Dak., Montana-Dakota Sub Area) (Rocky Mountain Area).	89,238	6-17-74		1-2-75	[7] [11] 28.06	[7] [11] 31.01	
RI75-9	Continental Oil Co	208	[9] 16	El Paso Natural Gas Co. (Lindreth Area, Rio Arriba County, N. Mex.) (San Juan Basin Sub Area) (Rocky Mountain Area).	2,700	6-17-74		8-18-74	24.0	24.5	
RI74-135	Union Oil Co. of California	159	7	Southern Union Gathering Co. (Basin Dakota Pool, San Juan County, N. Mex., San Juan Basin Sub Area) (Rocky Mountain Area).	11	6-24-74		7-2-74	27.9543	28.2600	RI74-135.

[1] Unless otherwise stated, the pressure base is 15.025 lb/in²a.
[2] No production.
[3] Mesa Nos. 1 and 2 Units.
[4] Mesa No. 3 Unit.
[5] Includes contractual 7/8 tax reimbursement.
[6] Applicable to wells completed prior to June 1, 1970.
[7] Applicable to wells completed on or after June 1, 1970.
[8] Suspended in Docket No. RI74-163.
[9] Cost of Living Increase plus tax based on the Bureau of Labor Statistics' wholesale price index.
[10] Applies only to gas dedicated by Supplement Nos. 8, 10, and 13, all dated after Oct. 1, 1968.
[10] Reflects contractual reimbursement for the increased New Mexico severance tax.
[11] The pressure base is 14.73 lb/in²a.
[12] The proposed increased rate filed by Respondent is suspended until July 2, 1974, to the extent it does not exceed the rate set forth in the "Proposed Increased Rate" column and is rejected for lack of contractual authorization to the extent it exceeds such rate.
[13] The proposed increased rate filed by Respondent is suspended until Aug. 18, 1974, to the extent it does not exceed the rate set forth in the "Proposed Increased Rate" column and is rejected for lack of contractual authorization to the extent it exceeds such rate.

Some of the proposed tax increases reflect full reimbursement for the recent increase in the New Mexico Severance Tax instead of the seven-eighths reimbursement authorized under the contracts. [1] Since the underlying rates are being collected subject to refund, the increases are suspended for one day from July 1, 1974, and made subject to the existing proceedings insofar as they reflect contractual tax reimbursement and are rejected insofar as they exceed such reimbursement.

Other proposed increases reflect only contractual reimbursement for the New Mexico tax. Since the underlying rates are effective subject to refund, these tax increases are suspended for one day from July 1, 1974, and made subject to the existing proceedings.

One of the proposed increases of Skelly under its FPC Gas Rate Schedule No. 264 reflects a 0.5¢ periodic increase, plus full reimbursement for the New Mexico tax instead of the contractual seven-eighths reimbursement. [1] The proposed increase is suspended for one day from the expiration of the sixty day notice period to the extent it is contractually authorized since it exceeds the applicable area ceiling set forth in Order No. 435, and is rejected insofar as it exceeds the contractually authorized tax reimbursement.

The proposed rate increase of Burmah Oil and Gas Company is suspended for five months since it exceeds the applicable area ceiling rate under Opinion No. 658.

The proposed rate increase of Continental Oil Company is suspended for one day after expiration of the sixty day notice period since it exceeds the Order No. 435 ceiling.

In regard to any sale of natural gas for which the proposed increased rate is filed under the provisions of Opinion No. 699, issued June 21, 1974, in Docket No. R-389-B, no part of the proposed rate increase above the prior applicable area ceiling rate may be made effective until the seller submits a statement in writing demonstrating that Opinion No. 699 is applicable to the particular increased rate filing, in whole or in part. The proposed increased rates for which such support shall have been satisfactorily demonstrated prior to September 23, 1974, will be made effective as of June 21, 1974.

[FR Doc.74-16918 Filed 7-24-74;8:45 am]

[1] The area rate clauses in the subject contracts are not applicable here inasmuch as the area ceiling established in Opinion No. 658 was not changed as a result of the subject state tax increase.

[Docket Nos. RI74-145, et al.]

SUN OIL CO.

Order Providing for Hearing On and Suspension of Proposed Change In Rate, and Allowing Rate Change To Become Effective Subject to Refund

JULY 18, 1974.

Respondent has filed a proposed change in rate and charge for the jurisdictional sale of natural gas, as set forth in Appendix A hereof.

The proposed changed rate and charge 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 a hearing regarding the lawfulness of the proposed change, and that the supplement herein be suspended and its 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, a public hearing shall be held concerning the lawfulness of the proposed change.

(B) Pending hearing and decision thereon, the rate supplement herein is suspended and its use deferred until date shown in the "Date Suspended Until" column. This supplement 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. 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 supplement, nor the rate schedule sought to be altered, shall be changed until disposition of this proceeding or expiration of the suspension period, whichever is earlier.

By the Commission.

[SEAL] KENNETH F. PLUMB, *Secretary.*

APPENDIX A

Docket No.	Respondent	Rate schedule No.	Supplement No.	Purchaser and producing area	Amount of annual increase	Date filing tendered	Effective date unless suspended	Date suspended until—	Cents per Mcf* Rate in effect	Cents per Mcf* Proposed increased rate	Rate in effect subject to refund in docket No.
RI74-145	Sun Oil Co	108	11	El Paso Natural Gas Co. (acreage in San Juan County, N. Mex., San Juan Basin) (Rocky Mountain Area).	(2)	6-18-74		7-11-74	[10] 26.70	[1] 27.37	RI74-145.
RI74-145	do	[9] 319	13	do	$800	6-18-74		7- 2-74	[9] [3] 26.70	[3] [4] 26.9617	RI74-145.
	do			do		6-18-74		7- 2-74	[4] [5] 28.5	[4] [5] 28.8117	RI74-216.
RI74-145	do	353	17	El Paso Natural Gas Co. (Twin Mounds Area, San Juan County, N. Mex., and La Plata County, Colo., San Juan Basin) (Rocky Mountain Area).	(2)	6-18-74		12-19-74	[6] [15] 26.70	[6] [5] 28.8117	
RI74-145	do			do	(2)	6-18-74		12-19-74	[7] [15] 25.23	[4] [5] 28.5	
RI74-145	do		18	do	229	6-18-74		7-11-74	[8] [15] 26.70	[3] [4] 26.9617	
RI74-145	do	376	16	El Paso Natural Gas Co. (Bisti Field, San Juan County, N. Mex. San Juan Basin) (Rocky Mountain Area).	34	6-18-74		7-11-74	[15] 26.70	[1] 27.3701	
RI74-162	do	415	11	Southern Union Gathering Co. (acreage in San Juan County, N. Mex., San Juan Basin) (Rocky Mountain Area).	826	6-18-74		8- 2-74	[3] [4] 26.67	[3] [4] 26.9617	
RI74-162	do			do		6-18-74		8- 2-74	[4] [5] 28.5	[4] [5] 28.8117	
RI74-145	do	431	10	El Paso Natural Gas Co. (Gallegos Canyon Field, San Juan County, N. Mex., San Juan Basin) (Rocky Mountain Area).	5,561	6-18-74		7- 4-74	[8] [11] [16] 26.70	[3] [11] 26.9617	
RI74-145	do			do	6	6-18-74		7- 2-74	[3] [12] 24.50	[3] [12] 24.7680	RI74-145.
RI74-145	do			do	31	6-18-74		7- 4-74	[3] [13] [16] 28.50	[3] [13] 28.8117	
RI74-145	do			do		6-18-74		7- 2-74	[3] [14] 28.50	[3] [14] 28.8117	RI74-145;
RI74-145	do	512	4	do	289	6-18-74		7- 2-74	[3] [6] 24.5	[3] [6] 24.7680	RI74-145.
RI74-145	do			do	2	6-18-74		7- 2-74	[4] [5] 28.5	[4] [5] 28.8117	RI74-145.

* Unless otherwise stated, the pressure base is 15.025 lb/in² a.
[1] Reflects contractual reimbursement for the increase in the New Mexico gas severance tax.
[2] Currently no deliveries.
[3] For gas delivered from well completed prior to June 1, 1970.
[4] For gas delivered from wells completed on and after June 1, 1970.
[5] Rates suspended in Docket No. RI74-162 until Aug. 2, 1974.
[6] Considered "new gas" pursuant to Opinion No. 639.
[7] For acreage dedicated prior to Oct. 1, 1968, and wells completed prior to June 1, 1970.
[8] For acreage dedicated after Oct. 1, 1968, and wells completed prior to June 1, 1970.
[9] Subject to upward or downward Btu adjustment from a base of 1,000 Btu.
[10] New Mexico sales.
[11] Colorado sales.
[12] Increase to the contract rate plus contractual reimbursement for the increase in the New Mexico tax.
[13] For acreage dedicated prior to Oct. 1, 1968, and wells completed on or after June 1, 1970.
[14] For acreage dedicated after Oct. 1, 1968, and wells completed on or after June 1, 1970.
[15] Rate suspended in Docket No. RI74-145 until July 11, 1974.
[16] Rate suspended in Docket No. RI74-145 until July 4, 1974.

The proposed increases which reflect only contractual tax reimbursement for the 1.25 percent increase in the New Mexico Gas Severance Tax (which went into effect on July 1, 1974) are suspended for one day from July 1, 1974, or until the expiration of the suspension period for the underlying rate, whichever is later, in the same suspension proceeding involving the underlying rate.[1]

The proposed increases under Supplement No. 17 to Sun's FPC Gas Rate Schedule No. 353 are suspended for five months because they exceed the applicable ceiling prescribed in Opinion No. 658.

In regard to any sales of natural gas for which the proposed increased rate is filed under the provisions of Opinion No. 699, issued June 21, 1974, in Docket No. R-389-B, no part of the proposed rate increase above the prior applicable area ceiling rate may be made effective until the seller submits a statement in writing demonstrating that Opinion No. 699 is applicable to the particular increased rate filing, in whole or in part. The proposed increased rates for which such support shall have been satisfactorily demonstrated prior to September 23, 1974, will be made effective as of June 21, 1974.

[FR Doc.74-16922 Filed 7-24-74;8:45 am]

[1] All of the underlying rates involved here are either under suspension or being collected subject to refund.

FEDERAL RESERVE SYSTEM

MICHIGAN FINANCIAL CORP.

Acquisition of Bank

Michigan Financial Corporation, Marquette, Michigan, has applied for the Board's approval under section 3(a)(3) of the Bank Holding Company Act (12 U.S.C. 1842(a)(3)) to acquire 100 percent of the voting shares (less directors' qualifying shares) of the successor by merger to First National Bank of Ironwood, Ironwood, Michigan. The factors that are considered in acting on the application are set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

The application may be inspected at the office of the Board of Governors or at the Federal Reserve Bank of Minneapolis. Any person wishing to comment on the application should submit views in writing to the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551 to be received not later than August 14, 1974.

Board of Governors of the Federal Reserve System, July 17, 1974.

[SEAL] THEODORE E. ALLISON, *Assistant Secretary of the Board.*

[FR Doc.74-16985 Filed 7-24-74;8:45 am]

J. R. MONTGOMERY CO., INC.

Acquisition of Additional Shares of Bank

J. R. Montgomery Co., Inc., Lawton, Oklahoma, has applied for the Board's approval under section 3(a)(3) of the Bank Holding Company Act (12 U.S.C. 1842(a)(3)) to acquire, through a pro rata rights offering, 3,730 additional voting shares of The City National Bank and Trust Company, Lawton, Oklahoma. The factors that are considered in acting on the application are set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

The application may be inspected at the office of the Board of Governors or at the Federal Reserve Bank of Kansas City. Any person wishing to comment on the application should submit views in writing to the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551 to be received not later than August 5, 1974.

Board of Governors of the Federal Reserve System, July 17, 1974.

[SEAL] THEODORE E. ALLISON,
Assistant Secretary of the Board.

[FR Doc.74-16986 Filed 7-24-74;8:45 am]

PEOPLES BANKING CORP.

Acquisition of Bank

Peoples Banking Corporation, Bay City, Michigan, has applied for the Board's approval under section 3(a)(3) of the Bank Holding Company Act (12 U.S.C. 1842(a)(3)) to acquire 100 percent of the voting shares of American Security Bank, Mount Pleasant, Michigan. The factors that are considered in acting on the application are set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

The application may be inspected at the office of the Board of Governors or at the Federal Reserve Bank of Chicago. Any person wishing to comment on the application should submit views in writing to the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551 to be received not later than August 13, 1974.

Board of Governors of the Federal Reserve System, July 18, 1974.

[SEAL] THEODORE E. ALLISON,
Assistant Secretary of the Board.

[FR Doc.74-17020 Filed 7-24-74;8:45 am]

PITTSBURGH NATIONAL CORP.

Proposed Retention of The Kissell Co.

Pittsburgh National Corporation, Pittsburgh, Pennsylvania, has applied, pursuant to § 4(c)(8) of the Bank Holding Company Act (12 U.S.C. 1843(c)(8)) and § 225.4(b)(2) of the Board's Regulation Y, for permission to retain voting shares of The Kissell Company, Springfield, Ohio. Notices of the application were published on various dates in December, 1973, in newspapers of general circulation in the communities served by Kissell's 26 offices. These offices are located in: Cincinnati, Springfield, Columbus, Dayton, Toledo, Akron, and Lima, Ohio; Pittsburgh and Jenkintown, Pennsylvania; Lexington and Louisville, Kentucky; Indianapolis, Indiana; Atlanta, Georgia; San Diego, San Francisco, Onheim, Sacramento, Tarzana, South Gate, and Audio, California; Detroit, Michigan; Charleston, West Virginia; Phoenix, Arizona; Houston, Texas; Bentonville, Arkansas; and Honolulu, Hawaii.

Applicant states that the subsidiary engages in the activities of originating and servicing mortgage loans for its own account or the accounts of others. Such activities have been specified by the Board in § 225.4(a) of Regulation Y as permissible for bank holding companies, subject to Board approval of individual proposals in accordance with the procedures of § 225.4(b).

Interested persons may express their views on the question whether consummation of the proposal can "reasonably be expected to produce benefits to the public, such as greater convenience, increased competition, or gains in efficiency that outweight possible adverse effects, such as undue concentration of resources decreased or unfair competition, conflicts of interests, or unsound banking practices." Any request for a hearing on this question should be accompanied by a statement summarizing the evidence the person requesting the hearing proposes to submit or to elicit at the hearing and a statement of the reasons why this matter should not be resolved without a hearing.

The application may be inspected at the offices of the Board of Governors or at the Federal Reserve Bank of Cleveland.

Any views or requests for hearing should be submitted in writing and received by the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551, not later than August 12, 1974.

Board of Governors of the Federal Reserve System, July 15, 1974.

[SEAL] THEODORE E. ALLISON,
Assistant Secretary of the Board.

[FR Doc.74-17021 Filed 7-24-74;8:45 am]

NATIONAL ENDOWMENT FOR THE ARTS

Literature Program

SMALL PRESSES

Guidelines for Assistance

The following are guidelines for Assistance to Small Presses under the Literature Program of the National Endowment for the Arts, an independent agency of the Federal Government which makes grants to organizations and individuals concerned with the arts throughout the United States.

Notice is hereby given that the deadline for this program is November 1, 1974. Interested persons should contact Leonard Randolph, Director, Literature Program, National Endowment for the Arts, Washington, D.C. 20506 (202) 382-6186, for further information and application forms. Only the Literature Program office may distribute application forms.

Signed at Washington, D.C., on 18 July 1974.

FANNIE TAYLOR,
Director, Program Information.

During Fiscal Year 1975 (July 1, 1974 to June 30, 1975) the Literature Program of the National Endowment for the Arts will receive applications for grants to aid projects supporting publication and distribution of chapbooks by small presses.

Eligibility. Applications may be made by small, nonprofit, tax-exempt presses with a record of publishing volumes of short fiction or poetry, either by individual writers or in anthology form.

Applications will also be accepted from official state arts agencies on behalf of specific small presses in their states.

A limited number of matching fellowships will be made to individual small press publishers with a record of publishing volumes of poetry or short fiction.

Amounts Available. Applications may be made for sums ranging from a minimum of $500 to a maximum of $10,000.

Grants must be matched, at least dollar-for-dollar, by the small press or the individual publisher. For purposes of matching, in-kind contributions of press staff, outside editorial assistance, use of facilities and contributions of materials are allowable in addition to cash. State arts agencies may also provide non-Federal funds for partial or full matching.

Purpose of the Grants. For the production of a single volume otherwise not possible or for several volumes.

To encourage the publication and distribution of single volumes of work by individual writers.

To assist in publishing writers who have no selected works printed.

To encourage publication of experimental works by writers who already have established access to print.

Special Condition of the Grants. It is a special condition of these grants that the author receive a minimum of 10 percent of the edition as, at least, partial payment of royalties.

Deadline. Applications will be accepted beginning July 1, 1974 and must be postmarked no later than November 1, 1974. Decisions on applications will be announced no later than March 1, 1975.

Review Process. Applications will be reviewed by the Literature Program staff and referred to the Literature Advisory Panel for recommendation to the National Council on the Arts and the Chairman.

Application Procedure. Applicant should complete and return three copies of the attached "Project Grant Application (NEA-3)."

As examples of past work, *five* copies of *two* previous publications must be submitted with each application.

A description of the volume or volumes for which assistance is requested must be given on the application form.

Applications together with the examples of past work should be mailed to:

Grants Office
National Endowment for the Arts
Washington, D.C. 20506

[FR Doc.74-16987 Filed 7-24-74;8:45 am]

NATIONAL ENDOWMENT FOR THE HUMANITIES

Advisory Committee

FELLOWSHIPS PANEL

Notice of Meeting

JULY 17, 1974.

Pursuant to the provisions of the Federal Advisory Committee Act (Pub. L. 92-463) notice is hereby given that a meeting of the Fellowships Panel will be held at Washington, D.C. on August 9 and 12, 1974.

The purpose of the meeting is to review Fellowships for Independent Study and Research applications submitted 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.74–16970 Filed 7–24–74;8:45 am]

PUBLIC PROGRAMS PANEL

Notice of Meeting

JULY 16, 1974.

Pursuant to the provisions of the Federal Advisory Committee Act (Pub. L. 92–463) notice is hereby given that a meeting of the Public Programs Panel will meet at Washington, D.C. on August 8 and 9, 1974.

The purpose of the meeting is to review Humanities Program Grant proposals and Development Grant proposals that have been submitted to the Endowment for possible grant funding.

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.74–16969 Filed 7–24–74;8:45 am]

NATIONAL SCIENCE FOUNDATION

ENERGY R&D ADVISORY COUNCIL FISSION ENERGY WORKING GROUP

Meeting

Pursuant to the Federal Advisory Committee Act (Pub. L. 92–463) notice is hereby given of a meeting of the Fission Energy Working Group of the Energy R&D Advisory Council to be held at (9 a.m. on August 14, 1974, at the O'Hare International Tower Hotel, O'Hare International Airport, Chicago, Illinois, 60666. The conference room number will be posted on the Function Board in the lobby of the hotel.

The purpose of the Council is to help ensure the development of comprehensive technological programs to meet the nation's energy needs. The purpose of this working group meeting is to discuss the environmental, safety, licensing and public acceptability of liquid metal fast breeder reactor systems, The agenda will include presentations by NSF grantees and contractors and by the Environmental Protection Agency along with discussions among working group members.

This meeting shall be open to the public and those individuals who wish to attend should inform Dr. H. L. Hamester, Energy Policy Analyst, Office of Energy R&D Policy, by telephone (202–632–7805) or by mail (Room 537, 1800 G Street, NW., Washington, D.C. 20550) prior to the meeting. Persons requiring further information concerning this working group should contact Dr. H. L. Hamester at the above address. Summary minutes of this meeting may be obtained from the Management Analysis Office, Room K–720, 1800 G Street, NW., Washington, D.C. 20550.

ELDON D. TAYLOR,
Acting Assistant Director for Administrative Operations.

JULY 18, 1974.

[FR Doc.74–17089 Filed 7–24–74;8:45 am]

OFFICE OF MANAGEMENT AND BUDGET

CLEARANCE OF REPORTS

List of Requests

The following is a list of requests for clearance of reports intended for use in collecting information from the public received by the Office of Management and Budget on July 22, 1974 (44 USC 3509). The purpose of publishing this list in the FEDERAL REGISTER is to inform the public.

The list includes the title of each request received; the name of the agency sponsoring the proposed collection of information; the agency form number, if applicable; the frequency with which the information is proposed to be collected; the name of the reviewer or reviewing division within OMB, and an indication of who will be the respondents to the proposed collection.

The symbol (x) identifies proposals which appear to raise no significant issues, and are to be approved after brief notice through this release.

Further information about the items on this Daily List may be obtained from the Clearance Office, Office of Management and Budget Washington, D.C. 20503, (202–395–4529).

NEW FORMS

DEPARTMENT OF AGRICULTURE

Food and Nutrition Service: Survey of Reimbursement and Certification Functions—Food Stamp Program, Form ____, Single time, Lowry, County/State Dept. Public Welfare caseworkers.

Foreign Agricultural Service: Requests for International Travel—FAS Cooperators, Form FAS 215, 215A, Occasional, Strasser, Agricultural commodity cooperators.

Statistical Reporting Service: Special Turkey Poult Survey, Form ____, Annual, Lowry, Poult hatcheries.

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Alcohol, Drug Abuse and Mental Health Administration: Training Needs Assessment, Form ADAMNIDA 0710, Occasional, Collins, Workers in Govt. funded treatment programs.

Departmental: Bi-Weekly Health Report, Form OS–31–74, Bi-weekly, Caywood, Enrolled households in Dayton.

Departmental: Bi-Monthly Employment and Insurance Report, Form OS–31–74, Occasional, Caywood, Enrolled households in Dayton.

Health Insurance Study: Form OS–31–74, Occasional, Caywood, Enrolled households in Dayton.

Juvenile Delinquency: Survey of Incidence of Running Away, Form OS–30–74, Occasional, Lowry, Individuals.

NATIONAL SCIENCE FOUNDATION

A National Survey of the Impact of General Revenue Sharing on State-Local Governments, Form ____, Single time, Ellett, Govt. agencies.

U.S. TARIFF COMMISSION

Producers', Importers' and Purchasers' Questionnaire on Certain Non-Powered Hand Tools, Form ____, Single time, Evinger, Non-powered hand tools industry.

DEPARTMENT OF THE TREASURY

Departmental: "Short-Term" Dollar Liabilities to "Foreigners" in Selected Countries Not Listed Separately on Form B–1, Form B–1a, Monthly, Hulett, Bankers & banking institutions.

REVISIONS

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Office of Education: Application for Cooperative Education, Title IV–D, Higher Education Act, as amended, Form OE 1193, Annual, Lowry, Institutions of postsecondary education.

National Institutes of Health: Breast Cancer Detection Demonstration Project, Form NIH 2136, Annual, Collins, Women screenees, aged 35–75.

Social and Rehabilitation Service: State Agency Program Expenditure Projection Report, Form SRS OA 25, Quarterly, Sunderhauf, Govt. agencies.

NATIONAL SCIENCE FOUNDATION

Survey of Scientific Activities of Institutions of Higher Education, Form NSF 411, Annual, Lowry, Universities and colleges.

DEPARTMENT OF THE TREASURY

Immigration and Naturalization Service: Request for Asylum in the United States, Form I-589, Occasional, Lowry, Aliens seeking asylum in the U.S.

EXTENSIONS

GENERAL SERVICES ADMINISTRATION

Revised ADP/MIS Punched Card Formats, Form ____, Occasional, ISD/Haase, Executive depts.

RAILROAD RETIREMENT BOARD

Protest of Record of Service Months and Compensation, Form G-70, Occasional, Evinger (x).
Applicant's Statement Regarding Alleged Adoption, Form G-118, Occasional, Evinger (x).
Unemployment Claims Agent's Placement Report, Form ES-22, Occasional, Evinger (x).
Report of Event Affecting Students' Benefit, Form G-316a, Occasional, Evinger (x).

DEPARTMENT OF THE TREASURY

U.S. Customs Service:
U.S. and Canadian Customs In-Transit Manifest, Form CF 7533-C, Occasional, Evinger (x).
Notice of Lien for Freight and Certificate Claimant, Form CF 3485, Occasional, Evinger (x).
Entry and Manifest of Merchandise Free of Duty Carriers Certificate and Release, Form CF 7523, Occasional, Evinger (x).
Application for Extension of Bond for Temporary Importation, Form CF 3173, Occasional, Evinger (x).
Departmental: Foreign Debit and Credit Balances, Form S-4, Quarterly, Evinger (x).

PHILLIP D. LARSEN,
Budget and Management Officer.

[FR Doc.74-17100 Filed 7-24-74;8:45 am]

POSTAL RATE COMMISSION

[Docket No. MC73-1]

MAIL CLASSIFICATION SCHEDULE, 1973

Notice Scheduling Further Prehearing Conference

JULY 22, 1974.

Notice is hereby given that the Administrative Law Judge has called a further prehearing conference, in the above-designated proceeding, to convene on August 2, 1974, at 10 a.m., at the Commission's Hearing Room, Suite 500, 2000 L Street NW., Washington, D.C. 20268, to consider matters in the Mail Classification case.

JOSEPH A. FISHER,
Secretary.

[FR Doc.74-17052 Filed 7-24-74;8:45 am]

SMALL BUSINESS ADMINISTRATION

[License No. 03/02-0273]

INVERNESS CAPITAL CORP.

Notice of Approval for Transfer of Control of a Small Business Investment Company

On June 18, 1974, a Notice of Application for Transfer of Control was published in the FEDERAL REGISTER (39 FR, No. 118, Page 21092) stating that an application had been filed with the Small Business Administration (SBA), pursuant to § 107.701 of the Regulations governing small business investment companies (13 CFR 107.701 (1974)) for the transfer of control of Inverness Capital Corporation, a Delaware corporation, with principal offices at 345 Park Avenue, New York, New York 10022, a Federal Licensee under the Small Business Investment Act of 1958, as amended (Act). (This notice was subsequently corrected in the FEDERAL REGISTER (39 FR, No. 120, Page 22196) published on June 20, 1974, by changing the closing date for receipt of comments from July 28, 1974, to June 30, 1974.)

Control is being transferred from Inverness Industries, Inc. to Llennoco Corporation, the majority stockholder under a plan of financial reorganization. In connection with the reorganization, Inverness Capital Corporation is also changing its office to 417 North Washington Street, Alexandria, Virginia 22314, and its operating area from the State of New York to the State of Virginia.

Interested persons were given ten days to submit written comments to SBA and no unfavorable comments were received.

SBA, having considered the application and all other pertinent information with regard thereto, hereby approves the application for transfer of control.

Dated: July 16, 1974.

JAMES THOMAS PHELAN,
Deputy Associate Administrator for Finance.

[FR Doc.74-16994 Filed 7-24-74;8:45 am]

[Declaration of Disaster Loan Area 1086]

MAINE

Declaration of Disaster Loan Area

Whereas, it has been reported that during the month of July, because of the effects of a certain disaster, damage resulted to property located in the State of Maine;

Whereas, the Small Business Administration has investigated and received reports of other investigations of conditions in the area affected;

Whereas, after reading and evaluating reports of such conditions, I find that the conditions in such area constitute a catastrophe within the purview of the Small Business Act, as amended:

Now, therefore, as Administrator of the Small Business Administration, I hereby determine that:

1. Applications for disaster loans under the provisions of section 7(b)(1) of the Small Business Act, as amended, may be received and considered by the office below indicated from persons or firms whose property situated in Cumberland and Androscoggin Counties, Maine, and adjacent affected areas, suffered damage or destruction resulting from severe storms, which occurred on or about July 4, 1974. Adjacent areas include only counties within the state for which the declaration is made and do not extend beyond state lines.

OFFICE

Small Business Administration, District Office, 40 Western Avenue, Augusta, Maine 04330.

2. Applications for disaster loans under the authority of this declaration will not be accepted subsequent to September 16, 1974.

Date: July 18, 1974.

THOMAS S. KLEPPE,
Administrator.

[FR Doc.74-17025 Filed 7-24-74;8:45 am]

[Notice of Disaster Loan Area 1085]

MINNESOTA

Notice of Disaster Relief Loan Availability

As a result of the President's declaration of the State of Minnesota as a major disaster area following severe storms and flooding beginning about June 18, 1974, applications for disaster relief loans will be accepted by the Small Business Administration from disaster victims in the following Counties: Dodge, Fillmore, Houston, Olmsted, Wabasha and Winona Counties, and adjacent affected areas. Adjacent areas include only counties within the state for which the declaration is made and do not extend beyond state lines.

Applications may be filed at the:

Small Business Administration, District Office, Plymouth Building, 12 South Sixth Street, Minneapolis, Minnesota 55402.

and at such temporary offices as are established. Such addresses will be announced locally.

Applications for disaster loans under this announcement must be filed not later than September 13, 1974.

Date: July 18, 1974.

THOMAS S. KLEPPE,
Administrator.

[FR Doc.74-17026 Filed 7-24-74;8:45 am]

[License No. 09/12-5153]

PIONEER ENTERPRISES, INC.

Notice of License Surrender

Notice is hereby given that Pioneer Enterprises, Inc. (Pioneer), Pioneer Industrial Park, Manchester, Connecticut 06040, has surrendered its license to operate as a small business investment company under Section 301(d) of the Small Business Investment Act of 1958, as amended (the Act).

Pioneer was licensed by the Small Business Administration on June 29, 1970.

Under the authority vested by the Act and pursuant to 13 CFR 107.105 (1974), the surrender of Pioneer's license is hereby approved. Accordingly, all rights,

privileges, and franchises derived from the license are hereby terminated.

Dated: July 17, 1974.

JAMES THOMAS PHELAN,
Deputy Associate Administrator for Investment.

[FR Doc.74-16995 Filed 7-24-74;8:45 am]

TARIFF COMMISSION

[337-70]

DRAFT CONVERSION OF THE TARIFF SCHEDULES OF THE UNITED STATES INTO THE FORMAT OF THE BRUSSELS TARIFF NOMENCLATURE

Hearings on Certain Chapters

The U.S. Tariff Commission hereby gives notice that preliminary drafts of the following chapters of the Tariff Schedules of the United States (TSUS) converted to the format of the Brussels Tariff Nomenclature (BTN):

Chapter 50: Silk and waste silk.
Chapter 51: Man-made fibres (continuous).
Chapter 52: Metalized textiles.
Chapter 53: Wool and other animal hair.
Chapter 54: Flax and ramie.
Chapter 55: Cotton.
Chapter 56: Man-made fibres (discontinuous).
Chapter 57: Other vegetable textile materials; paper yarn and woven fabrics of paper yarn.

are being released today and that public hearings thereon will begin at 10 a.m. e.d.t., on August 19, 1974, in the Hearing Room, U.S. Tariff Commission Building, 8th and E Streets, N.W., Washington, D.C. The purpose of this hearing is to obtain the comments and views of interested parties on the preliminary draft conversion.

Requests to appear at the hearings on these chapters must be filed in writing with the Secretary of the Commission not later than August 12, 1974. Parties who have properly entered an appearance by this date will be individually notified of the date on which they are scheduled to appear. Such notice will be sent as soon as possible after August 12, 1974. Any person who fails to receive such notification by August 15, 1974, should immediately communicate with the Office of the Secretary of the Commission.

In its public notice issued March 8, 1974, regarding hearings on other chapters of the draft converted schedules (39 FR 9719 of March 13, 1974) interested parties were notified regarding the rules governing the conduct of the hearings, and the submission of written statements. The Commission's notice of March 8, 1974, applies to the hearings on the chapters being released today to the extent that it is applicable.

As each of the chapters is completed and released, copies thereof are made available for public inspection at the Offices of the Commission in Washington, D.C., and New York, New York; at all field offices of the Department of Commerce; and at the offices of Regional and District Directors of Customs. The locations of these offices are listed in the notice of March 8, 1974.

By order of the Commission:

Issued: July 19, 1974.

[SEAL] KENNETH R. MASON,
Secretary.

[FR Doc.74-17013 Filed 7-24-74;8:45 am]

INTERSTATE COMMERCE COMMISSION

[Ex Parte No. 305]

FREIGHT RATES AND CHARGES, 1974, REPORTING REQUIREMENTS

Nationwide Increase of Ten Percent

It appearing, that pursuant to order dated June 4, 1974, most of the Nation's railroads established increases in rates and charges, effective June 20, 1974, subject to conditions specified in said order; [1]

It further appearing, that the petitioning rail carriers by refiling of the tariff of increased rates and charges have accepted the conditions imposed by this Commission in ordering paragraph four of its order served June 4, 1974, which provided that the funds generated by the authorized increases, over and above the increased costs of materials and supplies other than fuel, shall "be used by the respondents exclusively for reducing deferred maintenance of plant and equipment and delayed capital improvements in order that rail service to the shippers will be improved;"

For purposes of this order, deferred maintenance is defined as the accrued deterioration or deficiency in the physical operating condition of railroad track structures, cars and locomotives, and other property used in the provision of transportation service resulting from the failure and/or inability to properly maintain plant and equipment, which produces an adverse effect on railroad operations to an extent that services to shippers have been rendered partially or wholly inadequate and/or has resulted in diminishing the railroads' competitive ability;

For purposes of this order, delayed capital improvements represent actually planned, specifically identified capital improvements necessary for the provision of adequate or improved transportation service to shippers and which had not been undertaken, scheduled, or otherwise committed because funding or financing was not, or projected to be, available through June 30, 1975. They exclude improvements in progress and those scheduled or otherwise committed and recognized in capital budgets in effect or applicable on June 1, 1974. These capital improvements are further identified as delayed expenditures which would (1) add to or improve the carriers' plant and/or equipment so as to increase its usefulness, capacity, durability and efficiency, and (2) which are capitalizable in the property accounts in accordance with the Commission's accounting regulations;

For purposes of this order, expenditures for deferred maintenance and delayed capital improvements will be deemed to be expenditures in excess of the maintenance and capital expenditures which have been budgeted for the 3rd and 4th calendar quarters of 1974 and estimated expenditures which would normally be budgeted for the 1st and 2nd calendar quarter of 1975 providing the estimates for these two calendar quarters equal or exceed the average level of maintenance and capital expenditure for the first six months of the years 1971-1974, inclusive on a current dollar basis.

It further appearing, that the said order requires each carrier on or before August 19, 1974, to provide this Commission with certain estimates of the costs of deferred plant and equipment maintenance and related information as of June 30, 1974, as well as a report of the annual maintenance and capital expenditures for the years 1971-1973, inclusive, the 1st and 2nd calendar quarters of 1974, and estimated maintenance and capital investments for the 3rd and 4th calendar quarters of 1974, and the first two calendar quarters of 1975;

It further appearing, that the said order requires the railroads to maintain a monthly record of the increased revenues derived from the increased rates; and, that said increases as well as expenditures thereof be reported to this Commission at the end of the 3rd, 6th, and 9th months following the effective date of the increases;

And it further appearing, that to assure consistency and comparability in said reports, records and estimates, it is necessary to provide implementing instructions;

Wherefore, and for good cause:

It is ordered, That the accounting requirements set forth in Appendix 1 [2] hereto, shall be implemented by all railroads which are parties to this proceeding and for whose account Tariff of increased rates and charges, X-305-A, and supplements thereto, are applicable.

It is further ordered, That class I line-haul railroads, as above specified, are directed to file certified data and information required by this order; [3]

It is further ordered, That subparagraph number 4 of ordering paragraph four be changed to read:

4. On or before the fifteenth day of the second month following the end of the third and fourth calendar quarters of 1974 and the first and second calendar quarters of 1975,

[1] The Long Island Rail Road did not join in the increases and is not subject to the conditions hereinafter set forth.

[2] Appendices 1-7 filed as part of the original document.

[3] The data should be furnished individually by carrier and then summarized by district, and nationwide; the methods used to derive the estimates must be reflected, including assumptions used; and all underlying workpapers must be made available to the Commission upon request.

each class I line-haul railroad shall provide this Commission with an estimate of the freight revenues generated by the increases; and estimate of the costs of deferred plant and equipment maintenance; number and percent of bad order cars by type; [4] and miles of track by class on which slow orders were in effect. The report for the third quarter of 1974 should include an estimate of the freight revenues generated by the increases for the period of June 20, 1974, through June 30, 1974. Additionally, each carrier shall report the amount of expenditures made for deferred maintenance of plant and equipment, e.g., by type of car, track, crossties, etc. as well as amounts expended for delayed capital improvements by type of project. Further each carrier shall report the amount of unexpended funds derived from the authorized increases and how these funds are to be expended.

It is further ordered, That up to 3 percentage points of the 10-percent authorization may be applied to increased material and supply costs, excluding fuel, provided such costs have been incurred. Of the remaining amount of increased revenues, increased income taxes may be excluded in determining the balance of the funds to be applied to deferred maintenance and delayed capital improvements in accordance with the methods outlined in Appendices 6 and 7 hereto;

It is further ordered, That on or before August 19, 1974, each of the class I line-haul railroads embraced by this order shall submit to this Commission a report showing for each month from October 1, 1973 to June 30, 1974, the amount of increase or decrease in the cost of materials and supplies, other than fuel, due to price changes. Moreover, the amount of increase or decrease reflected by month for each quarter thereafter shall be included in the railroads' quarterly reports required in this proceeding. Such increases may be estimated if the procedures for the estimations are explained in the report to the Commission;

It is further ordered, That the costs of deferred maintenance and delayed capital improvements shall be estimated on the basis of wage rates, prices of materials and supplies, and maintenance operation procedures in effect June 30, 1974;

It is further ordered, That each class I line-haul railroad is directed to file the following data and information by August 19, 1974, with this Commission:

a. For the period January 1, 1971 through June 30, 1974, by calendar quarters:

1. Actual expenditures for the maintenance of plant and equipment in accordance with the accounts listed in Appendices 2 and 3.

2. Capital expenditures in accordance with accounts listed in Appendix 4.

3. Cost and numbers of physical units for ties and rails in accordance with the accounts shown in Appendix 5.

[4] Type of car as used herein includes box, refrigerator, gondola, hopper, covered hopper, flat, company service cars, and others.

b. As of June 30, 1974;

1. The amount of deferred maintenance of plant and equipment by type of car, locomotives, plant, including yard and way switching track and running track, and other similar classes of property and facilities. The estimate should include total costs and physical units. A separate submission of deferred maintenance of segments of lines subject to pending applications for abandonment shall be submitted.

2. The amount of delayed capital improvements in accordance with accounts listed in Appendix 4.

3. The number and percent of bad order cars by type of car.

4. Number of locomotives owned and leased and number in service.

5. The number of slow orders and the number of miles of track by class on which slow orders were in effect. Slow orders placed during routine maintenance should not be included. Slow orders in effect January 1, 1974, which were eliminated by subsequent reductions in operating schedules without overcoming the cause of the slow order should be included and so designated.

c. For each of the four calendar quarters, July 1, 1974 through June 30, 1975, each reporting carrier shall disclose:

1. Estimated revenues to be derived from the Ex Parte No. 305 increases in accordance with Appendix 6.

2. Estimated total expenditures for maintenance of plant and equipment in accordance with the accounts listed in Appendix 2 and Appendix 3 and estimated capital expenditures in accordance with the accounts listed in Appendix 4, in terms of July 1974 dollars. Show separately the amount of increased revenues to be obtained from the authorized increases which will be applied to these expenditures.

3. If conditions warrant, revised estimates for the first two calendar quarters of 1975 may be resubmitted in light of final budget determinations.

It is further ordered, That the individual railroads provide this Commission on or before November 15, 1974, February 15, 1974, May 15, 1975, and August 15, 1975, the following data and information as of the close of the calendar quarter:

a. Freight revenues generated by the increases authorized by this Commission's order of June 4, 1974, in the format shown in Appendix 7. The filing for the calendar quarter ending September 30, 1974, should also include a separate disclosure of the revenues generated from Ex Parte No. 305, for the period of June 20, 1974, through June 30, 1974, in a manner consistent with that described in Appendix 7 hereto.

b. Total actual expenditures for the maintenance of plant, equipment and expenditures for capital improvements in acordance with the accounts listed in Appendices 2, 3, and 4, and the portions thereof representing applications of the Ex Parte No. 305 increases.

c. Cost and numbers of physical units for ties and rails in accordance with the accounts shown in Appendix 5.

d. The number and percent of bad order cars by type.

e. The number of slow orders and the number of miles of track by class on which slow orders were in effect.

f. Deferred maintenance of plant and equipment and delayed capital improvements.

g. A report as to anticipated expenditures of the balance of the funds in Account 716, Capital and Other Reserve Funds.

And it is further ordered, That notice of this order shall be given to the general public by depositing a copy in the office of the Commission's Secretary and by filing a copy with the Director, Office of the Federal Register, for publication in the FEDERAL REGISTER.

This is not a major Federal action significantly affecting the quality of the human environment within the meaning of the National Environmental Policy Act of 1969.

By the Commission.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.74-17045 Filed 7-24-74;8:45 am]

[Notice 556]

ASSIGNMENT OF HEARINGS

JULY 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 13250 Sub 125, J. H. Rose Truck Line, Inc., MC 106497 Sub 90, Parkhill Truck Co., now being assigned hearing October 21, 1974 (2 weeks), at the Atlanta Internationale Madrid Room, 450 Capitol Avenue, Atlanta, Ga.

MC 117068 Sub 26, Midwest Harvestore Transport, Inc., now being assigned hearing November 5, 1974 (1 day), at Denver, Colo., in a hearing room to be later designated.

MC-F-11254, Trans-Western Express, LTD—Control and Merger—Capron Truck Co., MC 58035 Sub 7, Trans-Western Express, LTD., now being assigned hearing November 6, 1974 (3 days) at Denver, Colo., in a hearing room to be later designated.

MC 116073 Sub 31, Barrett Mobile Home Transport, Inc., Extension—Buildings (13 Western States), 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.) is continued to September 23, 1974 (3 weeks), at Denver, Colo., in Room 587, Tax Court, U.S. Federal Building, 19th and Stout Street.

MC 13876, James D. Carroll, dba Rapid Express, now being assigned hearing September 16, 1974 (1 week), at Baton Rouge, La., in a hearing room to be later designated.

MC-F-12103, O. N.C. Freight Systems—Control—Harp Transportation Line, Inc., MC 67121 Sub 8, Harp Transportation Line, Inc., now being assigned hearing November 11, 1974 (3 days), at Denver, Colo., in a hearing room to be later designated.

MC 136899 Sub 12, Higgins Transportation LTD., now being assigned hearing November 14, 1974 (2 days), at Denver, Colo., in a hearing room to be later designated.

MC-F-12084, Transervice Corp.—Purchase—Moore-Flesher Hauling Co., MC-F-12085, J. Miller Express, Inc.—Purchase (Portion)—Transervice Corp., MC-F-12100, Transervice Corp.,—Purchase (Portion)—Miller's Motor Freight, Inc., MC-FC- Lobianco Trucking Co., Inc., York, Pennsylvania, Transferred and Miller's Motor Freight, Inc., York, Pennsylvania, Transferor MC-FC- Mid-Penn Transportation, Inc., York, Pennsylvania, Transferee and Miller's Motor Freight, Inc., York, Pennsylvania, Transferor, and MC-FC P-Y Transport, Inc., York, Pennsylvania, Transferee and Miller's Motor Freight, Inc., York, Pennsylvania, Transferor, is continued to September 30, 1974 at the Offices of the Interstate Commerce Commission, Washington, D.C.

MC 118060 Sub 5, Capitol Packing Co., now being assigned hearing November 18, 1974 (1 week), at Denver, Colo., in a hearing room to be later designated.

MC-139038, Leon R. Goldsmith, DBA Terminal Motor Express, now assigned September 26, 1974, at Los Angeles, Calif., is postponed indefinitely.

MC 2229 Sub-180, Red Ball Motor Freight, Inc., now assigned September 10, 1974 (2 weeks), at New Orleans, La., will be held in the Downtown Howard Johnson's Lodge, 330 Loyola Avenue instead of the Delta Towers Hotel, 1732 Canal Street.

MC 97830 Sub 4, Bowen Trucking Co., Inc., now being assigned hearing September 10, 1974 (2 days) at Salt Lake City, Utah, in a hearing room to be later designated.

MC 123061 Sub 69, Leatham Bros., Inc., now being assigned hearing September 12, 1974 (2 days), at Salt Lake City, Utah, in a hearing room to be later designated.

MC-F-12070, F-B Truck Line Company—Purchase (Portion)—Salt Lake Transfer Company, MC-F-12071, Sammons Trucking—Purchase (Portion)—Salt Lake Transfer Company, and MC-F-12072, Northwest Transport Service, Inc.—Purchase (Portion)—Salt Lake Transfer Company, now being assigned hearing September 16, 1974 (2 weeks), at Salt Lake City, Utah, in a hearing room to be later designated.

MC 106644 Sub 174, Superior Trucking Company, Inc., now being assigned hearing September 26, 1974 (1 day), at Los Angeles, Calif., in a hearing room to be later designated.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.74-17047 Filed 7-24-74;8:45 am]

FOURTH SECTION APPLICATION FOR RELIEF

JULY 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 August 9, 1974. FSA No. 42853—*Joint Water-Rail Container Rates—Phoenix Container Liners Ltd.* Filed by Phoenix Container Liners Ltd. (No. 7), for itself and interested rail carriers. Rates on general commodities, between ports in Singapore, and rail stations on the U.S. Atlantic and Gulf Seaboard. Grounds for relief—Water competition.

By the Commission.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.74-17048 Filed 7-24-74;8:45 am]

IRREGULAR-ROUTE MOTOR COMMON CARRIERS OF PROPERTY

Elimination of Gateway Letter Notices

JULY 19, 1974.

The following letter-notices of proposals to eliminate gateways for the purpose of reducing highway congestion, alleviating air and noise pollution, minimizing safety hazards, and conserving fuel have been filed with the Interstate Commerce Commission under the Commission's gateway elimination rules (49 CFR 1065(a)), and notice thereof to all interested persons is hereby given as provided in such rules.

An original and two copies of protests against the proposed elimination of any gateway herein described may be filed with the Interstate Commerce Commission on or before August 4, 1974. A copy must also be served upon applicant or its representative. Protests against the elimination of a gateway will not operate to stay commencement of the proposed operation.

Successively filed letter-notices of the same carrier under these rules will be numbered consecutively for convenience in identification. Protests, if any, must refer to such letter-notices by number.

No. MC-10955 (Sub-No. E1), filed April 15, 1974. Applicant: RENNER MOTOR LINES, INC., P.O. Box 3815, Akron, Ohio 44314. Applicant's representative: Arnold Faulkner (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Such commodities as are manufactured, processed, or dealt in by rubber or rubber products manufactures* (except commodities in bulk and those requiring special equipment), from points in that part of Ohio on and west of a line beginning at Sandusky, Ohio, thence east via U.S. Highway 250 to junction Ohio Highway 18, thence via Ohio Highway 18 to junction Ohio Highway 21, thence via Ohio Highway 21 to junction Ohio Highway 585, thence via Ohio Highway 585 to junction Ohio Highway 3, thence via Ohio Highway 3 to junction U.S. Highway 36, thence via U.S. Highway 36 to junction U.S. Highway 42, thence via U.S. Highway 42 to the Ohio River, to points in the District of Columbia, Maryland, and Pennsylvania (except points in Pennsylvania, on and west of U.S. Highway 40); (2) *chemicals* (except in bulk), from points in that part of Ohio on and west of a line beginning at Sandusky, Ohio, thence east via U.S. Highway 250 to junction Ohio Highway 18, thence via Ohio Highway 18 to junction Ohio Highway 21, thence via Ohio Highway 21 to junction Ohio Highway 585, thence via Ohio Highway 585 to junction Ohio Highway 3, thence via Ohio Highway 3 to junction U.S. Highway 36, thence via U.S. Highway 36 to junction U.S. Highway 42, thence via U.S. Highway 42 to the Ohio River, to points in Pennsylvania (except points on and west of U.S. Highway 40); (3) *scrap rubber* (except in bulk), from points in the District of Columbia, Maryland, and Pennsylvania (except points in Pennsylvania on and west of U.S. Highway 40) to points in that part of Ohio on and west of a line beginning at Sandusky, Ohio, thence east via U.S. Highway 250 to junction Ohio Highway 18, thence via Ohio Highway 18 to junction Ohio Highway 21, thence via Ohio Highway 21 to junction Ohio Highway 585, thence via Ohio Highway 585 to junction Ohio Highway 3, thence via Ohio Highway 3 to junction U.S. Highway 36, thence via U.S. Highway 36 to junction U.S. Highway 42, thence via U.S. Highway 42 to the Ohio River; (4) *empty chemical containers*, from points in Pennsylvania (except points on and west of U.S. Highway 40) to points in that part of Ohio on and west of a line beginning at Sandusky, Ohio, thence east via U.S. Highway 250 to junction Ohio Highway 18, thence via Ohio Highway 18 to junction Ohio Highway 21, thence via Ohio Highway 21 to junction Ohio Highway 585, thence via Ohio Highway 585 to junction Ohio Highway 3, thence via Ohio Highway 3 to junction U.S. Highway 36, thence via U.S. Highway 36 to junction U.S. Highway 42, thence via U.S. Highway 42 to the Ohio River.

(5) *Petroleum products* (except in bulk), in containers, grease guns and fittings for oil pump and grease equipment, in truckloads, from Bradford, Pa., to points in that part of Ohio on and west of a line beginning at Sandusky, Ohio, thence east via U.S. Highway 250 to junction Ohio Highway 18, thence via Ohio Highway 18 to junction Ohio Highway 21, thence via Ohio Highway 21 to junction Ohio Highway 585, thence via Ohio Highway 585 to junction Ohio Highway 3, thence via Ohio Highway 3 to junction U.S. Highway 36, thence via U.S. Highway 36 to junction U.S. Highway 42, thence via U.S. Highway 42 to the Ohio River; (6) rubber tires and tubes, from points in the District of Columbia, Maryland and Pennsylvania (except Dubois and Oaks, Pa., and except

points in Pennsylvania on and west of U.S. Highway 40) to points in that part of Ohio on and west of a line beginning at Sandusky, Ohio, thence east via U.S. Highway 250 to junction Ohio Highway 18, thence via Ohio Highway 18 to junction Ohio Highway 21, thence via Ohio Highway 21 to junction Ohio Highway 585, thence via Ohio Highway 585 to junction Ohio Highway 3, thence via Ohio Highway 3 to junction U.S. Highway 36, thence via U.S. Highway 36 to junction U.S. Highway 42, thence via U.S. Highway 42 to the Ohio River; (7) *such commodities as are manufactured, processed, or dealt in by rubber or rubber products manufacturers* (except commodities in bulk, and those requiring special equipment), from points in Pennsylvania (except points west of a line beginning at a point on Lake Erie due north of North East, Pa., and extending to North East, thence along Pennsylvania Highway 89 to Titusville, thence along Pennsylvania Highway 8 to Butler, thence along Pennsylvania Highway 356 to junction Pennsylvania Highway 66, thence along Pennsylvania Highway 66 to Greensburg, thence along U.S. Highway 119 to the Pennsylvania-West Virginia State line) to points in that part of Ohio on and west of a line beginning at Sandusky, Ohio, thence east via U.S. Highway 250 to junction Ohio Highway 18, thence via Ohio Highway 18 to junction Ohio Highway 21, thence via Ohio Highway 21 to junction Ohio Highway 585, thence via Ohio Highway 585 to junction Ohio Highway 3, thence via Ohio Highway 3 to junction U.S. Highway 36, thence via U.S. Highway 36 to junction U.S. Highway 42, thence via U.S. Highway 42 to the Ohio River.

(8) Molds, machinery, and fabric used in the manufacture of rubber products (except commodities requiring special equipment), from Cumberland, Md., to points in that part of Ohio on and west of a line beginning at Sandusky, Ohio, thence east via U.S. Highway 250 to junction Ohio Highway 18, thence via Ohio Highway 18 to junction Ohio Highway 21, thence via Ohio Highway 21 to junction Ohio Highway 585, thence via Ohio Highway 585 to junction Ohio Highway 3, thence via Ohio Highway 3 to junction U.S. Highway 36, thence via Ohio Highway 36 to junction U.S. Highway 42, thence via U.S. Highway 42 to the Ohio River; (9) *salt, in packages, and pepper, sugar or mineral mixtures*, in packages, not exceeding ten percent of the weight to the shipment of salt, when included as an incidental part of a shipment of salt, from points in that part of Ohio on and west of a line beginning at Sandusky, Ohio, thence east via U.S. Highway 250 to junction Ohio Highway 18, thence via Ohio Highway 18 to junction Ohio Highway 21, thence via Ohio Highway 21 to junction 585, thence via Ohio Highway 585 to junction Ohio Highway 3, thence via Ohio Highway 3 to junction U.S. Highway 36, thence via U.S. Highway 36 to junction U.S. Highway 42, thence via U.S. Highway 42 to the Ohio River to points in New York on and east of a line beginning at Clayton, N.Y., and extending in a southerly direction along New York Highway 179 to junction New York Highway 12, thence south along New York Highway 12 to junction U.S. Highway 11 at Watertown, N.Y., thence south along U.S. Highway 11 to the New York-Pennsylvania State line; points in Pennsylvania on and east of U.S. Highway 219; and points in Delaware, Maryland and the District of Columbia.

(10) *Such commodities as are manufactured, processed, or dealt in by rubber or rubber products manufacturers* (except commodities in bulk and those requiring special equipment), from points in Ohio on, west and north of a line beginning at Painesville, thence south via Ohio Highway 44 to junction U.S. Highway 62, thence via U.S. Highway 62 to junction U.S. Highway 30, thence via U.S. Highway 30 to the Ohio-Indiana State line to points in Pennsylvania on and east of a line beginning at the Pennsylvania-Maryland State line, thence north via U.S. Highway 219 to junction U.S. Highway 22, thence via U.S. Highway 22 to junction U.S. Highway 220, thence via U.S. Highway 220 to junction Pennsylvania Highway 118, thence via Pennsylvania Highway 118 to junction U.S. Highway 309, thence via U.S. Highway 309, thence via U.S. Highway 309, to junction U.S. Highway 6, thence via U.S. Highway 6 to the Pennsylvania-New Jersey State line; (11) scrap rubber, from points in the District of Columbia, Maryland and points in Pennsylvania on and east of a line beginning at the Pennsylvania-Maryland State line, thence north via U.S. Highway 219 to junction U.S. Highway 22, thence via U.S. Highway 22 to junction U.S. Highway 220, thence via U.S. Highway 220 to junction Pennsylvania Highway 118, thence via Pennsylvania Highway 118 to junction U.S. Highway 309, thence via U.S. Highway 309 to junction U.S. Highway 6, thence via U.S. Highway 6 to the Pennsylvania-New Jersey State line, to points in Ohio on, west and north of a line beginning at Painesville, thence south via Ohio Highway 44 to junction U.S. Highway 62, thence via U.S. Highway 62 to junction U.S. Highway 30, thence via U.S. Highway 30 to the Ohio-Indiana State line; (12) *such commodities as are manufactured, processed, or dealt in by rubber or rubber products manufacturers* (except commodities in bulk and those requiring special equipment), from points in Pennsylvania on and east of a line beginning at the Pennsylvania-Maryland State line, thence north via U.S. Highway 219 to junction U.S. Highway 22, thence via U.S. Highway 22 to junction U.S. Highway 220, thence via U.S. Highway 220 to junction Pennsylvania Highway 118, thence via Pennsylvania Highway 118 to junction U.S. Highway 309, thence via U.S. Highway 309 to junction U.S. Highway 6, thence via U.S. Highway 220 to junction sylvania-New Jersey State line, to points in Ohio on, west and north of a line beginning at Painesville, thence south via Ohio Highway 44 to junction U.S. Highway 62, to junction U.S. Highway 30, thence via U.S. Highway 30 to the Ohio-Indiana State line.

(13) *Such commodities as are manufactured, processed, or dealt in by rubber or rubber products manufacturers* (except commodities in bulk and those requiring special equipment), from Alliance, Ohio to points in the District of Columbia and points in Pennsylvania and Maryland on and east of U.S. Highway 15; (14) *such commodities as are manufactured, processed, or dealt in by rubber or rubber products manufacturers* (except commodities in bulk and those requiring special equipment), from points in Ohio on and south of U.S. Highway 36 and west of Coshocton, Guernsey, Noble, Morgan, Athens, Meigs, Gallia, and Lawrence Counties, Ohio to points in Pennsylvania; (15) *such commodities as are manufactured, processed, or dealt in by rubber or rubber products manufacturers* (except commodities in bulk and those requiring special equipment), from points in Ohio and north of a line beginning at the Ohio-West Virginia State line, thence via U.S. Highway 30 to junction Ohio Highway 21, thence via Ohio Highway 21 to junction U.S. Highway 224, thence via U.S. Highway 224 to junction U.S. Highway 250, thence via U.S. Highway 250 to junction U.S. Highway 20, thence via U.S. Highway 20 to junction U.S. Highway 23, thence via U.S. Highway 23 to the Ohio-Michigan State line (except points in Columbiana County, Ohio), to points in West Virginia on and south of a line beginning at Sisterville, W. Va., thence south via West Virginia Highway 18 to junction U.S. Highway 119, thence via U.S. Highway 119 to the West Virginia-Kentucky State line (except points in Pleasants, Wirt and Wood Counties, West Virginia); (16) *such commodities as are manufactured, processed, or dealt in by rubber or rubber products manufacturers* (except commodities in bulk and those requiring special equipment), from points in Ohio on and west of a line beginning at Steubenville, Ohio, thence west via U.S. Highway 22 to junction Ohio Highway 43, thence northwest via Ohio Highway 43 to junction Ohio Highway 44, thence north via Ohio Highway 44 to Painesville (except points in Jefferson, Belmont, Monroe, and Washington Counties, Ohio) to points in Maryland and the District of Columbia.

(17) *Such commodities as are manufactured, processed, or dealt in by rubber or rubber products manufacturers* (except commodities in bulk and those requiring special equipment), from points in that part of Pennsylvania on and east of a line beginning at the Pennsylvania-New York State line, thence south via U.S. Highway 219 to junction U.S. Highway 119, thence southwest via U.S. Highway 119 to the Pennsylvania-West Virginia State line, to points in Ohio on and south of U.S. Highway 36 and in and west of Coshocton, Guernsey, Noble, Morgan, Athens, Meigs, Gallia, and Lawrence Counties, Ohio; (18) *rubber tires*

and tubes, from points in the District of Columbia and those in Maryland on and east of U.S. Highway 220 to points in Ohio on and west of a line beginning at Cleveland, Ohio, thence south via Interstate Highway 77 to junction U.S. Highway 250, thence east via U.S. Highway 250 to the Ohio River (except points in Jefferson, Belmont, Monroe, and Washington Counties, Ohio); (19) *rubber tires and tubes*, from points in that part of Pennsylvania on and east of a line beginning at the Pennsylvania-New York State line, thence south via U.S. Highway 219 to junction U.S. Highway 119, thence southwest via U.S. Highway 119 to the Pennsylvania-West Virginia State line, to points in Ohio on and south of U.S. Highway 26 and in and west of Coshocton, Guernsey, Noble, Morgan, Athens, Meigs, Gallia, and Lawrence Counties, Ohio;

(20) *Rubber tires and tubes*, from points in Ohio on and north of a line beginning at the Ohio-West Virginia State line, thence via U.S. Highway 30 to junction Ohio Highway 21, thence via Ohio Highway 21 to junction U.S. Highway 224, thence via U.S. Highway 224 to junction U.S. Highway 250, thence via U.S. Highway 250 to junction U.S. Highway 20, thence via U.S. Highway 20 to junction U.S. Highway 23, thence via U.S. Highway 23 to the Ohio-Michigan State line (except points in Columbiana County, Ohio), to points in West Virginia on and south of a line beginning at Sistersville, W. Va., thence south via West Virginia Highway 18 to junction U.S. Highway 119, thence via U.S. Highway 119 to the West Virginia-Kentucky State line (except points in Pleasants, Wirt, and Wood Counties, West Virginia); and (21) *molds machinery and fabric* used in the manufacture of rubber products (except those requiring special equipment), from Cumberland, Md., to points in Ohio on and west of a line beginning at Cleveland, thence south via Interstate Highway 77 to junction U.S. Highway 250, thence east via U.S. Highway 250 to the Ohio River (except points in Jefferson, Belmont, Monroe, and Washington Counties, Ohio). The purpose of this filing is to eliminate the gateways of Barberton, Ohio in (1) through (13) above; and Blaine, Ohio in (14) through (21).

No. MC–29079 (Sub-No. E6), filed May 21, 1974. Applicant: BRADA MILLER FREIGHT SYSTEM, INC., P.O. Box 395, Kokomo, Ind. 46901. Applicant's representative: Edward K. Wheeler, 15th and H Streets NW., Washington, D.C. 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dies, die parts, die checking fixtures, die models, hand jigs, tools, patterns, and templates* when moved in connection with dies from points in Ohio to points in Michigan on and south of a line beginning at Ludington and extending along U.S. Highway 10 to junction business routes U.S. Highway 10 to Midland, thence along Michigan Highway 20 to Saginaw River, thence along the Saginaw River to Saginaw Bay (except for movements: (1) between Hamilton, Ohio and Grand Rapids, Kalamazoo and White Peigeon, Mich.; and (2) between Middleton, Ohio, and Allegan, Benton Harbor, Grand Rapids, Kalamazoo, Middleville, and Muskegon, Mich.). The purpose of this filing is to eliminate the gateway of Toledo, Ohio.

No. MC–29079 (Sub-No. E21), filed May 21, 1974. Applicant: BRADA MILLER FREIGHT SYSTEM, INC., P.O. Box 395, Kokomo, Ind. 46901. Applicant's representative: Edward K. Wheeler, 15th and H Streets NW., Washington, D.C. 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and commodities requiring special equipment), between the plant site of Hussman Roper Refrigerator Company at Bridgeton, Mo., on the one hand, and, on the other, points in New York on and west of U.S. Highway 62, points in Pennsylvania on and west of U.S. Highway 219, points on and north of U.S. Highway 40 in West Virginia. The purpose of this filing is to eliminate the gateway of Columbiana, Ohio.

No. MC–29079 (Sub-No. E22), filed May 21, 1974. Applicant: BRADA MILLER FREIGHT SYSTEM, INC., P.O. Box 395, Kokomo, Ind. 46901. Applicant's representative: Edward K. Wheeler, 15th and H Street NW., Washington, D.C. 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Aluminum articles*, from the plant site of Harvey Aluminum Company near Lewisport, Ky., to points in New York west of U.S. Highway 62, points in Pennsylvania west of U.S. Highway 219, points in West Virginia north of U.S. Highway 40; (2) *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, and commodities in bulk), from the destination territories in (1) above, to the plant site described in (1) above. (3) *The commodities described in* (2) *above*, between the plant sites of National Aluminum Corporation, Southwire Company, and National-Southwire Aluminum Company, near Hanesville, Ky., on the one hand, and, on the other, the destination territories described in (1) above. The purpose of this filing is to eliminate the gateway of Columbiana, Ohio.

No. MC–50493 (Sub-No. E1), filed June 4, 1974. Applicant: P.C.M. TRUCKING, INC., 1063 Main St., Orefield, Pa. 18069. Applicant's representative: J. William Cain, Jr. (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Dry fish meal*, (a) from Lewes, Del., to points in New York, Connecticut, Massachusetts, Rhode Island, Maine, New Hampshire, and Vermont; (b) from Wildwood, N.J., to points in New York, Massachusetts, Connecticut, Rhode Island, Maine, New Hampshire, and Vermont; and (c) from Port Monmouth, N.J., to points in New York, Connecticut, Massachusetts, Rhode Island, Maine, New Hampshire, and Vermont (Allentown, Pa.).* (2) *Animal and poultry feed materials*, from points in Delaware, to points in New York (Manheim, Pa.).* (3) *Fertilizer*, from Baltimore, Md., to points in New York (Allentown, Pa.).* (4) *Feed-grade cracklings, tankage, bone meal, and the* residue of slaughter houses and packing-house plants, in bulk and in bags, from points in the New York, N.Y., commercial zone, as defined by the Commission, to points in Delaware, Maryland, Virginia, West Virginia, and that part of New York west of New York Highway 7, restricted against the transportation of traffic in tank or hopper-type vehicles (Allentown, Pa.).* (5) *Phosphatic feed supplements*, from Coronet, Fla., to points in Maine, New Hampshire, Rhode Island, Vermont, Massachusetts, and Connecticut (Allentown, Pa.).* (6) *Dicalcium phosphate*, from Bartow, Fla., to points in Maine, New Hampshire, Rhode Island, Vermont, Connecticut, and Massachusetts (Orefield, Pa.).* (7) *Dry dicalcium phosphate*, from Bartow, Fla., to points in Connecticut, Massachusetts, and that part of New York on and east of U.S. Highway 15 (Allentown, Pa., and Baltimore, Md.).* (8) *Dry fertilizer and dry fertilizer ingredients*, from Philadelphia, Pa., to points in New York (Camden, N.J.).* The purpose of this filing is to eliminate the gateways indicated by asterisks above.

No. MC–79550 (Sub-No. E1), filed April 15, 1974. Applicant: ERSKINE TRUCKING, INC., Route 2, Lowellville, Ohio 44436. Applicant's representative: Richard H. Brandon, 505 Hartman Building, Columbus, Ohio 43215. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Structural steel and fabricated steel*, (1) from Pittsburgh, Pa., to points in Ohio that part of, on, north, and west of a line beginning at Cincinnati, thence along Interstate Highway 75 to junction U.S. Highway 36, thence along U.S. Highway 36 to junction Ohio Highway 3, thence along Ohio Highway 3 to junction Ohio Highway 585, thence along Ohio Highway 585 to junction U.S. Highway 21, thence along U.S. Highway 21 to junction U.S. Highway 224 thence along U.S. Highway 224 to the Ohio-Pennsylvania State line (Lowellville, Ohio);* (2) from Pittsburgh, Pa., to points in that part of New York bounded by a line beginning at Oswego thence along New York Highway 57 to junction New York Highway 90, thence along New York Highway 90 to junction U.S. Highway 20, thence along U.S. Highway 20 to junction New York Highway 247, thence along New York Highway 247 to junction New York Highway 245, thence along New York Highway 245 to junction New York Highway 39, thence along New York Highway 39, to

junction U.S. Highway 62, thence along U.S. Highway 62 to junction Highway 322, thence along New York Highway 322 to junction New York Highway 424, thence along New York Highway 424 to junction New York Highway 17J, thence along New York Highway 17J to junction New York Highway 74, thence along New York Highway 74 to the New York-Pennsylvania State line, (Youngstown, Ohio);* (3) from Portsmouth, Ohio, to points in that part of New York bounded by a line beginning at Oswego, thence along New York Highway 57 to junction U.S. Highway 11, thence along New York Highway 11 to the New York-Pennsylvania State line (Pittsburgh, Pa., and Youngstown, Ohio);* (4) from Portsmouth, Ohio to points in that part of Pennsylvania bounded by a line beginning at the Pennsylvania-New York State line, thence along U.S. Highway 219 to junction Pennsylvania Highway 948, thence along Pennsylvania Highway 948, to junction Pennsylvania Highway 666, thence along Pennsylvania Highway 666 to junction U.S. Highway 62, thence along U.S. Highway 62 to junction Pennsylvania Highway 8 thence along Pennsylvania Highway 8 to junction Pennsylvania Highway 89 thence along Pennsylvania Highway 89 to junction Pennsylvania Highway 77, thence along Pennsylvania Highway 77 to junction Pennsylvania Highway 277, thence along Pennsylvania Highway 277 to junction Pennsylvania Highway 426, thence along Pennsylvania Highway 426 to the Pennsylvania-New York State line (Pittsburgh, Pa. and Youngstown, Ohio).* The purpose of this filing is to eliminate the gateways of indicated by asterisks above.

No. MC-88368 (Sub-No. E18), filed May 15, 1974. Applicant: CARTWRIGHT VAN LINES, INC., 1109 Cartwright Ave., Grandview, Mo. 64030. Applicant's representative: Theodore Polydoroff, Suite 600, 1250 Connecticut Ave. NW., Washington, D.C. 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods*, (1) from points in Missouri to points in Alabama (points in Mississippi),* points in California in and north of Mendocino, Glenn, Butte, and Plumas Counties (points in Colorado and points in Washington east of the Cascade Mountains),* points in Connecticut (Bloomington, Ill., and points within 25 miles thereof, points in Jefferson County, Ohio, and Philadelphia, Pa.),* points in Delaware (Bloomington, Ill., and points within 25 miles thereof, points in Jefferson County, Ohio, and Philadelphia, Pa.),* points in Florida (points in Mississippi and Florence, Sheffield, and Tuscumbia, Ala.),* points in Georgia (points in Mississippi and Tennessee, and Sheffield, Tuscumbia, and Florence, Ala.),* points in Idaho (points in Colorado and points in Montana),* points in Maine (Bloomington, Ill., and points within 25 miles thereof, points in Jefferson County, Ohio, Philadelphia, Pa., and Boston, Mass., and points within 25 miles thereof),* points in Massachusetts (Bloomington, Ill., points in Jefferson County, Ohio, and Philadelphia, Pa.),* points in Montana (points in Colorado),* points in New Hampshire (Bloomington, Ill., and points within 25 miles thereof, points in Jefferson County, Ohio, and Philadelphia, Pa., and Boston, Mass., and points within 25 miles thereof),* points in New Jersey (Bloomington, Ill., and points within 25 miles thereof, points in Jefferson County, Ohio, and Philadelphia, Pa.),* points in New Mexico (points in Canadian County, Okla.),* points in North Carolina (points in Tennessee and Florence, Sheffield, and Tuscumbia, Ala.),* points in Ohio (Bloomington, Ill., and points within 25 miles thereof),* points in Oregon (points in Colorado and points in Washington east of the Cascade Mountains),* points in Pennsylvania (Bloomington, Ill., and points within 25 miles thereof, and points in Jefferson County, Ohio),* points in Rhode Island (Bloomington, Ill., and points within 25 miles thereof, points in Jefferson County, Ohio, Philadelphia, Pa., and Boston, Mass., and points within 25 miles thereof),* points in South Dakota (Harlan, Iowa, and points within 15 miles thereof),* points in Vermont (Bloomington, Ill., and points within 25 miles thereof, points in Jefferson County, Ohio, Philadelphia, Pa., and Boston, Mass., and points within 25 miles thereof),* points in Washington (points in Colorado),* points in Wisconsin (Bloomington, Ill., and points within 25 miles thereof),* and points in Wyoming (Newton, Kans., and points within 15 miles thereof, and points in Kimball, Banner, and Cheyenne Counties, Nebr.);* (2) from points in Missouri, on and west of U.S. Highway 71 to points in Minnesota (Harlan, Iowa, and points within 15 miles thereof). The purpose of this filing is to eliminate the gateways marked with asterisks above.

No. MC-88368 (Sub-No. E24), filed May 15, 1974. Applicant: CARTWRIGHT VAN LINES, INC., 1109 Cartwright Ave., Grandview, Mo. 64030. Applicant's representative: Theodore Polydoroff, Suite 600, 1250 Connecticut Ave. NW., Washington, D.C. 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household goods* from points in Maine to points in Alabama (Boston, Mass., and points within 25 miles thereof, Philadelphia, Pa., points in Jefferson County, Ohio, and points in Harlan County, Ky.),* points in Arkansas (Boston, Mass., and points within 25 miles thereof, Philadelphia, Pa., points in Jefferson County, Ohio, points in Harlan County, Ky., and Florence, Sheffield, and Tuscumbia, Ala.),* points in California on and north of Interstate Highway 80 (Boston, Mass., and points within 25 miles thereof, Philadelphia, Pa., points in Jefferson County, Ohio, Newton, Kans., and points within 15 miles thereof, points in Colorado, and points in Washington east of the Cascade Mountains),* points in Colorado (Boston, Mass., and points within 25 miles thereof, Philadelphia, Pa., points in Jefferson County, Ohio, Bloomington, Ill., and points within 25 miles thereof, and Newton, Kans., and points within 15 miles thereof, and points in Colorado and points in Montana),* points in Illinois within 100 miles of Danville, Ill., including Danville (Boston, Mass., and points within 25 miles thereof, Philadelphia, Pa., points in Jefferson County, Ohio and Bloomington, Ill., and points within 25 miles thereof),* Harlan, Iowa and points within 15 miles thereof (Boston, Mass., and points within 25 miles thereof, Philadelphia, Pa., points in Jefferson County, Ohio and Bloomington, Ill., and points within 25 miles thereof),* points in Kansas (Boston, Mass., and points within 25 miles thereof, Philadelphia, Pa., points in Jefferson County, Ohio, and Bloomington, Ill., and points within 25 miles thereof),* points in Harlan County, Ky. (Boston, Mass., and points within 25 miles thereof, Philadelphia, Pa., and points in Jefferson County Ohio),* points in Louisiana (Boston, Mass., and points within 25 miles thereof, Philadelphia, Pa., points in Jefferson County, Ohio, points in Harlan County, Ky., and Birmingham, Ala., and points within 100 miles thereof, except Montgomery, Ala.),* points in Mississippi (Boston, Mass., and points within 25 miles thereof, Philadelphia, Pa., points in Jefferson County, Ohio, points in Harlan County, Ky., and Birmingham, Ala. and points within 100 miles thereof, except Montgomery, Ala.),* points in Missouri (Boston, Mass., and points within 25 miles thereof, Philadelphia, Pa., points in Jefferson County, Ohio, and Bloomington, Ill., and points within 25 miles thereof),* points in Nebraska (Boston, Mass., and points within 25 miles thereof, Philadelphia, Pa.)

(Points in Jefferson County, Ohio, Bloomington, Ill., and points within 25 miles thereof, and Newton, Kans., and points within 15 miles thereof),* points in New Mexico (Boston, Mass., and points within 25 miles thereof, Philadelphia, Pa., points in Jefferson County, Ohio, Bloomington, Ill., and points within 25 miles thereof, points in Cowley County, Kans., and points in Canadian County, Okla.),* points in Jefferson County, Ohio (Boston, Mass., and points within 25 miles thereof and Philadelphia, Pa.),* points in Oklahoma (Boston, Mass., and points within 25 miles thereof, Philadelphia, Pa., points in Jefferson County, Ohio and points in Cowley County, Kans.),* points in Oregon (Boston, Mass., and points within 25 miles thereof, Philadelphia, Pa., points in Jefferson County, Ohio, Bloomington, Ill., and points within 25 miles thereof, Newton, Kans., and points within 15 miles thereof, points in Colorado, and points in Washington east of the Cascade Mountains),* Philadelphia, Pa. (Boston, Mass., and points within 25 miles thereof),* points in Texas (Boston, Mass., and points within 25 miles thereof, Philadelphia, Pa., points in Jefferson County, Ohio,

Bloomington, Ill., and points in Cowley County, Kans., points in Harlan County, Ky., Florence, Sheffield, and Tuscumbia, Ala., and points in Mississippi),* points in Washington (Boston, Mass., and points within 25 miles thereof, Philadelphia, Pa., points in Jefferson County, Ohio, Bloomington, Ill., and points within 25 miles thereof, Newton, Kans., and points within 15 miles thereof, and points in Colorado),* and points in Wyoming (Boston, Mass., and points within 25 miles thereof, Philadelphia, Pa., points in Jefferson County, Ohio, Bloomington, Ill., and points within 25 miles thereof, Newton, Kans., and points within 15 miles thereof, and points in Kimbull, Banner, and Cheyenne Counties, Nebr.).* The purpose of this filing is to eliminate the gateways marked with asteriskts above.

No. MC–95540 (Sub-No. E245), filed April 28, 1974. Applicant: WATKINS MOTOR LINES, INC., P.O. Box 1636, Atlanta, Ga. 30301. Applicant's representative: Clyde W. Carver, Suite 212–5299 Roswell Rd. NE., Atlanta, Ga. 30342. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Canned goods*, from Aberdeen, Md., to points in Kansas on and south of a line beginning at the Kansas-Oklahoma State line and extending along U.S. Highway 177 to its junction with U.S. Highway 160, thence along U.S. Highway 160 to its junction with U.S. Highway 183, thence along U.S. Highway 183 to its junction with U.S. Highway 154, thence along U.S. Highway 154 to Dodge City, thence along U.S. Highway 50 to Syracuse, thence along Kansas Highway 27 to Tribune, thence along Kansas-Colorado State line. The purpose of this filing is to eliminate the gateway of Pike or Spaulding Counties, Ga.

No. MC–95540 (Sub-No. E 246), filed April 28, 1974. Applicant: WATKINS MOTOR LINES, INC., P.O. Box 1636, Atlanta, Ga. 30301. Applicant's representative: Clyde W. Carver, Suite 212–5299 Roswell Rd. NE., Atlanta, Ga. 30342. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Canned goods*, from Buffalo, N.Y., to points in Texas on and south of a line beginning at the Texas-Mexico International Boundary line, and extending east along Interstate Highway 10 to its junction with U.S. Highway 290, thence along U.S. Highway 290 to its junction with Texas Highway 21, thence along Texas Highway 21 to its junction with U.S. Highway 190, thence along U.S. Highway 190 to the Texas-Louisiana State line. The purpose of this filing is to eliminate the gateway of Pike or Spaulding Counties, Ga.

No. MC–95540 (Sub-No. E 355), filed May 15, 1974. Applicant: WATKINS MOTOR LINES, INC., P.O. Box 1636, Atlanta, Ga. 30301. Applicant's representative: Clyde W. Carver, 5299 Roswell Rd. NE., Suite 212, Atlanta, Ga. 30342. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, from points in California to points in Maryland (except Baltimore). The purpose of this filing is to eliminate the gateway of Florence, Ala.

No. MC–95540 (Sub-No. E 360), filed May 15, 1974. Applicant: WATKINS MOTOR LINES, INC., P.O. Box 1636, Atlanta, Ga. 30301. Applicant's representative: Clyde W. Carver, 5299 Roswell Rd. NE., Suite 212, Atlanta, Ga. 30342. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen bakery products*, from Marysville, Pa., to points in South Carolina. The purpose of this filing is to eliminate the gateway of Crozet, Va.

No. MC–95540 (Sub-No. E372), filed May 15, 1974. Applicant: WATKINS MOTOR LINES, INC., P.O. Box 1636, Atlanta, Ga. 30301. Applicant's representative: Clyde W. Carver, Suite 212, 5299 Roswell Rd. NE., Atlanta, Ga. 30342. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, from Prattsville, N.Y., to points in New Mexico. The purpose of this filing is to eliminate the gateway of points in Tennessee (except Memphis and points in its commercial zone).

No. MC–95540 (Sub-No. E374), filed May 15, 1974. Applicant: WATKINS MOTOR LINES, INC., P.O. Box 1636, Atlanta, Ga. 30301. Applicant's representative: Clyde W. Carver, Suite 212, 5299 Roswell Rd. NE., Atlanta, Ga. 30342. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Canned goods*, from Bridgeton, N.J., to points in Louisiana, restricted against the transportation of traffic (1) originating at points in Florida, and (2) destined to points in Louisiana. The purpose of this filing is to eliminate the gateway of Baltimore, Md., and points in Pike or Spaulding Counties, Ga.

No. MC–95540 (Sub-No. E378), filed May 15, 1974. Applicant: WATKINS MOTOR LINES, INC., P.O. Box 1636, Atlanta, Ga. 30301. Applicant's representative: Clyde W. Carver, 5299 Roswell Rd. NE., Suite 212, Atlanta, Ga. 30342. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Bananas*, from Gulfport, Miss., to Atlanta, Ga., and points within 15 miles thereof. The purpose of this filing is to eliminate the gateway of points in Florida (except Pensacola).

No. MC–95540 (Sub-No. E379), filed May 15, 1974. Applicant: WATKINS MOTOR LINES, INC., P.O. Box 1636, Atlanta, Ga. 30301. Applicant's representative: Clyde W. Carver, 5299 Roswell Rd. NE., Suite 212, Atlanta, Ga. 30342. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, from Mesa, Ariz., to points in Massachusetts. The purpose of this filing is to eliminate the gateway of Tifton, Ga.

No. MC–95540 (Sub-No. E380), filed May 15, 1974. Applicant: WATKINS MOTOR LINES, INC., P.O. Box 1636, Atlanta, Ga. 30301. Applicant's representative: Clyde W. Carver, 5299 Roswell Rd. NE., Suite 212, Atlanta, Ga. 30342. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, from Mesa, Ariz., to points in New Jersey. The purpose of this filing is to eliminate the gateway of Tifton, Ga.

No. MC–95540 (Sub-No. E382), filed May 15, 1974. Applicant: WATKINS MOTOR LINES, INC., P.O. Box 1636, Atlanta, Ga. 30301. Applicant's representative: Clyde W. Carver, 5299 Roswell Rd. NE., Suite 212, Atlanta, Ga. 30342. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Citrus products*, not canned and not frozen, from points in Florida on and southeast of a line beginning at the Florida-Georgia State line, and extending along U.S. Highway 221 to Perry, thence along U.S. Highway 19 to its junction with Florida Highway 51, thence along Florida Highway 51 to the Gulf of Mexico (except Brooksville, Orlando, and Winter Haven) to points in New Mexico. The purpose of this filing is to eliminate the gateways of Brooksville, Orlando, and Winter Haven, Fla.

No. MC–95540 (Sub-No. E383), filed May 15, 1974. Applicant: WATKINS MOTOR LINES, INC., P.O. Box 1636, Atlanta, Ga. 30301. Applicant's representative: Clyde W. Carver, 5299 Roswell Rd. NE., Suite 212, Atlanta, Ga. 30342. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, from Tifton, Ga., to points in Utah. The purpose of this filing is to eliminate the gateways of points in Tennessee (except Memphis and points in its commercial zone).

No. MC–95540 (Sub-No. E404), filed May 15, 1974. Applicant: WATKINS MOTOR LINES, INC., P.O. Box 1636, Atlanta, Ga. 30301. Applicant's representative: Clyde W. Carver, 5299 Roswell Rd. NE., Suite 212, Atlanta, Ga. 30342. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lumber* (except plywood), from points in West Virginia on and west of a line beginning at the West Virginia-Virginia State line and extending along U.S. Highway 21 to its junction with Interstate Highway 77, thence along Interstate Highway 77 to the Ohio-West Virginia State line, to points in Georgia on and south of a line beginning at the Georgia-South Carolina State line and extending along U.S. Highway 123 to its junction with U.S. Highway 23, thence along U.S. Highway 23 to its junction with Interstate Highway 85, thence along Interstate Highway 85 to the Alabama-Georgia State line. The purpose of this filing is to eliminate the gateway of points in North Carolina.

No. MC–95540 (Sub-No. E406), filed May 15, 1974. Applicant: WATKINS MOTOR LINES, INC., P.O. Box 1636, Atlanta, Ga. 30301. Applicant's representative: Clyde W. Carver, Suite 212–5299 Roswell Rd. NE., Atlanta, Ga. 30342.

Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Bananas*, from points in Georgia on or east of U.S. Highway 301 to points in Nevada. The purpose of this filing is to eliminate the gateway of Jacksonville, Fla., and Gulfport, Miss.

No. MC–95540 (Sub-No. E411), filed May 15, 1974. Applicant: WATKINS MOTOR LINES, INC., P.O. Box 1636, Atlanta, Ga. 30301. Applicant's representative: Clyde W. Carver, 5299 Roswell Rd. NE., Suite 212, Atlanta, Ga. 30342. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, and meat by-products*, as described in Section A of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209, from Moultrie, Ga., to Denver, Colo. The purpose of this filing is to eliminate the gateway of San Angelo, Tex.

No. MC–95540 (Sub-No. E418), filed May 15, 1974. Applicant: WATKINS MOTOR LINES, INC., P.O. Box 1636, Atlanta, Ga. 30301. Applicant's representative: Clyde W. Carver, 5299 Roswell Rd. NE., Suite 212, Atlanta, Ga. 30342. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Bananas*, from points in Georgia on or east of U.S. Highway 301 to points in California. The purpose of this filing is to eliminate the gateways of Jacksonvlle, Fla., and Gulfport, Miss.

No. MC–95540 (Sub-No. E420), filed May 15, 1974. Applicant: WATKINS MOTOR LINES, INC., P.O. Box 1636, Atlanta, Ga. 30301. Applicant's representative: Clyde W. Carver, 5299 Roswell Rd. NE., Suite 212, Atlanta, Ga. 30342. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Bananas*, from Gulfport, Miss., to points in Maine, New Hampshire, and Vermont. The purpose of this filing is to eliminate the gateways of points in Florida (except Pensacola), and the plant site and warehouse sites of the Commercial Cold Storage, Inc., located at or near Doraville, Ga.

No. MC–95540 (Sub-No. E437), filed May 9, 1974. Applicant: WATKINS MOTOR LINES, INC., P.O. Box 1636, Atlanta, Ga. 30301. Applicant's representative: Clyde W. Carver, 5299 Roswell Rd. NE., Suite 212, Atlanta, Ga. 30342. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen fruits and frozen vegetables*, from Griffin and Montezuma, Ga., to points in Arizona, California, Colorado, Idaho, Minnesota, Nevada, New Mexico, North Dakota, Oregon, South Dakota, Utah, Washington, and Wyoming. The purpose of this filing is to eliminate the gateway of Colliersville, Tenn.

No. MC–95540 (Sub-No. E440), filed May 20, 1974. Applicant: WATKINS MOTOR LINES, INC., P.O. Box 1636, Atlanta, Ga. 30301. Applicant's representative: Clyde W. Carver, 5299 Roswell Rd. NE., Suite 212, Atlanta, Ga. 30342. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen fruit drinks and frozen juices*, from points in Florida (except Jacksonville), to points in Vermont. The purpose of this filing is to eliminate the gateway of Bridgeton, N.J.

No. MC–95540 (Sub-No. E455), filed May 16, 1974. Applicant: WATKINS MOTOR LINES, INC., P.O. Box 1636, Atlanta, Ga. 30301. Applicant's representative: Clyde W. Carver, 5299 Roswell Rd. NE., Suite 212, Atlanta, Ga. 30342. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen meats, frozen meat products, frozen edible meat by-products, and frozen dairy products*, from points in Florida to Denver, Colorado. The purpose of this filing is to eliminate the gateway of points in Iowa in the Omaha, Nebr., commercial zone.

No. MC–95540 (Sub-No. E555), filed May 15, 1974. Applicant: WATKINS MOTOR LINES, INC., P.O. Box 1636, Atlanta, Ga. 30301. Applicant's representative: Clyde W. Carver, 5299 Roswell Rd. NE., Suite 212, Atlanta, Ga. 30342. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Bananas*, from points in Georgia on or east of U.S. Highway 301, to points in Oregon. The purpose of this filing is to eliminate the gateway of Jacksonville, Fla., and Gulfport, Miss.

No. MC–95540 (Sub-No. E556), filed May 15, 1974. Applicant: WATKINS MOTOR LINES, INC., P.O. Box 1636, Atlanta, Ga. 30301. Applicant's representative: Clyde W. Carver, Suite 212–5299 Roswell Rd. NE., Atlanta, Ga. 30342. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen canned preserved or prepared foodstuffs*, from Bridgeton, N.J., to points in Tennessee. The purpose of this filing is to eliminate the gateway of Richmond, Va.

No. MC–94540 (Sub-No. E557), filed May 15, 1974. Applicant: WATKINS MOTOR LINES, INC., P.O. Box 1636, Atlanta, Ga. 30301. Applicant's representative: Clyde W. Carver, 5299 Roswell Rd. NE., Suite 212, Atlanta, Ga. 30342. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, from Mesa, Ariz., to points in Delaware. The purpose of this filing is to eliminate the gateway of Tifton, Ga.

No. MC–100666 (Sub-No. E17), filed April 11, 1974. Applicant: MELTON TRUCK LINES, INC., P.O. Box 7666, Shreveport, La. 71107. Applicant's representative: Paul L. Caplinger (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: Proposal 1: *Composition board, plywood, and moulding* from the facilities of U.S. Plywood-Champion Papers, at Charleston and Orangeburg, S.C., to points in Arizona, California, Idaho, Montana, Nevada, Oregon, Utah, and Washington. The purpose of this filing is eliminate the gateway of Pittsburg, Kans. Proposal 2: *Composition board*, from the origins described in Proposal 1 to points in Colorado, Arkansas, Nebraska, New Mexico, North Dakota, South Dakota, and points in Minnesota on, west, and south of U.S. Highway 169 from the Minnesota-Iowa State line to junction Minnesota River; thence along the Minnesota River to the Minnesota-South Dakota State line. The purpose of this filing is to eliminate the gateway of Miami, Okla. Proposal 3: *Composition board*, from the origins described in Proposal 1 to points in Illinois on and west of Illinois Highway 127 from the Illinois-Kentucky State line to junction U.S. Highway 66, thence along U.S. Highway 66 to junction Illinois Highway 29, thence along Illinois Highway 29 to junction Illinois Highway 88, thence along Illinois Highway 88 to the Illinois-Iowa State line, points in Iowa, Missouri, and points in Tennessee on and west of U.S. Highway 45E from the Kentucky-Tennessee State line to its junction with Tennessee Highway 18, thence along Tennessee Highway 18 to the Mississippi-Tennessee State line. The purpose of this filing is to eliminate the gateway of West Memphis, Ark. Proposal 4: *Composition board*, from the origins described in proposal 1 to points in Wyoming. The purpose of this filing is to eliminate the gateways of West Memphis, Ark., and Paris, Tenn.

No. MC–100666 (Sub-No. E28), filed April 11, 1974. Applicant: MELTON TRUCK LINES, INC., 1129 Grimmet Drive, P.O. Box 7666, Shreveport, La. 71107. Applicant's representative: Paul L. Caplinger (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: Proposal 1: *Composition board, plywood, and mouldings*, from the warehouses and plantsite of the International Paper Company located in Stone County, Miss., to points in California, Idaho, Montana, Nevada, Oregon, Utah, and Washington. Proposal 2. *Composition board* from the origin described in proposal one to points in Arizona (except Cochise, Graham, Greenlee, Pima, Pinal and Santa Cruz Counties). The purpose of this filing is to eliminate the gateway of Pittsburg, Kansas. Proposal 3: *Composition board*, from the origin described in proposal one to points in Colorado and Wyoming. The purpose of this filing is to eliminate the gateway of Paris, Tenn. Proposal 4: *Composition board*, from the origin described in proposal one to points in New Mexico. The purpose of this filing is to eliminate the gateway of Craig, Oklahoma. Proposal 5: *Poles, piling, posts, and lumber*, from the origin described in proposal one to points in New Mexico. The purpose of this filing is to eliminate the gateway points in Oklahoma. Proposal 6: *Poles, piling, posts, and lumber*, from the origin described in proposal one to points in Colorado. The purpose of this filing is to eliminate the gateway of

Duke, Oklahoma. Proposal 7: *Poles, piling, posts, and lumber,* from the origin described in proposal one to points in Arizona. The purpose of this filing is to eliminate the gateway of Beaumont, Tex. Proposal 8: *Poles, piling, posts, and lumber,* from the origin described in proposal one to Memphis, Tenn. The purpose of this filing is to eliminate the gateway of West Memphis, Arkansas.

No. MC–100666 (Sub-No. E30), filed April 12, 1974. Applicant: MELTON TRUCK LINES, INC., P.O. Box 7666, Shreveport, La. 71107. Applicant's representative: Paul L. Caplinger (same as above). Authority sought to operate as a *common carrier,* by motor vehicle, over irregular routes, transporting: *Floor coverings and facing tile,* from the plantsite of the Armstrong Cork Company at Jackson, Miss., to points in Colorado, and points in Kansas on and west of U.S. Highway 281, points in Nebraska on and west of U.S. Highway 281, from Kansas-Nebraska State line to junction with Nebraska Highway 2, thence along Nebraska Highway 2 to junction U.S. Highway 183, thence along U.S. Highway 183 to Nebraska-South Dakota State line, and points in New Mexico. The purpose of this filing is to eliminate the gateways of Duke, Okla., and Acme, Tex.

No. MC–100666 (Sub-No. E33), filed May 2, 1974. Applicant: MELTON TRUCK LINES, INC., P.O. Box 7666, Shreveport, La. 71107. Applicant's representative: Paul L. Caplinger (same as above). Authority sought to operate as a *common carrier,* by motor vehicle, over irregular routes, transporting: Proposal 1: (1) *Lumber,* from points in New Mexico to points in Alabama, Connecticut, Delaware, Florida, Georgia, Illinois, Indiana, Kentucky, Maine, Maryland, Massachusetts, the Lower Peninsula of Michigan, Mississippi, New Hampshire, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, South Carolina, Tennessee, Vermont, Virginia, West Virginia, and the District of Columbia. The purpose of this filing is to eliminate the gateways of Texarkana and Sherman, Texas and Fayettesville, Arkansas. (2) *Lumber,* from points in New Mexico (except Albuquerque, Bern Allilo, Domingo, Espanola, Gallup, Grants, and Santa Fe Cities and San Juan, Rio Arriba, Taos, Calfax and Union Counties), to points in Wisconsin and the Upper Peninsula of Michigan. The purpose of this filing is to eliminate the gateways of Dalhard, Texas and Fayettesville, Arkansas. (3) *Lumber,* from points in San Juan, Rio Arriba, Taos, Calfax, and Union Counties; New Mexico (except Espanola and Taos Cities) to points in Wisconsin on and west of Interstate Highway 90 from the Wisconsin-Illinois State line to junction of Wisconsin Highway 26, thence along Wisconsin Highway 26 to its junction with U.S. Highway 41, thence along U.S. Highway 41 to the Wisconsin-Michigan State line. The purpose of this filing is to eliminate the gateways of Dalhart, Texas, and Fayettesville, Arkansas. (4) *Lumber,* from points in New Mexico on from the Arizona-New Mexico State line to junction U.S. Highway 285, thence along U.S. Highway 285 to junction U.S. Highway 380, thence along U.S. Highway 380 to the New Mexico-Texas State line (except Albuquerque, Domingo, and Gallup Cities) to points in Iowa on and east of U.S. Highway 151, Iowa State line at Dubuque to junction U.S. Highway 218 to Iowa-Missouri State line and points in Minnesota on and east of State Highway 73 from the United States-Canada International Boundary line to junction Interstate Highway 35, thence along Interstate Highway 35 to the Minnesota-Iowa State line. The purpose of this filing is to eliminate the gateways of Dalhart, Tex., and Fayettesville, Arkansas.

Proposal 2: (1) *Plywood,* from points in New Mexico on and south of Interstate Highway 40 from the Arizona-New Mexico State line to junction U.S. Highway 84, thence along U.S. Highway 84 to the New Mexico-Texas State line, to points in Wisconsin and the Upper Peninsula of Michigan. The purpose of this filing is to eliminate the gateways of Sherman, Texas, and Pittsburg, Kansas. (2) *Plywood,* from points in New Mexico on and south of Interstate Highway 40 from Arizona-New Mexico State line to junction U.S. Highway 285, thence along U.S. Highway 285 to junction of U.S. Highway 380, thence along U.S. Highway 380 to the New Mexico-Texas State line, to points in Iowa on and east of U.S. Highway 151 from the Iowa State line at Dubuque to junction U.S. Highway 218, thence along U.S. Highway 218 to the Iowa-Missouri State line, and points in Minnesota on and east of Minnesota Highway 73 from the United States-Canada International Boundary line to junction Interstate Highway 35, thence along Interstate Highway 35 to the Minnesota-Iowa State line. The purpose of this filing is to eleminate the gateway of Sherman, Texas, and Pittsburg, Kansas.

No. MC–100666 (Sub-No. E41), filed June 18, 1974. Applicant: MELTON TRUCK LINES, INC., 1129 Grimmet Drive, P.O. Box 7666, Shreveport, La. 71107. Applicant's representative: Paul L. Caplinger (same as above). Authority sought to operate as a *common carrier,* by motor vehicle, over irregular routes, transporting: Proposal I: (1) *Plywood and composition board,* from plantsites of Georgia-Pacific Corporation, at or near Closter, Miss., to points in California, Idaho, Montana, Nevada, North Dakota, Oregon, South Dakota, Utah, and Washington. The purpose of this filing is to eliminate the gateway of Pittsburgh, Kans. (2) *Plywood and composition board,* from origin described in proposal I to points in Connecticut, Delaware, Maine, Massachusetts, New Hampshire, New Jersey, Rhode Island, Vermont, and points in Pennsylvania on and east of Pennsylvania Highway 449 from the New York-Pennsylvania State line to junction Interstate Highway 6, thence along Interstate Highway 6 to junction Pennsylvania Turnpike Extension, thence and south of Interstate Highway 40 along Pennsylvania Turnpike Extension to junction Pennsylvania Highway 320, thence along Pennsylvania Highway 320 to the Pennsylvania-New Jersey State line. The purpose of this filing is to eliminate the gateway of Closter, Miss. Proposal II: *Plywood,* from the origin described in proposal I, to points in Colorado and New Mexico. The purpose of this filing is to eliminate the gateway of Craig, Okla. Proposal III: *Composition board,* from the origin described in proposal I, to points in Colorado. The purpose of this filing is to eliminate the gateway of Duke, Okla. Proposal IV: *Plywood,* from the origin described in proposal I, to points in North Carolina, Pennsylvania, Virginia, and West Virginia. The purpose of this filing is to eliminate the gateway of Lake Village, Ark. Proposal V: *Composition board,* from the origin described in proposal I, to points in Wyoming. The purpose of this filing is to eliminate the gateway of Paris, Tenn. Proposal VI: *Plywood,* from the origin described in proposal I, to points in Arizona. The purpose of this filing is to eliminate the gateway of Beaumont, Tex. Proposal VII: *Plywood and composition board,* from plantsite of Georgia-Pacific Corporation, at or near Louisville, Miss., to points in Arizona, California, Idaho, Montana, Nevada, North Dakota, Oregon, South Dakota, Utah, and Washington. The purpose of this filing is to eliminate the gateway of Pittsburg, Kans. Proposal VIII: *Plywood,* from the origin described in proposal VII, to points in Pennsylvania, Virginia, and West Virginia. The purpose of this filing is to eliminate the gateway of Covington, Tenn. Proposal IX: *Plywood,* from origin described in proposal VII, to points in Colorado and New Mexico. The purpose of this filing is to eliminate the gateway of Craig, Okla. Proposal X: *Plywood,* from origin described in proposal VII, to points in Colorado. The purpose of this filing is to eliminate the gateway of Duke, Okla. Proposal XI: *Composition board,* from origin described in proposal VII, to points in Wyoming. The purpose of this filing is to eliminate the gateway of Paris, Tenn.

No. MC–100666 (Sub-No. E42), filed April 19, 1974. Applicant: MELTON TRUCK LINES, INC., P.O. Box 7666, Shreveport, La. 71107. Applicant's representative: Paul L. Caplinger (same as above). Authority sought to operate as a *common carrier,* by motor vehicle, over irregular routes, transporting: Proposal 1: *Composition lumber,* from Urania, La., to points in California in, east, and north of Inyo, Kern, Los Angeles, and Orange Counties, points in Idaho, Montana, Nevada (except Clark County), Oregon, Utah, Washington, North Dakota, and South Dakota. The purpose of this filing is to eliminate the gateway of Pittsburg, Kans. Proposal 2: *Composition lumber,* from Urania, La., to points in Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, and Vermont, and the District of Columbia. The purpose of this filing is to eliminate the gateway of Wiggins, Miss. Proposal 3: *Composition lumber,* from

Urania, La., to points in Colorado and New Mexico. The purpose of this filing is to eliminate the gateway of Craig, Okla. Proposal 4: *Composition lumber*, from Urania, La., to points in Wyoming in and north of Niobrara, Converse, Natrona, Fremont, Sublette, and Lincoln Counties. The purpose of this filing is to eliminate the gateway of Paris, Tenn. Proposal 5: *Composition lumber*, from Urania, La., to points in Iowa, Minnesota, North Dakota, South Dakota, and Wisconsin. The purpose of this filing is to eliminate the gateway of El Dorado, Ark. Proposal 6: *Composition lumber*, from Urania, La., to points in Kentucky and Tennessee (except Memphis). The purpose of this filing is to eliminate the gateway of Natchez, Miss. Proposal 7: *Lumber*, from Urania, La., to points in Colorado. The purpose of this filing is to eliminate the gateway of Duke, Okla. Proposal 8: *Lumber*, from Urania, La., to points in Arizona. The purpose of this filing is to eliminate the gateway of Texarkana, Tex.

No. MC–100666 (Sub-No. E121), filed May 30, 1974. Applicant: MELTON TRUCK LINES, INC., P.O. Box 7666, Shreveport, La. 71107. Applicant's representative: Paul Caplinger (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Sheet iron roofing*, from points in Arkansas to points in Tennessee. The purpose of this filing is to eliminate the gateway of West Memphis, Ark.

No. MC–100666 (Sub-No. E123), filed May 30, 1974. Applicant: MELTON TRUCK LINES, INC., P.O. Box 7666, Shreveport, La. 71107. Applicant's representative: Paul Caplinger (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Sheet iron roofing*, from points in Arkansas on, south, and west of a line beginning at the junction of Interstate Highway 40 and the Oklahoma-Arkansas State line, thence east on Interstate Highway 40 to the junction with U.S. Highway 64, thence north and east on U.S. Highway 64 to the junction with Interstate Highway 55, thence south on Interstate Highway 55 to the Mississippi River, to points in Illinois. The purpose of this filing is to eliminate the gateway of West Memphis, Ark.

No. MC–100666 (Sub-No. E124), filed May 30, 1974. Applicant: MELTON TRUCK LINES, INC., P.O. Box 7666, Shreveport, La. 71107. Applicant's representative: Paul Caplinger (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Sheet iron roofing*, from points in Arkansas to points in Mississippi. The purpose of this filing is to eliminate the gateway of West Memphis, Ark.

No. MC–100666 (Sub-No. E125), filed May 30, 1974. Applicant: MELTON TRUCK LINES, INC., P.O. Box 7666, Shreveport, La. 71107. Applicant's representative: Paul Caplinger (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Sheet iron roofing*, from points in Kansas to points in Mississippi. The purpose of this filing is to eliminate the gateway of West Memphis, Ark.

No. MC–100666 (Sub-No. E126), filed May 30, 1974. Applicant: MELTON TRUCK LINES, INC., P.O. Box 7666, Shreveport, La. 71107. Applicant's representative: Paul Caplinger (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Building, roofing, and insulating materials*, from Florence, Ky., to points in New Mexico. The purpose of this filing is to eliminate the gateway of Duke, Okla.

No. MC–100666 (Sub-No. E127), filed May 30, 1974. Applicant: MELTON TRUCK LINES, INC., P.O. Box 7666, Shreveport, La. 71107. Applicant's representative: Paul Caplinger (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Composition roofing and asbestos siding*, from the plant site of the Celotex Corporation at Birmingham, Ala., to (1) points in Iowa, Kansas, Missouri, and points in Illinois on and south of U.S. Highway 40, and points in Shelby County, Tenn., (2) points in Colorado, New Mexico, Oklahoma, Texas, and Louisiana (except points east of Pointe Coupee, Saint Martin, and Iberia Parishes). The purpose of this filing is to eliminate the gateways of in (1) West Memphis, Ark., and in (2) Lake Village, Ark., and Duke, Okla.

No. MC–103993 (Sub-No. E12), filed May 23, 1974. Applicant: MORGAN DRIVE AWAY, INC., 2800 W. Lexington Ave., Elkhart, Indiana 46514. Applicant's representative: Paul D. Borghesani (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Buildings, in sections*, when transported on wheeled undercarriages equipped with hitchball connectors, from the plant sites of Continental Modules, Inc., in Morris County, N.J., to points in the United States (except Alaska and Hawaii). The purpose of this filing is to eliminate the gateway of points in the United States on and east of a line beginning at the mouth of the Mississippi River, thence along the Mississippi River to junction with the western boundary of Itasca County, Minn., thence along the western boundaries of Itasca and Koochiching Counties, Minn., to the International Boundary line between the United States and Canada.

No. MC–103993 (Sub-No. E13), filed May 23, 1974. Applicant: MORGAN DRIVE AWAY, INC., 2800 W. Lexington Ave., Elkhart, Indiana 46514. Applicant's representative: Paul D. Borghesani (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Buildings, in sections*, when transported on wheeled undercarriages equipped with hitchball connectors, from Fredericksburg, Va., to points in the United States (except Alaska and Hawaii). The purpose of this filing is to eliminate the gateways of points in Alabama, Connecticut, Delaware, Florida, Georgia, Indiana, Kentucky, Maine, Maryland, Massachusetts, Michigan, New Hampshire, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, South Carolina, Tennessee, Vermont, Virginia, West Virginia, and the District of Columbia.

No. MC–103993 (Sub-No. E14), filed May 23, 1974. Applicant: MORGAN DRIVE AWAY, INC., 2800 W. Lexington Ave., Elkhart, Indiana 46514. Applicant's representative: Paul D. Borghesani (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Buildings, in sections*, when transported on wheeled undercarriages equipped with hitchball connectors, from points in New Haven County, Conn., to points in the United States (except Alaska and Hawaii). The purpose of this filing is to eliminate the gateways of points in Massachusetts, Rhode Island, New Hampshire, Maine, New York, New Jersey, Pennsylvania, and Vermont.

No. MC–103993 (Sub-No. E15), filed May 23, 1974. Applicant: MORGAN DRIVE AWAY, INC., 2800 W. Lexington Ave., Elkhart, Ind. 46514. Applicant's representative: Paul D. Borghesani (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Buildings, in sections*, when transported on wheeled undercarriages equipped with hitchball connectors, from Danville and Chatham, Va., to points in the United States (except Alaska and Hawaii). The purpose of this filing is to eliminate the gateways of points in that part of the United States on and east of a line beginning at the mouth of the Mississippi River, thence along the Mississippi River, thence along the Mississippi River to junction western boundary of Itasca County, Minn., thence along the western boundaries of Itasca and Koochiching Counties, Minn., to the International Boundary line between the United States and Canada.

No. MC–103993 (Sub-No. E16), filed May 23, 1974. Applicant: MORGAN DRIVE AWAY, INC., 2800 W. Lexington Ave., Elkhart, Indiana 46514. Applicant's representative: Paul D. Borghesani (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Buildings, in sections*, when transported on wheeled undercarriages equipped with hitchball connectors, from Ilion, N.Y., to points in the United States (except Alaska and Hawaii). The purpose of this filing is to eliminate the gateways of points in Connecticut, New Hampshire, Maine, Massachusetts, Pennsylvania, Rhode Island, Vermont, and New York.

No. MC–103993 (Sub-No. E17), filed May 23, 1974. Applicant: MORGAN DRIVE AWAY, INC., 2800 W. Lexington Ave., Elkhart, Indiana 46514. Applicant's representative: Paul D. Borghesani (same as above). Authority sought to operate as a *common carrier*, by motor

vehicle, over irregular routes, transporting: *Buildings, in sections,* when transported on wheeled undercarriages equipped with hitchball connectors, from Billings, Missoula, and Poplar, Mont., to points in the United States (except Alaska and Hawaii). The purpose of this filing is to eliminate the gateways of points in Idaho, North Dakota, South Dakota, Wyoming, and Nebraska (except points in Kimball County).

No. MC–103993 (Sub-No. E27), filed May 19, 1974. Applicant: MORGAN DRIVE AWAY, INC., 2800 W. Lexington Ave., Elkhart, Ind. 46514. Applicant's representative: Paul D. Borghesani (same as above). Authority sought to operate as a *common carrier,* by motor vehicle, over irregular routes, transporting: *Buildings, in sections,* when transported on wheel undercarriages equipped with hitchball connectors, from the facilities of Liberty Homes, Inc., at or near Whitehall, N.Y., to points in the United States (except Alaska and Hawaii). The purpose of this filing is to eliminate the gateways of points in Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, Pennsylvania, and New Jersey.

No. MC–103993 (Sub-No. E28), filed May 19, 1974. Applicant: MORGAN DRIVE AWAY, INC., 2800 W. Lexington Ave., Elkhart, Indiana 46514. Applicant's representative: Paul D. Borghesani (same as above). Authority sought to operate as a *common carrier,* by motor vehicle, over irregular routes, transporting: *Buildings, in sections,* when transported on wheeled undercarriages equipped with hitchball connectors, from points in Weld County, Colo. (except Greeley) to points in the United States (except Alaska and Hawaii). The purpose of this filing is to eliminate the gateways of points in North Dakota, South Dakota, Nebraska, Arizona, Utah, Wyoming, Idaho, Montana, and Nevada.

No. MC–107403 (Sub-No. E26), filed May 29, 1974. Applicant: MATLACK, INC., 10 W. Baltimore Ave., Lansdowne, Pa. 19050. Applicant's representative: John Nelson (same as above). Authority sought to operate as a *common carrier,* by motor vehicle, over irregular routes, transporting: *Cottonseed oil, peanut oil, and turpentine,* in bulk, in tank vehicles, from points in Georgia, North Carolina, and South Carolina to points in Pennsylvania, Delaware, New York, New Jersey, Connecticut, Massachusetts, and Rhode Island. The purpose of this filing is to eliminate the gateway of Philadelphia, Pa.

No. MC–107403 (Sub-No. E27), filed May 29, 1974. Applicant: MATLACK, INC., 10 W. Baltimore Ave., Lansdowne, Pa. 19050. Applicant's representative: John Nelson (same as above). Authority sought to operate as a *common carrier,* by motor vehicle, over irregular routes, transporting: *Liquid chemicals* (except such oils and greases as may be included in the term chemicals), from Greensboro, N.C., to points in Wisconsin. The purpose of this filing is to eliminate the gateway of Washington, Pa., the plantsite of the B. F. Goodrich Company in Milan Township (Allen County, Ind., approximately 13 miles east of Fort Wayne, Ind., and Natrium, W. Va.).

No. MC–107403 (Sub-No. E28), filed May 29, 1974. Applicant: MATLACK, INC., 10 W. Baltimore Ave., Lansdowne, Pa. 19050. Applicant's representative: John Nelson (same as above). Authority sought to operate as a *common carrier,* by motor vehicle, over irregular routes, transporting: *Edible oils,* in bulk, in tank vehicles, from points in Georgia, North Carolina, and South Carolina to points in New York, New Jersey, Connecticut, Massachusetts, Rhode Island, Vermont, Maine, and New Hampshire. The purpose of this filing is to eliminate the gateway of Newark, N.J.

No. MC–107403 (Sub-No. E29), filed May 29, 1974. Applicant: MATLACK, INC., 10 W. Baltimore Ave., Lansdowne, Pa. 19050. Applicant's representative: John Nelson (same as above). Authority sought to operate as a *common carrier,* by motor vehicle, over irregular routes, transporting: *Liquid chemicals,* in bulk, in tank vehicle, from points in Greensboro, N.C., to points in Ohio and West Virginia within 150 miles of Monongahela, Pa. The purpose of this filing is to eliminate the gateway of points in Pennsylvania and Maryland within 150 miles of Monongahela, Pa.

No. MC–107403 (Sub-No. E30), filed May 29, 1974. Applicant: MATLACK, INC., 10 W. Baltimore Ave., Lansdowne, Pa. 19050. Applicant's representative: John Nelson (same as above). Authority sought to operate as a *common carrier,* by motor vehicle, over irregular routes, transporting: *Liquid chemicals,* in bulk, in tank vehicles, from Greensboro, N.C., to points in Iowa and Michigan. The purpose of this filing is to eliminate the gateway of Uniontown, Pa., and Natrium, W. Va.

No. MC–107403 (Sub-No. E31), filed May 29, 1974. Applicant: MATLACK, INC., 10 W. Baltimore Ave., Lansdowne, Pa. 19050. Applicant's representative: John Nelson (same as above). Authority sought to operate as a *common carrier,* by motor vehicle, over irregular routes, transporting: (1) *Liquid chemicals* (except gasoline, fuel oil, benzene, and kerosene), in bulk, in tank vehicles, from Greensboro, N.C., to points in Maine, Massachusetts, New Hampshire, and Vermont; (2) *non-flammable liquids* (except gasoline, fuel oil, benzene, kerosene, petroleum and petroleum products, other than medicinal petroleum products and liquid wax, and not including road oil, coal tar, and coal tar products, from Greensboro, N.C., to points in Connecticut and Rhode Island. The purpose of this filing is to eliminate the gateway of Newark, N.J., in (1) and (2) above.

No. MC–107403 (Sub-No. E78), filed May 29, 1974. Applicant: MATLACK, INC., 10 W. Baltimore Ave., Lansdowne, Pa. 19050. Applicant's representative: John Nelson (same as above). Authority sought to operate as a *common carrier,* by motor vehicle, over irregular routes, transporting: *Dry plastics and dry resins,* in bulk, in tank vehicles, from Elkton and Baltimore, Md., and Claymont, Del., to points in Maine, New Hampshire, and New York. The purpose of this filing is to eliminate the gateway of Camden, N.J., and Pottstown, Pa.

No. MC–107403 (Sub-No. E79), filed May 29, 1974. Applicant: MATLACK, INC., 10 W. Baltimore Ave., Lansdowne, Pa. 19050. Applicant's representative: John Nelson (same as above). Authority sought to operate as a *common carrier,* by motor vehicle, over irregular routes, transporting: *Liquid chemicals,* in bulk, in tank vehicles, from Baltimore and Elkton, Md., and Claymont, Del., to points in Nebraska and Minnesota. The purpose of this filing is to eliminate the gateway of Marcus Hook, Pa., Natrium, W. Va. and the Baird Chemicals Industries, Inc., located at or near Mapleton, Ill.

No. MC–107403 (Sub-No. E80), filed May 29, 1974. Applicant: MATLACK, INC., 10 W. Baltimore Ave., Lansdowne, Pa. 19050. Applicant's representative: John Nelson (same as above). Authority sought to operate as a *common carrier,* by motor vehicle, over irregular routes, transporting: *Liquid chemicals,* in bulk, in tank vehicles, from Elkton, Md., and Claymont, Del., to points in Alabama, Georgia, Mississippi, South Carolina, Tennessee, Virginia, West Virginia, and North Carolina. The purpose of this filing is to eliminate the gateway of Philadelphia, Pa.

No. MC–107403 (Sub-No. E81), filed May 29, 1974. Applicant: MATLACK, INC., 10 W. Baltimore Ave., Lansdowne, Pa. 19050. Applicant's representative: John Nelson (same as above). Authority sought to operate as a *common carrier,* by motor vehicle, over irregular routes, transporting: *Liquid chemicals,* in bulk, in tank vehicles, from Elkton and Baltimore, Md., and Claymont, Del. to points in Ohio, Indiana, Michigan, Iowa, Missouri, and Illinois. The purpose of this filing is to eliminate the gateway of Philadelphia, Pa., and Natrium, W. Va.

No. MC–107403 (Sub-No. E82), filed May 29, 1974. Applicant: MATLACK, INC., 10 W. Baltimore Ave., Lansdowne, Pa. 19050. Applicants representative: John Nelson (same as above). Authority sought to operate as a *common carrier,* by motor vehicle, over irregular routes, transporting: *Liquid chemicals* (except petroleum products, and coal tar products), in bulk, from points in Maryland, within 100 miles of Philadelphia, Pa., to points in Ohio. The purpose of this filing is to eliminate the gateway of Camden, N.J.

No. MC–107403 (Sub-No. E83), filed May 29, 1974. Applicant: MATLACK, INC., 10 W. Baltimore Ave., Lansdowne, Pa. 19050. Applicant's representative: John Nelson (same as above). Authority sought to operate as a *common carrier,* by motor vehicle, over irregular routes,

transporting: *Liquid chemicals* (except gasoline, fuel oil, benzene, and kerosene), in bulk, in tank vehicles, from Baltimore and Elkton, Md., and Claymont, Del., to points in Maine, New Hampshire, Vermont, and Massachusetts. The purpose of this filing is to eliminate the gateway of Philadelphia, Pa., and Newark, N.J.

No. MC–107496 (Sub-No. E371), filed June 4, 1974. Applicant: RUAN TRANSPORT CORPORATION, P.O. Box 855, Des Moines, Iowa 50309. Applicant's representative: E. Check (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum products*, in bulk, in tank vehicles, from Kansas City, Kans., to points in Utah. The purpose of this filing is to eliminate the gateways of points in Nebraska on and west of U.S. Highway 83, and points in Colorado.

No. MC–107496 (Sub-No. E372), filed June 4, 1974. Applicant: RUAN TRANSPORT CORPORATION, P.O. Box 855, Des Moines, Iowa 50309. Applicant's representative: E. Check (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chemicals* (except those derived from petroleum and except liquid oxygen, liquid hydrogen, and liquid nitrogen), in bulk, in tank vehicles, from the plant site of Ashland Chemical Company, Division of Ashland Oil & Refining Company, at or near Mapleton, Ill., to points in Wyoming (except points in Platte, Goshen, Converse, Niobrara, Weston, Crook, and Campbell Counties). The purpose of this filing is to eliminate the gateway of Denver, Colo.

No. MC–107496 (Sub-No. E376), filed June 4, 1974. Applicant: RUAN TRANSPORT CORPORATION, P.O. Box 855, Des Moines, Iowa 50309. Applicant's representative: E. Check (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid petrochemicals*, in bulk, in tank vehicles, from the plant site of Ashland Chemical Company, Division of Ashland Oil & Refining Company at or near Mapleton, Ill., to all points in Montana. The purpose of this filing is to eliminate the gateway of Fremont, Nebr., and points in Pennington County, S. Dak.

No. MC–107496 (Sub-No. E377), filed June 4, 1974. Applicant: RUAN TRANSPORT CORPORATION, P.O. Box 855, Des Moines, Iowa 50309. Applicant's representative: E. Check (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Anhydrous ammonia*, in bulk, from the plant site of United States Steel Corporation, Chemical Division, at or near Tilton, Ill., to points in North Dakota. The purpose of this filing is to eliminate the gateway of the plant site of International Minerals and Chemical Corporation, at or near Welcome, Minn.

No. MC–107496 (Sub-No. E378), filed June 6, 1974. Applicant: RUAN TRANSPORT CORPORATION, P.O. Box 855, Des Moines, Iowa 50309. Applicant's representative: E. Check (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Synthetic resins*, in bulk, in tank vehicle, from the plant site of Ashland Chemical Company, Division of Ashland Oil & Refining Company, at or near Mapleton, Ill., to points in Oklahoma. The purpose of this filing is to eliminate the gateway of the plant site of Ashland Chemical Co., at Valley Park, Mo.

No. MC–107496 (Sub-No. E379), filed June 4, 1974. Applicant: RUAN TRANSPORT CORPORATION, P.O. Box 855, Des Moines, Iowa 50309. Applicant's representative: E. Check (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chemicals*, in bulk, in tank vehicles, from the plant site of Ashland Chemical Company, Division of Ashland Oil & Refining Company, at or near Mapleton, Ill., to points in South Dakota. The purpose of this filing is to eliminate the gateway of Fremont, Nebr.

No. MC–107496 (Sub-No. E380), filed June 4, 1974. Applicant: RUAN TRANSPORT CORPORATION, P.O. Box 855, Des Moines, Iowa 50309. Applicant's representative: E. Check (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chemicals*, in bulk, in tank vehicles, from the plant site of Ashland Chemical Company, Division of Ashland Oil & Refining Company, at or near Mapleton, Ill., to points in North Dakota. The purpose of this filing is to eliminate the gateway of Fremont, Nebr.

No. MC–107496 (Sub-No. E381), filed June 4, 1974. Applicant: RUAN TRANSPORT CORPORATION, P.O. Box 855, Des Moines, Iowa 50309. Applicant's representative: E. Check (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum products*, in bulk, in tank vehicles, from points in Colorado to points in Jo Daviess, Stephenson, Ogle, Carroll, Whiteside, Lee, Henry, Bureau, Knox, Warren, Henderson, Mercer, Stark, and Rock Island Counties, Ill., and Rockford, Ill. The purpose of this filing is to eliminate the gateway of Omaha, Nebr., and Dubuque, Iowa.

No. MC–107496 (Sub-No. E394), filed June 4, 1974. Applicant: RUAN TRANSPORT CORPORATION, P.O. Box 855, Des Moines, Iowa 50309. Applicant's representative: E. Check (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum products*, in bulk, in tank vehicles, from points in Utah to points in Missouri. The purpose of this filing is to eliminate the gateways of ponts in Colorado, and the pipeline outlet of Williams Brothers Pipeline Company in Doniphan County, Kans.

No. MC–107496 (Sub-No. E395), filed June 4, 1974. Applicant: RUAN TRANSPORT CORPORATION, P.O. Box 855, Des Moines, Iowa 50309. Applicant's representative: E. Check (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid petrochemicals*, in bulk, in tank vehicles, from Sugar Creek, Mo., and Kansas City, Kans., to points in Michigan. The purpose of this filing is to eliminate the gateway of points in Appanoose County, Iowa and the plant site of the Hawkeye Chemical Company at or near Clinton, Iowa.

No. MC–107496 (Sub-No. E396), filed June 4, 1974. Applicant: RUAN TRANSPORT CORPORATION, P.O. Box 855, Des Moines, Iowa 50309. Applicant's representative: E. Check (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cement*, from Kansas City, Mo., to points in Wisconsin. The purpose of this filing is to eliminate the gateway of the plant site of the Northwestern States Portland Cement Company at or near Cedar Rapids, Iowa.

No. MC–107496 (Sub-No. E397), filed June 4, 1974. Applicant: RUAN TRANSPORT CORPORATION, P.O. Box 855, Des Moines, Iowa 50309. Applicant's representative: E. Check (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dry chemicals*, in bulk, from Port Neal Industrial Complex, and Big Soo Terminal, and the plant site of and warehouses and storage facilities utilized by Terra Chemicals International, Inc., American Cyanamid Company, and Monsanto Company located in Woodbury County, Iowa, and Dakota County, Nebr., to points in the Lower Peninsula of Michigan. The purpose of this filing is to eliminate the gateway of the plant site of Cowles Chemical Company at or near Joliet, Ill.

No. MC–107496 (Sub-No. E398), filed June 4, 1974. Applicant: RUAN TRANSPORT CORPORATION, P.O. Box 855, Des Moines, Iowa 50309. Applicant's representative: E. Check (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid petrochemicals*, in bulk, in tank vehicles, from points in Utah to points in Ohio. The purpose of this filing is to eliminate the gateways of Omaha, Nebr., and the plant site of Hawkeye Chemical Corporation at or near Clinton, Iowa.

No. MC–107496 (Sub-No. E399), filed June 4, 1974. Applicant: RUAN TRANSPORT CORPORATION, P.O. Box 855, Des Moines, Iowa 50309. Applicant's representative: E. Check (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid petrochemicals*, in bulk, in tank vehicles, from points in Utah to points in Indiana. The purpose of this filing is to eliminate the gateways of Omaha, Nebr., and the plant

site of Hawkeye Chemical Co., at Clinton, Iowa.

No. MC–107496 (Sub-No. E400), filed June 4, 1974. Applicant: RUAN TRANSPORT CORPORATION, P.O. Box 855, Des Moines, Iowa 50309. Applicant's representative: E. Check (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Animal oil*, in bulk, in tank vehicles, from points in Wisconsin on and north and west of U.S. Highway 151 to points in Hennepin, Ramsey, Scott, and Dakota Counties, Minn. The purpose of this filing is to eliminate the gateway of Minneapolis, Minn.

No. MC–107496 (Sub-No. E493), filed June 4, 1974. Applicant: RUAN TRANSPORT CORP., P.O. Box 855, Des Moines, Iowa 50309. Applicant's representative: E. Check (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid animal feed supplement*, in bulk, in tank vehicles from Morrill, Nebr., to points in Missouri south of Interstate Highway 70. The purpose of this filing is to eliminate the gateway of Leoti, Kansas.

No. MC–107496 (Sub-No. E494), filed June 4, 1974. Applicant: RUAN TRANSPORT CORP., P.O. Box 855, Des Moines, Iowa 50309. Applicant's representative: E. Check (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Anhydrous hydrazine* from Saltville, Va., to points in New Mexico (except points south of U.S. Highway 380 and east of U.S. Highway 285). The purpose of this filing is to eliminate the gateway of the site of the Rocky Mountain Arsenal at Denver, Colo.

No. MC–107496 (Sub-No. E495), filed June 4, 1974. Applicant: RUAN TRANSPORT CORP., P.O. Box 855, Des Moines, Iowa 50309. Applicant's representative: E. Check (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Anhydrous hydrazine* from Saltville, Va., to points in Arizona. The purpose of this filing is to eliminate the gateway of the site of the Rocky Mountain Arsenal at Denver, Colo.

No. MC–107496 (Sub-No. E496), filed June 4, 1974. Applicant: RUAN TRANSPORT CORP., P.O. Box 855, Des Moines, Iowa 50309. Applicant's representative: E. Check (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid petrochemicals*, in bulk, in tank vehicles, from Albany, Ill., and points within five miles of thereof to points in Kentucky. The purpose of this filing is to eliminate the gateway of the plant site of the Hawkeye Chemical Co., at or near Clinton, Iowa.

No. MC–107496 (Sub-No. E497), filed June 4, 1974. Applicant: RUAN TRANSPORT CORP., P.O. Box 855, Des Moines, Iowa 50309. Applicant's representative: E. Check (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid petrochemicals*, in bulk, in tank vehicles, from Fulton, Ill., and points within five miles thereof to points in Missouri. The purpose of this filing is to eliminate the gateway of the plant site of the Hawkeye Chemical Company, at or near Clinton, Iowa.

No. MC–107496 (Sub-No. E498), filed June 4, 1974. Applicant: RUAN TRANSPORT CORPORATION, P.O. Box 855, Des Moines, Iowa 50309. Applicant's representaitve: E. Check (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fertilizer and fertilizer compounds*, in bulk, in tank vehicles, from Burlington, Iowa, to points in Illinois south of U.S. Highway 24. The purpose of this filing is to eliminate the gateway of Ft. Madison, Iowa.

No. MC–107496 (Sub-No. E499), filed June 4, 1974. Applicant: RUAN TRANSPORT CORPORATION, P.O. Box 855, Des Moines, Iowa 50309. Applicant's representative: E. Check (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum products*, in bulk, in tank vehicles, from points in Iowa on and east of U.S. Highway 69 and on and south of a line from Dubuque along U.S. Highway 20 to Waterloo and west of a line from Waterloo along U.S. Highway 63 to the Iowa-Minnesota State line to points in Minnesota on and south of Minnesota Highway 19. The purpose of this filing is to eliminate the gateways of Clear Lake, Iowa and points within 10 miles thereof and Waterloo, Iowa.

No. MC–107496 (Sub-No. E503), filed June 4, 1974. Applicant: RUAN TRANSPORT CORP., P.O. Box 855, Des Moines, Iowa 50309. Applicant's representative: E. Check (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid petrochemicals*, in bulk, in tank vehicles, from Albany, Ill., and points within 5 miles thereof to points in Wisconsin. The purpose of this filing is to eliminate the gateway of the plantsite of the Hawkeye Chemical Company, at or near Clinton, Iowa.

No. MC–107496 (Sub-No. E505), filed June 4, 1974. Applicant: RUAN TRANSPORT CORP., P.O. Box 855, Des Moines, Iowa 50309. Applicant's representative: E. Check (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Vegetable oil*, in bulk, in tank vehicles, from points in the Minneapolis-St. Paul, Minn. commercial zone as defined by the Commission to points in Connecticut. The purpose of this filing is to eliminate the gateway of Des Moines, Iowa.

No. MC–107496 (Sub-No. E506), filed June 4, 1974. Applicant: RUAN TRANSPORT CORP., P.O. Box 855, Des Moines, Iowa 50309. Applicant's representative: E. Check (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Vegetable oil*, in bulk, in tank vehicles, from points in the Minneapolis-St. Paul, Minn. commercial zone as defined by the Commission, to points in Florida. The purpose of this filing is to eliminate the gateway of Des Moines, Iowa.

No. MC–107496 (Sub-No. E507), filed June 4, 1974. Applicant: RUAN TRANSPORT, CORP., P.O. Box 855, Des Moines, Iowa 50309. Applicant's representative: E. Check (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Vegetable oil*, in bulk, in tank vehicles, from points in the Minneapolis-St. Paul, Minn., commercial zone as defined by the Commission, to points in Idaho. The purpose of this filing is to eliminate the gateway of Des Moines. Iowa.

No. MC–107496 (Sub-No. E508), filed June 4, 1974. Applicant: RUAN TRANSPORT CORP., P.O. Box 855, Des Moines, Iowa 50309. Applicant's representative: E. Check (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Vegetable oils*, in bulk, in tank vehicles, from points in the Minneapolis-St. Paul, Minn., Commercial Zone as defined by the Commission, to points in New York. The purpose of this filing is to eliminate the gateway of Des Moines, Iowa.

No. MC–107496 (Sub-No. E509), filed June 4, 1974. Applicant: RUAN TRANSPORT CORPORATION, P.O. Box 855. Des Moines, Iowa 50309. Applicant's representative: E. Check (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid fertilizer*, in bulk, in tank vehicles, from Franklin, Minn., to points in Colorado. The purpose of this filing is to eliminate the gateway of Scottsbluff, Nebr.

No. MC–107496 (Sub-No. E510), filed June 4, 1974. Applicant: RUAN TRANSPORT CORPORATION, P.O. Box 855, Des Moines, Iowa 50309. Applicant's representative: E. Check (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid fertilizer and liquid fertilizer ingredients*, in bulk, from Savage, Minn., to points in Missouri. The purpose of this filing is to eliminate the gateway of Eagle Grove, Iowa.

No. MC–107496 (Sub-No. E511), filed June 4, 1974. Applicant: RUAN TRANSPORT CORPORATION, P.O. Box 855, Des Moines, Iowa 50309. Applicant's representative: E. Check (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dry fertilizer*, in bulk, in hopper vehicles, from Albert Lea, Minn., to points in Indiana.

The purpose of this filing is to eliminate the gateway of Clinton, Iowa.

No. MC–107496 (Sub-No. E525), filed June 4, 1974. Applicant: RUAN TRANSPORT CORPORATION, P.O. Box 855, Des Moines, Iowa 50309. Applicant's representative: E. Check (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dry fertilizer*, in bulk, in hopper vehicles, from Winona, Minn., to points in Ohio. The purpose of this filing is to eliminate the gateway of Clinton, Iowa.

No. MC–107496 (Sub-No. E526), filed June 4, 1974. Applicant: RUAN TRANSPORT CORPORATION, P.O. Box 855, Des Moines, Iowa 50309. Applicant's representative: E. Check (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dry fertilizer*, in bulk, in hopper vehicles, from Albert Lea, Minn., to points in Ohio. The purpose of this filing is to eliminate the gateway of Clinton, Iowa.

No. MC–107496 (Sub-No. E527), filed June 4, 1974. Applicant: RUAN TRANSPORT CORPORATION, P.O. Box 855, Des Moines, Iowa 50309. Applicant's representative: E. Check (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Epoxidized vinyl plasticizers*, in bulk, in tank vehicles, from Blooming Prairie, Minn., to points in Louisiana. The purpose of this filing is to eliminate the gateway of the plantsite of Archer Daniels Midland Co., at or near Decatur, Ill.

No. MC–107496 (Sub-No. E528), filed June 4, 1974. Applicant: RUAN TRANSPORT CORPORATION, P.O. Box 855, Des Moines, Iowa 50309. Applicant's representative: E. Check (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Vegetable oil*, in bulk, in tank vehicles, from Mankato, Minn., to points in Pennsylvania. The purpose of this filing is to eliminate the gateway of Des Moines, Iowa.

No. MC–107496 (Sub-No. E529), filed June 4, 1974. Applicant: RUAN TRANSPORT CORPORATION, P.O. Box 855, Des Moines, Iowa 50309. Applicant's representative: E. Check (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid animal feed and liquid animal feed supplements*, in bulk, in tank vehicles, from the sites of the plants and storage facilities of Allied Chemical Corporation at or near La Platte, and Omaha, Nebr., to points in Texas on and west of a line beginning at Brownsville, thence along U.S. Highway 77 to Harlingen, thence along U.S. Highway 281 to San Antonio, thence along U.S. Highway 87 to Brady, thence along U.S. Highway 283 to the Texas-Oklahoma State line. The purpose of this filing is to eliminate the gateway of Leoti, Kans.

No. MC–107496 (Sub-No. E530), filed June 4, 1974. Applicant: RUAN TRANSPORT CORPORATION, P.O. Box 855, Des Moines, Iowa 50309. Applicant's representative: E. Check (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Anhydrous hydrazine*, from Saltville, Va., to points in California. The purpose of this filing is to eliminate the gateway of the site of the Rocky Mountain Arsenal at Denver, Colo.

No. MC–107496 (Sub-No. E531), filed June 4, 1974. Applicant: RUAN TRANSPORT CORPORATION, P.O. Box 855, Des Moines, Iowa 50309. Applicant's representative: E. Check (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Asphalt and residual fuel oil*, in bulk, in tank vehicles, from the plant site of the Koch Refining Company at Pine Bend, Minn., to points in Illinois on and north of Illinois Highway 64 (except points located north of U.S. Highway 52 and west of Illinois Highway 26). The purpose of this filing is to eliminate the gateway of Madison, Wis.

No. MC–107839 (Sub-No. E7), filed June 4, 1974. Applicant: DENVER–ALBUQUERQUE MOTOR TRANSPORT, INC., P.O. Box 16106, Denver, Colo. 80216. Applicant's representative: Edward T. Lyons (same as above). Authority sought to operate as *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products and meat by-products, and articles distributed by meat packinghouses*, as described in Sections A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, except commodities in bulk, in tank vehicles, and hides, from Mason City, Iowa, to Las Vegas, Nev., points in Arizona, and points in that part of California on and south of a line along U.S. Highway 91 (Interstate 15) from the Nevada-California State line to Barstow, thence along California Highway 58 to Bakersfield, thence along California Highway 99 to California Highway 152 near Chowchilla, thence along California Highway 152 to U.S. Highway 101 at Gilroy, thence along U.S. Highway 101 at Gilroy, thence along U.S. Highway 101 to San Jose, thence along California Highway 17 to Santa Cruz. The purpose of this filing is to eliminate the gateway of Plainview, Tex.

No. MC–107839 (Sub-No. E8), filed June 4, 1974. Applicant: DENVER–ALBUQUERQUE MOTOR TRANSPORT, INC., P.O. Box 16106, Denver, Colo. 80216. Applicant's representative: Edward T. Lyons (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foodstuffs* (except canned foodstuffs), in vehicles equipped with mechanical refrigeration, and *canned foodstuffs*, when moving in mixed loads with other foodstuffs, in vehicles equipped with mechanical refrigeration, from Denver, Colo., to Las Vegas, Nev., points in Arizona; and points in that part of California on and south of a line along U.S. Highway 91 (Interstate 15) from the California-Nevada State line to Barstow, thence along California Highway 58 to Bakersfield, thence along California Highway 99 to Stockton, thence along Interstate Highway 5 to Interstate Highway 580, thence along Interstate Highway 580 to Interstate Highway 80, thence along Interstate 80 to San Francisco. The purpose of this filing is to eliminate the gateway of Gallup, N. Mex.

No. MC–107839 (Sub-No. E9), filed June 4, 1974. Applicant: DENVER–ALBUQUERQUE MOTOR TRANSPORT, INC., P.O. Box 16106, Denver, Colo. 80216. Applicant's representative: Edward T. Lyons (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products and meat by-products*, and articles distributed by meat packinghouses, as described in Sections A and C of Appendix I to the report in Descriptions in Motor Carrier Certificates, 61 M.C.C. 209 and 766, except hides and except commodities in bulk, in tank vehicles, from the plant site of Producers Packing Company near Garden City, Kans., to Las Vegas, Nev., points in Arizona; and points in that part of California on and south of a line along U.S. Highway 91 (Interstate 15) from the Nevada-California State line to Barstow, thence along California Highway 58 to Bakersfield, thence along California Highway 99 to Sacramento, thence along Interstate 80 to San Francisco. The purpose of this filing is to eliminate the gateway of Plainview, Tex.

No. MC–107839 (Sub-No. E17), filed June 4, 1974. Applicant: DENVER-ALBUQUERQUE MOTOR TRANSPORT, INC., P.O. Box 16106, Denver, Colo. 80216. Applicant's representative: Edward T. Lyons (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dairy products*, from Denver, Colo., to points in Tennessee on and south of Interstate Highway 40, and points in Georgia, North Carolina, and South Carolina. The purpose of this filing is to eliminate the gateway of Plainview, Tex.

No. MC–107839 (Sub-No. E18), filed June 4, 1974. Applicant: DENVER-ALBUQUERQUE MOTOR TRANSPORT, INC., P.O. Box 16106, Denver, Colo. 80216. Applicant's representative: Edward T. Lyons (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen meats, frozen meat products, and frozen edible meat by-products, and frozen edible articles distributed by meat packinghouses*, as described in Sections A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C.

209 and 766 (except hides and except commodities in bulk, in tank vehicles), from the plant site and storage facilities of Missouri Beef Packers, Inc., at or near Phelps City, Mo., to points in Arizona and California, and Las Vegas, Nev. The purpose of this filing is to eliminate the gateway of Gallup, N. Mex.

No. MC–107839 (Sub-No. E19), filed June 4, 1974. Applicant: DENVER-ALBUQUERQUE MOTOR TRANSPORT, INC., P.O. Box 16106, Denver, Colo. 80216. Applicant's representative: Edward T. Lyon (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen meats, frozen meat products, and frozen edible meat by-products*, in vehicles equipped with mechanical refrigeration, from New Orleans, La., to points in California in and north of Santa Clara, Santa Cruz, Merced, Madera, and Mono Counties, points in Oregon (except points in Harney, Malheur, and Lake Counties), points in Washington in and west of Okanogan, Douglas, Grant, Franklin, and Walla Walla Counties, and to Reno, Nev. The purpose of this filing is to eliminate the gateway of Denver, Colo., and Gallup, N. Mex.

No. MC–109397 (Sub-No. E4), filed May 15, 1974. Applicant: TRI-STATE MOTOR TRANSIT CO., P.O. Box 113, Joplin, Mo. 64801. Applicant's representative: E. S. Gordon (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Source, special nuclear and by-products materials, and radioactive materials* (except commodities in bulk, in tank or hopper-type vehicles), between points in Washington, on the one hand, and, on the other, points in Kentucky, Tennessee, Alabama, Georgia, South Carolina, and Florida, restricted to the transportation of traffic moving under Government bills of lading. The purpose of this filing is to eliminate the gateways of (1) the facilities of the General Electric Co., located near Morris, Grundy County, Ill., and (2) points in Du Page County, Ill.

No. MC–109397 (Sub-No. E5), filed May 15, 1974. Applicant: TRI-STATE MOTOR TRANSIT CO., P.O. Box 113, Joplin, Mo. 64901. Applicant's representative: E. S. Gordon (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Source, special nuclear and by-product materials, and radioactive materials* (except commodities in bulk, in tank or hopper-type vehicles) between points in Washington, on the one hand, and, on the other, points in the Lower Peninsula of Michigan and that part of Wisconsin on and east of a line beginning at the Michigan-Wisconsin State line, thence along U.S. Highway 41 to junction Wisconsin Highway 67, thence along Wisconsin Highway 67 to the Wisconsin-Illinois State line, restricted to the transportation of traffic under Government bills of lading. The purpose of this filing is to eliminate the gateway of (1) the facilities of the General Electric Co., located near Morris, Grundy County, Ill., and (2) points in Du Page County, Ill.

No. MC–109397 (Sub-No. E6), filed May 15, 1974. Applicant: TRI-STATE MOTOR TRANSIT CO., P.O. Box 113, Joplin, Mo. 64801. Applicant's representative: E. S. Gordon (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Source, special nuclear and by-product materials, and radioactive materials* (except commodities in bulk, in tank or hopper-type vehicles), between points in Anderson and Roane Counties, Tenn., on the one hand, and, on the other, points in Iowa, Minnesota, and Wisconsin, restricted to the transportation of traffic under Government bills of lading. The purpose of this filing is to eliminate the gateways of (1) the facilities of the General Electric Co., located near Morris, Grundy County, Ill., and (2) points in Du Page County, Ill.

No. MC–109397 (Sub-No. E7), filed May 15, 1974. Applicant: TRI-STATE MOTOR TRANSIT CO., P.O. Box 113, Joplin, Mo. 64801. Applicant's representative: E. S. Gordon (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Source, special nuclear and by-products materials, and radioactive materials* (except commodities in bulk, in tank or hopper-type vehicles), between points in Anderson and Roane Counties, Tenn., on the one hand, and, on the other, points in that part of Illinois on and north of Illinois Highway 17, restricted to the transportation of traffic under Government bills of lading. The purpose of this filing is to eliminate the gateway of points in Du Page County, Ill.

No. MC–110420 (Sub-No. E2), filed June 4, 1974. Applicant: QUALITY CARRIERS INC., P.O. Box 186, Pleasant Prairie, Wis. 53158. Applicant's representative: E. Stephen Heisley, 666 Eleventh St. NW., Washington, D.C. 20001. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquefied hard fat*, in bulk, in tank vehicles, from Waterloo, Iowa, and Cudahy, Wis., to Mount Joy, Pa. The purpose of this filing is to eliminate the gateway of Chicago, Ill.

No. MC–110420 (Sub-No. E3), filed June 4, 1974. Applicant: QUALITY CARRIERS INC., P.O Box 186, Pleasant Prairie, Wis. Applicant's representative: E. Stephen Heisley, 666 Eleventh St., NW., Washington, D.C. 20001. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Hydrolyzed animal oils*, in bulk, in tank vehicles, from Cedar Rapids and Des Moines, Iowa, and Hammond, Ind., to Buffalo, N.Y. The purpose of this filing is to eliminate the gateway of Chicago, Ill.

No. MC–110420 (Sub-No. E4), filed June 4, 1974. Applicant: QUALITY CARRIERS, INC., P.O. Box 186, Pleasant Prairie, Wis. 53158. Applicant's representative: E. Stephen Heisley, 666 Eleventh St., NW., Washington, D.C. 20001. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Blends of animal and vegetable oils and shortening*, in bulk, in tank vehicles, (a) from Waterloo, Iowa to Rochester, Pa.; (b) from Waterloo, Iowa, to Baltimore, and Ellicott City, Md., Newark, N.J., Buffalo, New York, and Syracuse, N.Y., and Downingtown, Lititz, and Philadelphia, Pa., and (c) from Waterloo, Iowa, to points in Delaware, Georgia, Maine, Maryland (except Baltimore and Ellicott City), Massachusetts, New Hampshire, New Jersey (except Newark and points in that part of New Jersey located in the New York, N.Y., and Philadelphia, Pa., commercial zones), Virginia, and West Virginia, and the District of Columbia (Chicago, Ill.)*; (2) *Blends of animal and vegetable oils and shortening*, in bulk, in tank vehicles, (a) from Cudahy, Wis., to Hamilton, Ohio, Louisville, Ky., and Rochester, Pa.; (b) from Cudahy, Wis., to Baltimore, and Ellicott City, Md., Newark, N.J., Buffalo, Syracuse, and New York, N.Y., and Downingtown, Lititz, and Philadelphia, Pa.; (c) from Cudahy, Wis., to points in Delaware, Georgia, Maine, Maryland (except Baltimore and Ellicott City), Massachusetts, New Hampshire, New Jersey (except Newark, N.J., and points in that part of New Jersey located in the New York, N.Y., and Philadelphia, Pa., commercial zones as defined by the Commission), Virginia, and West Virginia, and the District of Columbia (Chicago, Ill.)*; and (3) *Blends of animal and vegetable oils and shortening*, in bulk, in tank vehicles, from Louisville, Ky., to Omaha, Nebr., and points in Maine and New Hampshire (Gary, Ind.)*. The purpose of this filing is to eliminate the gateways indicated by asterisks above.

No. MC–110420 (Sub-No. E5), filed June 4, 1974. Applicant: QUALITY CARRIERS, INC., P.O. Box 186, Pleasant Prairie, Wis. 53158. Applicant's representative: E. Stephen Heisley, 666 11th St., NW., Washington, D.C. 20001. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Edible vegetable oils*, in bulk, in tank vehicles, from Cudahy, Wis., to points in Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey (except points in that part of New Jersey within the New York, N.Y., and Philadelphia, Pa., commercial zones, as defined by the Commission), Virginia, and West Virginia, and the District of Columbia (Chicago, Ill.)*; (2) *edible vegetable oils*, in bulk, in tank vehicles, from Waterloo, Iowa to points in Delaware, Maine, Maryland, New Hampshire, New Jersey (except points in that part of New Jersey within the New York, N.Y., and Philadelphia, Pa., commercial zones, as defined by the Commission), Virginia, and West Virginia, and the District of Columbia (Chicago, Ill.)*; (3) *edible vegetable oils*, in bulk, in tank vehicles,

from Louisville, Ky., to points in Maine and New Hampshire (Gary, Ind.) *.

(4) *Edible vegetable oils*, in bulk, in tank vehicles, (a) from points in that part of Iowa in, north, and west of Wouona, Crawford, Sac, Buena Vista, Pocahontas, Humboldt, and Kossuth Counties to points in Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey (except points in that part of New Jersey within the New York, N.Y. and Philadelphia, Pa., commercial zones), Virginia and West Virginia, and the District of Columbia; (b) from points in that part of Iowa in and west of Harrison, Shelby, Cass, Adair, Union, Clarke, and Decatur Counties to points in Delaware, Maine, Maryland Massachusetts, New Hampshire, New Jersey (except points in that part of New Jersey within the New York, N.Y., and Philadelphia, Pa., commercial zones, as defined by the Commission), Virginia, and West Virginia, and the District of Columbia; (c) from points in that part of Iowa in and bounded by Wright, Franklin, Hardin, Grundy, Tama, Poweshieck, Jasper, Marion, Warren, Madison, Dallas, Guthrie, Audubon, Carroll, Calhoun, and Webster Counties to points in Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey (except points in that part of New Jersey within the New York, N.Y., and Philadelphia, Pa., commercial zones, as defined by the Commission), Virginia, and West Virginia, and the District of Columbia; (d) from points in that part of Iowa in, north, and east of Winnebago, Hancock, Cerro, Grodo, Floyd, Butler, Black Hawk, Benton, Linn, Jones, and Jackson Counties, to points in Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey (except points in the New York, N.Y., and Philadelphia, Pa., commercial zones, as defined by the Commission), Virginia, and West Virginia, and the District of Columbia; and (e) from points in Iowa in, south and east of Wayne, Lucas, Monroe, Mahaska, Keokuk, Iowa, Johnson, Cedar, and Clinton Counties to points in that part of Virginia in and east of Fairfax, Prince William, Stafford, Spotsylanvia, Louisa, Fluvanna, Buckingham, Prince Edward, Charlotte, and Halifax Counties, and points in Delaware, Maine, Massachusetts, New Hampshire, New Jersey (except points in that part of New Jersey within the New York, N.Y., and Philadelphia commercial zones, as defined by the Commission), and the District of Columbia (Cudahy, Wis., and Chicago, Ill.) *.

(5) Edible vegetable oils, in bulk, in tank vehicles (a) from points in Minnesota to points in Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey (except points in that part of New Jersey within the New York, N.Y., and Philadelphia, Pa., commercial zones, as defined by the Commission), Virginia, and West Virginia, and the District of Columbia, (b) from points in that part of Illinois in, south, and west of Madison, Bond, Clinton, Washington, Perry, Jackson, Union, and Pulaski Counties to points in Maine, Massachusetts, and New Hampshire, (c) from points in that part of Illinois in, north, and east of Boone, De Kalb, La Salle, Grundy, and Kankakee Counties, to points in Delaware, Maine, Massachusetts, New Hampshire, New Jersey (except points in that part of New Jersey within the New York, N.Y., and Philadelphia, Pa., commercial zones, as defined by the Commission), and that part of Virginia in and east of King George, Caroline, Hanover, Henrico, Chesterfield, Dinwiddie, and Brunswick Counties, (d) from points in that part of Illinois in, north, and west of Henderson, Warren, Knox, Starks, Marshall, Putnam, Bureau, Lee, Ogle, and Winnebago Counties, to points in Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey (except points in that part of New Jersey within the New York, N.Y., and Philadelphia, Pa., commercial zones, as defined by the Commission), Virginia, West Virginia, and Georgia, and the District of Columbia, (e) from points in that part of Illinois in and east of Massac, Johnson, Wlliamson, Franklin, Jefferson, Marion, Fayette, Effington, Cumberland, and Clark Counties, to points in that part of Maine in and north of Somerset, Penobscot, and Hancock Counties, and (f) from points in that part of Illiniois in and bounded by Hancock, McDonough, Fulton, Peoria, Woodford, Livingston, Ford, Iroquois, Jersey, Calhoun, Macoupin, Montgomery, Shelby, Coles, and Edgar Counties to points in Maine, Massachusetts, and New Hampshire (Cudahy, Wis., and Chicago, Ill.) *. The purpose of this filing is to eliminate the gateways indicated by asterisks above.

By the Commission.

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

[FR Doc.74-17050 Filed 7-24-74;8:45 am]

[Notice 130]

MOTOR CARRIER BOARD TRANSFER PROCEEDINGS

JULY 25, 1974.

Synopses of orders entered by the Motor Carrier Board of the Commission pursuant to sections 212(b), 206(a), 211, 312(b), and 410(g) of the Interstate Commerce Act, and rules and regulations prescribed thereunder (49 CFR Part 1132), appear below:

Each application (except as otherwise specifically noted) filed after March 27, 1972, contains a statement by applicants that there will be no significant effect on the quality of the human environment resulting from approval of the application. As provided in the Commission's special rules of practice any interested person may file a petition seeking reconsideration of the following numbered proceedings on or before August 14, 1974. Pursuant to section 17(8) of the Interstate Commerce Act, the filing of such a petition will postpone the effective date of the order in that proceeding pending its disposition. The matters relied upon by petitioners must be specified in their petitions with particularity.

No. MC-FC-75251. By order of July 17, 1974, the Motor Carrier Board approved the transfer to Ronald E. Rohrbaugh, doing business as R. S. Border Co., Hanover, Pa., of Permits Nos. MC-452 and MC-452 Sub 6, issued by the Commission July 22, 1958, and February 15, 1963, respectively, to Willmer N. Rohrbaugh and John E. Livelsberger, a partnership, doing business as R. S. Border Co., Hanover, Pa., authorizing the transportation of jute yarn, empty yarn containers, and spools, cores, burlap, burlap pieces, and similar commodities from and to Hanover, Pa., Hightstown, Little Falls, and Trenton, N.J., Amsterdam, Auburn, and Firthcliffe, N.Y., Saxonville, Mass., and Thompsonville, Conn., among others; and jute yarns, synthetic fibers, and rovings from Hanover, Pa., to Clinton and Worcester, Mass., Buffalo, N.Y., Dahlonega, Ga., Robbinsville and Rocky Mount, N.C., and Bennettsville, Greenville, Liberty, and Spartansburg, S.C. John M. Musselman, Esq., Rhoads, Sinon & Reader, P.O. Box 1146, 410 North Third Street, Harrisburg, Pa. 17108.

No. MC-FC-75267. By order of July 17, 1974, the Motor Carrier Board approved the transfer to Minowa Tour & Travel Agency, Inc., Decorah, Iowa, of the License in No. MC-12906 issued October 1, 1964, to Kimble H. Peterson, doing business as Minowa Travel & Tour Agency, Decorah, Iowa, authorizing the holder to engage in operations as a broker in connection with the transportation of passengers and their baggage, in charter operations, beginning and ending at Decorah, Iowa, and extending to points in the United States, including Alaska and Hawaii. Kimble H. Peterson, 222 West Water Street, Decorah, Iowa 52101, representative for applicants.

No. MC-FC-75268. By order of July 17, 1974, the Motor Carrier Board approved the transfer to R. D. Wilson, Inc., Vernon, Conn., of the operating rights in Certificate No. 109369, issued September 15, 1972, to Barry A. Atkins, doing business as Atkins Equipment, R. D. Wilson, Vernon, Conn., authorizing the transportation of various commodities from, to, and between specified points and areas in Connecticut and Massachusetts. Donald G. Walsh, 278 Orange St., New Haven, Conn. 06510, attorney for applicants.

No. MC-FC-75270. By order entered July 17, 1974, the Motor Carrier Board approved the transfer to Hellen Transportation Co., Inc., Uxbridge, Mass., of the operating rights set forth in Certificate No. MC-109609, issued October 29, 1953, to Alger & Smith Transportation Co., Shrewsbury, Mass., authorizing the transportation of liquid petroleum products, from East Providence, Providence, Tiverton, and Woonsocket, R.I., to Milford, Millbury, North Brookfield, and Worcester, Mass.; liquid petroleum products, in tanks, from Providence and East Providence, R.I., to Worcester, Mass., and points within 15 miles of Worcester; liquid petroleum products, in bulk, in tank trucks, from Fall River, Mass., and

East Hartford, Conn., to Milford, Millbury, North Brookfield, Worcester, Auburn, Charlton City, Clinton, Fitchburg, Gardner, Holden, Lancaster, Manchaug, Northboro, Northbridge, Paxton, Rutland, Shrewsbury, Southbridge, Sterling, Uxbridge, Webster, and Westboro, Mass.; and petroleum lubricating oil, in bulk, in tank vehicles, from Worcester, Mass., to Wood Ridge, N.J. Kenneth B. Williams, 111 State St., Boston, Mass. 02109, attorney for applicants.

No. MC–FC–75271. By order of July 17, 1974, the Motor Carrier Board approved the transfer to Miller Brothers Moving and Storage, Inc., doing business as Miller Brothers Moving and Storage, South Windham, Conn., of the operating rights in Certificate No. MC–31687 issued September 4, 1940, to Stanley J. Miller, doing business as Miller Bros., Willimantic, Conn., authorizing the transportation of household goods, between Willimantic, Conn., and points in Connecticut within 30 miles thereof, on the one hand, and, on the other, points in Rhode Island, Massachusetts, New Hampshire, Maine, Vermont, New York, and New Jersey. Omar H. Shepard, Jr., P.O. Box 186, Willimantic, Conn. 06226, attorney for applicants.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.74–17049 Filed 7–24–74;8:45 am]

[Amdt. No. 1 to Ex. No. 44]

MANDATORY CAR SERVICE RULES ORDERED IN EX PARTE NO. 241

Exemption Under Provision of Rule 19

Upon further consideration of Exemption No. 44 issued June 27, 1973.

It is ordered, That, under authority vested in me by Car Service Rule 19, Exemption No. 44 to the Mandatory Car Service Rules ordered in Ex Parte No. 241, be, and it is hereby extended until further order of the Commission.

This amendment shall become effective July 31, 1974.

Issued at Washington, D.C., July 17, 1974.

INTERSTATE COMMERCE COMMISSION,
[SEAL] LEWIS R. TEEPLE,
Assistant Director.

[FR Doc.74–17046 Filed 7–24–74;8:45 am]

[No. AB–18 (Sub-No. 7)]

NICHOLAS, FAYETTE AND GREENBRIER RAILROAD CO.

Abandonment Portion Greenbrier and Eastern Branch Between Quinwood and Marfrance, in Greenbrier County, West Virginia

JULY 19, 1974.

Upon consideration of the record in the above-entitled proceeding, and of a staff-prepared environmental threshold assessment survey which is available for public inspection upon request; and

It appearing, that no environmental impact statement need be issued in this proceeding, because this proceeding does not represent a major Federal action significantly affecting the quality of the human environment within the meaning of the National Environmental Policy Act of 1969, 42 U.S.C. 4321, et seq.; and good cause appearing therefor:

It is ordered, That applicant be, and it is hereby, directed to publish the appended notice in a newspaper of general circulation in Greenbrier County, West Virginia, within 15 days of the date of service of this order, and certify to the Commission that this has been accomplished.

And it is further ordered, That notice of this order shall be given to the general public by depositing a copy thereof in the Office of the Secretary of the Commission at Washington, D.C., and by forwarding a copy to the Director, Office of the Federal Register, for publication in the FEDERAL REGISTER.

Dated at Washington, D.C., this 12th day of July, 1974.

By the Commission, Commissioner Deason.

[SEAL] ROBERT L. OSWALD,
Secretary.

The Interstate Commerce Commission hereby gives notice that by order dated July 12, 1974, it has been determined that the proposed abandonment of the portion of the branch line of the Nicholas, Fayette and Greenbrier Railroad Company between Quinwood and Marfrance, W. Va., a total distance of approximately 9.82 miles, if approved by the Commission, does not constitute a major Federal action significantly affecting the quality of the human environment within the meaning of the National Environmental Policy Act of 1969 (NEPA), 42 U.S.C. §§ 4332(2)(C) of the NEPA.

It was concluded, among other things, that the environmental impacts are not considered significant because the subject line served only a coal mine which has ceased operations, no traffic has occurred over the line since 1969, there are no identifiable development plans in the area that would necessitate direct rail service. In addition, abandonment and the return of the right-of-way to its natural state would be consistent with the rural atmosphere of the area.

This determination was based upon the staff preparation and consideration of an environmental threshold assessment survey, which is available for public inspection upon request to the Interstate Commerce Commission, Office of Proceedings, Washington, D.C. 20423; telephone [202] 343–2086.

Interested parties may comment on this matter by the submission of representations to the Interstate Commerce Commission, Washington, D.C., 20423, on or before August 9, 1974.

[FR Doc.74–17044 Filed 7–24–74;8:45 am]

[No. AB–18 (Sub-No. 8)]

NICHOLAS, FAYETTE AND GREENBRIER RAILROAD CO.

Abandonment Portion Hawley Branch, Near Hawley, Fayette County, West Virginia

JULY 19, 1974.

Upon consideration of the record in the above-entitled proceeding, and of a staff-prepared environmental threshold assessment survey which is available for public inspection upon request; and

It appearing, that no environmental impact statement need be issued in this proceeding, because this proceeding does not represent a major Federal action significantly affecting the quality of the human environment within the meaning of the National Environmental Policy Act of 1969, 42 U.S.C. 4321, et seq., and good cause appearing therefor:

It is ordered, That applicant be, and it is hereby, directed to publish the appended notice in a newspaper of general circulation in Fayette County, West Virginia, within 15 days of the date of service of this order, and certify to the Commission that this has been accomplished.

And it is further ordered, That notice of this order shall be given to the general public by depositing a copy thereof in the Office of the Secretary of the Commission at Washington, D.C., and by forwarding a copy to the Director, Office of the Federal Register, for publication in the FEDERAL REGISTER.

Dated at Washington, D.C., this 12th day of July, 1974.

By the Commission, Commissioner Deason.

[SEAL] ROBERT L. OSWALD,
Secretary.

The Interstate Commerce Commission hereby gives notice that by order dated July 12, 1974, it has been determined that the proposed abandonment by the Nicholas, Fayette and Greenbrier Railroad Company of a portion of the Hawley Branch in Fayette County, W. Va., a distance of approximately 1.14 miles, if approved by the Commission, does not constitute a major Federal action significantly affecting the quality of the human environment within the meaning of the National Environmental Policy Act of 1969 (NEPA), 42 U.S.C. § 4332(2)(C) of the NEPA.

It was concluded, among other things, that the environmental effects of the proposed action are not considered significant because the subject line served only by one industry—a coal mine which has ceased operations, no traffic has occurred over the line since 1966, there are no identifiable development plans in the area which would necessitate direct rail service, and the abandonment would be consistent with a federally funded watershed project planned in the area.

This determination was based upon the staff preparation and consideration

of an environmental threshold assessment survey, which is available for public inspection upon request to the Interstate Commerce Commission, Office of Proceedings, Washington, D.C. 20423; telephone (202) 343–2086.

Interested parties may comment on this matter by the submission of representations to the Interstate Commerce Commission, Washington, D.C., 20423 on or before August 9, 1974.

[FR Doc.74–17043 Filed 7–24–74;8:45 am]

[Notice 58]

MOTOR CARRIER, BROKER, WATER CARRIER AND FREIGHT FORWARDER APPLICATIONS

JULY 19, 1974.

The following applications (except as otherwise specifically noted, each applicant (on applications filed after March 27, 1972) states that there will be no significant effect on the quality of the human environment resulting from approval of its application), are governed by Special Rule § 1100.247 [1] of the Commission's general rules of practice (49 CFR, as amended), published in the FEDERAL REGISTER issue of April 20, 1966, effective May 20, 1966. These rules provide, among other things, that a protest to the granting of an application must be filed with the Commission within 30 days after date of notice of filing of the application is published in the FEDERAL REGISTER. Failure seasonably to file a protest will be construed as a waiver of opposition and participation in the proceeding. A protest under these rules should comply with section 247(d)(3) of the rules of practice which requires that it set forth specifically the grounds upon which it is made, contain a detailed statement of protestant's interest in the proceeding (including a copy of the specific portions of its authority which protestant believes to be in conflict with that sought in the application, and describing in detail the method—whether by joinder, interline, or other means—by which protestant would use such authority to provide all or part of the service proposed), and shall specify with particularity the facts, matters, and things relied upon, but shall not include issues or allegations phrased generally. Protests not in reasonable compliance with the requirements of the rules may be rejected. The original and one (1) copy of the protests shall be filed with the Commission, and a copy shall be served concurrently upon applicant's representative, or applicant if no representative is named. If the protest includes a request for oral hearing, such requests shall meet the requirements of section 247(d)(4) of the special rules, and shall include the certification required therein.

Section 247(f) of the Commission's rules of practice further provides that each applicant shall, if protests to its application have been filed, and within 60 days of the date of this publication, notify the Commission in writing (1) that it is ready to proceed and prosecute the application, or (2) that it wishes to withdraw the application, failure in which the application will be dismissed by the Commission.

Further processing steps (whether modified procedure, oral hearing, or other procedures) will be determined generally in accordance with the Commission's general policy statement concerning motor carrier licensing procedures, published in the FEDERAL REGISTER issue of May 3, 1966. This assignment will be by Commission order which will be served on each party of record. Broadening amendments will not be accepted after the date of this publication except for good cause shown, and restrictive amendments will not be entertained following publication in the FEDERAL REGISTER of a notice that the proceeding has been assigned for oral hearing.

No. MC–1117 (Sub-No. 11), filed May 29, 1974. Applicant: M.G.M. TRANSPORT CORPORATION, 70 Maltese Drive, Totowa, N.J. 07512. Applicant's representative: Morton E. Kiel, Suite 6193, 5 World Trade Center, New York, N.Y. 10048. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *New furniture*, (1) from the ports of entry on the International Boundary line between the United States and Canada located in New York and Vermont, to points in that part of New Jersey lying south of Ocean and Mercer Counties, N.J.; (2) from Totowa, N.J., to points in New York (except New York, N.Y., and points in Orange, Rockland, Suffolk, Ulster, Dutchess, Nassau, Putnam, Sullivan, and Westchester Counties); and (3) from Totowa, N.J., to points in New Jersey south of Ocean and Mercer Counties, N.J.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at New York, N.Y.

No. MC–20783 (Sub-No. 103), filed June 14, 1974. Applicant: TOMPKINS MOTOR LINES, INC., P.O. Box 1830, Gadsden, Ala. 35902. Applicant's representative: John P. Carlton, 903 Frank Nelson Building, Birmingham, Ala. 35203. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Food, food ingredients, food preparations, and foodstuffs*, from the plant sites and warehouse facilities of Atlantic Refrigerated Warehouse, Division of Munford, Inc., at Atlanta, Ga., and its Commercial Zone, to points in Alabama, Arkansas, Florida, Indiana, Kentucky, Louisiana, Mississippi, North Carolina, South Carolina, and Tennessee, restricted to traffic originating at said plant sites and warehouse facilities.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Atlanta, Ga.

No. MC–22229 (Sub-No. 87), filed May 24, 1974. Applicant: TERMINAL TRANSPORT COMPANY, INC., 248 Chester Avenue SE., Atlanta, Ga. 30316. Applicant's representative: Harold H. Clokey, 1740 The Equitable Building, Atlanta, Ga. 30303. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods and materials, supplies, equipment, and ingredients* used in the manufacturing, packaging, and distribution of frozen foods (except in bulk), between the plant and warehouse facilities of the Quaker Oats Company, located at or near Jackson, Tenn., on the one hand, and, on the other, points in Alabama, Florida, Georgia, Illinois, Indiana, Kentucky, Massachusetts, Michigan, Missouri, and Ohio, restricted to traffic originating at or destined to the plant or warehouse facilities of the Quaker Oats Co.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at Chicago, Ill., or Atlanta, Ga.

No. MC–29079 (Sub-No. 74), filed June 6, 1974. Applicant: BRADA MILLER FREIGHT SYSTEM, INC., 1210 South Union, Kokomo, Ind. 46901. Applicant's representative: Ben Cotten, 704 Southern Building, Washington, D.C. 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel*, and *iron and steel products* and *metal and metal products* (except those commodities of such size or weight as require the use of special equipment), (1) from the plantsite and warehouses of American Nickeloid Company, at or near Peru, Ill., to points in Indiana, Ohio, and Pennsylvania; and (2) from the plantsite and warehouses of American Nickeloid Company, at or near Walnutport, Pa., to points in Illinois, Indiana, and Ohio.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Chicago, Ill., or Washington, D.C.

No. MC–29130 (Sub-No. 103), filed June 3, 1974. Applicant: THE ROCK ISLAND MOTOR TRANSIT COMPANY, 2744 SE. Market Street, P.O. Box 1355, Des Moines, Iowa 50305. Applicant's representative: James E. Sykes, Room 1025, 139 W. Van Buren Street, Chicago, Ill. 60605. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), serving the warehouse site of Western Electric Company located at or near Goddard, Kans., as an off-route point in connection with applicant's regular-route operating authority.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Chicago, Ill., or Des Moines, Iowa.

No. MC–30089 (Sub-No. 6), filed May 28, 1974. Applicant: FRANK W. LILLY, INC., P.O. Box 111, Turtle Creek, Pa. 15145. Applicant's representative: Christian V. Graf, 407 North Front Street, Harrisburg, Pa. 17101. Authority

[1] Copies of Special Rule 247 (as amended) can be obtained by writing to the Secretary, Interstate Commerce Commission, Washington, D.C. 20423.

sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs* (except frozen foods and commodities in bulk), and *materials, equipment, and supplies used by the food processing industry*, between New York, N.Y., and points in New Jersey, on the one hand, and, on the other, facilities of H. J. Heinz Company at or near Chambersburg, Mechanicsburg, Pittsburgh, and Leetsdale, Pa., under a continuing contract or contracts with H. J. Heinz Company of Pittsburgh, Pa.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Pittsburgh, Pa.

No. MC 30446 (Sub-No. 7), filed June 3, 1974. Applicant: BRUCE JOHNSON TRUCKING COMPANY, INC., Post Office Box 5647, Charlotte, N.C. 28225. Applicant's representative: Charles Ephraim, 1250 Connecticut Avenue NW., Washington, D.C. 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Plastic materials*, in bulk, in closed vans, from Celriver, S.C., to Charleston, S.C., and Savannah and Port Wentworth, Ga.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 35320 (Sub-No. 143), filed June 14, 1974. Applicant: T.I.M.E.—DC, INC., P.O. Box 2550, Lubbock, Tex. 79408. Applicant's representative: Kenneth G. Thomas (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle over regular routes, transporting: *General commodities* (except Classes A and B explosives, livestock, grain, petroleum products in bulk, household goods as defined by the Commission, and commodities requiring special equipment), serving the plant and warehouse sites of Western Electric Company, located at or near the intersection of New York Highway 422 and Maple Street, Elma Township (Erie County), N.Y., as an off route point in connection with applicant's regular route authority.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at Buffalo, N.Y., or Albany, N.Y.

No. MC–46737 (Sub-No. 49), filed June 10, 1974. Applicant: GEO. F. ALGER COMPANY, a Corporation, 26380 Van Born Road, Dearborn Heights, Mich. 48125. Applicant's representative: Martin J. Leavitt, 22375 Haggerty Road, P.O. Box 400, Northville, Mich. 48167. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel*, plate or sheet, flat or in coils, between the plantsite and warehouses of Roll Coater Company at or near Kingsbury, Ind., on the one hand, and, on the other, points in Michigan and Ohio.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or Detroit, Mich.

No. MC–47791 (Sub-No. 6), filed June 12, 1974, Applicant: HAMILTON TRUCKING COMPANY, INC., 106 Carpenter Street, Blossburg, Pa. 16912. Applicant's representative: Kenneth R. Davis, 999 Union Street, Taylor, Pa. 18517. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Coal*, from points in Clearfield, Centre, Clinton, Jefferson, Indiana, Cambria, Clarion, and Armstrong Counties, Pa., to points in New York.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Harrisburg, Pa.

No. MC–52460 (Sub-No. 152), filed June 6, 1974. Applicant: ELLEX TRANSPORTATION, INC., 1420 W. 35th St., P.O. Box 9637, Tulsa, Okla. 74107. Applicant's representative: Steve B. McCommas (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meat, meat products and meat by-products, and articles distributed by meat packinghouses*, as described in Sections A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk, from the plant site and/or storage facilities utilized by Iowa Beef Processors, Inc., at or near Amarillo, Tex., to points in Alabama, Arkansas, Florida, Georgia, Kansas, Louisiana, Mississippi, Missouri, North Carolina, Oklahoma, South Carolina, and Tennessee.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Omaha, Nebr., Kansas City, Mo., or Oklahoma City, Okla.

No. MC–52938 (Sub-No. 10), filed June 6, 1974. Applicant: MASHKIN FREIGHT LINES, INC., 115 Park Street, East Hartford, Conn. 06108. Applicant's representative: Hugh M. Joseloff, 80 State Street, Hartford, Conn. 06103. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dairy products and materials and supplies* used in the manufacture and distribution of such commodities (except commodities in bulk in tank vehicles) in vehicles equipped with mechanical refrigeration, between Middlebury, Vt., on the one hand, and, on the other, points on and east of U.S. Highway 15 in Pennsylvania.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Hartford, Conn., New York City, N.Y., Chicago, Ill., or Washington, D.C.

No. MC 53965 (Sub-No. 98), filed son, Topeka, Kans. 66603. Authority June 13, 1974. Applicant: GRAVES TRUCK LINE, INC., 2130 South Ohio, Salina, Kans. 67401. Applicant's representative: John E. Jandera, 641 Harrison, Topeka, Kans. 66603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, and meat by-products, and articles distributed by meat packinghouses*, as described in Sections A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk), from the plant site and/or storage facilities utilized by Iowa Beef Processors, Inc., at or near Amarillo, Tex., to points in Arkansas, Colorado, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Minnesota, Missouri, Montana, Nebraska, New Mexico, North Dakota, South Dakota, Tennessee, Texas, Wisconsin, and Wyoming.

NOTE.—If a hearing is deemed necessary, applicant does not specify a location.

No. MC 57778 (Sub-No. 15), filed June 5, 1974. Applicant: MICHIGAN REFRIGERATED TRUCKING SERVICE, INC., 6134 West Jefferson Avenue, Detroit, Mich. 48209. Applicant's representative: William B. Elmer, 21635 East Nine Mile Road, St. Clair Shores, Mich. 48080. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, from the plant site and warehousing facilities of Pet, Inc., located at or near Frankfort and Hart, Mich., to points in Tennessee.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Lansing or Detroit, Mich.

No. MC–59264 (Sub-No. 59), filed May 28, 1974. Applicant: SMITH AND SOLOMON TRUCKING COMPANY, a Corporation, How Lane, New Brunswick, N.J. 08903. Applicant's representative: Herbert Burstein, 1 World Trade Center, New York, N.Y. 10048. Authority sought to operate as a *common carrier*, by motor vehicle, over regular and irregular routes, transporting: (A) Regular routes, (1) *Buffing, polishing, cleaning, scouring, washing, and bleaching compounds, animal litter, cooking oil and materials, equipment, and supplies* used in the manufacture, sale, and distribution of buffing, polishing, cleaning, scouring, washing, and bleaching compounds (except commodities in bulk and those which by reason of size or weight require the use of special equipment), serving the facilities of Clorox Company, located at or near Frederick, Md., as an off-route point in connection with carrier's regular route authority between New York, N.Y., and Washington, D.C., restricted to shipments originating at or destined to the facilities of Clorox Company, located at or near Frederick, Md.; and (2) *Cleaning compounds* (except commodities in bulk), serving the off-route points of Fluid Chemical Company, located at or near Lakewood, N.J., in connection with carrier's regular route operations between New York, N.Y., and Washington, D.C., restricted to shipments originating at or destined to the plantsite of Fluid Chemical Company, located at Lakewood N.J.; and (B) Irregular routes, (3) *Charcoal, wood chips, vermiculite, lighter fluid, and fireplace logs* (sawdust and wax impregnated) (except commodities in bulk), between the plantsite of Clorox Company and its affiliates at Parsons, W. Va., and Ridgely, W. Va., on the one hand, and, on the other, New York, N.Y., the District of Columbia and Baltimore, Md., points in Hudson, Bergen, Passaic,

Morris, Essex, Union, Somerset, Middlesex, Monmouth, Mercer, Burlington, and Camden Counties, N.J.; Westchester and Nassau Counties, N.Y.; and Bucks and Philadelphia Counties, Pa., and those points in Pennsylvania within 15 miles of Philadelphia, Pa.; (4) *Materials, equipment and supplies* used in the manufacture, sale and transportation of Charcoal, wood chips, vermiculite, lighter fluid, and fireplace logs (sawdust and wax impregnated) (except commodities in bulk), from Norfolk, Va., to the plant sites of Clorox Company and its affiliates at Parsons, W. Va., and Ridgely, W. Va.; and (5) *Lighter fluid* (except in bulk), from the plant site of Mr. Bar-B Que, located at Paulsboro, N.J., to the plant sites of Clorox Company and its affiliates at Parsons, W. Va., and Ridgely, W. Va.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at New York, N.Y.

No. MC-61440 (Sub-No. 142), filed June 3, 1974. Applicant: LEE WAY MOTOR FREIGHT, INC., 3000 West Reno, Oklahoma City, Okla. 73107. Applicant's representative: Richard H. Champlin, P.O. Box 82488, Oklahoma City, Okla. 73108. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), serving the facilities of PPG Industries, Inc., located at or near Wichita Falls, Tex., as an off-route point in connection with carrier's regular route operations.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at Oklahoma City, Okla., or Washington, D.C.

No. MC 61592 (Sub-No. 319), filed June 17, 1974. Applicant: JENKINS TRUCK LINE, INC., R.R. 3, Box 697, Jeffersonville, Ind. 47130. Applicant's representative: E. A. DeVine, Moline Branch Office, P.O. Box 737, 101 First Avenue, Moline, Ill. 61265. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs*, from points in California, to points in Illinois, Indiana, Iowa, Kansas, Michigan, Minnesota, Missouri, Nebraska, North Dakota, South Dakota, Ohio, and Wisconsin.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at Chicago, Ill.

No. MC-61825 (Sub-No. 62), filed May 31, 1974. Applicant: ROY STONE TRANSFER CORP., V. C. Drive, P.O. Box 385, Collinsville, Va. 24078. Applicant's representative: Joe Clyde Wilson (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Flat glass*, between the facilities of Fourco Glass Company float plant, located at or near Jerry Run (Flemington District, Taylor County), W. Va., on the one hand, and, on the other, points in Georgia, North Carolina, South Carolina, Tennessee, and Virginia.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at Washington, D.C.

No. MC-62538 (Sub-No. 21), filed May 28, 1974. Applicant: ASHTON TRUCKING CO., a Corporation, P.O. Box 472, Mon e Vista, Colo. 81144. Applicant's representative: Kenneth R. Hoffman, 1660 Lincoln Street, Suite 1600, Denver, Colo. 80203. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Flour*, in bulk, from Ogden and Salt Lake City, Utah, to Denver, Colo., under a continuing contract or contracts with Colorado Milling and Elevator Company.

NOTE.—Dual operations may be involved. If a hearing is deemed necessary, the applicant requests it be held at Denver, Colo.

No. MC-64932 (Sub-No. 531), filed June 3, 1974. Applicant: ROGERS CARTAGE CO., a Corporation, 10735 South Cicero Avenue, Oak Lawn, Ill. 60453. Applicant's representative: Carl L. Steiner, 39 South LaSalle Street, Chicago, Ill. 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Chemical waste products*, in bulk, in tank vehicles, from Warrick, Ind., Chicago, Ill.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Chicago, Ill.

No. MC-64932 (Sub-No. 532), filed June 3, 1974. Applicant: ROGERS CARTAGE CO., a Corporation, 10735 South Cicero Avenue, Oak Lawn, Ill. 60453. Applicant's representative: Carl L. Steiner, 39 La Salle Street, Chicago, Ill. 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Chemicals* (except anhydrous ammonia, aqua ammonia and liquid fertilizer), in bulk, from the plant site of Monsanto Company located at or near Muscatine, Iowa, to points in the United States (except Alaska, Hawaii and points in the St. Louis, Mo.-East St. Louis, Ill. Commercial Zone.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Chicago, Ill.

No. MC-74321 (Sub-No. 100), filed June 10, 1974. Applicant: B. F. WALKER, INC., P.O. Box 17-B, Denver, Colo. 80217. Applicant's representative: Richard P. Kissinger (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cooling towers, fluid coolers and component parts of cooling towers and fluid coolers*, (except in bulk), (1) from points in Sonoma County, Calif., Tulsa, Okla., Henderson, Ky. and Houston, Tex., to points in the United States (except Alaska and Hawaii); and (2) from points in the United States (except Alaska and Hawaii), to points in Sonoma County, Calif.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at San Francisco, Calif., or Denver, Colo.

No. MC-76032 (Sub-No. 308), filed June 14, 1974. Applicant: NAVAJO FREIGHT LINES, INC., 1205 South Platte River Drive, Denver, Colo. 80223. Applicant's representative: Eldon E. Bresee (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat by-products and articles distributed by meat packing houses* (except hides and commodities in bulk), as defined in Sections A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates* 61 M.C.C. 209 and 766, from the plant site and warehouse facilities of Wilson & Co., Inc. at Des Moines, Iowa, to points in Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Rhode Island, Vermont, Virginia, the District of Columbia, and Pennsylvania, restricted to the transportation of traffic originating at the above named origins and destined to the named destinations.

NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Omaha, Nebr. or Denver, Colo.

No. MC-78118 (Sub-No. 24), filed June 3, 1974. Applicant: W. H. JOHNS, INC., 35 Witmer Road, Lancaster, Pa. 17602. Applicant's representative: Christian V. Graf, 407 North Front Street, Harrisburg, Pa. 17101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Waste paper* for recycling purposes, from points in North Carolina, Virginia, Delaware, and Maryland, to the plantsite and warehouses of Container Corporation of America, located at or near Philadelphia, Pa.; and (2) *Cullet* for recycling purposes, from points in Virginia, North Carolina, South Carolina, Georgia, and Florida, to the plantsites of Glass Containers Corporation, located at or near Knox, Marienville, and Parkers Landing, Pa.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Washington, D.C. or Harrisburg, Pa.

No. MC-78400 (Sub-No. 41), filed June 24, 1974. Applicant: BEAUFORT TRANSFER COMPANY, a Corporation, P.O. Box 151, Gerald, Mo. 63037. Applicant's representative: Thomas F. Kilroy, P.O. Box 624, Springfield, Va. 22150. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Charcoal, charcoal briquetts, lighter fluid, hickory chips, and grill liners*, from the facilities utilized by Husky Industries, at or near Branson, Mo., to St. Louis, Mo.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo.

No. MC-79142 (Sub-No. 4), filed June 12, 1974. Applicant: T & T TRANSPORTATION CO., INC., 43-06 54th

Road, Maspeth, N.Y. 11378. Applicant's representative: Morton E. Kiel, Suite 6193–5 World Trade Center, New York, N.Y. 10048. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Vegetable oil shortening and sugar*, in pallet tanks, on vehicles equipped with lift tail gates, from New York, N.Y., to points in Passaic, Bergen, Morris, Essex, Union, Somerset, Middlesex, Monmouth, and Mercer Counties, N.J., and points in Fairfield County, Conn.; and (2) *pallet tanks* on return, from points in Fairfield County, Conn., and points in Mercer, Monmouth, Middlesex, Somerset, Union, Essex, Morris, and Bergen Counties, N.J., to New York, N.Y.

NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

No. MC–80428 (Sub-No. 90), filed June 14, 1974. Applicant: MCBRIDE TRANSPORTATION, INC., P.O. Box 430, Goshen, N.Y. 10924. Applicant's representative: S. Michael Richards, 44 North Avenue, Webster, N.Y. 14580. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Water*, (a) from points in Massachusetts, to points in New York; and (b) between points in Rhode Island and points in Connecticut.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at New York, N.Y.

No. MC–82492 (Sub-No. 108), filed June 10, 1974. Applicant: MICHIGAN AND NEBRASKA TRANSIT CO., INC., P.O. Box 2853, 2109 Olmstead Road, Kalamazoo, Mich. 49003. Applicant's representative: William C. Harris (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs* (except commodities in bulk), and *meats, meat products, meat byproducts, and articles distributed by meat packinghouses*, as described in Sections A and C of Appendix I to the report in *Descriptions of Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except commodities in bulk), from St. Louis, Mo., to points in Covington and Louisville, Ky., and points in Indiana, Michigan, and Ohio, those in that part of New York in and west of Allegheny, Livingston, and Monroe Counties and those in that part of Pennsylvania on and west of U.S. Highway 219, restricted to traffic originating at the named origin and destined to the named destinations.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at St. Louis, Mo., or Washington, D.C.

No. MC–85255 (Sub-No. 50), filed May 31, 1974. Applicant: PUGET SOUND TRUCK LINES, INC., P.O. Box 24526, 3720 Airport Way S., Seattle, Wash. 98124. Applicant's representative: Clyde H. MacIver, 1001 Fourth Avenue, Suite 3712, Seattle, Wash. 98154. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Newsprint*, from Wauna, Oreg., to Seattle and Everett, Wash.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at Seattle, Wash., or Portland, Oreg.

No. MC 88594 (Sub-No. 25), filed June 5, 1974. Applicant: CARLETON G. WHITAKER, INC., Route 17, Exit 84, Town of Deposit (Delaware County), N.Y. 13754. Applicant's representative: Martin Werner, 2 West 45th Street, New York, N.Y. 10036. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dairy products, and materials and supplies* used in the manufacture and distribution of such commodities (except commodities in bulk, in tank vehicles), in vehicles equipped with mechanical refrigeration, between Middlebury, Vt., on the one hand, and, on the other, points in Pennsylvania on and east of U.S. Highway 15.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at New York, N.Y., Chicago, Ill., or Washington, D.C.

No. MC 95711 (Sub-No. 3), filed May 28, 1974. Applicant: WILLIAM F. ARMENTROUT AND JANICE ARMENTROUT, a Partnership, doing business as ARMENTROUT TRUCK LINE, 212 North Broadway, Salisbury, Mo. 65281. Applicant's representative: Thomas P. Rose, Jefferson Building, P.O. Box 205, Jefferson City, Mo. 65281. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), between Kansas City, Kans., and Salisbury, Mo.: From Kansas City, Kans. over U.S. Highway 24 to Salisbury, Mo., and return over the same route.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Jefferson City or Kansas City, Mo.

No. MC 95876 (Sub-No. 154), filed June 3, 1974. Applicant: ANDERSON TRUCKING SERVICE, INC., 203 Cooper Avenue North, St. Cloud, Minn. 56301. Applicant's representative: Andrew R. Clark, 1000 First National Bank Building, Minneapolis, Minn. 55402. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel articles and railway car parts*, from the Minneapolis-St. Paul, Minn., Commercial Zone (except Newport, Minn.), to points in the United States (except Alaska and Hawaii).

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at Minneapolis, Minn.

No. MC 99019 (Sub-No. 7), filed May 29, 1974. Applicant: KILLIAN-BLACK TRUCKING, INC., Roseville and Hydraulic Streets, Buffalo, N.Y. 14210. Applicant's representative: Robert D. Gunderman, Suite 710 Statler Hilton, Buffalo, N.Y. 14202. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Flour*, in bulk, in tank vehicles, from Buffalo, N.Y., to points in Connecticut, Maine, Massachusetts, New Hampshire, New Jersey, Ohio, Pennsylvania, Rhode Island, Vermont, and West Virginia.

NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Buffalo, N.Y.

No. MC 100300 (Sub-No. 12), filed June 5, 1974. Applicant: H. B. NELSON & SONS, INC., P.O. Box 241, Alexandria, Minn. 56308. Applicant's representative: Robert D. Gisvold, 1000 First National Bank Bldg., Minneapolis, Minn. 55402. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Malt beverages* and *related advertising materials*, from LaCrosse, Wis., to points in North Dakota and Minnesota, and *empty containers* on return.

NOTE.—Applicant holds contract carrier authority in MC–134469, therefore dual operations may be involved. If a hearing is deemed necessary, the applicant requests it be held at Minneapolis, Minn.

No. MC 100666 (Sub-No. 282), filed June 6, 1974. Applicant: MELTON TRUCK LINES, INC., P.O. Box 7666, Shreveport, La. 71107. Applicant's representative: Wilburn L. Williamson, 3535 NW. 58th, 280 National Fd. Life Bldg., Oklahoma City, Okla. 73112. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Soil, amendment, potting soil, planter mix, and lumber;* and (2) *bark*, in mixed loads with the commodities described in (1) above, from Fredonia and Phoenix, Ariz., Panguitch, Utah, and Eagle, Colo., to points in the United States (except Alaska and Hawaii).

NOTE.—If a hearing is necessary, applicant requests it be held at Phoenix, Ariz.

No. MC 103926 (Sub-No. 35), filed May 23, 1974. Applicant: W. T. MAYFIELD SONS TRUCKING CO., a Corporation, 1560 Bankhead Highway NW., P.O. Box 947, Mableton, Ga. 30059. Applicant's representative: Wm. H. Driskell (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Self-propelled paving machines*, and *construction equipment* and *related parts, attachments, and supplies* for such commodities when moving incidentally thereto as part of the same shipment, from points in Gwinnett County, Ga., to points in Alabama, Arkansas, Delaware, Florida, Georgia, Illinois, Indiana, Kentucky, Louisiana, Maryland, Mississippi, New Jersey, New York, North Carolina, Ohio, Pennsylvania, South Carolina, Tennessee, Texas, Virginia, West Virginia, and the District of Columbia, and the return of damaged and disabled machines from the destination points to the point of origin.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Atlanta, Ga., or Washington, D.C.

No. MC 103993 (Sub-No. 819), filed June 3, 1974. Applicant: MORGAN DRIVE-AWAY, INC., 2800 West Lexington Avenue, Elkhart, Ind. 46514. Applicant's representative: Paul D. Borghesani (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Buildings*, (2) *building sections, panels, and parts; and* (3) *building materials, accessories, and supplies* (except commodities in bulk) used in connection with the installation, erection, and construction of items listed in (1) and (2), from Evansville, Wis., to points in the United States (except Alaska and Hawaii).

NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 107064 (Sub-No. 104), filed June 7, 1974. Applicant: STEERE TANK LINES, INC., P.O. Box 2998, 2808 Fairmount, Dallas, Tex. 75221. Applicant's representative: Hugh T. Matthews, 630 Fidelity Union Tower, Dallas, Tex. 75201. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum and petroleum products*, in bulk, in tank vehicles, from points in Howard County, Tex., to points in the United States (except Alaska and Hawaii).

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Dallas, Tex.

No. MC–107403 (Sub-No. 905), filed May 28, 1974. Applicant: MATLACK, INC., 10 West Baltimore Avenue, Lansdowne, Pa. 19050. Applicant's representative: John Nelson (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Chemicals* (except anhydrous ammonia, aqua ammonia, and liquid fertilizer), in bulk, from the plantsite of Monsanto Company, located at or near Muscatine, Iowa, to points in the United States (except Alaska and Hawaii and points in the St. Louis, Mo.-East St. Louis, Commercial Zone).

NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC–108340 (Sub-No. 28), filed May 28, 1974. Applicant: HANEY TRUCK LINE, a Corporation, Number 1 Haney Lane, P.O. Box 485, Cornelius, Oreg. 97113. Applicant's representative: Lawrence V. Smart, Jr., 419 NW. 23rd Avenue, Portland, Oreg. 97210. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Urea and fertilizer*, dry, in bags or containers, between points in Multnomah County, Oreg., on the one hand, and, on the other, points in Washington.

NOTE.—If a hearing is deemed necessary, applicant requests it be held on Consolidated Record with the application of Widing Transportation, Inc., at Portland, Oreg.

No. MC–108393 (Sub-No. 79), filed May 31, 1974. Applicant: SIGNAL DELIVERY SERVICE, INC., 201 East Ogden Ave., Hinsdale, Ill. 60521. Applicant's representative: J. A. Kundtz, 1100 National City Bank Building, Cleveland, Ohio 44114. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Such merchandise* as is dealt in by mail order houses and retail department stores, and in connection therewith, *such equipment, materials, and supplies* used in the conduct of such business, between points in Arkansas, Colorado, Iowa, Kansas, Missouri, Nebraska, Oklahoma, and Wyoming, under a continuing contract with Sears, Roebuck and Co.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at Washington, D.C.

No. MC 108942 (Sub-No. 7), filed June 10, 1974. Applicant: C. G. TODD TRUCKING COMPANY, a Corporation, 3312 East Jefferson (P.O. Box 1047), Grand Prairie, Tex. 75050. Applicant's representative: Joe G. Fender, 802 Houston First Savings Bldg., Houston, Tex. 77002. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Iron and steel reinforcing bars, smooth rounds, and grinding balls*, from the plant and storage facilities of Broder Steel Rolling Mills, Inc. at El Paso, Tex., to points in Colorado, California, Arizona, New Mexico, Utah, Kansas, Oklahoma, Arkansas, Montana, Wyoming, and Nebraska, restricted to traffic originating at the above plant and storage facilities: (2) *materials, equipment, and supplies* used in the manufacture of iron and steel reinforcing bars, *smooth rounds*, and *grinding balls*, from points in Colorado, California, Arizona, New Mexico, Utah, Kansas, Oklahoma, Arkansas, Montana, Wyoming, and Nebraska, to the plant and storage facilities of Broder Steel Rolling Mills, Inc., at El Paso, Tex.; (3) *oilfield commodities*, including pipe, as authorized in *T. E. Mercer Extension 74 M.C.C. 459*, and *pipe for use other than oilfield*, between points in Texas; (4) *tractors, drag lines, bulldozers, industrial machines, heavy machinery, graders, and construction equipment*, when not moving as oilfield equipment, betwen points in Texas, restricted to: (a) commodities which because of size or weight require the use of special equipment or handling; and (b) self-propelled articles, transported on trailers; (5) *iron and steel articles*, between Galveston and Houston, Tex., on the one hand, and, on the other, points in Texas; (6) *commodities*, the transportation of which, because of size or weight, require the use of special equipment, *related machinery parts*, and *related* commodities, when their transportation is incidental to the transportation of commodities which, because of size or weight, require the use of special equipment, between points in Texas.

NOTE.—Applicant seeks to convert the requested authority in (3) through (6) above, from a Certificate of Registration No. MC 108942 (Sub-No. 2), to a Certificate of Public Convenience and Necessity. If a hearing is deemed necessary, applicant requests it be held at El Paso or Dallas, Tex.

No. MC 109533 (Sub-No. 60), filed May 28, 1974. Applicant: OVERNITE TRANSPORTATION COMPANY, OPERATOR OF TIDEWATER EXPRESS LINES, INC., 1100 Commerce Road, Richmond, Va. 23224. Applicant's representative: C. H. Swanson, P.O. Box 1216, Richmond, Va. 23209. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except commodities in bulk, Classes A and B explosives, household goods as defined by the Commission, and those requiring special equipment) (1) Between Frederick, Md., and Cumberland, Md., serving all intermediate points; (a) From Frederick, Md., over U.S. Highway 40 to Cumberland, Md., and return over the same route; and (b) From Frederick, Md., over U.S. Highway 340 to Charles Town, W. Va., thence over West Virginia Highway 9 to junction West Virginia Highway 29, thence over West Virginia Highway 29 to the West Virginia-Maryland State line, thence over Maryland Highway 51 to Cumberland, Md., and return over the same route, (2) Between Hagerstown, Md., and Martinsburg, W. Va.: From Hagerstown, Md., over U.S. Highway 11 to Martinsburg, W. Va., serving all intermediate points, (3) Between Hancock, Md., and Berkeley Springs, W. Va.; From Hancock, Md., over U.S. Highway 522, to Berkeley Springs, W. Va., serving all intermediate points, in connection with the above routes, serving all points in Allegany, Garrett, and Washington Counties, Md., as off-route points.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Cumberland, Md., or Hagerstown, Md.

No. MC–111201 (Sub-No. 21), filed June 12, 1974. Applicant: J. N. ZELLNER & SON TRANSFER COMPANY, a Corporation, P.O. Box 90818, East Point, Ga. 30044. Applicant's representative: Frank D. Hall, 3384 Peachtree Rd. NE., Atlanta, Ga. 30326. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Metal containers, and parts thereof, including, but not limited to, ends, tops, and sides*, between Atlanta, Ga., on the one hand, and, on the other, points in Alabama, Florida, Louisiana, Tennessee, Mississippi, North Carolina, and South Carolina.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Atlanta, Ga.

No. MC 111956 (Sub-No. 31), filed June 7, 1974. Applicant: SUWAK TRUCKING COMPANY, 1105 Fayette Street, Washington, Pa. 15301. Applicant's representative: Henry M. Wick, 2310 Grant Building, Pittsburgh, Pa. 15219. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and commodities requiring special equipment), Between

points in Allegheny, Fayette, Greene, Washington, and Westmoreland Counties, Pa., on the one hand, and, on the other, points in that part of Ohio on and north of a line beginning at Martins Ferry, Ohio, and thence along U.S. Highway 250 to Wooster, Ohio, thence along U.S. Highway 30 to its intersection with U.S. Highway 30N, thence along U.S. Highway 30N to its intersection with U.S. Highway 30, thence along U.S. Highway 30 to the Ohio-Indiana State Boundary line.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Washington, D.C., or Pittsburgh, Pa.

No. MC–113325 (Sub-No. 137), filed June 3, 1974. Applicant: SLAY TRANSPORTATION CO., INC., 2001 South Seventh Street, St. Louis, Mo. 63104. Applicant's representative: T. M. Tahan (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Chemicals* (except anhydrous ammonia, aqua ammonia, and liquid fertilizer), in bulk, from the plantsite of Monsanto Company at or near Muscatine, Iowa, to points in the United States (except Alaska, Hawaii, and points in the St. Louis, Mo.–East St. Louis, Ill., Commercial Zone).

NOTE.—If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo.

No. MC 113651 (Sub-No. 173), filed June 3, 1974. Applicant: INDIANA REFRIGERATOR LINES, INC., 2404 North Broadway, Muncie, Ind. 47303. Applicant's representative: Henry A. Dillon (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products and meat by-products, and articles distributed by meat packinghouses*, as described in Sections A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk), from the plantsites and/or facilities utilized by Iowa Beef Processors, Inc., located at or near Amarillo, Tex., to points in Alabama, Connecticut, Delaware, District of Columbia, Florida, Georgia, Illinois, Indiana, Kentucky, Louisiana, Maryland, Maine, Massachusetts, Michigan, Mississippi, New Hampshire, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, South Carolina, Tennessee, Vermont, Virginia, West Virginia, and Wisconsin.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at Sioux City, Iowa, or Washington, D.C.

No. MC 113678 (Sub-No. 545), filed June 10, 1974. Applicant: CURTIS, INC., P.O. Box 16004, Stockyards Station, Denver, Colo. 80216. Applicant's representative: Richard A. Peterson, P.O. Box 81849, Lincoln, Nebr. 68501. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Paint, paint ingredients, paint materials including putty, caulking compounds, and adhesive cement and glue* (except in bulk, in tank vehicles), from the facilities of DAP, Inc., at or near Dayton, Ohio, to the facilities of DAP, Inc., at or near San Jose, Calif.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Dayton, Ohio, or Denver, Colo.

No. MC–113678 (Sub-No. 546), filed June 10, 1974. Applicant: CURTIS, INC., 4810 Pontiac Street, Commerce City (Denver), Colo. 80022. Applicant's representative: Richard A. Peterson, P.O. Box 81849, Lincoln, Nebr. 68501. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs*, from Omaha, Nebr., and Dennison, Iowa, to points in Alabama, Arkansas, Connecticut, Delaware, Florida, Georgia, Illinois, Indiana, Kentucky, Louisiana, Maryland, Maine, Massachusetts, Michigan, Mississippi, New Hampshire, New Jersey, New York, North Carolina, Ohio, Oklahoma, Pennsylvania, Rhode Island, South Carolina, Tennessee, Texas, Vermont, Virginia, West Virginia, and the District of Columbia.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Omaha, Nebr., or Denver, Colo.

No. MC–113678 (Sub-No. 547), filed June 10, 1974. Applicant: CURTIS, INC., 4810 Pontiac Street, Commerce City (Denver), Colo. 80022. Applicant's representative: Richard A. Peterson, P.O. Box 81849, Lincoln, Nebr. 68501. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Chemical coatings, form release agents and cleaners, and curing, hardening, and sealing compounds*, (1) from Omaha, Nebr.; Kansas City, Kans.; and Sycamore, Ill., to points in the United States (except Alaska and Hawaii); and (2) from Gainesville, Fla., to points in South Carolina, North Carolina, Virginia, West Virginia, Kentucky, Tennessee, Georgia, Alabama, Mississippi, and Louisiana, restricted to the transportation of traffic originating at the plantsite and warehouse facilities utilized by L & M Construction Chemical Co., at the above named origins.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Omaha, Nebr., or Denver, Colo.

No. MC–113678 (Sub-No. 548), filed June 10, 1974. Applicant: CURTIS, INC., 4810 Pontiac Street, Commerce City (Denver), Colo. 80022. Applicant's representative: Richard A. Peterson, P.O. Box 81849, Lincoln, Nebr. 68501. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Toys, athletic equipment, sporting goods, and recreational equipment*, from Old Forge, Pa., to points in Florida, Georgia, North Carolina, South Carolina, Kentucky, Tennessee, Alabama, Mississippi, Indiana, Michigan, Illinois, Wisconsin, Minnesota, Ohio, and points in the United States on and west of a line beginning at the mouth of the Mississippi River, and extending along the Mississippi River to its junction with the western boundary of Itasca County, Minn., thence northward along the western boundaries of Itasca and Koochiching Counties, Minn., to the International Boundary line between the United States and Canada (except Alaska and Hawaii).

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Omaha, Nebr., or Denver, Colo.

No. MC–113678 (Sub-No. 549), filed June 10, 1974. Applicant: CURTIS, INC., 4810 Pontiac Street, Commerce City (Denver), Colo. 80022. Applicant's representative: Richard A. Peterson, P.O. Box 81849, Lincoln, Nebr. 68501. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fruit flavored drinks*, from Lubbock, Tex., to points in New Mexico, Oklahoma, Colorado, and Arizona.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or Denver, Colo.

No. MC–113678 (Sub-No. 550), filed June 10, 1974. Applicant: CURTIS, INC., P.O. Box 16004, Stockyards Station, Denver, Colo. 80216. Applicant's representative: Richard A. Peterson, P.O. Box 81849, Lincoln, Nebr. 68501. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Candy and confectionery, and related products* (except commodities in bulk), *and advertising matter, premiums, and display materials*, from New Rochelle, N.Y., to points in Colorado.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at New York, N.Y., Washington, D.C., or Denver, Colo.

No. MC–113678 (Sub-No. 551), filed June 10, 1974. Applicant: CURTIS, INC., P.O. Box 16004, Stockyards Station, Denver, Colo. 80216. Applicant's representative: Richard A. Peterson, P.O. Box 81849, Lincoln, Nebr. 68501. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs* (except in bulk), in vehicles equipped with mechanical refrigeration, from the facilities of Standard Brands, Inc., in the Chicago, Ill., Commercial Zone, to points in Virginia, New York, New Jersey, Pennsylvania, Maryland, Massachusetts, Delaware, Connecticut, Rhode Island, and the District of Columbia.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or Denver, Colo.

No. MC–113678 (Sub-No. 552), filed June 10, 1974. Applicant: CURTIS, INC., P.O. Box 16004, Stockyards Station, Denver, Colo. 80216. Applicant's representative: Richard A. Peterson, P.O. Box 81849, Lincoln, Nebr. 68501. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs* (except commodities in bulk, in tank vehicles), from Washington Court House, Ohio, to points in Pennsylvania, New Jersey, New York, Vermont, New Hampshire, Massachusetts, Maine, Rhode Island, Connecticut, Maryland, Delaware, Missouri, Illinois,

Wisconsin, Minnesota, Iowa, Nebraska, Arkansas, Texas, Oklahoma, and the District of Columbia, restricted to the transportation of traffic originating at Washington Court House, Ohio.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Columbus, Ohio, Chicago, Ill., or Denver, Colo.

No. MC–113678 (Sub-No. 553), filed June 10, 1974. Applicant: CURTIS, INC., 4810 Pontiac Street, Commerce City (Denver), Colo. 80022. Applicant's representative: Richard A. Peterson, P.O. Box 81849, Lincoln, Nebr. 68501. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Candy and confectionery and related products* (except commodities in bulk); and (2) *advertising matter, premiums, and display materials*, when shipped in the same vehicles with the commodities in (1) above, from the warehouse facilities of E. J. Brach, Division of American Home Products Corp., located at Carol Stream, Ill., to Denver, Colo., and its commercial zone, restricted to the transportation of traffic originating at Carol Stream, Ill., and destined to Denver, Colo., and its commercial zone.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at Chicago, Ill., or Denver, Colo.

No. MC–113678 (Sub-No. 554), filed June 10, 1974. Applicant: CURTIS, INC., 4810 Pontiac Street, Commerce City (Denver), Colo. 80022. Applicant's representative: Richard A. Peterson, P.O. Box 81849, Lincoln, Nebr. 68501. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Blood plasma*, from Colorado Springs, Colo., to Berkeley and Oakland, Calif.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at San Francisco, Calif., or Denver, Colo.

No. MC-113678 (Sub-No. 555), filed June 10, 1974. Applicant: CURTIS, INC., 4810 Pontiac Street, Commerce (Denver) Colo. 80022. Applicant's representative: Richard A. Peterson, P.O. Box 81849, Lincoln, Nebr. 68501. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Salad dressings*, NOI, from Columbus, Ohio, to points in Colorado, California, Nevada, Nebraska, Minnesota, Illinois, Missouri, Kansas, and Arizona, restricted to the transportation of traffic originating at the above-named origin and destined to the above-named destination states.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Columbus, Ohio, Chicago, Ill., or Denver, Colo.

No. MC–113678 (Sub-No. 556), filed June 10, 1974. Applicant: CURTIS, INC., 4810 Pontiac Street, Commerce City (Denver), Colo. 80022. Applicant's representative: Richard A. Peterson, P.O. Box 81849, Lincoln, Nebr. 68501. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Compressed and dry yeast, baking powder, yeast foods, and other allied bakery ingredients* used in the baking industry, from Denver, Colo., to Albuquerque, N. Mex.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Denver, Colo., or Milwaukee, Wis.

No. MC–113678 (Sub-No. 557), filed June 10, 1974. Applicant: CURTIS, INC., 4810 Pontiac Street, Commerce City, Denver, Colo. 80022. Applicant's representative: Richard A. Peterson, P.O. Box 81849, Lincoln, Nebr. 68501. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs*, from Grand Forks, N. Dak., to points in Colorado, California, Arizona, Minnesota, Kentucky, Tennessee, Michigan, Illinois, Ohio, Indiana, Wisconsin, North Carolina, South Carolina, Alabama, and Georgia, restricted to traffic originating at Grand Forks, N. Dak., and destined to the above named states.

NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Omaha, Nebr., or Denver, Colo.

No. MC–113751 (Sub-No. 18), filed April 29, 1974. Applicant: HAROLD F. DUSHEK, INC., 10th and Columbia Streets, Waupaca, Wis. 54981. Applicant's representative: Edward Solie, Executive Building, Suite 100, 4513 Vernon Blvd., Madison, Wis. 53705. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fertilizer and fertilizer materials*, and *agricultural chemicals*, in mixed truckloads with fertilizer and fertilizer materials, from Jackson, Wis., to points in Illinois and the Upper Peninsula of Michigan, restricted against the transportation of fertilizer and fertilizer materials in bags, to points in the Upper Peninsula of Michigan.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Madison, Wis.

No. MC–113855 (Sub-No. 294), filed June 10, 1974. Applicant: INTERNATIONAL TRANSPORT, INC., 2450 Marion Road SE., Rochester, Minn. 55901. Applicant's representative: Alan Foss, 502 First National Bank Bldg., Fargo, N. Dak. 58102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Tractors* (except those with vehicle beds, bed frames, and fifth wheels); (2) *equipment*, designed for use on conjunction with tractors; (3) *agricultural, industrial*, and *construction machinery* and equipment; (4) *trailers*, designed for the transportation of the above-described commodities (except those trailers designed to be drawn by passenger automobiles); (5) *attachments* for the above-described commodities; (6) *Internal combustion engines;* and (7) *parts* of the above-described commodities when moving in mixed loads with such commodities, from the plantsites, warehouse facilities, and experimental farms of Deere & Company, in Dubuque County, Iowa, to points in West Virginia, Virginia, Maryland, Delaware, New York, Connecticut, Rhode Island, Pennsylvania, New Jersey, Massachusetts, Vermont, New Hampshire, Maine, and the District of Columbia, restricted to traffic originating at the above named plant sites, warehouse facilities, and experimental farms of Deere & Company.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC–114045 (Sub-No. 400), filed June 7, 1974. Applicant: TRANS-COLD EXPRESS, INC., P.O. Box 5842, Dallas, Tex. 75222. Applicant's representative: J. B. Stuart (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products and meat by-products, and articles distributed by meat packinghouses*, as described in Sections A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk), from the plantsite and storage facilities utilized by Iowa Beef Processors, Inc., at or near Amarillo, Tex., to points in Arizona, California, Colorado, Idaho, Montana, Nevada, New Mexico, Oregon, Utah, Washington, and Wyoming.

NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at either Amarillo or Dallas, Tex.

No. MC 115279 (Sub-No. 7), filed May 28, 1974. Applicant: CLICK MESSENGER SERVICE, INC., 922 South Ave. W., Westfield, N.J. 07090. Applicant's representative: Morton E. Kiel, Suite 6193, 5 World Trade Center, New York, N.Y. 10048. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and commodities requiring special equipment), in specialized delivery service, in shipments not to exceed 250 pounds, from one consignor to one consignee, between points in New Jersey, on the one hand, and, on the other, points in Orange, Dutchess, Putnam, Ulster, Rockland, Westchester, Suffolk, Nassua Counties, N.Y., and New York, N.Y., and points in Connecticut, Delaware, and those in Pennsylvania on and east of a line beginning at the Maryland-Pennsylvania State Boundary line and extending along Interstate 81 to the Susquehanna River and thence along U.S. Highway 15 to the New York-Pennsylvania State Boundary line.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Newark, N.J.

No. MC–115322 (Sub-No. 107), filed May 31, 1974. Applicant: REDWING REFRIGERATED, INC., P.O. Box 10177, Taft, Fla. 33601. Applicant's representative: J. V. McCoy, P.O. Box 426, Tampa, Fla. 33601. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods, and materials, supplies,*

equipment, and ingredients used in the manufacturing, packaging, and distribution of frozen foods (except in bulk), between the plant and the warehouse facilities of the Quaker Oats Company, located at or near Jackson, Tenn., on the one hand, and, on the other, points in Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont, Virginia, West Virginia, and the District of Columbia, restricted to traffic originating at or destined to the plant and warehouse facilities of the Quaker Oats Co., located at or near Jackson, Tenn.

NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or Atlanta, Ga.

No. MC–115331 (Sub-No. 370), filed June 10, 1974. Applicant: TRUCK TRANSPORT, INCORPORATED, 29 Clayton Hills Lane, St. Louis, Mo. 63131. Applicant's representative: J. R. Ferris, 230 St. Clair Avenue, East St. Louis, Ill. 62201. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Chemicals* (except anhydrous ammonia, aqua ammonia, and liquid fertilizer), in bulk, from the plantsite of Monsanto Company, at or near Muscatine, Iowa, to points in the United States (except Alaska, Hawaii, and points in the St. Louis, Missouri-East St. Louis, Illinois Commercial Zone).

NOTE.—If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo., or Chicago, Ill.

No. MC–115496 (Sub-No. 27), filed June 3, 1974. Applicant: LUMBER TRANSPORT, INC., P.O. Box 111, Cochran, Ga. 31014. Applicant's representative: Virgil H. Smith, 1587 Phoenix Boulevard, Suite 12, Atlanta, Ga. 30349. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lumber*, from the plant site and warehouses of Building Products Division of Gilman Paper Company, located in Laurens and Pierce Counties, Ga., to points in Alabama, Mississippi, North Carolina, South Carolina, Virginia, and points in Shelby County, Tenn.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Atlanta, Ga., or Jacksonville, Fla.

No. MC–115496 (Sub-No. 28), filed June 10, 1974. Applicant: LUMBER TRANSPORT, INC., P.O. Box 111, Cochran, Ga. 31014. Applicant's representative: Virgil H. Smith, 1587 Phoenix Boulevard, Suite 12, Atlanta, Ga. 30349. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Finished gypsum board* (sheet rock painted, grooved or embossed, printed), from the plant site of Champion Home Builders Co., Plains Products Division, at Plains, Ga., to points in Florida, Indiana, Michigan, New York, Texas, and Sherman, Miss., Lillington, N.C., Claysburg, Pa., Henry, Tenn., and Mt. Jackson, Va.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Atlanta, Ga.

No. MC 116273 (Sub-No. 180), filed June 17, 1974. Applicant: D & L TRANSPORT, INC., 3800 South Laramie Avenue, Cicero, Ill. 60650. Applicant's representative: William R. Lavery (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dry plastics*, in bulk, in tank vehicles, from the plantsites of Cosden Oil & Chemical Company, located at or near Calumet City, Ill., to points in Massachusetts, New Jersey, New York, Pennsylvania, and Tennessee.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 116273 (Sub-No. 181), filed June 13, 1974. Applicant: D & L TRANSPORT, INC., 3800 South Laramie Avenue, Cicero, Ill. 60650. Applicant's representative: William R. Lavery (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Spent petroleum oils*, from points in Alabama, Georgia, Illinois, Iowa, Kentucky, Michigan, Minnesota, Mississippi, Ohio, Pennsylvania, Tennessee, West Virginia, and Wisconsin, to Indianapolis, Ind., and (2) *petroleum oils*, in bulk, in tank vehicles, from Indianapolis, Ind., to points in Alabama, Georgia, Illinois, Iowa, Kentucky, Michigan, Minnesota, Mississippi, Ohio, Pennsylvania, Tennessee, West Virginia, and Wisconsin.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC–116474 (Sub-No. 32), filed June 7, 1974. Applicant: LEAVITTS FREIGHT SERVICE, INC., 3855 Marcola Road, Springfield, Oreg. 97477. Applicant's representative: David C. White, 2400 SW. Fourth Avenue, Portland, Oreg. 97201. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Treated poles, piling, lumber, plywood, shakes, and shingles*, from Eugene, Oreg., to points in Alameda, Alpine, Amador, Calaveras, Colusa, Contra Costa, El Dorado, Fresno, Glenn, Inyo, Kings, Lake, Marin, Mariposa, Madera, Mendocino, Merced, Mono, Monterey, Napa, Sacramento, San Benito, San Francisco, San Joaquin, San Mateo, Santa Clara, Santa Cruz, Solano, Sonoma, Stanislaus, Tulare, Tuolumne, and Yolo Counties, Calif., under a continuing contract with J. H. Baxter and Co.

NOTE.—Applicant has pending common carrier authority in MC–135430, therefore dual operations may be involved. If a hearing is deemed necessary, the applicant requests it be held at Portland, Oreg.

No. MC–116763 (Sub-No. 284), filed filed May 20, 1974. Applicant: CARL SUBLER TRUCKING, INC., North West Street, Versailles, Ohio 45380. Applicant's representative: H. M. Richters (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen and unfrozen foodstuffs*, from the facilities of Ore-Ida Foods, Inc., at or near Greenville, Hart, Holland, and Lake Odessa, Mich., to points in Indiana north of U.S. Highway 40, and points in Maine, Maryland, Delaware, Kentucky, Tennessee, North Carolina, South Carolina, Georgia, Florida, and the District of Columbia.

NOTE.—If a hearing is deemed necessary, appplicant requests it be held at Detroit, Mich.

No. MC–116763 (Sub-No. 285), filed filed June 6, 1974. Applicant: CARL SUBLER TRUCKING, INC., North West Street, Versailles, Ohio 45380. Applicant's representative: H. M. Richters (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Lighting fixtures and parts thereof*, (a) from Cochran, Ga., to points in Arizona, Arkansas, California, Colorado, Idaho, Iowa, Florida, Kansas, Kentucky, Louisiana, Minnesota, Missouri, Montana, Nebraska, Nevada, New Mexico, North Dakota, Oklahoma, Oregon, South Dakota, Texas, Utah, Washington, Wisconsin, and Wyoming; and (b) from Conyers, Ga., to St. Louis and Kansas City, Mo., and points in Kentucky and Wisconsin; (2) *materials, supplies, and equipment*, used in the manufacturing, installation, and distribution of lighting fixtures, from points in Arizona, Arkansas, California, Colorado, Idaho, Iowa, Florida, Kansas, Kentucky, Louisiana, Minnesota, Missouri, Montana, Nebraska, Nevada, New Mexico, North Dakota, Oklahoma, Oregon, South Dakota, Texas, Utah, Washington, Wisconsin, and Wyoming, to Cochran and Conyers, Ga.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Atlanta, Ga.

No. MC–116763 (Sub-No. 289), filed May 28, 1974. Applicant: CARL SUBLER TRUCKING, INC., North West Street, Versailles, Ohio 45380. Applicant's representative: H. M. Richters (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dairy products, and materials and supplies* used in the manufacture and distribution of such commodities (except commodities in bulk, in tank vehicles), in vehicles equipped with mechanical refrigeration, between Middlebury, Vt., on the one hand, and, on the other, points in Pennsylvania on and east of U.S. Highway 15.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 117165 (Sub-No. 37), filed June 3, 1974. Applicant: C. J. DAVIS, doing business as ST. LOUIS FREIGHT LINES, 100 Michigan Avenue, St. Louis, Mich. 48880. Applicant's representative: Martin J. Leavitt, 22375 Haggerty Road, P.O. Box 400, Northville, Mich. 48167. Authority sought to operate as a *common carrier*, by motor vehicle, over ir-

regular routes, transporting: (1) *Building, paving, roofing, insulating, and sound control materials, and materials* used in the installation and application of such commodities, from Oregon, Ohio, to points in Illinois, Indiana, Kentucky, Michigan, New York, Pennsylvania, and West Virginia; and (2) *Materials, equipment, and supplies* used in the manufacture, installation, or application, of building, paving, roofing, insulating, and sound control materials, from points in Illinois, Indiana, Kentucky, Michigan, New York, Pennsylvania, and West Virginia, to Oregon, Ohio.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Washington, D.C., or Chicago, Ill.

No. MC–117344 (Sub-No. 235), filed May 24, 1974. Applicant: THE MAXWELL CO., a Corporation, 10380 Evendale Drive, Cincinnati, Ohio 45215. Applicant's representative: James R. Stiverson, 50 West Broad Street, Columbus, Ohio 43215. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Sulphur trioxide*, in bulk, in tank vehicles, from Columbia Park (Hamilton County), Ohio, to Baltimore, Md., and Kansas City, Kans.; and (2) *sulphuric acid*, in bulk, in tank vehicles, from East Chicago, Ind., to Cincinnati, Ohio.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Columbus, Ohio, or Washington, D.C.

No. MC–117344 (Sub-No. 236), filed June 6, 1974. Applicant: THE MAXWELL CO., a Corporation, 10380 Evendale Drive, P.O. Box 18010, Cincinnati, Ohio 45215. Applicant's representative: James R. Stiverson, 50 West Broad Street, Columbus, Ohio 43215. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Sugar*, in bulk, from Covington, Ky., to points in Ohio.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at either Columbus or Cincinnati, Ohio.

No. MC 117852 (Sub-No. 2), filed June 11, 1974. Applicant. HAROLD'S GARAGE, INC., 19 Holyoke Street, Northampton, Mass. 01060. Applicant's representative: David M. Marshall, 135 State Street, Suite 200, Springfield, Mass. 01103. Authority sought to operate as a *Common carrier*, by motor vehicle, over irregular routes, transporting: *Motor vehicles, dollies, trailers, and semi-trailers* (except house trailers designed to be drawn by passenger automobiles), by use of wrecker equipment only, between Enfield, Suffield, Windsor Locks and Warehouse Point, Conn., and points in Massachusetts, on the one hand, and, on the other, points in the United States east of North Dakota, South Dakota, Nebraska, Kansas, Oklahoma, and Texas.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Springfield, Mass.; Hartford, Conn.; Boston, Mass.; or Albany, N.Y.

No. MC–118034 (Sub-No. 21), filed June 7, 1974. Applicant: MILLER TRUCK LINE, INC., 901 NE. 28th Street, Fort Worth, Tex. 76106. Applicant's representative: Mert Starnes, P.O. Box 2207, Austin, Tex. 78767. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products and meat by-products, and articles distributed by meat packing houses*, as described in Sections A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk), from the plant site and/or storage facilities utilized by Iowa Beef Processors, Inc., at or near Amarillo, Tex., to points in Arkansas, Louisiana, Mississippi, New Mexico, Oklahoma, and Tennessee.

NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Amarillo or Dallas, Tex.

No. MC 118202 (Sub-No. 38), filed May 28, 1974. Applicant: SHULTZ TRANSIT, INC., P.O. Box 503, Winona, Minn. 55987. Applicant's representative: Stanley C. Olsen, Jr., 1000 First National Bank Building, Minneapolis, Minn. 55402. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs*, from Grand Forks, N. Dak., to points in Alabama, Arkansas, Colorado, Florida, Georgia, Kentucky, North Carolina, Oklahoma, South Carolina, Tennessee, Texas, Virginia, and West Virginia, restricted to traffic originating at the plantsite and storage facilities utilized by Western Potato Service, Inc., and destined to the above-named destination States.

NOTE.—Applicant holds motor contract carrier authority in No. MC 134631 Sub 4 and other subs, therefore dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Minneapolis, Minn.

No. MC–118202 (Sub-No. 39), filed June 10, 1974. Applicant: SCHULTZ TRANSIT, INC., 323 Bridge St., P.O. Box 406, Winona, Minn. 55987. Applicant's representative: Val M. Higgins, 1000 First National Bank Building, Minneapolis, Minn. 55402. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat by-products, and articles distributed by meat packing houses*, from the plant site and/or storage facilities utilized by Iowa Beef Processors, Inc., at or near Amarillo, Tex., to points in Illinois, Iowa, Minnesota, North Dakota, and Wisconsin.

NOTE.—Applicant holds contract carrier authority in MC–134631 Sub 4 and other subs, therefore dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Minneapolis, Minn., or Omaha, Nebr.

No. MC 119422 (Sub-No. 56), filed May 28, 1974. Applicant: Ee-JAY MOTOR TRANSPORTS, INC., 15th and Lincoln Streets, East St. Louis, Ill. 62204. Applicant's representative: Ernest A. Brooks, II, 1301 Ambassador Building, St. Louis, Mo. 63101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dry chemicals*, in bulk, from the plant site and storage facilities of The Dow Chemical Company, at Pevely, Mo., and Channahon Township (Will County), Ill., to points in Arkansas, Illinois, Indiana, Iowa, Kansas, Kentucky, Michigan, Minnesota, Missouri, Nebraska, North Dakota, Ohio, Oklahoma, South Dakota, Tennessee, and Wisconsin.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at St. Louis, Mo., or Chicago, Ill.

No. MC–119493 (Sub-No. 114), filed June 14, 1974. Applicant: MONKEM COMPANY, INC., P.O. Box 1196, Joplin, Mo. 64801. Applicant's representative: Ray F. Kempt (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Roofing paper, building paper, roofing cement, asphaltum, roofing asphalt, prepared roofing, prepared shingles, filter felt, and materials and supplies* used in the installation thereof (except liquid in bulk, in tank vehicles), from Tuscaloosa, Ala., to points in Kansas, Oklahoma, Texas, Missouri, Arkansas, Louisiana, Illinois, Indiana, Ohio, Kentucky, Tennessee, Mississippi, Alabama, Georgia, Florida, North Carolina, South Carolina, Virginia, and West Virginia; (2) *Materials and supplies* used in the manufacture of items in (1) above (except liquid in bulk, in tank vehicles), from the destination states in (1) above to Tuscaloosa, Ala.; and (3) *Filter felt*, from Joplin, Mo., to Livingston, Ala., and Cookville, Tenn.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Kansas City, Mo.

No. MC 119493 (Sub-No. 115), filed June 17, 1974. Applicant: MONKEM COMPANY, INC., P.O. Box 1196, W. 20th Street Road, Joplin, Mo. 64801. Applicant's representative: J. J. Knotts (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Lumber, plywood, and particle board*, from Silsbee, Tex., to points in the United States (except Alaska and Hawaii); and (2), *Plywood*, from Bon Wier, Tex., to points in the United States (except Alaska and Hawaii).

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Dallas or Houston, Tex.

No. MC 119641 (Sub-No. 124), filed June 6, 1974. Applicant: RINGLE EXPRESS, INC., 450 East Ninth Street, Fowler, Ind. 47944. Applicant's representative: Robert C. Smith, P.O. Box 2278, Colee Station, Fort Lauderdale, Fla. 33303. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Hay handling and processing equipment and attachments*, from Lincoln, Nebr., to points in Alabama, Arkansas, Connecticut, Delaware, Florida, Georgia, Illinois,

Indiana, Iowa, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, New Hampshire, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, South Carolina, Tennessee, Vermont, Virginia, West Virginia, Wisconsin, and the District of Columbia.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Detroit, Mich., or Chicago, Ill.

No. MC–119669 (Sub-No. 51), filed June 12, 1974. Applicant: TEMPCO TRANSPORTATION, INC., 546 South 31A, P.O. Box 886, Columbus, Ind. 47201. Applicant's representative: Donald W. McCameron (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meat, meat products and meat by-products, and articles distributed by meat packinghouses*, as described in Sections A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk), from the plant site and/or storage facilities utilized by Iowa Beef Processors, Inc., at or near Amarillo, Tex., to points in Alabama, Colorado, Connecticut, District of Columbia, Delaware, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Maine, Maryland, Massachusetts, Michigan, Minnesota, Missouri, Nebraska, New Hampshire, New Jersey, New York, North Carolina, North Dakota, Ohio, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Vermont, Virginia, West Virginia, and Wisconsin.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Amarillo, Tex., or Chicago, Ill.

No. MC–123872 (Sub-No. 31), filed May 31, 1974. Applicant: W & L MOTOR LINES, INC., State Road 1148, P.O. Drawer 2607, Hickory, N.C. 28601. Applicant's representative: Theodore Polydoroff, 1250 Connecticut Avenue NW., Washington, D.C. 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat by-products, and articles distributed by meat packinghouses*, as described in Sections A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except commodities in bulk), from the plant site and/or storage facilities utilized by Iowa Beef Processors, Inc., at or near Amarillo, Tex., to points in Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, Tennessee, and Virginia.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Charlotte or Hickory, N.C.

No. MC–123872 (Sub-No. 32), filed June 12, 1974. Applicant: W & L MOTOR LINE, INC., State Road 1148, P.O. Drawer 2607, Hickory, N.C. 28601. Applicant's representative: Theodore Polydoroff, 1250 Connecticut Avenue, Washington, D.C. 20036. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cooling and refrigeration rooms and boxes, commercial refrigeration units and parts*, from points in Juneau County, Wis., to points in Florida, North Carolina, South Carolina, and Virginia.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at either Charlotte or Hickory, N.C.

No. MC–124154 (Sub-No. 62), filed May 28, 1974. Applicant: WINGATE TRUCKING COMPANY, INC., P.O. Box 645, Albany, Ga. 31702. Applicant's representative: W. Guy McKenzie, Jr., P.O. Box 1200, Tallahassee, Fla. 32302. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Agricultural machinery and equipment and component parts*, from Crisp, Lee, and Dougherty Counties, Ga., to points in the United States (except Alaska and Hawaii); and (2) *component parts and materials* used in the manufacture of agricultural machinery and equipment, from points in the United States (except Alaska and Hawaii), to Crisp, Lee, and Dougherty Counties, Ga.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Atlanta, Ga.

No. MC–124170 (Sub-No. 38), filed June 10, 1974, Applicant: FROSTWAYS, INC., 3900 Orleans, Detroit, Mich. 48207. Applicant's representative: William J. Boyd, 29 South LaSalle Street, Suite 330, Chicago, Ill. 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Food, food products, and foodstuffs*, from points in Michigan on and south of Michigan Highway 46, to points in Kentucky, North Carolina, South Carolina, Tennessee, Georgia, Florida, Alabama, Mississippi, Louisiana, and Arkansas.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Detroit, Mich., or Washington, D.C.

No. MC–124170 (Sub-No. 41), filed June 17, 1974. Applicant: FROSTWAYS, INC., 3900 Orleans, Detroit, Mich. 48207. Applicant's representative: William J. Boyd, 29 South LaSalle Street, Chicago, Ill. 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Food, food products, and foodstuffs*, from points in Michigan on and south of Michigan State Highway 46, to points in Ohio, Virginia, West Virgina, Delaware, Maryland, Pennsylvania, New York, New Jersey, Maine, Vermont, Massachusetts, Connecticut, Rhode Island, New Hampshire, and the District of Columbia.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Detroit, Mich., or Washington, D.C.

No. MC–124579 (Sub-No. 12), filed June 10, 1974. Applicant: WIKEL BULK EXPRESS, INC., Route 2, Huron, Ohio 44839. Applicant's representative: James Duvall, 79 East State Street, Columbus, Ohio 43215. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fertilizer, fertilizer ingredients, and fertilizer materials*, in bulk, between points in Porter and White Counties. Ind., on the one hand, and, on the other, points in Illinois, Indiana, Kentucky, Michigan, and Ohio.

NOTE.—Applicant holds contract carrier authority in MC–114377, therefore dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., Indianapolis, Ind., or Washington, D.C.

No. MC 124796 (Sub-No. 117), filed May 20, 1974. Applicant: CONTINENTAL CONTRACT CARRIER CORP., 15045 E. Salt Lake Avenue, P.O. Box 1257, City of Industry, Calif. 91749. Applicant's representative: J. Max Harding, P.O. Box 82028, Lincoln, Nebr. 68501. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Buffing, polishing, cleaning, scouring, washing and bleaching compounds, animal litter, and cooking oil* (except commodities in bulk), from the plant site and facilities utilized by the Clorox Company at or near Kansas City, Mo., to points in Arkansas, Iowa, Kansas, Nebraska, Oklahoma, and South Dakota, (2) *animal litter* (except in bulk), from the plant site and facilities utilized by the Clorox Company at or near Kansas City, Mo., to the plant site and facilities utilized by the Clorox Company at or near Atlanta, Ga., Boston, Mass., Charlotte, N.C., Chicago, Ill., Cleveland, Ohio, Frederick, Md., Houston, Tex., Jersey City, N.J., Los Angeles and Oakland, Calif., and Tampa, Fla., (3) *materials, equipment, and supplies* utilized in the manufacture, sale, and distribution of buffing, polishing, cleaning, scouring, washing and bleaching compounds (except commodities in bulk and those which by reason of size or weight require the use of special equipment), (a) from Omaha, Nebr., to the plant site and facilities utilized by the Clorox Company at or near Atlanta, Ga., Boston, Mass., Charlotte, N.C., Chicago, Ill., Cleveland, Ohio, Frederick, Md., Houston, Tex., Jersey City, N.J., Kansas City, Mo., Los Angeles and Oakland, Calif., and Tampa, Fla.; (b) from Baltimore, Md., to the plant site and facilities utilized by the Clorox Company at or near Chicago, Ill., Cleveland, Ohio, Kansas City, Mo., and Los Angeles and Oakland, Calif., (4) *bleaching and cleaning compounds* (except commodities in bulk), from the plant site and facilities utilized by the Clorox Company at or near Atlanta and Forest Park, Ga., and Chicago, Ill., to the plant site and facilities utilized by the Clorox Company at or near Kansas City, Mo., and (5) *aerosol products*, from Danville and Niles, Ill., to the plant site and facilities utilized by the Clorox Company at or near Kansas City, Mo.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at Washington, D.C.

No. MC 125996 (Sub-No. 48), filed June 3, 1974. Applicant: ROAD RUNNER

TRUCKING, INC., P.O. Box 37491, Omaha, Nebr. 68137. Applicant's representative: Arnold L. Burke, 127 North Dearborn, Suite 1133, Chicago, Ill. 60602. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Agricultural chemicals* (except in bulk), (1) from the plant site and warehouse facilities of Monsanto Company at or near Muscatine, Iowa, to points in Massachusetts, North Carolina, South Carolina, and Virginia; and (2) from the plant site and warehouse facilities of Monsanto Company at or near Memphis, Tenn., to points in Colorado, South Dakota, North Dakota, Idaho, Montana, Oregon, and Washington.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at St. Louis, Mo., Chicago, Ill., or Omaha, Nebr.

No. MC–126140 (Sub-No. 6), filed May 28, 1974. Applicant: TRANS-PETRO, INC., Box 124, Wood River, Ill. 62024. Applicant's representative: William M. Cox, Jr., 16 W. Lorena Ave., Wood River, Ill. 62095. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Road oil and asphalt*, in bulk, in tank vehicles, from Morrisonville, Ill., to points in Missouri, under a continuing contract or contracts with Louis Marsch, Inc.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Springfield, Ill., or St. Louis, Mo.

No. MC–126243 (Sub-No. 12), filed June 3, 1974. Applicant: ROBERTS TRUCKING CO., INC., U.S. Highway 271 South, P.O. Drawer G, Poteau, Okla. 74953. Applicant's representative: Wilburn L. Williamson, 280 National Foundation Life Bldg., 3535 NW. 58th, Oklahoma City, Okla. 73112. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Yarn*, from Rome and Aragon, Ga., to Hope, Ark., and Hugo and Wilburton, Okla.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Atlanta, Ga.

No. MC 126276 (Sub-No. 100), filed June 3, 1974. Applicant: FAST MOTOR SERVICE, INC., 9100 Plainview Road, Brookfield, Ill. 60513. Applicant's representative: Albert A. Andrin, 29 South La Salle Street, Chicago, Ill. 60603. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Containers, container ends, and closures, and materials, and supplies* used in the manufacture and distribution of containers and containers closures (except commodities in bulk), and *scrap metal*, between the plant site of American Can Company located at Whitehouse, Ohio, on the one hand, and, on the other, points in Indiana, Illinois, Michigan, Missouri, Wisconsin, Kentucky, and West Virginia, under a continuing contract with American Can Company.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Chicago, Ill.

No. MC–128021 (Sub-No. 13), filed May 6, 1974. Applicant: DIVERSIFIED PRODUCTS TRUCKING CORPORATION, 309 Williamson Avenue, Opelika, Ala. 36801. Applicant's representative: Robert E. Tate, Post Office Box 517, Evergreen, Ala. 36401. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Charcoal, charcoal pellets, bagged, vermiculite O/C (base for grill) bagged, lighter fluid (naphtha distillate), hickory chips (for flavoring) bagged, fireplace logs, wax impregnated*, from points in Houston County, Ala., to points in Arkansas, Florida, Georgia, Mississippi, Louisiana, Oklahoma, North Carolina, South Carolina, Tennessee, Texas, and Virginia, under contract with The Kingsford Company.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Louisville, Ky., or Atlanta, Ga.

No. MC–128273 (Sub-No. 155), filed May 28, 1974. Applicant: MIDWESTERN DISTRIBUTION, INC., P.O. Box 189, Fort Scott, Kans. 66701. Applicant's representative: Harry Ross, Jr. (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Recycled nonferrous metals, nonferrous metals, aluminum fluxes, aluminum dross, aluminum slag, silicone and metallic silicate* (except commodities in bulk and commodities which require use of special equipment due to size or weight), between Checotah, Okla., on the one hand, and, on the other, points in the United States (except Alaska and Hawaii).

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 128273 (Sub-No. 156), filed June 14, 1974. Applicant: MIDWESTERN DISTRIBUTION, INC., P.O. Box 189, Fort Scott, Kans. 66701. Applicant's representative: Harry Ross (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Bedsprings, bed stead rails, cots and cot frames, upholstered day beds, bed frames, springs and spring assemblies, metal sleeper fixtures, and materials and supplies* used in the manufacture of the foregoing commodities, from Carthage, Mo., to points in Iowa, Nebraska, Illinois, and Texas.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo., or Little Rock, Ark.

No. MC 128273 (Sub-No. 157), filed June 14, 1974. Applicant: MIDWESTERN DISTRIBUTION, INC., P.O. Box 189, Fort Scott, Kans. 66701. Applicant's representative: Harry Ross (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Bedsprings, bed stead rails, cots and cot frames, upholstered day beds, bed frames, springs and spring assemblies, metal sleeper fixtures, and materials and supplies* used in the manufacture of the foregoing commodities, from Ennis, Dallas, and Ft. Worth, Tex., to points in North Dakota, South Dakota, Nebraska, Kansas, Oklahoma, Iowa, Missouri, Arkansas, and points in the United States on and east of a line beginning at the mouth of the Mississippi River, and extending along the Mississippi River to its junction with the western boundary of Itasca County, Minn., thence northward along the western boundaries of Itasca and Koochiching Counties, Minn., to the International Boundary line between the United States and Canada.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo., or Little Rock, Ark.

No. MC–128860 (Sub-No. 13), filed June 3, 1974. Applicant: LARRY'S EXPRESS, INC., 720 Lake Street, Tomah, Wis. 54660. Applicant's representative: Edward Solie Executive Building, Suite 100, 4513 Vernon Blvd., Madison, Wis. 53705. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Malt beverages and related advertising materials, premiums, and malt beverage dispensing equipment*, in mixed loads with malt beverages, from Baltimore, Md., to points in Iowa, Minnesota, Missouri, Wisconsin, and the Upper Peninsula of Michigan, under a continuing contract or contracts with the National Brewing Company of Baltimore, Md.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Madison, Wis.

No. MC–129291 (Sub-No. 8), filed June 14, 1974. Applicant: McDANIEL MOTOR EXPRESS, INC., 1115 Winchester Road, Lexington, Ky. 40505. Applicant's representative: George M. Catlett, 703–706 McClure Building, Frankfort, Ky. 40601. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except classes A and B explosives, those of unusual value, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), (1) Between North Middletown, Ky., and Paris, Ky., serving all intermediate points: From North Middletown, over U.S. Highway 460 to Paris, and return over the same route; (2) Between Paris, Ky., and Lexington, Ky., serving all intermediate points: From Paris, Ky., over U.S. Highway Nos. 68 and 27 to Lexington, and return over the same route; (3) Between North Middletown, Ky., and Little Rock, Ky., serving all intermediate points: From North Middletown, over Kentucky Highway 956 to Plum, Kentucky, thence over Kentucky Highway 537 to Little Rock, and return over the same route; (4) Between North Middletown, Ky., and Lexington, Ky., serving the intermediate points of Clintonville, Avon, and Austerlitz, Ky.: From North Middletown, over Kentucky Highway 956 to Lexington, and return over the same route; and (5) Between Maysville, Ky., and Columbus, Ohio; From Maysville, Ky., over U.S. Highway 62 to Aberdeen,

Ohio, thence over U.S. Highway 52 to Ripley, Ohio, thence over U.S. Highway 62 to junction of Interstate Highway 71, thence over Interstate Highway 71 to Columbus, Ohio, and return over the same route, serving all intermediate points except those between Maysville, Kentucky, and Ash Ridge, Ohio.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Lexington, or Frankfort, Ky.

No. MC 133133 (Sub-No. 10), filed May 28, 1974. Applicant: FULLER MOTOR DELIVERY CO., a Corporation, 802 Plum Street, Cincinnati, Ohio 45202. Applicant's representative: Norbert B. Flick, 715 Executive Building, Cincinnati, Ohio 45202. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fertilizer and fertilizer materials*, in bulk, in dump vehicles, from Cincinnati, Ohio, to points in Indiana.

NOTE.—Applicant holds contract carrier authority in MC–74857 (Sub-No. 6), therefore dual operations may be involved. If a hearing is deemed necessary, the applicant requests it be held at Cincinnati, Ohio, or Indianapolis, Ind.

No. MC 133485 (Sub-No. 13), filed June 4, 1974. Applicant: INTERNATIONAL DETECTIVE SERVICE, INC., 1828 Westminster Street, Providence, R.I. 02909. Applicant's representative: Morris J. Levin, 1620 I Street NW., Washington, D.C. 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Bullion, precious metals, coin, precious stones, jewelry, and rare objects*, in armored motor vehicles escorted by armed guards, between points in Rhode Island and points in Bucks, Chester, Delaware, Montgomery, and Philadelphia Counties, Pa.; and (2) *special nuclear materials*, between points in Rhode Island, Massachusetts, Connecticut, and New York, on the one hand, and, on the other, Sargents, Ohio, and Oak Ridge and Erwin, Tenn.

NOTE: Common control may be involved. Applicant states that the requested authority will be tacked with its existing authority at Providence, R.I., to provide service between Bucks, Chester, Delaware, Montgomery, and Philadelphia Counties, Pa., on the one hand, and, on the other; (a) points in Barnstable, Bristsol, Middlesex, Norfolk, Plymouth, Suffolk, and Worcester Counties, Mass., in Sub 2; and (b) points in Connecticut and ports of entry on the United States-Canada Boundary line located in Vermont, New York, and Maine, in Subs 9 and 10 pending. If a hearing is deemed necessary, applicant requests it be held at Providence, R.I.

No. MC–133655 (Sub-No. 76), filed June 17, 1974. Applicant: TRANSNATIONAL TRUCK, INC., P.O. Box 4168, Amarillo, Tex. 79105. Applicant's representative: Neil DuJardin, P.O. Box 2298, Green Bay, Wis. 54306. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Novelty ice cream products and water ices* (other than in bulk), in mechanically refrigerated trucks, from Ocala, Fla., to points in Texas, Oklahoma, Kansas, Nebraska, South Dakota, and North Dakota, and all states east thereof.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at Chicago, Ill.

No. MC 134323 (Sub-No. 62), filed May 30, 1974. Applicant: JAY LINES, INC., 720 North Grand Street, Amarillo, Tex. 79105. Applicant's representative: Gailyn Larsen, P.O. Box 80806, Lincoln, Nebr. 68501. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Household appliances, furnaces, air cleaners, air conditioners, humidifiers, and dehumidifiers* (except commodities which because of size or weight require the use of special equipment, and except liquid commodities in bulk, in tank vehicles), from Effingham, Ill., to points in North Carolina, South Carolina, and Tennessee, under continuing contract with Fedders Corporation.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Amarillo, Tex., or Lincoln, Nebr.

No. MC 134777 (Sub-No. 23), filed June 17, 1974. Applicant: SOONER EXPRESS, INC., Sooner Bldg., Highway 70 South, P.O. Box 219, Madill, Okla. 73446. Applicant's representative: Wilburn L. Williamson, 280 National Foundation Life Bldg., 3535 NW. 58th, Oklahoma City, Okla. 73112. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products and meat byproducts, and articles distributed by meat packinghouses*, as described in Sections A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk), from the plantsite and storage facilities utilized by the Iowa Beef Processors, Inc., at or near Amarillo, Tex., to points in Alabama, Arkansas, Connecticut, Delaware, Florida, Georgia, Iowa, Kansas, Louisiana, Maine, Maryland, Massachusetts, Mississippi, Nebraska, North Carolina, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Vermont, Virginia, West Virginia, and the District of Columbia.

NOTE.—Applicant holds contract carrier authority in MC 87088 Subs 1 and 6, therefore dual operations may be involved. Common control may also be involved. If a hearing is deemed necessary, the applicant requests it be held at Omaha, Nebr.

No. MC-134992 (Sub-No. 87), filed June 14, 1974. Applicant: B. J. McADAMS, INC., Route 6, Box 15, North Little Rock, Ark. 72118. Applicant's representative: L. C. Cypert (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, from Tupelo, Miss., to points in Arizona, New Mexico, California, Oregon, Washington, Idaho, and Utah.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Memphis, Tenn., or Little Rock, Ark.

No. MC–135007 (Sub-No. 45), filed June 17, 1974. Applicant: AMERICAN TRANSPORT, INC., 7850 F Street, Omaha, Nebr. 68127. Applicant's representative: Frederick J. Coffman, 521 South 14th Street, Lincoln, Nebr. 68501. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Carpet padding and materials and supplies* used in the installation thereof (except commodities in bulk), from Grafton, W. Va., and Dyersburg, Tenn., to points in Arizona, Arkansas, California, Colorado, Idaho, Iowa, Kansas, Louisiana, Missouri, Montana, Nebraska, Nevada, New Mexico, Oklahoma, Oregon, South Dakota, Texas, Utah, Washington, and Wyoming, under a continuing contract with William Volker & Company.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at San Francisco, Calif., or Omaha, Nebr.

No. MC 135641 (Sub-No. 5), filed June 13, 1974. Applicant: M. B. CUTHBERTSON AND B. G. CUTHBERTSON, a partnership, doing business as CUTHBERTSON AND SON, R.R. 2, Box 37, Toledo, Iowa 52342. Applicant's representative: Kenneth F. Dudley, 611 Church Street, P.O. Box 279, Ottumwa, Iowa 52501. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Agricultural chemicals* (except in bulk), from Webster City, Iowa, to points in the United States (except Alaska and Hawaii), restricted to traffic originating at Webster City, Iowa.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Kansas City, Mo., Chicago, Ill., or Des Moines, Iowa.

No. MC 136711 (Sub-No. 12), filed June 11, 1974. Applicant: DAVID G. McCORKLE, doing business as McCORKLE TRUCK LINE, 2780 S. High, P.O. Box 95181, Oklahoma City, Okla. 73109. Applicant's representative: G. Timothy Armstrong, 280 National Foundation Life Building, 3535 NW. 58th Street, Oklahoma City, Okla. 73112. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Crushed limestone*, from points in Oklahoma, to points in Texas; and (2) *aggregate, stone, rock, gravel and sand*, between points in Oklahoma, on the one hand, and, on the other, points in Arkansas, Colorado, Kansas, Missouri, New Mexico, and Texas.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Oklahoma City, Okla., or Dallas, Tex.

No. MC 136786 (Sub-No. 60), filed May 28, 1974. Applicant: ROBCO TRANSPORTATION, INC., 3033 Excelsior Blvd., Room 205, Minneapolis, Minn. 55416. Applicant's representative: K. O. Patrick (same address as applicant), Authority sought to operate as a *common*

carrier, by motor vehicle, over irregular routes, transporting: *Printed matter, magazines, periodicals, or parts thereof*, from Milwaukee, Wis., and Chicago, Ill., to points in Washington, Oregon, Idaho, Nevada, California, Arizona, Utah, Montana, Wyoming, Colorado, New Mexico, Texas, Oklahoma, Kansas, Nebraska, North Dakota, South Dakota, Minnesota, Iowa, Missouri, Arkansas, and Louisiana.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill., or Minneapolis-St. Paul, Minn.

No. MC 136786 (Sub-No. 61), filed May 31, 1974. Applicant: ROBCO TRANSPORTATION, INC., 3033 Excelsior Boulevard, Room 205, Minneapolis, Minn. 55416. Applicant's representative: Stanley C. Olsen, 1000 First National Bank Building, Minneapolis, Minn. 55402. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Manufactured mulch*, from Detroit, Mich., and Chicago, Ill., to points in the United States (except Alaska and Hawaii).

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Minneapolis, Minn.

No. MC-136786 (Sub-No. 62), filed June 11, 1974. Applicant: ROBCO TRANSPORTATION, INC., 3033 Excelsior Blvd., Room 205, Minneapolis, Minn. 55416. Applicant's representative: K. O. Petrick (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs* (except frozen foods and commodities in bulk), from Wilson, N.C., to points in California, Illinois, Indiana, Iowa, Michigan, Minnesota, Missouri, North Dakota, Ohio, Oregon, South Dakota, Washington, and Wisconsin.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at New Orleans, La., or Minneapolis-St. Paul, Minn.

No. MC-138042 (Sub-No. 5), filed June 17, 1974. Applicant: MARK INTERSTATE CARRIERS CO., INC., 1185 Grand Street, Brooklyn, N.Y. 11211. Applicant's representative: Morris Honig, 150 Broadway, New York, N.Y. 10038. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Shoes*, boxed in cartons, between Brentwood, N.Y., on the one hand, and, on the other, Newton, N.J., and Pottstown, Pa., under a continuing contract or contracts with F & M Shoe Corp.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at New York, N.Y.

No. MC 138157 (Sub-No. 13), filed June 3, 1974. Applicant: SOUTHWEST EQUIPMENT RENTAL, INC., doing business as SOUTHWEST MOTOR FREIGHT, a Corporation, 4284 Mission Boulevard, Pomona, Calif. 91766. Applicant's representative: Patrick E. Quinn, 605 South 14th Street, P.O. Box 82028, Lincoln, Nebr. 68501. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Lighting fixtures*, (a) from Cochran, Ga., to points in Arkansas, Arizona, California, Colorado, Idaho, Iowa, Kansas, Kentucky, Louisiana, Minnesota, Missouri, Montana, Nebraska, Nevada, New Mexico, North Dakota, Oklahoma, Oregon, South Dakota, Texas, Utah, Washington, Wyoming, and Mississippi; and (b) from Conyers, Ga., to points in Arkansas, Idaho, Kentucky, Louisiana, Minnesota, Missouri, Montana, Nevada, North Dakota, Oklahoma, South Dakota, Texas, Wyoming, and Mississippi; and (2) *materials, equipment, and supplies used in the manufacture and distribution of lighting fixtures*, from points in Arkansas, Arizona, California, Colorado, Idaho, Iowa, Kansas, Kentucky, Louisiana, Minnesota, Missouri, Montana, Nebraska, Nevada, New Mexico, North Dakota, Oklahoma, Oregon, South Dakota, Texas, Utah, Washington, Wyoming, and Mississippi, to the plantsites of the Lithonia Lighting Division of National Service Industries, Inc., at or near Cochran and Conyers, Ga., restricted to traffic originating at or destined to the plant sites of Lithonia Lighting Division of National Service Industries, Inc., at or near Cochran and Conyers, Ga.

NOTE.—Applicant holds contract carrier authority in MC-134150 (Sub-No. 2), therefore dual operations may be involved. If a hearing is deemed necessary, applicant requests it be held at Atlanta, Ga.

No. MC 138391 (Sub-No. 2) (Correction), filed April 19, 1974, published in the FEDERAL REGISTER issue of June 27, 1974, and republished, as corrected, this issue. Applicant: FRED A. PERELLA, 340 30th Street, Pittsburgh, Pa. 15201. Applicant's representative: John A. Pillar, 1122 Frick Building, Pittsburgh, Pa. 15219. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Ice cream cones and wafers, paper and plastic cups, containers, straws and lids, and equipment, materials, and supplies* used in the production and sale thereof, between the facilities of Keystone Cone Company, Inc., located in the Borough of Greentree (Allegheny County), Pa., on the one hand, and, on the other, Charlotte, N.C., Chicago, Ill., Baltimore, Md., Boston, Mass., Detroit, Mich, Fair Lawn, N.J., Cincinnati, Ohio, and those points in that part of Ohio on and east of a line beginning at Avon Lake, Ohio, and extending along Ohio Highway 83 to its intersection with Ohio Highway 60, thence along Ohio Highway 60 to its intersection with Ohio Highway 339 near Beverly, Ohio, thence along Ohio Highway 339 to the Ohio-West Virginia State Boundary line, those points in West Virginia on and north of U.S. Highway 50, and Brooklyn, N.Y., and points in New York on and west of U.S. Highway 11, under a continuing contract with Keystone Cone Company, Inc.

NOTE.—The purpose of this republication is to correct the territorial description. If a hearing is deemed necessary, the applicant requests it be held at Pittsburgh, Pa., or Washington, D.C.

No. MC-138791 (Sub-No. 2), filed June 10, 1974. Applicant: L. E. TROUTMAN, doing business as L. E. TROUTMAN GRAIN ELEVATOR COMPANY, Rural Route #2, Wellington, Kans. 67152. Applicant's representative: Charles White Hess, 3rd Floor, Columbia Union Bank Building, 900 Walnut, Kansas City, Mo. 64106. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Dehydrated alfalfa and dehydrated alfalfa products*, between points in that part of Nebraska on and west of U.S. Highway 77, points in Kansas, Oklahoma, Wyoming, Colorado, Texas, and those in that part of New Mexico on and north of U.S. Highway 380 and on and east of U.S. Highway 85, under a continuing contract or contracts with Western Alfalfa Corporation.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Kansas City, Mo.

No. MC 138991 (Sub-No. 4), filed May 20, 1974, Applicant: K. J. TRANSPORTATION, INC., P.O. Box 9764, Rochester, N.Y. 14623. Applicant's representative: S. Michael Richards, 44 North Avenue, Webster, N.Y. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Macaroni and egg noodle products*, from Rochester, N.Y., to points in Connecticut, Illinois, Maryland, Massachusetts, Lower Peninsula of Michigan, Minnesota, Ohio, Pennsylvania, Rhode Island, West Virginia, and Wisconsin, under a continuing contract or contracts with Bravo Macaroni Co.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Syracuse, N.Y., or Buffalo, N.Y.

No. MC 139193 (Sub-No. 12), filed June 11, 1974. Applicant: ROBERTS & OAKE, INC., 208 South La Salle Street, Chicago, Ill. 60604. Applicant's representative: Jacob P. Billig, 1126 16th St. NW., Washington, D.C. 20036. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Meat, meat products, and meat by-products*, as defined by the Commission, in Sections A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61, M.C.C. 209 and 766 (except hides and liquid commodities in bulk), from East St. Louis, National City, National Stockyards, Ill., and St. Louis, Mo., to Sioux Falls, S. Dak., under contract with John Morrell & Co., restricted to traffic transported under contracts with John Morrell & Co.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Chicago, Ill.

No. MC 139253 (Sub-No. 1), filed May 3, 1974. Applicant: SOUTHEASTERN WAREHOUSING AND DISTRIBUTION CORPORATION, Westside Industrial Park, Johnson City, Tenn. 37601. Applicant's representative: Robert L. Baker, 618 Hamilton Bank Bldg., Nashville, Tenn. 37219. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Textile products; toothpaste; empty nuclear fuel containers; musical instruments; new furniture; appliances; machinery;*

televisions; radios; stereos; entertainment centers; prefabricated buildings; materials, equipment, and supplies used in the manufacture of the above named commodities; canned goods; chemicals (except in bulk); *corrugated packaging materials; aluminum rods and wire; aluminum ingots and shapes; and building materials* (except commodities requiring special equipment because of their size or weight), (1) Between Bristol and Johnson City, Tenn., on the one hand, and, on the other, points in West Virginia on and west of a line beginning at the Ohio-West Virginia State Boundary line and extending along Interstate Highway 77 to Charleston, W. Va., thence along U.S. Highway 60 to the West Virginia-Virginia State Boundary line; (2) Between Bristol and Johnson City, Tenn., on the one hand, and, on the other, points in Virginia on and west of a line beginning at the West Virginia-Virginia State Boundary line and extending along Virginia State Highway 311 to Roanoke, Va., thence along U.S. Highway 220 to the Virginia-North Carolina State Boundary line, including points in Roanoke County, Va.; (3) Between Bristol and Johnson City, Tenn., on the one hand, and, on the other, points in North Carolina on and west of a line beginning at the Virginia-North Carolina State Boundary line and exteding along U.S. Highway 220 to intersection U.S. Highway 1, thence along U.S. Highway 1 to the North Carolina-South Carolina State Boundary line; (4) Between Bristol and Johnson City, Tenn., on the one hand, and, on the other, points in South Carolina on and west of U.S. Highway 1; and (5) Between Bristol and Johnson City, Tenn., on the one hand, and, on the other, points in Kentucky on and east of Interstate Highway 75, including points in Fayette County, Ky.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Johnson City, Tenn.

No. MC–139460 (Sub-No. 11), filed June 19, 1974. Applicant: FORT EDWARD EXPRESS CO., INC., Route 9, Saratoga Road, Fort Edward, N.Y. 12828. Applicant's representative: J. Fred Ralyea (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Aviation gasoline*, in bulk, in tank vehicles, from Newington, N.H., to Rome and Watertown, N.Y.

NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Washington, D.C., or Albany, N.Y.

No. MC–139520 (Sub-No. 1), filed May 28, 1974. Applicant: BERNIE LYNN SNIPES, doing business as FLYING S FEED EXPRESS, Route 4, Box 84, Clovis, N. Mex. 88101. Applicant's representative: James E. Snead, P.O. Box 2228, 215 Lincoln Avenue, Santa Fe, N. Mex. 87501. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Livestock feed*, between points in Texas, New Mexico, Colorado, Arizona, Kansas, and Oklahoma, under a continuing contract or contracts with Wilbur-Ellis Co., Worley Mills, El Rancho Feed, Co., and Farmers Co-op.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Albuquerque, N. Mex.

No. MC 139638 (Sub-No. 1), filed May 28, 1974. Applicant: N. L. MONTGOMERY, Rt. 1, Box 37–A, Wirtz, Va. 24184. Applicant's representative: Frank B. Hand, Jr., P.O. Box 163, Berryville, Va. 22611. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lumber, logs, veneer, and cross ties*, between Franklin and Roanoke Counties, Va., on the one hand, and, on the other, points in North Carolina.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Washington, D.C.

No. MC 139701 (Sub-No. 1), filed June 14, 1974. Applicant: KENNETH L. BERGNER AND JAMES DAWDY, doing business as J. D. CARTAGE SERVICE, 720 18th Street, Sioux City, Iowa 51105. Applicant's representative: Bradford E. Kistler, 605 South 14th Street, P.O. Box 8208, Lincoln, Nebr. 68501. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Grain storage systems and materials* used in the construction of grain storage systems (except in bulk) from Mansfield, Ohio, to points in Kansas, Nebraska, and points in Iowa west of U.S. Highway 63; and (2) *damaged or rejected shipments* of commodities described in (1) above (except in bulk), from points in Kansas, Nebraska, and points in Iowa west of U.S. Highway 63, to Mansfield, Ohio, under a continuing contract or contracts with Farm Automation, Inc.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Lincoln, Nebr.

No. MC–139715 (Sub-No. 1), filed June 13, 1974. Applicant: WAYNE HINCHLIFFE, Rt. 1, Box 161, Dayton, Wash. 99328. Applicant's representative: James T. Johnson, 1610 IBM Building, Seattle, Wash. 98101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Lumber and lumber products*, from points in Umatilla and Morrow Counties, Oreg., and Lewiston, Idaho, to points in Columbia County, Wash.; (2) *machinery, consisting of bean pickers, farm tractors, and pick-up trucks*, (a) from points in Walla Walla and Columbia Counties, Wash., to points in Umatilla and Morrow Counties, Oreg., and points in Franklin County, Wash.; (b) from Franklin County, Wash., to points in Idaho, and (c) from points in Kootenai and Twin Falls Counties, Idaho, to points in Columbia and Walla Walla Counties, Wash., and (3) *irrigation pipe and irrigation equipment*, between Lewiston, Idaho, and Portland, Oreg., on the one hand, and, on the other, points in Walla Walla County, Wash.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Seattle, Wash., or Portland, Oreg.

No. MC 139730 (Sub-No. 1) (Reassignment), filed April 24, 1974, published in the FEDERAL REGISTER issue of May 31, 1974, as No. MC 139770, and republished in part as reassigned this issue. Applicant: WOOD TRUCKING, INC., P.O. Box 4065, Macon, Ga. 31208. Applicant's representative: William Addams, Ste 212, 5299 Roswell Road NE., Atlanta, Ga. 30342.

NOTE.—The purpose of this partial republication is to indicate the correct Docket Number assigned to this proceeding in No. MC 139730 (Sub-No. 1).

No. MC–139783 (Sub-No. 1) (Reassignment), filed May 13, 1974, published in the FEDERAL REGISTER issue of June 27, 1974, as No. MC–139880, and republished, in part, as reassigned this issue. Applicant: GEORGE McFARLAND, SR., 218 North Street, P.O. Box 21, Austin, Minn. 55912. Applicant's representative: James Malecki, 1 South Street, New Ulm, Minn. 56073.

NOTE.—The purpose of this partial republication is to indicate the correct Docket Number assigned to this proceeding in No. MC–139783 (Sub-No. 1).

No. MC 139821 (Sub-No. 1), filed May 28, 1974. Applicant: HAUGEN TRANSIT, INC., Route 2A, Madelia, Minn. 56062. Applicant's representative: James H. Malecki, 1 South State Street, New Ulm, Minn. 56073. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Feed, feed ingredients, and bentonite*, between points in Minnesota, Iowa, Wisconsin, North Dakota, South Dakota, and Montana.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Mankato or Minneapolis, Minn.

No. MC–139890 (Sub-No. 1), filed June 7, 1974. Applicant: JOHN TUDOR AND JOHN WATERS, a partnership, doing business as J & J TRUCKING, Highway 11 North, Box 406, Petal, Miss. 39465. Applicant's representative: Jack H. Blanshan, 29 South LaSalle Street, Chicago, Ill. 60603. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Bananas, and agricultural commodities* exempt from economic regulation under Section 203(b)(6) of the Interstate Commerce Act, when transported in mixed loads with bananas, from Mobile, Ala., to points in Alabama, Arkansas, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Michigan, Minnesota, Mississippi, Missouri, Nebraska, Ohio, Oklahoma, Tennessee, and Wisconsin, restricted to the transportation of traffic having an immediate prior movement by water.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Miami, Fla., or Washington, D.C.

No. MC–139909, filed May 20, 1974. Applicant: CLAYCON TRANSPORTS CORPORATION, 4300 NW. 10th Street,

Oklahoma City, Okla. 73102. Applicant's representative: George Miller and Louis J. Bodar, 417 Couch Drive, Oklahoma City, Okla. 73102. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Clay and clay products*, from the facilities of Oklahoma Brick Corporation at or near Union City, Okla., to points in Texas, Arkansas, Louisiana, Missouri, and Kansas, and (2) *brick, clay tile, prefabricated brick panels, clay, and clay products*, from points in Texas, Arkansas, Louisiana, Missouri, and Kansas, to the facilities of Oklahoma Brick Corporation at or near Union City, Okla., under a continuing contract or contracts with Oklahoma Brick Corporation.

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Oklahoma City, Okla.

No. MC 139932, filed June 26, 1974. Applicant: H & M DRAYAGE BROKERAGE, INC., 609 Jefferson Highway, Metairie (Jefferson Parish), La. 70121. Applicant's representative: Charles W. Burdett, 6100 Loraine Street, Metairie (Jefferson Parish), La. 70003. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *General commodities*, in cargo containers (except those of unusual value, Class A and B Explosives, Household goods as defined by the Commission, Commodities in bulk, and commodities requiring special equipment), from points in Alabama, Mississippi, Louisiana, that part of Florida west of the Appalachicola River, that part of Arkansas on and south of a line beginning at the intersection of U.S. Highway 70 and Arkansas-Tennessee State Line, thence over U.S. Highway 70 to its intersection with U.S. Highway 270, thence over U.S. Highway 270 to its intersection with the Arkansas-Texas State line, that part of Texas on and east of a line beginning at the intersection of Interstate Highway 45 and the Gulf of Mexico, thence over Interstate Highway 45 to its intersection with Interstate Highway 635, thence over Interstate Highway 635 to its intersection with Interstate Highway 35E, thence over Interstate Highway 35E to its intersection with Interstate Highway 35, thence over Interstate Highway 35, to its intersection with Texas-Oklahoma State line, and Memphis, Tenn., to New Orleans, La., restricted to traffic having a subsequent movement by water; and (2) *empty cargo containers*, on return.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at New Orleans, La., or Baton Rouge, La.

No. MC–139934 (Sub-No. 1), filed June 10, 1974. Applicant: WALKER CONTRACT CARRIER, INC., 4214 Beach Park Drive, Tampa, Fla. 33609. Applicant's representative: M. Craig Massey, 202 East Walnut Street, P.O. Drawer J, Lakeland, Fla. 33802. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities in containers, and empty containers*, between Tampa and Port Manatee, Fla., on the one hand, and, on the other, points in Florida east and south of the Suwanee River.

NOTE.—Common control may be involved. If a hearing is deemed necessary, applicant requests it be held at Tampa, Fla.

APPLICATION(S) OF PASSENGERS

No. MC 745 (Sub-No. 13), filed May 28, 1974. Applicant: HAGEY'S BUS SERVICE, INC., Franconia, Pa. 18924. Applicant's representative: John W. Frame, Box 626, 2207 Old Gettysburg Road, Camp Hill, Pa. 17011. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Passengers and their baggage*, in the same vehicle with passengers, in round-trip charter operations, beginning and ending at points in Pennsylvania on and within a line beginning at Piperville, at the intersection of Pennsylvania Highway 611 and 413; thence southeast over Pennsylvania Highway 413 to its intersection with Pennsylvania Highway 263; thence south on Pennsylvania Highway 263 to its intersection with Pennsylvania Highway 132; thence northwest on Pennsylvania Highway 132 to its intersection with Pennsylvania Highway 611; thence south on Pennsylvania Highway 611 to its intersection with the Pennsylvania Turnpike; thence southwest on the Pennsylvania Turnpike to U.S. Highway 422; thence northwest on U.S. Highway 422 to Limerick, Pa.; and thence northeast on unnumbered Highway to Pennsylvania Highway 663 at or near New Hanover, Pa.; thence northeast on Pennsylvania Highway 663 to its intersection with Pennsylvania Highway 212; thence north on Pennsylvania Highway 212 to Pennsylvania Highway 412; thence south on Pennsylvania Highway 412 to intersection Pennsylvania Highway 611; thence south on Pennsylvania Highway 611 to the intersection of Pennsylvania Highway 413, the point of beginning, and extending to points in the United States, including Alaska (but excluding Hawaii, Connecticut, Delaware, Florida, Maine, Massachusetts, Michigan, New Hampshire, Ohio, Rhode Island, Vermont, Virginia, Indiana, New Jersey, New York, Maryland, and the District of Columbia).

NOTE.—If a hearing is deemed necessary, applicant requests it be held at Harrisburg, Pa.

No. MC–3700 (Sub-No. 72), filed June 6, 1974. Applicant: MANHATTAN TRANSIT COMPANY, A Corporation, Route 46, Elmwood Park, N.J. 07407. Applicant's representative: Robert E. Goldstein, 8 W. 40th Street, New York, N.Y. 10018. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Passengers and their baggage, in the same vehicle with passengers*, in round-trip special operations, during the authorized racing seasons, beginning and ending at New York, N.Y., and extending to Neshaminy Race Track, in Bucks County, Pa.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at New York, N.Y.

No. MC–107583 (Sub-No. 55), filed June 17, 1974. Applicant: SALEM TRANSPORTATION CO., INC., 133–03 35th Avenue, Flushing, N.Y. 11354. Applicant's representative: George H. Rosen, 265 Broadway, P.O. Box 348, Monticello, N.Y. 12701. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Passengers and their baggage, express and newspapers, baggage, and lost, misplaced, delayed, and damaged baggage* in the same vehicle with passengers, in special and charter operations, between points in Philadelphia, Bucks, Montgomery, Chester, and Delaware Counties, Pa., and Wilmington, Del., on the one hand, and, on the other, Newark International Airport, Newark, N.J.

NOTE.—Common control may be involved. If a hearing is deemed necessary, the applicant requests it be held at Philadelphia, Pa.

No. MC 134845 (Sub-No. 2), filed May 9, 1974. Applicant: PRICE HILL COACH LINE, INC., 520 North Finley St., Cleves, Ohio 45002. Applicant's representative: Edgar M. Hymans, 1587 Elizabeth Place, Cincinnati, Ohio 45237. Authority sought to operate as a *common carrier*, by motor vehicle, over regular and irregular routes, transporting: (A) Regular routes: *Passengers and their baggage, and express, mail, and newspapers* in the same vehicle with passengers: (1) Between Oxford, Ohio, and the Greater Cincinnati Airport in Boone County, Ky.: From Oxford, Ohio, over U.S. Highway 27 to Cincinnati, Ohio, thence over U.S. Highway 127 (also known as U.S. Highway 25 and 42) to Erlanger, Ky., thence over Kentucky Highway 236 to the entrance road to the Greater Cincinnati Airport, thence over said entrance road to the airport passenger terminal, and return over the same route, serving all intermediate points; (2) Between Cincinnati, Ohio, and Hamilton, Ohio: From Cincinnati, Ohio, over Ohio Highway 4 to Hamilton, Ohio, and return over the same route, serving all intermediate points; (3) Between the junction of Ohio Highway 4 and Ohio Highway 747 and the junction of Kemper Road and Ohio Highway 4: From the junction of Ohio Highway 4 and Ohio Highway 747 over Ohio Highway 747 to junction Kemper Road, thence over Kemper Road to junction Ohio Highway 4, and return over the same route, serving all intermediate points; (4) Between the junction of Ohio Highway 747 and Sharon Avenue and the junction of Ohio Highway 4 and Sharon Avenue: From the junction of Ohio Highway 747 and Sharon Avenue over Sharon Avenue to junction Ohio Highway 4, and return over the same route, serving all intermediate points; (5) Between Cincinnati, Ohio, and Hamilton, Ohio: From Cincinnati, Ohio, over U.S. Highway 127 to Hamilton, Ohio, and return over the same route, serving all intermediate points; (6) Between the northernmost junction of U.S. Highway 127 and Burlington Road and the southernmost junction of U.S. Highway 127

and Burlington Road: From the southernmost junction of Burlington Road and U.S. Highway 127 over Burlington Road to junction U.S. Highway 127, and return over the same route, serving all intermediate points; (7) Between Cincinnati, Ohio, and the junction of Ohio Highway 4 and Interstate Highway 275: From Cincinnati, Ohio, over Interstate Highway 75 to junction Interstate Highway 275, thence over Interstate Highway 275 to junction Ohio Highway 4, and return over the same route, serving all intermediate points.

(8) Between Hamilton, Ohio, and the junction of Ohio Highway 130 and U.S. Highway 27: From Hamilton, Ohio, over Ohio Highway 177 to junction Ohio Highway 130, thence over Ohio Highway 130 to junction U.S. Highway 27, and return over the same route, serving all intermediate points; (9) Between Dayton, Ohio, and Hamilton, Ohio: From Dayton, Ohio, over Patterson Boulevard to Dixie Avenue, thence over Dixie Avenue to Kettering Boulevard, thence over Kettering Boulevard to the Dayton-Cincinnati Pike, thence over the Dayton-Cincinnati Pike to Franklin, Ohio, thence over Ohio Highway 73 to Trenton, Ohio, thence over Hamilton-Trenton Road to junction U.S. Highway 127, thence over U.S. Highway 127 to Hamilton, Ohio, and return over the same route, serving all intermediate points; (10) Between the junction of the Dayton-Cincinnati Pike and Ohio Highway 741 and the entrance of the Dayton Mall Shopping Center: From the junction of the Dayton-Cincinnati Pike and Ohio Highway 741, over Ohio Highway 741 to junction Ohio Highway 725, thence over Ohio Highway 725 to the entrance of the Dayton Mall Shopping Center, and return over the same route, serving all intermediate points; (11) Between the junction of Ohio Highway 725 and Ohio Highway 741 and the junction of Ohio Highway 725 and the Dayton-Cincinnati Pike: From the junction of Ohio Highway 725 and Ohio Highway 741 over Ohio Highway 725 to junction Dayton-Cincinnati Pike, and return over the same route, serving all intermediate points; (12) Between Oxford, Ohio, and Trenton, Ohio: From Oxford, Ohio, over Ohio Highway 73 to Trenton, Ohio, and return over the same route, serving all intermediate points; (13) Between the junction of Ohio Highway 4 and Ohio Highway 73 and the junction of Kings Mills Road and Kings Island Drive: From the junction of Ohio Highway 4 (also known as Hamilton Middletown Road) and Ohio Highway 73 (also known as Trenton Oxford Road) over Ohio Highway 4 to junction Ohio Highway 63, thence over Ohio Highway 63 to Lebanon, Ohio, thence over Ohio Highway 48 to junction Interstate Highway 71, thence over Interstate Highway 71 to junction Kings Mills Road, thence over Kings Mills Road to junction Kings Island Drive, and return over the same route, serving all intermediate points.

(14) Between Hamilton, Ohio, and the junction of Ohio Highway 4 and Ohio Highway 63: From Hamilton, Ohio, over Ohio Highway 4 to junction Ohio Highway 63, and return over the same route, serving all intermediate points; (15) Between Cincinnati, Ohio, and Mason, Ohio: From Cincinnati, Ohio, over U.S. Highway 42 to Mason, Ohio, and return over the same route, serving all intermediate points (16) Between the junction of Western Row Road and U.S. Highway 42 and the junction of Kings Island Drive and Kings Mills Road: From the junction of Western Row Road and U.S. Highway 42 over Western Row Road to junction Kings Island Drive, thence over Kings Island Drive to junction Kings Mills Road, and return over the same route, serving all intermediate points; (17) Between the junction of Interstate Highway 71 and Kings Mills Road and Mason, Ohio: From the junction of Interstate Highway 71 and Kings Mills Road over Kings Mills Road to Mason, Ohio, and return over the same route, serving all intermediate points; (18) Between the junction of U.S. Highway 42 and Columbia Road and the Kings Island Amusement Park: From the junction of U.S. Highway 42 and Columbia Road over Columbia Road to the Kings Island Amusement Park, and return over the same route, serving all intermediate points;

(19) Between the junction of Mason-Morrow-Millgrove Road and Columbia Road and the junction of Ohio Highway 48 and Interstate Highway 71: From the junction of Mason-Morrow-Millgrove Road and Columbia Road over Mason-Morrow-Millgrove Road to junction Ohio Highway 48, thence over Ohio Highway 48 to junction Interstate Highway 71, and return over the same route, serving all intermediate points; (20) Between Mason, Ohio, and Lebanon, Ohio: From Mason, Ohio, over U.S. Highway 42 to Lebanon, Ohio, and return over the same route, serving all intermediate points; (21) Between Cincinnati, Ohio, and the junction of Ohio Highway 3 and Interstate Highway 71: From Cincinnati, Ohio, over Ohio Highway 3 to junction Interstate Highway 71, and return over the same route, serving all intermediate points; (22) Between Cincinnati, Ohio, and the junction of Interstate Highway 71 and Kings Mills Road: From Cincinnati, Ohio, over Interstate Highway 71 to junction Kings Mills Road, and return over the same route, serving all intermediate points; and (23) Between Hamilton, Ohio, and the junction of Ohio Highway 129 and U.S. Highway 27: From Hamilton, Ohio, over Ohio Highway 129 to junction U.S. Highway 27, and return over the same route, serving all intermediate points; and (B) Irregular routes: *passengers and their baggage*, in charter operations, between points in Hamilton County, Ohio (except those points within the corporate limits of Cincinnati, Ohio), and points on and adjacent to the regular routes described in (A) above, on the one hand, and, on the other, points in the United States (except Alaska and Hawaii), and points on the International Boundary line between the United States and Canada.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Hamilton, Cincinnati, or Oxford, Ohio.

No. MC–139746, filed April 24, 1974. Applicant: CARROLL L. HATCHER, doing business as MARTINSVILLE AIRPORT SHUTTLE CO., P.O. Box 411, Martinsville, Va. 24112. Applicant's representative: Carroll L. Hatcher (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Passengers, their baggage, newspapers, mail, air freight, and express* in the same vehicle with passengers, in special operations, (1) between Martinsville, Va., points in Henry County, Va., and Greensboro Regional Airport, Greensboro, N.C., in non-radial movement, restricted to traffic having prior or subsequent movement by air; (2) between Martinsville, Va., points in Henry County, Va., and Woodrum Airport, Roanoke, Va., in non-radial movement, restricted to traffic having a prior or subsequent movement by air; (3) between Martinsville, Va., points in Henry, Patrick, Franklin, Floyd, Carroll, and Pittsylvania Counties, Va., and Blue Ridge Airport, located in Henry County, Va., in non-radial movement, restricted to traffic having prior or subsequent movement by air.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Martinsville, Danville, or Roanoke, Va.

No. MC 139914, filed May 16, 1974. Applicant: H. AND L. BLOOM, INC., 38 Court Street, Taunton, Mass. 02780. Applicant's representative: Lloyd Belford, 279 North Main Street, Fall River, Mass. 02720. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Passengers and their baggage*, in charter operations, from Taunton, Mass., to points in Rhode Island, Connecticut, New Jersey, New York, Pennsylvania, Delaware, Maryland, Washington, D.C., Vermont, and New Hampshire and return over the same route.

NOTE.—If a hearing is deemed necessary, the applicant requests it be held at Providence, R.I., or Boston, Mass.

By the Commission.

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

[FR Doc.74–16905 Filed 7–24–74;8:45 am]

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PART II

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Office of Education

■

SAFA PROGRAMS

School Assistance in Federally Affected Areas

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Office of Education

[45 CFR Part 112]

SCHOOL CONSTRUCTION

Assistance in Cases of Certain Disasters

In accordance with section 503 of the Education Amendments of 1972 (Pub. L. 92–318) and pursuant to the authority contained in section 16 of Pub. L. 81–815, as amended (20 U.S.C. 646), the Commissioner of Education, with the approval of the Secretary of Health, Education, and Welfare, proposes to amend Title 45, Part 112 of the Code of Federal Regulations to read as set forth below. The regulations contain mandatory requirements for the program, and at present there will be no guidelines. Should guidelines be issued in the future, they would be limited to material in the nature of suggestions and recommendations for program management and operation.

1. *Program purpose.* Section 16 of Pub. L. 81–815 provides for school construction assistance in cases of certain disasters.

2. *Section 503 procedures and effect.* Section 503 of the Education Amendments of 1972 requires the Commissioner to study all rules, regulations, guidelines, or other published interpretations or orders issued by him or by the Secretary after June 30, 1965, in connection with, or affecting, the administration of Office of Education programs; to report to the Committee on Labor and Public Welfare of the Senate and the Committee on Education and Labor of the House of Representatives concerning such study; and to publish in the FEDERAL REGISTER such rules, regulations, guidelines, interpretations, and orders, with an opportunity for public hearing on the matters so published. The regulations proposed below reflect the results of this study as it pertains to the program under section 16 of Pub. L. 81–815. Part 112 will be published in final form following the evaluation of comments received in writing or during the public hearing. The regulations will become effective 30 days after such publication in the FEDERAL REGISTER at which time they will supersede all preceding rules, regulations, guidelines, and other published interpretations and orders issued in connection with or affecting Part 112.

3. *Effect of Office of Education general provisions regulations.* The proposed regulations differ from the current regulations in that they omit certain provisions which are presently covered in 45 CFR Part 112 because these will be covered in the future under the overall Office of Education General Provisions regulations, published under notice of proposed rule making in the FEDERAL REGISTER at 38 FR 30654 (November 6, 1973).

As indicated in § 112.16 of these proposed regulations, most of the provisions contained in the "General Provisions for Office of Education Programs", parts 100 (General) and 100a (Direct Project Grant and Contract Programs), are applicable to assistance pursuant to section 16 of Pub. L. 815. Since many of these provisions are required to be applied to this program by OMB Circular No. A–102, this is appropriate.

However, as § 112.16 also stipulates, certain portions of these General Provisions Regulations are not appropriate for application to assistance under section 16 for two reasons. First, paragraph (a) of § 112.16 lists those portions which are not applicable because they conflict with certain provisions of section 16, as follows:

a. Section 100a.26(b) (Criteria for review of applications); Since section 16 provides a statutory entitlement and involves no specific proposed educational program, many of the factors enumerated cannot appropriately be applied to the review of applications:

b. Section 100a.161 (Title to site): Section 6(b)(1)(B) of the Act supplies different requirements with regard to the title to the site upon which assisted activities are to take place.

(20 U.S.C. 636(b)(1)(B))

c. Subpart L, §§ 100a.209–220 (Property management requirements): Under section 16, title to the school facilities vests in the applicant, subject only to the following statutory limitation:

> * * * school facilities of such agency will be available to the children for whose education contributions are provided in this chapter on the same terms, * * * as they are available to other children in such school district.

(20 U.S.C. 636(b)(1)(F))

Thus, for example, there is no authority to confine the use of any real property or nonexpendable personal property which may be acquired with assistance under section 16 to any particular educational program or project. In fact, as indicated above, section 16 of Pub. L. 815 does not require an applicant to provide specifics with regard to any proposed educational program or project. Consequently, the property management requirements contained in Subpart L of the General Provisions cannot appropriately be applied.

d. Section 100a.233 (Sale of real and personal property): See comment (c) above.

e. Section 100a.235 (Other program income): See comment c above.

Paragraph (b) of § 112.16 of these proposed regulations lists those portions of the general provisions regulations which are not appropriate for application to assistance pursuant to section 16 because, by their own terms, they impose requirements with regard to activities which may not be conducted under section 16. For example, several portions of the general provisions regulations impose requirements with regard to nonconstruction projects, while section 16 of the Act provides only for construction activities. (See general provisions regulations, §§ 100a.43 and 100a.62). Thus these sections of the general provisions regulations are referred to as "not pertinent" in § 112.16(b) of the proposed regulations.

4. *Citations of legal authority.* As required by section 431(a) of the General Education Provisions Act (20 U.S.C. 1232(a)) and section 503 of the Education Amendments of 1972, a citation of statutory or other legal authority for each section of the regulations has been placed in parentheses on the line following the text of the section.

On occasion, a citation appears at the end of a subdivision of the section. In that case the citation is to all that appears in that section above the citation. When the citation appears only at the end of the section, it applies to the entire section.

5. *Opportunity for public hearing.* Pursuant to section 503(c) of the Education Amendments of 1972, the Commissioner will provide interested parties an opportunity for a public hearing on these regulations, as follows:

A hearing will take place at the U.S. Office of Education on August 26, 1974 in the auditorium of Regional Office Building Three (ROB–3) located at 7th and D Streets SW., Washington, D.C. 20202, from 9 a.m. to 10 a.m. The purpose of the hearing is to receive comments and suggestions on the published materials.

Parties interested in attending the hearing should notify the Office of Education, 400 Maryland Avenue SW., Room 2079–G, Washington, D.C. 20202, Attention: Chairman, Office of Education Task Force on section 503, and are urged to submit a written copy of their comments with such notification. Each party planning to make oral commen[illegible] at the hearing is urged to limit his presentation to a maximum of fifteen minutes.

Written comments and recommendations may also be sent to the above address, attention: Chairman, Office of Education Task Force on section 503. All relevant material received prior to the date of the hearing will be considered. Comments and suggestions submitted in writing will be available for review in the above office between the hours of 9 a.m. and 4:30 p.m., Monday through Friday of each week.

(Catalog of Federal Domestic Assistance Program No. 13.477, School Construction Assistance in Federally Affected Areas—Construction.)

Dated: March 25, 1974.

JOHN OTTINA,
U.S. Commissioner of Education.

Approved: April 19, 1974.

CASPAR W. WEINBERGER,
Secretary of Health, Education, and Welfare.

PART 112—SCHOOL CONSTRUCTION ASSISTANCE IN CASES OF CERTAIN DISASTERS

Subpart A—Definitions

Sec.
112.1 Definitions.

Subpart B—Financial Assistance

112.2 Eligibility for financial assistance.
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Subpart C—Applications

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112.8 Applications.
112.10 Determination of priorities among applications.
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Subpart D—General

112.16 Applicability of General Provisions Regulations.

AUTHORITY: Section 16, (79 Stat. 1158) added to Pub. L. 81-815 (20 U.S.C. 646) as amended, unless otherwise noted.

Subpart A—Definitions

§ 112.1 Definitions.

As used in this part—

(a) "Act" means Pub. L. 815, 81st Congress (64 Stat. 976), as amended, section 16 of which was added by the first section of Pub. L. 89-313 (79 Stat. 1158).

(20 U.S.C. 646)

(b) "Complete application" means a preapplication, Exhibit M-4 of OMB Circular No. A-102, and such other supplemental information as the Commissioner may request.

(20 U.S.C. 636(b)(1), 646(c))

(c) "Filed" means that all necessary parts of the preapplication or the complete application, as appropriate, bearing the required certification and verifications by the State educational agency, are received by the Commissioner on or before the applicable filing date.

(20 U.S.C. 636(a), (b)(2)(B), (c))

(d) "Initial equipment" means any movable equipment necessary and appropriate to equip school facilities.

(20 U.S.C. 645(9), 646(a))

(e) "Incident period" means those days officially designated by the President or his representative as the dates upon which major disaster damages occurred.

(20 U.S.C. 646)

(f) "Latent damages" means those damages which, in the judgment of the Commissioner, constitute disaster caused damages to school facilities which may not be apparent immediately following the incident period of the disaster.

(20 U.S.C. 646(a))

(g) "Local educational agency" as used in this part is defined in sections 15(11) and 16(a)(1)(A) of the Act. If the local education agency as so defined does not have the responsibility for providing school facilities, and that responsibility is vested in a State, county, city, or town agency, then the term shall include such an agency, together with the agency having exclusive administrative control and direction of other phases of free public education.

(20 U.S.C. 645(11), 646(a)(1)(A))

(h) "Major disaster area" means an area which is determined, pursuant to section 102(1) of the Disaster Relief Act of 1970 to have suffered, after August 30, 1965, a major disaster as a result of any flood, drought, fire, hurricane, earthquake, storm, or other catastrophe which is or threatens to be of sufficient severity and magnitude to warrant disaster assistance by the Federal Government. That certification which is required by section 102 of the Disaster Relief Act of 1970 by the Governor of the State in which such an area is located (relating the need for disaster assistance in that area and providing assurance of the expenditure of a reasonable amount of the funds of the government of that State, or of a political subdivision thereof) will be accepted to meet the certification requirement contained in section 16(a)(2) of the Act, if it contains sufficient information to meet the purposes of that section.

(20 U.S.C. 646(a)(1)(A), (a)(2), 1224(c); 42 U.S.C. 4402(1))

(i) "Member" of a school shall be determined in accordance with State law or regulation. In the absence of State law or regulation, such a member is a child who has presented himself at school and has been placed on the current roll. Such a child shall be considered a member from the date of enrollment until he permanently leaves the school. Permanent leaving shall be determined under State rules if such are applicable, but the date of permanent withdrawal shall be the date on which it is officially known that the pupil has left school, and not necessarily the first day after the date of last attendance. Notwithstanding the above, if contracts to make tuition payments with regard to certain children are utilized, then membership shall be determined in accordance with the provisions of section 15(5) of the Act.

(20 U.S.C. 645(5))

(j) "Membership" means the sum of members of a school as defined in § 112.1(h).

(20 U.S.C. 645(5))

(k) "Minimum school facilities" means the lesser of either (1) or (2): (1) Those school facilities necessary (i) to operate a program of free public education for the membership of the applicant at normal capacity in accordance with the laws and customs of the State, plus (ii) to serve, in the facilities of such agency, those children referred to in section 16(a)(5)(B) of the Act, or

(2) Those school facilities which (1) existed prior to the disaster (limited, however, to replacement of such areas in like-kind), plus (ii) are necessary to serve, in the facilities of such agency, those children referred to in section 16(a)(5)(B) of the Act.

(3) Such term does not include (i) athletic stadiums or structures or facilities intended primarily for athletic exhibitions, contests, or games or other events for which admission is to be charged to the general public; or (ii) interests in land and off site improvements.

(4) Such term may include an auditorium or gymnasium, or both. If justified by the size of the school's enrollment, the educational program to be conducted and the standards and practices in the State. Such facilities may provide seating only for the capacity of the student enrollment.

(5) Air conditioning may be provided to replace any air conditioning which existed prior to the disaster. If no such air conditioning existed prior to the disaster, then it may be provided as minimum school facilities in all States which are in whole or in part south of the 39° parallel, provided a letter is obtained from the authorized representative of the State that air conditioning is being provided in school facilities currently being constructed solely with State and local funds. Such air conditioning may be provided in any other State only if such letter is obtained and supported by a survey which substantiates that air conditioning is provided in a majority of recently constructed school facilities within the State.

(20 U.S.C. 645(9), (10), 646(a)(5))

(l) "Normal capacity" of a schoolroom means the number of pupil stations which the room accommodates under ordinary conditions in accordance with the laws and customs of the State governing free public education.

(20 U.S.C. 646(a))

(m) "Preapplication" means Exhibit M-1 of OMB Circular No. A-102 and such supplemental information as may be requested by the Commissioner.

(20 U.S.C. 646(c))

(n) "Replacement or restoration of school facilities" means the reconstruction of school facilities on the existing foundation and the making of substantial structural repairs to school facilities which were seriously damaged or destroyed.

(1) Such term does not include the making of urgent repairs to protect the school facilities from further damage or deterioration or to render the school facilities immediately available for the providing of free public education.

(2) Such term includes reasonable expenditures in order to avoid or reduce future flood losses (including relocation), in accordance with Executive Order 11296. The reasonableness of such expenditures will be determined by the Commissioner on an individual basis, based upon such factors as (i) a comparison of such expenditures with the cost of restoring or replacing the facility excluding such expenditures, (ii) the probable consequence of a failure to make such expenditures, and (iii) comparative cost of alternative methods of avoiding or reducing future flood losses.

(20 U.S.C. 646(a); E. O. 11296)

(o) "Replacement of area in like-kind" means the cost of replacing or restoring the total area of the facility seriously damaged or destroyed which was in use at the time of the disaster with a similar permanent or temporary facility. Permanent school facilities include those facilities which are erected or constructed on the site for school purposes,

affixed to the site and which have a utilization period of not less than 20 years from the date of being so affixed. Temporary school facilities means all other school facilities, including those facilities which (1) may be classified as portable, relocatable, demountable, mobile trailers or frame structures and (2) are moved onto the site for an indefinite period. An applicant may use the amount estimated as necessary to replace or restore temporary facilities to instead construct permanent facilities.

(20 U.S.C. 646(a))

(p) "Seriously damaged" means that a school facility, structure or a portion thereof has been rendered unusable or partly unusable for school purposes for an extended period of time.

(20 U.S.C. 646(a) (1), (3))

(q) "School facilities" includes such facilities as defined in section 15(9) of the Act. Such term includes only such facilities which (1) were in use prior to the occurrence of a major disaster, including classrooms and related facilities; (2) are newly constructed facilities which the applicant accepted from the builder as being completed; and (3) are facilities for the replacement or restoration of which the local educational agency or public agency is legally responsible under the State law.

(20 U.S.C. 645 (9), (10), 646(a) (1), (3), (4))

(r) "Total square feet of floor area" means the sum of square feet of a facility in use for school purposes at the time of the disaster from the exterior wall surface to exterior wall surface, at the respective floor levels.

(20 U.S.C. 646(a))

Subpart B—Financial Assistance

§ 112.2 Eligibility for financial assistance.

(a) Eligibility for financial assistance will be determined in accordance with the provisions of the Act, and section 7(a)(4) of Pub. L. 81–874.

(20 U.S.C. 241–1(a)(4), 646(a)(6))

(b) In all cases determined pursuant to clause (a)(1)(A) of section 16, if the Commissioner finds that funds other than Federal funds will, in the near future, become available to the local educational agency specifically for the purpose of providing school construction assistance in cases of such disasters, then Federal financial assistance may, to the extent that such funds are to become so available, be in the form of a repayable advance subject to repayment, without interest, when available.

(20 U.S.C. 646(a))

(c) Factors which the Commissioner will consider when determining whether damages require restoration or replacement under section 16 of the Act (as contrasted with minor repairs authorized under section 7(b) of Pub. L. 81–874 (20 U.S.C. 241–1) include the following:

(1) The ratio of section 16 funds available to the total estimated cost of replacement or restoration of destroyed or seriously damaged facility;

(2) The speed at which such replacement or restoration may be accomplished with the local, State, and Federal funds available;

(3) Whether the remaining structure must be razed before replacement or restoration can commence;

(4) Whether the applicant intends to rebuild on another site;

(5) Whether the applicant plans restoration which will differ significantly from the original design of the structure that was damaged;

(6) Whether the applicant plans to use the amount estimated as necessary to repair or restore the damaged facility to construct additional square footage rather than to repair the damaged facilities; and

(7) Whether an insurance settlement is made on the basis of major structural damage to the facility.

(d) Federal financial assistance under section 16 of the Act will be limited to the amount deemed by the Commissioner to be necessary as additional assistance (after considering practicably available local, State or Federal resources) in order for the local educational agency to provide for the replacement or restoration of minimum school facilities destroyed or seriously damaged as a result of a major disaster:

(1) When such a school facility is seriously damaged but not destroyed, financial assistance under this section will be limited to the lesser of the following costs, as determined by the Commissioner.

(i) The cost of restoring the facility on the same foundation on the same site; or

(ii) The cost of replacing the facility on the same site or a new site;

(2) When such a school facility is destroyed, financial assistance under this section may be provided to replace the facility, at the existing site or at a new site, whichever costs, as determined by the Commissioner, will be the lesser;

(3) Costs for replacement or restoration may include, if appropriate, the cost of demolition of all or part of the affected portion of the seriously damaged or destroyed facility and the cost of replacement, with public school facilities, of those minimum private elementary or secondary school facilities which were destroyed and which will not be replaced.

(e) Assistance will be provided under section 16 of the Act only if the Commissioner, after consultation with appropriate State and local educational agencies, finds that the replacement or restoration of the seriously damaged or destroyed school facilities (1) would not be inconsistent with overall State plans with respect to the construction of school facilities; and (2) includes such reasonable steps as may be desirable to minimize future Federal expenditures for flood protection and flood disaster relief in accordance with Executive Order 11296.

(20 U.S.C. 646(c); E.O. 11296)

(f) Federal financial assistance provided under section 16 of the Act (as being necessary to enable the local educational agency to provide the needed minimum school facilities), will not exceed (1) the total needed to pay for the costs of construction incident to the replacement or restoration of school facilities destroyed or seriously damaged as a result of a major disaster, and (2) the amount needed to provide the minimum school facilities needed to serve, in the facilities of said agency, children who but for the serious damage to or destruction of private facilities would be served by said private facilities (less all amounts available to the applicant specifically for such a purpose from local, State, other Federal sources, and from the proceeds of insurance on the school facilities destroyed or seriously damaged as a result of the major disaster). The applicant will be expected to prosecute insurance claims promptly and to the full legal limit. It is not necessary to replace facilities destroyed or seriously damaged with identical facilities, provided that the replacement facility constitutes replacement of area in like-kind with minimum school facilities.

(20 U.S.C. 646(a))

(g) Funds available for replacement or restoration of school facilities destroyed or seriously damaged as a result of a major disaster include:

(1) All unobligated or unencumbered non-Federal funds which the Commissioner determines have been set aside in the nature of an insurance reserve for the purpose of replacing or restoring those school facilities of the applicant that are destroyed or seriously damaged; and

(2) The proceeds of bonds that have been voted specifically for the replacement of a school facility which is destroyed or seriously damaged.

(3) If funds described in (g)(1) or (g)(2) of this section are not immediately available, the Commissioner may provide assistance in the form of an advance to be repaid, without interest, from such proceeds when they become available as determined by the Commissioner.

(20 U.S.C. 646(a) (4), (5))

(h) The school facility so provided must be functional and not elaborate in design or extravagant in the use of materials in comparison with school facilities of a similar type constructed in the State within recent years. All replacement or restoration work must be undertaken in an economical manner.

(20 U.S.C. 646(a)(4), (c))

(i) All determinations made by the Commissioner under this part shall be made only after consultation with the appropriate State educational agency and local educational agency.

(20 U.S.C. 646(c))

§ 112.3 Payments.

(a) Payments to an applicant in a major disaster area under section 16 of the Act will be made only on the basis

of a completed application which satisfies the conditions for payment prescribed by section 16 of the Act and the regulations in this part.

(b) Upon approval of the complete application of a local educational agency under section 16 of the Act, the Commissioner may pay to such agency an amount equal to 10 per centum of the estimated cost of the construction incident to the replacement or restoration of the school facilities destroyed or seriously damaged as a result of a major disaster.

(c) No construction contract exceeding the estimated cost as shown in the project application shall be entered into without prior approval.

(20 U.S.C. 636(b)(1), 646 (a), (c), (d), 1232(c))

Subpart C—Applications

§ 112.8 Applications.

(a) Federal financial assistance under section 16 of the Act will be provided on the basis of a completed application which is filed by an applicant, and which sets forth the basis for eligibility for such assistance and identifies the project or projects for which such assistance is requested.

(b) A preapplication must be filed with the Commissioner through the appropriate State educational agency on or before 90 days following that date on which the area in which the local educational agency is, in whole or in part, located is designated as being within a major disaster area except that whenever such date falls on a Saturday, Sunday or Federal holiday, the final day for filing the application shall be the next succeeding business day. The complete application must be filed with the Commissioner within 90 days of the notice of preapplication review action. In the event that necessary decision-making processes at local and State levels prevent the filing of a preapplication by the applicable filing date, a "letter of intent" to file a preapplication within 180 days and a complete application within 360 days after the occurrence of the disaster must be filed with the Commissioner.

(20 U.S.C. 636(b)(1), 646(c))

§ 112.10 Determination of priorities among applications.

(a) The Commissioner will determine the order of priority for all applications involving the replacement or restoration of school facilities, the destruction of or serious damage to which requires the relocation of students. Such applications of all local educational agencies will be assigned priorities on the basis of the percentage, in descending order, that the total number of children in the school district who are so relocated (after deducting the number of children within the local educational agency who were considered in connection with another such priority with respect to the same disaster) bears to the total memberships of all schools in the school district. Such membership will be determined on the basis of the latest and best information available. For the purpose of this section, the number of children reported as requiring relocation must include the number of children displaced from private schools as a result of the major disaster who are to be served by the local educational agency and who, but for the destruction of the private school facilities, would be served by the private facilities.

(b) All other applications for the replacement or restoration of school facilities destroyed or seriously damaged as a result of a major disaster will be assigned priorities lower than the priorities assigned under paragraph (a) of this section. Priorities will be assigned to school facilities under this paragraph (b) on the basis of the amount of financial assistance requested, and estimated by the Commissioner to be reasonable in amount, in comparison with the unused bond sale capacity for public school facilities. The unused bond sale capacity will be computed on the basis of facts as of the date of the determination of the disaster. Such applications of all local educational agencies will be assigned priorities on the basis of the percentage, in descending order, that the amount of the financial assistance so determined with respect to all such applications (after deducting the amount of such financial assistance under such applications previously assigned to priority in accordance with the order of their consideration that is specified by the local education agency) bears to the unused bond sale capacity.

(20 U.S.C. 646 (b), (c))

§ 112.11 Prohibition against payment for religious worship or instruction.

Nothing contained in the Act or the regulations in this part shall be construed to authorize the use of payments made under the Act for religious worship or instruction.

(20 U.S.C. 646(a)(6); 241-1(a)(4))

Subpart D—General

§ 112.16 Applicability of general provisions regulations.

(a) Provisions contained in Parts 100 and 100a of the regulations entitled "General Provisions for Office of Education Programs" are applicable to programs conducted under the Act, with the following exceptions:

(1) Section 100a.26(b) (Criteria for review of applications);

(2) Section 100a.161 (Title to site);

(3) Subpart L, §§ 100a.209–220 (Property management requirements);

(4) Section 100a.233 (Sale of real and personal property); and

(5) Section 100a.235 (Other program income).

(b) It should be noted that certain of the provisions in such regulations are not, by their own terms, pertinent to activities which may be conducted pursuant to the Act, such as:

(1) Section 100a.19 (Cooperative arrangements);

(2) Section 100a.43 (Application for Federal assistance (nonconstruction projects));

(3) Section 100a.45 (Application for Federal assistance (short form));

(4) Section 100a.62 (Payment methods for nonconstruction projects);

(5) Section 100a.82 (Institutions of higher education);

(6) Section 100a.83 (Nonprofit organizations);

(7) Subpart H, §§ 100a.90–94 (Matching and cost sharing);

(8) Section 100a.122 (Loan guarantees);

(9) Section 100a.234 (Royalties); and

(10) Section 100a.258 (Leasing facilities).

[FR Doc.74-16784 Filed 7-24-74;8:45 am]

[45 CFR Part 113]

CURRENT SCHOOL EXPENDITURES

Assistance in Cases of Certain Disasters

In accordance with section 503 of the Education Amendments of 1972 (Pub. L. 92–318) and pursuant to the authority contained in section 7 of Pub. L. 81–874, as amended (20 U.S.C. 241–1), the Commissioner of Education, with the approval of the Secretary of Health, Education, and Welfare, proposes to amend Title 45, Part 113 of the Code of Federal Regulations to read as set forth below.

The regulations contain mandatory requirements for the program and there will be no guidelines. Should guidelines be issued in the future they would be limited to material in the nature of suggestions and recommendations for program management and operation.

1. *Program purpose.* Section 7 of Pub. L. 81–874 provides assistance for current school expenditures in cases of certain disasters.

2. *Section 503 procedures and effect.* Section 503 of the Education Amendments of 1972 requires the Commissioner to study all rules, regulations, guidelines, or other published interpretations or orders issued by him or by the Secretary after June 30, 1965, in connection with, or affecting, the administration of Office of Education programs; to report to the Committee on Labor and Public Welfare of the Senate and the Committee on Education and Labor of the House of Representatives concerning such study; and to publish in the FEDERAL REGISTER such rules, regulations, guidelines, interpretations, and orders, with an opportunity for public hearing on the matters so published. The regulations proposed below reflect the results of this study as it pertains to the program under section 7 of Pub. L. 81–874. Part 113 will be published in final form, after comments and hearing and all preceding rules, regulations, guidelines, and other published interpretations and orders issued in connection with or affecting Part 113 will be superseded effective thirty days after such publication.

3. *Effect of Office of Education general provisions regulations.* The proposed regulations differ from the current regulation in that they omit certain provisions which are presently covered in 45 CFR Part 113 because these will be covered in the future under the overall Office of Education general provisions regulations,

published as a final regulation in the FEDERAL REGISTER at 38 FR 30 (November 6, 1973).

As indicated in § 113.18 of these proposed regulations, most of the provisions contained in the "General Provisions for Office of Education Programs," parts 100 (General) and 100a (Direct Project Grant and Contract Programs), are applicable to section 7 of Pub. L. 874. As indicated in those general provisions regulations, many of the stipulations contained therein are required to be applied to certain programs by OMB Circular No. A–102. It is believed, however, that § 7 of P.L. 874 is in the nature of "revenue sharing," which would not be covered by OMB Circular No. A–102. Consequently, those portions of the general provisions regulations which have been applied to P.L. 874 have been so applied not because of any such requirement, but because it was desired to further the policy of obtaining uniformity on such matters among Office of Education programs.

As § 113.18 of these proposed regulations indicates, certain portions of the general provisions regulations are not appropriate for application to section 7 of Pub. L. 874 for two reasons. First, paragraph (a) of § 113.18 lists those portions which are not applicable because they conflict with certain provisions of section 7 of the Act, as follows:

a. § 100a.26(b) (Criteria for review of applications): Since section 7 of Pub. L. 874 provides a statutory entitlement and involves no specific proposed educational program, many of the factors enumerated cannot appropriately be applied to the review of the applications;

b. § 100a.31 (Preapplications): Disaster assistance, in order to allow continuing operation of schools must, by its very nature, be supplied expeditiously. The use of preapplications would show the provision of such assistance. Consequently, consistent with the terms of general provisions, § 100a.31, the Commissioner has found that it is not desirable for the efficient administration of the program to require preapplications.

c. Subpart L, §§ 100a.209–.220 (Property management requirements): As indicated in a. above, section 7 of Pub. L. 874 does not require an applicant to provide specifics with regard to any proposed educational program or project. Thus the property management requirements contained in Subpart L of the general provisions regulations cannot appropriately be applied.

d. § 110a.235 (Other program income): See comment c. above.

Paragraph (b) of § 113.18 of these proposed regulations lists those portions of the general provisions regulations which are not appropriate for application to section 7 of P.L. 874 because, by their own terms, they impose requirements with regard to activities which may not be conducted under section 7. For example, several portions of the general provisions regulations impose requirements with regard to construction projects, while section 7 of the Act provides only for non-construction activities. (See general provisions regulations §§ 100a.44 and 100a.155–.192). Thus, these sections of the general provisions regulations are referred to as "not pertinent" in § 113.18 of the proposed regulations.

4. *Citations of legal authority.* As required by section 431(a) of the General Education Provisions Act (20 U.S.C. 1232(a)) and section 503 of the Education Amendments of 1972, a citation of statutory or other legal authority for each section of the regulations has been placed in parentheses on the line following the text of the section.

On occasion, a citation appears at the end of a subdivision of the section. In that case the citation is to all that appears in that section above the citation. When the citation appears only at the end of the section it applies to the entire section.

5. *Opportunity for public hearing.* Pursuant to section 503(c) of the Education Amendments of 1972, the Commissioner will provide interested parties an opportunity for a public hearing on these regulations, as follows:

A hearing will take place at the U.S. Office of Education on August 26, 1974 in the auditorium of Regional Office Building Three (ROB–3) located at 7th and D Streets SW., Washington, D.C. 20202, from 1 p.m. to 2 p.m. The purpose of the hearing is to receive comments and suggestions on the published materials.

Parties interested in attending the hearing should notify the Office of Education, 400 Maryland Avenue SW., Room 2085, Washington, D.C. 20202, Attention: Chairman, Office of Education Task Force on Section 503, and are urged to submit a written copy of their comments with such notification. Each party planning to make oral comments at the hearing is urged to limit his presentation to a maximum of fifteen minutes.

Written comments and recommendations may also be sent to the above address. All relevant material received prior to the date of the hearing will be considered. Comments and suggestions submitted in writing will be available for review in the above office between the hours of 9 a.m. and 4:30 p.m., Monday through Friday of each week.

(Catalog of Federal Domestic Assistance Program No. 13.478, School Assistance in Federally Affected Areas—Maintenance and Operation.)

Dated: March 22, 1974.

JOHN OTTINA,
U.S. Commissioner of Education.

Approved: April 22, 1974.

CASPAR W. WEINBERGER,
Secretary of Health, Education, and Welfare.

PART 113—ASSISTANCE FOR CURRENT SCHOOL EXPENDITURES IN CASES OF CERTAIN DISASTERS

Subpart A—Definitions

Sec.
113.1 Definitions.

Subpart B—Financial Assistance in Areas Affected by Major Disasters

Sec.
113.2 Financial assistance for providing free public education pursuant to section 7(a) of the Act.
113.3 Assistance for the replacement of supplies, equipment, and for leasing of facilities pursuant to section 7(b) of the Act.

Subpart C—Applications

113.8 Applications.
113.9 Dates for filing applications.
113.10 Notification to applicants.
113.11 Reports.
113.12 Inadequacy of Federal funds.
113.13 Method of payment.
113.14 Prohibition on payment for religious worship or instruction.
113.18 Application of General Provisions Regulations.

AUTHORITY: Sec. 7 of Pub. L. 81–874, as amended, 79 Stat. 1158 (20 U.S.C. 241–1), unless otherwise noted.

Subpart A—Definitions

§ 113.1 Definitions.

As used in this part—

(a) "Act" means Pub. L. 874, 81st Congress (64 Stat. 1100), as amended, section 7 of which was first added to Pub. L. 89–313 (79 Stat. 1159).

(20 U.S.C. 241–1)

(b) "Average daily attendance," hereinafter referred to as "ADA," means ADA as determined in accordance with State law except (notwithstanding any other provisions of the Act), where the local educational agency in which a child resides makes or contracts to make tuition payment for free public education of such a child in a school situated in another local educational agency, for the purposes of section 7 of the Act. The attendance of such a child at such school shall be considered (1) to be attendance at a school of the local educational agency so making or contracting to make such tuition payment, and (2) not to be attendance at a school of the local educational agency receiving such titution payment or entitled to receive such payment under the contract.

(20 U.S.C. 241–1(a), 244(10))

(c) "Complete application" means an application and such other supplemental information as the Commissioner may request.

(20 U.S.C. 241–1(d))

(d) "Disaster review team" means a group comprised of representatives of the Office of Education, Office of Facilities Engineering and Property Management, (DHEW), the State educational agency (when available) and local educational agencies.

(20 U.S.C. 241–1(a))

(e) "Filed" means that all necessary parts of the complete application bearing the required certification and verifications by the State educational agency are received by the Commissioner on or before the applicable filing date.

(20 U.S.C. 241–1(d))

(f) "Incident period" means those days officially designated by the President or his representative as the dates upon which major disaster damages occurred.

(20 U.S.C. 241–1)

(g) "Latent damages" means those damages which, in the judgment of the Commissioner, constitute disaster-caused damages to instructional and maintenance supplies, equipment, materials, and school facilities which damages may not be apparent immediately following the incident period of the disaster.

(20 U.S.C. 241–1(b))

(h) "Local educational agency" is defined in sections 403(6)(A) and 7(a)(1)(A) of the Act.

(20 U.S.C. 244(6)(A), 241–1(a)(1)(A))

(i) "Major disaster area" means an area which is determined, pursuant to section 102(1) of the Disaster Relief Act of 1970 (42 U.S.C. 4402(1)), to have suffered, after August 30, 1965, a major disaster as a result of any flood, drought, fire, hurricane, earthquake, storm, or other catastrophe which is or threatens to be of sufficient severity and magnitude to warrant disaster assistance by the Federal Government. That certification which section 102 of the Disaster Relief Act of 1970 requires from the Governor of the State in which such area is located (of the need for disaster assistance in such area and the assurance of the expenditure of a reasonable amount of the funds of the government of that State, or of any political subdivision thereof) will also be deemed to meet the certification requirement contained in section 7(a)(2) of the Act.

(20 U.S.C. 241–1(a)(1)(A), (a)(2); 84 U.S.C. 1748))

(j) "Minor repairs" means that restoration of equipment, materials, and portions of school and cafeteria facilities (including site, grading, and improvements) to original condition or efficiency from a disaster-damaged condition and which restoration is immediately necessary and may be accomplished within a reasonably short period of time.

(20 U.S.C. 241–1(b), 244 (13))

(k) "School facilities" as used in this part is defined in the Act at section 403 (13). Data must be submitted, if available, to the Commissioner to substantiate that gymnasiums and similar facilities are not intended primarily for exhibitions for which admission is to be charged to the general public, if assistance is requested with regard to such facilities. Such facilities may include cafeteria facilities.

(20 U.S.C. 244(13))

(l) "State financial assistance" (or "State aid") with respect to free public education means any contribution, for which no repayment is expected, made by a State to or on behalf of a local educational agency within the State for the support of free public education. Such assistance does not include those payments by a State to or on behalf of a local educational agency which are made as a result of a major disaster.

(20 U.S.C. 241–1(a)(3), 240(d)(2))

Subpart B—Financial Assistance in Areas Affected by Major Disasters

§ 113.2 Financial assistance for providing free public education pursuant to section 7(a) of the Act.

(a) The Commissioner will, upon receipt of a complete application under section 7(a) and approval thereof, provide financial assistance, in amounts calculated pursuant to section 7(a) and § 113.2(c). Such assistance shall commence with the fiscal year in which the determination is published in the FEDERAL REGISTER that the local educational agency suffered a disaster or with the fiscal year in which the disaster-causing incident in the local educational agency terminated, whichever is later.

(b) Such assistance may be continued for as many as four additional consecutive fiscal years after the fiscal year of commencement, as described in the preceding paragraph, on the basis of complete applications approved during each fiscal year for which assistance is to be paid. Thus, there are a maximum of five fiscal years for which assistance may be paid under section 7(a) with respect to a particular disaster. The amount of such Federal financial assistance for providing free public education at a preexisting level shall not exceed 75 percent during the third of such fiscal years, 50 percent during the fourth and 25 percent during the fifth, of the amount of assistance paid under section 7(a) for the second fiscal year of such five-year period.

(c) The amount of financial assistance so provided by the Commissioner to the agency for use during any fiscal year will not exceed the amount which the Commissioner determines to be necessary to enable such an agency, with the other funds available to it for such a purpose, to provide a level of education equivalent to: (1) That maintained in the schools at such agency prior to the occurrence of such disaster, taking into account the additional costs reasonably necessary to carry out section 7(a)(4) of the Act, or (2) that are required to meet the budgeted or actual current operating expenditures, whichever is lesser.

(d) The amount of unobligated cash carryover for current operating expenditures to the fiscal year of the disaster (from the fiscal year prior to the disaster) will not be considered to be revenue available unless such carryover exceeds ten percent of the amount budgeted for current operating expenditures in the fiscal year of the disaster. When a carryover balance does not exist or a deficit balance exists, the creation of a carryover balance in subsequent fiscal years will not be considered a cost for purposes of determining Federal assistance under section 7(a).

(20 U.S.C. 241–1(a))

§ 113.3 Assistance for the replacement of supplies, equipment, and materials for minor repairs and for the leasing of facilities pursuant to section 7(b) of the Act.

(a) The Commissioner will provide an amount of assistance which he determines, on the basis of a complete application filed for assistance under section 7(b) of the Act to a local educational agency which is eligible for assistance pursuant to section 7(a) of the Act (following the inspection by the disaster review team and the issuance of a provisional authorization), that the following activities are necessary:

(1) To replace instructional and maintenance supplies, equipment and materials (including textbooks), whether or not acquired through the use in whole or in part of Federal funds made available under other programs, which have been destroyed or seriously damaged as a result of a major disaster and which will not be replaced by other Federal programs,

(2) To make minor repairs (as defined in § 113.1(j)), and

(3) To lease or otherwise provide (other than by the acquisition of land or the erection of buildings) school and cafeteria facilities needed to replace temporarily such facilities which have been made unavailable as a result of the major disaster. Such lease or provision may not include gymnasiums and similar facilities intended primarily for exhibitions for which admission is charged to the general public or which have (i) outdoor seating in excess of the total number of pupils enrolled in the school of the system, (ii) ticket booths or stands, and (iii) lighting stands, fixtures, etc., for nighttime events.

(b) Amounts necessary for activities described under § 113.3(a) may include reasonable expenditures for:

(1) *Preventive work.* If an applicant incurs expenditures in order to prevent disaster damage (such as expenditures to keep drains clean, build dikes to divert water from washing out playgrounds), assistance may be authorized if (i) the work is done immediately before and in anticipation of the disaster, or during the disaster, (ii) the work is done on or immediately adjacent to the school site, and (iii) the work is restricted to that which the Commissioner determines could reasonably have been expected to prevent further disaster damage.

(2) *Use of applicant-owned equipment.* When an applicant owns heavy equipment which is suitable to repair major disaster damage (including debris removal, and site redevelopment) and uses such equipment to make necessary repairs, assistance may be authorized for the cost of the use of its equipment to repair eligible major disaster damage, at the pre-disaster rental rate for similar equipment in the area. Applications for reimbursement for the use of such applicant-owned equipment to repair eligible major disater damage must be supported

by documentation for each piece of equipment including:

(i) Type and description of equipment;

(ii) Number of hours used each specific day;

(iii) Total hours used;

(iv) Description of location and work on which equipment was used; and

(v) Data substantiating pre-disaster rental rate for similar equipment in the same area.

(3) *Payment for work performed by applicant's maintenance employees.* When an applicant uses maintenance employees during their regularly scheduled work hours for the repair of disaster caused damage, or to take action designed to prevent more extensive damage, assistance may be authorized for such work for the time during which the employees would otherwise have worked at regularly scheduled school maintenance work had there been no disaster. Additional assistance may also be authorized for overtime payments to such overtime employees for the maintenance, repair, or arrest of disaster-caused damages. All assistance for payment of applicant's employees will be based on the prior policy and practice of the applicant, including wage rates, in the payment of such employees.

(4) *Utilities.* Assistance may be authorized for the cost of utilities in temporary or leased facilities, including the necessary installation costs, provided by the Commissioner under section 7(b) of the Act.

(5) *Replacement of equipment.* Assistance may be authorized at the fair market value for the repair or replacement of equipment (including vehicles such as buses, automobiles, trucks and tractors). Assistance may be authorized for replacing, rather than repairing nontubular furniture of metal construction which has been submerged in salt water and for replacing rather than repairing furniture of tubular construction which has been submerged in fresh water. However, assistance for replacement costs of disaster damaged equipment which an applicant has obtained as surplus property and which was selected and procured on a basis other than its being essential to school operation will be based upon the out-of-pocket cost to the applicant at the time of acquisition.

(6) *Off-site work.* Assistance may be authorized for emergency provision of off-site repairs to permit access to school facilities when consistent with State law, provided that such work may not be done legally or expeditiously by another local governmental unit.

(7) *Trees, shrubs and seeding.* When trees and shrubbery have been lost or have been so badly damaged as to require replacement, assistance may be authorized for their replacement with trees and shrubs of like type, but not to exceed the cost of the size customarily used for new plantings on the sites of newly constructed school facilities within the State.

(8) *Architectural and engineering fees.* Assistance for architectural and engineering fees which are related to authorized minor repairs or replacements may be authorized. The amount of such reimbursement shall not exceed the usual rate applicable in the State for similar work.

(9) *Damage of school facilities during replacement.* If a school facility suffers disaster damage while under construction or renovation, assistance may be authorized only to the extent that the applicant satisfies the Commissioner that insurance proceeds are not available for the necessary repair or replacement. However, if the applicant was in the process of taking formal action at the time of the disaster to replace temporary, or obsolete school facilities with other facilities, no assistance will be authorized for the temporary or obsolete facilities.

(10) *Damages to school facilities during major disaster recovery.* Assistance may be authorized for minor repairs of school facilities (including paving and turf) which must be damaged in order to reestablish school operations. However, assistance will not be authorized for the use of such school facilities in an activity for which the school authorities are not responsible (including their use as a refugee center, for quartering the National Guard, or for a National Guard motor or equipment pool).

(11) *Administrative expenses.* Assistance may be authorized for expenses identified as overtime payments to regular applicant employees or for pay to extra clerical help hired specifically to: (i) Develop and maintain data to substantiate and support disaster repair, replacement and related expenses, or (ii) to maintain adequate and efficient records concerning the use of disaster assistance. Assistance will not be authorized for salaries, wages, and expenses of regularly employed administrative personnel who are engaged, during regularly scheduled school hours, in disaster recovery work or work necessary to develop a determination of the extent of disaster damages or to complete and file disaster applications.

(12) *Temporary facilities.* (i) Assistance may be authorized to lease or otherwise provide (other than by acquisition of land or erection of facilities) school and cafeteria facilities needed to replace temporarily such facilities which have been made unavailable as a result of a disaster when the applicant assures the Commissioner that existing available school facilities within the district cannot reasonably accommodate pupils left unhoused by the disaster.

(ii) If appropriate private or public structures are available to the applicant, they may be leased for the period of time necessary to restore or replace permanent school facilities. Modifications and improvements necessary to permit such structures to accommodate an educational program should be performed by the owner of the facilities, and the resultant costs may be included in the basic monthly or annual fee for leasing the facilities. Furthermore, any expenses required at the end of the lease period to convert back to noneducational uses should be anticipated and may be included in the leasing fee. In the event that sufficient temporary instructional space may not reasonably be available in existing school facilities or in other public or private structures to accommodate, temporarily, all unhoused pupils, the local education agency may arrange to lease or purchase, whichever cost is the lesser, temporary portable school facilities. Temporary portable facilities may be leased for the period of time that it takes to replace or restore the destroyed facilities, provided that replacement or restoration is pursued with reasonable expediency. It will be the responsibility of the local educational agency to ascertain that such temporary facilities are used in accordance with State and local building laws and policies which may affect such temporary facilities.

(iii) Funds may be provided to local educational agencies to purchase temporary facilities when purchasing is financially advantageous to the United States. The local educational agency is required to agree to advertise and sell, in accordance with State or local policies and procedures, the temporary facilities after the damaged facilities have been restored or replaced. The proceeds of the sale are to be remitted to the U.S. Office of Education.

(13) *Equipment for temporary facilities.* If temporary facilities are provided to a local education agency or if permanent facilities are provided pursuant to section 16 of Pub. L. 81–815, assistance may be authorized for that equipment necessary for the operation of temporary facilities. Such equipment may be provided only if prior approval of the Commissioner is obtained. Notification of such approval will be attached to the notice of preapplication review action.

(14) *Insurance on relocatable classroom units.* The owner or lessor of relocatable classroom units shall be responsible for maintaining fire and extended coverage insurance on such relocatable units at its cost for the full insurable value thereof. The lessor should include such expense within his bid quotation, if necessary. If temporary units are purchased rather than leased, the applicant must maintain fire and extended coverage to replace any temporary units in the event that they are destroyed by fire or other catastrophe. Assistance may be authorized for such insurance.

(20 U.S.C. 241–1(a)–(b))

Subpart C—Applications

§ 113.8 Applications.

Prior to receiving benefits under section 7 of the Act, a local educational agency located in whole or in part in a major disaster area must file with the Commissioner a complete application for such financial assistance on forms prescribed by the Commissioner setting forth the need for such benefits under each pertinent subsection of the Act. Separate complete applications must be

filed for assistance under sections 7(a) and 7(b) of the Act.

(a) An approved application for financial assistance under section 7(a) of the Act shall apply only to such financial assistance for providing free public education until the end of the fiscal year in which the application is approved.

(b) An approved application under section 7(b) of the Act shall apply to any expenditures made during a reasonable period of time with respect to those items which are covered by the application. An application that is appropriately made under section 7(b) of the Act will be applicable retroactively for eligible expenditures made immediately prior to, during or subsequent to the incident period of the major disaster occasioning the expenditure.

(20 U.S.C. 241–1 (a), (b))

§ 113.9 Dates for filing applications.

(a) A complete application for benefits under section 7 of the Act must be filed on or before 90 days following the date on which the determination is published in the FEDERAL REGISTER that the area in which the applicant is located, in whole or in part, is a major disaster area, except that, whenever the expiration of such time shall fall on a nonbusiness day for Federal offices, the final date for filing applications shall be the next succeeding business day.

(b) An initial application or a notice of intent to file such an application within the fiscal year for financial assistance benefits under section 7(a) must be filed on or before 90 days following the date on which the determination is published in the FEDERAL REGISTER that the area in which the application is located, in whole or in part, is a major disaster area, except that, whenever such date shall fall on a nonbusiness day for Federal offices, the final date for filing applications shall be the next succeeding business day. A complete application for financial assistance for benefits under section 7(a) for each fiscal year subsequent to that covered by the initial application must be filed by January 31 in the fiscal year following the last such initial application.

(c) The applicant is responsible for obtaining the appropriate certification of the State educational agency and for securing transmittal of the application to the Commissioner.

(20 U.S.C. 241–1)

§ 113.10 Notification to applicants.

The Commissioner will notify each applicant of the results of the review of its application. A notice of application review action will be sent to the applicant which, in appropriate instances, will describe the estimated amount of any payments to be made with respect to assistance in the cost of providing free public education, including assistance with respect to the making of minor repairs of school facilities, and the cost of replacing destroyed or seriously damaged instructional and maintenance supplies, equipment and materials (including textbooks), and of leasing or otherwise providing school or cafeteria facilities as temporary replacements.

(20 U.S.C. 241–1(a)–(b))

§ 113.11 Reports.

(a) *Reports required.* Each applicant shall submit required reports and information on such forms as the Commissioner may reasonably require concerning (1) destruction of and damage to school facilities and instructional and maintenance supplies, equipment, and materials (including textbooks), (2) payments made with respect thereto, as well as payments made to continue to provide free public education at a preexisting level, and to lease or otherwise provide school and cafeteria facilities as temporary replacements, for which benefits are sought under section 7 of the Act.

(b) *Final reports.* Each applicant whose application is approved shall submit to the Commissioner final reports concerning payments made the applicant for which benefits are sought under section 7. Final reports shall be submitted promptly with respect to section 7 as follows:

(1) Final reports with respect to the assistance under section 7(a), and final reports with respect to the cost of leasing school and cafeteria facilities as temporary replacements under section 7(b), shall be submitted to the Commissioner with respect to each fiscal year no later than September 30 following the close of the fiscal year for which the report is made.

(2) Final reports with respect to assistance under section 7(b), except final reports with respect to the cost of leasing school and cafeteria facilities as temporary replacements, shall be submitted to the Commissioner after the applicant has made final payment for approved expenditures and has received final insurance adjustments and all other funds, but in no event later than 90 days following the first anniversary date of the disaster, unless the applicant makes written request, showing good cause, for extension of time for submitting such final report and such date is extended in writing by the Commissioner.

(c) *Excessive payments.* The Commissioner may disallow any portion of the amounts requested which are determined by him not to be necessary for the intended purpose or not to be eligible for benefits under section 7 of the Act. If, after the date for filing a final report, an applicant is found to have received amounts in excess of the amounts to which it is entitled under section 7 of the Act for a given fiscal year, as determined by the Commissioner, an amount equal to the excess may be taken into consideration in determining the amounts to be subsequently certified for payment to the applicant for the current or any subsequent fiscal year. Where no subsequent payments are due, the applicant will be required to remit such excess to the Commissioner.

(20 U.S.C. 241–1(e))

§ 113.12 Inadequacy of Federal funds.

(a) If appropriate funds are inadequate to pay in full the requests contained in all approvable applications filed within the ninety (90) day filing period, the Commissioner will establish an order of priority for the approval of such applications. In determining the order in which such applications will be approved, the Commissioner will consider the relative educational and financial needs of the local educational agencies which have submitted approvable applications.

(b) Priority among approvable applications filed within the 90-day filing period will be determined as follows: A priority will be determined among applications in descending order, by ascertaining the percentage that the total Federal funds for which each applicant is estimated by the Commissioner to be eligible under the Act is of the total current operating costs of that applicant as estimated by the Commissioner, including the increased costs due to the major disaster.

(20 U.S.C. 241–1(d))

§ 113.13 Method of payment.

The Commissioner may pay in advance or by way of reimbursement, with necessary adjustments on account of overpayments or underpayments, and in such installments as he may determine, the amounts due to a local educational agency pursuant to the provisions of section 7 of the Act.

(20 U.S.C. 241–1(e), 1232d)

§ 113.14 Prohibition on payment for religious worship or instruction.

Nothing contained in the Act or in this part shall be construed to authorize the use of any payment made thereunder for religious worship or instruction.

(20 U.S.C. 241–1(a)(4))

§ 113.15 Applicability of General Provisions Regulations.

(a) Provisions contained in Parts 100 and 100a of the regulations entitled "General Provisions for Office of Education Programs" are applicable to programs conducted under the Act, with the following exceptions:

(1) Section 100a.26(b) (Criteria for review of applications);

(2) Section 100a.31 (Preapplications);

(3) Subpart L, §§ 100a.209–.220 (Property management requirements); and

(4) Section 100a.235 (Other program income).

(b) It should be noted that certain of the provisions in such regulations are not, by their own terms, pertinent to activities which may be conducted pursuant to the Act, such as:

(1) Section 100a.19 (Cooperative arrangements);

(2) Section 100a.44 (Application for Federal assistance) (Construction projects);

(3) Section 100a.41 (Preapplication for Federal assistance);

(4) Section 100a.42 (Notice of preapplication review action);

(5) Section 100a.63 (Payment methods for construction projects);

(6) Section 100a.82 (Institutions of higher education);

(7) Section 100a.83 (Nonprofit organizations);

(8) Subpart H, §§ 100a.90–.94 (Matching and Cost Sharing); and

(9) Subpart K, §§ 100a.155–.192 (Construction requirements).

[FR Doc.74–16783 Filed 7–24–74;8:45 am]

[45 CFR Part 114]

ASSISTANCE FOR SCHOOL CONSTRUCTION IN AREAS AFFECTED BY FEDERAL ACTIVITIES

Proposed Guidelines

In accordance with section 503 of the Education Amendments of 1972 (Pub. L. 92–318) and pursuant to the authority contained in sections 1 through 15 of Pub. L. 81–815 (20 U.S.C. 631–645), the Commissioner of Education, with the approval of the Secretary of Health, Education, and Welfare, proposes to amend Title 45, Part 114 of the Code of Federal Regulations to read as set forth below. This notice proposes certain changes in the regulations under Pub. L. 81–815 contained in 45 CFR Part 114 and sets forth guidelines for the program.

1. *Program purpose.* Sections 1 through 15 of Pub. L. 81–815 authorize assistance for school construction in federally affected areas.

2. *Section 503 procedures and effect.* Section 503 of the Education Amendments of 1972 requires the Commissioner to study all rules, regulations, guidelines, or other published interpretations or orders issued by him or by the Secretary after June 30, 1965, in connection with or affecting the administration of Office of Education programs; to report to the Committee on Labor and Public Welfare of the Senate and the Committee on Education and Labor of the House of Representatives concerning the study; and to publish in the FEDERAL REGISTER those rules, regulations, guidelines, interpretations, and orders, with an opportunity for public hearing on the matters so published. The regulations and guidelines proposed below reflect the results of this study as it pertains to the program under Pub. L. 81–815.

Part 114 will be published in final form, after comments and hearing. All preceding rules, regulations, guidelines, interpretations, and orders issued in connection with or affecting Part 114 will be superseded effective thirty days after such publication.

3. *Effect of Office of Education General Provisions Regulations.* The proposed regulations differ from the current regulations mainly in that they omit certain provisions which are now currently provided by 45 CFR Part 114 because they will be provided in the future by the Office of Education General Provisions Regulations, published as a final regulation in the FEDERAL REGISTER at 38 FR 30654 (November 6, 1973).

As indicated in § 114.55 of these proposed regulations, most of the provisions contained in the "General Provisions for Office of Education Programs", Parts 100 (General) and 100a (Direct Project Grant and Contract Programs), are applicable to assistance pursuant to Pub. L. 815. Since many of these provisions are required to be applied to this program by OMB Circular No. A–102, this is appropriate.

However, as § 114.55 also stipulates, certain portions of these General Provisions Regulations are not appropriate for application to assistance under the Act for two reasons. First, paragraph (a) of § 114.55 lists those portions which are not applicable because they conflict with certain provisions of the Act, as follows:

(a) Section 100a.26(b) (Criteria for review of applications): Since the Act provides a statutory entitlement and involves no specific proposed educational program, many of the factors enumerated cannot appropriately be applied to the review of applications;

(b) Section 100a.161 (Title to site): Section 6(b)(1)(B) of the Act supplies different requirements with regard to the title of the site upon which assisted activities are to take place.

(20 U.S.C. 636(b)(1)(B))

(c) Subpart L, §§ 100a.209–220 (Property management requirements): Under Pub. L. 815, title to the school facilities vests in the applicant, subject only to the following statutory caveat:

> The school facilities of such agency will be available to the children for whose education contributions are provided in this chapter on the same terms * * * as they are available to other children in such school district.

(20 U.S.C. 636(b)(1)(F))

Thus, for example, there is no authority to confine the use of any real property or nonexpendable personal property which may be acquired with assistance under Pub. L. 815 to any particular program or project. In fact, as indicated above, Pub. L. 815 does not require an applicant to provide specifics with regard to any proposed educational program or project. Consequently, the property management requirements contained in Subpart L of the General Provisions cannot appropriately be applied.

(d) Section 100a.233 (Sale of real and personal property); See comment (c) above.

(e) Section 100a.235 (Other program income): See comment (c) above.

Paragraph (b) of § 114.55 of these proposed regulations lists those portions of the General Provisions Regulations which are not appropriate for application to assistance pursuant to Pub. L. 815 because, by their own terms, they impose requirements with regard to activities which may not be conducted under the Act. For example, several portions of the General Provisions Regulations impose requirements with regard to nonconstruction projects, while Pub. L. 815 provides only for construction activities. (See General Provisions Regulations §§ 100a.43, 100a.62.) Thus, these sections of the General Provisions Regulations are referred to as "not pertinent" in § 114.55 (b) of the proposed regulations.

4. *Guidelines.* Guidelines for the program have not previously been published in the FEDERAL REGISTER. The guidelines proposed below contain recommendations and suggestions for program management and operation and are designed to incorporate all materials covered by section 503 of the Education Amendments of 1972 not reflected in the regulation. When finally published in the FEDERAL REGISTER in accordance with section 503 (d), the guidelines will be stated separately in the general notice section of the FEDERAL REGISTER.

5. *Citations of legal authority.* As required by section 431(a) of the General Education Provisions Act (20 U.S.C. 1232 (a)) and section 503 of the Education Amendments of 1972, a citation of statutory or other legal authority for each section of the regulations and guidelines has been placed in parentheses on the line following the text of the section.

On occasion, a citation appears at the end of a subdivision of the section. In that case the citation is to the authority for all that appears in that section above the citation. When the citation appears only at the end of the section it applies to the entire section.

6. *Opportunity for public hearing.* Pursuant to section 503(c) of the Education Amendments of 1972, the Commissioner will provide interested parties an opportunity for a public hearing on these regulations and guidelines, as follows:

A hearing will take place at the U.S. Office of Education on August 26, 1974 in the auditorium of Regional Office Building Three (ROB–3) located at 7th and D Streets SW., Washington, D.C. 20202, from 10 a.m. to 12 p.m. The purpose of the hearing is to receive comments and suggestions on the published materials.

Interested parties may also submit written comments and recommendations to the Office of Education, 400 Maryland Avenue SW., Room 2079–G, Washington, D.C. 20202. Attention: Chairman, Office of Education Task Force on section 503. All relevant material received prior to the date of the hearing will be considered. Comments and suggestions submitted in writing will be available for review in the above office between the hours of 9 a.m. and 4:30 p.m., Monday through Friday of each week.

Parties interested in attending the hearing should notify the Office of Education at the above address, and are urged to submit a written copy of their comments with such notification. Each party planning to make oral comments at the hearing is urged to limit his presentation to fifteen minutes.

(Catalog of Federal Domestic Assistance Program No. 13.477, School Assistance in Federally Affected Areas—Construction.)

Dated: May 21, 1974.

JOHN OTTINA,
U.S. Commissioner of Education.

Approved: June 17, 1974.

CASPAR W. WEINBERGER,
Secretary of Health, Education, and Welfare.

PART 114—ASSISTANCE FOR SCHOOL CONSTRUCTION IN AREAS AFFECTED BY FEDERAL ACTIVITIES

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Appendix A—Guidelines

AUTHORITY: Pub. L. 81-815 (school construction in areas affected by Federal activities), unless otherwise noted.

Subpart A—Definitions

§ 114.1 Definitions.

As used in this part, the term:

(a) "Act" means Pub. L. 815 (except section 16 thereof), 81st Congress (64 Stat. 967).

(20 U.S.C. 631-645)

(b) "Applicant" means a local educational agency which has filed a complete application for assistance in school construction under the Act and this part.

(20 U.S.C. 633-635(a))

(c) "Attendance area" means, in relation to a particular public school, the geographical area in which the children who are normally served by that school reside. An attendance area for elementary school need not necessarily be coterminous with an attendance area for a secondary school.

(20 U.S.C. 635(e), 644)

(d) "Available and usable school facilities" includes:

(1) *Existing school facilities.* Included are all those facilities for which payments have been made under the Act, and all facilities constructed as school buildings and used continuously for classroom purposes. Excluded are basement rooms, hallways, or other space the use of which for school purposes (in view of their character, inaccessibility or other equally cogent reason) seriously prejudices the educational objective, or has impaired or will impair the health or safety of the school children. Also excluded are facilities which have been abandoned or must be abandoned by the end of the second year following the increase period for which the application is filed. These requirements also apply to buildings owned by other Federal agencies which are available for the education of children counted by applicants under section 14 of the Act.

(2) *Facilities under contract.* Included are all those facilities, including those for which funds have been reserved or approved under the Act, for which construction contracts have been let on or before the contracts-let date. After such date, only that portion of such facilities to be financed with funds reserved or approved under the Act is included.

(3) *Potential facilities.* With respect to sections 8, 14(a) and 14(c) of the Act, all those minimum school facilities which, with full utilization of all practicably available financial resources, could be provided from local, State, or Federal sources (other than the Act), will be considered as available and usable. Such utilization by the applicant is a condition precedent to Federal assistance under the Act. The estimated capacity of such facilities shall be equal to the total amount of all such resources divided by the most current estimated cost per pupil for providing minimum school facilities in the State. In determining, for purposes of this subparagraph, whether financial resources are practicably available, the amount representing the unused bonding limit in the State but not in excess of 12 percent of its assessed valuation will be considered to be a financial resource practicably available.

(4) *Portable classrooms.* Included are temporary, relocatable, demountable, mobile, trailer, or other such units, but only if:

(i) They have been purchased with funds paid under the Act; or

(ii) The State educational agency by law, regulation, or policy, requires such facilities to be counted as permanent capacity units in the computation of State construction aid.

(20 U.S.C. 634, 640, 644(c), 645(10))

(e) "Average daily membership" (hereinafter referred to as ADM) for any school in any school year means average daily membership as determined in accordance with State law or, in the absence of State law governing such a determination, such term means the aggregate of the sums of the days of membership of each child in the school divided by the number of days school was in session. Only days on which pupils were under the guidance and direction of teachers in the teaching process will be considered to be days in session. The ADM for a group of schools having varying lengths of terms is the sum of the ADM obtained for the individual schools divided by the number of schools in such group.

(20 U.S.C. 635 (a), (c), (d), 645(5))

(f) "Average daily membership of federally connected pupils" in each category of federally connected children (as described by clauses (1), (2), and (3) of section 5(a) of the Act) is the number of such children determined in the following manner: on a day not earlier than the fourth day of legal school session of the regular school year and prior to the cutoff date for filing the preapplication, a membership survey of all pupils claimed in each category of federally connected children must be made by either (1) conducting a parent-pupil survey to determine the child's residence on Federal property and the parent's employment, or active duty assignment

in the uniformed services, or (2) obtaining certifications from the various employers or the appropriate housing officials as to the employment of the parents of the children claimed or the residence of such children on such day. A membership survey of all pupils must also be made as of such day and such survey shall be the official membership report of the applicant local educational agency for such day. The membership survey used must be conducted in either the third or fourth year of the 4-year increase period. If application is made under section 5(a)(3) of the Act, the survey date must be within 3 months of the date the membership survey is initiated.

(20 U.S.C. 635, 644, 645(1), (5))

(g) "Base year" means the third or fourth school year preceding the fiscal year in which an application is filed, as may be designated in the application, except that in the case of an application based on children referred to in paragraph (2) or paragraph (3) of section 5(a) of the Act, the base year shall in no event be later than the regular school year 1968–69. Thus such term refers to the year preceding the 4-year increase period for which an application is filed.

(20 U.S.C. 645(15))

(h) "Classrooms" means (1) regular classrooms, including recitation, lecture, and general purpose rooms; and (2) special classrooms, including kindergarten rooms, science laboratories, shops, music, art and visual education, business education, and homemaking rooms.

(20 U.S.C. 645(9))

(i) "Complete application," except for applications under section 10 of the Act, means a preapplication (Exhibit M–1 of OMB Circular No. A–102), an application (Exhibit M–4 of OMB Circular No. A–102), and such supplemental information as may be requested by the Commissioner, all of which have been appropriately filed.

(20 U.S.C. 636(a); OMB Circular No. A–102)

(j) "Contracts-let date" means the date on which the Commissioner's notice setting the cutoff date for the receipt of applications for a fiscal year is filed with the Office of the Federal Register.

(20 U.S.C. 634)

(k) "Filed" means that all necessary parts of the preapplication or the complete application, as appropriate (bearing the required certifications and verifications by the State educational agency), are received by the Commissioner on or before the applicable cutoff date.

(20 U.S.C. 636(a), 636(b)(2)(B), 644(e))

(l) "Initial equipment" means any movable equipment necessary and appropriate to equip minimum school facilities. Such term does not include equipment purchased to replace any equipment which is obsolete or worn out and which was purchased with funds under the Act. Initial equipment to be procured with funds under the Act must be approved in advance in accordance with the provisions of § 114.58.

(20 U.S.C. 645 (9), (10))

(m) "Local educational agency" means a local educational agency as defined by section 15(11) of the Act. If the responsibility for providing school facilities for a local educational agency is vested in a State agency, the term includes such State agency together with such local educational agency.

(20 U.S.C. 645(11))

(n) "Member" of a class shall be determined, where appropriate, in accordance with the provisions of section 15(5) of the Act. In the absence of State law, or regulation, a member is a child who is on the current roll of the school. Such a child shall be considered a member from the date of enrollment until he permanently leaves the class or school for one of the causes recognized as sufficient by the State. The date of permanent withdrawal shall be the date on which it is officially known that the pupil has left school, and not necessarily the first day after the date of last attendance.

(20 U.S.C. 645(5))

(o) "Membership of children of temporary duration only" means the school membership of children whose residence in the school district of the local educational agency the Commissioner determines will probably be for more than one year and for less than 6 years beyond the date of the approval of the complete application and whose number is excluded from computation of maximum payments under section 5 of the Act.

(20 U.S.C. 635, 639)

(p) "Minimum school facilities" means classrooms and auxiliary rooms and initial equipment necessary to operate a program of free public education for the membership of the applicant at normal capacity in accordance with the laws and customs of the State. (1) Such term does not include athletic stadiums, or structures, or facilities intended primarily for athletic exhibitions, contests, or games, or other events for which admission is to be charged to the general public. (2) Except as used in sections 9 and 10 of the Act, such term does not include interests in land or off-site improvements. (3) Such term includes (i) an auditorium or a gymnasium only if the Commissioner determines that such a structure is justified by the size of the school's enrollment, the educational program to be conducted by the school, and the standards and practices in the State. Such a structure may provide fixed or moveable seating only for the normal capacity of the school; and

(ii) Air conditioning in all States which are, in whole or in part, south of the 39° parallel if an authorized representative of the State educational agency certifies to the Commissioner that air conditoned school facilities are currently being constructed with State and local funds within such State. Such term includes air conditioning in all other States only if such certification is accompanied by the results of a survey which shows that air conditioning is provided in a majority of recently constructed school facilities within the State.

(iii) In appropriate situations, particularly under section 14 of the Act, the construction of consolidated school facilities (in cases of consolidation of small districts) or the replacement of small, isolated, inadequate, buildings with modern facilities, even though there may otherwise be enough classroom space to house all the children.

(iv) Dual-use fallout shelter space which is provided as a regular safety feature. If the spaces within the buildings prove to provide shelter from fallout at little or no additional cost, they may also be considered as minimum school facilities.

(20 U.S.C. 645 (9), (10); Senate Report No. 90–726, November 6, 1967, 41)

(q) "Normal capacity" of a school room is the number of pupil stations which the room accommodates under ordinary conditions in accordance with the laws and customs of the State governing free public education.

(20 U.S.C. 634, 640, 644(c))

(r) "Parent-pupil survey" means a questionnaire which is provided by the applicant and filled out by a parent in order to substantiate residence or employment on Federal property. Such survey must include:

(1) Pupil-enrollment information (which may be obtained from school records), including:

(i) Name of pupil;

(ii) Date of birth; and

(iii) Name of public school, grade, and teachers; and

(2) Pupil-residence and parent-employment information including:

(i) Address of pupil residence (including the name of the Federal facility if such address is located on Federal property);

(ii) Name of parent (mother, father, or other person standing in loco parentis) with whom the child resides who is employed on Federal property;

(*a*) If such parent is not a member of the uniformed services on active duty, the name must be given as it appears on the payroll record;

(*b*) If such parent is a member of uniformed services on active duty, the rank, serial number, and branch of service must be obtained;

(iii) Unless the parent is a member of uniformed services on active duty, the name and address of Federal property on which the parent is employed;

(iv) If the parent is a civilian employed on a Federal vessel, the name of vessel, hull number, and name of controlling agency must be obtained;

(v) Signature of the parent supplying the information and the date of the signature must be obtained; and

(vi) The name and address of employer (unless the parent is a member of uniformed services on active duty).

(3) Only in unusual circumstances may partially completed survey forms or forms which are signed by a person other than parent, or person standing in loco parentis, be accepted. In such circumstances the form must show why the parent did not sign, and when, how, and from whom the residence and employment information was obtained.

(20 U.S.C. 634, 635(a))

(s) "Preapplication" means both Exhibit M–1, of OMB Circular No. A–102 and such supplemental information as may be requested by the Commissioner.

(20 U.S.C. 636(a); OMB Circular No. A–102)

(t) "Priority indices" means the indices established pursuant to this part based on relative urgency of need for the purpose of determining the order of approval of project applications, and the order of payments within each priority grouping.

(20 U.S.C. 633)

(u) "Remote or isolated areas" means attendance areas or local educational agencies or portions thereof designated as such by the Commissioner for the purposes of waivers under sections 5(e) and 14 of the Act (see Subpart D of this part). Such designation will be based upon the following factors:

(1) Topography;
(2) Geographic isolation;
(3) Traffic conditions;
(4) Climatic conditions; and
(5) Other similar conditions which make it impracticable to transport students to other school facilities of the applicant or to any adjacent local educational agency.

(20 U.S.C. 635(e), 644)

(v) "Repairs" means, for the purpose of applications under section 10 of the Act, only those repairs which must be accomplished without delay in order to avoid further deterioration of the school facilities or to protect the safety of individuals occupying the facility. Such term does not for that purpose include the remodeling or rearrangement of existing facilities to permit grade pattern reorganization or the providing of minimum school facilities.

(20 U.S.C. 635, 640(a))

(w) "Subpriority indices" means the indices established pursuant to § 114.6 for the purpose of determining the order of approval of project applications having identical priority indices, when appropriated funds are insufficient to fund all such project applications.

(20 U.S.C. 633, 634, 644(e))

(x) "Total square feet of floor area" means the sum of the square feet of each usable floor (including partitions and exterior walls) within the perimeter of outside walls at the respective floor levels. Covered passageways with one or more sides open are deemed to have one-half the square feet of floor area they would otherwise have.

(20 U.S.C. 645(6))

(y) "Unhoused" pupils or "inadequately housed" pupils means:

(1) For the purpose of determining priority, the difference between the total estimated membership as of the end of the increase period and the total normal capacity of available and usable school facilities; or

(2) For the purpose of determining the need for minimum school facilities, the difference between the total estimated membership as of the end of the second year following the end of the increase period and the total normal capacity of available and usable school facilities.

(20 U.S.C. 634, 640, 644(c), 645(10))

(z) "Uniformed services" means the Army, Navy, Air Force, Marine Corps, Coast Guard, Environmental Science Services Administration, and Public Health Service.

(20 U.S.C. 635(a)(1)(B))

Subpart B—Filing Complete Applications and Determining Priority Indices

§ 114.2 Cutoff dates for filing applications.

The Commissioner will, by notices published in the FEDERAL REGISTER, set cutoff dates for the filing of applications under this part for each fiscal year.

(20 U.S.C. 633, 636(a), 640(a), 644(e))

§ 114.3 Election where two or more categories under section 5(a) apply.

A district may combine children described in sections 5(a)(1) and 5(a)(2) of the Act to meet the percentage-increase requirements for eligibility purposes. If eligibility requirements are met by such combination, the maximum Federal payment will be computed on the basis of the number of children described in each section at the respective rates of payment specified therefor. However, if children eligible to be counted under section 5(a)(1) or 5(a)(2) of the Act are counted under section 5(a)(3) to meet eligibility requirements for that section, the maximum Federal payment will be computed on the basis of the number of children counted under section 5(a)(3) at the rate of payment specified for that section.

(20 U.S.C. 635)

§ 114.4 Procedure if funds are inadequate to make all payments.

(a) Section 2 of the Act provides that for each fiscal year the Commissioner is to determine the portion of the funds appropriated under the Act which will be available for carrying out the provisions of sections 9 and 10 and that the remainder of such funds shall be available for paying to local educational agencies the Federal share of the cost of projects for the construction of school facilities for which applications have been approved under section 6. Section 3 of the Act provides that the Commissioner shall by regulation prescribe an order of priority, based on relative urgency of need, to be followed in approving applications in the event the funds appropriated under the Act and remaining available on any cutoff date for payment to local educational agencies are less than the Federal share of the cost of the projects with respect to which applications have been filed prior to such date (and for which funds under the Act have not already been obligated). Only applications meeting the conditions for approval under the Act (other than section 6(b)(2)(C)) will be considered applications for purposes of the preceding sentence. Such an order of priority is to provide that applications for payments based upon increases in the number of children either residing on, or residing with a parent employed on, property which is part of a low-rent housing project assisted under the United States Housing Act of 1937, as amended, will not be approved for any fiscal year until all other applications under paragraphs (2) and (3) of section 5(a) have been approved for that fiscal year. Section 14(e) of the Act provides, in part, that in determining the order in which such applications shall be approved, the Commissioner shall consider the relative educational and financial needs of the local educational agencies which have submitted approvable applications and the nature and extent of the Federal responsibility. Section 14(h) provides that it is the policy of the Congress that the provision of assistance pursuant to sections 14(a) and 14(b) of the Act shall be given a priority at least equal to that given to payments made pursuant to section 10 of the Act.

(20 U.S.C. 632, 635(c)(2), 636(b)(2)(C), 639, 640, 644)

(b) Pursuant to the above provisions of the Act, applications for assistance under the provisions of sections 9, 10, 16, 14(a), and 14(b) will have priority funding over applications under section 6 (as limited by section 5), and sections 8 and 14(c) of the Act. That portion of payments for applications filed in accordance with the provisions of section 6 (as limited by section 5) and section 8 of the Act based upon increases in the number of children either residing on, or residing with a parent employed on, Federal property (other than property which is part of an eligible low-rent housing property) will have priority in funding over that portion of payments that is based upon increases in the number of children countable for payment under sections 5(a)(2) and 5(a)(3) who either reside on, or reside with a parent employed on, an eligible low-rent housing property.

(20 U.S.C. 635, 636, 638, 639, 640, 644, 646)

(c) For each fiscal year, the Commissioner will first determine the estimated requirements for all applications filed under sections 9, 10, and 16 and sections 14(a) and 14(b) of the Act. Funds available therefor will be allocated first to applications under section 16 of the Act. The remainder of such funds will be allocated to section 14(a), and 14(b) to section 9, and to section 10, in the ratio

of the estimated requirements under each section to the total requirements for all such sections.

(20 U.S.C. 632, 639, 640, 644, 646)

(d) Each approvable application under sections 9, 10, 14(a), and 14(b) of the Act will be assigned a priority rating determined in the manner specified in this section and in § 114.5, and a priority listing will be established for each such section. The funds allocated as prescribed in paragraph (c) of this section will be reserved for applications on such priority listing in order of priority indices. When all such applications have been funded, any remaining available funds will be reserved for applications under section 6 (as limited by section 5), section 8 and section 14(c).

(20 U.S.C. 635, 636, 638, 644)

(e) For each fiscal year, a priority listing also will be established for applications under sections 6 (as limited by section 5) and 8 of the Act for that portion of payments which is based on increases in the number of children either residing on, or residing with a parent employed on, an eligible low-rent housing property. Funds will be reserved for applications on such a priority listing after funds have been reserved for all other approvable applications under section 6 (as limited by section 5), section 8, and section 14(c), filed for that fiscal year.

(20 U.S.C. 633, 634, 635, 636, 637, 638, 644)

§ 114.5 Determination of priority indices and priority groupings for applications.

(a) For applications under sections 6 and 14 of the Act, a priority index will be determined for the first pending requested construction project of each applicant by adding (1) the percentage that the estimated number of federally connected children countable for payment in the local educational agency (or, except under section 14(a) and 14(b), in the approved attendance area) is of the total estimated membership of all children therein at the close of the applicable period; and (2) the percentage of the estimated school membership within the local educational agency (or in the approved attendance area) which at the same time is without minimum school facilities. However, in no case shall the amount used in determining the priority index exceed twice the percentage obtained in paragraph (a)(1) of this section. No priority, except under sections 14(a) and 14(b), shall be established for any applicant having less than 20 unhoused children in the local educational agency (or in the approved attendance area).

(20 U.S.C. 633)

(b) For requests under section 10 of the Act, a priority index will be determined for the first pending requested project of each applicant by adding (1) the percentage that the estimated number of children for whom minimum school facilities are to be provided is of the total estimated number of all children residing and attending school on the installation at the close of the applicable period; and (2) the percentage of the estimated school membership at such installation which is without minimum school facilities as of the same time. However, in no case will the combined percentage used in determining the priority index exceed twice the percentage arrived at in subparagraph (1) of this paragraph. In determining the order of priority for approving applications under section 10, applications will be classified in priority groups for establishing priority in funding from funds allocated for applications under section 10 as prescribed in paragraph (c) of § 114.4 and a priority listing will be established for each such group in the following order: (i) Applications requesting major repairs necessary for the safety of school children or to prevent further deterioration of existing school facilities; (ii) applications in cases where the local educational agency which operates the school program in school facilities located on Federal property has given assurance and a firm commitment to the Commissioner that, upon completion of the proposed project, it will accept ownership of such school facilities under section 10(b) of the Act; (iii) applications in cases where there are unhoused pupils; and (iv) applications requesting the construction of capacity or noncapacity school facilities, or the rehabilitation or remodeling of existing school facilities which is required to bring the school facilities up to a standard which will permit the offering of a contemporary educational program.

(20 U.S.C. 640)

(c) In those cases in which an applicant has filed more than one project application (or in the case of section 10, when two or more applications are filed which fall within the same priority grouping, as established in paragraph (b) of this section), the priority index for the second project will be determined by: (1) Dividing the normal capacity of first project by the total estimated membership at the close of the applicable period and (2) reducing the applicant's priority index by twice the percentage so obtained. When more than two project applications have been filed, the priority index for each succeeding project shall be reduced by the cumulative total percentage, in the manner provided for in the preceding sentence, of all approved projects of the applicant.

(20 U.S.C. 633, 640, 644)

§ 114.6 Determination of subpriority indices for applications.

(a) In the event that the funds available are sufficient to cover only a portion of the project applications with identical priority indices (as determined under § 114.5), a subpriority index for each project application will be determined by dividing (1) the estimated number of federally connected children countable for payment in the local educational agency (or in the approved attendance area) or, in the case of section 10 of the Act, the number of children for whom school facilities are to be provided on Federal property by (2) the total estimated membership of all children in such an area at the close of the applicable period.

(20 U.S.C. 633, 634, 640, 644)

(b) In those cases where an applicant has more than one eligible project application in an identical priority index group, the subpriority index of the first project in such group will be computed in accordance with paragraph (a) of this section, and the subprority index of the second priority will be determined by (1) dividing the normal capacity of the first project by the total estimated membership at the close of the applicable period and (2) reducing the applicant's subpriority index as determined in paragraph (a) of this section by twice the percentage so obtained. The subpriority index for each succeeding project will be reduced by the cumulative total capacity, as provided in the first sentence of this paragraph, of all the approved projects of the applicant.

(20 U.S.C. 633, 634, 640, 644)

§ 114.7 Priority and approval conditioned upon readiness to proceed with construction.

Initial approval of a project application under this part will be cancelled if the applicant is not ready to proceed with construction within 120 days after the date of initial approval unless such period is extended by the Commissioner for good cause shown. The applicant's project and entitlement may be subordinated by reason of such failures to other project applications of lower rank or the applicant may forfeit its priority in the discretion of the Commissioner.

(20 U.S.C. 633, 634, 636(b)(1)(D), 644)

Subpart C—Policy Determinations in Processing of Applications

§ 114.11 Membership of nonresident pupils.

For purposes of sections 5, 8, 9, and 14 of the Act and the regulations in this part, in determining an applicant's membership, a nonresident pupil who attends a school in the applicant local educational agency on a tuition or nontuition basis may be counted in the applicant's membership if a written agreement for such attendance has been entered into between the local educational agencies concerned, and if that agreement has been approved by the Commissioner. No such agreement will be approved by the Commissioner unless it provides for education on either a tuition or nontuition basis for a period of 20 years from the date of execution of such agreement.

(20 U.S.C. 645(5))

§ 114.12 Changes in boundaries, classification and governing authority of applicants.

(a) If the applicant is a party to any merger, consolidation, or other similar

action which may affect its boundaries, identity, governing authority, classification or control, it shall notify the Commissioner as soon as practicable of the effective date of that action, the extent and character thereof, and the legal authority under which the action was or is to be effected.

(b) A local educational agency succeeding to the territory of one or more local educational agencies whose applications were approved (or in due course would have been approved) prior to the change in boundaries or organization may secure all the rights and benefits which were vested in such application(s) by notifying the Commissioner and by submitting the following:

(1) A letter from the authorized representative of the successor local educational agency (i) requesting that the successor local educational agency be substituted for the original applicant agencies, and (ii) stating that the successor local educational agency agrees to be bound by the obligations and assurances undertaken or made by such original applicant local educational agencies in their applications to the same extent as such original applicants would have been bound;

(2) An opinion of the appropriate legal officer of the County or State showing that (i) the change in boundaries or organization was accomplished in accordance with the laws of the State; and (ii) that the assignment and acceptance or the transfer of the interest of the applicant local educational agency to the successor local educational agency is in accordance with the laws of the State and is effective to accomplish the changes described; and

(3) Assignments, citations or quotations as follows:

(i) If the State law provides for the settlement of the assets and liabilities (including such matters as right to successorship in property, debts, obligations, unfulfilled contracts, details of the assumption of bonded indebtedness, State aid and taxes) the appropriate quotations from or citations to specific State laws involved should be submitted; or

(ii) If the State law does not clearly provide for the disposition of such property rights, an assignment from each of the former local educational agencies to the successor agencies should be submitted showing (*a*) the transfer of ownership of the building or buildings under construction or contract, (*b*) the transfer of any unexpended funds or rights to funds for the approved projects then on hand, and (*c*) the transfer of all rights and obligations of the applicant local educational agencies in and to any project application not yet approved and any future payments or benefits which might accrue under the pending applications.

(c) The rights and benefits under the Act of the successor agency cannot be greater than the total of all rights and benefits which originally were vested in the component agencies which had valid applications on file to the effective date of the change in boundaries or organization.

(20 U.S.C. 645(11))

§ 114.14 Estimated average daily membership under section 5(a)(3).

For the purpose of eligibility and entitlement under section 5(a)(3) of the Act, the estimated number of children in average daily membership during the year shall be 97 percent of the difference between (1) the total number of children in membership whose parents are employed (as determined by a parent-pupil survey made as of any specific date during the increase period) in establishments with respect to which a responsible official thereof certifies that there has been an increase in employment subsequent to the base year in order to fulfill Federal contracts or subcontracts, and (2) the number of such children whose parents moved into the applicant school district subsequent to such a base year.

(20 U.S.C. 635(a)(3), (d)(2)(B))

§ 114.15 Determination of undue financial burden.

A determination under section 5(c) of the Act of undue financial burden on the taxing and borrowing authority of an applicant will be made as follows:

(a) If the cost of providing minimum school facilities for the increase in eligible federally connected children under section 5(a)(3) of the Act plus the outstanding bonded debt for building purposes, would result in the necessity of incurring a percentage obligation against assessed valuation in building bonds or other debentures which exceeds the average percentage of such indebtedness incurred for such obligations by school districts in the applicant's State, an undue financial burden is deemed to exist;

(b) In marginal cases, additional consideration may be given to such factors as (1) dollars per child in assessed valuation, (2) increase in total assessed valuation in relation to increase in membership during the increase period, (3) ratio of assessed valuation to true value, and (4) special State laws or practices.

(20 U.S.C. 635(c))

§ 114.16 Additional payments under section 8.

(a) An amount not to exceed 10 percent of any amount appropriated under the Act (exclusive of any sums appropriated for administration) may be reserved and used by the Commissioner to make grants to applicants (except to applicants under section 14 of the Act) when (1) the application would be approved but for the applicant's inability, unless aided by such a grant, to finance the nonfederal share of the cost of a project; or (2) after the approval of the application the project cannot, without such grant, be completed because of flood, fire, or similar emergency affecting either the work on the project or the applicant's ability to finance the nonfederal share of the cost of the project.

(b) Under paragraph (a)(1) of this section, a complete application (except applications under section 14 of the Act and applications with respect to which the Commissioner has waived or reduced eligibility requirements under section 5(e) of the Act) may be considered for payment of part or all of the nonfederal share of the cost of any project which does not include more than minimum facilities for unhoused children only if: (1) The application contains a request for payment under the Act; (2) the estimated number of children countable for payment under section 5 of the Act for the increase period equals or exceeds the number obtained by taking 12 percent of the average daily membership of the applicant district for the base year applicable to the increase period under consideration, except that, if 1 or more years in the increase period were included in a previous application for which payment has been made or may be made, the percent shall be 9 percent if 1 year was included, 6 percent if 2 years were included, and 3 percent if 3 years were included; (3) the applicant has exhausted all fiscal resources, including State aid, bonding authority, and Federal aid, which are practicably available to it and is unable to pay the nonfederal share of the cost of the project; (4) it has been reached on the priority or subpriority indices established under this part; and (5) Federal money reserved under paragraph (a) of this section is available. The additional payment to the applicant under this section may not exceed the cost of providing minimum school facilities for the number of unhoused children as of the end of the increase period, less all financial resources practicably available to the applicant as of the same period; nor may it exceed the difference between (i) the actual cost of providing minimum facilities for the federally connected pupils eligible for payment under the Act, or the average cost in the State of providing such facilities, whichever is the lesser, and (ii) the Federal funds made available to the applicant under section 5 of the Act plus local and State funds which may be made available for this purpose.

(c) Under paragraph (a)(2) of this section, a request by the applicant may be considered for the additional payment of part or all of the funds required to complete a project (to the extent that the completed project will not provide more than minimum school facilities for unhoused children) for which a project application under the Act has been approved only if: (1) Federal money reserved under paragraph (a) of this section is available; (2) the applicant cannot complete the project because of flood, fire, or similar emergency affecting either the work on the project or the applicant's ability to finance the nonfederal share of the cost of the project; and (3) the applicant has exhausted all financial resources practicably available to it, including State aid, bonding authority, and Federal aid. The payment to

be made under this paragraph may not exceed the amount required to pay the additional cost caused by the emergency less any financial resources of the applicant practicably available for such purposes, including the proceeds of any insurance.

(20 U.S.C. 638)

§ 114.17 School facilities for children whose membership is of temporary duration only.

(a) If the Commissioner determines that the membership of some of the children of the applicant, representing otherwise countable Federal increases under section 5 of the Act, will be of temporary duration only, the membership of such children must be excluded in computing maximum payments under such section 5.

(20 U.S.C. 639)

(b) The Commissioner when proper request therefor is made in a complete application, may: (1) Make available to such applicant such temporary school facilities as may be necessary to take care of the membership of such children as the Commissioner determines will be of temporary duration only, as defined in § 114.1(o), or (2) where the applicant gives assurance in a complete application that at least minimum school facilities will be provided for such children, pay (on such terms and conditions as he deems appropriate to carry out the purposes of the Act) to such applicant for use in constructing school facilities an amount not greater than the amount which he estimates will be necessary to make available temporary facilities for such children, but the amount so paid shall not exceed the cost of constructing minimum school facilities for such children. In no case will provision for such children be made unless they are deemed to be without minimum school facilities.

(20 U.S.C. 634, 639)

§ 114.18 Determination of eligibility under section 14.

(a) The requirements contained in section 14(a)(1) of the Act will be deemed to have been met when one of the following conditions exist:

(1) The total number of children who reside on Indian lands (for whom the applicant is providing, or upon completion of the school facilities for which provision is made, will provide, free public education, and whose membership in the schools of such applicant has not formed and will not form the basis for payments under other provisions of the Act) is at least 15 and represent as least 33⅓ percent of the total number of children for whom the applicant is providing free public education (such percentage requirement may, however, be waived by the Commissioner under § 114.35);

(2) The Indian lands in the school district of the applicant represent at least 33⅓ percent of the total land area of the school district; or

(3) The applicant is providing, or upon completion of the school facilities for which provision is made will provide, free public education to 100 or more children who reside on Indian lands located outside the local educational agency.

(20 U.S.C. 644(a)(1))

(b) The requirement contained in section 14(a)(4) of the Act will be deemed to have been met when, in accordance with the provisions of paragraph (d) of § 114.1, the applicant does not have available sufficient funds to provide minimum school facilities for at least 95 percent of the total number of children estimated to be in membership in the applicant's schools as of the end of the second year following the end of the increase period for which the application is filed.

(20 U.S.C. 644(a)(4))

(c) The requirement in section 14(b)(1) of the Act will be deemed to have been met when one of the following conditions exist:

(1) The estimated number of children who reside on Indian lands as of the close of the increase period (for whom the applicant is providing, or upon completion of the school facilities for which provision is made, will provide, free public education, and whose membership in the schools of such applicant has not formed and will not form the basis for payments under other provisions of the Act) is at least 15 and represents at least 10 percent of the total number of children for whom the applicant is providing free public education. (Such percentage requirement may, however, be waived by the Commissioner under § 114.36);

(2) The Indian lands in the school district of the applicant represent at least 10 percent of the total land area of such school district; or

(3) The applicant is providing, or upon completion of the school facilities for which provision is made, will provide, free public education to 100 or more children who reside on Indian lands located outside the applicant's school district.

(20 U.S.C. 644(b)(1))

(d) The requirement in section 14(c)(1) of the Act will be deemed to have been met when the following conditions exist:

(1) The total number of children who are inadequately housed by minimum school facilities (for whom the applicant is providing, or upon completion of the school facilities for which provision is made, will provide, free public education, and whose membership in the schools of such applicant has not formed and will not form the basis for payments under other provisions of the Act) is at least 20 and represents at least 33⅓ percent of the total number of children for whom the applicant is providing free public education (such percentage requirement may, however, be waived by the Commissioner under § 114.37); and

(2) The Federal property in the school district of the applicant represents at least 33⅓ percent of the total land area of the school district.

(20 U.S.C. 644(c)(1))

(e) The requirement in section 14(c)(4) of the Act will be deemed to have been met when, in accordance with the provisions of paragraph (d) of § 114.1, the applicant does not have available sufficient funds to provide minimum school facilities for at least 95 percent of the total number of children estimated to be in the applicant's schools as of the end of the second year following the end of the increase period for which the application is filed.

(20 U.S.C. 644(c)(4))

Subpart D—Criteria for Waivers Under the Act

§ 114.30 Application for waivers.

Applications for waivers pursuant to section 5(e) of the Act shall be made in accordance with Part I, Maximum Grant (OE Form 4017–1). Such application may request a waiver with regard to the entire local educational agency, or any portion thereof, as appropriate.

(20 U.S.C. 635(e))

§ 114.31 Criteria for waiver under section 5(e) of minimum number requirement of 20 in section 5(c).

The Commissioner will not, under section 5(e) of the Act, waive or reduce the minimum increase number of 20 in federally connected membership required by section 5(c) unless the conditions set forth in paragraphs (a) through (d) of this section, or that set forth in paragraph (e) of this section, are met:

(a) The applicant would otherwise be eligible for the assistance requested;

(b) The estimated increase in federally connected membership in the increase period is at least 25 percent of the base year total average daily membership;

(c) The local educational agency is located in a remote or isolated area, or the Federal impact is in an attendance area or other geographical area which is located in an isolated or remote part of the local educational agency;

(d) The local educational agency has need for additional classroom facilities or related school facilities in order to provide minimum school facilities for the estimated number of children in the remote or isolated area who will be in the membership of the schools at the close of the increase period covered by the application;

(e) The Commissioner determines that other exceptional circumstances exist which in his judgment require such waiver or reduction to avoid inequity and to avoid defeating the purposes of the Act.

(20 U.S.C. 635 (c), (e))

§ 114.32 Criteria for waiver under section 5(e) of percentage requirements for federally connected and nonfederally connected membership in section 5(c).

(a) The Commissioner will not, under section 5(e) of the Act, waive or reduce

the percentage requirement or requirements in section 5(c) of the Act, waive the requirement contained in the first sentence of section 5(d) of the Act, or reduce the percentage specified in clause (2) of such sentence, unless the conditions set forth in paragraphs (a) (1) through (5) of this section, inclusive, or that set forth in paragraph (a)(6) of this section, are met:

(1) The applicant would otherwise be eligible for the assistance requested;

(2) The applicant specifically states the extent to which it desires the Commissioner to exercise his authority to waive or reduce one or more of such requirements and makes appropriate requests therefor, agreeing that if such a request is granted in whole or in part in computing maximum payment under the Act, only membership of children within the federally impacted attendance area shall be considered;

(3) The applicant has two or more attendance areas, and its jurisdictional area is countywide or is sufficiently extensive as to be reasonably analogous to a countywide school system;

(4) In the increase period for which the application is made the Federal impact is equal to at least 10 percent of the average daily membership in the base year in an attendance area or other geographical area which is located in an isolated or remote part of the local educational agency;

(5) The school district is located in a remote or isolated area, or the Federal impact is in an attendance area or other geographical area which is located in a remote or isolated part of the school district;

(6) The Commissioner determines that other exceptional circumstances exist which in his judgment require such waiver or reduction to avoid inequity and to avoid defeating the purposes of the Act.

(b) If the Commissioner decides to waive or reduce one or more of the requirements set forth in § 114.31 or paragraph (a) of this section:

(1) He will determine which requirement or requirements he will waive, or reduce, and, if the latter, the extent of such a reduction;

(2) He will determine the geographical area of the applicant which will be considered as constituting the federally impacted attendance area; and

(3) The application will otherwise be processed under the Act and this part, taking into consideration only the federally impacted attendance area determined under subparagraph (2), but in no case will payments under this paragraph exceed the amounts computed for the local educational agency as a whole taking into consideration the waivers or reductions made by the Commissioner.

(20 U.S.C. 635(c) and (e))

§ 114.33 Criteria for waiver under section 5(e) for children residing on Federal property.

(a) The Commissioner will not, under section 5(e) of the Act, waive or reduce the percentage increase requirement in section 5(c) of the Act with respect to children residing on Federal property, or waive or reduce the percentage increase requirement in section 5(d) of the Act with respect to nonfederally connected children, unless the conditions set forth in paragraphs (a) (1) through (5) of this section are met:

(1) The applicant would otherwise be eligible for the assistance requested;

(2) The applicant specifically states the waiver it desires or the extent to which it desires a reduction in one or more requirements, and makes an appropriate request therefor in which it agrees that, if such a request is granted in whole or in part, only the Federal property upon which the children reside shall be considered as a federally impacted attendance area in computing maximum payment under the waiver or reduction in requirements and that only children residing on the Federal property constituting the federally impacted attendance area will be considered in determining the increase in membership of federally connected children;

(3) There has been an increase in membership of the children residing on the Federal property constituting the federally impacted attendance area in the increase period for which the application is made of at least 50 and equal to at least 8 percent of the average daily membership of such children in the base year, or there are at least 50 more children residing on such Federal property than were estimated to be in the membership of the applicant's schools at the end of the increase period under the last previous application for which payment has been made or may be made;

(4) The applicant has need for additional classrooms or related school facilities on the basis of the local educational agency as a whole, or the school facilities of such applicant are not reasonably accessible to the children residing on the Federal property constituting the federally impacted attendance area because of their location or the infeasibility of transporting the children residing on such Federal property to such facilities; and

(5) The school facilities to be constructed with the funds made available to the applicant upon approval of the waiver will be located on the Federal property or close enough thereto to serve the children residing thereon.

(b) If the Commissioner decides to waive or reduce the percentage increase requirement in section 5(c) of the Act with respect to children residing on Federal property, or the percentage increase requirement with respect to nonfederally connected children in section 5(d) of the Act:

(1) He will determine which requirements he will waive or reduce and the extent of any such waiver or reduction; and

(2) He will determine the geographical area of the applicant which will be considered as constituting the federally impacted attendance area; and

(3) The application will otherwise be processed under the Act and this part, taking into consideration only the federally impacted attendance area determined under subparagraph (2), but in no case will payments under this paragraph exceed the amount computed for the local educational agency as a whole, taking into consideration the waivers or reductions made by the Commissioner.

(20 U.S.C. 635(c), (d), and (e))

§ 114.34 Criteria for waiver under section 5(e) of limitation on number of federally connected children eligible for payment in section 5(f).

Waivers of the limitation on the number of federally connected children eligible for payment will be made in accordance with the following standards and procedures:

(a) Waivers for children residing in Federal housing:

(1) The Commissioner will determine the geographical area of the applicant which will be considered the federally impacted attendance area;

(2) The application will otherwise be processed under the Act and this part, taking into consideration only the federally impacted attendance area determined under paragraph (a)(1) of this section, but in no case will payments under this paragraph exceed the amounts computed for the local educational agency as a whole taking into consideration the waivers or reductions made by the Commissioner.

(3) The applicant must show that, after receiving Federal funds based primarily on the eligibility of children residing in Federal housing and using them to construct school facilities to serve such children, some or all of the Federal housing became nonfederal property, and as a result:

(i) There is a reduction in the number of federally connected children for whom school facilities were constructed;

(ii) Additional Federal housing was or will be constructed in another attendance area of the local educational agency;

(iii) Not less than 8 years after the Federal housing becomes nonfederal property, the increase in a 4-year period in federally connected membership residing in the additional Federal housing is at least 50 and at least 8 percent of the average daily membership of such children in the base year of the increased period;

(iv) The local educational agency has need for additional school facilities for the local educational agency as a whole as of the end of the second year following the increase period for which the application is filed; and

(v) The school facilities to be constructed will be located reasonably close to the area in which the new increase in federally connected membership resides.

(4) The application will be processed taking into consideration only the increase in membership in a 4-year increase period of the children residing in the additional Federal housing. Payment

will be limited to providing minimum school facilities for such children estimated to be in membership as of the second year following the increase period.

(b) Waivers for children whose parents are employed in temporary activities on Federal property:

(1) The Commissioner will determine the geographical area of the applicant which will be considered the federally impacted attendance area; and

(2) The application will otherwise be processed under the Act and this part, taking into consideration only the federally impacted attendance area determined under paragraph (b)(1) of this section, but in no case will payments under this paragraph exceed the amounts computed for the agency as a whole taking into consideration the waivers or reductions made by the Commissioner;

(3) The applicant must show that, after receiving Federal funds based primarily on the membership of children whose parents were engaged in temporary activities on Federal property (such as the construction of a dam, power station, highway, or reclamation project) such funds were used to provide school facilities to serve primarily the children whose parents were so engaged; the temporary activity on Federal property was completed or greatly reduced, and as a result, the following conditions exist:

(i) The children whose parents were engaged in such temporary activities have moved out of the area;

(ii) Not less than 8 years after the temporary activity on Federal property was completed or greatly reduced, the increase in a four-year period in the membership of children whose parents are engaged in temporary activities on Federal property in a second area (remote from the first area of temporary Federal activity) is at least 50 and at least 8 percent of the base year average daily membership of such children;

(iii) The local educational agency has need for additional school facilities in the second area of temporary activity as of the end of the second year following the increase period for which the application is filed; and

(iv) The school facilities to be constructed will be located reasonably close to the area in which the new increase in federally connected membership resides;

(4) The application will be processed taking into consideration only the increase in membership in a 4-year increase period of the children whose parents are engaged in the new temporary projects on Federal property, and payment will be limited to providing minimum school facilities for such children estimated to be in membership as of the second year following the increase period.

(20 U.S.C. 635(e)(3), (f))

§ 114.35 Criteria for waiver of percentage requirement in section 14(a).

(a) The Commissioner will not waive the substantial percentage requirement imposed by section 14(a)(1) of the Act unless the conditions set forth in paragraphs (a)(1) through (6) of this section, or that set forth in paragraph (a)(7) of this section, are met:

(1) The applicant would otherwise be eligible for the assistance requested;

(2) The applicant makes a request to waive such percentage requirement;

(3) The applicant's school district is countywide or is sufficiently extensive as to be analogous to a countywide school district;

(4) There has been a concentration of children residing on Indian lands located in a remote or isolated area;

(5) The number of children residing on Indian lands located in the remote or isolated area and estimated to be in membership in the applicant's schools as of the close of the membership period for which the application is filed is at least 15 and constitutes at least 20 percent of the total number of children in membership in the district as a whole and for whom the applicant is providing free public education;

(6) The Federal lands in the applicant's school district constitute at least 80 percent of the total area of such district;

(7) The Commissioner determines that other exceptional circumstances exist which in his judgment require such waiver or reduction to avoid inequity and to avoid defeating the purpose of the Act.

(b) If the Commissioner waives the specified percentage requirement under paragraph (a) of this section, the application will be processed under the Act and this part, taking into consideration only the remote or isolated attendance area; but in no case will payments under this paragraph exceed the cost of construction of minimum school facilities in the local educational agency for the number of all children in the approved waiver area which the Commissioner determines will be in membership in the schools of the applicant as of the close of the second year following the close of the membership period for which the application is filed, and who would otherwise be without such facilities, less the amount of financial resources which the Commissioner determines to be practicably available to the applicant from local, State, or other Federal sources.

(20 U.S.C. 644(a))

§ 114.36 Criteria for waiver of substantial percentage requirement in section 14(b).

(a) The Commissioner will not waive the substantial percentage requirement imposed by section 14(b)(1) of the Act unless the conditions set forth in paragraphs (a)(1) through (6) of this section, or that set forth in paragraph (a)(7) of this section, are met:

(1) The applicant would otherwise be eligible for the assistance requested;

(2) The applicant makes a request to waive such percentage requirement;

(3) The applicant's school district is countywide or is sufficiently extensive as to be analogous to a countywide school district;

(4) There has been a concentration of children residing on Indian lands located in a remote or isolated area;

(5) The number of children living on Indian lands located in the remote or isolated area and estimated to be in membership in the applicant's schools as of the close of the membership period for which the application is filed is at least 15 and constitutes at least 5 percent of the total number of children in membership in the district as a whole and for whom the applicant is providing free public education;

(6) The Federal lands in the applicant's school district constitute at least 20 percent of the total area of such district;

(7) The Commissioner determines that other exceptional circumstances exist which in his judgment require such waiver or reduction to avoid inequity and to avoid defeating the purpose of the Act.

(b) If the Commissioner waives the specified percentage requirement under paragraph (a) of this section, the application will be processed under the Act and this part, taking into consideration only the remote or isolated attendance area; but in no case will payments under this paragraph exceed the cost of construction of minimum school facilities for the number of children which the Commissioner determines will reside on Indian lands in the remote or isolated area and who will be in membership in the schools of such applicant as of the close of the second year following the close of the membership period for which the application is filed, and who would otherwise be without such facilities, and which cost has not been, and is not to be recovered by the applicant from other sources, including payments by the United States under any other provisions of the Act or any other law.

(20 U.S.C. 644(b))

§ 114.37 Criteria for waiver of substantial percentage requirement in section 14(c).

(a) The Commissioner will not waive the substantial percentage requirement imposed by section 14(c)(1) of the Act unless the conditions set forth in paragraphs (a)(1) through (6) of this section, or that set forth in paragraph (a)(7) of this section, are met:

(1) The applicant would otherwise be eligible for the assistance requested;

(2) The applicant makes a request to waive such percentage requirement;

(3) The applicant's school district is countywide or is sufficiently extensive as to be analogous to a countywide school district;

(4) There has been a concentration of children who are inadequately housed by minimum school facilities located in a remote or isolated area;

(5) The number of children who are inadequately housed by minimum school facilities located in the remote or isolated area and estimated to be in membership in the applicant's schools as of the close of the membership period for which the

application is filed is at least 20 and constitutes at least 20 percent of the total number of children in membership in the local educational agency as a whole and for whom the applicant is providing free public education;

(6) The Federal lands in the applicant's school district constitute at least 80 percent of the total area of such district;

(7) The Commissioner determines that other exceptional circumstances exist which in his judgment require such waiver or reduction to avoid defeating the purpose of the Act.

(b) If the Commissioner waives the specified percentage requirement under paragraph (a) of this section, then the application will be processed under the Act and this part, taking into consideration only the remote or isolated attendance area; but in no case shall payments hereunder exceed the cost of construction of minimum school facilities for the number of children in the remote or isolated attendance area (or approved attendance area) which the Commissioner determines are inadequately housed and who will be in increase in the schools of such applicant as of the close of the second year following the close of the membership period for which the application is filed, and who would otherwise be without such facilities, minus any portion of the cost which has not been, and is not to be, recovered by the applicant from other sources, including any amount which the Commissioner determines is or will be practicably available to the applicant from any local, State, or Federal sources.

(20 U.S.C. 644(c))

Subpart E—Certification of Payments

§ 114.41 Certification of payments.

Except with respect of payments under sections 10 and 14 of the Act, payments to an applicant will be made only on the basis of a complete application satisfying conditions for payment under the Act and this part, and will be restricted in amount to the cost of providing minimum school facilities for unhoused children. With respect to such payments:

(a) The Federal share of the cost of a project which will be certified for payment, within the maximum otherwise payable under the Act (except as provided in section 8 thereof), will not exceed the cost of constructing minimum school facilities in the local educational agency nor the cost of constructing minimum school facilities for the estimated number of children who will be in the membership of the schools of such applicant at the close of the second year following the increase period under consideration and who will otherwise be unhoused; and

(b) Nothing in this part shall be deemed to bar an applicant, with the approval of the State educational agency, from using for an approved project, in addition to payments under this part, money otherwise obtained to provide a higher quality, larger, or better equipped school facility. The applicant will be required to show in such cases that the added cost is being met other than from payments under this part.

(20 U.S.C. 634, 638, 644(g))

(c) Payments to an eligible applicant whose maximum entitlement for a fiscal year includes pupils eligible for payment under section 5(a) (2) or (3) of the Act as residing with a parent either employed on or residing on a low-rent housing property, as defined in the Act, will be made only after all other applications under subparagraphs (2) and (3) of section 5(a) have been approved for that fiscal year. The applications with entitlements computable on account of pupils eligible under these categories will be listed in a separate priority order in accordance with the priority index of the application as initially processed.

(20 U.S.C. 633)

§ 114.42 Certification of payments under section 14.

Payments to an applicant under section 14 of the Act will be made only on the basis of a complete application satisfying conditions for payment under the Act and this part, and will be restricted in amount to the cost of providing minimum school facilities for unhoused children; however:

(a) With respect to payments under section 14(a) of the Act, except for applications with respect to which the Commissioner has under § 114.35 waived the substantial percentage requirement, the Federal share of the cost of a project which will be certified for payment will not exceed the difference between (1) the cost of constructing minimum school facilities in the school district of the applicant for the estimated number of children who will be in membership in the schools of such applicant at the close of the second year following the close of the increase period under consideration and who will otherwise be without such facilities, and (2) the amount which the Commissioner determines to be practicably available to the applicant from other sources, including local sources (for example, unused bonding capacity), and State and other Federal sources (for example, payments by the United States under any other provisions of the Act or any other law). Such payments will be made upon such terms and in such amounts, subject to the provisions of section 14(a) of the Act and this part, as the Commissioner deems to be in the public interest.

(b) With respect to payments under section 14(b) of the Act, except for applications with respect to which the Commissioner has under § 114.36 waived the substantial percentage requirement, the Federal share of the cost of a project which will be certified for payment will not exceed that portion of the cost of constructing minimum school facilities in the school district of the applicant which the Commissioner determines (1) is attributable to children who reside on Indian lands and who will be in membership in the schools of such applicant at the close of the second year following the close of the increase period under consideration and who will otherwise be unhoused, and (2) has not been, and is not to be recovered by the applicant from other sources, including payments by the United States under any other provisions of the Act, or any other law.

(c) With respect to payments under section 14(c) of the Act, except for applications with respect to which the Commissioner has under § 114.37 waived the substantial percentage requirement, the Federal share of the cost of a project when certified for payment will not exceed the difference between (1) that portion of the cost of constructing minimum school facilities in the school district of the applicant that the Commissioner determines is attributable to children who are inadequately housed by minimum school facilities and who will be in membership in the schools of such applicant at the close of the second year following the close of the increase period under consideration and who will otherwise be without such facilities, and (2) the amount which the Commissioner determines to be practicably available to the applicant from other sources, including local sources (for example, unused bonding capacity), State and other Federal sources (for example, payments by the United States under any other provisions of the Act or any other law). Such payments may be made upon such terms and in such amounts, subject to the provisions of section 14(c) of the Act and this part, as the Commissioner may consider to be in the public interest, less the amount of financial resources which the Commissioner determines to be practicably available to the applicant from local, State or other Federal sources.

(20 U.S.C. 644(c))

§ 114.43 Payments.

(a) *Basis of payments.* The initial payment, except under section 10 of the Act, will be 10 percent of the approved estimated Federal share of the project cost. Payment of the remainder of the estimated Federal share shall not exceed the cost of the project.

(b) *Excess cost contracts.* No construction contract exceeding the estimated cost as shown in the project application shall be entered into without prior approval of the Commissioner.

(20 U.S.C. 634, 636, 637, 644(f), 1232(c); OMB Circular No. A–102)

Subpart F—General Provisions With Regard to Construction of Minimum School Facilities

§ 114.51 Works of art.

The cost of works of art (as defined in Part 100 of the General Provisions for Office of Education Programs (45 CFR Part 100)) when included in an approved construction project financed in whole or in part with Federal funds under the Act, shall not exceed 1 percent of the Federal share of the total cost of the project, exclusive of the cost of movable equipment. Nothing contained in this part, however,

shall be deemed to bar an applicant, with approval of the State educational agency, from including works of art in excess of 1 percent of such Federal share with the use of nonfederal money.

(20 U.S.C. 645(10)(B))

§ 114.53 Excellence of architecture and design of minimum school facilities.

Local educational agencies shall give due consideration to excellence of architecture and design when constructing minimum school facilities under the Act. The applicant shall furnish an appropriate assurance to this effect and any other evidence that such consideration has been given as may be required by the Commissioner.

(20 U.S.C. 645(10)(A))

§ 114.55 Applicability of General Provisions Regulations.

(a) Provisions contained in Parts 100 and 100a of the regulations entitled "General Provisions for Office of Education Programs" are applicable to programs conducted under the Act, with the following exceptions:

(1) Section 100a.26b (Criteria for review of applications);

(2) Section 100a.161 (Title to site);

(3) Subpart L, §§ 100a.209–.220 (Property management requirements);

(4) Section 100a.233 (Sale of real and personal property); and

(5) Section 100a.235 (Other program income).

(b) It should be noted that certain of the provisions in such regulations are not, by their own terms, pertinent to activities which may be conducted pursuant to the Act, such as:

(1) Section 100a.19 (Cooperative arrangements);

(2) Section 100a.43 (Application for Federal assistance (nonconstruction projects));

(3) Section 100a.45 (Application for Federal assistance (short form));

(4) Section 100a.62 (Payments methods for nonconstruction projects);

(5) Section 100a.82 (Institutions of higher education);

(6) Section 100a.83 (Nonprofit organizations);

(7) Subpart H, §§ 100a.90–94 (Matching and cost sharing);

(8) Section 100a.122 (Loan guarantees);

(9) Section 100a.234 (Royalties); and

(10) Section 100a.258 (Leasing facilities).

§ 114.58 Procurement of school facilities.

(a) All procurement of school facilities under the Act, including initial equipment, shall be made in accordance with Subpart I of Part 100a of the General Provisions for Office of Education Programs (45 CFR Part 100a, Subpart I).

(b) Plans and specifications, as appropriate, of school facilities provided under sections 9, 10, and 14 of the Act must, in advance of progressing to the next development stage, be approved by the Commissioner from the viewpoint of educational adequacy.

(c) Bid and contract documents shall be submitted to the Commissioner for his approval in accordance with such procedures as he may prescribe.

(d) Equipment procured with payments under the Act must be approved by the Commissioner before invitations for bids or requests for proposals as to the acquisition of such equipment are issued. In order to obtain such approval, a list of all equipment to be procured (indicating estimated quantities, costs and specifications) must be provided to the Commissioner for his prior approval.

(e) When total funds required for the low equipment bid or proposal received are in excess of the approved equipment budget, additional funds needed to make the award must be provided by:

(i) Adjusting the approved estimate of other budget items (if surplus funds can be identified) for transfer to the equipment budget item;

(ii) The applicant providing all the necessary additional funds from sources other than the Act; or

(iii) Increasing the Federal contribution to the project if entitlement is available.

A written proposal must be submitted to the appropriate O. E. Regional Program Officer for prior approval regarding how such additional funds are to be provided. If method (i) is proposed, those approved project budget items in which there are surplus funds available for transfer must be identified. If method (ii) is proposed a written certification signed by the applicant's authorized representative must be furnished, stating that the cost of the bid overrun will be financed with applicant funds. Regardless of how the cost of the bid overrun is financed, it will be necessary to obtain prior approval in order that a revised project budget may be issued amending the approved equipment budget estimate.

(f) Substantial changes in lists of equipment previously approved to be procured must be approved in advance.

(g) A list of equipment procured with payments under the Act and the cost thereof must be furnished by the applicant and certified as having been received before final payment will be made.

(20 U.S.C. 636, 637)

Subpart G—Sections 9 and 10

§ 114.61 Conditions for assistance under section 10.

The Commissioner may make arrangements for constructing or otherwise providing minimum school facilities under section 10 of the Act under one or more of the following conditions:

(a) No tax revenues of the State or any political subdivision thereof may be expended for constructing or for otherwise providing school facilities on Federal property which is leased to the local educational agency which will operate the school for pupils residing on Federal property; or

(b) The assurances and certifications described in § 114.65 have been provided; or

(c) Other conditions, as specified in section 10 of the Act, exist.

(20 U.S.C. 640 (a), (b))

§ 114.62 Requests for section 10 school construction.

(a) In order to be approved by the Commissioner, the request for school facilities under section 10 of the Act must be (1) made by the official in control of the Federal property on which the facilities are to be located; (2) addressed to the Commissioner, Attention: Director, Division of School Assistance in Federally Affected Areas; and (3) submitted through the State educational agency for its review and recommendations.

(b) After reviewing the request and making recommendations relative to it, the State educational agency shall transmit a copy of such recommendations and the original copy of the request to the Commissioner including, when applicable, the legal citations which prohibit State or local funds from being expended for capital improvements on Federal property. Two copies of such materials must also be transmitted to the appropriate Regional O.E. Program Officer. The original request as submitted through the State educational agency will be regarded by the Commissioner as the official request.

(c) The request for school facilities to be constructed or otherwise provided under section 10 of the Act shall contain the following data:

(1) Name of the agency which will operate the school program;

(2) Assurance that an adequate site will be made available for location of the proposed facility. This site shall be subject to final approval by the appropriate Regional O.E. Program Officer after consultation with the State educational agency and the Regional Engineer, ROFEC. (A site permit including the metes and bounds description of the approv[illegible] site must be received by the Commissioner before any planning activity will be authorized.)

(3) Assurance that funds under section 10 of the Act will not be used for any off-site construction.

(4) Assurance that the request will be coordinated with officials of the appropriate local educational agency when the facilities to be constructed or otherwise provided are not to be operated by a Federal agency;

(5) Pupil data, including:

(i) Number of pupils, by grade, who reside on and now attend school on the Federal property; and

(ii) Estimated number of pupils, by grade, who will reside on and attend school on the Federal property by the end of the fiscal year following the fiscal year in which the application is filed;

(6) The following data relating to family housing:

(i) Number of occupied family housing units now located on the Federal property;

(ii) Number of unoccupied family housing units now located on the Federal property;

(iii) Number of housing units to be completed on the Federal property (for which construction funds have been authorized in the current Department of Defense appropriation); and

(iv) Number of trailer or other temporary housing units. (Such units must be reported separately); and

(7) Narrative supporting statement, as may be appropriate.

(20 U.S.C. 640)

§ 114.63 Property management: Sections 9 and 10.

(a) School facilities, including initial equipment, provided by the Commissioner through direct Federal construction under sections 9 and 10 of the Act on land made available to the Commissioner for this purpose by a local educational agency or by a Federal agency shall be managed in accordance with OMB Circular No. A-102, Attachment N and this part.

(b) A site permit authorizing the use of land must be issued to the Commissioner by the Federal agency in control of the Federal property or by the local educational agency prior to the constructing or otherwise providing school facilities thereon by the Commissioner under the provisions of sections 9 and 10 of the Act. Such permit must contain:

(1) A metes and bounds description of the land to be used for the facility;

(2) Assurance of the right, if necessary, to connect to the base utility system as extended to the site boundary, or to connect with public utility systems, if necessary; and

(3) Assurance of adequate police and fire protection and construction and maintenance of roads.

(c) The Commissioner may issue to the appropriate Federal agency or local educational agency a use permit granting such agency the right to use and occupy, for school purposes, federally owned school facilities constructed under section 9 or 10 of the Act for which the Commissioner is accountable.

(1) Such use permits granted to a Federal agency must include assurances that such agency will:

(i) Conduct in such facilities an educational program for children residing on the Federal installation, comparable to that afforded children in comparable local school systems under the laws of the State;

(ii) Pay all charges for utilities and services furnished to the property;

(iii) Use the property during the term of the permit subject to such rules and regulations prescribed by the officer in charge of the installation as are consistent with the purposes for which the property is permitted;

(iv) Maintain and keep the property in good repair and operating condition on the present site, subject to reasonable instructions of the Commissioner, and immediately upon the termination of the permit as therein provided (will deliver possession of the same) to the Commissioner in as good condition and state of repair as the property is in when delivered to the agency, reasonable wear and tear and loss or damage caused by war excepted. (Repairs to or reconstruction of the property requiring expenditures in excess of $15,000.000 shall be upon plans approved by the Commissioner);

(v) Permit the Commissioner, or his authorized representatives, at any reasonable time to enter upon and inspect the property;

(vi) Submit current inventories, at the Commissioner's request, of the equipment, furnishings and appurtenances located in the facilities or on the site;

(vii) Assume responsibility, without obligation to the Commissioner, to do all things necessary and proper on its part under the applicable laws and regulations in order to settle or deny (as may be appropriate under the circumstances) liability for all claims, if any, made against the United States of America or any of its agents for damages on account of the injury to or death of any person or the damages to or destruction of any property connected with, or arising out of, the agency's use of the permitted premises;

(viii) Not assign or transfer its rights or interest under this permit, or transfer possession of, or remove, or dispose of the property or any part thereof, including any and all movable school equipment provided under section 10 of the Act (or, if applicable, under section 6 of Pub. L. 81-874) without the Commissioner's written consent; and

(ix) Assure that the operation of school facilities which may be located on the property shall be conducted without segregation on the basis of race, color, sex, or national origin.

(2) Such use permits granted to a local educational agency shall include assurances that such agency will:

(i) Conduct in such facilities an educational program for children residing on the Federal installation, as a part of the agency's school system in accordance with the laws of the State;

(ii) Pay all charges for utilities and services furnished to the property. Payment shall be made directly to the producing or supplying company or to the Federal agency for the utilities and services produced or supplied by each, respectively;

(iii) Use the property during the term of the permit subject to such reasonable rules and regulations relative to ingress, egress, security, and non-school use as may be prescribed by the head of the Federal agency, or the officer in charge of the installation, with the approval of the Commissioner;

(iv) Maintain and keep the property in good repair and operating condition on the present site, subject to reasonable instructions of the Commissioner and, immediately upon the termination of the permit as therein provided, shall return the property to the Commissioner in as good condition and state of repair as the property is in when delivered to the agency, reasonable wear and tear and loss or damage caused by war excepted. (Repairs to or reconstruction of the property requiring expenditures in excess of $15,000.00 require prior plans approved by the Commissioner);

(v) Procure and maintain insurance for the repair and reconstruction of the facilities due to damages occasioned by risks (such as fire and the elements) to which the property may be exposed and such additional insurance as the Commissioner may require. Further, such local educational agency must provide assurance that it will promptly deliver proof of such coverage to the Commissioner, and shall give due notice to the proper insurance companies and to the Commissioner of any loss or damage to the property;

(vi) Remit to the United States any payment received by it pursuant to insurance provided which may be in excess of the cost of such repairs;

(vii) Permit the Commissioner, or his authorized representatives, at any reasonable time, to enter upon and inspect the property, and submit at the Commissioner's request current inventories of the equipment, furnishings, and appurtenances located in the facilities or on the site;

(viii) Save the United States and the Commissioner harmless from any liability or claim arising from the agency's possession, use, maintenance, and operation of the property or the fulfillment of its obligation hereunder and if the agency is insured against tort liability with respect to other school facilities which it owns and operates, it shall carry similar insurance with respect to the property herein described;

(ix) Not assign or transfer its rights or interest under the permit, transfer possession of, or remove, or dispose of the property or any part thereof, or create or permit to be created a lien or charge upon or claim against the property or any part thereof, including any and all movable school equipment provided under sections 9 and 10 of the Act without the Commissioner's written consent;

(x) Assure that operation of school facilities which may be located on the property shall be conducted without segregation on the basis of race, color, or national origin; and

(xi) In the case of a local educational agency whose permit includes living quarters for teachers and other local educational agency employees which were constructed under provisions of section 10 (former sections 204 and 310) of the Act and for which rental or other such fees are charged, the local educational agency must assure the Commissioner that it will submit, through the State educational agency, a revenue and expenditure report in such form as the Commissioner may require within 30 days after the end of each of the first three quarters of each year. The agency must also assure the Commissioner that, at the end of the last quarter on June 30, it will submit through the State educational agency a final revenue and expenditure report and an audit thereof.

(3) Use permits may be subject to revocation by the Commissioner for any of the following reasons:

(i) Failure of the agency to operate the property in accordance with the terms and conditions of the permit or the arrangements between the Commissioner and the agency under section 6 of Pub. L. 81–874;

(ii) Determination by the Commissioner that other arrangements will better serve the interests of the United States or the children involved;

(iii) Termination of the permit for the use of the land granted to the Commissioner by the controlling Federal agency; or

(iv) Termination of the authority and responsibility of the Commissioner to provide school facilities and make arrangements for free public education for children who reside on Federal establishments under the Act and Pub. L. 81–874, or subsequent laws of the United States.

(20 U.S.C. 639, 640(a))

§ 114.64 Disposal of federally owned temporary school facilities provided under section 9.

(a) The Commissioner may transfer to the local educational agency title to temporary school facilities constructed under section 9 (former sections 203 and 309) of the Act if:

(1) The local educational agency to which the facilities were provided makes a written request to the Commissioner for transfer of the facilities;

(2) Such agency gives assurance of a continuing need for the temporary school facilities for school purposes;

(3) Such agency certifies that it has title to the site on which they are located, or a leasehold interest in such site for a period of time equivalent to the usable life of the facilities; and

(4) The State educational agency certifies that the use of such facilities is not inconsistent with overall State plans.

(b) The Commissioner may, as appropriate, declare temporary school facilities surplus to the needs of the local educational agency and may dispose of the facilities under procedures established by the Surplus Property Utilization Division, DHEW.

(20 U.S.C. 639)

§ 114.65 Transfer of title of federally owned school facilities provided under section 10 to local educational agencies.

The Commissioner will transfer to a local educational agency all the right, title, and interest of the United States in and to any facilities provided under section 10 of the Act if the following conditions have been met:

(a) The local educational agency of the school district in which the federally owned school facility is located makes written request to the Commissioner for transfer of the facility;

(b) Such agency does the following: (1) Certifies that the school facilities are located within the boundaries of its school district; (2) shows that there is a need on a continuing basis for use of the school facilities by the school district for public educational purposes; and (3) gives assurance that the facilities will be used as long as needed to house the children living on Federal property for whom they were constructed, and beyond that time will continue to use such facilities for public educational purposes for any remaining usable life of the facilities;

(c) Such agency certifies that it has acquired or will acquire title to the site, or a leasehold interest in the site, or right to use and occupy the facilities located on the site for a period of time equivalent to the remaining usable life of the school facilities. Evidence of title to the site, leasehold, or other interest in the site must be presented before title to the federally owned facilities will be granted;

(d) Such agency gives assurance that the educational program provided in such transferred facilities will be conducted without discrimination on the basis of race, color, or national origin;

(e) The State educational agency certifies that, under State law, such local agency is legally authorized to spend State or local funds to construct, repair, maintain, and operate school facilities for public educational purposes on land leased to it from the Federal Government; and

(f) Such State agency certifies that the use of such facilities by such local agency is not inconsistent with overall State plans for providing school facilities in the State.

The Commissioner will consider a request for the transfer to a local educational agency of school equipment provided under section 10 of the Act (or under section 6 of Pub. L. 81–874) in certain circumstances even if the school facilities in which the equipment is located are not to be transferred. Requests for the transfer of such equipment shall include information described in paragraphs (a), (b), (d), (e), and (f) of this section.

(20 U.S.C. 640(b))

APPENDIX A

[Pub. L. 81–815; Secs. 1–15]

ASSISTANCE FOR SCHOOL CONSTRUCTION IN AREAS AFFECTED BY FEDERAL ACTIVITIES; GUIDELINES

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Part 1—Introduction

SECTION 1.1 *Scope of guidelines.*

(a) The guidelines contained in this document are recommendations and suggestions for meeting the legal requirements which apply to Federal assistance under sections 1 through 15 of Public Law 81–815 (School Construction in Areas Affected by Federal Activities). The guidelines are not requirements. Where the guidelines set forth a permissible means of meeting a legal requirement, the guidelines may be relied upon.

(20 U.S.C. 631; 113 Cong. Rec. 5936, 5935 (daily ed. May 23, 1967); *United States v. Jefferson County Board of Education*, 372 F. 2d 836, 857 (1966))

(b) Where a guideline is issued in connection with or affecting a provision in the regulations, the pertinent regulation will be cited after the citation of legal authority for the guideline, in the parentheses following the guideline. For example, if the legal authority for the guideline is section 5 of the Act (20 U.S.C. 635), and the guideline affects section 114.31 of the regulation (45 CFR 114.31), the following will be placed on the line immediately following the guideline: (20 U.S.C. 635; 45 CFR 114.31). If no particular section of the regulation is affected, no citation to the Code of Federal Regulations (CFR) will be made.

(20 U.S.C. 1232(a))

(c) These guidelines rescind all bulletins, memoranda, and announcements previously issued by the Division of School Assistance in Federally Affected Areas.

SECTION 1.2 *Applicable statutes and regulations.*

The program of assistance for school construction in federally affected areas is to be carried out in accordance with applicable Federal statutes and regulations. Pertinent provisions include Pub. L. 81–815 (20 U.S.C. 631–645), the General Education Provisions Act (20 U.S.C. 1221 et seq.), the regulations for Pub. L. 81–815 (45 CFR Part 114), the General Provisions for Office of Education Programs (45 CFR Parts 100 and 100a) except as specified in 45 CFR 114.66 and Office of Management and Budget Circular No. A–102.

(20 U.S.C. 631–645, 1221 et seq.; 45 CFR Parts 100,114; OMB Circular No. A–102)

Part 2—Applications of Local Educational Agencies

SECTION 2.1 *Purpose of the Act.*

Congress, in recognition of the impact which certain Federal activities may have on school construction needs, has declared it to be the purpose of the Act to provide assistance for construction of urgently needed minimum school facilities in certain areas affected by Federal activities.

(20 U.S.C. 631)

SECTION 2.2 *Categories of Federal impact.*

The following categories of Federal impact for the purpose of making Federal payments to local educational agencies are discussed in these guidelines:

(a) Section 5(a)(1): increase in numbers of children who reside on Federal property with a parent employed on Federal property situated in whole or in part in the same State as a school district or within reasonable commuting distance of such district, or who reside on Federal property and have a parent on active duty in the Uniformed Services;

(20 U.S.C. 635(a)(1))

(b) Section 5(a)(2): increase in numbers of children who either reside on Federal property or reside with a parent employed on Federal property (but not both) situated in whole or in part in the same State as a school district or within a reasonable commuting distance of such district, or have a parent on active duty in the Uniformed Services;

(20 U.S.C. 635(a)(2))

(c) Section 5(a)(3): increase in numbers of children whose membership results from activities of the United States carried on either directly or through a contractor;

(20 U.S.C. 635(a)(3))

(d) Sections 14 (a) and (b): membership residing on Indian lands and which has not formed or will not form the basis for payment under other provisions of the Act; and

(20 U.S.C. 644 (a), (b))

(e) Section 14(c): inadequately housed children in financially distressed school districts where Federal property constitutes a substanital part of the school district.

(20 U.S.C. 644(c))

SECTION 2.3 *Who may apply.*

Applications may be filed by a local educational agency as defined in section 15(11) of the Act and § 114.1(m) of the Regulations.

(20 U.S.C. 645(11); 45 CFR 114.1(m))

SECTION 2.4 *How to apply.*

Application forms, instructions, advice, and assistance may be obtained from each State educational agency. All questions pertaining to the preparation and filing of preapplications, applications, and requests for materials should be directed to the State Representative for School Assistance, who will respond or may forward the inquiries, where appropriate, to the appropriate Regional Commissioner of Education.

(20 U.S.C. 636; 45 CFR 114.1 (i), (k))

SECTION 2.5 *When to apply.*

Cutoff dates for filing preapplications and applications will, as appropriate, be established by the Commissioner and published in the FEDERAL REGISTER. Copies of these periodic announcements of the cutoff dates appearing in the FEDERAL REGISTER will be provided to the State Representatives for School Assistance. Such State Representatives may be contacted for up-to-date information on current cutoff dates.

(20 U.S.C. 633, 636, 644; 45 CFR 114.1(k), 114.2)

SECTION 2.6 *Processing procedures.*

Upon receipt by the Regional Commissioner of a preapplication for assistance:

(a) The preapplication will be tentatively reviewed on the basis of data available, and if the preapplication appears to be eligible, a tentative entitlement and priority index will be computed, the applicant will be notified of the tentative determination. All preapplications will be listed in priority rank order accordingly on a list to be maintained by the Commissioner on a nationwide basis.

(b) Upon verification of the applicant's data as shown on the preapplication, a firm maximum entitlement and priority index will be determined for each eligible applicant, the application will be listed in priority rank order, and the applicant will be informed of the basis of such action; if ineligible, the applicant will be informed as to the reasons therefor.

(c) When monies are available to reach the priority of the preapplication, funds will be reserved tentatively on the basis of the best information available at the time and the applicant will be advised to file a complete application for review and approval pursuant to 45 CFR Part 100a, Subpart B.

(20 U.S.C. 633, 636, 644, 645(7); 45 CFR 114.1 (i), (k), (s), 114.5, 114.6)

SECTION 2.7 *Instructions relating to construction of approved and funded projects.*

(a) *General.* (1) The Office of Facilities Engineering and Property Management Agency of the Department of Health, Education, and Welfare (hereinafter referred to as OFEPM) and the Regional Office of Facilities Engineering and Property Management (hereinafter referred to as ROFEPM) will provide, upon request, technical supervision and services to applicants in connection with the construction of school facilities. When appropriate, OE Program Officers (SAFA), in cooperation with representative of ROFEPM, will assist with the planning of approved projects, including examination of preliminary and final project plans and specifications, periodic inspection of construction progress and determination of the propriety of making partial payments of the estimated Federal share of the cost as construction progresses. Supervision of these technical services will be performed by the Regional Engineer, ROFEPM.

(2) The Regional Engineer, ROFEPM, may assist in preconstruction and construction activities to assure conformity with the requirements of the Act. Approval of all proposed preconstruction documents (as described in § 114.58 of the regulations), may be obtained directly from the Regional Engineer. His assistance prior to the preparation of these and similar documents will be provided upon request. In this connection, he may suggest a preliminary conference with the project architect and others if that seems desirable. The Regional Engineer will provide sufficient copies of all forms which may be used to prepare the contract documents required for the project and will aid in the review of bids received and other technical details.

(3) Special assistance may also be provided to eligible applicants under the provisions of section 14 of the Act by SAFA Program Officers.

(20 U.S.C. 636, 637, 644)

(b) *Minimum standards of construction.* Plans and specifications for a project must comply with such Federal, State, and local laws, ordinances and regulations pertaining to standards of construction and safety requirements, as may be applicable.

(16 Comp. Gen. 948 (1937))

(c) *Preparation of plans and specifications.* Upon receipt of the notice of approval of the complete application, work may be commenced on preparing plans and specifications which conform to the project description as shown in the complete application, or with such revisions as may be necessary. After all necessary State approvals have been obtained, such plans and specifications must be forwarded for the approval of the Regional Commissioner as required by §114.58 of the regulations. Such documents may be forwarded as follows: One copy of the final plans and specifications to the Regional Engineer (ROFEPM) and one copy to the appropriate Regional OE Program Officer (SAFA).

(20 U.S.C. 636(b)(1)(A), 637(a); 45 CFR 114.58)

(1) *Review by Regional OE Program Officer.* The Regional OE Program Officer will review the final plans and specifications for conformity with the project description as approved by the Regional Commissioner.

(2) *Review by Regional Engineer, ROFEPM.* The Regional Engineer will review the final plans and specifications for structural adequacy, and may suggest structural changes or revisions. A notice of approval will advise the date on which advertising for bids may begin. A notice of disapproval will state the reasons for such action.

(20 U.S.C. 633, 636(b), 637(a); 45 CFR 114.58)

SECTION 2.8 *Instructions relating to purchasing non-expendable property (initial equipment) acquired with Federal funds under sections 5, 8, 9, and 14 of the Act.*

The procurement of initial equipment with Federal funds under sections 5, 8, 9, and 14 of the Act must be made in accordance with 45 CFR Part 100a, Subpart I. Such procurement must be approved in advance by the OE Program Officer (SAFA) in accordance with the regulations at 45 CFR 114.58.

A copy of the pertinent documents must be forwarded to and approved by the Regional OE Program Officer before payment may be made as described in the regulations at 45 CFR 114.43.

(20 U.S.C. 636, 644; 45 CFR 114.43, 114.58)

Part 3—Requests of Federal Agencies for School Facilities under Section 10 of the Act

SECTION 3.1 *Application procedures.*

Requests for school construction to be performed under section 10 of the Act may be made in letter form by the official in control of the Federal property on which the facilities are to be located, in accordance with procedures described in regulations 45 CFR 114.58, 114.61, 114.62, and 114.63.

(20 U.S.C. 643(b); 45 CFR 114.58, 114.61, 114.62, 114.63)

SECTION 3.2 *Processing procedures.*

Upon receipt by the Commissioner of the request:

(a) The request will be reviewed on the basis of data available, and if the request for assistance appears to be approvable a tentative cost estimate, priority grouping, and priority index will be computed and assigned. If the request is determined not to be approvable, the Federal agency will be so informed.

(b) Upon verification of data submitted as the basis of the request, the Commissioner may determine that a project should be approved. The project will be assigned a priority index within a priority group and the Regional Engineer, ROFEPM will be requested to estimate the cost of the project to be approved.

(c) When monies are available to reach the priority of the project and funds are approved for direct Federal construction, the appropriate parties will be so notified.

(20 U.S.C. 640; 45 CFR 114.4, 114.5, 114.6, 114.61, 114.62)

SECTION 3.3 *Actions relating to construction of approved and funded section 10 projects.*

(a) The Commissioner will consider recommendations of local and State education authorities, the Regional OE Program Officer, representatives of ROFEPM, and the Federal agency making the application. Educational consultants, if appropriate, may also be engaged by the Commissioner for the purpose of assisting in developing educational specifications and otherwise assisting in developing the project.

(b) The Regional OE Program Officer will:

(1) Verify the data submitted as the basis of the application and make recommendations to the Division of SAFA on the need for the requested school facilities;

(2) Review the proposed school site for educational adequacy. Request the Federal agency controlling the property to prepare the metes and bounds description, including a plot plan, to be forwarded to the Division of SAFA in compliance with § 114.63(b) of the regulations;

(3) Review design sketches and preliminary plans and outline specifications for educational adequacy and recommend to the Division of SAFA approval or disapproval of these documents and the reasons therefor;

(4) Review the final plans and specifications for educational adequacy and conformance with the approved project description and the approved preliminary plans and specifications and notify the Regional Engineer, ROFEPM, of approval or disapproval of such documents; and

(5) Review all requests for initial minimum equipment submitted pursuant to § 114.58(d) and notify the OE Regional Contracting Officer and the Regional Engineer, ROFEPM, of approval or disapproval. A list of initial equipment will be provided to the Regional Contracting Officer who will supervise its acquisition.

(c) The Regional Engineer ROFEPM will:

(1) Furnish the Division of SAFA with an estimate of the cost of the project to be constructed, and revisions of such estimate as may be appropriate;

(2) Negotiate architectural contracts for preparation of plans and specifications, after the estimated cost of constructing the project has been approved by the Division of SAFA;

(3) Request necessary State and local agency approvals of final plans and specifications;

(4) Secure permits for access and right of entry to project site;

(5) Monitor the execution of a contract for the construction of school facilities after approval of final plans and specifications; and

(6) Submit a final project summary stating all project costs including initial (movable) school equipment costs.

(d) The Division of SAFA will:

(1) Assist in the development of and approve the final project description;

(2) Approve the project funding and disburse funds in the appropriate manner to initiate the project;

(3) Review and approve sketches and preliminary plans and specifications; and

(4) Prepare use permits for acceptance by the operating agency upon completion of the project.

(20 U.S.C. 640(a), (b); 45 CFR 114.61, 114.62, 114.63, 114.65)

Part 4—Property Management of Facilities Constructed Under Section 10 and Certain Facilities Constructed Under Section 9 of the Act

SECTION 4.1 *Agencies may be granted use permits.*

The Federal agency or local educational agency to which use of the completed school facilities is granted, must maintain such school facilities, including equipment, in good conditions in accordance with § 114.63 (c)(1)(iv) and (c)(2)(iv). The Commissioner may request periodic reports to be submitted in order to assure that the facilities and equipment are properly cared for and maintained.

(20 U.S.C. 639, 640; 45 CFR 114.63)

SECTION 4.2 *Disposal or transfer of ownership of federally owned school facilities.*

The Commissioner, upon receipt of a written request from a local educational agency in which school facilities have been provided under section 9 or 10 of the Act, may make arrangements to transfer ownership of such agency in accordance with § 114.65 of the regulations.

(20 U.S.C. 639, 640(b); 45 CFR 114.64, 114.65)

[FR Doc.74-16786 Filed 7-24-74;8:45 am]

[45 CFR Part 115]

LOCAL EDUCATIONAL AGENCIES

Assistance in Areas Affected by Federal Activities and Arrangements for Education of Children Where Local Educational Agencies Cannot Provide Suitable Free Public Education

In accordance with section 503 of the Education Amendments of 1972 (Pub. L. 92-318) and pursuant to the authority contained in sections 1 through 6 of Pub. L. 81-874, as amended (20 U.S.C. 236-244), the Commissioner of Education, with the approval of the Secretary of Health, Education, and Welfare, proposes to amend Title 45, Part 115 of the Code of Federal Regulations to read as set forth below.

1. *Program purpose.* Sections 1 through 6 of Pub. L. 81-874 provide assistance for local educational agencies in areas affected by Federal activities and arrangements for education of certain children where local educational agencies cannot provide suitable free public education.

2. *Section 503 procedures and effect.* Section 503 of the Education Amendments of 1972 requires the Commissioner to study all rules, regulations, guidelines, or other published interpretations or orders issued by him or by the Secretary after June 30, 1965, in connection with, or affecting, the administration of Office of Education programs; to report to the Committee on Labor and Public Welfare of the Senate and the Committee on Education and Labor of the House of Representatives concerning such study; and to publish in the FEDERAL REGISTER such rules, regulations, guidelines, interpretations, and orders, with an opportunity for public hearing on the matters so published. The regulations proposed below reflect the results of this study as it pertains to the program under sections 1 through 6 of Pub. L. 81-874. Part 115 will be published in final form, after comments and hearing. All preceding rules, regulations, guidelines, interpretations, and orders issued in connection with or affecting Part 115 will be superseded effective thirty days after such publication.

3. *Effect of Office of Education general provisions regulations.* The proposed regulations differ from the current regulations in that the definitions of certain terms have been deleted which are presently covered in 45 CFR Part 115 and which will be covered in the future under the overall Office of Education general provisions regulations, published in the FEDERAL REGISTER at 38 FR 30654 (November 6, 1973), in connection with the same study under section 503 of the Education Amendments of 1972 of which this publication is a part. (Reference is made in particular to the provisions of Part 100 of Title 45 CFR, containing the definitions of certain terms, which would be applicable to the regulations in Part 115.)

4. *Citations of legal authority.* As required by section 431(a) of the general education provisions Act (20 U.S.C. 1232(a)) and section 503 of the Education Amendments of 1972, a citation of statutory or other legal authority for each section of the regulations has been placed in parentheses on the line following the text of the section.

On occasion, a citation appears at the end of a subdivision of the section. In that case the citation is to all that appears in that section between the citation and the next preceding section. When the citation appears only at the end of the section, it applies to the entire section.

5. *Opportunity for public hearing.* Pursuant to section 503(c) of the Education Amendments of 1972, the Commissioner will provide interested parties an opportunity for a public hearing on these regulations.

A hearing will take place at the U.S. Office of Education on August 26, 1974 in the auditorium of Regional Office Building Three (ROB-3) located at 7th and D Streets, SW., Washington, D.C. 20202, from 2 p.m. to 4 p.m. The purpose of the hearing is to receive comments and suggestions on the published materials.

Parties interested in attending the hearing should notify the Office of Education, 400 Maryland Avenue SW., Room 2085, Washington, D.C. 20202, Attention: Chairman, Office of Education Task Force on Section 503, and are urged to submit a written copy of their comments with such notification. Each party planning to make oral comments at the hearing is urged to limit his presentation to a maximum of fifteen minutes.

Written comments and recommendations may also be sent to the above address. All relevant material received prior to the date of the hearing will be considered. Comments and suggestions submitted in writing will be available for review in the above office between the hours of 9 a.m. and 4:30 p.m., Monday through Friday of each week.

(Catalog of Federal Domestic Assistance No. 13.478—School Assistance in Federally Affected Areas—Maintenance and Operation)

Dated: April 12, 1974.

JOHN OTTINA,
U.S. Commissioner of Education.

Approved: May 6, 1974.

CASPAR W. WEINBERGER,
Secretary of Health, Education, and Welfare.

PART 115—ASSISTANCE FOR LOCAL EDUCATIONAL AGENCIES IN AREAS AFFECTED BY FEDERAL ACTIVITIES AND ARRANGEMENTS FOR EDUCATION OF CHILDREN WHERE LOCAL EDUCATIONAL AGENCIES CANNOT PROVIDE SUITABLE FREE PUBLIC EDUCATION

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AUTHORITY: Pub. L. 81-874, as amended, 64 Stat. 1100 (20 U.S.C. 236-244), unless otherwise noted.

Subpart A—Scope and Definitions

§ 115.1 Scope.

The regulations in this part govern the provision of financial assistant and the making of arrangements under the Act with regard to local educational agencies in areas affected by Federal activities.

(20 U.S.C. 242(b))

§ 115.3 Definitions.

As used in this part:

(a) "Act" means Titles I (except section 7 thereof) and IV of Pub. L. 874, 81st Congress (64 Stat. 1100 (20 U.S.C. 236-244)), as amended.

(b) "Applicant" means any local educational agency which files an application for financial assistance under sections 2, 3, or 4 of the Act and the regulations in this part, but does not include departments or agencies proposing arrangements under section 6 of the Act.

(20 U.S.C. 240(a))

(c) "Application" means Form RSF-1, "Application for Financial Assistance for Current Expenditures for Public Schools in Areas Affected by Federal Activities" properly completed and executed, including amendments thereto, and, to the extent indicated by the applicant, any document or documents in support thereof, filed by or on behalf of an applicant requesting financial assistance under the Act and these regulations.

(20 U.S.C. 240(a), 242(b))

(d) "Arrangements" means an agreement entered into between the Commissioner and a local educational agency or a Federal department or agency for the provision of free public education under section 6 of the Act.

(20 U.S.C. 241(a))

(e) "Average daily attendance of federally connected pupils" in each pertinent category of federally connected children (sections 3(a), 3(b), and 4(a)) means the number determined in accordance with section 403(10) of the Act in the manner described in this paragraph.

(1) At some specific date not earlier than the fourth day of the legal school session of the regular school year and prior to the cutoff date for filing Form RSF-1, a membership count of all pupils claimed in the various federally connected categories must be made either by (i) conducting a parent-pupil survey to determine the parent's employment or active duty assignment in the uniformed services and the child's residence on Federal property or by (ii) obtaining certifications from the various employers and the appropriate housing officials as to the employment of the parents of the children claimed or residence of such children on the specific date involved. A membership count of all pupils must be made as of this specific date, which is to constitute the official membership report of the applicant local educational agency for that date.

(2) The percentage of pupils in each of the federally connected categories is determined by dividing the membership count in each such category by the total membership of all pupils receiving free public education on the date of the count.

(3) The average daily attendance (hereinafter referred to as ADA) of federally connected pupils shall then be obtained in one of the following ways:

(i) For the purposes of the application Form RSF-1, each of the percentages obtained in paragraph (e)(2) shall be multiplied by the ADA to the date of the count of the total membership (as reported in the official membership and ADA report of the applicant district for such reporting period); or

(ii) For the purposes of the final report (Form RSF-3), each of the percentages obtained in paragraph (e)(2) shall be multiplied by the total ADA for the period July 1 to the following June 30. Such total ADA shall include ADA based upon free public education provided in ance with State law.

(20 U.S.C. 238 (a), (b), 239(a), 244(10))

(20 U.S.C. 238(a), (b), 239(a), 244(10))

(f) "Average daily attendance of federally connected pupils when determined by two counts of all pupils" means the number determined in the manner described in this paragraph.

(1) First count of membership of each category of federally connected children must be made as described in paragraph (e) of this section. A second such count of membership must be made at a later date during the last quarter of the regular school year and uniformly for the entire local educational agency.

(2) A membership count of all pupils, made as of the same dates as the counts of federally connected children, will constitute the official membership report of the applicant school district for those dates.

(3) The percentage of pupils in each of the federally connected categories shall be determined as provided in paragraph (e) of this section.

(4) The two percentages obtained by the two counts for each category of federally connected pupils shall be added and the sum divided by two to compute an average percentage for that category.

(5) The percentage so obtained shall be multiplied by the total ADA for the period July 1 to the following June 30. Such total ADA shall include ADA based upon free public education provided in summer school as determined in accordance with State law.

(20 U.S.C. 238 (a), (b), 239(a), 244(10))

(g) "Entitlement" means the amount of assistance which an applicant would receive under the formula prescribed under sections 2, 3, or 4 of the Act if the appropriations for a fiscal year were adequate to pay all claims.

(20 U.S.C. 240 (a), (b), (c))

(h) "Federal property" is used in this part as defined in the Act at 20 U.S.C. 244(1). For the purpose of this definition:

(1) All property of the United States which was transferred to the United States Postal Service and which was, prior to such transfer, treated as Federal property for the purposes of the Act, shall continue to be treated as Federal property for such purpose for two years beyond the end of the fiscal year in which such transfer occurred.

(20 U.S.C. 244(1); Pub. L. 92-277 (April 24, 1972), 86 Stat. 124)

(2) Federal ships which are owned by the United States and whose home ports are located on Federal property are Federal property.

(20 U.S.C. 244(1))

(i) "Financial assistance" means the payment made to an applicant school district under section 5(b) of the Act by the Department of the Treasury upon authorization of the Commissioner.

(20 U.S.C. 240(b))

(j) "Parent-pupil survey" means a questionnaire provided by the applicant and which is to be filled out by a parent in order to substantiate residence or employment on Federal property. Such survey must include:

(1) Pupil-enrollment information (this information may also be obtained from school records) including:

(i) Name of pupil;

(ii) Date of birth; and

(iii) Name of public school, grade, and teacher.

(2) Pupil-residence and parent-employment information, including:

(i) Address of pupil residence (including the name of the Federal facility if such residence is on Federal property); and

(ii) Name of parent (mother, father, or other person standing in loco parentis) who is employed on Federal property and with whom child resides in compliance with one of the following provisions:

(a) If such parent is not a member of the uniformed services on active duty, the name as it appears on the employer's payroll record must be obtained;

(b) If such parent is a member of the uniformed services on active duty, the rank, serial number, and branch of service must be obtained;

(iii) Unless parent is a member of uniformed services on active duty, the name and address of Federal property on which the parent is employed must be obtained;

(iv) If the parent is a civilian employed on a Federal vessel, the name of vessel, hull number, and name of controlling agency must be obtained;

(v) The signature of the parent supplying the information and the date of such signature must be obtained; and

(vi) The name and address of the employer (unless parent is a member of the uniformed services on active duty).

(3) Only in unusual circumstances may partially completed survey forms or survey forms which are signed by a person other than parent or person standing in loco parentis be accepted on membership survey forms. In such instances the survey form must show why the parent did not sign, and when, how, and from whom the residence and employment information was obtained.

(k) "Prorated entitlement" means the amount of financial assistance which an applicant will receive under the adjustment formula prescribed in the Act (including any other pertinent modifications or amendments), if the appropriations for a fiscal year are inadequate to pay all claims under sections 2, 3, 4, or 6 of the Act.

(20 U.S.C. 240(c))

(l) "Revenues derived from local sources" include the following:

(1) Tax funds derived from real estate;

(i) Such tax funds derived from real estate include:

(a) Locally received funds which are derived from local taxation of real property;

(b) Tax funds which are received on account of Wherry-Spence housing projects (12 U.S.C. 1702, et seq.) located on private property; and

(c) All local real property tax funds which are received from either the county or the State, serving as a collecting agency, and which are returned to the local educational agency for expenditure by that agency;

(ii) Such tax funds derived from real estate do not include:

(a) Any payments under this Act or the Johnson-O'Malley Act (25 U.S.C. 452);

(b) Tax payments which are received on account of Wherry-Spence housing projects located on federally owned property; or

(c) Local real property tax funds which are received by the State and distributed to local educational agencies on a per-pupil or formula basis; or

(2) Taxes or receipts which are received from the county, and any other local tax or miscellaneous receipts.

(20 U.S.C. 238(d)(2); H. Rept. No. 22-87, 81st Cong., 2d Sess., (June 30, 1950), 12-15)

(m) "State aid with respect to free public education" means any contribution, no repayment of which is expected, made by a State to or on behalf of a local educational agency within the State for the support of free public elementary and secondary education. Such assistance does not include payments by a State to or on behalf of a local educational agency which are made as a result of a "major disaster" as such term is used in section 7 of Pub. L. 81-874.

(20 U.S.C. 240(d)(1))

(n) "Uniformed services" means the Army, Navy, Air Force, Marine Corps, Coast Guard, Environmental Science Services Administration, and Public Health Service.

(20 U.S.C. 238(a) and (b), 80 U.S.C. 1121, 82 U.S.C. 1314)

(o) "Working on Federal property" means employed on Federal property, as defined in the Act and the regulations in this part. Such term includes the following:

(1) A person who is employed (whether a regular employee or self-employed) either part time or full time in lumbering, farming, or grazing operations which are carried out entirely or partly on Federal property if, during such period, he spends a greater part of his working time on the Federal property than on the non-Federal property;

(2) A person who lives on Indian lands which are Federal property, as defined in the Act and these regulations, and who is not regularly employed on non-Federal property; and

(3) A portion, to be determined by the Commissioner, of the persons working on commingled Federal and non-Federal properties other than those covered by paragraph (o)(1) of this section.

(20 U.S.C. 238(a) and (b), 244(1); H.R. No. 703, 83d Cong., 1st Sess., (July 3, 1953), 26, H.R. 1532, 85th Cong., 2d Sess., (March 19, 1958), 51)

CROSS REFERENCE: Certain other pertinent definitions may be found in the "General Provisions for Office of Education Programs" § 100.1 (45 CFR 100.1)

Subpart B—Applications

§ 115.10 Applications.

Any local educational agency seeking financial assistance under sections 2, 3, or 4 of the Act shall, as a condition of entitlement, file with the Commissioner of Education an application for financial assistance. Such application shall be transmitted through the appropriate State educational agency, on Form RSF-1 (entitled "Application for School Assistance in Federally Affected Areas (Title I of Pub. L. 874)") and shall show the basis for entitlement under the Act and regulations. Copies of all application forms may be obtained from that State educational agency which serves the applicant local educational agency.

(20 U.S.C. 240(a))

§ 115.11 Final date for filing applications.

(a) Except as otherwise provided in this section, the final date for filing an application for financial assistance under sections 2, 3, or 4 of the Act shall be January 31st of the fiscal year for which such assistance is sought; except that, whenever such a final date falls on a Saturday, Sunday, or other Federal holiday, the final date for filing an application shall be the next succeeding business day. Each application must be received by the Commissioner on or before the final filing date, after transmittal through and certification by the State educational agency. The applicant is responsible for obtaining the certification of the State educational agency and for securing a timely transmittal of the application to the Commissioner. In order to give the State educational agency time in which it may process the application, the applicant should file its application with the State educational agency by January 2 of the fiscal year for which assistance is sought.

(b) With respect to an applicant whose eligibility for financial assistance under the Act is established during the fiscal year by initiation or reactivation of an activity of the United States, or by the acquisition of Federal property, the filing date shall be extended 60 days beyond the date of such initiation, reactivation, or acquisition.

(c) With respect to an applicant whose eligibility for financial assistance is established pursuant to an amendment to the Act which is enacted during the fiscal year for which assistance is sought, the filing date shall be extended 60 days beyond the effective date of such amendment.

(d) With respect to a local educational agency which, during the fiscal year for which assistance is sought, acquired administrative control and direction of free public education in all or any portion of an area of a previously existing local educational agency (under the circumstances described in § 115.20(b)), the filing date of an application under section 3 and 4 of the Act shall be extended to the extent necessary to allow 60 days beyond the effective date of such change in district organization.

(e) Where an application is filed directly with the Commissioner on or before the applicable filing date and a copy is filed with the State educational agency on or before the applicable filing date, then the application will, for good cause shown, be considered to be timely filed if, within fifteen days after the applicable filing date, the applicant obtains and files with the Commissioner the approval, verification, and certification of the application by the State educational agency.

(f) A timely filed application may be amended to apply for additional or alternative financial assistance based upon (1) the initiation or reactivation of a Federal activity, (2) the acquisition of property by the United States after the application was initially filed, (3) an amendment to the Act after the application was filed, or (4) a determination of the Commissioner first communicated to the applicant that property is or is not "Federal property" under section 403(1) of the Act. Such amendment must be filed within 60 days of such occurrence or communication and no later than on or before the 30th day of September following the fiscal year for which payment is requested.

(g) A timely filed application may be amended to apply for additional or alternative financial assistance under sections 3(c)(2), 3(d), 3(e), or section 4(d) of the Act if such an amendment is (1) filed no later than September 30 of the fiscal year following that for which asistance is sought and (2) accompanied by a detailed narrative giving the basis of the claim and a justification of the requested entitlement.

(20 U.S.C. 240(a))

§ 115.12 Applications under sections 2, 3, and 4 received after deadline not considered for payment.

Applications under sections 2, 3, and 4 of the Act which are received by the Commissioner after the applicable filing date prescribed by § 115.11 will not be approved.

(20 U.S.C. 240(a))

§ 115.13 Notification to applicants.

Each applicant will be notified of the results of the review of its application under one or more of the sections or subsections of the Act, and the estimated amount of the payment, if any, to be made.

(20 U.S.C. 240)

§ 115.14 Assurances and parental participation with respect to Indian children for applications under section 3.

(a) Each application for payment under section 3(a) or section 3(b) of the Act which is based upon children who reside on or reside with a parent employed on Indian lands (as included within the definition of Federal property under section 403(1)(A) of the Act) shall set forth adequate assurance that Indian children will participate on an equitable basis in the school program of the applicant local educational agency.

(Pub. L. 92-318, section 411(a); (20 U.S.C. 240(a)(2)))

(b) Each application based upon children as described in paragraph (a) of this section shall:

(1) Set forth such policies and procedures as will ensure that programs and projects assisted under the application have been planned and developed, and will be operated in consultation with, and with the involvement of parents of, the children to be served by such programs and projects. Applicants must submit a brief statement describing such policies and procedures with each application;

(2) Be submitted with assurance that such parents have had an opportunity to present their views with respect to the application; and

(3) Set forth policies and procedures for adequate dissemination of program plans and evaluations to such parents and the public. Applicants must submit a brief statement describing such policies and procedures with each application.

(c) It shall be the responsibility of the applicant local educational agency to provide to the parents of such children:

(1) Opportunity to make recommendations to the local educational agency concerning the needs of the Indian children;

(2) Opportunity to consult with the local educational agency concerning the ways in which such parents can assist their children in realizing the benefits to be derived from the educational program of the local educational agency; and

(3) Opportunity to present their views to the appropriate school personnel concerning the educational program and parental participation.

(20 U.S.C. 1231d; Pub. L. 92-318, section 411(a))

§ 115.16 Civil rights.

(a) Federal financial assistance is subject to the regulations in Part 80 of this title, issued by the Secretary of Health, Education, and Welfare and approved by the President to effectuate the provisions of Title VI of the Civil Rights Act of 1964. (Pub. L. 88-352)

(42 U.S.C. 2000d)

(b) Federal financial assistance is also subject to the provisions of Title IX of the Education Amendments of 1972 (prohibition of sex discrimination), and any regulations issued thereunder.

(Pub. L. 92-318, Title IX)

Subpart C—Payment

§ 115.20 Changes in boundaries, classification, and governing authority of applicants.

(a) If the applicant is a party to any merger, consolidation, annexation, deconsolidation, or other similar action which may affect its boundaries, identity, governing authority, classification, or control, it shall notify the Commissioner as soon as practicable of the effective date of that action, the extent and character thereof, and the legal authority under which the action was or is to be effected. Such notification must include the following information:

(1) The effective date of change in boundaries or organization, for all purposes, including administrative and fiscal;

(2) Identification by name, district, number, and address of all former agencies involved and of the application number for each applicant involved in the change;

(3) A statement describing the specific type of change, with a citation of the section or sections of the State law under which the change was accomplished;

(4) The legal name of the resulting successor agency (even if the name and legal classification of the applicant agency are retained after a change);

(5) A statement as to whether assets and liabilities of the former agency or agencies have been transferred to the successor agency, or whether a settlement agreement has been made and, if so, the effective date of such action;

(6) A statement as to whether a new board of education has or will assume control and management of the successor agency and, if so, the effective date thereof; and

(7) The name and address of the authorized representative for purposes of the Act, who shall be duly designated by the governing body of the successor agency. Evidence of such official designation must be submitted in the form of a copy of the resolution duly recorded in the minutes of the proceedings of the governing body.

(b) A local educational agency shall not be entitled to any payment on the basis of an application under section 3 or 4 of the Act (except as provided in paragraph (c) of this section) if (1) the change in the organization of such local educational agency is effective within the fiscal year covered by the application and occurs prior to the close of the regular school term of such year and (2) such local educational agency thereby ceases to be a legally constituted local educational agency. However, except as provided in § 115.21(c), a local educational agency which assumes administrative

control and direction of free public education in all or a portion of the area of such previously existing applicant, may (if it is not already an applicant under the section involved or if it files an application in accordance with § 115.11(d)) have its entitlement under section 3(c)(2) or 4(a)(1) of the Act for the entire fiscal year determined on either of the following bases, which ever is more favorable to it:

(1) On the basis of the entire area under its jurisdiction on the last day of such year; or

(2) On the basis only of the area acquired by the local educational agency from the previously existing local educational agency, except that the latter basis may only be used (i) for an application under section 3 of the Act for which a favorable finding has been made (or would have been made in due course but for the change in district organization) on the basis of the estimates required under section 3(c)(2) of the Act with respect to the previously existing agency, and (ii) for an application under section 4 of the Act for which such a favorable finding has been made (or would have been made in due course but for the change in district organization) under section 4(a)(1).

(c) Any payment made to a local educational agency prior to the date on which the first sentence of paragraph (b) of this section became applicable to it must be repaid to the United States except to the extent that (1) it is accounted for by the adjustments made in the entitlements of any successor applicant local educational agency pursuant to either paragraph (b) of this section or paragraph (c) of § 115.21 and (2) any balance remaining thereafter is found by the Commissioner not to be in excess of the amount to which the preexisting local educational agency would have become entitled on the basis of the number of federally connected children who were (i) not covered by any other application and (ii) to whom free public education was provided by the previously existing local educational agency or by any successor non-applicant local educational agency.

(20 U.S.C. 237(c), 244(6)(A))

§ 115.21 Payment under section 3 when percentage eligibility requirement is not met.

(a) Pursuant to the exception provision of section 3(c)(2)(B) of the Act, an applicant will not be required to meet the 3 percent eligibility requirement of that section if in either of the two years preceding the year of application the applicant met such percentage requirement and was entitled to a payment under section 3 of the Act. However, in the second year following the year in which the applicant last met the percentage requirement and was entitled to a payment, the payment under section 3 of the Act shall be reduced by 50 percent.

(20 U.S.C. 238(c)(2)(B))

(b) If an applicant local educational agency was not in existence in either one or both of the two fiscal years preceding that for which application is made, that agency may nevertheless receive the benefit of the provisions of paragraph (a) of this section if that agency is (i) composed only of territory which was formerly included in a predecessor agency which met (or predecessor agencies all of which met) the percentage eligibility requirement contained in section 3(c)(2)(B) of the Act and (ii) such predecessor agency or agencies received a net payment under section 3 of the Act for the fiscal year two years prior to that for which application is made.

(20 U.S.C. 238)

(c) If any local educational agency which had timely filed an application under section 3 of the Act and was entitled to payment by virtue of paragraph (a) or (b) of this section ceases to be a legally constituted local educational agency as a result of a district reorganization which is effective prior to the close of the regular school term within the fiscal year covered by the application (thereby becoming subject to the provisions of § 115.20(b)), a successor local educational agency which: (1) Files an application in accordance with § 115.11(d) (unless already an applicant under section 3) and (2) assumes administrative control and direction of free public education in all or a portion of the area of such previously existing applicant prior to the close of the regular school term of such previously existing applicant, shall be entitled to have its application processed on the basis of the: (i) area acquired from the previously existing local educational agency, and (ii) rights of that agency, without regard to the 3 percent requirement, subject to appropriate adjustment on account of payments made to such previously existing local educational agency.

(20 U.S.C. 238, 244(6)(A))

(d) A reduction in the number of children resulting from a decrease in, or cessation of, Federal activities or a failure of such activities to occur, to whom sections 3(a) or 3(b) of the Act applies and for whom a local educational agency made preparations to provide free public education during a fiscal year, shall be deemed to be substantial when such reduction in number equals that of the qualifying percentage as provided for in section 3(c)(2)(B) of the Act and at least ten in ADA.

(20 U.S.C. 238(e))

§ 115.22 Election under section 4(c).

Pursuant to section 4(c) of the Act, a local educational agency may elect to count for eligibility and payment under section 4(a) of the Act the entire increase in the number of children who are (a) in average daily attendance at its schools during the fiscal year and (b) otherwise eligible to be counted under section 3 of the Act. Such an election may be made only if an application under section 4 is timely filed on Form RSF-1 in accordance with § 115.11. Such an election is not subject to change after, and shall become final upon, the date of final payment for the fiscal year involved.

(20 U.S.C. 239(c))

§ 115.23 Payments under section 4(a).

(a) Payment under section 4(a) is intended to compensate a local educational agency for sudden and substantial increases in pupils whose attendance in school during the current school year is a direct result of Federal activities. Such payment may be made only when the Commissioner determines that (1) although the applicant has made a reasonable tax effort, the education of such increased number of children places a substantial and continuing financial burden on the applicant and (2) the applicant cannot secure from other sources funds which are adequate to provide for these children a level of education equivalent to that maintained in generally comparable school districts in the same State.

(20 U.S.C. 239(a))

(b) In the first fiscal year following payment under section 4(a), a payment not to exceed 50 percent of the entitlement in such preceding year under section 4(a) will be made, subject to the availability of funds. Such payment may not include any entitlement due to those increases in section 3(a) or 3(b) of such preceding year for which payment was made.

(20 U.S.C. 239(a))

(c) No payments will be made pursuant to section 4(a) of the Act unless (1) the increase in ADA of federally connected pupils in the current year over the ADA of such children in the preceding year is at least equal to 5 percent of non-Federal ADA in the preceding year, and (2) the increase in the current total ADA over the preceding year's total ADA is at least 5 percent of the preceding year's total ADA.

(20 U.S.C. 239(a)(1))

(d) No payments will be made pursuant to section 4(a) of the Act unless the parents of the pupils entering the schools of the local educational agency for the first time during the current school year enter the area of that agency to accept employment because of Federal activities on or after February 1 of the preceding year. An increase in activities of the United States for the purpose of section 4(a) of the Act may be found to have occurred in circumstances which include the following:

(1) Activities resulting from Federal contracts in the current fiscal year when the number of employees engaged in such Federal activity increased over the preceding fiscal year; and

(2) Activities where production resulting from Federal contracts changed so as to require employees with new skills for such production, and therefore new inmigrant employees resulted.

(e) Activities of those persons who were not employed by the United States or by a contractor of the United States

shall not be considered to be a direct result of activities of the United States for the purposes of section 4(a).

(20 U.S.C. 239(a)(1); 83-703, House Report No. 703, July 3, 1953, 12)

§ 115.24 Reduction of financial assistance under sections 2, 3, and 4 due to insufficient appropriations.

As prescribed by section 5(c) of the Act, if the funds appropriated for a fiscal year are not sufficient to pay in full the total amounts which all applicants whose applications have been considered for payment pursuant to this part are entitled to receive under sections 2, 3, and 4 of the Act or any subsection thereof for such fiscal year, the Commissioner will reduce the amounts which he certifies under section 5(b) of the Act for such fiscal year for payment to each such applicant by the percentage by which the funds so appropriated are less than the total necessary to pay such applicants the full amount which they are entitled to receive under the Act subject to any provisions contained in pertinent appropriation acts.

(20 U.S.C. 240(b), (c))

§ 115.25 Adjustment in entitlement for reductions in State aid.

(a) The amount which each local educational agency in a State is otherwise entitled to receive under section 2, 3, or 4 of the Act for any fiscal year shall be reduced in the same proportion (if any) that the State has reduced for that year its aggregate expenditures (from non-Federal sources) per pupil for current expenditure purposes for free public education below the level of such expenditures in the second preceding fiscal year. The Commissioner may waive or reduce this reduction whenever in his judgment exceptional circumstances exist which would make its application inequitable and would defeat the purposes of the Act. In order to determine whether such adjustment is appropriate, it will be necessary for each State to report data each year which will enable the Commissioner to compare the per pupil expenditures in the current and in the second preceding fiscal year. Each State shall report, in writing, in accordance with the requirements of this section:

(1) *General.* Data must be prepared and reported on the same basis for each of the two years being compared. The basis on which the computations were made and such other explanations as appear pertinent shall be included. Financial data shall be reported on a cash basis. Pupil data shall be reported on an average daily attendance basis;

(2) *Per pupil costs.* The per pupil cost for each of the two years must be included, as well as the total State aid expenditure and that the total number of pupils used as a basis for computing the per pupil cost;

(3) *State aid.* Only State aid paid to local districts with respect to free public elementary and secondary education during the period July 1 through June 30 may be included in the data submitted, regardless of the fiscal year which may be utilized by the applicant for other purposes:

(i) Such data shall be prepared in accordance with the following:

(*a*) Whenever practicable, such data should include only State funds paid for current operating expenses;

(*b*) The total amount of State aid payments shall be included if such funds were paid for capital outlay and other purposes but were not specifically earmarked for such purposes;

(*c*) Local funds raised by a local educational agency or a county and all Federal funds received by the State regardless of the purpose for which received shall also be included;

(*d*) Shared-revenue payments made to the States and redistributed to local educational agencies are considered to be Federal funds;

(ii) Such data shall exclude the following:

(*a*) The amount of State aid earned by an applicant local educational agency in one year to be paid the following year; and

(*b*) State aid payments earmarked for capital outlay purposes.

(4) *Pupil data.* The State may adopt whatever measures are appropriate to convert pupil data to average daily attendance providing that the conversion is made on the same basis for each year being compared.

(20 U.S.C. 240(d)(1))

(b) Any changes in State law, policies, or procedures which may affect the operation of section 5(d)(2) of the Act must be reported to the Commissioner in accordance with paragraph (c) of this section.

(20 U.S.C. 240)

(c) The data and information which is required to be reported in accordance with § 115.25 (a) and (b) shall be sent to the Commissioner in two reports: An initial report and a final report for each year. The initial report shall be submitted by February 1 of each year. Data in the initial report for the second preceding year and data in the final report should be final data based on actual amounts expended and pupils in attendance. However, data for the current school year may consist of estimates. The final report shall be submitted by September 30 of each year. If adjustments in current year data may be required after this date, the State must so indicate in transmitting the final report.

(20 U.S.C. 240)

§ 115.26 Failure or refusal of a local educational agency to educate children living on Federal property.

If, for any fiscal year for which section 6(f) of the Act is effective, no tax revenues of a State or of a political subdivision of a State may be expended for the free public education of children who reside on Federal property within the State, or if no tax revenues of a State are allocated for the free public education of such children, then that property shall not be considered to be Federal property for the purpose of computing entitlements under sections 3 and 4 of the Act of local educational agencies within that State with respect to children living off that property with parents who are employed thereon. Furthermore, deductions shall be made from the entitlements of certain local educational agencies in the circumstances and manner described in the second sentence of section 6(f) of the Act.

(20 U.S.C. 241(f))

Subpart D—Generally Comparable Local Educational Agencies; Local Contribution Rate

§ 115.30 Determination of generally comparable local educational agencies.

(a) In the case of a local educational agency in a State (other than Puerto Rico, Guam, American Samoa, the Virgin Islands, or any State in which a substantial portion of the land is an unorganized territory for which a State agency is the local educational agency or any State in which there is only one local educational agency) the Commissioner will, after consultation with the State educational agency and the applicant, determine those local educational agencies which, in his judgment, are generally comparable to the applicant. For this purpose, the Commissioner will, based upon the recommendation of the State educational agency, classify all local educational agencies in such State into groups of agencies generally comparable to one another. In recommending to the Commissioner the classification of all local educational agencies in the State into generally comparable groups, the State educational agency shall initially establish proposed groups based upon legal classifications or justify the use of another factor as the principal factor. Unless the State educational agency can establish to the satisfaction of the Commissioner that the consideration of additional factors will not result in greater comparability, division into further groups will be required. For the purposes of such further division, consideration shall be given to grade level, size as measured by total ADA, geographical size, density of population, industralization, current revenues, aggregate value of property, percent of pupils transported, and any other relevant factors. In making its recommendations in that regard to the Commissioner, the State educational agency will furnish such information as he may require, including information justifying the factors used and financial and attendance data necessary for the computation of per pupil expenditure and local contribution rate. On the basis of the recommendation by the State educational agency, the date furnished and other information which the Commissioner may obtain, and applying the above criteria, he will determine whether all local educational agencies in the State

shall be classified into generally comparable groups and, if so, will determine such groups. The pupil, financial, and other data specified above for the establishment of group rates for a fiscal year are to be submitted to the Commissioner by the State educational agency by September 1 of the fiscal year for which such rates will be applicable. These dates must include the following:

(1) Number of local educational agencies in the State and in each proposed group;

(2) Total ADA for (i) all local educational agencies in the State and (ii) all local educational agencies in each proposed group;

(3) Total revenue receipts from local sources for current expenditures for (i) all local educational agencies in the State and (ii) all local educational agencies in each proposed group;

(4) Total revenue receipts from all sources (excluding monies received under Titles I, II, and III of the Elementary and Secondary Education Act of 1965) for current expense purposes for (i) all local educational agencies in the State and (ii) all local educational agencies in each proposed group;

(5) Total current expenditures (excluding expenditures from funds granted under Titles I, II, and III of the Elementary and Secondary Education Act of 1965) for (i) all local educational agencies in the State and (ii) all local educational agencies in each proposed group;

(6) Total current expenditures from local source revenues for (i) all educational agencies in the State and (ii) all local educational agencies in each proposed group;

(7) Average local contribution rate for the State and for each proposed group (paragraph (a)(6) of this section divided by paragraph (a)(2) of this section);

(8) Average current expenditure per pupil for the State and for each proposed group (paragraph (a)(5) of this section divided by paragraph (a)(2) of this section);

(9) Total number, the actual ADA, and the total allowable current expenditures for the second preceding fiscal year of children enrolled in grades 13 and 14 of all local educational agencies of States which offer these grades as free public education; and

(10) Estimated current fiscal year per pupil cost for the State (in those States in which an applicant requests an entitlement under section 3(c)(4) or 4 of the Act). The actual per pupil costs shall be submitted by the applicant to the Commissioner at such time as they become available for each group.

(20 U.S.C. 238(d), 255(5))

(b) In a State for which group classifications of generally comparable school districts cannot, in the judgment of the Commissioner, be appropriately established pursuant to paragraph (a) of this section,

(1) An applicant may submit to the Commissioner in its application the names of districts (approximately five in number) in the State which it deems generally comparable to the local educational agency of the applicant (together with all other pertinent data requested in the application by the Commissioner);

(2) The selection by the applicant of such local educational agencies shall be based upon the criteria set forth in paragraphs (a)(1) through (a)(10) of this section and shall be submitted through the State educational agency for review and comment. The Commissioner's determination will be based upon such criteria and any other relevant factors. The financial, attendance, and other data of the selected local educational agencies must be sufficient to justify the selection of such local educational agencies as generally comparable and to determine the per pupil expenditures and the local contribution rates in such agencies. On the basis of the data furnished by the applicant, or information otherwise obtained, and applying the above criteria, the Commissioner will select those local educational agencies which he determines to be generally comparable to the applicant. Such data must be submitted to the Commissioner by the State educational agency for each local educational agency deemed to be generally comparable by September 1 of the fiscal year for which application is made. Data must include the following:

(i) Comparable local educational agency data for the second preceding fiscal year compiled by the State educational agency for use by applicants in completing the comparable district table in the application for the year of application;

(ii) ADA and the current expenditures for the second preceding fiscal year of children under twenty-one years of age who are enrolled in grades 13 and 14 for all local educational agencies in States that offer these grades as free public education; and

(iii) The estimated percent of change in per pupil cost for all local educational agencies in the State, in the aggregate, for the current fiscal year from the second preceding fiscal year, for each State wherein an applicant requests an entitlement under section 3(c)(4) or section 4. Since comparable district data are submitted for the second year preceding, the estimated percent of increase factor for adjusting the per pupil cost to the current year will suffice for all purposes prior to the final payment. However, the State shall submit actual data to the Commissioner for the purpose of computing final payments (except those final payments made pursuant to section 238(c)(4) and 239 of the Act).

(20 U.S.C. 238(d), 244(5))

(c) The State agency shall not distribute group rate data or comparable district data to applicants for inclusion in applications prior to the receipt of advance that such data have been approved by the Commissioner unless such data are clearly indicated as not yet having been so approved.

(20 U.S.C. 238(d), 244(5))

§ 115.31 Computation of local contribution rate.

The local contribution rate for an applicant for any fiscal year, except as otherwise specified in section 3(d) of the Act, will be computed by the Commissioner in the following manner: He shall divide (a) the aggregate current expenditures, during the second fiscal year preceding the fiscal year for which he is making a computation, which the local educational agencies determined pursuant to § 115.30 to be generally comparable to that of the applicant, made from revenues derived from local sources by (b) the aggregate number of children in average daily attendance to whom such agencies provided free public education during such second preceding fiscal year. The local contribution rate shall be an amount equal to the quotient so obtained.

(20 U.S.C. 238(d))

§ 115.32 Increase in or special local contribution rate.

Notwithstanding the provision in § 115.31, if the current expenditures in the local educational agencies which the Commissioner determined to be generally comparable to that of the applicant, in his judgment, are not reasonably comparable because of unusual geographical factors which affect the current expenditures necessary to maintain a level of education equivalent to that maintained in such other local educational agencies, then the Commissioner will increase the local contribution rate for such an applicant by the amount he determines will compensate the applicant for the increase in current expenditures necessitated by such unusual geographical factors.

(20 U.S.C. 238(d))

Subpart E—Records and Reports Required by the Commissioner

§ 115.40 Records and reports required of applicants.

(a) Each applicant shall maintain adequate written records to substantiate the Federal connection of pupils forming the basis for claim for financial assistance under sections 3 or 4 of the Act and shall make its records available to the Commissioner upon request for the purpose of examination or audit.

(b) Each applicant shall submit such reports and information as the Commissioner may reasonably require to determine the amount which the applicant may be paid under sections 2, 3, or 4 of the Act.

(20 U.S.C. 237, 238, 239, 240(a))

§ 115.41 Final reports by applicants under sections 2, 3, and 4.

(a) *Submission of final reports.* Each applicant shall for each fiscal year submit through the State educational agency on Form RSF–3 a final report to enable the Commissioner to determine the amount to which the applicant is entitled under the Act. Copies of this

form may be obtained from the appropriate State educational agency. Such final reports must be received by the Commissioner on or before the 30th day of September following the fiscal year for which payment is requested; except that, whenever that date falls on a Saturday, Sunday, or Federal holiday, the final date for filing such final reports shall be the next succeeding business day. No certification of payment will be made after the applicable date for filing the final report for any fiscal year until the final report for that fiscal year has been received. Until all such reports for each year for which an applicant has received a payment have been received in proper form, no further payment to such applicant will be made under the Act for any subsequent year, unless the Commissioner is satisfied from other information that the payments already made for the year for which a final report is lacking do not exceed the net amount due that applicant out of the appropriations for that year.

(b) *Failure to submit final report when appropriations are insufficient.* In addition to the limitation in paragraph (a) of this section for any year for which the Commissioner is required to reduce the amounts which he certifies for payment because the funds appropriated are insufficient to pay in full the total amounts to which all applicants are entitled, unless the final report has been received by the Commissioner on or before the applicable date for filing that final report, an applicant will not be entitled to any further payment out of funds available for that fiscal year. However, an applicant which has not received its regular initial payment for that year will have its application processed for that regular initial payment if a final report is received by the Commissioner within 30 days after the applicable date for filing that final report.

(c) *Excessive entitlement.* The Commissioner may, for a fiscal year for which no final report has been received, disallow any portion of the estimated entitlement which he may determine to be excessive on the basis of such information as is available. On the basis of all available information and whether or not such a report has been submitted after the applicable date for filing a final report following the close of the fiscal year, if an applicant is found to have received funds in excess of its entitlement or prorated portion of its entitlement for that fiscal year, that excess will be deducted in computing amounts subsequently certified for payment to the applicant for the current or subsequent fiscal year. Where no such payments are due, the applicant will be required to refund such excess to the United States through the Commissioner.

(d) *Information submitted after deadline date.* No effect will be given to any report or information filed by the applicant after the applicable date for filing a final report to increase the amount computable on the basis of information filed on such date, except that, where clarifying information has been solicited in writing by the Commissioner for the purpose of processing applications and final reports, such information may be given effect if received in writing by the Commissioner.

(20 U.S.C. 240(a))

§ 115.42 Retention of records.

Local educational agencies receiving Federal payments under the Act are required to keep all records supporting the application until the completion of the administrative reviews which are regularly conducted by Federal agencies, or for three years following the fiscal year to which the application relates, whichever is earlier. The records involved which have been questioned should be further maintained until necessary adjustments have been made and the adjustments have been reviewed and cleared by the Federal agencies making such reviews.

(20 U.S.C. 240(a), 1232c(a))

§ 115.43 Reports from other Federal agencies.

Because of the requirements of section 2 and other provisions of the Act, the Commissioner requires information with respect to certain payments made by other Federal departments and agencies for the same general purposes. Pursuant to the provisions of section 402(b) of the Act, other Federal departments and agencies which made expenditures (directly or otherwise) for, or in aid or supplementation of elementary and secondary education with respect to which an application has been filed with the Commissioner, will be requested to file reports of commitments and expenditures for such purposes.

(20 U.S.C. 243(b))

Subpart F—Arrangements Under Section 6 of the Act

§ 115.50 Arrangements under section 6(a).

(a) Children who reside on Federal property shall be educated whenever possible in schools operated and controlled by local educational agencies (in accordance with State laws and standards).

(b) Insufficient funding under section 3 of the Act does not provide adequate justification for the making of arrangements under section 6(a) of the Act.

(c) In appropriate instances, when arrangements are made under section 6(a) of the Act, the provisions of section 6(f) shall be applied.

(d) To the extent practicable, the Commissioner will limit such payments to that of the per pupil cost provided for children in comparable communities in the State. In order to establish such cost, the agency or department proposing the arrangements must submit the per pupil cost data for the following agencies:

(1) The local educational agency in which all or part of the Federal property where the children reside and for which a proposal is being submitted is located, or, if the Federal property is not located within a local educational agency, one of the local educational agencies contiguous to such Federal property;

(2) The local educational agency in which the capital city of the State is located; and

(3) From one to three additional local educational agencies thought to be generally comparable to that of the schools affected by the proposal.

(20 U.S.C. 241(a); House Report No. 81-2287, June 20, 1950, 22-23)

§ 115.51 Arrangements under section 6(b).

(a) When the Commissioner makes arrangements under section 6(a) of the Act, he will under appropriate circumstances also make arrangements for those children for whose education he is authorized to make provisions under section 6(b) of the Act.

(b) Where a parent residing on the Federal property is transferred and the family moves from housing on Federal property to housing in an area adjacent to the Federal property, the dependent children will be permitted, as determined by the Commissioner, to continue in attendance at the section 6 school for the remainder of the fiscal year provided that they continue to reside in such adjacent area. Where a parent is assigned to a Federal property on which there is a section 6 school and is assigned family housing on Federal property which the operating Federal agency certifies will be available for occupancy and will be occupied within ninety (90) days from the beginning of the school term, the dependent children may be permitted to attend the section 6 school while residing in an area adjacent to such Federal property for the portion of the ninety-day period as required by such residence.

(50 U.S.C. 241(b))

§ 115.52 Arrangements under section 6(c).

(a) When the Commissioner makes arrangements under section 6(a) of the Act, he will under appropriate circumstances also make arrangements in connection therewith for those children for whose education he is authorized to make provision under section 6(c) of the Act.

(b) Children may be permitted to attend the section 6 schools under the provisions of section 6(c) upon submission of a proper proposal approved by the Commissioner. Such children may include only:

(1) Children of a parent employed by the United States in Puerto Rico under the following conditions:

(i) The employing Federal agency has a policy of transfer or reassignment of personnel who occupy the same or similar grade, position, or classification of the parent and the parent is subject to such policy;

(ii) Such agency normally makes reassignments or transfers of such employees to places where English is the

language of instruction in the school normally attended by children of Federal employees;

(2) Children of a federally employed parent if:

(i) Such parent, with his family, has been stationed in an area in which English is the language of instruction in the schools generally attended by the children of such employees;

(ii) Such parent has been assigned to a location where the family is not authorized by the employing agency to go; and

(iii) Either of the following conditions exists:

(*a*) Such parent's home of record is Puerto Rico; or

(*b*) The home of such parent or such parent's spouse was Puerto Rico prior to their marriage; and

(3) Children of a parent who is employed as a supervisor, administrator or instructional personnel in a facility for which arrangements are made pursuant to section 6 of the Act, if both of the following conditions exist:

(i) Such parent was hired in a country in which English is the primary language; and

(ii) The family of such parent migrated to Puerto Rico from an area in which English is the language of instruction in schools generally attended by children of such employees.

(20 U.S.C. 241(c); Sen. Rept. No. 311, 89th Cong., 1st Sess., June 9, 1965, 2; H. Rept. No. 703, July 3, 1953, 83d Cong., 1st Sess., 24, 28, 67)

§ 115.53 Proposal for arrangements under section 6.

(a) Any local educational agency, or the Federal department or agency administering the Federal property on which part or all of such section 6 children reside, which believes that the Commissioner should exercise his authority under section 6 of the Act to make arrangements to provide free public education for children who reside on Federal property or in other appropriate areas, and which is willing to enter into or assist in entering into such arrangements, should file a proposal with the Commissioner, on or before April 30 preceding the fiscal year for which such arrangements would be made.

(b) Such proposal shall be in the form prescribed by the Commissioner and bear the endorsement of either the State and local educational agencies or of the appropriate officials of the Federal department or agency administering the property or properties on which the children reside, as appropriate. Such proposal shall include the following:

(1) The reasons why the Commissioner should make a determination to enter into such arrangements;

(2) The estimated number of children to be educated;

(3) Financial and educational details necessary for the Commissioner to make the determinations and arrangements required under section 6 of the Act; and

(4) The name of the local educational agency or Federal department or agency which would provide such free public education.

(20 U.S.C. 241(d))

§ 115.54 Determinations by the Commissioner pursuant to section 6.

If under section 6 of the Act the Commissioner determines that he is required to make such arrangements to provide free public education for part or all of the children on whose behalf the request is made or if, acting upon information otherwise received, he makes a determination to provide free public education for children who reside on Federal property or adjacent areas, such arrangements shall be made with a local educational agency or with the Federal department or agency administering the Federal property on which part or all of the children reside who will be provided education pursuant to the arrangements.

(20 U.S.C. 241, 243(a))

§ 115.55 Notice of Commissioner's action.

The Commissioner, after his review of the proposal, will notify the responsible Federal official or the local educational agency of his action respecting the arrangements to be made and the amount of Federal funds approved for the year's operating budget. Upon receipt of such notice the agency may take appropriate action to carry out the arrangements but should not incur any binding financial obligation prior to notification that the necessary funds have been appropriated and are available. In those cases where the education is to be provided by a local educational agency, the Commissioner will enter into an agreement with the agency which will specify the terms and conditions on which the education is to be provided and the basis on which the Federal payment will be made. The Commissioner will prepare the agreement and send it to the local educational agency for signature.

(20 U.S.C. 241(d))

§ 115.56 Arrangements under section 402(a).

(a) The Commissioner will, pursuant to proper agreement with the applicant local educational agency and a Federal department or agency, arrange with such Federal department or agency for the utilization of services and facilities and the transfer of funds for the cost thereof in the following circumstances:

(1) The local educational agency is an applicant under section 3 of the Act, and is legally or otherwise unable to provide to children residing on Federal property the particular educational services and facilities regularly furnished its other children; or

(2) The Federal agency or department cannot legally accept compensation to provide such services and facilities.

(b) The total amount of funds transferred to cover the cost of such services and facilities will be deducted from the section 3 entitlement of the local educational agency.

(20 U.S.C. 243(a))

§ 115.57 Expenditures.

In making such arrangements, the Commissioner shall not make payments for (a) expenditures made prior to his determination that he is required to make such arrangements; or (b) expenditures made subsequent thereto unless such expenditures are within the definition of "current expenditures" in section 403(5) of the Act or are within the general terms of the arrangements; or (c) expenditures in excess of the actual or reasonable per pupil expenditure of providing free public education in the applicable State.

(20 U.S.C. 241)

§ 115.58 Reports.

The local educational agency or the Federal department or agency with which such arrangements are made shall make such reports to the Commissioner from time to time as he may require to perform his functions under the Act.

(20 U.S.C. 241(d), 243(b))

§ 115.59 Termination of arrangements.

Arrangements under section 6 of the Act shall be limited to provide free public education for not more than one school year. If the Commissioner determines that the local educational agency or the Federal department or agency with which arrangements have been made has substantially deviated from the terms of the arrangements, he will so notify the local educational agency or the Federal department or agency concerned. If the local educational agency or the Federal department or agency does not within a reasonable time comply with the terms of the arrangements, the Commissioner may terminate such arrangements without further notice.

(20 U.S.C. 241)

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PART III

OFFICE OF MANAGEMENT AND BUDGET

■

BUDGETARY RESERVES AS OF JUNE 30, 1974

Report Under Federal Impoundment and Information Act

OFFICE OF MANAGEMENT AND BUDGET

REPORT UNDER FEDERAL IMPOUNDMENT AND INFORMATION ACT

JULY 15, 1974.

Hon. GERALD R. FORD,
President of the Senate,
Washington, D.C.

DEAR MR. PRESIDENT: The enclosed report is submitted pursuant to the Federal Impoundment and Information Act, as amended. In accordance with that Act, the report is being transmitted to the Congress and to the Comptroller General of the United States, and will be published in the FEDERAL REGISTER.

This is the final report under the Federal Impoundment and Information Act, which was repealed by the Congressional Budget and Impoundment Control Act of 1974. The reports required by the Congressional Budget and Impoundment Control Act will begin as soon as reporting procedures can be instituted.

Sincerely,

ROY L. ASH,
Director.

BUDGETARY RESERVES AS OF JUNE 30, 1974

APPORTIONMENT AND RESERVATION OF FUNDS PROCESS

The Antideficiency Act (31 U.S.C. 665) requires, with certain exceptions, that all appropriations, funds, and contract authority be apportioned so as to: prevent obligation of funds in a manner which would require deficiency or supplemental appropriations; achieve the most effective and economical use of amounts made available; provide for contingencies; and effect savings. The Act also requires that apportionments shall be reviewed at least four times each year, and it authorizes reapportionments and the establishment of reserves. The authority granted by this Act is exercised by the Director of the Office of Management and Budget under authority delegated by the President.

Apportionments specify the amounts that may be obligated during specific time periods, usually within the current fiscal year. In some cases, specific provisions of law provide that funds should be available over a period longer than one year. In cases where the amount of contract authority available a year in advance is specified by law, a distinction is made in the accompanying report (Attachment D) between the 1974 and 1975 programs.

The practice of withholding some amounts—"reserving" them—from apportionment, either temporarily or for longer periods, is one of long-standing and has been exercised by all recent administrations as a customary part of financial management. The Antideficiency Act authorizes the withholding of funds from apportionment to provide for contingencies or to effect savings made possible by or through changes in requirements, greater efficiency of operations, or other developments subsequent to the date on which the funds were made available. When funds are, by law, made available beyond the current fiscal year, they are generally not fully apportioned in the current year. The unapportioned part is withheld to be released later for use in subsequent years, as required.

In some legislative and appropriation actions, the Congress has required the withholding of specified funds. For example, the 1973 Agriculture-Environmental and Consumer Protection Appropriation Act (Public Law 92–399) explicitly required that an amount be placed in reserve pending an administrative determination of need. In other cases, notably the 1974 Labor-HEW Appropriations Act (Public Law 93–192), Congress has authorized the withholding from obligation and expenditure of specified amounts or percentages of appropriated funds. A table showing the amounts withheld under Public Law 93–192 is Attachment A to this report. A similar withholding was authorized by the 93rd Congress in the Agriculture-Environmental and Consumer Protection Appropriation Act of 1974. The Act provided an indefinite authorization to make insured loans in the Rural Electrification and Telephone Revolving Fund as follows (dollars in millions):

	Not less than—	Not more than—
Electric loans	618	750
Telephone loans	140	200
Total	758	950

The 1974 authority to spend debt receipts to finance loan activity was apportioned at the $758 million level.

In yet another case, Congress has made funds available only upon the arrival of certain contingencies. The 1974 Supplemental Appropriations Act (Public Law 93–245) sets aside a contingency reserve for the Interior Department's Office of Oil and Gas which is to become available only upon enactment of emergency energy legislation.

These Congressional directives are, however, the exception rather than the rule. Most reserves are established at the initiative of the Executive Branch and are based on operational knowledge of the status of specific projects or activities. For example, when a particular objective can be accomplished at less cost than had been anticipated when the appropriation was made, a reserve assures that savings can be realized and, if appropriate, returned to the Treasury. In other cases, apportionments sometimes await (1) development by the affected agencies of approved plans and specifications, (2) completion of studies for the effective use of the funds, including necessary coordination with the other Federal and non-Federal parties that might be involved, (3) establishment of a necessary organization and designation of accountable officers to manage the programs, or (4) the arrival of certain contingencies under which the funds must by statute be made available (e.g., certain direct Federal credit aids when private sector loans are not available). From time to time, reserves are established for the purpose of conforming to the requirements of other laws. An example is the Executive's responsibility to say within the statutory limitation on the outstanding public debt.

Most, but not all, funds provided by the Congress are subject to the apportionment process. Subsection (f) of the Antideficiency Act authorizes a series of exemptions. Temporary continuing appropriations are exempt from the apportionment process (Public Law 93–52, as amended, Section 103). Appropriations provided under such temporary continuing appropriation acts are usually indefinite in amount. In addition, some laws establish funding arrangements which are either outside the apportionment process or require Executive determinations before they become subject to apportionment. The Federal Water Pollution Control Act of 1972 (Public Law 92–500), for example, vests discretion in the Administrator of the Environmental Protection Agency to allot less than the maximum amounts authorized by the Act.* Under the provisions of the Act, authority to make contracts does not exist until the allotment is made. Consequently, fund availability (budget authority) exists only when allotments are made and only allotted funds move through the apportionment process. At this date, funds authorized by the Federal Water Pollution Control Act have been allotted on the following basis (dollars in billions):

Fiscal years	Authorized	Allotted	Unallotted
1973	5	2	3
1974	6	3	3
1975	7	4	3

Funding of certain housing programs of the Department of Housing and Urban Development (HUD) presents a unique situation with respect to the apportionment process. For five housing programs, the Congress provides commitment authority that allows the Secretary of HUD to sign long-term contracts requiring annual payments to specific housing units. The commitment authority is not subject to the apportionment (and thus the reserve) process since it does not represent obligational authority of a given year. Rather, it represents an authorization to enter into contracts which will result in a requirement for obligational authority (payments) in each of the years covered by the contract. Current plans anticipate that the commitments for annual payments will be some $299 million under the level made available by the Congress for four of these programs. If used, the $299 million of authority could result in outlays of up to $10 billion over the life of the contracts. As the payments under the contracts come due, they are met by annual appropriations (provided under the account "Housing payments" which also covers low-rent public housing). Thus, funds are only required to meet annual payments under the contracts. They are not required at the time the

contracts are signed and are made available only when actually appropriated. Since reserves are established only on the basis of fund availability, and since funds appropriated for this program are needed for making payments at an early date, no reserves have been established for the subsidized housing programs.

The amount of funds apportioned or held in reserve at any one time is heavily dependent upon events both preceding and following initial apportionment actions. Key among the predecessor events is the passage of the annual appropriation bills. Apportionments for most Federal programs are made within 30 days of enactment of the appropriation bills. The earlier in the fiscal year these apportionments occur, the greater is the chance that reserves will accompany them. Early in the fiscal year, program and project plans are incomplete and allowances need to be made for contingencies which may occur later in the year. As administrative plans are completed and other events occur during the year, the need for reserving funds diminishes. Thus, for any one fiscal year, the amount in reserve is relatively low at the beginning of the year (reflecting primarily multi-year funds), peaks 30 days after passage of most of the appropriation bills, and then steadily diminishes as the end of the fiscal year approaches.

Reserves as of June 30, 1974. Since the report on Budgetary Reserves as of April 20, 1974, total funds in reserve for the 1974 program have decreased $2.9 billion to a new total of $7.5 billion. This reduction is primarily accounted for by the release of reserves in three areas: Emergency security assistance for Israel ($2.2 billion); Rural water and waste disposal grants under the Farmers Home Administration, Department of Agriculture ($.1 billion); and the Federal-aid highways/1974 program of the Department of Transportation ($.5 billion). The balance of the reduction in 1974 program reserves results from releases made to meet end-of-year funding requirements in many programs.

The $7.5 billion remaining in reserve in the 1974 program as of June 30, 1974, largely represents the reservation of obligational authority that has been made available beyond 1974. These reserves have been maintained through June 30 to ensure fund availability in 1975 and subsequent fiscal years. All but $2 billion of the total is in three departments, Agriculture ($1 billion), Defense ($1.6 billion), and Transportation ($3.3 billion).

All of the $6.3 billion in reserve for 1975 is in the Federal-aid highways account and other highway programs.

Report Required by Law. This report is submitted in fulfillment of the requirements of the Federal Impoundment and Information Act, as amended, which provides for a report of "impoundments" and certain other information pertaining thereto. This report lists the budgetary reserves that were in effect as of June 30, 1974. The Congressional Budget and Impoundment Control Act of 1974 will, when enacted, bring an end to this series of reports and begin a new series.

The new Act will repeal the current reporting requirements under the Federal Impoundment and Information Act and substitute new reporting provisions.

The Antideficiency Act requires that all apportionments be reviewed at least quarterly, and that reapportionments be made or reserves be established, modified, or released as may be necessary to further the effective use of the funds concerned. Thus, in answer to item Number 5 of the Federal Impoundment and Information Act, the period of time during which funds are to be in reserve is dependent in all cases upon the results of such later review.

Attachment D lists, by agency, all accounts for which some funds are reserved. An asterisk (*) identifies those accounts added to the listing since the last report (i.e., such accounts contained no reserves on April 20, 1974). The listing:

(a) Presents the amount currently apportioned for the fiscal year 1974;

(b) Presents the amount in reserve as of June 30, 1974;

(c) States whether the amount reserved will be legally available for obligation in fiscal year 1975;

(d) Indicates the date of the reserve action and the effective date of the current reserve;

(e) Presents a code which relates to the reason for the current reserve action, without necessarily exhausting all possible reasons; and

(f) Presents a code which indicates the estimated fiscal, economic, and budgetary impact of the current reserve.

Codes used in the remainder of this report relating to the reasons for and estimated fiscal, economic, and budgetary impact of the reserve actions are described in Attachments B and C. The codes and footnotes listed for each entry relate to conditions which were in effect as of the date of the reserve action.

ATTACHMENT A

1974 LABOR/HEW APPROPRIATIONS—FUNDS WITHHELD FROM OBLIGATION AND EXPENDITURE

The 1974 appropriations act for the Departments of Labor, and Health, Education, and Welfare, and related agencies (P.L. 93–192) contains the provision that "not to exceed $400 million, * * * may be withheld from obligation and expenditure * * *." The appropriation language also specifies that no individual appropriation provision may be reduced by more than five percent. In addition, the conference report (H.R. 93–682) establishes dollar limitations for the reductions that may be made to specified programs.

The following table shows the effect of the amounts withheld from programs receiving appropriations under this act. A comparison is drawn between amounts authorized to be withheld in the conference report and actual amounts withheld.

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Health

(In thousands of dollars)

	Authorized to be withheld (conference report)	Amounts withheld (1975 Budget)	Difference
Health Services and Mental Health Administration:			
Mental health	26,874	9,567	-17,307
Health services planning and development 1/	17,509]		
Health services delivery 1/	] 2,800]	25,937	-16,649
Health manpower 1/	22,277]		
Preventive health services	4,936	0	-4,936
Subtotal	(74,396)	(35,504)	(-38,892)
National Institutes of Health:			
National Cancer Institute	27,560	23,706	-3,854
National Heart and Lung Institute	15,145	13,365	-1,780
National Institute of Dental Research	2,278	1,607	-671
National Institute of Arthritis, Metabolism and Digestive Diseases	7,972	5,886	-2,086
National Institute of Neurological Diseases and Stroke	6,250	3,642	-2,608
National Institute of Allergy and Infectious Diseases	5,700	2,911	-2,789
National Institute of General Medical Sciences	8,838	8,449	-389
National Institute of Child Health and Human Development	6,512	4,799	-1,713
National Eye Institute	2,081	454	-1,627
National Institute of Environmental Health Sciences	1,443	482	-961
Research resources	6,672	4,046	-2,626
John E. Fogarty International Center	237	0	-237
National Library of Medicine	877	0	-877
Subtotal	(91,565)	(69,347)	(-22,218)
Total, Health	165,961	104,851	-61,110
Education			
Office of Education:			
Elementary and secondary education	96,725	94,979	-1,746
School assistance in Federally affected areas	16,584	16,584	0

1/ The 1974 activities of these programs are divided between Health Services Administration and Health Resources in the 1975 Budget Appendix.

	Authorized to be withheld (conference report	Amounts withheld (1975 Budget)	Difference
Office of Education--Cont'd:			
Education for the handicapped	5,325	5,325	0
Occupational, vocational, and adult education	26,354	26,354	0
Higher education	29,167	29,167	0
Library resources	8,585	6,261	-2,324
Educational development	4,487	4,487	0
Salaries and expenses	93	93	0
Total, Education	187,320	183,250	-4,070
Welfare			
Social and Rehabilitation Service:			
Grants to States for public assistance	2,500	2,500	0
Social and rehabilitation services	7,775	7,775	0
Subtotal	(10,275)	(10,275)	(0)
Office of Child Development:			
Child development	15,500	9,020	-6,480
Subtotal	(15,500)	(9,020)	(-6,480)
Total, Welfare	25,775	19,295	-6,480
RELATED AGENCIES			
Corporation for Public Broadcasting	2,500	2,250[2/]	-250
Office of Economic Opportunity	17,315	9,800[3/]	-7,515
Total, Related Agencies	18,815	12,050	-7,765
Total, HEW and Related Agencies	398,871	319,446	-79,425

2/ This withholding does not appear in the 1975 Budget Appendix.
3/ In the 1975 Budget Appendix, this figure is shown as an unobligated balance lapsing.

Attachment B

REASON FOR CURRENT RESERVE

Code	
1	"To provide for contingencies" (31 USC 665(c)(2)).
2	"To effect savings whenever savings are made possible by or through changes in requirements, greater efficiency of operations, or other developments subsequent to the date on which such (funds were) made available" (31 USC 665(c)(2)).
3	To reduce the amount of or to avoid requesting a deficiency or supplemental appropriation in cases of appropriations available for obligation for only the current year (31 USC 665(c)(1)). This explanation includes amounts anticipated to be used to absorb or partially absorb the costs of recent pay raises grant pursuant to law.
4	"To achieve the most effective and economical use" of funds available for periods beyond the current fiscal year (31 USC 665(c)(1)). This explanation includes reserves established to carry out the Congressional intent that funds provided for periods greater than one year should be so apportioned that they will be available for the future periods.
5	Temporary deferral pending the establishment of administrative machinery (not yet in place) or the obtaining of sufficient information (not yet available) to apportion the funds properly and to insure that the funds will be used in "the most effective and economical" manner (31 USC 665(c)(1)). This explanation includes reserves for which apportionment awaits the development by the agency of approved plans, designs, specifications.
6	The President's constitutional duty to "take care that the laws be faithfully executed" (U.S. Constitution, Article II, Section 3):
6a	Obligation at this time of the amount in reserve is likely to contravene law regarding the environment; or the amount in reserve is being held pending further study to evaluate the environmental impact of the affected projects (activities) as required by law.
6b	Existing tax laws and the statutory limitation on the national debt are not expected to provide sufficient funds in the current and ensuing fiscal years to cover the total of all outlays in these years contemplated by the individual acts of Congress.
6c	Action taken consistent with the President's responsibility to help maintain economic stability without undue price and cost increases.
6d	Amount apportioned reflects the level of obligations implicitly approved by the Congress in its review of and action on the appropriation required to liquidate obligations under existing contract authority.
6e	Other. See footnote for each item so coded.
7	The President's constitutional authority and responsibility as Commander in Chief (U.S. Constitution, Article II, Section 2).
8	The President's constitutional authority and responsibility for the conduct of foreign affairs (U.S. Constitution, Article II, Section 2).
9.	Other. See footnote for each item so coded.
10	Not applicable or no reason required. (In most cases where a previous reserve has been apportioned in its entirety.)

ESTIMATED FISCAL, ECONOMIC, AND BUDGETARY EFFECT

I. Same effect as set forth in the most recently submitted budget document, of which this item is an integral part.

II. The reserve action will bring the budgetary impact of this program to a level nearer or equal to that contemplated in the most recently submitted budget document and contribute to the reduction of inflationary pressures.

III. The change from the previous reserve is expected to contract the budgetary impact of this program and contribute to the reduction of inflationary pressures.

IV. The release or reduction of the previous reserve will facilitate use and expenditure of the available funds consistent with current program needs and economic conditions in the area affected.

V. Other. See footnote for each item so coded.

VI. Not applicable or no explanation required. (In most cases where a previcus reserve has been apportioned in its entirety.)

SUMMARY OF BUDGETARY RESERVES

1974 Program
(Dollars in millions) 1/

Agency	Amounts as of: June 30, 1973	Sept. 30, 1973	Feb. 4, 1974	Apr. 20, 1974	June 30, 1974
Executive Office of the President	2	--	1	1	--
Funds Appropriated to the President	126	96	2,507	2,398	60
Department of Agriculture	1,316	1,173	1,091	1,080	957
Department of Commerce	140	63	59	53	47
Department of Defense--Military	1,618	1,143	2,514	1,686	1,566
Department of Defense--Civil	33	1	4	5	5
Department of Health, Education, and Welfare	21	23	381	379	329
Department of Housing and Urban Development	460	456	823	467	467
Department of the Interior	478	162	219	202	206
Department of Justice	36	14	14	14	14
Department of Labor	--	--	21	21	157
Department of State	6	--	86	50	50
Department of Transportation	2,885	3,838	3,817	3,761	3,341
Department of Treasury	22	22	23	23	22
Atomic Energy Commission	118	27	--	--	--
Environmental Protection Agency	--	--	95	88	87
General Services Administration	262	258	38	38	38
National Aeronautics and Space Administration	2	2	2	--	--
Veterans Administration	44	43	--	--	--
Other Independent Agencies:					
National Science Foundation	62	4	--	--	--
Small Business Administration	50	31	31	31	31
All other	51	90	89	89	110
Total	7,732	7,446	11,813	10,384	7,486

1/ Details may not add due to rounding.

ATTACHMENT D

SUMMARY OF BUDGETARY RESERVES

1975 Program
(Dollars in millions)

Agency	Amounts as of: Sept. 30, 1973	Feb. 4, 1974	Apr. 20, 1974	June 30, 1974
Department of Agriculture	---	140	140	140
Department of the Interior	75	190	190	190
Department of Transportation	---	5,994	5,995	5,994
Total	75	6,324	6,325	6,324

As of
June 30, 1974

BUDGETARY RESERVES

(Dollars in thousands)

GENERAL NOTES

Amounts in parenthesis () indicate actions superseded by later apportionment actions.
An asterisk * indicates an account added to the list since the last report.
An account without an entry in the amount apportioned column indicates no apportionment has been made for FY 1974.

Amount apportioned	Amount in reserve	Available beyond FY 1974?	Date of reserve action	Effective date of reserve	Reason for current reserve (see code)	Estimated fiscal, economic, & budgetary effect (see code)
Executive Office of the President/Funds Appropriated to the President						
Appalachian Regional Commission: Appalachian Regional Development Programs						
(209,000)	(225,000)	Yes	6/29/73	7/01/73	5,6c	I
(320,395)	(40,000)	Yes	9/12/73	9/12/73	5,6c	I
325,747	40,000	Yes	10/23/73	10/23/73	5,6c	I
Agency for International Development: Prototype Desalting Plant						
(---)	(20,000)	Yes	4/07/72	7/01/73	5	I
--- 1/	20,000	Yes	1/29/74	1/29/74	5	I

Amount apportioned	Amount in reserve	Available beyond FY 1974?	Date of reserve action	Effective date of reserve	Reason for current reserve (see code)	Estimated fiscal, economic, & budgetary effect (see code)
Foreign Military Credit Sales						
(78,940)	(246,060)	No	1/23/74	1/23/74	5	I
(128,940)	(196,060)	No	2/25/74	2/25/74	5	I
(150,190)	(174,810)	No	3/18/74	3/18/74	5	I
(169,890)	(155,110)	No	3/25/74	3/25/74	5	I
(181,990)	(143,010)	No	5/01/74	5/01/74	5	I
(238,240)	(86,760)	No	5/13/74	5/13/74	5	I
(240,740)	(84,260)	No	5/21/74	5/21/74	5	I
(266,690)	(58,310)	No	5/24/74	5/24/74	5	I
(300,115)	(24,885)	No	6/10/74	6/10/74	5	I
(314,615)	(10,385)	No	6/13/74	6/13/74	5	I
(322,115)	(2,885)	No	6/17/74	6/17/74	5	I
325,000	---	NA	6/28/74	6/28/74	10	VI
Emergency Security Assistance for Israel						
(---)	(2,200,000) 2/	No	2/01/74	2/01/74	5	I
(17,336)	(2,182,664)	No	2/28/74	2/28/74	5	I
2,200,000	---	NA	4/25/74	4/25/74	10	VI
Council on Environmental Quality and Office of Environmental Quality						
(1,930)	(536)	No	11/07/73	11/07/73	5	I
(1,980)	(486)	No	3/12/74	3/12/74	5	I
2,466	---	NA	5/24/74	5/24/74	10	VI
Special Action Office for Drug Abuse Prevention: Salaries and Expenses						
(3,800)	(1,200)	No	12/26/73	12/26/73	5	I
5,000	---	NA	1/11/74	1/11/74	10	VI

3

Amount apportioned	Amount in reserve	Available beyond FY 1974?	Date of reserve action	Effective date of reserve	Reason for current reserve (see code)	Estimated fiscal, economic, & budgetary effect (see code)
Pharmacological Research						
(400)	(19,600)	No	12/26/73	12/26/73	5	I
20,000	---	NA	1/11/74	1/11/74	10	VI
Special Fund						
(1,300)	(24,700)	No	12/26/73	12/26/73	5	I
26,000	---	NA	1/11/74	1/11/74	10	VI
National Security Council						
(2,502)	(300)	No	11/16/73	11/16/73	5	I
2,532	270	No	5/09/74	5/09/74	5	I
The Inter-American Foundation: Inter-American Foundation						
(5,000)	(35,652)	Yes	6/12/73	7/01/73	4	V 3/
(5,000)	(35,735)	Yes	12/04/73	12/04/73	4	I
10,000	--- 4/	NA	1/28/74	1/28/74	10	VI 4/
Department of Agriculture Agriculture Research Service: Construction						
(---)	(1,520)	Yes	6/29/73	7/01/73	4,6b	I
3,786	770	Yes	6/27/74	6/27/74	4,6b	IV

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Amount apportioned	Amount in reserve	Available beyond FY 1974?	Date of reserve action	Effective date of reserve	Reason for current reserve (see code)	Estimated fiscal, economic, & budgetary effect (see code)
Animal and Plant Health Inspection Service: Animal and Plant Health Inspection Service						
(317,083)	(878)	No	11/23/73	11/23/73	1	I
(317,583)	(378)	No	2/08/74	2/08/74	1	I
321,673	378	No	4/23/74	4/23/74	1	I
Animal Quarantine Station						
130	64	Yes	11/23/73	11/23/73	5	I
Extension Service: Extension Service						
(201,429)	(3,200)	No	11/23/73	11/23/73	2	I
201,737	2,892	No	6/10/74	6/10/74	2	I
Foreign Agricultural Service: Salaries and Expenses, Special Foreign Currency Program						
1,000	1,240	Yes	5/23/73	7/01/73	4	I
Agricultural Stabilization and Conservation Service: Salaries and Expenses						
(256,626)	(2,619)	No	11/23/73	11/23/73	1	I
256,443	2,802	No	1/21/74	1/21/74	2	I
Rural Environmental Assistance Program/1973-74						
(---)	(210,500)	No 5/	1/26/73	7/01/73	6b	I
210,500 6/	---	NA	4/01/74	4/01/74	10	VI
Rural Environmental Assistance Program/1974-75						
90,000	85,000	Yes	11/23/73	11/23/73	4	I

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Amount apportioned	Amount in reserve	Available beyond FY 1974?	Date of reserve action	Effective date of reserve	Reason for current reserve (see code)	Estimated fiscal, economic, & budgetary effect (see code)
Emergency Conservation Measures						
20,453	10,000	Yes	11/23/73	11/23/73	1	I
Water Bank Act Program						
(---)	(11,391)	Yes	1/26/73	7/01/73	6b	I
10,006	11,645	Yes	11/23/73	11/23/73	6b	I
Cropland Adjustment Program						
(50,300)	(1,600)	No	11/23/73	11/23/73	2	I
51,900	---	NA	6/10/74	6/10/74	10	VI
Commodity Credit Corporation: Administrative Expenses						
(---)	(497)	No	11/23/73	11/23/73	1	I
39,631 7/	269	No	12/21/73	12/21/73	1	III
Rural Electrification Administration: Loans						
(---)	(456,103)	Yes	1/26/73	7/01/73	2,6b,6c	I
594	455,635	Yes	2/21/74	2/21/74	2,6b,6c	V 8/
Farmers Home Administration: Rural Water and Waste Disposal Grants						
(---)	(120,000)	Yes	1/26/73	7/01/73	6b,6c	I
(---)	(150,304)	Yes	11/23/73	11/23/73	6b,6c	I
(30,000)	(120,304)	Yes	12/28/73	12/28/73	6b,6c	I
150,304	---	NA	6/07/74	6/07/74	10	VI

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Amount apportioned	Amount in reserve	Available beyond FY 1974?	Date of reserve action	Effective date of reserve	Reason for current reserve (see code)	Estimated fiscal, economic, & budgetary effect (see code)
Rural Housing for Domestic Farm Labor Grants						
(---)	(1,621)	Yes	1/31/73	7/01/73	5,6b	I
(750)	(1,831)	Yes	9/10/73	9/10/73	5,6b	V 9/
(1,000)	(9,081)	Yes	11/23/73	11/23/73	5,6b	I
10,081	---	NA	2/14/74	2/14/74	10	VI
Mutual and Self-Help Housing Grants						
(---)	(832)	Yes	9/22/72	7/01/73	4	I
(700)	(133)	Yes	8/22/73	8/22/73	4	I
3,832	1,001	Yes	11/23/73	11/23/73	4	I
Rural Housing Insurance Fund						
(---)	(133,000)	Yes	1/26/73	7/01/73	4	I
1,435,035 10/	---	NA	9/12/73	9/12/73	10	VI
Soil Conservation Service: Resource Conservation and Development						
24,189	4,439	Yes	11/23/73	11/23/73	4	I
Watershed Planning						
13,268	535	Yes	11/23/73	11/23/73	4	I
River Basin Surveys and Investigations						
16,587	60	Yes	11/23/73	11/23/73	4	I
Watershed and Flood Prevention Operations						
169,448	17,454	Yes	11/23/73	11/23/73	4	I

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Amount apportioned	Amount in reserve	Available beyond FY 1974?	Date of reserve action	Effective date of reserve	Reason for current reserve (see code)	Estimated fiscal, economic, & budgetary effect (see code)
Agricultural Marketing Service: Marketing Services, no-year						
(1,422)	(818)	Yes	6/11/73	7/01/73	4	I
(1,812)	(818)	Yes	9/26/73	9/26/73	4	I
1,812	1,101	Yes	1/22/74	1/22/74	4	I
Perishable Agricultural Commodities Act Fund						
(1,416)	(58)	Yes	6/11/73	7/01/73	4	I
1,460	270	Yes	12/26/73	12/26/73	4	I
Forest Service: Forest Protection and Utilization						
(3,791)	(2,128)	Yes	11/02/73	11/02/73	4	I
3,846	2,073	Yes	1/02/74	1/02/74	4	I
Construction and Land Acquisition						
(52,196)	(1,315)	Yes	11/02/73	11/02/73	5	I
53,511	---	NA	4/15/74	4/15/74	10	VI
Youth Conservation Corps						
(6,693)	(3,307)	Yes	11/09/73	11/09/73	4	I
6,893	3,107 11/	Yes	1/11/74	1/11/74	4	I
Forest Roads and Trails and Roads and Trails for States/1974 Program						
(---)	(278,398)	Yes	3/28/73	7/01/73	4,6b,6d	I
(117,164)	(208,934)	Yes	7/16/73	7/16/73	4,6d 13/	I
(123,558)	(342,894)	Yes	11/02/73	11/02/73	4,6d	I
131,815	334,637	Yes 12/	1/23/74	1/23/74	4,6d	I

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Amount apportioned	Amount in reserve	Available beyond FY 1974?	Date of reserve action	Effective date of reserve	Reason for current reserve (see code)	Estimated fiscal, economic, & budgetary effect (see code)
Forest Roads and Trails and Roads and Trails for States/1975 Program						
---	140,000	Yes	11/02/73	11/02/73	4,6d	I
Brush Disposal						
(18,657)	(26,601)	Yes	6/08/73	7/01/73	5	I
25,000	21,554	Yes	11/02/73	11/02/73	4	V 14/
Forest Fire Prevention						
275	109	Yes	6/08/73	7/01/73	4	I
Department of Commerce General Administration: Special Foreign Currency Program						
1,885	1,055	Yes	12/21/73	12/21/73	2	II
Office of Assistant Secretary for Science and Technology: Scientific and Technical Research and Services						
(131,485)	(11,934)	Yes	12/27/73	12/27/73	5	I
136,823	6,796	Yes	2/15/74	2/15/74	5	I
Social and Economic Statistics Administration: 1974 Census of Agriculture						
(---)	(1,360)	Yes	11/24/72	7/01/73	2,4	I
1,360	---	NA	9/12/73	9/12/73	10	VI

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Amount apportioned	Amount in reserve	Available beyond FY 1974?	Date of reserve action	Effective date of reserve	Reason for current reserve (see code)	Estimated fiscal, economic, & budgetary effect (see code)
Domestic and International Business: Financial and Technical Assistance, Trade Adjustment Assistance						
15,000	11,780	Yes	12/21/73	12/21/73	2	I
International Activities, Inter-American Cultural and Trade Center						
(292)	(5,067)	Yes	6/26/73	7/01/73	4,5	I
322	5,051	Yes	4/16/74	4/16/74	4,5	I
Participation in United States Expositions (Spokane Ecological Exhibition)						
(7,575	(1,105) 15/	Yes	10/05/73	10/05/73	4,5	I
8,677	---	NA	4/10/74	4/10/74	10	VI
Office of Minority Business: Minority Business Development, no-year						
(---)	(16,768)	Yes	1/26/73	7/01/73	4,6b	I
(9,080)	(14,330)	Yes	7/24/73	7/24/73	5	I
26,752	---	NA	10/16/73	10/16/73	10	VI
National Oceanic and Atmospheric Administration: Operations, Research and Facilities 16/						
(---)	(31,005)	Yes	6/28/73	7/01/73	2,4,6b	I
(29,868)	(2,392)	Yes	7/19/73	7/19/73	2,4,6b	I
(30,082)	(2,178)	Yes	9/26/73	9/26/73	2,4	I
(406,694)	(2,178)	Yes	12/27/73	12/27/73	3	I
(416,981)	(2,178)	Yes	1/16/74	1/16/74	3 17/	I
(423,166)	(2,178)	Yes	4/30/74	4/30/74	3	I
437,799	---	NA	6/25/74	6/25/74	10	VI

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Amount apportioned	Amount in reserve	Available beyond FY 1974?	Date of reserve action	Effective date of reserve	Reason for current reserve (see code)	Estimated fiscal, economic, & budgetary effect (see code)
Satellite Operations 18/						
(---)	(727)	Yes	6/28/73	7/01/73	5	I
727	---	NA	12/27/73	12/27/73	10	VI
Promote and Develop Fishery Products and Research Pertaining to American Fisheries						
(7,191)	(3,159)	Yes	3/29/73	7/01/73	4,5,6a	I
(7,336)	(3,111)	Yes	7/26/73	7/26/73	4,5,6a	I
7,450	3,027	Yes	12/21/73	12/21/73	4,5,6a	I
Coastal Zone Management						
(5,200)	(6,800)	Yes	12/21/73	12/21/73	4	I
(8,000)	(4,000)	Yes	5/24/74	5/24/74	4	I
8,825	3,175	Yes	6/25/74	6/25/74	4	I
National Bureau of Standards: Plant and Facilities						
---	1,850	Yes	11/24/72	7/01/73	2,4,6b	I
Research and Technical Services, no-year						
---	3,812	Yes	5/07/73	7/01/73	5,6b	I
Construction of Facilities						
(---)	(740)	Yes	1/26/73	7/01/73	4,6b	I
539	231	Yes	12/21/73	12/21/73	1	I

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Amount apportioned	Amount in reserve	Available beyond FY 1974?	Date of reserve action	Effective date of reserve	Reason for current reserve (see code)	Estimated fiscal, economic, & budgetary effect (see code)
Maritime Administration: Ship construction						
(---)	(34,000)	Yes	6/29/73	7/01/73	4	III
(9,137)	(24,863)	Yes	7/27/73	7/27/73	4	IV
304,953	5,500	Yes	12/21/73	12/21/73	2	II
Research and Development						
---	5,000	Yes	1/18/73	7/01/73	4,6b	I
State Marine Schools						
---	127	Yes	11/24/72	7/01/73	4	I
Federal Ship Financing Fund						
(2,582)	(1,446)	Yes	6/27/73	7/01/73	5	I
4,028	---	NA	10/11/73	10/11/73	10	VI
Department of Defense-Military Procurement: Missile Procurement, Army, 1973-1975						
(---)	(2,500)	Yes	2/05/73	7/01/73	4	I
163,382	---	NA	9/11/73	9/11/73	10	VI
Procurement of Aircraft and Missiles, Navy, 1973-1975						
(---)	(13,281)	Yes	6/29/73	7/01/73	5	I
(946,747)	(13,281)	Yes	9/06/73	9/06/73	5	I
878,276	- -	NA	1/28/74	1/28/74	10	VI

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Amount apportioned	Amount in reserve	Available beyond FY 1974?	Date of reserve action	Effective date of reserve	Reason for current reserve (see code)	Estimated fiscal, economic, & budgetary effect (see code)
Aircraft Procurement, Air Force, 1972-1974						
(415,551)	(143,492)	No	9/07/73	9/07/73	5	I
368,478	---	NA	11/01/73	11/01/73	10	VI
Aircraft Procurement, Air Force, 1973-1975						
(1,076,916)	(160,556)	Yes	9/07/73	9/07/73	5	I
1,224,500	---	NA	11/01/73	11/01/73	10	VI
Shipbuilding and Conversion, Navy, 1971-1975						
(---)	(145,672)	Yes	11/24/72	7/01/73	4	I
892,655	---	NA	9/11/73	9/11/73	10	VI
Shipbuilding and Conversion, Navy, 1972-1976						
(---)	(427,212)	Yes	11/24/72	7/01/73	4	I
738,000	148,081	Yes	9/11/73	9/11/73	4	I
Shipbuilding and Conversion, Navy, 1973-1977						
(---)	(763,300)	Yes	6/29/73	7/01/73	4	I
992,000	408,512	Yes	9/11/73	9/11/73	4	I
Shipbuilding and Conversion, Navy, 1974-1978						
2,711,300	826,800	Yes	1/28/74	1/28/74	4	I

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Amount apportioned	Amount in reserve	Available beyond FY 1974?	Date of reserve action	Effective date of reserve	Reason for current reserve (see code)	Estimated fiscal, economic, & budgetary effect (see code)
Military Construction: Military Construction, Army						
(---)	(70,304)	Yes	6/27/73	7/01/73	5	I
(648,440)	(90,954)	Yes	8/16/73	8/16/73	5	I
(648,020)	(95,488)	Yes	12/27/73	12/27/73	5	I
(762,670)	(558,958)	Yes	1/18/74	1/18/74	5	I
(1,184,957)	(138,956)	Yes	1/24/74	1/24/74	5	I
(1,203,724)	(124,579)	Yes	3/22/74	3/22/74	5	I
1,265,561	62,742	Yes	5/07/74	5/07/74	5	I
Military Construction, Navy						
(---)	(68,133)	Yes	6/27/73	7/01/73	5	I
(385,805)	(65,858)	Yes	8/14/73	8/14/73	5	I
(334,948)	(64,674)	Yes	10/11/73	10/11/73	5	I
(336,468)	(64,754)	Yes	10/16/73	10/16/73	5	I
(336,848)	(64,774)	Yes	11/14/73	11/14/73	5	I
(338,174)	(64,439)	Yes	12/17/73	12/17/73	5	I
(412,974)	(598,931)	Yes	1/09/74	1/09/74	5	I
(650,758)	(363,047)	Yes	2/15/74	2/15/74	5	I
(939,681)	(74,124)	Yes	3/07/74	3/07/74	5	I
947,813	65,992	Yes	5/10/74	5/10/74	5	I

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Amount apportioned	Amount in reserve	Available beyond FY 1974?	Date of reserve action	Effective date of reserve	Reason for current reserve (see code)	Estimated fiscal, economic, & budgetary effect (see code)
Military Construction, Air Force						
(---)	(51,607)	Yes	6/27/73	7/01/73	5	I
(130,860)	(49,773)	Yes	7/20/73	7/20/73	5	I
(141,224)	(39,409)	Yes	8/14/73	8/14/73	5	I
(160,501)	(39,409)	Yes	10/16/73	10/16/73	5	I
(171,972)	(29,937)	Yes	1/07/74	1/07/74	5	I
(218,426)	(232,760)	Yes	1/17/74	1/17/74	5	I
(402,711)	(48,475)	Yes	2/13/74	2/13/74	5	I
(431,445)	(19,741)	Yes	3/19/74	3/19/74	5	I
(433,974)	(17,213)	Yes	5/10/74	5/10/74	5	I
(451,037)	(149)	Yes	5/31/74	5/31/74	5	I
459,303	149	Yes	6/03/74	6/03/74	5	I
Military Construction, Defense Agencies						
(---)	(58,415)	Yes	2/15/73	7/01/73	5	I
(8,000)	(58,215)	Yes	8/23/73	8/23/73	5	I
(8,957)	(56,615)	Yes	10/16/73	10/16/73	5	I
(10,277)	(54,895)	Yes	11/14/73	11/14/73	5	I
(10,277)	(53,904)	Yes	12/17/73	12/17/73	5	I
(15,133)	(49,048)	Yes	1/09/74	1/09/74	5	I
(15,133)	(46,763)	Yes	1/24/74	1/24/74	5	I
31,683	28,313	Yes	2/15/74	2/15/74	5	I

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Amount apportioned	Amount in reserve	Available beyond FY 1974?	Date of reserve action	Effective date of reserve	Reason for current reserve (see code)	Estimated fiscal, economic, & budgetary effect (see code)
Military Construction, Army National Guard						
(---)	(102)	Yes	6/14/73	7/01/73	5	I
(3,051)	(---)	NA	8/16/73	8/16/73	10	VI
(8,943)	(29,300)	Yes	1/18/74	1/18/74	5	I
(29,903)	(8,340)	Yes	3/07/74	3/07/74	5	I
(35,753)	(2,490)	Yes	5/28/74	5/28/74	5	I
(37,969)	(274)	Yes	6/18/74	6/18/74	5	I
38,068	175	Yes	6/26/74	6/26/74	5	I
Military Construction, Air National Guard						
(---)	(17)	Yes	5/29/73	7/01/73	5	I
(5,256)	(17)	Yes	9/06/73	9/06/73	5	I
(5,273)	(---)	Yes	10/23/73	10/23/73	10	VI
(9,273)	(16,000)	Yes	1/18/74	1/18/74	5	I
(17,514)	(7,759)	Yes	2/11/74	2/11/74	5	I
25,273	---	NA	5/14/74	5/14/74	10	VI
Military Construction, Army Reserve						
(---)	(7,109)	Yes	3/08/73	7/01/73	5	I
(25,423)	(7,109)	Yes	9/10/73	9/10/73	5	I
(29,909)	(2,623)	Yes	11/08/73	11/08/73	5	I
(34,709)	(38,523)	Yes	1/18/74	1/18/74	5	I
(57,320)	(15,912)	Yes	3/18/74	3/18/74	5	I
(64,610)	(8,622)	Yes	6/18/74	6/18/74	5	I
69,553	3,679	Yes	6/26/74	6/26/74	5	I

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Amount apportioned	Amount in reserve	Available beyond FY 1974?	Date of reserve action	Effective date of reserve	Reason for current reserve (see code)	Estimated fiscal, economic, & budgetary effect (see code)
Military Construction, Naval Reserve						
(---)	(3,943)	Yes	5/03/73	7/01/73	5	I
(17,640)	(1,842)	Yes	8/08/73	8/08/73	5	I
(18,657)	(915)	Yes	11/08/73	11/08/73	5	I
(20,099)	(22,373)	Yes	1/14/74	1/14/74	5	I
24,469	18,003	Yes	3/14/74	3/14/74	5	I
Military Construction, Air Force Reserve						
(---)	(850)	Yes	6/20/73	7/01/73	5	I
(2,415)	(850)	Yes	9/06/73	9/06/73	5	I
(2,444)	(821)	Yes	10/23/73	10/23/73	5	I
(3,444)	(9,821)	Yes	1/18/74	1/18/74	5	I
(10,089)	(3,176)	Yes	2/01/74	2/01/74	5	I
(10,858)	(2,407)	Yes	3/29/74	3/29/74	5	I
12,208	1,057	Yes	6/18/74	6/18/74	5	I
Defense Civil Preparedness Agency: Research, Shelter Survey and Marketing						
(24,617)	(1,100)	Yes	11/27/73	11/27/73	5	I
25,717	---	NA	6/14/74	6/14/74	10	VI
Special Foreign Currency Program: Special Foreign Currency Program, Defense, 1972-1974						
(---)	(2,477)	No	12/18/72	7/01/73	5	I
3,169	2,051	No	8/31/73	8/31/73	5	I

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Amount apportioned	Amount in reserve	Available beyond FY 1974?	Date of reserve action	Effective date of reserve	Reason for current reserve (see code)	Estimated fiscal, economic, & budgetary effect (see code)
Special Foreign Currency Program, Defense, 1973-1975						
(---)	(400)	Yes	12/04/72	7/01/73	5	I
2,998	400	Yes	9/06/73	9/06/73	5	I
Department of Defense-Civil						
Corps of Engineers: General Investigations						
(---)	(150)	Yes	6/29/73	7/01/73	5	I
(65,084)	(150)	Yes	9/15/73	9/15/73	5 19/	II
65,267	---	NA	2/27/74	2/27/74	10	VI
Construction						
(---)	(783)	Yes	6/29/73	7/01/73	5	I
(9,100)	(333)	Yes	7/27/73	7/27/73	5	I
(9,175)	(258)	Yes	7/30/73	7/30/73	5	I
(1,114,829)	(258)	Yes	9/15/73	9/15/73	5 19/	II
1,114,937	108	Yes	4/04/74	4/04/74	5	I
Flood Control, Mississippi River and Tributaries						
(---)	(750)	Yes	6/29/73	7/01/73	5	I
(151,819)	(750)	Yes	9/15/73	9/15/73	5 19/	II
(166,419)	(750)	Yes	1/26/74	1/26/74	5	I
167,169	---	NA	4/04/74	4/04/74	10	VI
Soldiers' and Airmens' Home: Capital Outlay						
2,165	612	Yes	1/04/74	1/04/74	5	I

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Amount apportioned	Amount in reserve	Available beyond FY 1974?	Date of reserve action	Effective date of reserve	Reason for current reserve (see code)	Estimated fiscal, economic, & budgetary effect (see code)
Panama Canal: Canal Zone Government, Capital Outlay						
(---)	(700)	Yes	9/08/72	7/01/73	5	I
7,436	85	Yes	9/14/73	9/14/73	1	V 20/
Wildlife Conservation: Wildlife Conservation, Army						
(598)	(107)	Yes	6/14/73	7/01/73	1	I
606	342	Yes	1/31/74	1/31/74	1	I
Wildlife Conservation, Navy						
(60)	(8)	Yes	6/14/73	7/01/73	1	I
(69)	(22)	Yes	10/03/73	10/03/73	1	I
69	37	Yes	2/14/74	2/14/74	1	I
Wildlife Conservation, Air Force						
(124)	(40)	Yes	6/14/73	7/01/73	1	I
(124)	(20)	Yes	1/22/74	1/22/74	1	I
124	19	Yes	6/18/74	6/18/74	1	I
Salaries and Expenses: Cemeterial Expenses, Army						
(14,448)	(2,053)	Yes	9/14/73	9/14/73	5	I
13,033	3,468	Yes	2/14/74	2/14/74	5	I
Department of Health, Education, and Welfare						
Health Services Administration: Health Services Delivery						
(915,869)	(2,250)	Yes	2/04/74	2/04/74	5	I
922,869	2,250	Yes	3/14/74	3/14/74	5	I

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Amount apportioned	Amount in reserve	Available beyond FY 1974?	Date of reserve action	Effective date of reserve	Reason for current reserve (see code)	Estimated fiscal, economic, & budgetary effect (see code)
Buildings and Facilities						
(19,804)	(7,000)	Yes	3/13/74	3/13/74	5	I
26,804	---	NA	5/28/74	5/28/74	10	VI
Indian Health Services						
(98,372)	(91,626)	No	11/28/73	11/28/73	5	I
185,998	---	NA	2/04/74	2/04/74	10	VI
Indian Health Facilities						
(3,482)	(848)	Yes	6/27/73	7/01/73	5	I
(34,815)	(20,593)	Yes	11/28/73	11/28/73	5	I
55,320	88	Yes	1/30/74	1/30/74	5	I
National Institutes of Health: Research Resources						
(126,941)	(1,378)	No	1/18/74	1/18/74	3	I
128,162	---	NA	6/28/74	6/28/74	10	VI
Buildings and facilities						
(1,000)	(23,701)	Yes	1/18/74	1/18/74	5	I
(10,680)	(14,021)	Yes	2/27/74	2/27/74	5	I
14,260	10,441	Yes	6/14/74	6/14/74	5	I
Alcohol, Drug Abuse, and Mental Health Administration: Mental Health						
(827,193)	(13,194)	No	1/28/74	1/28/74	1	I
827,409	---	NA	6/28/74	6/28/74	10	VI

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Amount apportioned	Amount in reserve	Available beyond FY 1974?	Date of reserve action	Effective date of reserve	Reason for current reserve (see code)	Estimated fiscal, economic, & budgetary effect (see code)
Health Resources Administration: Health Services Planning and Development						
(555,997)	(6,228)	No	2/04/74	2/04/74	3	I
(585,497)	(6,228)	No	4/03/74	4/03/74	3	I
585,277	---	NA	6/28/74	6/28/74	10	IV
Health Manpower						
(734,635)	(5,370)	No	2/04/74	2/04/74	3	I
(768,910)	(5,370)	No	4/03/74	4/03/74	3	I
768,701	---	NA	6/28/74	6/28/74	10	VI
Assistant Secretary for Health: Office of International Health; Scientific Activities Overseas (Special Foreign Currency Program)						
(13,505)	(21,714)	Yes	1/30/74	1/30/74	4	I
16,034	21,714	Yes	3/28/74	3/28/74	4	I
Office of Education: Elementary and Secondary Education						
(2,025,168)	(1,746)	No	1/17/74	1/17/74	1	I
2,045,168	---	NA	6/28/74	6/28/74	10	VI
Higher Education, 1974-1976						
238,000	237,000	Yes	1/17/74	1/17/74	4	I
Higher Education, no-year						
(---)	(1,889)	Yes	11/30/72	7/01/73	5	I
346,118	8,788	Yes	1/17/74	1/17/74	4	I

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Amount apportioned	Amount in reserve	Available beyond FY 1974?	Date of reserve action	Effective date of reserve	Reason for current reserve (see code)	Estimated fiscal, economic, & budgetary effect (see code)
Library Resources						
(163,124)	(4,897)	No	1/18/74	1/18/74	3	I
163,124	---	NA	6/28/74	6/28/74	10	VI
Educational Development						
15,675	32	Yes	1/18/74	1/18/74	1	I
Educational Activities Overseas, Special foreign currency program						
(---)	(16)	Yes	4/06/72	7/01/73	5	I
2,539	---	NA	1/17/74	1/17/74	10	VI
Social and Rehabilitation Service: Research and Training Overseas						
3,700	7,490	Yes	1/18/74	1/18/74	4	I
Social Security Administration: Limitation on Salaries and Expenses (Trust fund)						
1,878,883	13,580	No	2/04/74	2/04/74	1	I
Limitation on Construction (Trust fund)						
(---)	(12,095)	Yes	4/27/72	7/01/73	4,5	I
(12,679)	(19,973)	Yes	8/21/73	8/21/73	4,5	I
(15,614)	(17,425)	Yes	11/30/73	11/30/73	4,5	I
17,646	15,393	Yes	2/04/74	2/04/74	4,5	I
Special Institutions: Howard University						
9,132	11,490	Yes	1/17/74	1/17/74	4	I

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Amount apportioned	Amount in reserve	Available beyond FY 1974?	Date of reserve action	Effective date of reserve	Reason for current reserve (see code)	Estimated fiscal, economic, & budgetary effect (see code)
Model Secondary School for the Deaf						
3,500	803	Yes	3/05/74	3/05/74	4	I
Office of Human Development: Child Development						
(419,910)	(6,480)	No	1/18/74	1/18/74	3	I
(420,000)	(6,480)	No	5/15/74	5/15/74	3	I
424,670	---	NA	6/28/74	6/28/74	10	VI
Department of Housing and Urban Development						
Housing Production and Mortgage Credit: Non-profit Sponsor Assistance						
---	6,530	Yes	4/15/73	7/01/73	5,6b,6c	I
Community Development: Model Cities Program						
(50,055)	(100,012)	Yes	11/26/73	11/26/73	6c	V 21/
(75,055)	(75,012)	Yes	11/30/73	11/30/73	6c	IV
150,067	---	NA	4/15/74	4/15/74	10	VI
Grants for Neighborhood Facilities						
---	48	Yes	11/27/73	11/27/73	6c	I
Open Space Land Program						
(---)	(27,730)	Yes	3/08/73	7/01/73	6b,6c	I
---	55,161	Yes	11/09/73	11/09/73	6c	I

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Amount apportioned	Amount in reserve	Available beyond FY 1974?	Date of reserve action	Effective date of reserve	Reason for current reserve (see code)	Estimated fiscal, economic, & budgetary effect (see code)
Grants for Basic Water and Sewer Facilities						
(---)	(400,175)	Yes	1/26/73	7/01/73	6b,6c	I
---	401,734	Yes	11/27/73	11/27/73	6b,6c	I
Urban Renewal Fund						
(613,500)	(311,314)	Yes	11/26/73	11/26/73	6c	V 21/
(643,500)	(281,314)	Yes	11/30/73	11/30/73	6c	IV
1,526,314	---	NA	4/15/74	4/15/74	10	VI
Public Facility Loans						
(---)	(20,000)	Yes	1/26/73	7/01/73	6b,6c	I
24,888	--- 22/	NA	6/20/73	7/01/73	10	VI
Community Planning and Management: New Community Assistance Grants						
---	1,799	Yes	11/16/73	11/16/73	6c	I
Office of Interstate Land Sales Registration: Interstate Land Sales						
(1,460)	(1,981)	Yes	6/20/73	7/01/73	4	I
(1,849)	(1,379)	Yes	12/12/73	12/12/73	4	III
1,852	1,376	Yes	2/20/74	2/20/74	4	I
Department of the Interior						
Office of Territorial Affairs: Trust Territory of the Pacific Islands						
(71,550)	(800) 23/	Yes	2/02/74	2/02/74	5	I
72,350	---	NA	2/22/74	2/22/74	10	VI

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Amount apportioned	Amount in reserve	Available beyond FY 1974?	Date of reserve action	Effective date of reserve	Reason for current reserve (see code)	Estimated fiscal, economic, & budgetary effect (see code)
Bureau of Land Management: Public Lands Development Roads and Trails/1974 Program						
(4,000)	(8,961)	Yes	6/08/73	7/01/73	6d	I
5,205	18,961	Yes	10/03/73	10/03/73	6d	I
Public Lands Development Roads and Trails/1975 Program						
---	10,000	Yes	10/03/73	10/03/73	4,6d	I
Oregon and California Grant Lands						
(---)	(1,150)	Yes	6/08/73	7/01/73	4	I
28,750	5,243	Yes	10/02/73	10/02/73	4	II
Bureau of Indian Affairs: Road Construction/1974 Program						
57,060	20,000	Yes	9/12/73	9/12/73	4,6d	II
Road Construction/1975 Program						
---	75,000	Yes	9/12/73	9/12/73	4,6d	II
Bureau of Outdoor Recreation: Land and Water Conservation						
(208,168)	(61,422)	24/	6/08/73	7/01/73	6b	I
(297,223)	(57,568)	24/	11/03/73	11/03/73	5,6b,6d	I
(324,763)	(30,000)	No	2/02/74	2/02/74	4,6d	I
305,463	30,000	No	4/19/74	4/19/74	4,6d	I
Geological Survey: Payments from Proceeds, Sale of Water, Mineral Leasing Act of 1920						
(--- 25/)	(27)	Yes	5/06/73	7/01/73	4 26/	I
--- 25/	26	Yes	11/19/73	11/19/73	4	I

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Amount apportioned	Amount in reserve	Available beyond FY 1974?	Date of reserve action	Effective date of reserve	Reason for current reserve (see code)	Estimated fiscal, economic, & budgetary effect (see code)
Bureau of Mines: Drainage of Anthracite Mines						
200	3,575	Yes	6/08/73	7/01/73	4,5	I
Bureau of Sport Fisheries and Wildlife: Migratory Bird Conservation Account (Receipt Limitation)						
(9,000)	(981)	Yes	6/08/73	7/01/73	4	I
(12,000)	(981)	Yes	8/23/73	8/23/73	4	I
21,771	---	NA	11/02/73	11/02/73	10	VI
Federal Aid in Wildlife Restoration						
(45,300)	(7,863)	Yes	6/08/73	7/01/73	4,5	I
50,818	10,204	Yes	6/04/74	6/04/74	4,5	I
Federal Aid in Fish Restoration and Management						
(14,565)	(2,339)	Yes	6/08/73	7/01/73	4,5	I
16,203	3,846	Yes	6/04/74	6/04/74	4,5	I
National Wildlife Refuge Fund						
4,620	4,003	Yes	6/08/73	7/01/73	4,5	I
Proceeds from Sales, Water Resources Development Projects						
15	4	Yes	6/08/73	7/01/73	4,5	I

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Amount apportioned	Amount in reserve	Available beyond FY 1974?	Date of reserve action	Effective date of reserve	Reason for current reserve (see code)	Estimated fiscal, economic, & budgetary effect (see code)
National Park Service: Parkway and Road Construction/1974 Program						
(16,338)	(34,610)	Yes	6/08/73	7/01/73	4,6d 27/	I
(16,338)	(229,610)	Yes	10/01/73	10/01/73	4,6d	II
51,183	108,115	Yes	11/02/73	11/02/73	4,6d	II
Parkway and Road Construction/1975 Program						
---	105,000	Yes	11/02/73	11/02/73	4,6d	II
Planning and Construction						
(28,100)	(14,500)	Yes	7/30/73	7/30/73	4	I
(79,675)	(14,500)	Yes	11/02/73	11/02/73	4,5	I
(79,675)	(14,500)	Yes	1/29/74	1/29/74	4,5	I
94,175	---	NA	3/11/74	3/11/74	10	VI
Operation, Management, Maintenance, and Demolition of Federally Acquired Property						
(17)	(65)	Yes	6/08/73	7/01/73	4,5	I
15	---	NA	11/02/73	11/02/73	10	VI
Bureau of Reclamation: Construction and Rehabilitation						
(16,970)	(1,055)	Yes	6/08/73	7/01/73	5	I
228,857	1,055	Yes	9/15/73	9/15/73	5 28/	I
Operation, Maintenance, and Replacement of Project Works, North Platte Project						
--- 29/	100	Yes	6/06/73	7/01/73	6e 30/	I

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Amount apportioned	Amount in reserve	Available beyond FY 1974?	Date of reserve action	Effective date of reserve	Reason for current reserve (see code)	Estimated fiscal, economic, & budgetary effect (see code)
Upper Colorado River Basin Fund						
(9,072)	(1,390)	Yes	6/08/73	7/01/73	5	I
64,911	1,164	Yes	9/15/73	9/15/73	5	I
Department of Justice						
Bureau of Prisons: Buildings and Facilities						
(---)	(36,441)	Yes	1/26/73	7/01/73	5,6b	I
45,823	13,594	Yes	9/19/73	9/19/73	5,6b	I
Department of Labor						
Manpower Administration: Comprehensive manpower assistance*						
2,304,191	85,500	Yes	6/21/74	6/21/74	4	I
Limitation on Grants to States for Unemployment Insurance and Employment Services*						
30,000	51,000	Yes	6/21/74	6/21/74	4	I
Employment Standards Administration: Special benefits						
284,300	20,706	No	1/17/74	1/17/74	1	V 31/

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Amount apportioned	Amount in reserve	Available beyond FY 1974?	Date of reserve action	Effective date of reserve	Reason for current reserve (see code)	Estimated fiscal, economic, & budgetary effect (see code)
Department of State						
Acquisition, Operation, and Maintenance of Buildings Abroad						
(62,484)	(44,521)	Yes	12/31/73	12/31/73	4	I
63,993	44,521	Yes	6/19/74	6/19/74	4	I
Educational Exchange Fund, Payments by Finland, World War I Debt* 32/						
383	31	Yes	12/21/73	12/21/73	4	I
Assistance to Refugees from the Soviet Union						
(---)	(36,500)	No	2/02/74	2/02/74	5	I
36,500	---	NA	3/15/74	3/15/74	10	VI
International Boundary and Water Commission, United States and Mexico: Construction						
15,681	4,983	Yes	12/18/73	12/18/73	5	I
Department of Transportation						
Office of the Secretary: Transportation, Planning, and Research and Development						
(---)	(5,300)	Yes	6/30/73	7/01/73	4,6b	I
34,353	---	NA	9/14/73	9/14/73	10	VI
U.S. Coast Guard: Acquisition, Construction, and Improvements						
(30,946)	(10,609)	Yes	7/12/73	7/12/73	4,6b	I
(109,168)	(12,099)	Yes	9/14/73	9/14/73	4,6b	II
102,889	19,396	Yes	12/27/73	12/27/73	4,6b	II

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Amount apportioned	Amount in reserve	Available beyond FY 1974?	Date of reserve action	Effective date of reserve	Reason for current reserve (see code)	Estimated fiscal, economic, & budgetary effect (see code)
Federal Aviation Administration: Civil Supersonic Aircraft Development Termination						
(---)	(3,575)	Yes	1/23/73	7/01/73	4,6b	I
3,600	3,033	Yes	9/10/73	9/10/73	4	I
Civil Supersonic Aircraft Development						
(---)	(2,153)	Yes	1/18/73	7/01/73	4,6b	I
800	2,755	Yes	9/10/73	9/10/73	4	I
Grants-in-aid for Airports (Airport and Airway Trust Fund)						
13,000	2,000	Yes	9/14/73	9/14/73	5	I
Facilities and Equipment (Airport and Airway Trust Fund)						
(---)	(207,631)	Yes	1/18/73	7/01/73	4,6b	I
293,075	261,919	Yes	9/12/73	9/12/73	4	I
Research, Engineering, and Development (Airport and Airway Trust Fund)						
(---)	(10,000)	Yes	1/18/73	7/01/73	4,6b	IV
---	---	NA	9/14/73	9/14/73	10	VI
Federal Highway Administration: Highway Beautification						
(41,977)	(11,521)	Yes	6/29/73	7/01/73	4,5	I
50,000	---	NA	9/15/73	9/15/73	10	VI
Darien Gap Highway						
(---)	(545)	Yes	1/18/73	7/01/73	4,5	I
17,661	---	NA	9/14/73	9/14/73	10	VI

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Amount apportioned	Amount in reserve	Available beyond FY 1974?	Date of reserve action	Effective date of reserve	Reason for current reserve (see code)	Estimated fiscal, economic, & budgetary effect (see code)
Highway-Related Safety Grants						
(10,459)	(7,897)	Yes	6/29/73	7/03/73	4,5	I
13,229	---	NA	9/15/73	9/15/73	10	VI
Federal-Aid Highways/1974 Program						
(1,617,000)	(2,791,841)	Yes	6/29/73	7/02/73	4,5,6a,6c	I
(4,742,497)	(3,414,149)	Yes	9/14/73	9/14/73	6a,6c	I
(4,741,018)	(3,414,619)	Yes	2/01/74	2/01/74	6a,6c	I
(4,791,047)	(3,364,590)	Yes	4/03/74	4/03/74	6a,6c	IV
(5,161,347)	(2,864,590)	Yes	6/14/74	6/14/74	6a,6c	IV
5,195,347	2,914,590	Yes	6/28/74	6/28/74	6a,6c	I
Federal-Aid Highways/1975 Program						
(6,010,000)						I
---	5,958,500 33/	Yes	2/01/74	2/01/74	4,5	I
Rail-Crossings-Demonstration Projects						
(22,322)	(3,053)	Yes	9/15/73	9/15/73	5	I
21,700	75	Yes	2/01/74	2/01/74	5	I
Territorial Highways/1974 Program						
(4,000)	(1,602)	Yes	6/29/73	7/01/73	4,6c	I
(4,229)	(750)	Yes	3/05/74	3/05/74	4,5	I
4,275	563	Yes	6/28/74	6/28/74	4,5	I
Territorial Highways/1975 Program						
---	1,500	Yes	3/05/74	3/05/74	4,5	I

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Amount apportioned	Amount in reserve	Available beyond FY 1974?	Date of reserve action	Effective date of reserve	Reason for current reserve (see code)	Estimated fiscal, economic, & budgetary effect (see code)
National Scenic Highways/1974 Program						
---	10,000	Yes	2/01/74	2/01/74	5	I
National Scenic Highways/1975 Program						
---	10,000	Yes	2/01/74	2/01/74	5	I
Trust Fund Share of Other Highway Programs/1974 Program						
(6,973)	(15,793)	Yes	6/29/73	7/03/73	4,5	I
(28,120)	(---)	NA	9/15/73	9/15/73	10	VI
(27,993)	(10,000)	Yes	2/01/74	2/01/74	5	I
28,256	10,000	Yes	6/28/74	6/28/74	5	I
Trust Fund Share of Other Highway Programs/1975 Program						
---	25,000	Yes	2/01/74	2/01/74	5	I
Forest Highways Trust Fund						
(24,000)	(47,604)	Yes	6/29/73	7/01/73	2,4,6c	I
26,000	---	NA	9/14/73	9/14/73	10	VI
Public Lands Highways						
(5,000)	(27,000)	Yes	6/29/73	7/01/73	2,4,6c	I
(5,000)	(5,000)	Yes	9/14/73	9/14/73	4,6c,6d	I
10,000	---	NA	3/05/74	3/05/74	10	IV

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Amount apportioned	Amount in reserve	Available beyond FY 1974?	Date of reserve action	Effective date of reserve	Reason for current reserve (see code)	Estimated fiscal, economic, & budgetary effect (see code)
Right-of-Way Revolving Fund						
(48,000)	(74,782)	Yes	6/29/73	7/02/73	4,5	I
48,000	77,116	Yes	2/01/74	2/01/74	4,5	I
National Highway Traffic Safety Administration: State and Community Highway Safety						
(26,993)	(1,290)	Yes	7/02/73	7/02/73	1	I
66,771	---	NA	9/13/73	9/13/73	10	VI
Traffic and Highway Safety						
(56,068)	(2,000)	Yes 34/	9/14/73	9/14/73	5	I
86,405	2,000	Yes	1/24/74	1/24/74	5	I
Construction of Compliance Facilities						
(---) 35/	(9,018)	Yes	1/19/73	7/01/73	4,5	I
--- 35/	18	Yes	9/14/73	9/14/73	5	V
Trust Fund Share of Highway Traffic Safety Programs						
(16,848)	(2,580)	Yes	7/02/73	7/02/73	1,5	I
(96,167)	(---)	NA	9/13/73	9/13/73	10	VI
(96,219)	(37,202) 36/	No	5/07/74	5/07/74	2	I
95,547	37,202 36/	No	6/18/74	6/18/74	2	I
Federal Railroad Administration: Emergency Rail Facilities Restoration						
(27,100)	(7,648)	Yes 37/	7/27/73	7/27/73	2	I
27,4	---	NA	5/24/74	5/24/74	10	VI

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Amount apportioned	Amount in reserve	Available beyond FY 1974?	Date of reserve action	Effective date of reserve	Reason for current reserve (see code)	Estimated fiscal, economic, & budgetary effect (see code)
High Speed Ground Transportation Research and Development						
(---)	(15,000)	Yes	1/19/73	7/01/73	4,6b	I
---	---	NA	9/14/73	9/14/73	10	VI
Grants to the National Railroad Passenger Corporation						
(---)	(10,000)	Yes	1/19/73	7/01/73	4,6b	I
(54,900)	(48,100)	Yes	9/13/73	9/13/73	4,6b	V 38/
103,000	---	NA	11/23/73	11/23/73	10	VI
Urban Mass Transportation Administration: Urban Mass Transportation Fund						
(941,300)	(210,853)	Yes	7/06/73	7/06/73	4,6b	I
985,550	---	NA	9/14/73	9/14/73	10	VI
Department of the Treasury Office of the Secretary: Construction, Federal Law Enforcement Training Center						
(383)	(21,517)	Yes	6/06/73	7/01/73	5	I
668	21,234	Yes	5/20/74	5/20/74	5	V 39/
Bureau of Accounts: Subsidy Payment to Environmental Protection Authority						
75	1,188 40/	No	11/29/73	11/29/73	2	I

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Amount apportioned	Amount in reserve	Available beyond FY 1974?	Date of reserve action	Effective date of reserve	Reason for current reserve (see code)	Estimated fiscal, economic, & budgetary effect (see code)
Atomic Energy Commission Operating Expenses						
(3,164,739)	(16,900)	Yes	9/15/73	9/15/73	5	I
(3,174,154)	(7,500)	Yes	11/19/73	11/19/73	5	I
3,181,086	---	NA	12/21/73	12/21/73	10	VI
Plant and Capital Equipment						
(48,470)	(1,830)	Yes	6/08/73	7/01/73	5	I
(637,577)	(9,750)	Yes	9/15/73	9/15/73	5	I
(637,912)	(9,400)	Yes	11/04/73	11/04/73	5	I
(643,812)	(3,500)	Yes	11/09/73	11/09/73	5	I
(645,812)	(1,500)	Yes	11/12/73	11/12/73	5	I
677,312	---	NA	1/10/74	1/10/74	10	VI
Environmental Protection Agency Research and Development						
(8,696)	(9,700)	Yes	10/19/73	10/19/73	5	IV
(173,112)	(3,700)	Yes	11/29/73	11/29/73	5	IV
(183,612	(3,700)	Yes	1/09/74	1/09/74	5	IV
(184,312)	(3,000)	Yes	1/29/74	1/29/74	5	IV
(184,381)	(3,000)	Yes	3/08/74	3/08/74	5	I
187,365	---	NA	4/10/74	4/10/74	10	VI

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Amount apportioned	Amount in reserve	Available beyond FY 1974?	Date of reserve action	Effective date of reserve	Reason for current reserve (see code)	Estimated fiscal, economic, & budgetary effect (see code)
Abatement and Control						
(17,804)	(3,850)	Yes	10/19/73	10/19/73	5	IV
(266,574)	(16,850)	Yes	11/29/73	11/29/73	5	IV
(287,574)	(91,850)	41/	1/29/74	1/29/74	5	I
(287,674)	(91,850)	41/	3/08/74	3/08/74	5	I
(288,378)	(91,350)	41/	4/10/74	4/10/74	5	I
(291,528)	(88,200)	41/	4/19/74	4/19/74	5	I
(293,028)	(86,700)	41/	5/09/74	5/09/74	5	I
(292,739)	(86,700)	41/	5/22/74	5/22/74	5	I
294,945	86,700	41/	6/27/74	6/27/74	5	I
General Services Administration						
Real Property Activities: Sites and Expenses, Public Building Projects						
(---)	(22,206)	Yes	1/26/73	7/01/73	4	I
22,000	15,500	Yes	11/29/73	11/29/73	4	I
Construction, Public Building Projects						
(---)	(234,309)	Yes	1/26/73	7/01/73	2,4	I
73,653	20,803	Yes	11/29/73	11/29/73	4	I
Property Management and Disposal: Operating Expenses, Sale of Rare Silver Dollars						
(---)	(4,000)	Yes	11/30/72	7/01/73	4	I
3,400	1,386	Yes	9/05/73	9/05/73	4	I

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Amount apportioned	Amount in reserve	Available beyond FY 1974?	Date of reserve action	Effective date of reserve	Reason for current reserve (see code)	Estimated fiscal, economic, & budgetary effect (see code)
Operating Expenses, Special Fund						
(---)	(850)	Yes	6/26/73	7/01/73	4,5	I
---	---	NA	8/16/73	8/16/73	10	VI
National Aeronautics and Space Administration						
Research and Development						
(---)	(2,200)	Yes	6/08/73	7/01/73	5	I
(2,860,194)	(9,300)	Yes	11/16/73	11/16/73	5	I
(2,867,294)	(2,200)	Yes	1/23/74	1/23/74	5	I
2,869,494	---	NA	3/06/74	3/06/74	10	VI
Veterans Administration						
Medical Prosthetic Research						
(---)	(3,648)	Yes	2/15/73	7/01/73	5	I
85,099	---	NA	11/23/73	11/23/73	10	VI
Construction, Major Projects						
(---)	(34,710)	Yes	6/13/73	7/01/73	5	I
114,626	---	NA	11/23/73	11/23/73	10	VI
Construction, Minor Projects						
(---)	(5,000)	Yes	12/20/72	7/01/73	5	I
66,685	---	NA	11/23/73	11/23/73	10	VI

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Amount apportioned	Amount in reserve	Available beyond FY 1974?	Date of reserve action	Effective date of reserve	Reason for current reserve (see code)	Estimated fiscal, economic, & budgetary effect (see code)
Other Independent Agencies						
Board for International Broadcasting: Board for International Broadcasting*						
115,000	10,000	No	5/20/74	5/20/74	1	I
District of Columbia: Loans for Capital Outlay, Metropolitan Area Sanitary Sewage Work Funds						
(---)	(300)	Yes	8/07/72	7/01/73	4	I
3,900	5,300	Yes	9/05/73	9/05/73	4	I
Loans for Capital Outlay, Sanitary Sewage						
(---)	(4,285)	Yes	8/07/72	7/01/73	4	I
29,000	24,035	Yes	9/05/73	9/05/73	4	I
Loans for Capital Outlay, Water Fund						
(---)	(2,360)	Yes	8/07/72	7/01/73	4	I
8,000	7,460	Yes	9/05/73	9/05/73	4	I
Loans for Capital Outlay, Highway Fund						
11,900	5,956	Yes	9/05/73	9/05/73	4	I
Loans for Capital Outlay, General Fund						
(---)	(6,758)	Yes	1/26/73	7/01/73	4	I
176,500	29,526	Yes	9/05/73	9/05/73	4	I

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Amount apportioned	Amount in reserve	Available beyond FY 1974?	Date of reserve action	Effective date of reserve	Reason for current reserve (see code)	Estimated fiscal, economic, & budgetary effect (see code)
Foreign Claims Settlement Commission: Payment of Vietnam and USS Pueblo Prisoner of War Claims						
9,125	7,229	Yes	7/12/73	7/12/73	5	I
American Revolution Bicentennial Administration: Salaries and Expenses*						
---	12,375 42/	Yes	6/25/74	6/25/74	5	I
Commemorative Activities Fund						
(---)	(5,690)	Yes	11/28/72	7/01/73	5	I
(4,556)	(3,510)	Yes	2/01/74	2/01/74	5	I
6,100	2,010	Yes	6/03/74	6/03/74	5	I
National Science Foundation: Salaries and Expenses						
(56,900)	(3,500)	Yes	6/08/73	7/01/73	2	I
(620,845)	(13,900)	Yes	11/23/73	11/23/73	5	I
634,745	---	NA	12/06/73	12/06/73	10	VI
Occupational Safety and Health Review Commission: Salaries and expenses						
(4,296)	(445)	No	1/14/74	1/14/74	1,2	V 43/
(4,242)	(445)	No	2/06/74	2/06/74	1,2	V 43/
4,442	245	No	6/27/74	6/27/74	1,2	V
Railroad Retirement Board: Limitation on Railroad Unemployment Administration Fund						
8,578	4,822	Yes	7/01/73	7/01/73	4	I

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Amount apportioned	Amount in reserve	Available beyond FY 1974?	Date of reserve action	Effective date of reserve	Reason for current reserve (see code)	Estimated fiscal, economic, & budgetary effect (see code)
Limitation on Salaries and Expenses						
20,830	500	No	1/18/74	1/18/74	1	I
Small Business Administration: Business Loan and Investment Fund						
(173,100)	(41,316)	Yes	6/29/73	7/01/73	2,4,6b	I
(178,100)	(48,294)	Yes	8/31/73	8/31/73	2,4	I
348,700	31,094	Yes	9/27/73	9/27/73	2,4	I
Water Resources Council: Water Resources Planning						
(8,611)	(27)	No 44/	8/24/73	8/24/73	2	I
8,669	(27) 45/	NA	3/27/74	3/27/74	10	VI
Temporary Study Commissions: Commission on American Shipbuilding, Salaries and Expenses						
205	57	NA	12/10/73	12/10/73	2	II 46/
National Commission for the Review of Federal and State Laws Relating to Wiretapping and Electronic Surveillance, Salaries and Expenses						
167	165	Yes	2/25/74	2/25/74	4	I

1/ Funds have not been apportioned pending review of plan.

2/ Funds reserved pending Presidential decisions.

3/ The amount apportioned is consistent with the limitation on the Foundation's activities according to P.L. 93-52 as amended.

4/ Funds in excess of $10,000,000 are not available in FY 1974 pursuant to P.L. 93-240.

5/ The 1973-74 Rural Environmental Assistance Program funds lapsed on December 31, 1973. The September 30 report incorrectly listed the funds as available beyond FY 1974.

6/ The funds in reserve have been apportioned pursuant to a U.S. District Court order which reinstated the 1973 REAP Program.

7/ The amount apportioned in this account is also apportioned in the Agricultural Stabilization and Conservation Service, Salaries and expenses account.

8/ The program level is above the amount reflected in the FY 1975 Budget.

9/ The amount apportioned in this account was required to finance a loan approved at the end of FY 1973.

10/ This apportionment action was inadvertently excluded from the September 30 report.

11/ The FY 1974 appropriation provides for program operation for the summer of calendar year 1974.

12/ FY 1972 contract authority in the amount of $23.7 million will lapse on 6/30/74.

13/ Code 6d was inadvertently excluded from the September 30 report.

14/ Anticipated deposits were estimated at $5 million more than anticipated in the budget estimates submitted to the Congress in January 1973.

15/ Funds were held in reserve to cover operating costs during the exhibition period.

16/ This account title was changed from "Research, Development, and Facilities" on 12/31/73.

17/ The reserve was released to meet increased pay costs when transfer authority approved by Congress.

18/ This account was combined with the "Operations, Research, and Facilities" account on 12/31/73.

19/ Reason code 1 was incorrectly applied to the entries in the September 30 report.

20/ The reserve was made at the request of the Canal Zone Government as a contingency for possible future inspection services.

21/ The apportionment increases the program level to a level greater than that contemplated in the most recently submitted budget document.

22/ The apportionment releasing the reserve was incorrectly excluded from the September 30 report.

23/ The apportionment of funds in reserve was temporarily deferred until sufficient information was available for implementing the new public land survey program. The new program was funded for the first time in the 1974 supplemental, (P.L. 93-245) enacted January 3, 1974.

24/ Each reserve includes $30 million of contract authority which becomes available at the first of each fiscal year and expires at the end of each fiscal year (16 U.S.C. 460 L-10a); all other funds are available beyond 1974.

25/ The Department of the Interior has no present plans for the use of these funds which are available only for the development of water wells on public lands.

26/ Reason code 5 was incorrectly included in the September 30 report.

27/ Reason code 4 was inadvertently excluded from the September 30 report.

28/ Reason code 6b was incorrectly included in the September 30 report.

29/ No replacement or operation and maintenance work is currently necessary. (See footnote 30.)

30/ 66 Stat. 754 requires that certain miscellaneous revenues be deposited in a special fund to provide for the

replacement of the project works and to defray annual operating and maintenance expenses when necessary.

31/ The reserve, made at the request of the Department of Labor, does not change expected payments for benefits as estimated in the latest budget document. The reserve reflects reimbursements from other agencies in excess of the amounts estimated in the budget document. The release of the reserve would increase availability above expected needs. The reserve is available for benefit payments if required benefit payments exceed current estimates.

32/ This reserve action was inadvertently excluded from the February 4 report.

33/ This amount is potentially available for use under 1975 contract authority; the amount to be made available to each State for obligation in 1975 is anticipated to be announced by the Department of Transportation in July, 1974.

34/ The September 30 report incorrectly reported the reserve as unavailable beyond FY 1974.

35/ $9,000,000 was transferred by the 1974 Department of Transportation Appropriation Act to the Traffic and Highway Safety account.

36/ Under the law (P. L. 93-87), apportionment of $25 million in this account is contingent upon the enactment of mandatory seat belt use legislation in the States and Territories. Puerto Rico, the only jurisdiction which has enacted seat belt legislation in 1974, has been apportioned its incentive grant award. The balance will remain in reserve and lapse unless other jurisdictions enact seat belt legislation. This reserve action also includes $12.5 million for incentive grants to jurisdictions for achieving exceptional highway fatality reductions. This incentive program will be initiated in 1975 and will base awards upon exceptional reductions in highway fatalities in calendar year 1974.

37/ The authority for loan approval expired on June 27, 1973.

38/ The amount apportioned is the full amount legally available until action is taken on the amendment to the Rail Passenger Service Act of 1970.

39/ The amount apportioned is below the obligational level planned in 1974 because of delays in resolving legal action over the adequacy of the environmental impact statement for this project.

40/ The reserve is required because the Congress previously provided permanent, indefinite authority (P.L. 92-500) for the subsidy payment. The funds in reserve will be written off in FY 1974.

41/ Contract authority of $75 million expires at the end of FY 1974; the balance is available beyond FY 1974.

42/ The amount available for state grant programs has been placed in reserve pending establishment of the American Revolution Bicentennial Board.

43/ This reserve action was taken at the request of the Occupational Safety and Health Review Commission due to hiring delays. The reserve is available as a contingency against an increase in future contested citations.

44/ The September 30 report incorrectly reported the reserve as available beyond FY 1974.

45/ The funds in reserve were not needed and written off on April 8, 1974.

46/ The Commission on American Shipbuilding (authorized under the Merchant Marine Act of 1970, P.L. 91-469) was terminated on December 20, 1973. The funds in reserve that are not needed in FY 1974 will be written off.

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