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PART I

HIGHLIGHTS OF THIS ISSUE

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

PETROLEUM—FEA amends mandatory allocation regulations; effective 3–1–75 10165
FEA proposals on stripper well lease exemption; comments by 3–13–75 10195

FOOD STAMPS—USDA/FNS rescinds purchase price increases; effective 2–13–75 10165

TOBACCO—USDA/AMS proposals on inspection and price supports; comments by 3–25–75 10190
USDA/CCC proposes change to grower designation procedures; comments by 4–4–75 10192

PIPELINE SAFETY—DOT/OPS amends welding requirements for gas and liquid pipelines; effective 3–20–75 10182

MULTIFAMILY HOUSING—
HUD/FHA establishes eligibility requirements for mortgage insurance; effective 3–10–75 10175
HUD/FHA rules on contract rights and obligations; effective 3–10–75 10177

ULTRAVIOLET AND SUN LAMPS—HEW/FDA requires model change reports from manufacturers; effective 4–4–75 10174

X-RAY DEVICES—DOT/FAA revises requirements to concur with FDA rules; effective 4–4–75 10173

(Continued inside)

PART II:

SUDDEN INFANT DEATH—HEW/PHS proposes grants for information and counseling; comments by 4–7–75 10317

PART III:

SECURITIES OF MEMBER STATE BANKS—FRS proposed revisions to conform with SEC regulations; comments by 4–28–75 10321

PART IV:

SECURITIES OF INSURED STATE NONMEMBER BANKS—FDIC proposed revisions to conform with SEC regulations; comments by 5–27–75 10375

March 5, 1975—Pages 10165–10432

HIGHLIGHTS—Continued

MEETINGS—

Advisory Council on Historic Preservation, 3–20–75 10224

Defense Science Board Task Force on Gun System Acquisition, 3–21, 4–2, 4–3, 4–14 to 4–18–75 (3 documents 10198, 10199

DOD: Defense Advisory Committee on Women in the Services, 4–6 to 4–10–75 10198

DOT: Saint Lawrence Seaway Development Corp. Advisory Board, 3–20–75 10224

EPA: Science Advisory Board, National Air Quality Criteria Advisory Committee, 3–21–75 10233

HEW/NIH: National Arthritis, Metabolism and Digestive Diseases Advisory Council, 3–19 through 3–22–75 10224

National Heart and Lung Advisory Council, 3–19 through 3–22–75 10224

NASA: Space Program Advisory Council, 3–25, 3–26–75 10241

Research Advisory Council Panel on Space Vehicles, 3–25, 3–26–75 10242

NRC: Advisory Committee on Reactor Safeguards Fulton Generating Station Subcommittee and Summit Power Station Subcommittee, 3–20–75 10251

USDA/AMS: Shippers Advisory Committee, 3–25–75 .. 10200

USIA: U.S. Advisory Commission on Information, 4–7–75 10241

CANCELLED MEETINGS—

NSF: Advisory Panel on Science Education Projects, Subpanel on Minority Institutions Science Improvement Program, 3–6 and 3–7–75 10249

RESCHEDULED MEETINGS—

State: Northwest Atlantic Fisheries Advisory Committee, 3–26–75 10198

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contents

ADVISORY COUNCIL ON HISTORIC PRESERVATION

Notices

Meeting 10224

AGRICULTURAL MARKETING SERVICE

Rules

Limitation of handling and shipments:
Lettuce grown in south Texas.. 10165

Proposed Rules

Tobacco (flue-cured); inspection and price support service; allocation of 10190

Notices

Meetings:
Shippers Advisory Committee.. 10200

AGRICULTURE DEPARTMENT

See Agricultural Marketing Service; Animal and Plant Health Inspection Service; Commodity Credit Corporation; Cooperative State Research Service; Farmers Home Administration; Food and Nutrition Service; Forest Service; Rural Electrification Administration.

ANIMAL AND PLANT HEALTH INSPECTION SERVICE

Proposed Rules

Meat and poultry food products, geographical origin representations; extension of time for comments 10191

Notices

Animal welfare; registered research facilities, list of..... 10200
Soil samples; list of approved laboratories 10208

ARMY DEPARTMENT

See Engineers Corps.

ASSISTANT SECRETARY FOR HOUSING PRODUCTION AND MORTGAGE CREDIT—FEDERAL HOUSING COMMISSIONER (FEDERAL HOUSING ADMINISTRATION)

Rules

Mortgage and loan insurance programs:
Existing multifamily housing, interim rules (2 documents).. 10175, 10177

CIVIL AERONAUTICS BOARD

Rules

Military transportation; extension of air carriers..... 10174

Notices

Hearings, etc.:
Bradley Air Services Ltd..... 10225
Braniff Airways, Inc..... 10225
International Air Transport Association (2 documents)..... 10225, 10226

COMMERCE DEPARTMENT

See Domestic and International Business Administration; Maritime Administration; National Oceanic and Atmospheric Administration; National Technical Information Service.

COMMODITY CREDIT CORPORATION

Proposed Rules

Tobacco (flue-cured) producers; warehouses designation..... 10192

CONSUMER PRODUCT SAFETY COMMISSION

Notices

Architectural glass; extension of time 10227
Power lawn equipment; extension of time..... 10228
Textbooks, regulation of; petition denied 10227

COOPERATIVE STATE RESEARCH SERVICE

Notices

Special grants program..... 10214

DEFENSE DEPARTMENT

See also Engineers Corps.

Notices

Meetings:
Women in the Services, Advisory Committee on..... 10198
Science Board Task Force on Gun System Acquisition (3 documents)..... 10198, 10199

DOMESTIC AND INTERNATIONAL BUSINESS ADMINISTRATION

Notices

Organization and functions:
Domestic Commerce Bureau (2 documents)..... 10217, 10218

ENGINEERS CORPS

Proposed Rules

Navigation regulations; Ohio River, Mississippi River above Cairo, Ill. and their tributaries.. 10187

ENVIRONMENTAL PROTECTION AGENCY

Notices

Environmental impact statements; agency comments..... 10228
Meetings:
Air Quality Criteria Advisory Committee, National..... 10233

FARMERS HOME ADMINISTRATION

Notices

Disaster areas:
Pennsylvania 10216
Texas 10216
Wisconsin 10216

FEDERAL AVIATION ADMINISTRATION

Rules

Control area..... 10169
Control zones (2 documents)..... 10170
Transition areas (8 documents)... 10171–10172
X-ray devices; requirements for use for carry-on baggage inspection 10173

Proposed Rules

Reporting point..... 10194
Transition area (2 documents)... 10193, 10194
VOR Federal airways..... 10194

FEDERAL COMMUNICATIONS COMMISSION

Rules

FM broadcast stations; table of assignments:
West Virginia..... 10180
Organization and procedure; authority delegation; correction... 10180

Notices

Canadian broadcasting; list of new stations..... 10234
General World Administrative Radio Conference; inquiry..... 10234

FEDERAL DEPOSIT INSURANCE CORPORATION

Proposed Rules

Securities of insured state nonmember banks..... 10375

FEDERAL ENERGY ADMINISTRATION

Rules

Mandatory petroleum allocations:
Fractions greater than one, residential use of propane, surplus propane and butane purchase reports; shifting of entitlements among motor gasoline retail sales outlets..... 10165

Proposed Rules

Stripper well leases..... 10195

Notices

Propane and butane; adjustments and assignments, guidelines for.. 10234

FEDERAL MARITIME COMMISSION

Notices

Agreements filed:
Port of Palm Beach and Birdsall, Inc..... 10234

FEDERAL POWER COMMISSION

Proposed Rules

Annual Report forms to obtain additional information on nonutility affiliates; revision of certain schedule pages..... 10196

Notices

Statement and reports..... 10239
Hearings, etc.:
Anadarko Production Co., et al.. 10235
Boston Edison Co..... 10236
Columbia Gas Transmission Corp. and Columbia Gulf Transmission Co..... 10236
El Paso Natural Gas Co. (2 documents) 10236
Exxon Pipeline Co. of California 10237
Mississippi River Transmission Corp 10237
Natural Gas Pipeline Co. of America 10237
North Penn Gas Co..... 10237
Pacific Gas Transmission Co.... 10237
Phillips Petroleum Co..... 10237
Shell Oil Co..... 10238
Southern Natural Gas Co..... 10239
Tenneco Oil Co., et al..... 10239
Transcontinental Gas Pipe Line Corp 10239
Transwestern Coal Gasification Co 10239

FEDERAL RESERVE SYSTEM
Proposed Rules
Credit:
Securities of member State banks ... 10321

FINE ARTS COMMISSION
Notices
Meeting ... 10227

FOOD AND DRUG ADMINISTRATION
Rules
Sunlamps and medical ultraviolet lamps; record and report requirements ... 10174
Notices
Animal drugs:
Intramammary infusion products ... 10221

FOOD AND NUTRITION SERVICE
Rules
Food stamp program:
State agency participation and eligible households ... 10165
Proposed Rules
School lunch program; extension of comment period ... 10192

FOREIGN CLAIMS SETTLEMENT COMMISSION
Rules
Freedom of information; regulations to conform ... 10178

FOREST SERVICE
Notices
Environmental statements:
Rainy Day Planning Unit, multiple use plan ... 10216

GEOLOGICAL SURVEY
Notices
Geothermal resource areas, classification:
California ... 10200

HEALTH, EDUCATION, AND WELFARE DEPARTMENT
See Food and Drug Administration; National Institutes of Health; Public Health Service.

HOUSING AND URBAN DEVELOPMENT DEPARTMENT
See Assistant Secretary for Housing Production and Mortgage Credit—Federal Housing Commissioner (Federal Housing Administration).

INTERIOR DEPARTMENT
See Geological Survey; Land Management Bureau; Reclamation Bureau.

INTERNAL REVENUE SERVICE
Proposed Rules
Income and miscellaneous excise taxes; individual retirement accounts; correction ... 10187

INTERNATIONAL TRADE COMMISSION
Notices
Electronic flash devices; postponement of hearing ... 10241
Petition:
Weiss-Lawrence, Inc.; investigation ... 10241

INTERSTATE COMMERCE COMMISSION
Notices
Hearing assignments ... 10275
Motor carriers:
Alternate route deviation notices (2 documents) ... 10266
Applications and certain other proceedings ... 10267
Intrastate applications ... 10263
Irregular route property carriers; gateway elimination ... 10253
Temporary authority applications ... 10272
Transfer proceedings ... 10275
United States Railway Association; hearing; correction ... 10275

JUSTICE DEPARTMENT
Notices
U.S. vs. Norris Industries; correction ... 10199

LAND MANAGEMENT BUREAU
Notices
Pipeline right-of-way applications:
New Mexico (3 documents) ... 10199

MARITIME ADMINISTRATION
Notices
Applications, etc.:
Waterman Steamship Corp ... 10220

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION
Notices
Meetings:
Research and Technology Advisory Council ... 10242
Space Program Advisory Council ... 10241

NATIONAL CREDIT UNION ADMINISTRATION
Rules
Federal credit unions; mergers; updating procedures ... 10167

NATIONAL FOUNDATION ON ARTS AND HUMANITIES
Notices
Guidelines for grants:
Dance touring program ... 10246
Public media program ... 10243

NATIONAL INSTITUTES OF HEALTH
Notices
Meetings:
National Arthritis, Metabolism and Digestive Diseases ... 10224
National Heart and Lung Advisory Council ... 10224

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION
Rules
Marine mammals:
Procedures for hearings and proposed regulations ... 10182
Proposed Rules
Marine mammals; incidental taking in course of commercial fishing operations ... 10193

NATIONAL SCIENCE FOUNDATION
Notices
Meetings:
Science Education Projects Advisory Panel ... 10249

NATIONAL TECHNICAL INFORMATION SERVICE
Notices
Government-owned inventions; availability for licensing ... 10220

NUCLEAR REGULATORY COMMISSION
Notices
Applications, etc.:
Gulf States Utilities Co. (2 documents) ... 10249
Meetings:
Reactor Safeguards Advisory Committee ... 10251

PIPELINE SAFETY OFFICE
Rules
Transportation of liquids, natural and other gas; welding requirements ... 10181

PUBLIC HEALTH SERVICE
Proposed Rules
Project grants for sudden infant death syndrome information and counseling ... 10317

RECLAMATION BUREAU
Notices
Environmental statements:
Central Valley Project, San Felipe Division, California ... 10200

RURAL ELECTRIFICATION ADMINISTRATION
Proposed Rules
Telephone facilities; changes in construction contract ... 10192

SAINT LAWRENCE SEAWAY DEVELOPMENT CORPORATION
Notices
Meeting ... 10224

STATE DEPARTMENT
Notices
Meetings:
Northwest Atlantic Fisheries Advisory Committee, rescheduled ... 10198

TRANSPORTATION DEPARTMENT
See Federal Aviation Administration; Pipeline Safety Office; Saint Lawrence Seaway Development Corporation.

TREASURY DEPARTMENT
See also Internal Revenue Service.
Notices
Treasury Dept. Order No. 150-55; rescission ... 10198

UNITED STATES INFORMATION AGENCY
Notices
Meetings:
Information Advisory Commission ... 10241

list of cfr parts affected

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

A cumulative guide is published separately at the end of each month. The guide lists the parts and sections affected by documents published since January 1, 1974, and specifies how they are affected.

7 CFR

271 10165
971 10165

PROPOSED RULES:

29 10190
210 10192
1464 10192
1701 10192

9 CFR

PROPOSED RULES:

317 10191
381 10191

10 CFR

211 10165

PROPOSED RULES:

210 10195

12 CFR

708 10167

PROPOSED RULES:

206 10322
335 10376

14 CFR

71 (11 documents) 10169–10172
121 10173
288 10174

PROPOSED RULES:

71 (4 documents) 10193, 10194

18 CFR

PROPOSED RULES:

141 10196
260 10196

21 CFR

1002 10174

24 CFR

207 (2 documents) 10176, 10177

26 CFR

PROPOSED RULES:

1 10187
54 10187

33 CFR

PROPOSED RULES:

207 10187

42 CFR

PROPOSED RULES:

51a 10318

45 CFR

503 10178

47 CFR

0 10180
73 10180

49 CFR

192 10181
195 10181

50 CFR

216 10182

PROPOSED RULES:

216 10193

CUMULATIVE LIST OF PARTS AFFECTED—MARCH

The following numerical guide is a list of parts of each title of the Code of Federal Regulations affected by documents published to date during March.

3 CFR

PROCLAMATIONS:
4313 (Amended by Proc. 4356) 8931
4345 (Amended by Proc. 4356) 8931
4356 8931
EXECUTIVE ORDERS:
10973 (Amended by E.O. 11841) 8933
11803 (Amended by E.O. 11842) 8935
11837 (Amended by E.O. 11842) 8935
11841 8933
11842 8935

5 CFR

213 8937

7 CFR

271 ..... 8937, 10165
272 8937
301 8763
401 ..... 8770, 8771
908 8772
971 10165
982 8773
PROPOSED RULES:
25 8824
25A 8824
29 10190
210 10192
1464 10192
1701 10192

9 CFR

73 8938
78 8773
113 8774
317 10191
381 10191

10 CFR

Ch. I 8774
Ch. III 8794
211 10165
PROPOSED RULES:
2 8832
21 8832
31 8832
35 8832
40 8832
210 10195

12 CFR

545 8795
701 8938
708 10167
PROPOSED RULES:
206 10322
335 10376
701 8967
745 8967

14 CFR

39 ..... 8795, 8796, 8937
71 ..... 8796, 8797, 10169–10172
73 8940
121 10173
288 10174
PROPOSED RULES:
71 ..... 8830, 8958, 10193, 10194
121 8830
137 8831

17 CFR

200 8797
PROPOSED RULES:
250 8968

18 CFR

3 8940
35 8946
141 8803
154 ..... 8946, 8947
260 8940
PROPOSED RULES:
141 10196
260 10196

19 CFR

PROPOSED RULES:
1 8955

21 CFR

121 8804
135e 8804
630 8804
701 8924
740 ..... 8917, 8926
1002 10174

22 CFR

201 8947
503 8805

23 CFR

712 8947

24 CFR

200 8948
207 ..... 10176, 10177
1915 ..... 8807, 8811

26 CFR

1 8948
PROPOSED RULES:
1 10187
54 10187

29 CFR

1601 8818
1602 8819
1952 8948

33 CFR

207 8949
PROPOSED RULES:
117 8958
207 10187

38 CFR

2 8819
17 8819

39 CFR

111 8820
243 8820

40 CFR

180 ..... 8820, 8821

41 CFR

5A–2 8949
5A–7 8950
5A–16 8951

42 CFR

PROPOSED RULES:
51a 10318

45 CFR

503 10178
1100 8821
PROPOSED RULES:
103 8955
249 8956

47 CFR

0 10180
73 10180
87 8951
89 8951
91 8951
93 8952
PROPOSED RULES:
73 8963–8965
76 8967

49 CFR

192 10181
195 10181
215 8952
571 8953
1033 8823
PROPOSED RULES:
256 8958
571 8962

50 CFR

33 8954
216 10182
PROPOSED RULES:
216 10193

FEDERAL REGISTER PAGES AND DATES—MARCH

Pages	*Date*
8764–8929	Mar. 3
8931–10163	4
10165–10432	5

reminders

Rules Going Into Effect Today

CPSC—Labeling requirements for noncomplying packaging ... 4648; 1–31–75
DOT/FAA—Airworthiness directives; Lockheed Model L–1011–385–1 Airplanes. 4647; 1–31–75

Next Week's Deadlines for Comments On Proposed Rules

AGRICULTURE DEPARTMENT
Agricultural Marketing Service—
Eggs and poultry; Federal grading and inspection standards; comments by 3–10–75 ... 1706; 1–9–75
Animal and Plant Health Inspection Service—
Cattle destroyed because of tuberculosis; indemnity regulations; comments by 3–12–75 ... 5784; 2–7–75
Devices and substances for use on horses at certain horse shows; proposed prohibitions; comments by 3–10–75 ... 6979; 2–18–75
Farmers Home Administration—
Reamortizing and renewing operating loans; comments by 3–10–75. 5538; 2–6–75
Federal Housing Administration—
Liquidation of chattel security and related actions; comments by 3–10–75 ... 5539; 2–6–75

ENVIRONMENTAL PROTECTION AGENCY
Proposed new medium and heavy duty trucks, noise emission standards; comments by 3–10–75 ... 3467; 1–22–75

FEDERAL COMMUNICATIONS COMMISSION
Bangor, Maine; addition of a Class A FM assignment; comments by 3–11–75 ... 2828; 1–16–75
FM broadcast stations in Louisiana; table of assignments; comments by 3–14–75 ... 1716; 1–9–75

FEDERAL RESERVE SYSTEM
Freedom of information; Federal Open Market Committee; fee schedule; comments by 2–13–75 ... 4022; 1–27–75

HEALTH, EDUCATION, AND WELFARE DEPARTMENT
Social and Rehabilitation Service—
Medical assistance program; skilled nursing and intermediate care facilities; comments by 3–13–75. 6368; 2–11–75
Federal health insurance for the aged and disabled; skilled nursing facilities; comments by 3–13–75. 6369; 2–11–75
Federal old-age survivors and disability insurance; comments by 3–10–75 ... 5540; 2–6–75
Federal old-age, survivors, and disability insurance; benefit increase; comments by 3–10–75 ... 5789; 2–7–75
Public assistance programs; comments by 3–10–75 ... 5541; 2–6–75

INTERIOR DEPARTMENT
Indian Affairs Bureau—
Flathead Irrigation Project; operation and maintenance rates; comments by 3–13–75 ... 6360; 2–11–75

JUSTICE DEPARTMENT
Immigration and Naturalization Service—
Nonimmigrant (H–1) visa petitions for physicians and nurses; comments by 3–14–75 ... 6211; 2–10–75

LABOR DEPARTMENT
Occupational Safety and Health Administration—
Occupational exposure standards; carcinogens; comments by 3–10–75. 4934; 2–3–75

SECURITIES AND EXCHANGE COMMISSION
Interim financial data; increased disclosure; comments by 3–15–75. 1079; 1–6–75

TRANSPORTATION DEPARTMENT
Federal Aviation Administration—
Carriage of radioactive materials on passenger planes; comments by 3–10–75 ... 5168; 2–4–75
Control zone (2 documents); comments by 3–10–75 ... 5542; 2–6–75
Control zone and transition area; comments by 3–10–75 ... 5543; 2–6–75
Transition area; East Liverpool, Ohio; comments by 3–10–75 ... 5543; 2–6–75
Transition area; Middlefield, Ohio; comments by 3–10–75 ... 5793; 2–7–75
Transition area; Salina, Kans.; comments by 3–10–75 ... 5793; 2–7–75
Transition area; Ulysses, Kans.; comments by 3–10–75 ... 5793; 2–10–75
Transition area; proposed alteration; comments by 3–13–75 ... 6369; 2–11–75

TREASURY DEPARTMENT
Internal Revenue Service—
Regulation relating to exception for certain insurance contract plans from minimum funding standards; comments by 3–10–75 ... 5535; 2–6–75

Next Week's Public Hearings

DEFENSE MANPOWER COMMISSION
Requirements of the Department of Defense; to be held in Washington, D.C.; 3–13–75 ... 4032; 1–27–75

INTERNATIONAL TRADE COMMISSION
President's list of articles which may be affected by international trade negotiations; to be held at San Francisco, Calif. 3–13–75 ... 3517; 1–22–75
President's list of articles which may be affected by international trade negotiations; to be held at Phoenix, Ariz. 3–11–75 ... 3517; 1–22–75

NUCLEAR REGULATORY COMMISSION
Houston Lighting & Power Co. (Allens Creek Nuclear Generating Stations, Units 1 & 2); to be held in Wallis, Tex., 3–11–75 ... 6836; 2–14–75

Next Week's Meetings

ADMINISTRATIVE CONFERENCE OF THE UNITED STATES
Committee on Compliance and Enforcement Proceedings; to be held in Washington, D.C. (open with restrictions) 3–12–75 ... 6703; 2–13–75
Committee on Licenses and Authorizations; to be held in Washington, D.C. (open with restrictions), 3–13–75. 6703; 2–13–75

CIVIL RIGHTS COMMISSION
Montana State Advisory Committee; to be held in Great Falls, Mont. (open) 3–15–75 ... 6815; 2–14–75
Texas State Advisory Committee; to be held in Austin, Tex. (open) 3–9–75. 6815; 2–14–75
Texas State Advisory Committee; to be held in Austin, Tex. (open) 3–15 and 3–16–75 ... 6815; 2–14–75

COMMERCE DEPARTMENT
CTAB Panel on Sulfur Oxide Control Technology; to be held in Washington, D.C. (open with restrictions) 3–6 and 3–7 and 3–10 and 3–11–75. 5175; 2–4–75
Domestic and International Business Administration—
Advisory Committee on East-West Trade; to be held in Washington, D.C. (open) 3–14–75. 4171; 1–28–75
Telecommunications Equipment Technical Advisory Committee; to be held in Washington, D.C. (open) 3–11–75 ... 5800; 2–7–75
National Bureau of Standards—
Federal Information Processing Standards Coordinating and Advisory Committee to be held in Gaithersburg, Md. (open) 3–12–75 ... 4954; 2–3–75

National Oceanic and Atmospheric Administration—
New York Bight Mesa Advisory Committee; to be held at Stony Brook, N.Y. (open) 3–11–75..... 6217; 2–10–75

DEFENSE DEPARTMENT
Defense Science Board Task Force on Identification Friend, Foe or Neutral; to be held in Washington, D.C. (closed) 3–10–75.... 4465; 1–30–75
Office of the Secretary—
Joint Strategic Target Planning Staff Scientific Advisory Group; to be held at Fort George G. Meade, Md. (closed) 3–11 thru 3–13–75. 6995; 2–18–75

DEFENSE MANPOWER COMMISSION
To be held in Washington, D.C. (open with restrictions) 3–14–75..... 8379; 2–27–75

FEDERAL ENERGY ADMINISTRATION
Construction Advisory Committee; to be held at Washington, D.C. (open with restrictions) 3–11–75..... 7007; 2–18–75

HEALTH, EDUCATION, AND WELFARE DEPARTMENT
Health Insurance Benefits Advisory Council; to be held in Washington, D.C. (open) 3–13 and 3–14–75. 6386; 2–11–75
National Commission for the Protection of Human Subjects of Biomedical and Behavioral Research; to be held in Bethesda, Md. (open with restrictions) 3–14 and 3–15–75.... 8374; 2–27–75
Education Office—
National Advisory Council on Vocational Education; to be held at Washington, D.C. (open) 3–12 thru 3–14–75 ..... 6999; 2–18–75
National Advisory Council on Adult Education; to be held at Louisville, Kentucky (open) 3–13 thru 3–15–75 ..... 7000; 2–18–75
Food and Drug Administration—
Clinical Chemistry Subcommittee of the Diagnostic Products Advisory Committee; to be held in Washington, D.C. (open and closed) 3–10 and 3–11–75 ..... 7113; 2–19–75
Panel on review of bacterial vaccines and bacterial antigens; to be held in Bethesda, Md. (open and closed) 3–10 and 3–11–75..... 7113; 2–19–75
Panel on review of cardiovascular devices; to be held in Washington, D.C. (open and closed) 3–11–75. 7114; 2–19–75
Panel on review of contraceptives and other vaginal drug products; to be held in Rockville, Md. (open and closed) 3–14 and 3–15–75. 7115; 2–19–75
Panel on review of ear, nose and throat devices; to be held in Washington, D.C. (open and closed) 3–10 and 3–11–75..... 7114; 2–19–75
Panel on review of topical analgesics; to be held in Rockville, Md. (open and closed) 3–13 and 3–14–75. 7115; 2–19–75
National Institutes of Health—
Acupuncture Research Conference to be held in Bethesda, Md. (open) 3–14–75 ..... 4954; 2–3–75
Board of Regents; to be held at Bethesda, Md. (open with restrictions) 3–13 and 3–14–75 ... 2855; 1–16–75
Breast Cancer Epidemiology Committee; to be held in Bethesda, Md. (open with restrictions) 3–14–75. 6812; 2–14–75
Cancer Clinical Investigation Review Committee; to be held in Bethesda, Md. (open) 3–10–75..... 6812; 2–14–75
Cancer Control Intervention Programs Review Committee; to be held in Bethesda, Md. (open with restrictions) 3–10 and 3–11–75. 6812; 2–14–75
Committee on Cancer Immunodiagnosis; to be held in Bethesda, Md. (open with restrictions) 3–9 thru 3–11–75..... 6812; 2–14–75
Committee on Cancer Immunotherapy; to be held in Bethesda, Md. (open with restrictions) 3–13–75. 6812; 2–14–75
National Advisory Research Resources Council; to be held at Bethesda, Md. (open with restrictions), 3–13 and 3–14–75 ... 2860; 1–16–75
National Commission on Diabetes; to be held in Bethesda, Md. (open with restrictions) 3–10 and 3–11–75 ..... 6812; 2–14–75
Subcommittee on Environmental Carcinogenesis; to be held in Bethesda, Md. (open) 3–11–75.... 6812; 2–14–75
Tumor Registry Workshop to be held in Bethesda, Md. (open) 3–14–75. 5574; 2–6–75
Health Resources Administration—
National Advisory Council on Nurse Training; to be held in Bethesda, Md. (open with restrictions) 3–12 thru 3–14–75..... 6811; 2–14–75

INTERIOR DEPARTMENT
National Park Service—
Chesapeake and Ohio Canal National Historical Park Commission; to be held in Harpers Ferry, W. Va. open with restrictions) 3–15–75. 8421; 2–27–75

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES
National Endowment for the Arts—
Dance Advisory Panel; to be held in Washington, D.C. (closed) 3–9 thru 3–12–75 ..... 6833; 2–14–75

NATIONAL SCIENCE FOUNDATION
Advisory Panel for Engineering Chemistry and Energetics; to be held in Washington, D.C. (open) 3–10 and 3–11–75..... 7718; 2–21–75

NUCLEAR REGULATORY COMMISSION
Advisory Committee on Reactor Safeguards' Fast Flux Test Facility (FFTF) Subcommittee; to be held in Denver, Colo. (open with restrictions) 3–14 and 3–15–75..... 8393; 2–27–75
Advisory Committee on Reactor Safeguards' Working Group on HCDA; to be held in Denver, Colo. (open with restrictions) 3–14–75..... 8393; 2–27–75

STATE DEPARTMENT
Shipping Coordinating Committee; to be held at Washington, D.C. (open) 3–11–75..... 6991; 2–18–75
Study Group 7 of the U.S. National Committee for the International Radio Consultative Committee; to be held at Washington, D.C. (open with restrictions) 3–13–75.. 6991; 2–18–75

VETERANS ADMINISTRATION
Veterans Administration Wage Committee; to be held in Washington, D.C. (closed) 3–13–75.... 4187; 12–2–75

Daily List of Public Laws

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

S. 281..... Pub. Law 94–5
Regional Rail Reorganization Act Amendments of 1975
(Feb. 28, 1975; 89 Stat. 7)

H.J. Res. 210..... Pub. Law 94–6
Supplemental appropriations, 1975
(Feb. 28, 1975; 89 Stat. 11)

rules and regulations

This section of the FEDERAL REGISTER contains regulatory documents having general applicability and legal effect most of which are keyed to and codified in the Code of Federal Regulations, which is published under 50 titles pursuant to 44 U.S.C. 1510.

The Code of Federal Regulations is sold by the Superintendent of Documents. Prices of new books are listed in the first FEDERAL REGISTER issue of each month.

Title 7—Agriculture

CHAPTER II—FOOD AND NUTRITION SERVICE, DEPARTMENT OF AGRICULTURE

[Amdt. No. 55]

PART 271—PARTICIPATION OF STATE AGENCIES AND ELIGIBLE HOUSEHOLDS

Food Stamp Program

On January 22, 1975 (40 FR 3483), the Department of Agriculture amended its regulations governing the Food Stamp Program (7 CFR Part 271) to provide that in the 48 States and the District of Columbia, the amount certain households would pay for their coupon allotments would be 30 percent or their adjusted net monthly income, effective March 1, 1975.

A similar amendment was published on February 7, 1975 (40 FR 5747–52) for Alaska, Hawaii, Puerto Rico, Guam and the Virgin Islands.

On February 13, 1975, the President announced that he will allow H.R. 1589 to become law without his signature. H.R. 1589 states that the charge imposed on any household for a coupon allotment after the date of enactment of the Act and prior to December 30, 1975, may not exceed the charge that would have been imposed on such household for such coupon allotment under rules and regulations promulgated and in effect on January 1, 1975.

On that same date, telegrams were sent to all State welfare agencies advising them (1) of the President's announcement; (2) the content of H.R. 1589; (3) that effective immediately the amendments to the Food Stamp Regulations concerning the 30 percent purchase requirement published in the FEDERAL REGISTER on January 22, 1975 (40 FR 3483) and February 7, 1975 (40 FR 5747–52) are rescinded and (4) that until further notice the Basis of Coupon Issuance schedules effective January 1, 1975 shall remain in effect.

Accordingly, the following FSP Notices, which were issued pursuant to a part of Subchapter C—Food Stamp Program under Title 7, Chapter II, Code of Federal Regulations and which were to be effective March 1, 1975 are rescinded: FSP Notice No. 1975–1.2 (40 FR 3483; January 22, 1975), FSP Notice No. 1975–2.2, FSP Notice No. 1975–3.2, FSP Notice No. 1975–4.2, FSP Notice No. 1975–5.2, and FSP Notice No. 1975–6.2 (40 FR 5747–52; February 7, 1975). The following FSP Notices, which were effective January 1, 1975, shall remain in effect: FSP Notice No. 1975–1.1 (39 FR 40520; November 18, 1974; FSP Notice No. 1975–2.1, FSP Notice No. 1975–3, FSP Notice No. 1975–4.1, FSP Notice No. 1975–5.1 and FSP Notice No. 1975–6.1 (39 FR 41283–88, November 26, 1974).

Effective date: This amendment became effective February 13, 1975.

(78 Stat. 703, as amended; 7 U.S.C. 2011–2026)

(Catalog of Federal Domestic Assistance Programs, No. 10.551, National Archives Reference Services)

Dated: February 28, 1975.

JOHN M. DAMGARD,
Deputy Assistant Secretary.

[FR Doc.75–5833 Filed 3–4–75;8:45 am]

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

[Amdt. 3]

PART 971—LETTUCE GROWN IN LOWER RIO GRANDE VALLEY IN SOUTH TEXAS

Handling Regulation

Findings. (a) Pursuant to Marketing Agreement No. 144 and Order No. 971 (7 CFR Part 971) regulating the handling of lettuce grown in the Lower Rio Grande Valley in South Texas it is hereby found that the amendment to the handling regulation, hereinafter set forth, will tend to effectuate the declared policy of the act. This program is effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.). The amendment is based upon recommendations and information submitted by the South Texas Lettuce Committee, established pursuant to said marketing agreement and order and upon other available information.

Recent cold weather has reduced harvest and packing. This amendment is necessary so that the industry can have sufficient operating time to satisfy existing and prospective orders for lettuce.

(b) It is hereby found that it is impractical and contrary to the public interest to give preliminary notice, or to engage in public rule making procedure, and that good cause exists for not postponing the effective date of this amendment until 30 days after publication in the FEDERAL REGISTER (5 U.S.C. 553) in that (1) this amendment must become effective immediately if producers are to derive any benefits therefrom, (2) compliance with this amendment will not require any special preparation on the part of handlers, (3) information regarding the proposed regulation has been made available to producers and handlers in the production area, and (4) this amendment relieves restriction on the handling of lettuce grown in the production area.

Regulation, as amended.

In § 971.315 (39 FR 3888; 40 FR 2794; 40 FR 4277) the introductory paragraph is hereby amended by adding the following thereto:

§ 971.315 **Handling regulation.**

* * * and also except that the prohibition against the packaging of lettuce on Sundays shall not apply on March 2, 1975.

* * * * *

Effective date. Issued February 28, 1975, to become effective March 2, 1975.

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

[FR Doc.75–5827 Filed 3–4–75;8:45 am]

Title 10—Energy

CHAPTER II—FEDERAL ENERGY ADMINISTRATION

PART 211—MANDATORY PETROLEUM ALLOCATION REGULATIONS

Allocation Fractions Greater Than One, Residential Use of Propane, Surplus Propane and Butane Purchase Reports, and Shifting of Entitlements Among Motor Gasoline Retail Sales Outlets

On February 5, 1975, the Federal Energy Administration issued a notice of proposed rulemaking and public hearing (40 FR 6372, February 11, 1975) to amend Chapter II of Title 10, Code of Federal Regulations, Part 211, the Mandatory Petroleum Allocation Regulations, with respect to regulations concerning allocation fractions greater than one, residential use of propane, surplus propane and butane purchase reports, and shifting of entitlements among motor gasoline retail sales outlets. Written comments were invited through February 21, 1975 and a public hearing was held on February 21, 1975.

Eighteen written comments were received by FEA in response to the notice of proposed rulemaking and one oral presentation was made at the public hearing on February 21. Those making comments included refiners, manufacturers, trade associations and independent marketers of petroleum products.

ALLOCATION FRACTIONS GREATER THAN ONE

The amendments to § 211.10(g), which governs the disposition of surplus product when allocation fractions are greater than one, were proposed to correct a number of deficiencies in the operation of that paragraph. As revised, § 211.10 (g)(2) requires suppliers not subject to the reporting requirements of § 211.10 (g)(3) to distribute surplus product in

the same manner specified for reporting suppliers in § 211.10(g)(5). Revised § 211.10(g)(3) provides that in addition to suppliers previously required to report surplus product to FEA, a supplier which is a gas processing plant operator must report surplus butane.

Revised § 211.10(g)(5) provides that a supplier which has surplus product to distribute must offer a proportionate share of its surplus product to non-branded and branded independent marketers entitled to receive an allocation from the supplier. In response to several comments, § 211.10(g)(5) has been revised to make it clear that a supplier must make its surplus product available to all wholesale purchaser-resellers within the class of branded independent marketers and the class of non-branded independent marketers which are entitled to receive an allocation from the supplier. A supplier may not satisfy the requirement that surplus product must be supplied to its wholesale purchaser-resellers which are independent marketers by offering it to only some of its purchasers in those two classes.

Revised § 211.10(g)(5) also provides that a supplier may not supply to retail sales outlets which it owns and operates a greater proportion of its surplus than that which the total base period volumes of those outlets, prior to any adjustments, bear to the total base period volumes, prior to any adjustments, of all purchasers entitled to receive an allocation from the supplier, unless the supplier first offers surplus product to and meets all requests for surplus product from any independent marketer which is a base period or assigned base period purchaser of the supplier, up to the proportions specified in § 211.10(g)(5)(i)(A) and (B). In this connection, it should be noted that direct sales to wholesale purchaser-consumers or end-users are not deemed to be sales to independent marketers.

The provision of proposed § 211.10(g)(5) relating to the obligation of a supplier to offer surplus to a purchaser which has refused to lift its entitlement has been revised to make it clear that if a purchaser has refused to lift its entitlement in one period corresponding to a base period, its supplier need not offer that purchaser any surplus which is available during that same period corresponding to a base period. However, refusal to lift an entitlement during one period corresponding to a base period does not relieve the supplier of its obligation to offer to supply surplus product to the purchaser in any subsequent period corresponding to a base period when the supplier has surplus to distribute.

Several comments noted that in § 211.10(g)(8)(i) of the proposal, reference to limitations on acceptance or use of propane or butane for synthetic natural gas feedstock use and gas utility use was deleted. This deletion was inadvertent and has been corrected in the revision.

RESIDENTIAL USE OF PROPANE

Almost all comments regarding the proposed amendment establishing a minimum allocation fraction for residential use of propane were favorable. The few objections raised were not considered to be substantial. Therefore, the proposed amendment is adopted as proposed.

SURPLUS PROPANE AND BUTANE PURCHASE REPORTS

Although several comments opposed the surplus propane and butane purchase reports, FEA believes such reports are essential if it is to effectively monitor the distribution of surplus propane and butane.

Some comments expressed concern that the surplus purchase reports would delay sales. It was not the intent of FEA to require FEA approval prior to consummation of sales. Therefore the amendment as adopted provides that the surplus purchase reports may be submitted within ten days after the purchase of surplus propane or butane by the wholesale purchaser.

SHIFTING OF ENTITLEMENTS AMONG MOTOR GASOLINE RETAIL SALES OUTLETS

No objections were raised with respect to the proposed amendment to permit the entity which owns and operates two or more motor gasoline retail outlets to reassign among outlets up to 30 percent of the allocation entitlements of each outlet it operates. Therefore, the proposed amendment is adopted.

(Emergency Petroleum Allocation Act of 1973, Pub. L. 93-159; Federal Energy Administration Act of 1974, Pub. L. 93-275; E.O. 11790, 39 FR 23185)

In consideration of the foregoing, Part 211 of Chapter II, Title 10 of the Code of Federal Regulations is amended as set forth below. The effective date of the amendment to § 211.83(c)(3) is April 1, 1975. All the remaining amendments are effective March 1, 1975.

Issued in Washington, D.C., February 28, 1975.

DAVID G. WILSON,
Acting General Counsel,
Federal Energy Administration.

1. Section 211.10 is amended in paragraph (g) by revising subparagraphs (2), (3), (5) and (8) to read as follows:

§ 211.10 Supplier's method of allocation.

* * * * *

(g) * * *

(2) *Non-reporting suppliers.* Any wholesale purchaser-reseller which is a retail sales outlet or any other supplier not subject to paragraph (g)(3) of this section and which has an allocable supply of sufficient magnitude that its allocation fraction will exceed one (1.0) for a period corresponding to a base period, shall make allocations based on an allocation fraction of one (1.0) and shall distribute its surplus product as provided by paragraph (g)(5) of this section. There is no requirement that such a wholesale purchaser-reseller report its surplus product to FEA.

(3) *Surplus product reports.* A supplier which is either a refiner, a gas processing plant operator, a prime supplier in any state, or a supplier of a prime supplier (such as a broker) and which is not a retail sales outlet and which has an allocable supply of sufficient magnitude that its allocation fraction computed pursuant to paragraph (b) of this section will exceed one (1.0) for an allocated product for a period corresponding to a base period, shall make allocations based on an allocation fraction of one (1.0) and shall report the volume, location, price, availability of transportation and significant specifications of surplus product available. The surplus product report shall be submitted in writing to the FEA National Office, with a copy to the appropriate FEA Regional Offices, within five (5) days of the supplier's determination that its allocation fraction will exceed one (1.0). The report must be clearly labeled "Surplus Product Report" both on the document and on the outside of the envelope in which the document is transmitted and shall be addressed to: Federal Energy Administration, Surplus Product Report, Post Office Box 19407, Washington, D.C. 20036. The FEA shall provide written notification to each supplier submitting a surplus product report of the exact time of receipt of the surplus product report.

* * * * *

(5) *Distribution of surplus products.* Any supplier subject to paragraph (g)(2) or any supplier which reports pursuant to paragraph (g)(3) of this section and which is not notified to the contrary within ten (10) days of receipt by FEA of the supplier's notification under paragraph (g)(3) of this section, may distribute its surplus product at its discretion except that (i) the supplier shall supply, in the aggregate, to all purchasers in the category of (A) wholesale purchaser-resellers which are entitled to receive an allocation from that supplier and which are branded independent marketers, to the extent that such category of purchaser is willing to accept it, at least the same proportion of the supplier's surplus product as the total base period volumes (prior to any adjustments) of branded independent marketers which are entitled to receive an allocation from that supplier bear to the total base period volumes (prior to any adjustments) of all purchasers, including those assigned by FEA, which are entitled to receive an allocation from that supplier; and (B) wholesale purchaser-resellers which are entitled to receive an allocation from that supplier and which are non-branded independent marketers to the extent that such category of purchasers is willing to accept it, at least the same proportion of the supplier's surplus product as the total base period volumes (prior to any adjustments) of non-branded independent marketers which are entiled to receive an allocation from that supplier bear to the total base period volumes (prior to

any adjustments) of all purchasers including those assigned by FEA, which are entitled to receive an allocation from that supplier; and (ii) the supplier may not supply to retail sales outlets owned and operated by the supplier, in the aggregate, a greater proportion of the supplier's surplus product than the total base period volumes (prior to any adjustments) of all such retail sales outlets bear to the total base period volumes (prior to any adjustments) of all purchasers, including those assigned by FEA, which are entitled to receive an allocation from that supplier unless the supplier first offers surplus product to and meets all requests for surplus product from all independent marketers which are entitled to receive an allocation from that supplier to the extent required in clause (i) of this subparagraph. *Provided, That* a supplier shall not be required to offer surplus product available for distribution during a period corresponding to a base period to any purchaser which has refused to lift all of its allocation entitlement in the same period corresponding to a base period.

* * * * *

(8) *Limitation on purchaser's rights including special restrictions on propane and butane.* (i) Unless directed by FEA no supplier shall supply and no end-user or wholesale purchaser-consumer shall accept quantities of an allocated product which exceed one hundred (100) percent of the end-user's or wholesale purchaser-consumer's current requirements, *Provided*, That (A) no supplier shall supply and no end-user or wholesale purchaser-consumer shall accept or use quantities of propane or butane (including the propane and butane content of natural gas liquids and refinery gas) in excess of one hundred (100) percent of base period use for synthetic natural gas feedstock use, gas utility use or any industrial use except for the purpose of increasing inventories for such uses to the levels allowed under § 211.86(g) or § 211.96(e), *and Provided further*, That (B) no supplier shall supply and no end-user or wholesale purchaser-consumer shall accept or use quantities of propane or butane (including the propane and butane content of natural gas liquids and refinery gas) in excess of one hundred (100) percent of base period use for refinery fuel use.

(ii) Suppliers and wholesale purchasers shall comply with §§ 211.87 and 211.97 in the purchase and sale of surplus propane and butane.

2. Section 211.83 is amended in paragraph (c) by revising subparagraph (3) to read as follows:

§ 211.83 Allocation levels.

* * * * *

(c) * * *

(3) Ninety-five (95) percent of base period use for all residential use, except that whenever the allocation fraction of a supplier which supplies end-users and wholesale purchaser-consumers pursuant to this allocation level is less than 0.9, that supplier shall supply the residential use requirements of those end-users and wholesale purchaser-consumers at an allocation level of eighty-five (85) percent of base period use, not subject to an allocation fraction.

* * * * *

3. Section 211.87 is amended by adding a paragraph (f) to read as follows:

§ 211.87 Procedures and reporting requirements.

* * * * *

(f) *Surplus propane purchase report.* (1) Notwithstanding the provisions of § 211.12 of this part, any wholesale purchaser may purchase propane subject to paragraphs (f)(2) and (3) of this section from any supplier which certifies to the wholesale purchaser in writing that the supplier has surplus propane to distribute and that the supplier has complied with the provisions of § 211.10(g) of this part.

(2) A wholesale purchaser which purchases surplus propane shall report the purchase to the FEA National Office within ten days in accordance with forms and instructions issued by FEA including the name and address of the purchaser, the supplier and the broker, if any, the quantity of surplus propane purchased and the price of the surplus propane, and a statement certifying that the supplier has provided the wholesale purchaser with a written certification that the supplier has compiled with the provisions of § 211.10(g). The report must be clearly labelled "Surplus Propane Purchase Report" both on the document and on the envelope in which the document is transmitted and shall be addressed to: Federal Energy Administration, Surplus Propane Purchase Report, Post Office Box 19407, Washington, D.C. 20036.

(3) End-users which purchase surplus propane are not required to report pursuant to this paragraph but shall be subject to § 211.10(g) of this part.

4. Section 211.97 is amended by adding a paragraph (e) to read as follows:

§ 211.97 Procedures and reporting requirements.

* * * * *

(e) *Surplus butane purchase report.* (1) Notwithstanding the provisions of § 211.12 of this part, any wholesale purchaser may purchase butane pursuant to paragraphs (e)(2) and (3) of this section from any supplier which certifies to the wholesale purchaser in writing that the supplier has surplus butane to distribute and that the supplier has complied with the provisions of § 211.10 (g) of this part.

(2) A wholesale purchaser which purchases surplus butane shall report the purchase to the FEA National Office within ten days in accordance with forms and instructions issued by FEA including the name and address of the purchaser, the supplier and the broker, if any, the quantity of surplus butane purchased and the price of the surplus butane, and a statement certifying that the supplier has provided the wholesale purchaser with a written certification that the supplier has complied with the provisions of § 211.10(g). The report must be clearly labelled "Surplus Butane Purchase Report" both on the document and on the envelope in which the document is transmitted and shall be addressed to: Federal Energy Administration, Surplus Butane Purchase Report, Post Office Box 19407, Washington, D.C. 20036.

(3) End-users which purchase surplus butane are not required to report pursuant to this paragraph, but shall be subject to § 211.10(g) of this part.

5. Section 211.106 is amended by revising paragraph (b)(3) to read as follows:

§ 211.106 Retail sales outlets.

(b) * * *

(3) * * *

(ii) Each entity which operates two or more retail sales outlets which are supplied by a common supplier may reassign up to thirty (30) percent of the allocation entitlement (excluding any amounts which those retail sales outlets have certified pursuant to § 211.12(d) to be for ultimate use under an allocation level not subject to an allocation fraction) of a retail sales outlet which it operates to another retail sales outlet which it operates provided that no retail sales outlet which it operates provided that no retail sales outlet may have its allocation entitlement (excluding any amounts which those retail sales outlets have certified pursuant to § 211.12 (d) to be for ultimate use under an allocation level not subject to an allocation fraction) increased by more than thirty (30) percent pursuant to any reassignment permited by this paragraph (b)(3)(ii).

* * * * *

[FR Doc.75-5853 Filed 3-3-75;8:45 am]

Title 12—Banks and Banking

CHAPTER VII—NATIONAL CREDIT UNION ADMINISTRATION

PART 708—MERGERS OF CREDIT UNIONS

Updating of Procedures

On pages 39476-39478 of the November 7, 1974, edition of the FEDERAL REGISTER (39 FR 39476-39478) there was published a proposal to revise the entire Part 708 (12 CFR Part 708). The purpose of the proposal is to update merger procedures in light of Title II of the Federal Credit Union Act (12 U.S.C. 1781, *et seq.*). Interested persons were given until February 3, 1975, to submit written comments, suggestions and objections regarding the proposed revision. As a result of the comments, the following changes have been made:

1. Section 708.0 is revised.

2. In § 708.1, paragraph (a)(3) is added.

3. In § 708.2, paragraph (a)(2), delete the words "federally-insured" and insert in lieu thereof the words "a state credit union."

4. In § 708.3(b), insert the word "continuing" before the words "credit union" the last time they appear in the paragraph.

5. In § 708.3(c), delete the comma immediately following the first appearance of the words "federally-insured" and insert the word "and" in lieu thereof.

6. In § 708.5(a), delete the words "any federally-insured credit union(s)." Insert the words "the credit unions" in lieu thereof.

7. In § 708.7(a)(2)(ii), delete the words "combined financial reports for each credit union" and insert the words "a combined financial report for the continuing credit union" in lieu thereof.

8. Section 708.7(b) is revised.

9. In § 708.9(a)(2), delete the words "and after" from paragraph (i). Insert a new paragraph (ii) to read: "A financial report for the continuing credit union after the completion of merger." Redesignate previous paragraphs (ii) and (iii) as paragraphs (iii) and (iv) respectively.

Accordingly, with the above changes and additions, the proposed Part 708 is adopted as set forth below.

Effective date. March 10, 1975.

HERMAN NICKERSON, JR.,
Administrator.

FEBRUARY 26, 1975.

Sec.
708.0 Scope.
708.1 Definitions.
708.2 When Permissible.
708.3 Special Provisions for National Credit Union Share Insurance.
708.4 Preparation of Merger Plan.
708.5 Submittal of Merger Proposal to Administration.
708.6 Approval of Merger Proposal by Administrator.
708.7 Approval of Merger Proposal by Members.
708.8 Certification of Vote on Merger Proposal.
708.9 Completion of Merger.

AUTHORITY: Sec. 120, 73 Stat. 635 (12 U.S.C. 1766) and Sec. 209, 84 Stat. 1014 (12 U.S.C. 1789).

§ 708.0 Scope.

This part prescribes the procedures that enable one or more credit unions to merge with a single continuing credit union where at least one of the merging credit unions or the continuing credit union is a Federal credit union or a federally-insured state credit union.

§ 708.1 Definitions.

(a) As used herein:

(1) The continuing credit union is that credit union which will continue in operation after the merger.

(2) The merging credit union is that credit union which will cease to exist as an operating credit union at the time of the merger.

(3) State credit union means any credit union organized and operated according to the laws of any state, the several territories and possessions of the United States, the Panama Canal Zone, or the Commonwealth of Puerto Rico, or any credit union organized and operating under the jurisdiction of the Department of Defense and in compliance with the requirements of Title I of the Federal Credit Union Act and regulations issued thereunder. Accordingly, state means the appropriate regulatory or supervisory authority for any such credit union.

§ 708.2 When permissible.

(a) When the requirements enumerated herein have been met, merger may be effected if:

(1) There has been compliance with National Credit Union Administration chartering policies (where the continuing credit union is a Federal credit union); or

(2) Permitted by state law or authorized by the state supervisory authority (where the continuing or merging credit union is a state credit union).

(b) In any case where the continuing credit union is federally-insured, and the merging credit union is not insured, a determination shall be made by the Administrator as to the potential risk to the National Credit Union Share Insurance Fund (NCUSIF).

§ 708.3 Special provisions for National Credit Union share insurance.

(a) Where the continuing credit union is not federally-insured, but the share accounts of the merging credit union are so insured, such insurance ceases as of the effective date of the merger. Members of the merging credit union shall be notified accordingly prior to any required voting activity to approve the marger.

(b) When a credit union's insurance is terminated in accordance with paragraph (a) of this section, it is not entitled to a rebate of premiums, but the continuing credit union shall be entitled to a refund of the unused portion of the premiums.

(c) Where the merging credit union is federally-insured and the continuing credit union is not so insured, but desires to be insured as of the date of the merger, an application shall be submitted to the Administrator when the merging credit union requests his approval of the merger proposal.

(d) An insurance premium will be assessed on the additional share accounts insured as a result of the merger. The amount of the premiums will be prorated as of the effective date of the merger on these additional share accounts.

§ 708.4 Preparation of merger plan.

(a) Upon the approval of a proposition for merger by the boards of directors of credit unions, a plan for the proposed merger shall be prepared. The plan shall include:

(1) Current financial reports;

(2) Current delinquent loan schedules annotated to reflect collection problems;

(3) Combined financial report;

(4) Analyses of share values;

(5) Explanation of any proposed share adjustments;

(6) Explanation of any provisions for reserves, undivided earnings or dividends;

(7) Provisions with respect to notification and payment of creditors;

(8) Explanation of any changes relative to insurance of member accounts;

(9) Provisions for insuring that all assets and liabilities of the continuing credit union will conform with the requirements of the Act (where the continuing credit union is a Federal credit union); and

(10) Proposed charter amendments (where the continuing credit union is a Federal credit union).

§ 708.5 Submittal of merger proposal to Administration.

(a) Upon approval of the merger plan by the boards of directors of the credit unions, the following information will be submitted to the Regional Director:

(1) The merger plan, as described in this part;

(2) Resolution of the boards of directors;

(3) Proposed Merger Agreement;

(4) Proposed Notice of Special Meeting of the Members (for merging Federal credit unions);

(5) Copy of the form of Ballot to be sent to the Members (for the merging Federal credit unions);

(6) Evidence that the state's supervisory authority is in agreement with the merger proposal (for state credit unions); and

(7) Application and Agreements for Insurance of Member Accounts (for continuing state credit unions desiring to become federally-insured).

(b) The Regional Director will review the proposal and forward it, with his recommendations, to the Administrator.

§ 708.6 Approval of merger proposal by Administrator.

(a) If the Administrator finds that the merger proposal complies with this and other parts of these regulations, he may approve the proposal subject to such other specific requirements as may be prescribed to fulfill the intended purposes of the proposed merger.

(b) Any proposed charter amendments for a continuing Federal credit union will be approved contingent upon the completion of the merger.

§ 708.7 Approval of the merger proposal by members.

(a) When the merging credit union is a Federal credit union, the members shall:

(1) Have the right to vote on the merger proposal in person at the annual meeting, if within 120 days after the Administrator's approval, or at a special meeting to be called within 120 days of such approval, or by mail ballot postmarked no later than the date and time announced for the annual meeting or the special meeting called for that purpose.

(2) Be given advance notice of the meeting at which the merger proposal is to be submitted, in accordance with the provisions of Article V, Meetings of Members, Federal Credit Union Bylaws. The notice shall:

(i) Specify the purpose of the meeting and time and place;

(ii) Include a summary of the merger plan, which shall contain, but not necessarily be limited to, current financial reports for each credit union, a combined

financial report for the continuing credit union, analyses of share values, explanation of any proposed share adjustments, explanation of any changes relative to insurance of member accounts;

(iii) State reasons for the proposed merger;

(iv) Provide name and location (to include branches) of the continuing credit union;

(v) Inform the members that they have the right to vote on the merger proposal in person at the meeting or by written ballot to be postmarked no later than the date and time announced for the annual meeting or the special meeting called for that purpose; and

(vi) Be accompanied by a Ballot for Merger Proposal.

(b) The merger proposal of a merging Federal credit union must be approved by affirmative vote of a majority of the members of the credit union who vote on the proposal in a vote in which at least 20 per centum of the total membership of the credit union participates.

§ 708.8 Certification of vote on merger proposal.

The board of directors of the merging Federal credit union shall promptly certify the results of the membership vote to the Regional Director.

§ 708.9 Completion of merger.

(a) Upon approval of the merger proposal by the Administrator, and by the members of each credit union where required, action may be taken to complete the merger. The boards of directors shall:

(1) Promptly certify the completion of the merger to the Regional Director; and

(2) Forward, along with the certification, the following documents:

(i) Financial reports for each credit union before the completion of merger;

(ii) A financial report for the continuing credit union after the completion of merger;

(iii) The charters of merging Federal credit unions; and

(iv) Insurance certificates for merging federally-insured credit unions.

(b) If the Administrator is satisfied that the merger has been accomplished in accordance with the approved plan, he shall cancel the charters of the Federal credit unions which have lost their identity in the merger.

[FR Doc.75-5803 Filed 3-4-75;8:45 am]

Title 14—Aeronautics and Space

CHAPTER I—FEDERAL AVIATION ADMINISTRATION, DEPARTMENT OF TRANSPORTATION

[Airspace Docket No. 74-WA-3]

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

Alteration and Expansion of Terminal Control Area at Atlanta, Georgia

On May 7, 1974, a notice of proposed rule making (NPRM) was published in the FEDERAL REGISTER (39 FR 16157) stating that the Federal Aviation Administration (FAA) was considering an amendment to Part 71 of the Federal Aviation Regulations that would alter the Atlanta, Ga., Terminal Control Area (TCA).

The NPRM was in two parts. The first involved expansion of the TCA vertically to 12,500 feet MSL and horizontally to 35 miles. The second involved lowering of airspace in an east and west extension in order to accommodate parallel Instrument Landing System (ILS) approaches. The Air Transport Association (ATA) and an individual commenter endorsed the overall proposal. Aircraft Owners and Pilots Association (AOPA) opposed both parts of the proposal. National Business Aircraft Association (NBAA) suggested the proposed expansion be tabled until more research was undertaken on the complex subject of airspace usage. Over a hundred individual commenters responded.

Concern was expressed over such subjects as: compression of traffic below TCA floors; increased controller workload; preference for climb and/or descent corridors; the economic burden caused by purchase of required new equipment; circumnavigation of the expanded airspace by nonparticipating aircraft; feeling that the expansion was unjustified and unnecessary; the difficulty encountered by pilots in obtaining clearance through TCAs; the thought that the "see-and-be-seen" principle should be the sole basis for separation; an increase in noise and pollution levels due to lowering of the floor and the statement that FAA was violating its own "Keep-'em-High" Program, and the belief that sky diving, aerobatics and soaring will be severely affected.

The first three objections were discussed in detail when the general air traffic rules for operation within TCAs were adopted in Docket No. 9880 (35 FR 7782) effective June 25, 1970. It is not considered necessary to discuss them further at this point.

While there will be additional costs involved in the purchase of the required new equipment, the safety and air traffic control efficiency gained will far outweigh the cost to the affected users. Additionally, the cost of compliance should decrease as manufacturers respond to the need for the new equipment.

The new equipment is a transponder and an encoding altimeter that enables the transponder to continuously transmit the altitude of the aircraft to the surface radar displays in our air traffic control facilities. Use of this equipment eliminates much conversation on busy communication frequencies where pilot and controller are in voice communication. It also furnishes vital altitude information to controllers in situations where the pilot is not in radio communication with the ground system. In effect, with the use of this automatic altitude reporting equipment, our current two-dimensional radar becomes three-dimensional—furnishing the controller with continuous distance, bearing and altitude information.

Concern was raised over circumnavigation of the expanded airspace by nonparticipating aircraft. Some operational restrictions will be encountered by nonparticipating aircraft; however, these restrictions are considered to be the minimum restraints necessary to achieve the desired operational advantages. Any restrictions imposed by the expansion should be far outweighed by the resultant increase in safety.

The question of justification of the expansion was raised. Due to increased air traffic around major air terminals and the resultant midair collision potential a system of positive control was instituted around these locations called Terminal Control Areas (TCAs). There is clear evidence of a decided reduction in the number of incidents occurring where TCAs are now established.

It is recognized that potential for midair collision continues to exist between jet aircraft controlled by ATC and uncontrolled aircraft operating between the tops of existing TCAs and 18,000 feet MSL. The mandatory transponder rule (after July 1, 1975) together with expansion of the TCA to 12,500 feet MSL would create a positive controlled environment where the high-performance jet aircraft could be contained during the critical climb and descent phase of flight.

It is acknowledged that pilots wishing to traverse a TCA with an aircraft equipped with the required equipment will occasionally experience deviation, delay, or even refusal to enter a TCA. These factors are due to particular air traffic situations at given times.

Concerning the "seen-and-be-seen" principle, collision avoidance is based upon the pilot's ability to see and avoid other traffic. This results in a dual responsibility—with ATC responsible for separation of IFR aircraft as they relate to each other and the IFR pilot assuming responsibilities for separation from the "see-and-avoid" traffic. The risk of a midair collision in any given segment of airspace is related to the number of aircraft therein, and, of those aircraft, the proportion that are relying solely upon seeing and avoiding other traffic, the weather conditions, the operating characteristics of the aircraft, the dispersal of aircraft with the given airspace, and whether the aircraft are climbing, descending, or in cruise.

Concern was raised over possible increases in noise and air pollution as a result of lowering a portion of the 3,500-foot floor east and west of the airport and the statement the FAA was violating its own "Keep-'em-High" Program. The reasons for lowering east and west portions of the TCA floor were discussed in the notice. The ATC procedures required for conducting simultaneous parallel ILS approaches require the use of the floor altitudes as proposed. The change in floor altitudes will now contain these vector patterns and altitudes, thus reducing the possibility of arrivals having to exist the TCA. The lowering of the floor will not alter procedures currently used, and will, therefore, cause no change in noise and air pollution patterns.

The question of restrictions to sky diving, soaring and aerobatic activity was raised. Since the airspace in question is presently controlled airspace and will remain so, jump activities could continue to be conducted in accordance with those provisions of FAR 105 which pertain to parachute jumping in controlled airspace. The jump aircraft of course, while within the TCA itself, would have to comply with the equipment requirements contained in FARs 91.24 and 91.90 to the same extent as other aircraft. Any soaring and aerobatic activity that has been conducted above 8,000 feet MSL beyond the 20-mile arc of the TCA or in the east and west extensions will be affected.

A parallel exists between the airplane and the automobile in that added growth in each mode necessitates additional controls and restrictions. These controls are necessary in order to achieve the desired degree of safety. The FAA feels obligated to provided this degree of safety to aircraft operating in the airspace between the tops of existing TCAs and 18,000 feet MSL as is presently provided to aircraft flying in existing TCA airspace and above 18,000 feet MSL.

The FAA believes the expansion vertically to 12,500 feet MSL and horizontally to 35 miles is warranted. However, the expansion will be initially instituted on a one-year test basis to determine whether or not permanent action is justified. The test period will run from April 24, 1975, to April 23, 1976.

The ceilings of Areas A, B, C and D in the rule differ from the notice in that they reflect 8,000 feet MSL instead of 12,500 feet MSL. Area E is now described as that airspace extending upward from 8,000 feet MSL to and including 12,500 feet MSL within a 35-mile radius of the Atlanta Airport. There is no change in the total quantity of airspace affected nor is there any change in operating procedures involved.

It is determined that this change is of such minor nature that notice and public procedure hereon are unnecessary.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0901 G.m.t., April 24, 1975, as hereinafter set forth.

§ 71.401 [Amended]

In § 71.401(A) (40 FR 640) is amended to read:

ATLANTA, GA. (TCA)

Primary Airport: Atlanta Airport (Lat. 33°-38'31" N., Long. 84°25'34" W.)

Boundaries:

Area A. That airspace extending upward from the surface to and including 8,000 feet MSL within a 7-mile radius of the Atlanta Airport, excluding the Fulton County Control Zone and the airspace north of a line four miles north of and parallel to the extended centerline of Runways 8/26.

Area B. That airspace extending upward from 2,500 feet MSL to and including 8,000 feet MSL within a 12-mile radius of the Atlanta Airport, and that airspace between the 12-mile and 20-mile radii, bounded on the north by the 090° and 270° radials of the Rex VOR and on the south by the 091° and 271° radials of the Atlanta VORTAC, excluding Area A, the Fulton County Control Zone, and the airspace north of a line four miles north of and parallel to the extended centerline of Runways 8/26.

Area C. That airspace extending upward from 3,500 feet MSL to and including 8,000 feet MSL within a 20-mile radius of the Atlanta Airport, excluding Area A, Area B, and the airspace north of a line one mile south of and parallel to the 271° and 091° radials of the Fulton County VOR.

Area D. That airspace extending upward from 6,000 feet MSL to and including 8,000 feet MSL north of the Atlanta Airport bounded on the east by a 20-mile radius arc from the Atlanta Airport, on the south by a line one mile south of and parallel to the 271° and 091° radials of Fulton County VOR, on the west by a 20-mile radius arc from the Atlanta Airport, and on the north by the southern boundary of the area described as the Atlanta, Ga., (Dobbins AFB/NAS Atlanta Control Zone) and the 260° radial of Norcross VOR east of the Atlanta, Ga. (Dobbins AFB/NAS Atlanta Control Zone).

Area E. That airspace extending upward from 8,000 feet MSL to and including 12,500 feet MSL within a 35-mile radius of the Atlanta Airport.

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

Issued in Washington, D.C., on February 27, 1975.

P. L. CUNNINGHAM,
Acting Chief, Airspace and Air Traffic Rules Division.

[FR Doc.75-5236 Filed 3-4-75;8:45 am]

[Airspace Docket No. 75-SO-18]

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

Redesignation of Control Zone

The purpose of this amendment to Part 71 of the Federal Aviation Regulations is to redesignate the Eglin AF Aux No. 3 (Duke Field), Fla., control zone.

The Eglin AF Aux No. 3 (Duke Field) control zone is described in § 71.171 (40 F.R. 354) and is designated part time, with effective times of 0930 to 1730 hours, local time, Monday; 0730 to 2300 hours, local time, Tuesday through Friday, and 0900 to 1700 hours, local time, Saturday and Sunday. A change in the daily operations at Duke Field neccessitates a change in the effective times of the control zone to 1100 to 1900 hours, local time, Monday; 0800 to 2400 hours, local time, Tuesday and Wednesday; 1100 to 1900 hours, local time, Thursday; 0900 to 0100 hours, local time, Friday; 0900 to 1700 hours, local time, Saturday, and 0800 to 2400 hours, local time, Sunday. It is necessary to amend the description to reflect this change. Since this amendment is minor in nature, notice and public procedure hereon are unnecessary.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0901 G.m.t., March 10, 1975, as hereinafter set forth.

§ 71.171 [Amended]

In § 71.171 (40 FR 354), the Eglin AF Aux No. 3 (Duke Field), Fla., control zone is amended as follows:

" * * * 0930 to 1730 hours, local time, Monday; 0730 to 2300 hours, local time, Tuesday through Friday, and 0900 to 1700 hours, local time, Saturday and Sunday * * * " is deleted and " * * * 1100 to 1900 hours, local time, Monday; 0800 to 2400 hours, local time, Tuesday and Wednesday; 1100 to 1900 hours, local time, Thursday; 0900 to 0100 hours, local time, Friday; 0900 to 1700 hours, local time, Saturday, and 0800 to 2400 hours, local time, Sunday * * * " is substituted therefor.

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

Issued in East Point, Ga., on February 20, 1975.

PHILLIP M. SWATEK,
Director, Southern Region.

[FR Doc.75-5732 Filed 3-4-75;8:45 am]

[Airspace Docket No. 74-CE-28]

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

Alteration of Control Zone

On Page 44776 of the FEDERAL REGISTER dated December 27, 1974, the Federal Aviation Administration published a notice of proposed rule making which would amend § 71.171 of Part 71 of the Federal Aviation Regulations so as to alter the control zone of Dubuque, Iowa.

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

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

This amendment shall be effective 0901 G.m.t., April 24, 1975.

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

Issued in Kansas City, Missouri, on February 11, 1975.

GEORGE R. LACAILLE,
Acting Director, Central Region.

§ 71.171 [Amended]

In § 71.171 (40 FR 354), the following control zone is amended to read:

DUBUQUE, IOWA

Within a 5-mile radius of Dubuque Municipal Airport (latitude 42°24'10" N., longitude 90°42'25" W.); within 3 miles each side of the Dubuque VORTAC 321° radial, extending from the 5-mile radius zone to 8 miles northwest of the VORTAC; and within 3 miles each side of the Dubuque VORTAC 126° radial, extending from the 5-mile radius zone to 8 miles southeast of the VORTAC; within 3 miles each side of the Dubuque VORTAC 182° radial, extending from the 5-mile radius zone to 8 miles south of the VORTAC. This control zone is effective during the specific dates and times established in advance by a Notice to Airmen. The effective date and time will thereafter be continuously published in the Airman's Information Manual.

[FR Doc. 75-5733 Filed 3-4-75;8:45 am]

[Airspace Docket No. 74-CE-33]

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

Designation and Alteration of Transition Area

On Pages 44776 and 44777 of the FEDERAL REGISTER dated December 27, 1974, the Federal Aviation Administration published a notice of proposed rule making which would amend § 71.181 of Part 71 of the Federal Aviation Regulations so as to designate a transition area at Charleston, Missouri, and alter the transition area at Cape Girardeau, Missouri.

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

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

This amendment shall be effective 0901 G.m.t., April 24, 1975.

(Section 307(a) of the Federal Aviation Act of 1958 (49 U.S.C. 1348), and of Section 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c))).

Issued in Kansas City, Missouri, on February 11, 1975.

GEORGE R. LACAILLE,
Acting Director, Central Region.

§ 71.181 [Amended]

In § 71.181 (40 FR 441), the following transition area is added:

CHARLESTON, MISSOURI

That airspace extending upward from 700 feet above the surface within a 6.5-mile radius of the Mississippi County Airport (latitude 36°50'22" N., longitude 89°21'42" W.); and within 3 miles each side of the 188° bearing from Charleston RBN (latitude 36°50'42" N., longitude 89°21'24" W.), extending from the 6.5-mile radius area to 8.5 miles south of the RBN, excluding that portion overlying the Sikeston transition area.

In § 71.181 (40 FR 441), the following transition area is amended to read:

CAPE GIRARDEAU, MISSOURI

That airspace extending upward from 700 feet above the surface within a 10-mile radius of Cape Girardeau Municipal Airport (latitude 37°13'31" N., longitude 89°34'15" W.); within 4.5 miles east and 9.5 miles west of the Cape Girardeau VOR 194° radial, extending from the 10-mile radius area to 18.5 miles south of the VOR, excluding the portion which overlies the Sikeston transition area.

[FR Doc.75-5734 Filed 3-4-75;8:45 am]

[Airspace Docket No. 74-CE-29]

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

Designation of Transition Area

On page 44776 of the FEDERAL REGISTER dated December 27, 1974, the Federal Aviation Administration published a Notice of Proposed Rule Making which would amend § 71.181 of Part 71 of the Federal Avaition Regulations so as to designate a transition area at Hampton, Iowa.

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

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

This amendment shall be effective 0901 G.m.t., April 24, 1975.

(Section 307(a) of the Federal Aviation Act of 1958 (49 U.S.C. 1348), and of Section 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c))).

Issued in Kansas City, Missouri, on February 11, 1975.

GEORGE R. LACAILLE,
Acting Director, Central Region.

§ 71.181 [Amended]

In Section 71.181 (40 FR 441), the following transition area is added:

HAMPTON, IOWA

That airspace extending upward from 700 feet above the surface within a five (5) mile radius of the Hampton Municipal Airport (latitude 42°43'35" N., longitude 93°13'35"); excluding that airspace which overlies the Mason City, Iowa transition area.

[FR Doc.75-5735 Filed 3-4-75;8:45 am]

[Airspace Docket No. 74-CE-27]

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

Alteration of Transition Areas

On Pages 44034 and 44035 of the FEDERAL REGISTER dated December 20, 1974, the Federal Aviation Administration published a Notice of Proposed Rule Making which would amend § 71.181 of Part 71 of the Federal Aviation Regulations so as to revoke and redesignate controlled airspace within the State of Kansas except west of Longitude 99°04'00" W., north of V216, V4-108 and V132 east, and in accomplishing this end to amend the Colby, Kansas, Phillipsburg, Kansas, and Hugo, Colorado, transition areas to eliminate reference to airspace within the State of Kansas.

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

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

This amendment shall be effective 0901 G.m.t., April 24, 1975.

(Section 307(a) of the Federal Aviation Act of 1958 (49 U.S.C. 1348), and of Section 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)).)

Issued in Kansas City, Missouri, on February 11, 1975.

GEORGE R. LACAILLE,
Acting Director, Central Region.

§ 71.181 [Amended]

In § 71.181 (40 FR 441), the following transition areas are amended by deleting references to that airspace extending upward from 1200 feet above the surface.

KANSAS

Anthony	Larned
Chanute	Lawrence
Colby	Liberal
Dodge City	Manhattan
Emporia	Oswego
Fort Scott	Parsons
Garden City	Phillipsburg
Goodland	Pittsburg
Great Bend	Pratt
Hays	Russell
Hutchinson	Salina
Independence	Topeka
Kansas City	Wichita

In § 71.181 (40 FR 441), the following 1200' transition areas would be amended to now read as follows:

COLBY, KANS.

That airspace extending upward from 700 feet above the surface within a 5½ mile radius of Colby Municipal Airport (latitude 39°25'30" N., longitude 101°02'40" W.); and within 3 miles each side of the 017° bearing from Colby Municipal Airport, extending from the 5½ mile radius area to 8 miles north of the airport and that airspace extending upward from 1200' above the surface within 4½ miles east and 9½ miles west of the 017° and 197° bearings to/from the Colby Municipal Airport extending from one mile south to 18½ miles north of the airport.

GOODLAND, KANS.

That airspace extending upward from 700 feet above the surface within a 7-mile radius of Renner Field-Goodland Municipal Airport (latitude 39°22'10" N., longitude 101°41'55" W.); and within 5 miles each side of the Goodland VORTAC 163° radial, extending from the 7-mile radius area to 12 miles south of the VORTAC; and that airspace extending upward from 1,200' above the surface within 5 miles each side of the Goodland VORTAC 343° radial extending from the north edge of V4 and V132 to 12 miles north of the VORTAC.

PHILLIPSBURG, KANS.

That airspace extending upward from 700 feet above the surface within a 7-mile radius of the Phillipsburg Municipal Airport (latitude 39°44'15" N., longitude 99°19'00" W.); and within 3 miles each side of the 142° bearing from Phillipsburg Municipal Airport, extending from the 7-mile radius area to 10½ miles southeast of the airport; and that airspace extending upward from 1,200' above the surface within 4½ miles northeast and 9½ miles southwest of the 142° bearing from the Phillipsburg Municipal Airport extending from the airport to the north edge of V216.

HUGO, COLORADO

That airspace south of Hugo, Colo., VOR extending upward from 8,500 feet MSL, bounded on the north by V-108S, on the northeast by V-263, on the south by V-210, and on the west by V-19E and that airspace east of Hugo, extending upward from 9,500 feet MSL, bounded on the north by V-4, on the east by V-17, on the southeast by V-216, on the southwest by V-263, and on the northwest by V-169, excluding the airspace within Federal airways, the Pueblo and Colorado Springs, Colo., transition areas and that portion within the state of Kansas.

In § 71.181 (39 FR 440), the following transition area is added:

KANSAS

That airspace extending upward from 1,200' above the surface within the state of Kansas excluding that portion west of Longitude 99°04'00" W., North of V216, V4-108, V132 East.

[FR Doc.75-5736 Filed 3-4-75;8:45 am]

[Airspace Docket No. 74-CE-26]

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

Alteration of Transition Areas

On Pages 44035 and 44036 of the FEDERAL REGISTER dated December 20, 1974, the Federal Aviation Administration published a Notice of Proposed Rule Making which would amend § 71.181 of Part 71 of the Federal Aviation Regulations so as to revoke and redesignate controlled airspace within the State of Missouri and alter the Marion, Illinois, and Blytheville, Arkansas, transition area designations to eliminate reference to airspace within the State of Missouri.

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

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

This amendment shall be effective 0901 G.m.t., April 24, 1975.

(Section 307(a) of the Federal Aviation Act of 1958 (49 U.S.C. 1348), and of Section 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c))).

Issued in Kansas City, Missouri, on February 11, 1975.

GEORGE R. LACAILLE,
Acting Director, Central Region.

§ 71.181 [Amended]

In § 71.181 (40 FR 401), the following transition areas are amended by deleting references to that airspace extending upward from 1,200 feet above the surface.

MISSOURI

Cape Girardeau	Moberly
Columbia	Neosho
Dexter	Nevada
Farmington	Perryville
Festus	Point Lookout
Fort Leonard Wood	Poplar Bluff
Higginsville	Readsville
Joplin	St. Joseph
Kaiser	St. Louis
Kansas City	Sedalia
Kirksville	Sikeston
Lebanon	Springfield
Malden	Trenton
Mexico	Vichy

MARION, ILLINOIS

That portion lying in the state of Missouri.

BLYTHEVILLE, ARKANSAS

That portion lying in the state of Missouri.

In § 71.181 (40 FR 401), the following transition area is added:

MISSOURI

That airspace extending upward from 1,200 feet above the surface within the boundary of the state of Missouri.

[FR Doc.75-5737 Filed 3-4-75;8:45 am]

[Airspace Docket No. 74-CE-20]

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

Designation of Transition Area

On Pages 41994 and 41995 of the FEDERAL REGISTER dated December 4, 1974, the Federal Aviation Administration published a Notice of Proposed Rule Making which would amend § 71.181 of Part 71 of the Federal Aviation Regulations so as to designate a transition area at Bonneville, Missouri.

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

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

This amendment shall be effective 0901 G.m.t., April 24, 1975.

(Section 307(a) of the Federal Aviation Act of 1958 (49 U.S.C. 1348), and of Section 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c))).

Issued in Kansas City, Missouri, on February 11, 1975.

GEORGE R. LACAILLE,
Acting Director, Central Region.

§ 71.181 [Amended]

In § 71.181 (40 FR 441), the following transition area is added:

BOONEVILLE, MISSOURI

That airspace extending upward from 700 feet above the surface within a five-mile radius of the Jesse Viertel Airport (latitude 38°56'50" N., longitude 92°41'19" W.); and within three miles each side of the 011° bearing from the Jesse Viertel Airport, extending from the five-mile radius area to eight miles north of the airport; and that airspace extending upward from 1,200 feet above the surface within an area north of the Jesse Viertel Airport bounded on the south by the north edge of V4; on the northwest by the southeast edge of V424; and on the northeast by the southwest edge of V175, excluding the portion which overlies the Moberly, Missouri transition area; and that airspace extending upward from 1,200 feet above the surface within an area south of the Jesse Viertel Airport bounded on the north by the southwest edge of V12S; on the east by the west edge of V63, excluding the portion which overlies the Columbia, Missouri transition area; on the south by the north edge of V234; and on the west by the east boundary of the Sedalia, Missouri transition area.

[FR Doc.75-5738 Filed 3-4-75;8:45 am]

[Airspace Docket No. 74-EA-05]

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

Alteration of Transition Area

On page 2824 of the FEDERAL REGISTER for January 16, 1975, the Federal Aviation Administration published a proposed rule which would alter the Sussex, N.J., Transition Area (40 FR 599).

Interested parties were given 30 days after publication in which to submit written data or views. No objections to the proposed regulations have been received.

In view of the foregoing, the proposed regulation is hereby adopted, effective 0901 G.m.t. April 24, 1975.

(Sec. 307(a) of the Federal Aviation Act of 1958 (72 Stat. 749 (49 U.S.C. 1348)), and sec. 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)))

Issued in Jamaica, N.Y., on February 20, 1975.

JAMES BISPO,
Acting Director, Eastern Region.

§ 71.181 [Amended]

Amend § 71.181 of Part 71 Federal Aviation Regulations so as to alter the description of the Sussex, N.J. 700-foot floor transition area by deleting, "This transition area is effective from sunrise to sunset, daily.".

[FR Doc.75-5740 Filed 3-4-75;8:45 am]

[Airspace Docket No. 74-EA-94]

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

Designation of Transition Area

On page 2825 of the FEDERAL REGISTER for January 16, 1975, the Federal Aviation Administration published a proposed rule which would designate a Corry, Pa., Transition Area.

Interested parties were given 30 days after publication in which to submit written data or views. No objections to the proposed regulation have been received.

In view of the foregoing, the proposed regulation is hereby adopted, effective 0901 G.m.t. March 20, 1975.

(Sec. 307(a) of the Federal Aviation Act of 1958 (72 Stat. 749); (49 U.S.C. 1348) and sec. 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)))

Issued in Jamaica, N.Y., on February 18, 1975.

JAMES BISPO,
Acting Director, Eastern Region.

§ 71.181 [Amended]

Amend § 71.181 of Part 71, Federal Aviation Regulations by adding the Corry, Pennsylvania 700-foot floor Transition Area as follows:

CORRY, PENNSYLVANIA

The airspace extending upward from 700 feet above the surface within a 5-mile radius of the center, lat. 41°54'30" N., long. 79°38'30" W. of Lawrence Airport, Corry, Pennsylvania and within 3 miles each side of the 305° bearing from the Corry RBN (lat. 41°54'44" N., long. 79°38'54" W.) extending from the 5-mile radius area to 8.5 miles northwest of the RBN.

[FR Doc.75-5741 Filed 3-4-75;8:45 am]

[Airspace Docket No. 74-EA-78]

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

Amendment to Docket

The Federal Aviation Administration issued the subject docket so as to alter

the Hudson, N.Y., Transition Area, effective March 13, 1975. A recent replot of the NDB final approach course for the standard instrument approach procedure disclosed the true bearing should have been 194° in lieu of 191°.

Since the amendment is minor in nature, notice and public procedure hereon are unnecessary and the amendment may be made effective in less than 30 days.

In view of the foregoing, Docket 74–EA–78 is amended, effective March 5, 1975, as follows:

1. In the description of the Hudson, N.Y., Transition Area, delete the figure "191°" where it appears and insert in lieu thereof "194°".

(Sec. 307(a) of the Federal Aviation Act of 1958 (72 Stat. 749; 49 U.S.C. 1348) and Sec. 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)))

Issued in Jamaica, N.Y., on February 14, 1975.

JAMES BISPO,
Acting Director, Eastern Region.

[FR Doc.75-5742 Filed 3-4-75;8:45 am]

[Docket No. 13841; Amdt. No. 121-117]

PART 121—CERTIFICATION AND OPERATIONS: DOMESTIC, FLAG, AND SUPPLEMENTAL AIR CARRIERS AND COMMERCIAL OPERATORS OF LARGE AIRCRAFT

Requirements for Use of X-Ray Devices

The purpose of this amendment to Part 121 of the Federal Aviation Regulations is to prescribe requirements governing the use of X-ray devices to inspect carry-on baggage and other items in accordance with approved security programs required by § 121.538.

Interested persons have been afforded an opportunity to participate in the making of this amendment by a notice of proposed rule making (Notice 74–22) published in the FEDERAL REGISTER on June 21, 1974 (39 FR 22275). Due consideration has been given to all comments presented in response to the notice.

Most of the comments received were in accord with the proposal, but certain of them recommended several changes to the proposed amendment.

The Notice proposed to require, for FAA approval of an X-ray system to be used for the inspection of carry-on baggage, that the system meet those standards prescribed by the Food and Drug Administration (FDA) in 21 CFR 1020.40, regardless of the date the system was manufactured. However, upon further consideration of the proposal, in light of comments received, the agency has concluded that the rule as adopted should be consistent with the regulations of the FDA. Accordingly, the proposal has been changed in this amendment to require a showing of compliance with the provisions of 21 CFR 1020.40 for those X-ray systems manufactured on or after April 25, 1974. For systems manufactured prior to April 25, 1974, the proposal has been changed to require a showing that it complies with either (1) the FDA guidelines as published in the FEDERAL REGISTER of August 8, 1973 (38 FR 21442) or (2) the provisions in 21 CFR 1020.40.

In paragraph (a)(4) two examples of the kind of personnel dosimeter acceptable for use have been added parenthetically for purposes of clarification. In addition, that paragraph has been changed from the proposal to provide for the evaluation of dosimeters at the end of each calendar month, rather than every 30 days, in response to comments which suggested such a change for administrative reasons.

The proposal has also been changed by adding in paragraph (b) of this amendment a requirement for a radiation survey to be made of each X-ray system within the 6 calendar months preceding its use in order to ensure that it is performing safely. In addition, the proposal to require a radiation survey to be made each time an X-ray sytem is moved to a new location has been revised (paragraph (c) of this amendment) to provide for an exception to the survey requirement, when it is shown to the satisfaction of the Administrator that the particular system is so designed as to be capable of being moved without altering its performance.

The FAA considers reasonable and appropriate the proposal (paragraph (e) of this amendment) to require a sign to be posted in a conspicuous place which notifies passengers that carry-on baggage and items are being inspected by an X-ray system and advises them to remove X-ray, and scientific film from their carry-on baggage and other items before inspection. Consistent with the intent of the proposal, and in response to comments received, a provision has been added to paragraph (e) to ensure that all carry-on photographic equipment and film packages are physically inspected without exposure to an X-ray system, if the passenger requests such an inspection.

The FAA believes the use of X-ray systems facilitates the security inspection of passenger carry-on baggage and serves to discourage potential hijackers from attempting to smuggle weapons and other dangerous articles aboard aircraft. The FDA guidelines and standards provide performance requirements for radiation attenuation, safety interlock systems, warning devices, and instructions. These criteria should be sufficient to prevent harmful radiation emissions due to unsafe design or system malfunction.

The FDA regulations require a means that ensures the presence of an operator in a position which permits surveillance of the ports and doors during generation of X-ray radiation. The FAA believes this requirement will provide adequate protection against any person climbing on the baggage conveyor belt and being exposed to radiation from the X-ray system.

In addition, the FAA believes this amendment will ensure adequate monitoring of X-ray systems, since it requires each system to meet FDA performance criteria, requires a radiation survey of each system at least every 6 months, and requires each operator of a system to wear a personnel dosimeter.

As pointed out in the notice, any person who knows of the use of an X-ray system by a Part 121 certificate holder to inspect carry-on baggage or items that does not comply with that certificate holder's security program, as approved under § 121.538, or comply with the provisions of § 121.538a, may report the matter to any FAA regional or district office. The FAA will investigate each alleged violation reported and take appropriate administrative or enforcement action in accordance with the procedures set forth in 14 CFR Part 13. If deemed appropriate, the FAA may request advice and assistance from the Food and Drug Administration or any other government agency in the conduct of its investigation.

(Secs. 313(a), 601, and 604 of the Federal Aviation Act of 1958; (49 U.S.C. 1354(a), 1421, and 1424) Sec. 6(c) of the Department of Transportation Act; (40 U.S.C. 1655(c)))

In consideration of the foregoing, and for the reasons stated in Notice 74–22, Part 121 of the Federal Aviation Regulations is amended effective April 4, 1975, by adding after § 121.538 a new § 121.538a to read as follows:

§ 121.538a Use of X-ray system.

(a) No certificate holder may use an X-ray system to inspect carry-on baggage or items unless specifically authorized under an approved security program required by § 121.538 or use such a system contrary to its approved security program. The Administrator authorizes a certificate holder to use an X-ray system for inspecting carry-on baggage or items, under an approved security program, if the certificate holder shows that:

(1) For a system manufactured prior to April 25, 1974, it meets either the guidelines issued by the Food and Drug Administration (FDA), Department of Health, Education, and Welfare and published in the FEDERAL REGISTER (38 FR 21442, August 8, 1973; or the performance standards for cabinet X-ray systems designed primarily for the inspection of carry-on baggage issued by the FDA and published in 21 CFR 1020.40 (39 FR 12985, April 10, 1974);

(2) For a system manufactured after April 24, 1974, it meets the standards for cabinet X-ray systems designed primarily for the inspection of carry-on baggage issued by the FDA and published in 21 CFR 1020.40 (39 FR 12985, April 10, 1974);

(3) A program for initial and recurrent training of operators of the system has been established, which includes training in radiation safety, the efficient use of X-ray systems, and the identification of weapons and other dangerous articles;

(4) Procedures have been established to ensure that each operator of the system will be provided with a personnel dosimeter (such as a film badge or thermo luminescent dosimeter), each

dosimeter used will be evaluated at the end of each calendar month, and records of operator duty time and the results of dosimeter evaluations will be maintained by the certificate holder; and

(5) The system has the capability of distinguishing an insulated 24-gauge, solid copper wire.

(b) No certificate holder may use an X-ray system, unless within the preceding 6 calendar months a radiation survey has been conducted which shows that the system meets the applicable performance standards in 21 CFR 1020.40 or guidelines published by the Food and Drug Administration in the FEDERAL REGISTER of August 8, 1973 (38 FR 21442).

(c) No certificate holder may use an X-ray system after the system is initially installed or after it has been moved from one location to another, unless a radiation survey is conducted which shows that the system meets the applicable performance standards in 21 CFR 1020.40 or guidelines published by the Food and Drug Administration in the FEDERAL REGISTER of August 8, 1973 (38 FR 21442); except that a radiation survey is not required for an X-ray system that is moved to another location, if the certificate holder shows that the system is so designed that it can be moved without altering its performance.

(d) No certificate holder may use an X-ray system that is not in full compliance with any defect notice or modification order issued for that system by the Food and Drug Administration, Department of Health, Education, and Welfare, unless that Administration has advised the FAA that the defect or failure to comply is not such as to create a significant risk or injury, including genetic injury, to any person.

(e) No certificate holder may use an X-ray system to inspect carry-on baggage or items, unless a sign is posted in a conspicuous place which notifies passengers that such items are being inspected by an X-ray system and advises them to remove all X-ray and scientific film from their carry-on baggage and items before inspection. If the X-ray system exposes any carry-on baggage or item to more than one milliroentgen during the inspection, the certificate holder shall post a sign which advises passengers to remove film of all kinds from their carry-on baggage and items before inspection. If requested by a passenger, his photographic equipment and film packages shall be physically inspected without exposure to an X-ray system.

Issued in Washington, D.C., on February 26, 1975.

ALEXANDER P. BUTTERFIELD,
Administrator.

[FR Doc.75-5747 Filed 3-4-75;8:45 am]

CHAPTER II—CIVIL AERONAUTICS BOARD

SUBCHAPTER A—ECONOMIC REGULATIONS

[Regulation ER-900, Amdt. 38]

PART 288—EXEMPTION OF AIR CARRIERS FOR MILITARY TRANSPORTATION

Amendment of Part

Adopted by the Civil Aeronautics Board at its office in Washington, D.C. February 28, 1975.

In accordance with established procedure and methodology, the Board, having completed its review of fuel prices for foreign and overseas MAC air transportation services as of February 1, 1975, is herein amending the surcharge provisions in Part 288 of its Economic Regulations (14 CFR Part 288) applicable to the rates established for those services.[1]

Appendices A and B[2] set forth the results of our computations of reported fuel price changes as of February 1, 1975, for both commercial and military fuel, based upon application of the "active stations" methodology to fuel consumption reported for the quarter ended September 30, 1974; and the rate impact of the change in average fuel prices from that reflected in the base rates. Based on these computations, we will revise the fuel surcharge rates effective March 1, 1975, as follows: (a) decrease the long-range Category B and Category A rate from 1.53 to 1.51 percent; (b) increase the Pacific interisland short-range Category B rate from 1.72 to 1.73 percent; and, (c) increase the "all other" short-range Category B rate from 1.93 to 2.05 percent.

In view of the continuing need for a fuel surcharge to the minimum rates set forth in Part 288, we find good cause exists to make the within amendments effective on less than thirty (30) days' notice.

In consideration of the foregoing, the Board hereby amends Part 288 of its Economic Regulations (14 CFR Part 288) effective March 1, 1975 as follows:

1. Amend § 288.7(a) by amending the third proviso following the tables to read as follows:

§ 288.7 Reasonable level of compensation.

* * * * *

(a) * * *: *Provided, however,* That effective March 1, 1975, the total minimum compensation pursuant to the rates set forth in subparagraph (1) above for (i) services performed with regular jet, wide-bodied jet, and DC-8F-61/63 aircraft, (ii) Pacific interisland services performed with B-727 aircraft, and (iii) all other services performed with B-727 aircraft shall be increased by surcharges of 1.51 percent, 1.73 percent, and 2.05 percent, respectively.[3]

* * * * *

2. Amend § 288.7(d) by amending the proviso to subparagraphs (1) and (2) to read as follows:

§ 288.7 Reasonable level of compensation.

* * * * *

(d) For category A transportation * * *

(1) * * *

(2) * * *

Provided, That effective March 1, 1975, the total minimum compensation pursuant to the rates specified in paragraphs (d)(1) and (2) of this section shall be increased by a surcharge of 1.51 percent.

* * * * *

(Secs. 204, 403 and 416 of the Federal Aviation Act of 1958, as amended; 72 Stat. 743, 758 and 771 as amended; (49 U.S.C. 1324, 1373 and 1386).)

By the Civil Aeronautics Board.

Adopted: February 28, 1975.

Effective: March 1, 1975.

[SEAL] PHYLLIS T. KAYLOR,
Acting Secretary.

[FR Doc.75-5823 Filed 3-4-75;8:45 am]

[1] ER-896, effective January 17, 1975.

[2] Filed as part of original document.

[3] The surcharge provisions for services performed with B-727 aircraft will be applied to all other common-rated aircraft types.

Title 21—Food and Drugs

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

SUBCHAPTER J—RADIOLOGICAL HEALTH

PART 1002—RECORDS AND REPORTS

Sunlamps and Medical Ultraviolet Lamps

The Commissioner of Food and Drugs is amending 21 CFR 1002.61 by adding a new paragraph (a)(5) which lists sunlamps and certain types of medical ultraviolet lamps in the specific product group for which initial and model change reports are required under §§ 1002.10 and 1002.12. He is also amending 21 CFR 1002.10 requiring for newly listed products already introduced into commerce, the same 90-day submittal period originally allowed when the current reporting regulations became effective.

These amendments, which were proposed in a notice published in the FEDERAL REGISTER of July 8, 1974 (39 FR 24913), will become effective April 4, 1975.

Interested persons were given until September 6, 1974, to file written comments with the Hearing Clerk, Food and Drug Administration, regarding the proposal.

Comments were received from five

manufacturers of sunlamps and medical ultraviolet lamps. These comments and the Commissioner's conclusions are summarized as follows:

1. One comment suggested using the degree of medical hazard posed by product emission rather than the manufacturer's intended use of the product as the criterion for listing sunlamps and medical ultraviolet lamps in the group of specific products subject to the reporting requirements of §§ 1002.10 and 1002.12.

The Commissioner observes that such an approach would eliminate the reporting of products emitting light in the wavelength region below 320 nanometers (nm), which pose no medical hazard, but would include those products that emit large amounts of light below 320 nm and thus pose a medical hazard even though such emissions were not part of the manufacturer's stated intent. The Commissioner concludes that the use of medical hazard as the criterion for reporting is inappropriate, because the extent of hazard for a given product may not be known. One function of the requirement is to accumulate product information for comparison with the constantly increasing, but presently incomplete, knowledge of possible hazards. The Commissioner believes that the applicability of the reporting requirement can be best determined by noting whether emissions below 320 mm are intended to irradiate the body for any of the four specified purposes. Intent in this case is determined both by the statements of the manufacturer and by product design.

2. One comment stated that sunlamps should not be subject to the reporting requirements of § 1002.10 because they do not emit ionizing radiation or present an unreasonable hazard.

The Commissioner disagrees with the implication in the comment that only ionizing radiation can pose a real hazard and that ultraviolet radiation is strictly non-ionizing. The Food and Drug Administration is changed by statute with protecting the public health and safety from the hazards of both ionizing and non-ionizing radiation generated by electronic products (42 U.S.C. 263c(1)). The list of specific product groups under § 1002.61 presently includes products which emit ionizing radiation as well as products which emit non-ionizing radiation. Sunlamps usually emit a considerable amount of visible light. However, they also emit invisible light, particularly below 320 mm, which the used may not recognize as presenting a hazard.

3. One comment noted that in the preamble to the proposal it was stated that information is needed on the design and emission characteristics of ultraviolet lamps, including sunlamps, to enable the Bureau of Radiological Health to evaluate the need for promulgating a radiation safety performance standard for such lamps. The comment contended that, because of the possible inflexibility of use for physicians in the case of medical ultraviolet lamps, and due to the existence of criteria for cosmetic type sunlamps set forth by the Council on Physical Medicine and Rehabilitation of the American Medical Association, no performance standard for such lamps would appear to be needed, nor would there be a need for the amendment to include these products in § 1002.61(a) requiring reports from manufacturers.

The Commissioner concludes that it is important and necessary to obtain information on the inherent characteristics of these lamps to identify any radiation hazard accompanying the use of such products. The Commissioner will consider any comments concerning a performance standard in his evaluation of the need for and development of such a standard.

4. Several comments concerned the supporting data on file with the Food and Drug Administration Hearing Clerk, compiled by the National Electronic Injury Surveillance System. These data include several thousand sunlamp-related injuries per year. The comments attributed the injuries to product misuse and disregard of the caution notices, warning signs, and instructions for safe use provided by the manufacturers. The manufacturers should not, therefore, be burdened with the proposed reporting requirements.

The Commissioner recognizes the potential for product misuse but concludes that, in the interest of public health and safety, the continued occurrence of such injuries warrants an examination of the effectiveness of manufacturers' warnings and consideration of the need for built-in product safety features.

For purposes of general clarification, some modifications have been made in § 1002.61(a)(5) to make the subject matter of the amendment more readily apparent.

No environmental impact statement or environmental impact analysis report is required pursuant to 21 CFR 6.1(b) and (c), because these amendments will not significantly affect the quality of the human environment. Therefore, pursuant to provisions of the Public Health Service Act, as amended by the Radiation Control for Health and Safety Act of 1968 (sec. 360A, 82 Stat. 1182–1184; (42 U.S.C. 263l)) and under authority delegated to the Commissioner, Part 1002 of Subchapter J is amended as follows:

1. In § 1002.10 by revising the introductory text to read as follows:

§ 1002.10 Initial reports.

Every manufacturer of a product listed under § 1002.61, shall submit an initial report to the Director, Bureau of Radiological Health, Food and Drug Administration, 5600 Fishers Lane, Rockville, MD 20852, in accordance with this section. The report shall be submitted within 90 days following the effective date of listing such product under § 1002.61 or prior to the introduction of such product into commerce, whichever is later. The report shall be distinctly marked "Initial Report of (Name of Manufacturer)" and shall:

* * * * *

2. In § 1002.61 by adding a new paragraph (a)(5) to read as follows:

§ 1002.61 List of specific product groups.

(a) * * *

(5) Ultraviolet lamps, including sunlamps, and products containing such lamps intended for irradiation of any part of the living human body by light of wavelength in air less than 320 nanometers to induce skin "tanning" or other cosmetic change or to perform a diagnotic or therapeutic function.

* * * * *

Effective date. This order shall become effective April 4, 1975.

(Sec. 360A, 82 Stat. 1182–1184; (42 U.S.C. 263l).)

Dated: February 26, 1975.

SAM D. FINE,
Associate Commissioner for Compliance.

[FR Doc.75-5777 Filed 3-4-75;8:45 am]

Title 24—Housing and Urban Development

CHAPTER II—OFFICE OF ASSISTANT SECRETARY FOR HOUSING PRODUCTION AND MORTGAGE CREDIT—FEDERAL HOUSING COMMISSIONER (FEDERAL HOUSING ADMINISTRATION)

SUBCHAPTER B—MORTGAGE AND LOAN INSURANCE PROGRAMS UNDER THE NATIONAL HOUSING ACT

[Docket No. R-75-320]

MULTIFAMILY HOUSING MORTGAGE INSURANCE

Eligibility Requirements for Existing Multifamily Housing; Interim Rule

Part 207 is being amended by adding a new § 207.32a entitled "Eligibility of mortgages on existing projects." The amendment will implement section 223(f) of the National Housing Act, which was added by section 311(a) of the "Housing and Community Development Act of 1974", Pub. L. 93-383, effective August 22, 1974, to provide mortgage insurance for the purchase or refinancing of existing multifamily housing projects, whether conventionally financed or subject to federally insured mortgages at the time of application for mortgage insurance pursuant to the new rule.

Because of the present inadequacy of available mortgage funds to finance the construction of housing projects, it has been determined that it would be in the public interest to provide, through mortgage insurance, an additional method of obtaining permanent mortgage financing for multifamily rental housing projects which have been constructed with conventional financing not insured under a Federal Housing Administration program of mortgage insurance. The implementation of section 311(a) of the Housing and Community Development Act of 1974 by this regulation will make available an additional source of permanent financing to owners of existing projects and projects under construction by attracting lenders who might not otherwise make loans without the availability of

the mortgage insurance. The new regulation will also permit mortgage insurance for mortgages which will enable the purchase or refinancing of existing multifamily rental housing projects which are over three years old even though they do not require rehabilitation. Prior to the enactment of section 311(a) of the Housing and Community Development Act of 1974, Part 207 required, as a condition for mortgage insurance, that a project involve either new construction or rehabilitation. It is considered that implementation of the authority to insure mortgages executed in connection with the purchase or refinancing of existing multifamily rental housing projects will favorably affect the attractiveness of housing as an investment medium. Therefore, it has been determined that good cause exists for making this amendment to Part 207 effective, as an interim rule, on March 10, 1975.

Parts 220, 227, 231 and 234 are also being amended to exclude § 207.32a from incorporation by reference into those Parts. Mortgages to be insured pursuant to section 223(f) will be eligible for insurance only under Part 207.

Interested persons are invited to participate in the making of the final rule by submitting written data, views or statements regarding this rule. Communications should be filed using the above docket number and title, with the Rules Docket Clerk, Office of General Counsel, Room 10245, Department of Housing and Urban Development, 451 Seventh Street SW., Washington, D.C. 20410. All relevant material received on or before April 10, 1975, will be considered by the Secretary before adoption of a final rule. Copies of comments submitted will be available during business hours, both before and after the specified closing date, at the above address, for examination by interested persons.

PART 207—MULTIFAMILY HOUSING MORTGAGE INSURANCE

Accordingly, Part 207 is amended as follows:

1. The table of contents is amended to include a new section numbered 207.32a and designated, *Eligibility of mortgages on existing projects*, as follows:

Sec.
207.32a Eligibility of mortgages on existing projects.

2. The following new section is added and designated as § 207.32a:

§ 207.32a Eligibility of mortgages on existing projects.

Notwithstanding the generally applicable requirement that mortgages insured under this subpart be limited to projects to be constructed or substantially rehabilitated after commitment for mortgage insurance, a mortgage executed in connection with the purchase or refinancing of an existing multifamily housing project containing twenty-five or more rental units may be insured under this subpart pursuant to section 223(f) of the Act. A mortgage insured pursuant to this section shall meet all other requirements of this part except as modified by this section and shall be limited as to amount, terms, and conditions for insurance as follows:

(a) *Application, commitments, inspection and required fees.* (1) *Application.* An application for a conditional or firm commitment for insurance of a mortgage on a project shall be submitted by the sponsor and an approved mortgagee. Such application shall be submitted to the local HUD office on an FHA approved form. No application shall be considered unless accompanied by the exhibits required by the form. An application involving a purchase transaction may, at the option of the applicant, be submitted for a firm commitment omitting the conditional commitment stage; an application involving a refinancing transaction may be submitted only for firm commitment. An application may be made only for a commitment which provides for the insurance of the mortgage upon completion of the improvements.

(2) *Application fee—conditional commitment.* An application-commitment fee of $2 per thousand dollars of the requested mortgage amount shall accompany an application for conditional commitment.

(3) *Application fee—firm commitment.* An application for firm commitment shall be accompanied by an application-commitment fee of $3 per thousand dollars of the requested mortgage amount to be insured less the amount of any fee previously received for a conditional commitment.

(4) *Inspection fee.* No inspection fee will be required.

(b) *Maximum mortgage amounts.* A mortgage may involve a principal obligation not in excess of the lesser of the following:

(1) 80 percent of the Commissioner's estimate of value of the project;

(2) The total of the amounts per family dwelling unit (excluding exterior land improvements as defined by the Commissioner) depending on the number of bedrooms which may be:

(i) $13,000 without a bedroom.
(ii) $18,000 with one bedroom.
(iii) $21,500 with two bedrooms.
(iv) $26,500 with three bedrooms.
(v) $30,000 with four or more bedrooms.

(A) *Increased mortgage amount—elevator type structures.* In order to compensate for the higher cost incident to construction of elevator type structures of sound standards of construction and design, the Commissioner may increase the dollar amount limitations per family unit as provided in paragraph (b)(2) of this section, not to exceed:

(*1*) $15,000 without a bedroom,
(2) $21,000 with one bedroom,
(*4*) $32,250 with three bedrooms,
(3) $25,750 with two bedrooms,
(*5*) $36,465 with four or more bedrooms.

(B) *Increased mortgage amount—high cost areas.* (*1*) In any geographical area where the Commissioner finds cost levels so require, the Commissioner may increase, by not to exceed 45 percent, the dollar amount limitations set forth in paragraphs (b)(2) and (b)(2)(A) of this section. (*2*) If the Commissioner finds that because of high costs in Alaska, Guam, or Hawaii it is not feasible to construct dwellings without the sacrifice of sound standards of construction, design, and livability within the limitations of maximum mortgage amounts provided in this section, the principal obligation of mortgages may be increased in such amounts as may be necessary to compensate for such costs, but not to exceed in any event the maximum, including high cost area increases, if any, otherwise applicable by more than one-half thereof.

(3) *Property to be acquired.* If the project is to be acquired by the mortgagor and the purchase price is to be financed with the insured mortgage, the maximum mortgage amount shall not exceed 85 percent of the cost of acquisition as determined by the Commissioner.

(4) *Property subject to an existing mortgage.* If the mortgagor owns the project subject to an outstanding indebtedness, which is to be refinanced by the insured mortgage, the maximum mortgage amount shall not exceed the sum of the following:

(i) The amount required to pay off the existing indebtness, as determined by the Commissioner,

(ii) An amount, as determined by the Commissioner, for the initial deposit for the Reserve Fund for Replacements,

(iii) Reasonable and customary fees and charges by the mortgages as may be approved by the Commissioner, and,

(iv) The estimated repair cost, if any, as determined by the Commissioner

(c) *Maturity.* The term of the mortgage shall not be less than 10 years, nor shall it exceed the lesser of 35 years or 75 percent of the estimated remaining economic life of the physical improvements. The term of the mortgage shall begin on the first day of the second month following the date of initial-final endorsement of the mortgage for insurance.

(d) *Eligible property.* A mortgage given to purchase or refinance an existing project shall be eligible for insurance if such project contains at least twenty-five dwelling units. The project shall have attained sustaining occupancy (occupancy that would produce rental income sufficient to pay operating expenses, annual debt service and reserve fund for replacement requirements), as determined by the Commissioner, prior to endorsement of the mortgage for insurance, or the mortgagor shall provide an operating deficit fund at the time of endorsement for insurance, in an amount, and under an agreement, approved by the Commissioner. In addition to the other requirements of this section, the project must also meet one of the following requirements:

(1) Prior to the time of filing an application for mortgage insurance, the project shall have been fully completed and at least three years must have elapsed from the date of completion, or initial occupancy, as determined by the Commissioner, whichever is later, or

(2) Prior to June 30, 1974, construction of the project shall have commenced, and prior to December 31, 1975, an application for insurance shall have been filed and the project shall have been completed.

(e) *Refinancing eligible property in older, declining urban areas.* An existing project to be refinanced in an older, declining urban area, in addition to the requirement stated in paragraph (d)(1) of this section and the other requirements of this section, shall comply with the following conditions:

(1) The refinancing shall be used to lower the monthly debt service only to the extent necessary to assure the continued economic viability of the project as determined by the Commissioner taking into account any rent reductions to be implemented by the mortgagor; and

(2) The mortgagor shall agree that, during the mortgage term, no rental increases shall be made except those which are necessary to offset actual and reasonable operating expense increases or other necessary expense increases approved by the Commissioner.

(f) *Occupancy requirements.* The requirements contained in § 207.20(a) shall not apply to a mortgage insured pursuant to a commitment issued in accordance with this section if the Commissioner determines that the project is intended primarily for occupancy by the elderly or handicapped and is not compatible with occupancy by families with children.

PART 220—URBAN RENEWAL MORTGAGE INSURANCE AND INSURED IMPROVEMENT LOANS

Section 220.501(a) is amended by adding a new section number and heading as follows:

§ 220.501 Incorporation by reference.

(a) * * *

207.32a Eligibility of mortgages on existing projects.

* * * * *

PART 227—ARMED SERVICES HOUSING-IMPACTED AREAS (SEC. 810)

Section 227.1(b)(1) is amended by adding a new section number and heading as follows:

§ 227.1 Incorporation by reference.

* * * * *

(b)(1) * * *

207.32a Eligibility of mortgages on existing projects.

* * * * *

PART 231—HOUSING MORTGAGE INSURANCE FOR THE ELDERLY

Section 231.1(a) is amended by adding a new section number and heading as follows:

§ 231.1 Incorporation by reference.

(a) * * *

207.32a Eligibility of mortgages on existing projects.

* * * * *

PART 234—CONDOMINIUM OWNERSHIP MORTGAGE INSURANCE

Section 234.501(a) is amended by adding a new section number and heading as follows:

§ 234.501 Incorporation by reference.

(a) * * *

207.32a Eligibility of mortgages on existing projects.

* * * * *

(Sec. 7(d), Department of Housing and Urban Development Act; (42 U.S.C. 3535(d)).)

Effective date. These amendments will be effective on March 10, 1975.

DAVID M. DEWILDE,
Acting Assistant Secretary for Housing Production and Mortgage Credit—Federal Housing Commissioner.

[FR Doc.75-5798 Filed 3-4-75;8:45 am]

[Docket No. R-75-320]

PART 207—MULTIFAMILY HOUSING MORTGAGE INSURANCE

Subpart B—Contract Rights and Obligations

MORTGAGE INSURANCE FOR EXISTING MULTIFAMILY HOUSING; INTERIM RULE

Part 207 is being amended to provide for a larger mortgage insurance premium for a one year period for loans to be insured under this part pursuant to section 223(f) of the National Housing Act. All of these loans will be insured pursuant to Commitments to Insure Upon Completion. There will be no inspection fee of one-half percent required for these loans as in regular 207. Due to actuarial considerations the first mortgage insurance premium shall be one percent of the average outstanding principal obligation of the mortgage during its first policy year, rather than the current one-half percent. The remaining mortgage insurance premiums shall be one-half of one percent of the average outstanding principal obligation for each year.

This amendment is being made in connection with the implementation of section 311(a) of the Housing and Community Development Act of 1974 authorizing the Secretary to insure mortgages executed in connection with the purchase or refinancing of existing multifamily housing projects. Since it is considered that implementation of this authority will favorably affect the attractiveness of housing as an investment medium, it has been determined that good cause exists for making this amendment to Part 207 effective as an interim rule on March 10, 1975.

Interested persons are invited to participate in the making of the final rule by submitting written data, views or statements regarding this rule. Communications should be filed, using the above docket number and title, with the Rules Docket Clerk, Office of General Counsel, Room 10245, Department of Housing and Urban Development, 451 Seventh Street, SW., Washington, D.C. 20410. All relevant material received on or before April 10, 1975, will be considered by the Secretary before adoption of a final rule. Copies of comments submitted will be available during business hours, both before and after the specified closing date, at the above address, for examination by interested persons.

Accordingly, Part 207 is amended as follows:

1. The table of contents is amended to include a new section numbered 207.252b and designated, *"Premiums—mortgages insured pursuant to section 223(f) of the Act"*, as follows:

207.252b Premiums—mortgages insured pursuant to section 223(f) of the Act.

2. The following new section is added and designated as 207.252b

§ 207.252b Premiums—mortgages insured pursuant to section 223(f) of the Act.

(a) The mortgagee, upon the initial-final endorsement of the mortgage for insurance pursuant to a Commitment to Insure Upon Completion issued in accordance with § 207.32a, shall pay to the Commissioner a first mortgage insurance premium equal to one percent of the original face amount of the mortgage.

(b) The mortgagee, on the date of the first principal payment, shall pay a second premium equal to one percent of the average outstanding principal obligation of the mortgage for the year following such first principal payment date which shall be adjusted as of that date so that the aggregate of the first and second premiums shall equal the sum of one percent per annum of the average outstanding principal obligation of the mortgage for the period from the date of the insurance endorsement to one year following the date of the first principal payment.

(c) The provisions of paragraphs (d), (e) and (f) of § 207.252 shall apply to mortgages insured pursuant to section 223(f) of the Act.

(Sec. 7(d), Department of Housing and Urban Development Act; (42 U.S.C. 3535(d)).)

Effective date. This amendment will be effective on March 10, 1975.

DAVID M. DEWILDE,
Acting Assistant Secretary for Housing Production and Mortgage Credit—Federal Housing Commissioner.

[FR Doc.75-5799 Filed 3-4-75;8:45 am]

Title 45—Public Welfare

CHAPTER V—FOREIGN CLAIMS SETTLEMENT COMMISSION OF THE UNITED STATES

PART 503—PUBLIC INFORMATION

Revisions To Conform With Freedom of Information Act

The following, to become effective February 19, 1975, revise the Foreign Claims Settlement Commission regulations to conform the regulations to the requirements of the Freedom of Information Act as amended by Pub. L. 93-502, enacted November 21, 1974:

Sec.

503.1 Organization and authority—Foreign Claims Settlement Commission.
503.2 Material to be published in the FEDERAL REGISTER pursuant to Pub. L. 89-487.
503.3 Effect of nonpublication.
503.4 Incorporation by reference.
503.5 Records generally available.
503.6 Current index.
503.7 Additional documents and records generally available for inspection and copying.
503.8 Effect of noncompliance.
503.9 Availability of records.
503.10 Actions on requests.
503.11 Appeal.
503.12 Exemptions.
503.13 Fees—policy and services available.
503.14 Fees for services.

AUTHORITY: The provisions of Part 503 issued under sec. 3, 81 Stat. 54 (7 U.S.C. 2243). Sec. 3 Administrative Procedure Act 60 Stat. 237, as revised by Pub. L. 89-487, 80 Stat. 250 as amended by Pub. L. 93-502, 88 Stat. 1561 (5 U.S.C. 552).

§ 503.1 Organization and authority—Foreign Claims Settlement Commission.

(a) The Foreign Claims Settlement Commission of the United States is an independent agency of the Federal Government created by Reorganization Plan No. 1 of 1954 (68 Stat. 1279), effective July 1, 1954. Its duties and authority are defined in the International Claims Settlement Act of 1949, as amended (64 Stat. 12 (22 U.S.C. 1621-1642)) and the War Claims Act of 1948 (62 Stat. 1240; (50 U.S.C. 2001-2016)).

(b) The Commission has jurisdiction to determine claims of U.S. nationals against foreign governments for compensation for losses and injuries sustained by such nationals, pursuant to programs which may be authorized under either of said Acts. Available funds have their sources in international settlements or liquidation of foreign assets in this country by the Department of Justice or Treasury, and from public funds when provided by the Congress.

(c) The three members of the Commission are appointed by the President with the advice and consent of the Senate to serve for 3-year terms of office as provided by the Act of October 22, 1962 (76 tSat. 1107 (50 U.S.C. 2001)). The President designates the Chairman.

(d) All functions of the Commission are vested in the Chairman with respect to the internal management of the affairs of the Commission, including but not limited to: (1) The appointment of personnel employed under the Commission; (2) the direction of employees of the Commission and the supervision of their official duties; (3) the distribution of business among employees and organizational units under the Commission; (4) the preparation of budget estimates; and (5) the use and expenditures of funds of the Commission available for expenses of administration.

(e) The Chairman also has the control and direction of the Micronesian Claims Commission, established under the Micronesian Claims Act of 1971 (85 Stat. 92), for the purpose of settling certain war and post-secure claims of Micronesian inhabitants of the Trust Territory of the Pacific Islands.

(f) Request for records shall be made in writing by mail or presented in person, to the Executive Director, Foreign Claims Settlement Commission.

(g) The offices of the Commission are located at 1111 20th Street NW (Vanguard Building), Washington, D.C. An information center for the convenience of the public is located on the fourth floor.

§ 503.2 Material to be published in the Federal Register pursuant to Pub. L. 89-487.

The Commission shall separately state and concurrently publish the following materials in the FEDERAL REGISTER for the guidance of the public:

(a) Descriptions of its central and field organization and the established places at which, the officers from whom, and the methods whereby, the public may secure information, make submittals or requests, or obtain decisions.

(b) Statements of the general course and method by which its functions are channeled and determined, including the nature and requirements of all formal and informal procedures available.

(c) Rules of procedure, descriptions of forms available or the places at which forms may be obtained, and instructions as to the scope and contents of all papers, reports, or examinations.

(d) Substantive rules of general applicability adopted as authorized by law, and statements of general policy or interpretations of general applicability formulated and adopted by the agency.

(e) Every amendment, revision, or repeal of the foregoing.

§ 503.3 Effect of nonpublication.

Except to the extent that a person has actual and timely notice of the terms thereof, no person shall in any manner be required to resort to, or be adversely affected by, any matter required to be published in the FEDERAL REGISTER and not so published.

§ 503.4 Incorporation by reference.

For purposes of this part, matter which is reasonably available to the class of persons affected thereby shall be deemed published in the FEDERAL REGISTER when incorporated by reference therein with the approval of the Director of the Federal Register.

§ 503.5 Records generally available.

The Commission will make promptly available to any member of the public the following documents:

(a) Proposed and Final Decisions (including dissenting opinions) and all orders made with respect thereto;

(b) statements of policy and interpretations which have been adopted by the Commission which have not been published in the FEDERAL REGISTER; and

(c) a current index, which shall be updated at least quarterly, covering the foregoing material adopted, issued or promulgated after July 4, 1957. Publication of an index is deemed both unnecessary and impractical. However, copies of the index are available upon request for a fee of the direct cost of duplication.

§ 503.6 Current index.

The Commission shall maintain and make available for public inspection and copying, current indexes providing identifying information for the public as to any matter issued, adopted, or promulgated after July 4, 1967, as required to be indexed by 5 U.S.C. 552(a)(2).

§ 503.7 Additional documents and records generally available for inspection and copying.

The following kinds of documents are also available for inspection and copying at the public information center of the Commission:

(a) Rules of practice and procedure.

(b) Annual report of the Commission to the Congress of the United States.

(c) Bound volumes of Commission decisions.

(d) International Claims Settlement Act of 1949, with amendments; the War Claims Act of 1948, with amendments; and related Acts.

(e) Claims Agreements with foreign governments effecting the settlement of claims under the jurisdiction of the Commission.

(f) Press releases and other miscellaneous material concerning Commission operations.

(g) Indexes of claims filed under the various claims programs administered by the Commission.

§ 503.8 Effect of noncompliance.

No decision, statement of policy, interpretation, or staff manual or instruction that affects any member of the public will be relied upon, used, or cited, as precedent by the Commission against any private party unless it has been indexed and either made available or published as provided by this subpart, or unless that private party shall have actual and timely notice of the terms thereof.

§ 503.9 Availability of records.

(a) Each person desiring access to a record covered by this part must comply with the following provisions:

(1) A written request must be made for the record.

(2) Such request must indicate that it is being made under the Freedom of Information Act.

(3) The envelope in which the request is sent must be prominently marked with the letters "FOIA".

(4) The request must be addressed to the appropriate official or employee of the Commission as set forth in paragraph (c) of this section.

(5) The foregoing requirements must be complied with whether the request is mailed or hand-delivered to the Commission.

(b) If the requirements of paragraph (a) of the section are not met, the ten day time limit described in § 503.10(a) will not begin to run until the request has been identified by an official or employee of the Commission as a request under the Freedom of Information Act and has been received by the appropriate official or employee of the Commission.

(c) Each person desiring access to a record covered in this Part that is located in the Commission, or to obtain a copy of such a record, must make a written request to the Executive Director, Foreign Claims Settlement Commission, 1111 20th Street NW., Washington, D.C. 20579.

(d) Each request should reasonably describe the particular record requested. The request should specify the subject matter, the date when it was made and the person or office that made it. If the description is insufficient, the official or employee handling the request may notify the person making the request and, to the extent possible, indicate the additional data required.

(e) Each record made available under this section is available for inspection and copying during regular working hours. Original documents may be copied but may not be released from custody.

(f) Authority to administer this Part in connection with Commission records is delegated to the Executive Director or Commission employee acting in his stead.

§ 503.10 Actions or requests.

(a) The Executive Director or any employee acting in his stead shall determine within ten days (excepting Saturdays, Sundays and legal public holidays) after the receipt of any such request whether to comply with such request. Upon receipt of a request for a Commission record which is available, the Executive Director or any employee acting in his stead shall notify the requester at to the time the record is available, and shall promptly make the record available after advising such requester of the applicable fees under § 503.14. The person making such request shall be notified immediately after any adverse determination, the reasons for making such adverse determination and the right of such person to appeal.

(b) Any denial of a request for a record shall be written and signed by the Executive Director or Commission employee acting in his stead, including a statement for the reason of denial. Such statement shall contain, as applicable:

(1) A reference to the specific exemption under the Freedom of Information Act authorizing the withholding of a record, and to the extent consistent with the purpose of the exemption of how the exemption applies to the record withheld.

(2) If a record requested does not exist or has been legally disposed of, the requester shall be so notified.

(c) In unusual circumstances, the time limits prescribed in paragraph (a) may be extended by written notice to the person making such request setting forth the reasons for such extension and the date on which a determination is expected to be dispatched. No such notice shall specify a date that would result in an extension for more than ten working days. As used in this paragraph, "unusual circumstances" means, but only to the extent reasonably necessary to the proper processing of the particular request—

(1) the need to search for and collect the requested records from other establishments that are separate from the office processing the request;

(2) the need to search for, collect, and appropriately examine a voluminous amount of separate and distinct records which are demanded in a single request; or

(3) the need for consultation, which shall be conducted with all practicable speed, with another agency having a substantial interest in the determination of the request or among two or more components of the agency having substantial subject-matter interest therein.

(d) With respect to determinations on appeals, such determinations shall be made within twenty days (excepting Saturdays, Sundays, and legal public holidays) after the receipt of such appeal. If, on appeal, the denial of the request for records is in whole or in part upheld, the Commission shall notify the person making such request of the provisions for judicial review of that determination under section 552(a)(4) of title 5, U.S.C.

(e) The General Counsel is designated to make determinations on appeals.

§ 503.11 Appeal.

(a) Any person to whom a record has not been made available within the time limits established by paragraph (d) of § 503.10, and any person who has been given an adverse determination pursuant to paragraph (b) of § 503.10, that a record he has requested will not be disclosed, may apply to the General Counsel of the Commission, for reconsideration of the request. A determination that a record will not be disclosed is not administratively final for the purpose of judicial review unless it was made by the Executive Director (or his designee), or the General Counsel, as the case may be, unless the applicable time limit has passed without a determination of the appeal having been made.

(b) Each application for reconsideration must be made in writing within thirty days from the date of receipt of the original denial and must include all information and arguments relied upon by the person making the request. Such application must indicate that it is an appeal from a denial of a request made under the Freedom of Information Act. The envelope in which the application is sent must be prominently marked with the letters "FOIA". If these requirements are not met, the twenty day time limit described in § 503.10 will not begin to run until the application has been identified by an employee of the Commission as an application under the Freedom of Information Act and has been received by the appropriate office.

(c) Whenever the Executive Director or the General Counsel, as the case may be, determines it to be necessary, he may require the person making the request to furnish additional information, or proof of factual allegations, and may order other proceedings appropriate in the circumstances. The decision of the Executive Director or the General Counsel, as the case may be, as to the availability of the record is administratively final.

(d) The decision by the Executive Director, or the General Counsel, as the case may be, not to disclose a record under this part is considered to be a withholding for the purposes of section 552(a)(3) of Title 5, U.S.C.

(e) Any final decision by the Executive Director or his delegee not to disclose a record under this part is subject to concurrence by the General Counsel.

§ 503.12 Exemptions.

In the event any document or record requested hereunder shall contain material which is exempt from disclosure under this section, any reasonably segregable portion of such record shall, notwithstanding such fact, and to the extent feasible, be provided to any person requesting same, after deletion of the portions which are exempt under this section. Documents or records determined to be exempt from disclosure hereunder may nonetheless be provided upon request in the event it is determined that the provision of such document would not violate the public interest or the right of any person to whom such information may pertain, and the disclosure is not prohibited by law or Executive Order. The following categories of records are exempt from disclosure under the provisions of 5 U.S.C. 552(b):

(a) Records specifically required by Executive Order to be kept secret in the interest of the national defense or foreign policy and are in fact properly classified pursuant to such executive order. This exception may apply to records in the custody of the Commission which have been transmitted to the Commission by another agency which has designated the record as nonpublic under Executive Order.

(b) Records related solely to the internal personnel rules and practices of the Commission.

(c) Records specifically exempted from disclosure by statute.

(d) Information given in confidence. This includes information obtained by

or given to the Commission which constitutes confidential commercial or financial information, privileged information, or other information which was given to the Commission in confidence or would not customarily be released by the person from whom it was obtained.

(e) Interagency or intraagency memoranda or letters which would not be available by law to a private party in litigation with the Commission. Such communications include interagency memoranda, drafts, staff memoranda transmitted to the Commission, written communications between the Commission, the Executive Director, and the General Counsel, regarding the preparation of Commission decisions, other documents received or generated in the process of issuing a decision, or regulation, and reports and other work papers of staff attorneys, accountants, and investigators.

(f) Personnel and medical files and similar files, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

(g) Investigatory files complied for law enforcement purposes but only to the extent that the production of such records would (1) interfere with enforcement proceedings; (2) deprive a person of a right to a fair trial or an impartial adjudication; (3) constitute an unwarranted invasion of personal privacy; (4) disclose the identity of a confidential source and, in the case of a record compiled by a criminal law enforcement authority in the course of a criminal investigation, or by an agency conducting a lawful security intelligence investigation, confidential information furnished only by the confidential source; (5) disclose investigative techniques and procedure; or (6) endanger the life or physical safety of law enforcement personnel.

§ 503.14 Fees for services.

Unless otherwise waived by paragraphs (d) and (e) of this section, the following fees shall be imposed for the reproduction of any record disclosed pursuant to this part.

(a) Copying of records and documents. Twelve cents per copy for each page.

(b) Search fees. (1) clerical searches. $1.25 for each quarter hour spent by clerical personnel searching for and producing a requested record or document, including time spent copying any record. (2) $3 for each one quarter hour spent by professional or supervisory personnel searching for and producing a requested record, including time spent copying any record.

(c) Certification and validation of records. $1 per certification or authentication.

(d) The Executive Director may reduce or waive payment of fees in whole or in part when he determines that such reduction or waiver is in the public interest because furnishing the information can be considered as primarily benefiting the general public, or unless the requester is a government agency or indigent.

(e) No fees will be charged (1) for time spent in examining the requested records for the purpose of determining whether an exemption can and should be asserted, (2) for time spent in deleting exempt matters being withheld from records to furnish, (3) for time spent in monitoring a requester's inspection of agency records made available to him in this manner, or (4) for records not found or determined to be totally exempt from disclosure.

(f) Payment of fees under this part should be made by check or money order payable to the Treasury of the United States.

(g) Unless the request for services where fees are chargeable under this part, specifically states that whatever cost is involved will be acceptable, or acceptable up to a specified limit that covers anticipated costs, a request that is expected to involve assessed fees in excess of $50 will not be deemed to have been received until the requester is advised promptly at the time of receipt of the request of the anticipated cost and agrees to bear it. When the anticipated fees exceed $50, a deposit of $25 must be made within 5 days of advising the requester of such costs.

(h) Transcripts of testimony and of oral argument taken by a private firm may be purchased directly from the reporting firm.

WAYLAND D. MCCLELLAN,
General Counsel.

[FR Doc.75-5826 Filed 3-4-75;8:45 am]

Title 47—Telecommunication

CHAPTER I—FEDERAL COMMUNICATIONS COMMISSION

PART 0—COMMISSION ORGANIZATION

Delegation of Authority; Correction

In the matter of amendment of Part 0 of the Commission's rules and regulations concerning delegations of authority to the Chief, Cable Television Bureau.

In the amendment to the above captioned Order, FCC 75-199, released February 24, 1975 (40 FR 7914), § 0.288(d) is corrected to read as follows:

§ 0.288 Authority delegated.

* * * * *

(d) To dismiss applications, as provided in §§ 76.20 and 78.21 of this chapter, or those applications or petitions which are not timely filed under the Commission's rules, not acceptable under the Commission's rules, or clearly moot;

* * * * *

Released: February 27, 1975.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] VINCENT J. MULLINS,
Secretary

[FR Doc.75-5786 Filed 3-4-75;8:45 am]

[FCC 75-213; Docket No. 20137]

PART 73—RADIO BROADCAST SERVICES

Report and Order; Proceeding Terminated

In the Matter of Amendment § 73.202 (b), Table of Assignments, FM Broadcast Stations. (Charleston, West Virginia).

By the Commission: 1. The Commission here considers a Notice of Proposed Rule Making issued on its own motion proposing the deletion of Channel 253 from Charleston, West Virginia, in § 73.202(b) of the Commission rules, the FM Table of Assignments (39 FR 29937 (1974)).

2. As indicated in the Notice, Station WKNA, Charleston, was authorized to operate on Channel 253 prior to adoption of the FM Table of Assignments. When the Table was adopted, this station was grandfathered into the Table even though it was substantially short-spaced to co-channel Station WKPT-FM, Kingsport, Tennessee (which was also grandfathered). WKNA's license was forfeited on June 6, 1974 (46 F.C.C. 2d 635), and the Commission therefore proposed deletion of this short-spaced assignment. This would leave Charleston with four Class B assignments which, as was indicated in the Notice, would be consistent with our general population criteria.[1]

3. Comments favoring this proposal have been received from Holston Valley Broadcasting Corporation, licensee of broadcast Station WKPT-FM. It indicates that the existent short-spacing stands in the way of improvement of its Class C facilities.[2]

4. Two petitions in opposition to the proposal have been filed, one by Ken Stephens and the other by Francis L. Blake and H. Leon Drye, Jr. Stephens, who would like to apply for use of Channel 253, argues:

> Although short-spaced, these two assignments are separated by mountainous terrain with numerous peaks above 2000 feet, and at least 3 peaks of over 2500 feet in direct line-of-sight and one peak of 3700 feet in direct line-of-sight. With Charleston, West Virginia, at a 601 foot level, and Kingsport, Tennessee, at 1200 feet, the intervening terrain described above sufficiently mitigates, if indeed it does not eliminate entirely, any possibility of co-channel interference.

However, no engineering statement has been provided to support this position and, standing alone, it does not convince us to abandon our policy of requiring a minimum mileage separation between co-channel assignments.

5. Blake and Drye, arguing that short-spacing is not uncommon, cite the grandfathered short-spaced assignments of Channel 284 at Charlotte, North Carolina, and Columbia, South Carolina. In making new assignments, the Commission strictly adheres to its minimum separation requirements. However, stations that were authorized prior to adoption of the Table of Assignments were given special treatment and such assignments as were short-spaced were grandfathered. Nevertheless, where, as here, a

[1] The 1970 U.S. Census places Charleston's population at 71,505. For communities of 50,000 to 100,000, the criteria suggest 2 to 4 channels.

[2] WKPT-FM presently operates with 45 kilowatts ERP at an antenna height of 980 feet AAT. It could increase to 100 kilowatts ERP and 2000 feet AAT if the Charleston assignment is deleted.

short-spaced grandfathered assignment becomes unlicensed, it is no longer entitled to this special treatment. Therefore, in view of our policy against allowing substandard assignments, we believe that the public interest requires deletion of Channel 253 from Charleston.[3]

§ 73.202 [Amended]

6. Accordingly, pursuant to authority contained in sections 4(i), 303 (g) and (r) and 307(b) of the Communications Act of 1934, as amended, *it is ordered*, That effective April 7, 1975, the FM Table of Assignments, § 73.202(b) of the rules, is amended to read as follows for the city listed below:

City	*Channel No.*
Charleston, West Virginia	241, 248, 260, 274

7. *It is further ordered*, That this proceeding is terminated.

Adopted: February 19, 1975.

Released: February 26, 1975.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] VINCENT J. MULLINS,
Secretary.

NOTE.—Rules changes herein will be covered by T.S. III(72)-6.

[FR Doc.75-5788 Filed 3-4-75;8:45 am]

Title 49—Transportation

CHAPTER I—DEPARTMENT OF TRANSPORTATION

SUBCHAPTER B—OFFICE OF PIPELINE SAFETY

[Docket No. OPS-25; Amdts. 192-18 & 195-8]

PART 192—TRANSPORTATION OF NATURAL AND OTHER GAS BY PIPELINE: MINIMUM FEDERAL SAFETY STANDARDS

PART 195—TRANSPORTATION OF LIQUIDS BY PIPELINE

Welding Requirements

The purpose of this amendment is to improve the quality of welding performed on gas and liquid pipeline facilities under Parts 192 and 195, respectively. In Part 192, the amendment incorporates by reference sections 2.0, 3.0, and 6.0 of the 1973 (13th) edition of API Standard 1104, "Standard for Welding Pipe Lines and Related Facilities." Sections 3.0 and 6.0 of the 13th edition are incorporated by reference in Part 195. However, as discussed hereinafter, the standards in subsection 6.9 for depth of undercutting adjacent to the root bead governing acceptability of a weld are not adopted. The amendment also makes certain editorial modifications in the regulations for clarity. Other changes make the transition from the currently referenced 11th edition to the 13th edition less burdensome for operators and carriers.

On July 24, 1974, the Director, Office of Pipeline Safety (OPS), issued Notice 74-5 (39 FR 27589; July 30, 1974), proposing to make this amendment. Interested persons were invited to participate in the rule making by submitting written data, views, or arguments by August 21, 1974. The notice provided a relatively brief period for public comment because interested persons previously had been given an opportunity to comment on similar proposed rule changes in Notice 74-3 (39 FR 14220, April 22, 1974). This earlier notice, which proposed incorporation by reference of sections 2.0, 3.0, and 6.0 of the 1971 (12th) edition of API Standard 1104, was withdrawn by OPS in Notice 74-5 because the 12th edition was out of print.

Eighteen persons filed written comments in Docket OPS-25 in response to the invitation to participate. All commenters favored incorporation by reference of sections 2.0 and 3.0 of the 13th edition as proposed. Although a majority favored adoption of section 6.0 in its entirety, seven commenters objected to the method prescribed in subsection 6.9 for using radiography to measure the depth of undercutting adjacent to the root bead of a weld.

Unlike previous editions, the 13th edition includes depth of an internal undercut area as one of the criteria for determining whether a weld is acceptable. Under subsection 6.9 of the 13th edition, when using radiography alone, depth is determined by comparing the density of the film image of a defect with the density of the film image of an object of known thickness. This object is a shim-type comparator on which narrow V-shaped notches of specified depth are machined. When compared on a radiograph, the shade of the image of the narrow V-shaped notches in this comparator and the shade of the image of an undercut area of weld will show if the depth of the undercut is within acceptable limits.

Recognizing a possible difficulty in accurately comparing the images of the notches with the images of an undercut area on a radiograph, in Notice 74-5 OPS invited interested persons to comment on their experience in using the shim-type comparator to measure depth. In general, commenters indicated that the pipeline industry has had very little experience in using this comparator.

Some commenters who favored adoption of subsection 6.9 stated that because means other than radiography can be used to determine depth of undercutting, the use of the shim-type comparator would not be mandatory under subsection 6.9. This comment is only partially valid. Although other means are available to determine the depth of undercutting on the outside of pipe, there is no practical alternative to radiography in determining the depth of undercutting inside of pipe. Sonics cannot detect the difference between the defect called "wagon tracks" and undercutting. Other methods of nondestructive testing, including visual, would require personal contact with the weld inside the pipe. Personal contact is impossible on small diameter pipe and impractical on large diameter pipe if the weld is located too far from an open end for a person to reach by crawling into the pipe. In almost all cases, therefore, radiography is the only reasonable method available to determine the depth of undercuting at root beads inside pipe.

One commenter noted that depth of undercutting had been difficult to determine in a laboratory test using radiography and the shim-type comparator. OPS believes that this comment is indicative of the results which could be expected under field conditions where most pipeline welds are made.

Apart from the lack of experience by pipeline operators in using a shim-type comparator, OPS believes that difficulty in determining depth of undercutting by radiography occurs for several reasons. First, the tolerances specified in subsection 6.9 for the depth of undercutting are too small for easy determination by radiography in the field. Secondly, many variables are present in making a determination, including film density, film processing, misalignment, and change in pipe wall thickness. Thirdly, unless the radiation source is centered, a difference in densities along the length of film results in an accurate determination of depth of undercutting only where the shim is placed. Lastly, OPS believes that use of the shim-type comparator would result in many disagreements over the proper interpretation of a radiograph. Poor welds might be accepted and sound welds rejected. For these reasons, OPS has not adopted the depth of undercutting adjacent to a root bead as a standard of weld acceptability.

Two commenters suggested that the industry begin a testing program to verify the use of the shim-type comparator. OPS believes this is an excellent suggestion. The program could be carried out by selected companies or all companies during pipeline construction. Radiographs could be made using the shim-type comparator and the results could be documented. The legal standard of acceptability for internal undercutting would be the length dimensions prescribed in the 13th edition, but the results could be compared with the 13th edition's depth requirements to determine how many welds would have been accepted or rejected using the shim-type comparator. The documented results could be presented to OPS for evaluation of the need for further rulemaking.

Report of the Technical Pipeline Safety Standards Committee. Section 4(b) of the Natural Gas Pipeline Safety Act of 1968 requires that all proposed standards and amendments to such standards be submitted to the Committee and that the Committee be afforded a reasonable opportunity to prepare a report on the "technical feasibility, reasonableness, and practicability of each such proposal." This amendment to Part 192 was submitted to the Committee as Item 3 in a list of five proposed amendments. The Committee has made a favorable report which is set forth

[3] See Lake Geneva, Wisconsin, 17 F.C.C. 2d 284 (1969) and; Portland, Tennessee, 35 F.C.C. 2d 601 (1972).

below. The Committee member who disagreed with the majority of the Committee on Item 3 did not submit a statement of his views.

JANUARY 17, 1975.

Memorandum to: The Secretary of Transportation, Attention: Joseph C. Caldwell, Director, Office of Pipeline Safety.

From: Secretary, Technical Pipeline Safety Standards Committee.

Subject: Proposed Changes to CFR Part 192, Minimum Federal Safety Standards for Transportation of Natural and Other Gases by Pipeline.

The following letter and attachments represent an official report by the Technical Pipeline Safety Standards Committee concerning the Committee's action related to five proposed amendments to 49 CFR Part 192, Minimum Federal Safety Standards for Transportation of Natural and Other Gases by Pipeline.

The Committee reviewed the proposals of the Office of Pipeline Safety at a meeting, held in Washington, D.C., on October 30 and 31, 1974, and through an informal balloting procedure recommended certain modifications, some of which were acceptable to the Office of Pipeline Safety. A formal ballot, reflecting the suggested changes, was prepared and distributed to the Committee members, by the undersigned on December 5, 1974.

Formal ballots have been submitted by all fourteen members of the Committee. The majority of the Committee approved all five items on the ballot as being technically feasible, reasonable, and practicable. Negative votes were cast by one member against Items 1, 2, and 3, by two members against Item 4 and by four members against Item 5. Another member, who had been unable to attend the meeting and participate in the discussions, abstained from voting.

Attachment A sets forth the minority opinions submitted in support of the negative votes on Items 4 and 5.

LOUIS W. MENDONSA.

In view of the improved safety criteria provided by this amendment and the short lead time necessary to prepare for compliance, I have determined that good cause exists for making this amendment effective in less than 30 days after issuance.

In consideration of the foregoing, Parts 192 and 195 of Title 49 of the Code of Federal Regulations are amended to read as follows, effective March 20, 1975.

1. Section 192.225(a) is amended to read as follows:

§ 192.225 Qualification of welding procedures.

(a) Each welding procedure must be qualified under section IX of the ASME Boiler and Pressure Vessel Code or section 2 of the 1973 edition of API Standard 1104, whichever is appropriate to the function of the weld, except that a welding procedure qualified under section 2 of the 1968 edition of API Standard 1104 before March 20, 1975, may continue to be used but may not be requalified under that edition.

* * * * *

2. Section 192.227(a) (2) is amended to read as follows:

§ 192.227 Qualification of welders.

(a) * * *

(2) The following editions of section 3 of API Standard 1104:

(i) The 1973 edition, except that a welder may be qualified by radiography under subsection 3.51 without regard for the standards in subsection 6.9 for depth of undercutting adjacent to the root bead; or

(ii) If a welder is qualified before March 20, 1975, the 1968 edition, except that a welder may not requalify under the 1968 edition.

* * * * *

3. Section 192.229(c) is amended to read as follows:

§ 192.229 Limitations on welders.

* * * * *

(c) A welder qualified under § 192.227 (a) may not weld unless within the preceding 6 calendar months the welder has had one weld tested and found acceptable under—

(1) Section 3 or 6 of the 1973 edition of API Standard 1104, except for the standards in subsection 6.9 for depth of undercutting adjacent to the root bead; or

(2) In the case of tests conducted before March 20, 1975, section 3 or 6 of the 1968 edition of API Standard 1104.

4. Section 192.241(c) is amended to read as follows:

§ 192.241 Inspection and test of welds.

* * * * *

(c) The acceptability of a weld that is nondestructively tested or visually inspected is determined according to the standards in section 6 of the 1973 edition of API Standard 1104, except for the standards in subsection 6.9 for depth of undercutting adjacent to the root bead.

5. Item II.A.8 of Appendix A of Part 192 would be amended to read as follows:

APPENDIX A—INCORPORATED BY REFERENCE

* * * * *

II. Documents incorporated by reference.

A. American Petroleum Institute:

* * * * *

8. API Standard 1104 "Standard for Welding Pipe Lines and Related Facilities" (1968 and 1973 editions).

* * * * *

6. Section 195.222 is amended to read as follows:

§ 195.222 Welders: Testing.

Each welder must be qualified in accordance with one of the following editions of section 3 of API Standard 1104:

(a) The 1973 edition, except that a welder may be qualified by radiography under subsection 3.51 without regard for the standards in subsection 6.9 for depth of undercutting adjacent to the root bead; or

b) If a welder is qualified before March 20, 1975, the 1968 edition, except that a welder may not requalify under the 1968 edition.

7. Section 195.228 is amended to read as follows:

§ 195.228 Welds and welding inspection: Standards of acceptability.

Each weld and welding must be inspected to ensure compliance with the requirements of this subpart. Visual inspection must be supplemented by nondestructive testing. The acceptability of a weld is determined according to the standards in section 6 of the 1973 edition of API Standard 1104, except for the standards in subsection 6.9 for depth of undercutting adjacent to the root bead.

8. The table of section, § 195.228 is amended to read as follows:

Sec.

195.228 Welds and welding inspection: Standards of acceptability.

This amendment is issued under the authority of section 3 of the Natural Gas Pipeline Safety Act of 1968 (49 U.S.C. § 1672), sections 831–835 of Title 18, United States Code, section 6(e)(4) of the Department of Transportation Act (49 U.S.C. 1655(e)(4)), § 1.58(d) of the regulations of the Office of the Secretary of Transportation (49 CFR 1.58(d)), and the redelegation of authority to the Director, Office of Pipeline Safety, set forth in Appendix A to Part 1 of the regulations of the Office of the Secretary of Transportation (49 CFR Part 1).

Issued in Washington, D.C., on February 27, 1975.

JOSEPH C. CALDWELL,
Director,
Office of Pipeline Safety.

[FR Doc.75-5807 Filed 3-4-75;8:45 am]

Title 50—Wildlife and Fisheries

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

PART 216—REGULATIONS GOVERNING THE TAKING AND IMPORTING OF MARINE MAMMALS

Procedures for Hearings on Proposed Regulations

The Marine Mammal Protection Act authorizes the Secretary to prescribe regulations and to waive the moratorium on the taking and/or importation of marine mammals and marine mammal products and, for such prescription or waiver, refers the Secretary to section 103 of the Act (16 U.S.C. 1373). Section 103(d) requires that regulations be made on the record after opportunity for an agency hearing on such regulations and, in the case of a waiver, on a determination by the Secretary to waive the moratorium.

On July 12, 1974, proposed regulations to govern hearings on the record as required by section 103 of the Act (16 U.S.C. 1373) were published in the FEDERAL REGISTER, 39 FR 25664–25667. Thirty days were provided for comments on the proposed regulations.

The only comment received was from the Environmental Protection Agency (EPA). The EPA suggested that provision be made for introducing the environmental impact statement into the record of the hearing. To comply with that suggestion, §§ 216.73(b)(6) and 216.85(b) have been amended. Furthermore, if an environmental impact statement is necessary, the statement will be considered when the Director determines the issues of fact published in the notice of hearing pursuant to § 216.73(b)(5).

Section 216.89 has also been amended to provide all interested persons an opportunity to comment on the presiding officer's recommended decision. All comments must be submitted on or before March 25, 1975.

Section 216.90 has been amended to provide for the Director's consideration of written comments on the recommended decision. In addition, the Director may remand the hearing record to the presiding officer for a fuller development of the record.

The following regulations are hereby published in final form to govern hearings on the record required by section 103 of the Marine Mammal Protection Act (16 U.S.C. 1373).

Effective date: These amendments shall be effective on March 5, 1975.

Dated: February 28, 1975.

JACK W. GEHRINGER,
Acting Director.

PART 216—SUBPART G—NOTICE AND HEARING ON SECTION 103 REGULATIONS

Sec.

216.70 Basis and Purpose
216.71 Definitions
216.72 Scope of Regulations
216.73 Notice of Hearing
216.74 Notification by Interested Persons
216.75 Presiding Officer
216.76 Direct Testimony Submitted as Written Documents
216.77 Mailing Address
216.78 Inspection and Copying of Documents
216.79 Ex parte Communications
216.80 Prehearing Conference
216.81 Final Agenda of the Hearing
216.82 Determination to Cancel the Hearing
216.83 Rebuttal Testimony and New Issues of Fact in Final Agenda
216.84 Waiver of Right to Participate
216.85 Conduct of the Hearing
216.86 Direct Testimony
216.87 Cross-Examination
216.88 Oral and Written Arguments
216.89 Recommended Decision, Certification of the transcript and submission of comments on the recommended decision
216.90 Director's Decision

AUTHORITY: Title I of the Marine Mammal Protection Act of 1972, 86 Stat. 1027 (16 U.S.C. 1361–1407), Pub. L. No. 92–522.

Subpart G—Notice and Hearing on § 103 Regulations

§ 216.70 Basis and purpose.

(a) Sections 101(a)(2), 101(a)(3)(A), and 101(b) (16 U.S.C. §§ 1371(a)(2), 1371(a)(3)(A), 1371(b) (1972)) of the Act and these regulations authorize the Director, National Marine Fisheries Service, to (1) impose regulations governing the taking of marine mammals incidental to commercial fishing operations; (2) waive the moratorium and to adopt regulations with respect to the taking and importing of animals from each species of marine mammals under his jurisdiction; (3) prescribe regulations governing the taking of depleted marine mammals by any Indian, Aleut or Eskimo, respectively. In prescribing regulations to carry out the provisions of said sections, the Act refers the Director to § 103 (16 U.S.C. § 1373 (1972)). In accordance with § 103(d), regulations must be made on the record after opportunity for an agency hearing on such regulations and, in the case of a waiver, on the determination by the Director to waive the moratorium pursuant to section 101(a)(3)(A) (16 U.S.C. 1371(a)(3)(A) (1972)).

(b) The purpose of this subpart is to establish rules of practice and procedure for all hearings conducted pursuant to § 103(d).

§ 216.71 Definitions.

Definitions shall be the same as in subpart A of this Part except as follows:

(a) "Party" means, for the purposes of this subpart:

(1) The Director or his representative;

(2) A person who has notified the Director by specified dates of his or her intent to participate in the hearing pursuant to §§ 216.74 and 216.83(b).

(b) "Witness" means, for the purposes of this subpart, any person who submits written direct testimony on the proposed regulations.

A person may be both a party and a witness.

§ 216.72 Scope of regulations.

The procedural regulations in this subpart govern the practice and procedure in hearings held under § 103(d) of the Act. These hearings will be governed by the provisions of 5 U.S.C. § 556 and § 557 of the Administrative Procedure Act. The regulations shall be construed to secure the just, speedy, and inexpensive determination of all issues raised with respect to any waiver or regulation proposed pursuant to § 103(d) of the Act with full protection for the rights of all persons affected thereby.

§ 216.73 Notice of hearing.

(a) A notice of hearing on any proposed regulations shall be published in the FEDERAL REGISTER, together with the Director's proposed determination to waive the moratorium pursuant to section 101(a)(3)(A) (16 U.S.C. § 1371(a)(3)(A)), where applicable.

(b) The notice shall state:

(1) The nature of the hearing;

(2) The place and date of the hearing. The date shall not be less than 60 days after publication of notice of the hearing;

(3) The legal authority under which the hearing is to be held;

(4) The proposed regulations and waiver, where applicable, and a summary of the statements required by § 103(d) of the Act (16 U.S.C. § 1373(d));

(5) Issues of fact which may be involved in the hearing;

(6) If a draft Environmental Impact Statement is required, the date of publication of the draft and the place(s) where the draft and comments thereon may be viewed and copied;

(7) Any written advice received from the Marine Mammal Commission;

(8) The place(s) where records and submitted direct testimony will be kept for public inspection;

(9) The final date for filing with the Director a notice of intent to participate in the hearing pursuant to § 216.74;

(10) The final date for submission of direct testimony on the proposed regulations and waiver, if applicable, and the number of copies required;

(11) The docket number assigned to the case which shall be used in all subsequent proceedings; and

(12) The place and date of the prehearing conference.

§ 216.74 Notification by interested persons.

Any person desiring to participate as a party shall notify the Director, by certified mail, on or before the date specified in the notice.

§ 216.75 Presiding officer.

(a) Upon publication of the notice of hearing pursuant to § 216.73, the Director shall appoint a presiding officer pursuant to 5 U.S.C. 3105. No individual who has any conflict of interest, financial or otherwise, shall serve as presiding officer in such proceeding.

(b) The presiding officer, in any proceeding under this subpart, shall have power to:

(1) Change the time and place of the hearing and adjourn the hearing;

(2) Evaluate direct testimony submitted pursuant to these regulations, make a preliminary determination of the issues, conduct a prehearing conference to determine the issues for the hearing agenda, and cause to be published in the FEDERAL REGISTER a final hearing agenda;

(3) Rule upon motions, requests and admissibility of direct testimony;

(4) Administer oaths and affirmations, question witnesses and direct witnesses to testify;

(5) Modify or waive any rule (after notice) when determining no party will be prejudiced;

(6) Receive written comments and hear oral arguments;

(7) Render a recommended decision; and

(8) Do all acts and take all measures, including regulation of media coverage, for the maintenance of order at and the efficient conduct of the proceeding.

(c) In case of the absence of the original presiding officer or his inability to act, the powers and duties to be performed by the original presiding officer under this part in connection with a proceeding may, without abatement of

the proceeding, be assigned to any other presiding officer unless otherwise ordered by the Director.

(d) The presiding officer may upon his own motion withdraw as presiding officer in a proceeding if he deems himself to be disqualified.

(e) A presiding officer may be requested to withdraw at any time prior to the recommended decision. Upon the filing by an interested person in good faith of a timely and sufficient affidavit alleging the presiding officer's personal bias, malice, conflict of interest or other basis which might result in prejudice to a party, the hearing shall recess. The Director shall immediately determine the matter as a part of the record and decision in the proceeding, after making such investigation or holding such hearings, or both, as he may deem appropriate in the circumstances.

§ 216.76 Direct testimony submitted as written documents.

(a) Unless otherwise specified, all direct testimony, including accompanying exhibits, must be submitted to the presiding officer in writing no later than the dates specified in the notice of the hearing (§ 216.73), the final hearing agenda (§ 216.81), or within 15 days after the conclusion of the prehearing conference (§ 216.83) as the case may be. All direct testimony shall be in affidavit form and exhibits constituting part of such testimony, referred to in the affidavit and made a part thereof, must be attached to the affidavit. Direct testimony submitted with exhibits must state the issue to which the exhibit relates; if no such statement is made, the presiding officer shall determine the relevance of the exhibit to the issues published in the FEDERAL REGISTER.

(b) The direct testimony submitted shall contain:

(1) A concise statement of the witness' interest in the proceeding and his position regarding the issues presented. If the direct testimony is presented by a witness who is not a party, the witness shall state his relationship to the party; and

(2) Facts that are relevant and material.

(c) The direct testimony may propose issues of fact not defined in the notice of the hearing and the reason(s) why such issues should be considered at the hearing.

(d) Ten copies of all direct testimony must be submitted unless the notice of the hearing otherwise specifies.

(e) Upon receipt, direct testimony shall be assigned a number and stamped with that number and the docket number.

(f) Contemporaneous with the publication of the notice of hearing, the Director's direct testimony in support of the proposed regulations and waiver, where applicable, shall be available for public inspection as specified in the notice of hearing. The Director may submit additional direct testimony during the time periods allowed for submission of such testimony by witnesses.

§ 216.77 Mailing address.

Unless otherwise specified in the notice of hearing, all direct testimony shall be addressed to the Presiding Officer, c/o Director, National Marine Fisheries Service, Washington, D.C. 20235. All affidavits and exhibits shall be clearly marked with the docket number of the proceedings.

§ 216.78 Inspection and copying of documents.

Any document in a file pertaining to any hearing authorized by this subpart or any document forming part of the record of such a hearing may be inspected and/or copied in the Office of the Director, National Marine Fisheries Service, Washington, D.C. 20235—unless the file is in the care and custody of the presiding officer, in which case he shall notify the parties as to where and when the record may be inspected.

§ 216.79 Ex parte communications.

(a) After notice of a hearing is published in the FEDERAL REGISTER, all communications, whether oral or written, involving any substantive or procedural issue and directed either to the presiding officer or to the Director, Deputy Director or Marine Mammal Coordinator, National Marine Fisheries Service, without reference to these rules of procedure, shall be deemed ex parte communications and are not to be considered part of the record for decision.

(b) A record of oral conversations shall be made by the above persons who are contacted. All communications shall be available for public viewing at the place(s) specified in the notice of hearing.

(c) The presiding officer shall not consult any person or party on any fact in issue or on the merits of the matter unless notice and opportunity is given for all parties to participate.

§ 216.80 Prehearing conference.

(a) After an examination of all the direct testimony submitted pursuant to § 216.76, the presiding officer shall make a preliminary determination of issues of fact which may be addressed at the hearing.

(b) The presiding officer's preliminary determination shall be made available at the place or places provided in the notice of the hearing (§ 216.73(b)(8)) at least five days before the prehearing conference is held.

(c) The purpose of the prehearing conference shall be to enable the presiding officer to determine, on the basis of the direct testimony submitted and prehearing discussions:

(1) Whether the presiding officer's preliminary determination of issues of fact for the hearing has omitted any significant issues;

(2) What facts are not in dispute;

(3) Which witnesses may appear at the hearing; and

(4) The nature of the interest of each party and which parties' interests are adverse.

(d) Only parties may participate in the prehearing conference and a party may appear in person or be represented by counsel.

(e) Parties who do not appear at the prehearing conference shall be bound by the conference's determinations.

§ 216.81 Final agenda of the hearing.

(a) After the prehearing conference, the presiding officer shall prepare a final agenda which shall be published in the FEDERAL REGISTER within ten days after the conclusion of the conference. A copy of the final agenda shall be mailed to all parties.

(b) The final agenda shall list: (1) all the issues which the hearing shall address, the order in which those issues shall be presented, and the direct testimony submitted which bears on the issues; and (2) a final date for submission of direct testimony on issues of fact not included in the notice of hearing if such issues are presented. The final agenda may also specify a final date for submission of direct testimony to rebut testimony previously submitted during the time specified in the notice of the hearing.

(c) The presiding officer shall publish with the final agenda a list of witnesses who may appear at the hearing, a list of parties, the nature of the interest of each party, and which parties' interests are adverse on the issues presented.

§ 216.82 Determination to cancel the hearing.

(a) If the presiding officer concludes that no issues of fact are presented by the direct testimony submitted, the presiding officer shall publish such conclusion and notice in the FEDERAL REGISTER that a hearing shall not be held and shall also publish a date for filing written comments on the proposed regulations. Written comments may include proposed findings and conclusions, arguments or briefs.

(b) A person need not be a party to submit any written comments.

(c) Promptly after expiration of the period for receiving written comments, the presiding officer shall make a recommended decision based on the record, which in this case shall consist of the direct testimony and written comments submitted. He shall transfer to the Director his recommended decision, the record and a certificate stating that the record contains all the written direct testimony and comments submitted. The Director shall then make a final decision in accordance with these regulations (§ 216.90).

§ 216.83 Rebuttal testimony and new issues of fact in final agenda.

(a) Direct testimony to rebut testimony offered during the time period specified in the notice of hearing may be submitted pursuant to these regulations within fifteen days after the conclusion of the prehearing conference unless the presiding officer otherwise specifies in the final agenda.

(b) If the final agenda presents issues not included in the notice of the hearing published pursuant to § 216.73:

(1) Any person interested in participating at the hearing on such issues presented shall notify the Director by certified mail of an intent to participate not later than ten days after publication of the final agenda. Such person may present direct testimony or cross-examine witnesses only on such issues presented unless he previously notified the Director pursuant to § 216.74; and

(2) Additional written direct testimony concerning such issues may be submitted within the time provided in the final agenda. Such direct testimony will comply with the requirements of § 216.76.

§ 216.84 Waiver of right to participate.

Persons who fail to notify the Director pursuant to § 216.74 and § 216.83 shall be deemed to have waived their right to participate as parties in any part of the hearing.

§ 216.85 Conduct of the hearing.

(a) The hearing shall be held at the time and place fixed in the notice of hearing, unless the presiding officer changes the time or place. If a change occurs, the presiding officer shall publish the change in the FEDERAL REGISTER and shall expeditiously notify all parties by telephone or by mail: *Provided*, That if the change in time or place of hearing is made less than five days before the date previously fixed for the hearing, the presiding officer shall also announce, or cause to be announced, the change at the time and place previously fixed for the hearing.

(b) The presiding officer shall, at the commencement of the hearing, introduce into the record: the notice of hearing as published in the FEDERAL REGISTER; all subsequent notices published in the FEDERAL REGISTER; the draft Environmental Impact Statement if it is required and the comments thereon and agency responses to the comments; and a list of all parties. Direct testimony shall then be received with respect to the matters specified in the final agenda in such order as the presiding officer shall announce. With respect to direct testimony submitted as rebuttal testimony or in response to new issues presented by the prehearing conference, the presiding officer shall determine the relevancy of such testimony.

(c) The hearing shall be publicly conducted and reported verbatim by an official reporter.

(d) If a party objects to the admission or rejection of any direct testimony or to any other ruling of the presiding officer during the hearing, he shall state briefly the grounds of such objection, whereupon an automatic exception will follow if the objection is overruled by the presiding officer. The transcript shall not include argument or debate thereon except as ordered by the presiding officer. The ruling of the presiding officer on any objection shall be a part of the transcript and shall be subject to review at the same time and in the same manner as the Director's final decision. Only objections made before the presiding officer may subsequently be relied upon in the proceedings.

(e) All motions and requests shall be addressed to, and ruled on by, the presiding officer, if made prior to his certification of the transcript or by the Director if made thereafter.

§ 216.86 Direct testimony.

(a) Only direct testimony submitted by affidavit as provided in these regulations and introduced at the hearing by a witness shall be considered part of the record. Such direct testimony shall not be read into evidence but shall become a part of the record subject to exclusion of irrelevant and immaterial parts thereof;

(b) The witness introducing direct testimony shall:

(1) State his name, address and occupation;

(2) State qualifications for introducing the direct testimony. If an expert, the witness shall briefly state the scientific or technical training which qualifies him as an expert;

(3) Identify the direct testimony previously submitted in accordance with these regulations; and

(4) Submit to appropriate cross and direct examination. Cross-examination shall be by a party whose interests are adverse on the issue presented, to the witness', if the witness is a party, or to the interests of the party who presented the witness.

(c) A party shall be deemed to have waived the right to introduce direct testimony if such party fails to present a witness to introduce the direct testimony.

(d) Official notice may be taken of such matters as are judicially noticed by the courts of the United States: *Provided*, That parties shall be given adequate notice, by the presiding officer, at the hearing, of matters so noticed and shall be given adequate opportunity to show that such facts are inaccurate or are erroneously noticed.

§ 216.87 Cross examination.

(a) The presiding officer may:

(1) Require the cross-examiner to outline the intended scope of the cross-examination;

(2) Prohibit parties from cross-examining witnesses unless the presiding officer has determined that the cross-examiner has an adverse interest on the facts at issue to the party-witness or the party presenting the witness. For the purposes of this subsection, the Director's or his representative's interest shall be considered adverse to all parties;

(3) Limit the number of times any party or parties having a common interest may cross-examine an "adverse" witness on the same matter; and

(4) Exclude cross-examination questions that are immaterial, irrelevant or unduly repetitious.

(b) Any party shall be given an opportunity to appear, either in person or through an authorized counsel or representative, to cross-examine witnesses. Before cross-examining a witness, the party or counsel shall state his name, address and occupation. If counsel cross-examines the witness, counsel shall state for the record the authority to act as counsel. Cross-examiners shall be assumed to be familiar with the direct testimony.

(c) Any party or party's counsel who fails to appear at the hearing to cross-examine an "adverse" witness shall be deemed to have waived the right to cross-examine that witness.

(d) Scientific, technical or commercial publications may only be utilized for the limited purposes of impeaching witnesses under cross-examination unless previously submitted and introduced in accordance with these regulations.

§ 216.88 Oral and written arguments.

(a) The presiding officer may, in his discretion, provide for oral argument at the end of the hearing. Such argument when permitted, may be limited by the presiding officer to the extent necessary for the expeditious disposition of the proceeding.

(b) The presiding officer shall announce at the hearing a reasonable period of time within which any interested person may file with the presiding officer any written comments on the proposed regulations and waiver, including proposed findings and conclusions and written arguments or briefs, which are based upon the record and citing where practicable the relevant page or pages of the transcript. If a party filing a brief desires the presiding officer to reconsider any objection made by such party to a ruling of the presiding officer, he shall specifically identify such rulings by reference to the pertinent pages of the transcript and shall state his arguments thereon as a part of the brief.

(c) Oral or written arguments shall be limited to issues arising from direct testimony on the record.

§ 216.89 Recommended Decision, Certification of the transcript and submission of comments on the recommended decision.

(a) Promptly after expiration of the period for receiving written briefs, the presiding officer shall make a recommended decision based on the record and transmit the decision to the Director. The recommended decision shall include:

(1) A statement containing a description of the history of the proceedings;

(2) Findings on the issues of fact with the reasons therefor; and

(3) Rulings on issues of law.

(b) The presiding officer shall also transmit to the Director the transcript of the hearing, the original and all copies of the direct testimony, and written comments. The presiding officer shall attach to the original transcript of the hearing a certificate stating that, to the best of his knowledge and belief, the transcript is a true transcript of the tesimony given at the hearing except in such particulars as are specified.

(c) Immediately after receipt of the recommended decision, the Director shall give notice thereof in the FEDERAL REGISTER, send copies of the recommended decision to all parties, and provide opportunity for the submission of

comments. The recommended decision may be reviewed and/or copied in the office of the Director, National Marine Fisheries Service, Washington, D.C. 20235.

(d) Within twenty days after the notice of receipt of the recommended decision has been published in the FEDERAL REGISTER, any interested person may file with the Director any written comments on the recommended decision. All comments, including recommendations from or consultation with the Marine Mammal Commission, must be submitted during the twenty-day period to the Director at the above address.

§ 216.90 Director's decision.

(a) Upon receipt of the recommended decision and transcript and after the twenty-day period for receiving written comments on the recommended decision has passed, the Director shall make a final decision on the proposed regulations and waiver, where applicable. The Director's decision may affirm, modify, or set aside, in whole or in part, the recommended findings, conclusions and decision of the presiding officer. The Director may also remand the hearing record to the presiding officer for a fuller development of the record.

(b) The Director's decision shall include:

(1) A statement containing a description of the history of the proceeding;

(2) Findings on the issues of fact with the reasons therefor; and

(3) Rulings on issues of law.

(c) The Director's decision shall be published in the FEDERAL REGISTER. If the waiver is approved, the final adopted regulations shall be promulgated with the decision.

[FR Doc.75-5775 Filed 3-4-75;8:45 am]

proposed rules

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

DEPARTMENT OF THE TREASURY

Internal Revenue Service

[26 CFR Parts 1, 54]

INDIVIDUAL RETIREMENT ACCOUNTS

Proposed Rule Making; Correction

On Friday, February 21, 1975, Notice of Proposed Rule Making was published in the FEDERAL REGISTER (40 CFR 7661). The following corrections are made to the proposed regulations:

(1) In line 5 of subdivision (A) of § 1.408–1 (b) (2) (ii) (page 7666), the reference to § 1.402–3 should be redesignated "1.402 (a)–3".

(2) In line 9 of subdivision (A) of § 1.408–1 (b) (2) (ii) (page 7666), the reference to 1.403–3 should be redesignated "1.403 (a)–3".

(3) In line 6 of subparagraph (6) of § 1.408–2 (b) (page 7668), the reference to (b) (5) (ii) should be redesignated "(b) (6) (ii)".

(4) In line 7 of subdivision (iii) of § 1.409–1 (b) (2) (page 7671), the phrase "excludable from" should be "includible in".

(5) In line 2 of subdivision (ii) of § 54.4973–1 (b) (2) (page 7672), the reference to (b) (2) (ii) should be redesignated "(b) (2) of this section".

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

[FR Doc.75–5851 Filed 3–4–75;8:45 am]

DEPARTMENT OF DEFENSE

Corps of Engineers

[33 CFR Part 207]

OHIO RIVER, MISSISSIPPI RIVER ABOVE CAIRO, ILLINOIS AND TRIBUTARIES

Proposed Navigation Regulations

Notice is hereby given that pursuant to section 7 of the River and Harbor Act of August 8, 1917 (40 Stat. 266; (33 U.S.C. 1)) the regulations set forth in tentative form below are proposed by the Secretary of the Army (acting through the Chief of Engineers) to govern the use, administration and navigation of the Ohio River, Mississippi River above Cairo, Illinois, and their tributaries. It is proposed to amend the present regulations in 33 CFR 207.300.

Prior to the adoption of the proposed regulations, consideration will be given to any comments, suggestions or objections thereto which are submitted in writing to the Office of the Chief of Engineers, Forrestal Building, Washington, D.C. 20314, Attention: DAEN–CWO–N on or before April 4, 1975.

Dated: February 8, 1975.

By authority of the Secretary of the Army.

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

§ 207.300 Ohio River, Mississippi River above Cario, Ill., and their tributaries; use, administration, and navigation.

(a) *Authority of lockmasters.* The lockmaster shall be charged with the immediate control and management of the lock, and of the area set aside as the lock area, including the lock approach channels. He shall see that all laws, rules, and regulations for the use of the lock and lock area are duly complied with, to which end he is authorized to give all necessary orders and directions in accordance therewith, both to employees of the Government and to any and every person within the limits of the lock or lock area, whether navigating the lock or not. No one shall cause any movement of any vessel, boat, or other floating thing in the lock or approaches except by or under the direction of the lockmaster or his assistants. In the event of an emergency, the lockmaster may depart from these regulations as he deems necessary. The lockmasters shall also be charged with the control and management of Federally constructed mooring facilities.

(b) *Safety rules for vessels using navigation locks.* The following safety rules are hereby prescribed for vessels in the locking process, including the act of approaching or departing a lock:

(1) *Tows with flammable or hazardous cargo barges, loaded or empty.* (i) Stripping barges or transferring cargo is prohibited.

(ii) All hatches on barges used to transport flammable or hazardous materials shall be closed and latched, except those barges carrying a gas-free certificate.

(iii) Spark-proof protective rubbing fenders ("possums") shall be used.

(2) *All vessels.* (i) Leaking vessels may be excluded from locks until they have been repaired to the satisfaction of the lockmaster.

(ii) Smoking, open flames, and chipping or other spark-producing activities are prohibited on deck during the locking cycle.

(iii) Painting will not be permitted in the lock chamber during the locking cycle.

(iv) Tow speeds shall be reduced to a rate of travel such that the tow can be stopped by checking should mechanical difficulties develop. Pilots should check with the individual lockmasters concerning prevailing conditions. It is also recommended that pilots check their ability to reverse their engines prior to beginning an approach. Engines shall not be turned off in the lock until the tow has stopped and been made fast.

(v) U.S. Coast Guard Regulations require all vessels to have on board life saving devices for prevention of drowning. All crew members of vessels required to carry work vests (life jackets) shall wear them during a lockage, except those persons in an area enclosed with a handrail or other device which would reasonably preclude the possibility of falling overboard. All deckhands handling lines during locking procedure shall wear a life jacket. Vessels not required by Coast Guard Regulations to have work vests aboard shall have at least the prescribed life saving devices, located for ready access and use if needed. The lockmaster may refuse lockage to any vessel which fails to conform to the above.

(c) *Reporting of navigation incidents.* In furtherance of increased safety on waterways the following safety rules are hereby prescribed for all navigation interests:

(1) Any incident resulting in uncontrolled barges shall immediately be reported to the nearest lock. The report shall include information as to the number of loose barges, their cargo, and the time and location where they broke loose. The lockmaster or locks shall be kept informed of the progress being made in bringing the barges under control so that he can initiate whatever actions may be warranted.

(2) Whenever barges are temporarily moored at other than commercial terminals or established fleeting areas, and their breaking away could endanger a lock, the nearest lock shall be so notified, preferably the downstream lock.

(3) Sunken or sinking barges shall be reported to the nearest lock both downstream and upstream of the location in order that other traffic passing those points may be advised of the hazards.

(4) In the event of an oil spill, notify the nearest lock downstream, specifying the time and location of the incident, type of oil, amount of spill, and what recovery or controlling measures are being employed.

(5) Any other activity on the waterways that could conceivably endanger navigation or a navigation structure shall be reported to the nearest lock.

(6) Whenever it is necessary to report an incident involving uncontrolled,

sunken or sinking barges, the cargo in the barges shall be accurately identified.

(d) *Precedence at locks.* (1) The vessel arriving first at a lock shall normally be first to lock through, but precedence shall be given to vessels belonging to the United States. Licensed commercial passenger vessels operating on a published schedule or regularly operating in the "for hire" trade shall have precedence over cargo tows and like craft. Commercial cargo tows shall have precedence over recreational craft, except as described in paragraph (f).

(2) Arrival posts or markers may be established ashore above and/or below the locks. Vessels arriving at or opposite such posts or markers will be considered as having arrived at the locks within the meaning of this paragraph. Precedence may be established visually or by radio communication. The lockmaster may prescribe such departure from the normal order of precedence as in his judgment is warranted to achieve best lock utilization.

(e) *Unnecessary delay at locks.* Masters and pilots must use every precaution to prevent unnecessary delay in entering or leaving locks. Vessels failing to enter locks with reasonable promptness when signalled to do so shall lose their turn. Rearranging or switching of barges in the locks or in approaches is prohibited unless approved or directed by the lockmaster. This is not meant to curtail "jackknifing" or set-overs where normally practiced.

(f) *Lockage of recreational craft.* In order to fully utilize the capacity of the lock, the lockage of recreational craft shall be expedited by locking them through with commercial craft, *provided that both parties agree to joint use of the chamber.* When recreational craft are locked simultaneously with commercial tows, the lockmaster will direct, whenever practicable, that the recreational craft enter the lock and depart while the tow is secured in the lock. Recreational craft will not be locked through with vessels carrying volatile cargoes or other substances likely to emit toxic or explosive vapors. If the lockage of recreational craft can not be accomplished within the time required for three other lockages, a separate lockage of recreational craft shall be made. Recreational craft operators are advised that many locks have a pull chain located at each end of the lock which signals the lockmaster that lockage is desired. Furthermore, many Mississippi River locks utilize a strobe light at the lock to signal recreational type vessels that the lock is ready for entry. Such lights are used exclusively to signal recreational craft.

(g) *Simultaneous lockage of tows with dangerous cargoes.* Simultaneous lockage of other tows with tows carrying dangerous cargoes or containing flammable vapors normally will only be permitted when there is agreement between the lockmaster and both vessel masters that the simultaneous lockage can be executed safely. He shall make a separate decision each time such action seems safe and appropriate, provided:

(1) The first vessel or tow in and the last vessel or tow out are secured before the other enters or leaves.

(2) Any vessel or tow carrying dangerous cargoes is not leaking.

(3) All masters involved have agreed to the joint use of the lock chamber.

(h) *Stations while awaiting lockage.* Vessels awaiting their turn to lock shall remain sufficiently clear of the structure to allow unobstructed departure for the vessel leaving the lock. However, to the extent practicable under the prevailing conditions, vessels and tows shall position themselves so as to minimize approach time when signaled to do so.

(i) *Stations while awaiting access through navigable pass.* When navigable dams are up or are in the process of being raised or lowered, vessels desiring to use the pass shall wait outside the limits of the approach points unless authorized otherwise by the lockmaster.

(j) *Signals.* Signals from vessels shall ordinarily be by whistle; signals from locks to vessels shall be by whistle, another sound device, or visual means. When a whistle is used, long blasts of the whistle shall not exceed 10 seconds and short blasts of the whistle shall not exceed 3 seconds. Where a lock is not provided with a sound or visual signal installation, the lockmaster will indicate by voice or by the wave of a hand when the vessel may enter or leave the lock. Vessels must approach the locks with caution and shall not enter nor leave the lock until signaled to do so by the lockmaster.

The following lockage signals are prescribed:

(1) *Sound signals by means of a whistle.* These signals apply at either a single lock or twin locks.

(i) Vessels desiring lockage shall on approaching a lock give the following signals at a distance of not more than one mile from the lock:

(A) If a single lockage only is required: One long blast of the whitle followed by one short blast.

(B) If a double lockage is required: One long blast of the whistle followed by two short blasts.

(ii) When the lock is ready for entrance, the lock will give the following signals:

(A) One long blast of the whistle indicates permission to enter the lock chamber in the cast of a single lock or to enter the landward chamber in the case of twin locks.

(B) Two long blasts of the whistle indicates permission to enter the riverward chamber in the case of twin locks.

(iii) Permission to leave the locks will be indicated by the following signals given by the lock:

(A) One short blast of the whistle indicates permission to leave the lock chamber in the case of a single lock or to leave the landward chamber in the case of twin locks.

(B) Two short blasts of the whistle indicates permission to leave the riverward chamber in the case of twin locks.

(iv) Four or more short blasts of the lock whistle delivered in rapid succession will be used as a means of attracting attention, to indicate caution, and to signal danger. This signal will be used to attract the attention of the captain and crews of vessels using or approaching the lock or navigating in itsv icinity and to indicate that something unusual involving danger or requiring special caution is happening or is about to take place. When this signal is given by the lock, the captains and crews of vessels in the vicinity shall imediately become on the alert to determine the reason for the signal and shall take the necessary steps to cope with the situation.

(2) *Lock signal lights.* At locks where density of traffic or other local conditions make it advisable, the sound signals from the lock will be supplemented by signal lights. Flashing lights (showing a one-second flash followed by a two-second eclipse) will be located on or near each end of the land wall to control use of a singlel ock or of the landward lock of double locks. In addition, at double locks, interrupted flashing lights (showing a one-second flash, a one-second eclipse and a one-second flash, followed by a three-second eclipse) will be located on or near each end of the intermediate wall to control use of the riverward lock. Navigation will be governed as follows:

(i) *Red light.* Lock cannot be made immediately. Vessel shall stand clear.

(ii) *Amber light.* Lock is being made ready. Vessel may approach but under full control.

(iii) *Green light.* Lock is ready for entrance.

(iv) *Green and amber.* Lock is ready for entrance but gates cannot be recessed completely. Vessel may enter under full control and with extreme caution.

(3) *Radio communications.* (i) VHF–FM radios, operating in the FCC authorized Maritime Band, have been installed at all operational locks (except those on the Kentucky River and Lock 3, Green River). Radio contact may be made by any vessel desiring passage. Commercial tows are especially requested to make contact at least one half hour before arrival in order that the pilot may be informed of current river and traffic conditions that may affect the safe passage of his tow.

(ii) All locks monitor 156.8 MHz (Ch. 16) and 156.65 MHz (Ch. 13) and can work 156.65 MHz (Ch. 13) and 156.7 MHz (Ch. 14). Ch. 16 is the authorized call, reply and distress frequency, and locks are not permitted to work on this frequency except in an emergency involving the risk of immediate loss of life or property. Vessels may call and work Ch. 13, without switching, but are cautioned that vessel to lock traffic must not interrupt or delay Bridge to Bridge traffic which has priority at all times.

(k) *Rafts.* Rafts to be locked through shall be moored in such manner as not to obstruct the entrance of the lock, and if to be locked in sections, shall be brought to the lock as directed by the lockmaster. After passing the lock the sections shall be reassembled at such distance beyond the lock as not to interfere with other vessels.

(1) *Entrance to and exit from locks.* In case two or more boats or tows are to enter for the same lockage, their order of entry shall be determined by the lockmaster. Except as directed by the lockmaster, no boat shall pass another in the lock. In no case will boats be permitted to enter or leave the locks until directed to do so by the lockmaster. The sides of all craft passing through any lock shall be free from projections of any kind which might injure the lock walls. All vessels shall be provided with suitable fenders, and shall be used to protect the lock and guide walls until it has cleared the lock and guide walls.

(m) *Mooring.* (1) *At Locks*—(i) All vessels when in the locks shall be moored as directed by the lockmaster. Vessels shall be moored with bow and stern lines leading in opposite directions to prevent the vessel from "running" in the lock. All vessels will have one additional line available on the head of the tow for emergency use. The pilothouse shall be attended by qualified personnel during the entire locking procedure. When the vessel is securely moored, the pilot shall not cause movement of the propellers except in emergency or unless directed by the lockmaster. Tying to lock ladders is strictly prohibited.

(ii) Mooring of unattended or nonpropelled vessels or small craft at the upper or lower channel approaches will not be permitted within 1200 feet of the lock.

(2) *Outside of Locks.* (i) No vessel or other craft shall regularly or permanently moor in any reach of a navigation channel. The approximate centerline of such channels are marked as the sailing line on Corps of Engineers' navigation charts. Nor shall any floating craft, except in an emergency, moor in any narrow or hazardous section of the waterway. Furthermore, all vessels or other craft are prohibited from regularly or permanently mooring in any section of navigable waterways which are congested with commercial facilities or traffic unless it is moored at facilities approved by the Secretary of the Army or his authorized representative. The limits of the congested areas shall be marked on Corps of Engineers' navigation charts. However, the District Engineer may authorize in writing exceptions to any of the above if, in his judgment, such mooring would not adversely affect navigation and anchorage.

(ii) No vessel or other craft shall be moored to railroad tracks, to riverbanks in the vicinity of railroad tracks when such mooring threatens the safety of equipment using such tracks, to telephone poles or power poles, or to bridges or similar structures used by the public.

(iii) Except in case of great emergency, no vessel or craft shall anchor over revetted banks of the river, and no floating plant other than launches and similar small craft shall land against banks protected by revetment except at regular commercial landings. In all cases, every precaution to avoid damage to the revetment works shall be exercised. The construction of log rafts along mattressed or paved banks or the tying up and landing of log rafts against such banks shall be performed in such a manner as to cause no damage to the mattress work or bank paving. Generally, mattress work extends out into the river 600 feet from the low water line.

(iv) Any vessel utilizing a federally constructed mooring facility (e.g., cells, buoys, anchor rings) at the points designated on the current issue of the Corps' navigation charts shall advise the lockmaster at the nearest lock from that point by the most expeditious means.

(n) *Draft of vessels.* No vessel shall attempt to enter a lock unless its draft is at least three inches less than the least depth of water over the guard sills, or over the gate sills if there be no guard sills. Information concerning controlling depth over sills can be obtained from the lockmaster at each lock or by inquiry at the office of the district engineer of the district in which the lock is located.

(o) *Handling machinery.* No one but employees of the United States shall move any lock machinery except as directed by the lockmaster. Tampering or meddling with the machinery or other parts of the lock is strictly forbidden.

(p) *Refuse in locks.* Placing or discharging refuse of any description into the lock, on lock walls or esplanade, canal or canal bank is prohibited.

(q) *Damage to locks or other work.* To avoid damage to plant and structures connected with the construction or repair of locks and dams, vessels passing structures in the process of construction or repair shall reduce their speed and navigate with special caution while in the vicinity of such work. The restrictions and admonitions contained in these regulations shall not affect the liability of the owners and operators of floating craft for any damage to locks or other structures caused by the operation of such craft.

(r) *Trespass on lock property.* Trespass on locks or dams or other United States property pertaining to the locks or dams is strictly prohibited except in those areas specifically permitted. Parties committing any injury to the locks or dams or to any part thereof will be responsible therefor. Any person committing a willful injury to any United States property will be prosecuted. No fishing will be permitted from lock walls, guide walls, or guard walls of any lock or from any dam, except in areas designated and posted by the responsible District Engineer as fishing areas. Personnel from commercial and recreational craft will be allowed on the lock structure for legitimate business reasons; e.g., crew changes, emergency phone calls, etc.

(s) *Restricted areas at locks and dams.* All waters immediately above and below each dam, as posted by the respective District Engineers, are hereby designated as restricted areas. No vessel or other floating craft shall enter any such restricted area at any time. The limits of the restricted areas at each dam will be determined by the responsible District Engineer and marked by signs and/or flashing red lights installed in conspicuous and appropriate places.

(t) *Statistical Information.* (1) Masters of vessels shall furnish to the lockmaster such statistics of passengers or cargo as may be requested.

(2) The owners or masters of vessels sunk in the navigable waters of the United States shall provide the appropriate District Engineer with a copy of the sunken vessel report furnished to the U.S. Coast Guard Marine Inspection Office in accordance with Code of Federal Regulations Title 33 Subpart 64.10–1.

(u) *Operations during high water and floods in designated vulnerable areas.* Vessels operating on these waters during periods when river stages exceed the level of "ordinary high water," as designated on Corps of Engineers' navigation charts, shall exercise reasonable care to minimize the effects of their bow waves and propeller washes on river banks; submerged or partially submerged structures or habitations; terrestrial growth such as trees and bushes; and man-made amenities that may be present. Vessels shall operate carefully when passing close to levees and other flood protection works, and shall observe minimum distances from banks which may be prescribed from time to time in Notices to Navigation Interests. Pilots should exercise particular care not to direct propeller wash at river banks, levees revetments, structures or other appurtenances subject to damage from wave action.

(v) *Navigation lights for use at all locks and dams except on the Kentucky River and Lock 3, Green River.* (1) At locks at all fixed dams and at locks at all movable dams when the dams are up so that there is no navigable pass through the dam, the following navigation lights will be displayed during hours of darkness:

(i) Three green lights visible through an arc of 360° arranged in a vertical line on the upstream end of the river (guard) wall unless the intermediate wall extends farther upstream. In the latter case, the lights will be placed on the upstream end of the intermediate wall.

(ii) Two green lights visible through an arc of 360° arranged in a vertical line on the downstream end of the river (guard) wall unless the intermediate wall extends farther downstream. In the latter case, the lights will be placed on the downstream end of the intermediate wall.

(iii) A single red light, visible through an arc of 360° on each end (upstream and downstream) of the land (guide) wall.

(2) At movable dams when the dam has been lowered or partly lowered so that there is an unobstructed navigable pass through the dam, the navigation lights indicated in the following paragraphs will be displayed during hours of darkness until lock walls and weir piers are awash.

(i) Three red lights visible through an arc of 360° arranged in a vertical line on the upstream end of the river (guard) wall.

(ii) Two red lights visible through an arc of 360° arranged in a vertical line on the downstream end of the river (guard) wall.

(iii) A single red light visible through an arc of 360° on each end (upstream and downstream) of the land (guide) wall.

(3) After lock walls and weir piers are awash they will be marked as perscribed in paragraph (x) below.

(4) If one or more bear traps or weirs are open or partially open, and may cause a set in current conditions at the upper approach to the locks, this fact will be indicated by displaying a white circular disk 5 feet in diameter, on or near the light support on the upstream end of the land (guide) wall during the hours of daylight, and will be indicated during hours of darkness by displaying a white (amber) light vertically under and 5 feet below the red light on the upstream end of the land (guide) wall.

(5) At Locks No. 1 and 2, Green River, when the locks are not in operation because of high river stages, a single red light visible through an arc of 360° will be displayed on each end (upstream and downstream) of the lock river (guard) wall at which time the lights referred to above will not be visible.

(w) *Navigation lights for use at locks and dams on the Kentucky River and Lock 3, Green River.* A single red light visible through an arc of 360° shall be displayed during hours of darkness at each end of the river wall or extending guard structures until these structures are awash.

(x) *Buoys at movable dams.* (1) Whenever the river (guard) wall of the lock and any portion of the dam are awash, and until covered by a depth of water equal to the project depth, the limits of the navigable pass through the dam will be marked by buoys located at the upstream and downstream ends of the river (guard) wall, and by a single buoy over the end or ends of the portion or portions of the dam adjacent to the navigable pass over which project depth is not available. A red nun-type buoy will be used for such structures located on the left-hand side (facing downstream) of the river and a black can-type buoy for such structures located on the right-hand side. Buoys will be lighted, if practicable.

(2) Where powerhouses or other substantial structures projecting considerably above the level of the lock wall are located on the river (guard) wall, a single red light located on top of one of these structures may be used instead of river wall buoys prescribed above until these structures are awash, after which they will be marked by a buoy of appropriate type and color (red nun or black can buoy) until covered by a depth of water equal to the project depth. Buoys will be lighted, if practicable.

(y) *Vessels to carry regulations.* A copy of these regulations shall be kept at all times on board each vessel regularly engaged in navigating the rivers to which these regulations apply. Copies may be obtained from any lock office or District Engineer's office on request. Masters if such vessels are encouraged to have on board copies of the current edition of appropriate navigation charts.

NOTES

1. Muskingum River Lock & Dam 1 has been removed. Ohio River slackwater provides navigable channel for recreational craft to Lock 2 near Devola, Ohio. Muskingum River Locks 2 through 11 inclusive have been transferred to the State of Ohio and are operated during the recreational boating season by the Ohio Department of Natural Resources. Inquiries regarding Muskingum River channel conditions and lock availability should be directed to the aforementioned Department.

2. Little Kanawha River Lock and Dam 1 has been removed, thus permitting recreational craft to navigate up to Lock 2 near Slate, W. Va. Operation of Locks 2 through 5 on the Little Kanawha River has been discontinued.

3. Big Sandy River: Lock 1 has been removed, thus permitting recreational craft to navigate to Lock 2, near Buchanan, Ky. Operation of Lock 2 and Lock 3 near Fort Gay, W. Va. has been discontinued. Operation of Lock and Dam 1 on Levisa Fork near Gallup, Ky., and Lock and Dam 1 on Tug Fork near Chapman, Ky. has been discontinued.

4. Operation of the following Green River Locks has been discontinued: Lock 4 near Woodbury, Ky., Lock 5 near Glenmore, Ky., and Lock 6 near Brownsville, Ky.

5. Operation of Barren River Lock and Dam No. 1 near Richardsville, Ky. has been discontinued.

6. Operation of Rough River Lock and Dam No. 1 near Hartford, Ky. has been discontinued.

7. Operation of Osage River Lock and Dam 1 near Osage City, Mo., has been discontinued.

8. Operation of the 34 locks in the Illinois and Mississippi (Hennepin) Canal, including the feeder section, has been discontinued.

9. Operation of the Illinois and Michigan Canal has been discontinued.

[FR Doc.75-5797 Filed 3-4-75;8:45 am]

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

[7 CFR Part 29]

Allocation of Tobacco Inspection Service; Eligibility for Price Support

Notice is hereby given that the Department is considering the further amendment of its regulations (published at 39 FR 17753, 39 FR 20066, 39 FR 30475, and 39 FR 32975) relating to tobacco inspection and price support services with regard to flue-cured tobacco by amending Subpart A—Tobacco Loan Program (7 CFR Part 1464) and Subpart G—Policy Statement and Regulations Governing Availability of Tobacco Inspection and Price Support Services to Flue-Cured Tobacco on Designated Markets (7 CFR Part 29). The proposed amendments would modify the rules in regard to the producer's right to redesignate subsequent to the opening of the marketing season, eliminate the separate warehouse designation card in favor of using the producer's marketing card for the same purpose, change the consideration for allocation of sales opportunity for undesignated tobacco, allow a warehouse, which has not used the full opportunity for designated tobacco allowed by the schedule, to carry over the unused designated opportunity, to a maximum of 2,500 pounds, to the next immediate sales day. The aforesaid policy statement and regulations are statements of agency policy and rules and regulations issued pursuant to the authority of the Tobacco Inspection Act as amended (49 Stat. 731, (7 U.S.C. 511 *et seq.*)), the Agricultural Act of 1949, as amended (63 Stat. 1051, (7 U.S.C. 1421 *et seq.*)), and the Commodity Credit Corporation Charter Act as amended (62 Stat. 1070 (15 U.S.C. 714 et seq.)).

STATEMENT OF CONSIDERATION

At its December 13, 1974, and February 10, 1975 meetings, the Flue-Cured Tobacco Advisory Committee reviewed a report of its subcommittee which was appointed to study and consider making recommendations to the Secretary to further amend the provisions of Title 7, Code of Federal Regulations, Part 29, which were published in the FEDERAL REGISTER of May 20, 1974 (39 FR 17753) and subsequently amended the FEDERAL REGISTERS of August 23, 1974 (39 FR 30475), and September 13, 1974 (39 FR 32975). The Committee recommended that the regulations in regard to the producer's right to redesignate his tobacco subsequent to the opening of the flue-cured tobacco markets be changed. The amended regulations would allow the producer to redesignate his tobacco starting the fourth Friday in July and every second Friday thereafter during the marketing season but would only allow him to redesignate three times. This change in the regulations will allow the producer more flexibility in redesignating tobacco but will also encourage redesignation only when necessary. Further, the regulations did not allow for the immediate redesignation of a farm's allotment upon reconstitution (the combining or dividing of a farm due to a change in operation) and the regulations will be amended to authorize redesignation under such a circumstance. Procedures for such redesignations, as well as those done as a result of a lease, shall be established by the Deputy Administrator, Programs, ASCS. No change in the regulations is being made with regard to a producer's right to redesignate under emergency conditions.

The Committee recommended that the warehouse designation card be eliminated in favor of use of the producer's marketing card, issued by ASCS, to indicate the warehouse code number for the designated warehouse. Such a change in the regulation would eliminate the necessity for a producer to have two cards in order to sell his tobacco with price support. The producer's marketing card will indicate the warehouse number of the warehouse which the producer has designated for the sale of his tobacco. In the case of producers who chose not

to designate their tobacco, the marketing card will indicate that that tobacco is undesignated.

At the Secretary's suggestion, the Committee considered and made two recommendations. First, in order to clarify the regulations now in force, the regulations will be amended to reflect that violations in one marketing season will be carried over into the next. This amendment will clarify the current regulations that merely imply that warehouses that oversell at the end of the season cannot do so with impunity but must come back into compliance at the beginning of the next selling season. The second recommendation made by the Committee was that, if a warehouse undersells its designated sales opportunity, it be allowed to carry such designated sales opportunity over to the next immediate sales day to a maximum of 2,500 pounds. This added tolerance would not add much, if any, tobacco to the weekly sales schedule and would enable the warehouses to use as much sales time as they can without an onerous burden of computation and scheduling.

Additionally, the Committee made a recommendation for an amendment with regard to the provision in the regulations which concerns sales opportunity for undesignated tobacco. During part of the 1974 season, the amount of undesignated tobacco was computed by subtracting the amount of tobacco designated from 110 percent of quota. When this proved to allow warehouses in certain geographical areas excess selling time for undesignated tobacco due to the amount of tobacco not planted in those areas, the regulations were amended to limit undesignated sales opportunity to 2 percent of a warehouse's designated sales opportunity. The Committee recommended that the sales opportunity authorized for undesignated tobacco reflect the Secretary's calculation as to the amount of undesignated tobacco available for sale in any marketing area. A change in the provisions of the current regulations, whereby the Secretary can authorize additional undesignated sales opportunity is also proposed. Heretofore, the only requirement on the warehouse has been that it provide proper proof that it has available for sale undesignated tobacco which has not been previously designated in excess of the amount allowed by the schedule. It is proposed that the undesignated tobacco that is available, in addition to never having been designated, also be produced in the marketing area in which the warehouse is located and have been eligible for designation to that warehouse had the producer chosen to designate it. Moreover, in order to clarify the current provision, the regulations should be modified to indicate that extra selling time for undesignated tobacco can be made available by the Secretary only during the close-out period in any marketing area.

All persons who desire to submit written data, views, or arguments for consideration in connection with these proposals may file the same and four copies with the Hearing Clerk, U.S. Department of Agriculture, Room 112, Administration Building, Washington, D.C. 20250, not later than March 25, 1975.

All written submissions made pursuant to this notice will be made available for public inspection at the Office of the Hearing Clerk during regular business hours (7 CFR 1.27(b)).

PART 29—TOBACCO INSPECTION

The proposed amendments to Subpart G, Part 29, are as follows:

1. Section 29.9404 is amended as follows:

§ 29.9404 Marketing area opening dates and marketing schedules.

(a) The Flue-Cured Tobacco Advisory Committee shall recommend, to the Secretary, marketing areas in the flue-cured tobacco production area and marketing area opening dates and selling schedules for both designated and undesignated tobacco for each marketing area and for the individual warehouses in each marketing area, which specify the length of time inspectors will be available to inspect designated tobacco and undesignated tobacco and/or the quantity of designated or undesignated tobacco to be marketed in each area and through each warehouse within such marketing area. In developing such opening date and selling schedules, the Committee shall take into account the following:

(1) When a sufficient volume of tobacco produced within a specific area of the flue-cured tobacco production area will be ready for marketing.

(2) The volume of tobacco ready for marketing which the producers have designated under § 1464.2(e) of this title to be sold at specific warehouses and also the volume of tobacco ready for marketing which has not been so designated by the producers; for the purpose of developing opening date and selling schedules, the Committee shall consider that a warehouse should receive in addition to the time allotted for sale of its designated tobacco, a reasonable period of time for the sale of its share of the amount of undesignated tobacco which the Secretary calculates is available for sale in the geographical area served by that warehouse. *Provided, however,* That, during the close-out period in a marketing area, the Secretary may authorize additional undesignated sales opportunity if the warehouse provides proper proof that it does, in fact, have available for sale a volume of tobacco which has not previously been designated, which was produced within the marketing area in which the warehouse is located and which could have been designated to that warehouse had the producer chosen to designate which requires more time than allowed by the schedule.

* * * * *

2. Section 29.9406 is amended as follows:

§ 29.9406 Failure of warehouse to comply with opening date and selling schedule.

* * * * *

(b) Except as provided in paragraph (c) below, on any sales day, a warehouseman sells tobacco in excess of that allowed by the selling schedules, such excess amount shall be deducted from the quantity of tobacco authorized to be sold at that warehouse on either of the following two sales days, and if a warehouse sells tobacco in excess of that allowed by the selling schedule on either of the last two sales days in one selling season, then it shall make such reduction on either of the first two sales days of the next selling season. If such reduction in the quantity of tobacco sold is not made by the warehouse within such two days, no tobacco inspection or price support services shall be made available at such warehouse on the next succeeding sales day. However, any adjustment which is within 100 pounds of the required reduction shall be considered as in compliance with the section.

* * * * *

(d) If, on any sales day, a warehouse does not sell the full quantity of designated tobacco authorized to be sold at such warehouse, the designated sales opportunity at such warehouse on the next immediate sales day shall automatically be increased by the unsold quantity: *Providing, however,* That no such increase in designated sales opportunity, pursuant to this subsection, shall be made in excess of 2,500 pounds.

Done at Washington, D.C., this 28th day of February 1975.

JOHN DAMGARD,
Deputy Assistant Secretary.

[FR Doc.75-5819 Filed 3-4-75;8:45 am]

Animal and Plant Health Inspection Service

[9 CFR Parts 317 and 381]

REPRESENTATIONS REGARDING THE GEOGRAPHICAL ORIGIN OF MEAT AND POULTRY FOOD PRODUCTS

Extension of Time for Comments

On November 27, 1974, there was published in the FEDERAL REGISTER (39 FR 41381-41382), a notice proposing to amend the meat and poultry inspection regulations (9 CFR 317.8 and 381.129), to provide criteria for the use of geographical terms on labeling of meat and poultry products. Interested persons were given until February 7, 1975, to comment.

The Department has determined to extend the period of time within which written data, views, or arguments may be submitted, or oral views may be presented. A number of meat and poultry industry associations have requested an extension so that they can consolidate and present the views and comments of their memberships to the proposal.

Since the Department is interested in receiving meaningful comments, these circumstances are considered as sufficient justification for an extension of the time originally allotted for filing comments. Accordingly, any person who wishes to submit written data, views, or arguments concerning the proposed amendment may do so by filing them in duplicate with the Hearing Clerk, U.S. Department of Agriculture, Washington, D.C. 20250, by April 7, 1975. Also, the period for oral presentation of views is extended to April 7, 1975. Persons desiring opportunity for oral presentation of views should address such requests to Labels and Packaging Staff, Technical Services, Meat and Poultry Inspection Program, Animal and Plant Health Inspection Service, U.S. Department of Agriculture, Washington, D.C. 20250, so that arrangements may be made for presentation of such views by April 7, 1975.

In all other respects, the procedure specified in the proposal published on November 27, 1974, shall continue to apply in this rulemaking proceeding.

Done at Washington, D.C., on February 24, 1975.

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

[FR Doc.75-5828 Filed 3-4-75;8:45 am]

Commodity Credit Corporation

[7 CFR Part 1464]

TOBACCO LOAN PROGRAM

Flue Cured Tobacco Producers' Designation of Warehouses at Which They Will Market Their Tobacco

Notice is hereby given that Commodity Credit Corporation is considering amendments to the Tobacco Loan Program (39 FR 20066, as amended 39 FR 30477). For a preamble statement and a statement of consideration regarding Part 1464, see a document proposing amendments to this part and to Part 29 of Chapter I of this title (FR Doc. 75-5819) appearing in this issue.

It is proposed that § 1464.2 be amended by revising paragraphs (e)(2) (iii), (iv), (v), and (vi), as follows:

§ 1464.2 Availability of Price Support.

* * * * *

(e) * * *

(2) * * *

(iii) *When producer designations shall be made.* Producer designations of the warehouse or warehouses at which they will market their tobacco shall be made each year during a period which shall be announced by the county ASCS office in their county prior to the start of the period. Such period shall be prior to May 31 each year. Producers who lease quota or whose farm is reconstituted (the combining or dividing of a farm due to a change in operation) after such period may designate the warehouse or warehouses at which the tobacco involved will be marketed, as advised by the county ASCS office, pursuant to procedures to be established by the Deputy Administrator, Programs, ASCS. Redesignation (a change in warehouses designated or in pounds designated to the warehouse) or initial designations for underdesignated farms may be made starting the fourth Friday in July and every second Friday thereafter during the marketing season. Not more than three redesignations may be made for a farm during the entire marketing season. Producers who have designated warehouses which cease to operate or cease to have tobacco inspection or price support available may change their designations of such warehouses at any time subsequent to such occurrences.

(iv) *Form and content of designations.* A designation shall be made for each warehouse at which a producer desires to market his tobacco by executing a form provided by the county ASCS office. The producer will be required to indicate on such form the name of the warehouse or warehouses designated by him and the pounds of flue-cured tobacco he desires to sell at such warehouse as well as any other information required on such form.

(v) *Entering warehouse designation information.* The warehouse code number of the warehouse the producer has designated for his tobacco will be indicated on the farm marketing card. If the producer has not designated a warehouse, a warehouse number code number will not be shown on the marketing card. Changes in designation by the producer shall be accomplished by the producer returning his marketing card to county ASCS office and requesting the transfer of any unmarketed pounds of flue-cured tobacco shown on any marketing card to another eligible warehouse or warehouses.

(vi) *Use of warehouse designation in-*

(a) A separate sale bill marked "no price support" shall be prepared for that quantity of tobacco weighed in that is in excess of the balance of the pounds designated as shown on the marketing cards;

(b) The warehouse shall mark "no price support" on the sale bill for any tobacco which is presented for sale and which is accompanied by a marketing card which does not show a warehouse code or which shows a warehouse code of another warehouse.

Signed at Washington, D.C., on February 28, 1975.

* * * * *

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

[FR Doc.75-5818 Filed 3-4-75;8:45 am]

Food and Nutrition Service

[7 CFR Part 210]

NATIONAL SCHOOL LUNCH PROGRAM REGULATIONS

Extension of Comment Period

Notice is hereby given that the period is extended for receipt of comments on the proposed amendment, published January 22, 1975 (40 FR 3452), which would implement Federal Management Circular 74-7 and apply uniform administrative procedures in the National School Lunch Program.

State agencies have advised FNS that the time allowed for comments, suggestions, or objections to the proposed amendment is insufficient for State agencies to adequately assess the impact of this amendment on their management, supervisory and audit responsibilities. The FNS agrees that a reasonable extension of the comment period closing date of February 21, 1975, is justified. Therefore, the closing date for the comment period is extended to 20 days after being printed in the FEDERAL REGISTER.

The FNS does not anticipate that this extension will result in any extension of the amendment's proposed effective date of July 1, 1975.

Dated: March 3, 1975.

RICHARD L. FELTNER,
Assistant Secretary.

[FR Doc.75-5944 Filed 3-4-75;8:45 am]

Rural Electrification Administration

[7 CFR Part 1701]

REA SPECIFICATIONS FOR RURAL TELEPHONE FACILITIES

Proposed Changes in the Telephone System Construction Contract; (Labor and Materials), REA Form 511

Notice is hereby given that, pursuant to the Rural Electrification Act, as amended (7 U.S.C. 901 et seq.), REA proposes to issue revised pages to REA Form 511 entitled "Telephone System Construction Contract."

REA Form 511 (paragraph 15, page 52, of the Contractor's Proposal) obligates the Bidder, under certain circumstances, to supply additional Assembly Units, up to 15 percent of the quantity of such units specified in the contract, required by the Owner, at the specified unit contract price. It is proposed to change this provision to limit such obligation to an additional 5 percent, instead of 15 percent, of the quantity of such units specified in the contract.

REA Form 511 (sections 1 (d) and (e) of Article III, on pages 59 and 60, of the Construction Agreement) obligates the Owner to pay to the Contractor interest at the rate of 7 percent per annum on unpaid balances due on monthly estimates, and on the final payment, commencing fifteen (15) days after the due date. It is proposed to change such interest rate to a rate which will be 1 percent below the prime rate of the Chase Manhattan Bank, New York, New York, but not to exceed the interest rate allowed by federal or state law, the applicable rate to be determined as of the first date interest becomes due.

It is proposed that these changes will become effective July 1, 1975. On issuance of File With REA Bulletin 383-1, revised sheets ta REA Form 511 will be included to cover these changes. Persons interested in these changes may submit written data, views or comments to the

Director, Telephone Operations and Standards Division, Rural Electrification Administration, Room 1355, South Building, U.S. Department of Agriculture, Washington, D.C. 20250, on or before April 4, 1975. All written submissions made pursuant to this notice will be made available for public inspection at the Office of the Director, Telephone Operations and Standards Division during regular business hours.

A copy of the proposed changes to REA Form 511 may be secured in person or by written request from the Director, Telephone Operations and Standards Division.

Dated: February 27, 1975.

C. R. BALLARD,
Assistant Administrator,
Telephone.

[FR Doc.75-5834 Filed 3-4-75;8:54 am]

COMMERCE DEPARTMENT

National Oceanic and Atmospheric Administration

[50 CFR Part 216]

MARINE MAMMALS

Incidental Taking in the Course of Commercial Fishing Operations

On September 5, 1974, final regulations were published in the FEDERAL REGISTER (39 FR 32117-32124) pertaining to the incidental taking of marine mammals in the course of commercial fishing operations. These regulations authorize the issuance of general permits to allow the taking of mammals incidental to commercial fishing operations and further provide for issuance of certificates of inclusion under the general permits to masters or other persons in charge of vessels engaged in commercial fishing. Certificate holders are required to maintain logbooks of, among other things, the incidental take of marine mammals in such form as prescribed by the Director, National Marine Fisheries Service. In addition, all occurrences resulting in death or injury to marine mammals in the course of commercial fishing operations under the conditions of a general permit are to be recorded in these logs.

At a public hearing on December 10-11, 1974, held to obtain views with respect to possible amendments to the terms and conditions of existing regulations established pursuant to the Marine Mammal Protection Act of 1972 (16 U.S.C. 1361-1407) governing "Encircling gear: yellowfin tuna purse seining" [50 CFR 216.24(d)(2)] requests were made for deletion of the logbook requirement. However, since revision of the logbook requirement was not one of the subject areas announced for consideration at the December 10-11, 1974, hearing, such requests were subsequently denied (40 FR 765) on the basis that a separate rulemaking procedure would be necessary to modify the logbook requirement.

Comments at the hearing supporting the logbook requirement are also on record indicating that the logbooks are intended specifically as a source of valuable data for the purpose of reducing porpoise mortality and serious injury. For this purpose, accurate and comprehensive reporting is essential. It was further indicated that, provided the certificate holders comply with the procedures specified by the final regulations referred to above, during commercial fishing operations, the Act and the regulations promulgated thereunder permit the incidental killing or injuring of porpoises to the extent that it cannot be avoided. The logbook requirement should not be construed as a punitive action but merely a tool to be used in carrying out our responsibilities under the Act.

The National Marine Fisheries Service is currently evaluating all comments received regarding the logbooks during and subsequent to the hearing and reanalyzing the advantages and disadvantages of requiring logbooks. Further comments or proposals with respect to the logbook requirement currently in the regulations are solicited and should be submitted to the Director, National Marine Fisheries Service, Washington, D.C. 20235 by March 28, 1975. Additionally, the Service will evaluate all porpoise mortality information received as the result of all first trips this season by vessels both with and without NMFS observers aboard to reassess the value of the logbook data as a supplement to observer data. Based on the results of this review, either the current logbook requirement will be maintained or proposed rulemaking modifying the requirement will be published for public consideration.

Dated: February 27, 1975.

JACK W. GEHRINGER,
Acting Director,
National Marine Fisheries Service.

[FR Doc.75-5776 Filed 3-4-75;8:45 am]

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

[Airspace Docket No. 74-NW-25]

[14 CFR Part 71]

ALTERATION OF TRANSITION AREA

Proposed Rule Making

The Federal Aviation Administration (FAA) is considering an amendment to Part 71 of the Federal Aviation Regulations that would alter the Newport, Oreg., Transition Area.

Interested persons may participate in the proposed rule making by submitting such written data, views or arguments as they may desire. Communications should identify the airspace docket number and be submitted in triplicate to the Director, Northwest Region, Attention: Chief, Air Traffic Division, Federal Aviation Administration, FAA Building, Boeing Field, Seattle, Wash. 98108. All communications received on or before April 4, 1975, will be considered before action is taken on the proposed amendment. The proposal contained in this notice may be changed in the light of comments received.

An official docket will be available for examination by interested persons at the Federal Aviation Administration, Office of the Chief Counsel, Attention: Rules Docket, 800 Independence Avenue SW., Washington, D.C. 20591. An informal docket also will be available for examination at the office of the Regional Air Traffic Division Chief.

As part of this proposal relates to the navigable airspace outside the United States, this notice is submitted in consonance with the ICAO international standards and recommended practices.

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

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

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

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

The proposed amendment would alter the Newport, Oreg., Transition Area to read as follows:

NEWPORT, OREG.

That airspace extending upward from 700 feet above the surface within a 5-mile radius of Newport Municipal Airport (Lat. 44°34'45'' N., Long. 124°03'24'' W.); within 2 miles each side of the Newport VORTAC 005° radial, extending from the 5-mile radius area to 10 miles N of the VORTAC; within 2 miles each side of the Newport VORTAC 044° radial, extending from the 5-mile radius area to 13 miles NE of the VORTAC; and within 3

miles each side of the Newport VORTAC 341° radial, extending from the 5-mile radius area to 8 miles N of the VORTAC; and that airspace extending upward from 1,200 feet above the surface within lines 5 miles each side of the Newport VORTAC 237° radial including the additional airspace between lines beginning adjacent to the VORTAC and diverging at angles of 5° from the parallel lines, extending from the VORTAC to a line extending through Lat. 44°35'00" N., Long. 124°17'30" W. and Lat. 44°22'00" N., Long. 124°13'25" W.; and that airspace within 5 miles E and 10 miles W of the Newport VOR TAC 341° radial, extending from the VORTAC to 19 miles N.

The (VOR-A) instrument approach procedure is being relocated from the south to the northwest of the Newport VORTAC which will permit reduction of the transition area on the south and require an increase in the transition area on the northwest of the VORTAC to provide controlled airspace for that procedure. The proposed amendment would conform to the requirements of the revised terminal procedures.

(Sec. 307(a) and 1110 of the Federal Aviation Act of 1958 (49 U.S.C. 1348(a) and 1510), Executive Order 10854 (24 FR 9565) and Sec. 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)).)

Issued in Washington, D.C., on February 27, 1975.

F. L. CUNNINGHAM,
Acting Chief, Airspace and Air Traffic Rules Division.

[FR Doc.75-5743 Filed 3-4-75;8:45 am]

[Airspace Docket No. 75-NE-7]

[14 CFR Part 71]

ALTERATION OF VOR FEDERAL AIRWAYS

Notice of Proposed Rule Making

The Federal Aviation Administration (FAA) is considering an amendment to Part 71 of the Federal Aviation Regulations that would:

1. Extend V-39 from Gardner, Mass., to Chester, Mass.
2. Alter V-58 between Ellenville, N.Y., Intersection and Hartford, Conn.
3. Revoke V-146 between Pawling, N.Y., and Putnam, Conn.
4. Revoke the 4-mile segment of V-433 north of V-167.

Interested persons may participate in the proposed rule making by submitting such written data, views or arguments as they may desire. Communications should identify the airspace docket number and be submitted in triplicate to the Director, New England Region, Attention: Chief, Air Traffic Division, Federal Aviation Administration, 12 New England Executive Park, Burlington, Mass. 01803. All communications received on or before April 4, 1975 be considered before action is taken on the proposed amendment. The proposal contained in this notice may be changed in the light of comments received.

An official docket will be available for examination by interested persons at the Federal Aviation Administration, Office of the Chief Counsel, Attention: Rules Docket, 800 Independence Avenue SW., Washington, D.C. 20591. An informal docket also will be available for examination at the office of the Regional Air Traffic Division Chief.

The proposed amendment would:

1. Extend V-39 from Gardner, Mass., to Chester, Mass.
2. Alter V-58 from Ellenville, N.Y., Intersection to Hartford, Conn., via Ellenville Intersection, Kingston, N.Y., Kingston 112°M/100°T and Hartford 281°M/268°T radials to Hartford.
3. Revoke V-146 between Pawling, N.Y., and Putnam, Conn.
4. Revoke that portion of V-433 north of the 281°M/268°T Hartford radial.

The extension of V-39 would provide an alternate route to V-106 when required that would benefit Bradley International Airport arrival and departure traffic and reduce use of off-course radar vectors. Use of the currently aligned V-58 is negligible and its alteration would conform to current Bradley terminal ATC procedures. That portion of V-146 between Pawling and Putnam and the 4-mile segment of V-433 are being proposed for revocation because current usage does not justify their retention.

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

Issued in Washington, D.C., on February 27, 1975.

F. L. CUNNINGHAM,
Acting Chief, Airspace and Air Traffic Rules Division.

[FR Doc.75-5744 Filed 3-4-75;8:45 am]

[Airspace Docket No. 75-AL-1]

[14 CFR Part 71]

DESIGNATION/REDESIGNATION OF AMBER FEDERAL AIRWAYS AND RESCISSION OF REPORTING POINT

Notice of Proposed Rule Making

The Federal Aviation Administration (FAA) is considering an amendment to Part 71 of the Federal Aviation Regulations that would:

1. Designate A-4 from Bettles, NDB to Put River, NDB via the Umiat, NDB.
2. Designate A-6 from Chandalar Lake NDB to Browerville, NDB via the Umiat NDB.
3. Change the floor of A-3 and A-15 to coincide with the floor of the Deadhorse transition area.
4. Rescind Naknek River, RBN reporting point.
5. Designate Umiat NDB, Cold Bay LOM and King Salmon LOM reporting points. All within the State of Alaska.

Interested persons may participate in the proposed rule making by submitting such written data, views or arguments as they may desire. Communications should identify the airspace docket number and be submitted in triplicate to the Director, Alaskan Region, Attention: Chief, Air Traffic Division, Federal Aviation Administration, 632 Sixth Avenue, Anchorage, Alaska 99501. All communications received on or before April 4, 1975, will be considered before action is taken on the proposed amendment. The proposal contained in this notice may be changed in the light of comments received.

An official docket will be available for examination by interested persons at the Federal Aviation Administration, Office of the Chief Counsel, Attention: Rules Docket, 800 Independence Avenue SW., Washington, D.C. 20591. An informal docket also will be available for examination at the office of the Regional Air Traffic Division Chief.

The proposed amendment would:

1. Designate A-4 from Bettles, Alaska NDB, direct to Umiat, Alaska NDB, direct to Put River, Alaska, NDB.
2. Designate A-6 from Chandalar Lake, Alaska NDB, direct to Umiat, Alaska NDB, direct to Browersville, Alaska NDB.
3. Redesignate A-3 from Bettles, Alaska NDB, direct to Put River, Alaska NDB. (without altitude restriction)
4. Redesignate part of A-15 from Chandalar Lake, Alaska NDB, direct to Put River, Alaska NDB. (without altitude restriction)
5. Rescind the Naknek River, Alaska, RBN reporting point.
6. Designate Umiat, Alaska, NDB reporting point.
7. Designate Cold Bay, Alaska, LOM reporting point.
8. Designate King Salmon, Alaska, LOM reporting point.

A nondirectional radio beacon (NDB) is scheduled to be commissioned in March 1975 at Umiat (Lat. 69°22'12" N., Long. 152°08'12"W.). The proposed airways would provide controlled routes for IFR flight operations in an area where oil explorations continue to generate a requirement. By definition, (§ 71.5(2)) A-3 and A-15 airways have a floor coincident with the floor of the Deadhorse transition area. Their redesignation as proposed herein would simply remove the floor stated in their description. The Naknek River RBN is scheduled to be decommissioned and will no longer be available as a reporting point. Reporting points are required at Umiat NDB, Cold Bay LOM and King Salmon LOM to assist in the control of IFR air traffic.

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

Issued in Washington, D.C., on February 27, 1975.

F. L. CUNNINGHAM,
Acting Chief, Airspace and Air Traffic Rules Division

[FR Doc.75-5745 Filed 3-4-75;8:45 am]

[Airspace Docket No. 75-SO-17]

[14 CFR Part 71]

DESIGNATION OF TRANSITION AREA

Proposed Rule Making

The Federal Aviation Administration is considering an amendment to Part 71

of the Federal Aviation Regulations that would designate the Mt. Sterling, Ky., transition area.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Federal Aviation Administration, Southern Region, Air Traffic Division, P.O. Box 20636, Atlanta, Ga. 30320. All communcations received on or before April 4, 1975, will be considered before action is taken on the proposed amendment. No hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Administration officials may be made by contacting the Chief, Airspace and Procedures Branch. Any data, views or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in light of comments received.

The official docket will be available for examination by interested persons at the Federal Aviation Administration, Southern Region, Room 645, 3400 Whipple Street, East Point, Ga.

The Mt. Sterling transition area would be designated as:

That airspace extending upward from 700 feet above the surface within a 5.5-mile radius of Mt. Sterling-Montgomery County Airport (Lat. 38°03'35'' N., Long. 83°58'50'' W.).

The proposed designation is required to provide controlled airspace protection for IFR operations at Mt. Sterling-Montgomery County Airport. A prescribed instrument approach procedure to this airport, utilizing the Lexington VORTAC, is proposed in conjunction with the designation of this transition area. If the proposed designation is deemed acceptable, the airport authorization will be changed from VFR to IFR.

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

Issued in East Point, Ga., on February 20, 1975.

PHILLIP M. SWATEK,
Director, Southern Region.

[FR Doc.75-5746 Filed 3-4-75;8:45 am]

FEDERAL ENERGY ADMINISTRATION

[10 CFR Part 210]

STRIPPER WELL LEASE EXEMPTION

Proposed Rulemaking and Public Hearing

The Federal Energy Administration hereby gives notice of a proposal to revise its regulations implementing the stripper well lease exemption which is provided for by section 4(e)(2)(A) of the Emergency Petroleum Allocation Act of 1973 (Pub. L. 93-159). This amendment is proposed in order to remove a disincentive to increased production from such marginally producing stripper well leases which exists under the current regulation. The present stripper well lease exemption applies in each year following a calendar year in which production from the lease was at or below stripper well level. The proposed revision would provide that the exemption be retained, if production were at or below stripper well levels for calendar year 1974, in all subsequent years, even if production were to increase in calendar year 1975 or thereafter. Rather than effecting the deregulation of any presently price-controlled crude oil, FEA expects the proposed amendment to encourage the production of additional crude oil which producers would not otherwise produce because threatened by the loss of the stripper well lease exemption that would result under present regulations.

Section 210.32(a) of the FEA regulations now exempts from the provisions of Parts 211 (Mandatory Petroleum Allocation Regulations) and 212 (Mandatory Petroleum Price Regulations) the "first sale of domestic crude petroleum and petroleum condensates, including natural gas liquids produced from any stripper well lease * * *." A "stripper well lease" is currently defined in § 210.32(b) as "a 'property' whose average daily production of crude petroleum and petroleum condensates, including natural gas liquids, per well did not exceed 10 barrels per day during the preceding calendar year." The rule thus provides to a property an exemption (of a year's duration) based upon the level of production from that property during the preceding calendar year. Once qualified, however, the property enjoys the exemption for only one calendar year, during which the property must again qualify in order to enjoy the exemption during the succeeding calendar year.

Thus, a producer must compute the average daily production per well during each calendar year to determine whether the particular property will qualify as a stripper well lease during the following calendar year. If for example, a property's average daily production was 12 barrels per well per day during calendar year 1972, 11 barrels per well per day during 1973, 8 barrels per well per day during 1974, and (following the implementation of enhanced recovery techniques in late 1974) 15 barrels per well per day during 1975, the property would qualify (because of its 1974 production) for the stripper well lease exemption in 1975, but would lose the exemption in 1976 and thereafter, until the year following a calendar year during which the average daily production was less than 10 barrels per well per day.

The amendment proposed today would extend the exemption (in the example above, the property would also qualify in 1975 and thereafter) by providing that if a property qualifies as a stripper well lease (by virtue of its average daily production for the calendar year 1974), that property would not lose the exemption if in any succeeding calendar year, it produced crude oil in excess of 10 barrels per well per day.

As the foregoing example illustrates, the exemption in its present form serves as a disincentive to the implementation of secondary recovery methods, particularly since those methods typically involve a decrease in the number of producing wells and therefore a corresponding increase in the average number of barrels of crude oil produced per well. (It should be noted in this regard that Ruling 1974-29 (39 FR 44414, December 24, 1974) makes it clear that injection wells are not wells for the purpose of determining a property's average daily production per well.) This aspect of the definition of the stripper well lease exemption operates not only to discourage secondary recovery methods on a particular property, but also affects in like manner the implementation of unitization agreements intended to facilitate enhanced recovery techniques for a number of properties. The proposed revision, therefore, is intended to eliminate this disincentive and thereby encourage secondary recovery and unitization agreements intended to promote secondary recovery.

Accordingly, the FEA proposes to amend § 210.32 so as to provide that the stripper well lease exemption will apply to a property whose average daily production of crude oil, including condensates, per well did not exceed 10 barrels per day during the calendar year 1974. Other non-substantive changes are proposed to conform the terminology used in § 210.32 to other recently amended definitions.

Public hearings in this proceeding regarding the proposed revision to the stripper well lease exemption will be held beginning at 9:30 a.m. on Thursday, March 21, 1975, at the Federal Building, Room 3000, 12th and Pennsylvania Avenue, NW., Washington, D.C., in order to receive comments from interested persons.

Any person who has an interest in the proposed amendment or who is a representative of a group or class of persons that has an interest in the proposed amendment, may make a written request for an opportunity to make oral presentation. Such a request should be directed to Executive Communications, FEA, Room 3309, Federal Building, 12th and Pennsylvania Avenue, NW., Washington, D.C. 20461, and must be received before 4:30 p.m. e.d.s.t., Thursday, March 13, 1975. Such a request may be hand-delivered to Room 3309, Federal Building, 12th and Pennsylvania Avenue, NW., Washington, D.C., between the hours of 8 a.m. to 4:30 p.m., Monday through Friday. The person making the request should be prepared to describe the interest concerned; if appropriate, to state he is a proper representative of a group or class of persons that has such an interest; and to give a concise summary of the proposed oral presentation and a phone number where he may be contacted through March 19, 1975. Each person selected to be heard will be so notified by the FEA before 4:30 p.m., e.d.s.t., March 17, 1975 and must submit 100 copies of his statement to Executive Communications, FEA, Room 3309, Fed-

eral Building, Washington, D.C. 20461, before 4:30 p.m., e.d.s.t., on March 20, 1975

The FEA reserves the right to select the persons to be heard at these hearings, to schedule their respective presentations and to establish the procedures governing the conduct of the hearings. The length of each presentation may be limited, based on the number of persons requesting to be heard.

An FEA official will be designated to preside at the hearings. These will not be judicial or evidentiary-type hearings. Questions may be asked only by those conducting the hearings and there will be no cross-examination of persons presenting statements. Any decision made by the FEA with respect to the subject matter of the hearings will be based on all information available to the FEA. At the conclusion of all initial oral statements, each person who has made an oral statement will be given the opportunity, if he so desires, to make a rebuttal statement. The rebuttal statements will be given in the order in which the initial statements were made and will be subject to time limitations.

Any interested person may submit questions, to be asked of any person making a statement at the hearings, to Executive Communications, FEA, before 4:30 p.m., e.d.s.t., March 18, 1975. Any person who makes an oral statement and who wishes to ask a question at the hearings may submit the question, in writing, to the presiding officer. The FEA or the presiding officer, if the question is submitted at the hearings, will determine whether the question is relevant, and whether time limitations permit it to be presented for answer.

Any further procedural rules needed for the proper conduct of the hearings will be announced by the presiding officer.

A transcript of the hearings will be made and the entire record of the hearings, including the transcript, will be retained by the FEA and made available for inspection at the Administrator's Reception Area of the FEA, Room 3400, The Federal Building, 12th and Pennsylvania, NW., Washington, D.C., between the hours of 8 a.m. and 4:30 p.m., Monday through Friday. Any person may purchase a copy of the transcript from the reporter.

Interested persons are invited to participate in this rulemaking by submitting data, views, or arguments with respect to the proposed regulations set forth in this notice to Executive Communications, Room 3309, Federal Energy Administration, Box CJ, Washington, D.C. 20461.

Comments should be identified on the outside envelope and on documents submitted to the FEA, Executive Communications, with the designation "Stripper Well Lease Exemption." Fifteen copies should be submitted. All comments received by March 18, 1975 and all relevant information, will be considered by the Federal Energy Administration before final action is taken on the proposed regulations.

Any information or data considered by the person furnishing it to be confidential must be so identified and submitted in writing, one copy only. The FEA reserves the right to determine the confidential status of the information or data and to treat it according to its determination.

As required by section 7(c)(2) of the Federal Energy Administration Act of 1974, Pub. L. 93-275, a copy of this Notice has been submitted to the Administrator of the Environmental Protection Agency for his comments concerning the impact of this proposal on the quality of the environment. The Administrator had no comments to offer in this regard.

(Emergency Petroleum Allocation Act of 1973, Pub. L. 93-159; Federal Energy Administration Act of 1974, Pub. L. 93-275; E.O. 11790 (39 FR 23185)).

In consideration of the foregoing, Part 210 of Chapter II, Title 10 of the Code of Federal Regulations, is proposed to be amended as set forth below.

Issued in Washington, D.C., February 28, 1975.

DAVID G. WILSON,
Acting General Counsel,
Federal Energy Administration.

Section 210.32 is revised to read as follows:

§ 210.32 **Stripper well leases.**

(a) The first sale of crude oil, including condensates, produced from any stripper well lease is exempt from the provisions of Parts 211 and 212 of this title.

(b) *Definitions.* "Average daily production" means the qualified maximum total production of crude oil, including condensates, produced from a property, divided by a number equal to the number of days in the year times the number of wells which produced crude oil, including condensates, from that property in that year. To qualify as maximum total production, each well on the property must have been maintained at the maximum feasible rate of production, in accordance with recognized conservation practices, and not significantly curtailed by reason of mechanical failure or other disruption in production.

"First sale" means the first transfer for value by the producer or royalty owner.

"Property" is the right which arises from a lease in existence in 1972 or from a fee interest to produce crude oil in existence in 1972 and is coextensive with the term "property" used in § 212.72 for purposes of determining "base production control level for crude petroleum."

"Stripper well lease" means a "property" whose average daily production of crude oil, including condensates, per well did not exceed 10 barrels per day during calendar year 1974, or any calendar year thereafter.

[FR Doc.75-5854 Filed 3-4-75;8:45 am]

FEDERAL POWER COMMISSION

[Docket No. RM75-20]

[18 CFR Parts 141 and 260]

NON-UTILITY AFFILIATES

Revisions of Certain Schedule Pages of FPC Annual Report Forms No. 1 and No. 2 To Obtain Additional Information

FEBRUARY 25, 1975.

Pursuant to 5 U.S.C. 553, sections 301, 304, and 309 of the Federal Power Act (49 Stat. 854, 855, 858; (16 U.S.C. 825, 825c, 825h)) and sections 8, 10, and 16 of the Natural Gas Act (52 Stat. 825, 826, 830; (15 U.S.C. 717g, 717i, 717o)), the Commission gives notice it proposes to amend, effective for the reporting year 1974:

A. Certain schedules of FPC Form No. 1,[1] Annual Report for Class A and Class B Electric Utilities, Licensees and Others, prescribed by § 141.1, Chapter I, Title 18, CFR.

B. Certain schedules of FPC Form No. 2,[1] Annual Report for Class A and Class B Natural Gas Companies, prescribed by § 260.1, Chapter I, Title 18, CFR.

The amendments as proposed herein are the result of renewed concern in the impact diversification may have on utilities under the Commission's jurisdiction, the subject of a previous rulemaking proceeding, Docket No. R-423, which was terminated on February 4, 1974 (39 FR 5200, February 11, 1974).

Inquiries emanating both from the Congress and the public on the broad subject of corporate disclosure are markedly increasing. Consequently, the Commission has under consideration a proposed rulemaking, Docket No. RM74-17, Reporting of Security Holders and Voting Power Disclosure and Debt Holders Disclosure, and Docket No. RM75-7, Amendments to Schedule Pages 104 and 105 of Annual Report Forms No. 1 and No. 2 to Extend Reporting of Business Interest and Securities Held by Company Officers and Directors. Because of the increasing number of utilities engaged in diversified operations not subject to regulation, the Commission feels that there is also a need for more extensive information in this specific area. While corporate diversifications have as an objective the strengthening of the combined entities' financial base and profit potential, such control relationships could lead to the dilution of the resources of the regulated activity and thus adversely affect the regulated companies' potential for growth and service. Therefore, the public interest seems to require that the Commission be kept fully informed of such relationships and activities in order to evaluate how the regulated segment is faring within its corporate structure.

Our present reporting requirements are predicated primarily on the single entity corporate reporting concept, which tends to obscure the Commission's

[1] Forms referenced above, contained in appendices A-D filed as part of the original.

view of the actual proprietary and management functions resulting from the aforementioned control relationships; consequently, we believe this hinders the Commission evaluation of the effect of such relationships on the public interest. Additionally, it is believed that present reporting requirements raise questions whether the results of the regulated segment of the entity, as distinct from the unregulated in which the controlling person may be engaged, are being fairly presented and whether the Commission has complete information with respect to the coordination of multiple activities. It is the purpose of the proposed amendments to provide the Commission with more information, where there are more than one tier of subsidiary companies, which would serve as indicators of both the strong and weak areas in the whole corporate structure. This information should also be available to other interested persons for similar determinations and investment purposes.

The proposed amendments to the Commission's Annual Report Form No. 1 would be issued under authority granted the Federal Power Commission by the Federal Power Act, particularly Sections 301, 304, and 309 (49 Stat. 854, 855, 858; (16 U.S.C. 825, 825c, 825h)).

The proposed amendments to the Commission's Annual Report Form No. 2 would be issued under authority granted the Federal Power Commission by the Natural Gas Act, particularly Sections 8, 10, and 16 (52 Stat. 825, 826, 830; (15 U.S.C. 717g, 717i, 717o)).

Any interested person may submit to the Federal Power Commission, Washington, D.C. 20426, to be received no later than April 11, 1975, data, views, comments or suggestions in writing concerning all or part of the proposals herein. Written submittals will be placed in the Commission's public files and will be available for public inspection at the Commission's Office of Public Information, Washington, D.C. 20426, during regular business hours. The Commission will consider all such written submittals before acting on the matters herein proposed. An original and 14 conformed copies should be filed with the Secretary of the Commission. Submittals to the Commission should indicate the name, title, mailing address and telephone number of the person to whom communications concerning the proposal should be addressed, and whether the person filing them requests a conference with the staff of the Federal Power Commission to discuss the proposed revisions. The staff, in its discretion, may grant or deny requests for conference.

(A) Effective for the reporting year 1974, it is proposed to amend General Instructions, page 1, schedule page 203, and add a new schedule page 203–A to FPC Form No. 1, Annual Report for Electric Utilities, Licensees and Others, (Class A and Class B) prescribed by § 11.1, Chapter I, Title 18 of the Code of Federal Regulations, all as set forth in Attachments A, B, and C hereto.

(B) Effective for the reporting year 1974, it is proposed to amend General Instructions, page 1, schedule page 203, and add a new schedule page 203–A (Class A and Class B) prescribed by § 260.1, Chapter I, Title 18 of the Code of Federal Regulations, all as set forth in Attachments A, B, and D hereto.

The Secretary shall cause prompt publication of this notice to be made in the FEDERAL REGISTER.

By direction of the Commission.

KENNETH F. PLUMB,
Secretary.

[FR Doc.75-5655 Filed 3-4-75;8:45 am]

notices

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

DEPARTMENT OF STATE

[CM-5/24]

NORTHWEST ATLANTIC FISHERIES ADVISORY COMMITTEE

Rescheduled Meeting

The Northwest Atlantic Fisheries Advisory Committee will hold a public meeting on March 26, 1975, at 10 am, at the Ramada Inn, 225 William F. McClellan Highway, East Boston, Massachusetts.

The meeting of the Committee originally scheduled for March 13, 1975, as published in the FEDERAL REGISTER of February 25, 1975 (40 FR 8112) has been cancelled.

The purpose of the meeting is to discuss preparations being made for the Annual Meeting of the International Commission for the Northwest Atlantic Fisheries (ICNAF), and to discuss the results of the meeting of the ICNAF enforcement committee which will have taken place the first week in March.

Limited seating is available for public attendance and participation. Inquiries may be directed to Mr. W. G. Gordon, Deputy Director, Northeast Region, National Marine Fisheries Service, Gloucester, Massachusetts, telephone 617/281-0640.

Dated: February 28, 1975.

WILLIAM L. SULLIVAN, Jr.,
Coordinator of Oceans and Fisheries Affairs, Department of State.

[FR Doc.75-5903 Filed 3-4-75;8:45 am]

DEPARTMENT OF THE TREASURY

[T.D. Order No. 150-55 Rescission]

SECRETARY OF THE INTERIOR

Delegation of Functions

By virtue of the authority vested in me as Secretary of the Treasury, Treasury Department Order 150-55, 1961-1 C.B. 860, 26 FR 800 (1961) is hereby revoked.

Dated: February 21, 1975.

[SEAL] WILLIAM E. SIMON,
Secretary of the Treasury.

[FR Doc.75-5816 Filed 3-4-75;8:45 am]

DEPARTMENT OF DEFENSE

Office of the Secretary of Defense

DEFENSE ADVISORY COMMITTEE ON WOMEN IN THE SERVICES

Meeting

Pursuant to Pub. L. 92-463 notice is hereby given that the next meeting of the Defense Advisory Committee on Women in the Services (DACOWITS) will be held April 6-10, 1975 in Washington, D.C.

Composed of 30 civilian women, DACOWITS meets twice each year to provide the Department of Defense with assistance and advice on matters relating to women in the Armed Forces, to interpret to the public the role of and the need for servicewomen and to encourage the acceptance of military service as a career opportunity.

The agenda for this meeting will include discussion on pending legislation, affecting women, pre-commissioning training, recruitment needs, fringe benefits, assignment and promotion. Sessions will be conducted from 8 a.m. to 5 p.m. daily and will be open to the public.

The following rules and regulations will govern the participation by members of the public at this meeting:

(1) All business sessions, to include executive committee sessions, will be open to the public.

(2) Since the Pentagon is closed to the general public, persons desiring to attend the session on April 7, 1975 in the Pentagon must notify the DACOWITS Secretariat (202) OXford 5-5153 by April 2, 1975 so that proper escorts to and from the meeting can be arranged.

(3) Interested persons may submit a written statement and/or make an oral presentation for consideration by the Committee during the meeting.

(4) Persons desiring to make an oral presentation or submit a written statement to the Committee must notify Lieutenant Colonel Martha A. Cox, DACOWITS Executive Secretary, OASD (Manpower and Reserve Affairs), Room 25257, The Pentagon, Washington, D.C. 20301 by March 20, 1975.

(5) Length and number of oral presentations to be made will depend on the number of requests received.

(6) Oral presentations will be permitted only from 4:00 p.m. to 5:00 p.m. on April 7, 1975 before the full Committee.

(7) Each person desiring to make an oral presentation or submit a written statement must provide the DACOWITS Secretariat with 30 copies of the presentation/statement by April 3, 1975.

(8) Persons submitting a written statement only for inclusion in the minutes of the meeting must submit one (1) copy either before or during the meeting or within ten (10) days after the close of the meeting.

(9) Members of the public will not be permitted to enter into the oral discussion conducted by the Committee members at any of the sessions; however, they will be permitted to reply to questions directed to them by members of the Committee.

(10) Members of the public will be permitted to orally question the scheduled speakers if time allows after the official participants have asked questions and/or made comments.

(11) Questions from the public will not be accepted during the new member orientation, subcommittee sessions, the executive committee sessions or the final general session on April 10, 1975.

(12) Members of the public will not be permitted to question the Committee members during any session.

Additional information regarding the Committee and/or this meeting may be obtained by contacting LtCol Martha A. Cox, DACOWITS Executive Secretary, OASD(M&RA), The Pentagon, Washington, D.C. 20301, telephone (202) OXford 5-5153.

Dated: February 28, 1975.

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

[FR Doc.75-5778 Filed 3-4-75;8:45 am]

DEFENSE SCIENCE BOARD TASK FORCE ON GUN SYSTEM ACQUISITION

Advisory Committee Meeting

The Defense Science Board Task Force on Gun System Acquisition will meet in closed session 21 March 1975 at the Pentagon, Arlington, Virginia.

The mission of the Defense Science Board is to advise the Secretary of Defense and the Director of Defense Research and Engineering on overall research and engineering and to provide long range guidance in these areas to the Department of Defense.

The responsibility of the Task Force is to provide an independent review and assessment of the military/industrial capability to design, develop, manufacture, and field reliable gun systems and to identify the strengths and weaknesses in our current way of acquiring gun systems for the Services.

At this meeting, the Task Force will review gun development programs; will receive briefings on U.S. gun production capability and will review and discuss other pertinent and related subjects as may come before the group.

In accordance with Pub. L. 92-463, section 10, paragraph (d), it has been determined that Defense Science Board meetings concern matters listed in section 52(b) of Title 5 of the United States Code, particularly subparagraph (1)

thereof, and that the public interest requires such meetings to be closed insofar as the requirements of subsections (a)(1) and (a)(3) of section 10, Pub. L. 92-463 are concerned.

Dated: February 28, 1975.

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

[FR Doc.75-5779 Filed 3-4-75;8:45 am]

DEFENSE SCIENCE BOARD TASK FORCE ON GUN SYSTEM ACQUISITION

Advisory Committee Meeting

The Defense Science Board Task Force on Gun System Acquisition will meet in closed session 2 and 3 April 1975 at the Pentagon, Arlington, Virginia.

The mission of the Defense Science Board is to advise the Secretary of Defense and the Director of Defense Research and Engineering on overall research and engineering and to provide long range guidance in these areas to the Department of Defense.

The responsibility of the Task Force is to provide an independent review and assessment of the military/industrial capability to design, develop, manufacture, and field reliable gun systems and to identify the strengths and weaknesses in our current way of acquiring gun systems for the Services.

At this meeting, the Task Force will review gun development programs; will receive briefings on U.S. gun production capability and will review and discuss other pertinent and related subjects as may come before the group.

In accordance with Pub L. 92-463, section 10, paragraph (d), it has been determined that Defense Science Board meetings concern matters listed in section 552(b) of Title 5 of the United States Code, particularly subparagraph (1) thereof, and that the public interest requires such meetings to be closed insofar as the requirements of subsections (a)(1) and (a)(3) of section 10, Pub. L. 92-463 are concerned.

Dated: February 28, 1975.

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

[FR Doc.75-5781 Filed 3-4-75;8:45 am]

DEFENSE SCIENCE BOARD TASK FORCE ON GUN SYSTEM ACQUISITION

Advisory Committee Meeting

The Defense Science Board Task Force on Gun System Acquisition will meet in closed session 14 through 18 April 1975 at the Pentagon, Arlington, Virginia.

The mission of the Defense Science Board is to advise the Secretary of Defense and the Director of Defense Research and Engineering on overall research and engineering and to provide long range guidance in these areas to the Department of Defense.

The responsibility of the Task Force is to provide an independent review and assessment of the military/industrial capability to design, develop, manufacture, and field reliable gun systems and to identify the strengths and weaknesses in our current way of acquiring gun systems for the Services.

At this meeting, the Task Force will synthesize and assess data and prepare first drafts of the report.

In accordance with Pub. L. 92-463, section 10, paragraph (d), it has been determined that Defense Science Board meetings concern matters listed in section 552(b) of Title 5 of the United States Code, particularly subparagraph (1) thereof, and that the public interest requires such meetings to be closed insofar as the requirements of subsections (a)(1) and (a)(3) of section 10, Pub. L. 92-463 are concerned.

Dated: February 28, 1975.

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

[FR Doc.75-5780 Filed 3-4-75;8:45 am]

DEPARTMENT OF JUSTICE

UNITED STATE V. NORRIS INDUSTRIES

Proposed Consent Judgment and Competitive Impact Statement

Correction

In FR Doc. 75-4761 appearing at page 7689 in the FEDERAL REGISTER of Friday, February 21, 1975, make the following correction:

In the middle column, the 26th line from the top should read: "tion or the Court gives its consent to the".

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[NM 24545]

NEW MEXICO

Application

FEBRUARY 25, 1975.

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), Natural Gas Pipeline Company has applied for a .01 acre meter site and a 4 inch natural gas pipeline right-of-way across the following lands:

NEW MEXICO PRINCIPAL MERIDIAN, NEW MEXICO

T. 23 S., R. 30 E.,
Sec. 21, SW¼NE¼.

This pipeline will convey natural gas across .124 mile of national resource lands 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, PO Box 1397, 1717 West Second Street, Roswell, NM 88201.

RAUL E. MARTINEZ,
Acting Chief, Branch of Lands and Minerals Operations.

[FR Doc.75-5800 Filed 3-4-75;8:45 am]

[NM 24605]

NEW MEXICO

Application

FEBRUARY 24, 1975.

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 4½ inch natural gas pipeline right-of-way across the following lands:

NEW MEXICO PRINCIPAL MERIDIAN, NEW MEXICO

T. 29 N., R. 8 W.,
Sec. 3, W½SE¼.

This pipeline will convery natural gas across .168 mile of national resource lands in San Juan 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, 3550 Pan American Freeway, NE, Albuquerque, NM 87107.

RAUL E. MARTINEZ,
Acting Chief, Branch of Lands and Minerals Operations.

[FR Doc.75-5801 Filed 3-4-75;8:45 am]

[NM 24527]

NEW MEXICO

Application

FEBRUARY 25, 1975.

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 two 4½ inch natural gas pipelines rights-of-way across the following lands:

NEW MEXICO PRINCIPAL MERIDIAN, NEW MEXICO

T. 20 S., R. 29 E.
Sec. 15, S½NW¼;
Sec. 16, SE¼NE¼ and N½SE¼.

These pipelines will convey natural gas across .978 mile of national resource lands 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, 1717 West Second Street, Roswell, NM 88201.

RAUL E. MARTINEZ,
Acting Chief, Branch of Lands and Minerals Operations.

[FR Doc.75-5802 Filed 3-5-75;8:45 am]

Bureau of Reclamation

SAN FELIPE DIVISION, CENTRAL VALLEY PROJECT, CALIFORNIA

Public Hearing on Draft Environmental Statements

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 authorized San Felipe Division of the Central Valley Project in Merced, Santa Clara, and San Benito Counties in California. The statement (INT DES 75-7) was transmitted to the Council on Environmental Quality and made available to the public on February 19, 1975.

The draft environmental statement deals with the construction and operation of the San Felipe Division facilities to provide about 200,000 acre-feet of supplemental municipal, industrial, and irrigation water to parts of Santa Clara and San Benito Counties, California. The division facilities will import water from the Central Valley through a tunnel and distribute it through a system of open and closed conduits and relift pumping plants.

Three public hearings have been scheduled to receive views and comments from interested individuals and organizations concerning the draft environmental statement. The locations, dates, and times for the hearings are as follows:

1. In San Jose, California, at the San Jose Civic Auditorium, 145 West San Carlos Street, in McCabe Hall, on April 9, 1975, at 7:30 p.m.
2. In Hollister, California, at the San Benito County Joint Union High School at Monterey and Nash Roads on April 10, 1975, at 1:30 p.m.
3. In Gilroy, California, in the Cafetorium of the Gilroy High School on I.O.O.F. Avenue on April 10, 1975, at 7:30 p.m.

Each hearing will continue until all persons desiring to comment have been heard. Individuals and representatives of organizations desiring to present their views at the hearings should contact the Regional Environmental Quality Officer, Bureau of Reclamation, 2800 Cottage Way, Sacramento, California 95825, telephone (916) 484-4792. Requests for scheduling of oral presentations will be accepted until 4 p.m., April 4, 1975, and any subsequent requests will be handled on a first-come-first-served basis following the scheduled presentation. Insofar as practicable, speakers will be scheduled according to the time preferences indicated in their letter or telephone requests, 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.

The time permitted for oral presentations at the hearings may be limited to 10 minutes per speaker, depending on the number of presentations scheduled. Speakers will not be permitted to trade or consolidate their scheduled times to make longer individual presentations. However, the person presiding at the hearing may allow additional oral comments by anyone after all scheduled speakers have been heard. Written statements by persons who desire to supplement their oral presentations and by those unable to attend the public hearing may be submitted to the Regional Environmental Quality Officer (address given above) through April 17, 1975, for inclusion in the hearing record.

Copies of the draft environmental statement are available for public examination at the Mid-Pacific regional office of the Bureau of Reclamation, 2800 Cottage Way, Sacramento, California 95825. Single copies of the statement may be obtained without charge by writing to the Regional Director, Bureau of Reclamation, at the address given above for the Mid-Pacific regional office.

Dated: February 27, 1975.

G. G. STAMM,
Commissioner of Reclamation.

[FR Doc.75-5730 Filed 3-4-75;8:45 am]

Geological Survey

LITTLE HORSE MOUNTAIN, CALIF.

Known Geothermal Resources Area

Pursuant to the authority vested in the Secretary of the Interior by sec. 21 (a) of the Geothermal Steam Act of 1970 (84 Stat. 1566, 1572; (30 U.S.C. 1020)), the delegations of authority in 220 Departmental Manual 4.1 H, Geological Survey Manual 220.2.3, and Conservation Division Supplement (Geological Survey Manual) 220.2.1 G, the following described lands are hereby defined as the Little Horse Mountain known geothermal resources area, effective February 1, 1974.

(5) CALIFORNIA

LITTLE HORSE MOUNTAIN KNOWN GEOTHERMAL RESOURCES AREA, MT. DIABLO MERIDIAN, CALIFORNIA

T. 16 N., R. 8 W.,
Sec. 6: All.
T. 16 N., R. 9 W.,
Sec. 1: Lots 1, 2, 3, 4, S½N½, N½S½, S½SW¼.

The area described aggregates 1,196 acres, more or less.

Dated: February 3, 1975.

HILLARY A. ODEN,
Acting Conservation Manager, Western Region.

[FR Doc.75-5812 Filed 3-4-75;8:45 am]

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

SHIPPERS ADVISORY COMMITTEE

Handling of Oranges, Grapefruit, Tangerines, and Tangelos Grown in Florida; Public Meeting

Pursuant to the provisions of section 10(a)(2) of the Federal Advisory Committee Act (86 Stat. 770), notice is hereby given of a meeting of the Shippers Advisory Committee established under Marketing Order No. 905 (7 CFR Part 905). This order regulates the handling of oranges, grapefruit, tangerines, and tangelos grown in Florida and is effective pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674). The committee will meet in the A. B. Michael Auditorium of the Florida Citrus Mutual Building, 302 South Massachusetts Avenue, Lakeland, Florida, at 10:30 a.m., on March 25, 1975.

The meeting will be open to the public and a brief period will be set aside for public comments and questions. The agenda of the committee includes analysis of current information concerning market supply and demand factors, and consideration of recommendations for regulation of shipments of the named fruits.

The names of committee members, agenda, and other information pertaining to the meeting may be obtained from Frank D. Trovillion, Manager, Growers Administrative Committee, P.O. Box R, Lakeland, Florida 33802; telephone 813-682-3103.

Dated: February 27, 1975.

JOHN C. BLUM,
Associate Administrator.

[FR Doc.75-5784 Filed 3-4-75;8:45 am]

Animal and Plant Health Inspection Service

ANIMAL WELFARE

List of Registered Research Facilities

Pursuant to the provisions of the Act of August 24, 1966, as amended by the Animal Welfare Act of 1970 (7 U.S.C. 2131 et seq.), and the regulations thereunder (9 CFR Part 2), notice is hereby given that the following research facilities are registered under said Act:

ALASKA

University of Alaska, College 99701.

ALABAMA

Auburn University, Auburn 36830.
Southern Research Institute, 2000 Ninth Avenue South, Birmingham 32505.
Tuskegee Institute, Tuskegee Institute 36088.
University of Alabama Medical Center, 1919 Seventh Avenue South, Birmingham 35233.

ARIZONA

Arizona Heart Institute, 350 West Thomas Road, Phoenix 85113.
Arizona State University, Animal Resource Center, Room 236, Tempe 85381.
Good Samaritan Hospital, 1033 East McDowell Road, Phoenix 95002.

Northern Arizona University, Flagstaff 86001.
St. Joseph's Hospital and Medical Center, 350 W. Thomas Road, Phoenix 85113.
University of Arizona, Tucson 85721.

ARKANSAS

Animal Behavior Enterprises, Inc., Route 6, Box 368, Hot Springs 71901.
University of Arkansas, Fayetteville 72701.

CALIFORNIA

Adams Caviary, 3846 N. Charlotte Ave., San Gabriel 91776.
Aerojet Medical & Biological Systems, 9200 East Flair Drive, El Monte 91734.
Alchem Laboratories, Inc., 13478 Beach Ave., Marina Del Rey 90291.
Allergan Pharmaceuticals, 2525 Dupont Drive, Irvine 92664.
Alpha Gamma Labs, 160 E. Montacito Avenue, Sierra Madre 91024.
Alza Corporation, 950 Page Mill Road, Palo Alto 94304.
Applied Biological Sciences Laboratory, Inc., 6320 San Fernando Road, Glendale 91201.
Attending Staff Association, Los Angeles County Harbor General Hospital, 1000 West Carson Street, Torrance 90509.
Barlow Hospital, 2000 Stadium Way, Los Angeles 90026.
Barnes-Hind Pharmacy, Inc., 895 Kifer Road, Sunnyvale 94086.
Beckman Instruments, Inc., Diagnostics Operations, 2041 E. Lambert Road, La Habra 90631.
Bentley Laboratories, Inc., 17502 Armstrong Ave., Irvine 92705.
Bio-Science Laboratories, 7600 Tyrone Avenue, Van Nuys 91405.
Bio-Technics Laboratories, Inc., 1133 Crenshaw Blvd., Los Angeles 90019.
Biological Sonar Laboratory, 8100 Patterson Ranch Road, Fremont 94536.
Bruce Lyon Memorial Research Laboratory, 51st and Grove Streets, Oakland 94609.
Bureau of Public Health Laboratories, Los Angeles 90012.
California Institute of Technology, 1201 East California Boulevard, Pasadena 91109.
California State Colleges, Office of the Chancellor, 5670 Wilshire Boulevard, Los Angeles 90036.
Cedars-Sinai Medical Research Institute, 8720 Beverly Boulevard, Los Angeles 90048.
Children's Hospital of Los Angeles, 4650 Sunset Boulevard, Los Anegles 90027.
Children's Hospital of San Francisco, Experimental Surgical Laboratory, P.O. Box 3805, San Francisco 94119.
City of Hope Medical Center, 1500 East Duarte Road, Duarte 91010.
C L M G, Inc., Los Angeles 90057.
Consumnes River College, 8401 Center Parkway, Sacramento 95823.
Cutter Laboratories, Inc., Fourth and Parker Streets, Berkeley 94710.
Diagnostic Date, Inc., Mountain View 94043.
Doheny Eye Foundation, Estelle, 272 S. Lake Street, Los Angeles 90057.
Charles R. Drew Post-Graduate Medical School, 1621 E. 120th Street, Los Angeles 90059.
Emery Cancer Research Fund, Los Angeles 90057.
Endocrine Sciences, 18418 Oxnard Street, Tarzana 91356.
Ershoff, Benjamin, Ph.D., 9331 Venice Boulevard, Culver City 90230.
The Hine Laboratories, Inc., 1099 Folsom Street, San Francisco 94103.
Hollywood Presbyterian Hospital, 1322 North Vermont Avenue, Los Angeles 90027.
Huntington Institute of Applied Medical Research, 734 Fairmount Avenue, Pasadena 91105.
Hyland Division of Travenol Laboratories, 4501 Colorado Boulevard, Los Angeles 90039.
ICN-Nucleic Acid Research Institute, 2727 Campus Drive, Irvine 92664.
Institute of Chemical Biology, University of San Francisco 94117.
Institute of Medical Sciences, 2361 Clay Street, San Francisco 94115.
Institute for Medical Research of Santa Clara County, 751 South Bascom Avenue, San Jose 95128.
International Medication Systems, Ltd., 1886 Santa Anita Avenue, South El Monte 91733.
Inter Science Institute, Los Angeles 90025.
Kearley, D.V.M., Edward O., Turlock 95380.
Lee Pharmaceuticals, 1444 Santa Anita Ave., South El Monte 91733.
Loma Linda University, Loma Linda 92354.
Los Angeles Pierce College, 6201 Winnetka Boulevard, Woodland Hills 96413.
Loyola University, 7101 W. 80th Street, Los Angeles 90045.
McGaw Laboratories, 1015 Grandview Avenue, Glendale 91201.
Medi-Physics, Inc., 5855 Christie Avenue, Emeryville 94608.
Memorial Hospital of Long Beach, 2801 Atlantic Avenue, Long Beach 90806.
Mercy San Juan Hospital, 6501 Coyle Avenue, Carmichael 95608.
MGD Laboratories, 2795-A Delmonte Street, W. Sacramento 95691.
Mount Zion Hospital and Medical Center, 1600 Divisadero Street, San Francisco 94115.
Murphy, Howard F., Carlsbad 92008.
National Institute of Scientific Research, 12330 Santa Monica Boulevard, Newport Beach 92660.
Nelson Research and Development Company, 19722 Jamboree Boulevard, Irvine 92664.
Newport Pharmaceuticals International, Inc., 1590 Monrovia Boulevard, Newport Beach 92660.
Nichold Institute for Endocrinology, 1300 South Beacon Street, San Pedro 90731.
Nutrilite Products, Inc., 19600 Sixth Street, Lakeview 92353.
Occidental College, Los Angeles 90041.
Olive View Hospital, 14445 Olive View Drive, Sylmar 91342.
Orange County Medical Center, Attending Staff, 101 Manchester Avenue, Orange 91106.
Pasadena City College, Pasadena 91106.
Pasadena Foundation for Medical Research, 99 North El Molino Avenue, Pasadena 91101.
Pasadena Hospital Association, Ltd., 734 Fairmount Avenue, Pasadena 91105.
Pharmaseal Laboratories, 4401 Foxdale Avenue, Irwindale 91706.
Pomona College, Claremont, 91711.
Rancho Los Amigos Hospital, Inc., 7413 Golondrinas Street, Downey 90242.
Radioassay Systems Laboratories, Inc., 1511 E. Del Amo Blvd., Carson 90746.
Rancho Santiage Community College, Santa Ana 92706.
Redken Laboratories, Inc., 14721 Califa Street, Van Nuys 91401.
Salk Institute for Biological Studies, P.O. Box 1809, San Diego 92104.
San Bernardino Valley College, San Bernardino 92403.
San Diego Bio-Medical Research Institute, 3585 Fourth Avenue, San Diego 92104.
Sansum Clinic Research Foundation, 2219 Bath Street, Santa Barbara 93102.
Scripps Clinic and Research Foundation, 476 Prospect Street, La Jolla 92037.
Shell Development Co., P.O. Box 4248 Modesto 95352.
Sonoma State Hospital, Eldridge 95431.
St. Joseph's Hospital, 355 Buena Vista Avenue East, San Francisco 94117.
St. Jude Hospital and Rehabitation Center, 101 East Valencia Mesa Drive, Fullerton 92632.
St. Mary's Hospital and Medical Center, 220 Hayes Street, San Francisco 94117.
Standard Oil Company of California, 576 Standard Avenue, Room 5201, Richmond 94802.
Stanford Research Institute, 333 Ravenswood Avenue, Menlo Park 94025.
Stanford University, School of Medicine, Stanford Medical Center L003D, Stanford 94305.
Star-Kist Foods, Inc., 920 Barracuda Street, Terminal Island 90731.
State of California Department of Public Health, 2151 Berkeley Way, Berkeley 94704.
Sutter Community Hospitals of Sacramento, 2820 L. Street, Sacramento 95816.
Syntex Corporation, Research Division, 3401 Hillview Avenue, Palo Alto 94304.
Syva Company, 2349 Charleston Road, Mountain View 94040.
Tera Pharmaceuticals, Inc., 6920 Stanton Avenue, Buena Park 90621.
University of Southern California, University Park, Los Angeles 90007.
University of the Pacific, Pacific Avenue and Stadium Drive, Stockton 95204.
Valley Childrens Hospital and Guidance Clinic, 3151 North Millbrook, Fresno 93703.
Vita Minerals, Inc., 1815 Flower Street, Glendale 91201.
White Memorial Medical Center, 1720 Brooklyn Avenue, Los Angeles 90033.
Whittier College, Department of Biology, Whittier 90608.
Yuba College, Linda and Beale Roads, Marysville 95901.

COLORADO

Arapahoe Community College, 5900 South Santa Fe Drive, Littleton 80120
Bel Rae Institute, 9870 East Alameda Avenue, Denver 80231.
Children's Asthma Research Institute and Hospital, 3401 West 19th Avenue, Denver 80204.
Cobe Laboratories, Inc., 1201 Oak Street, Lakewood 80215.
The Colorado College, Colorado Springs 80903.
Colorado Mountain College, Glenwood Springs 81601.
Colorado Serum Co., 4950 York Street, Denver 80216.
Colorado Statet University, Fort Collins 80521.
Community College of Denver, Auraria Campus, 1201 Acoma, Denver 80204.
Community College of Denver, Red Rocks Campus, 1209 Quail Street, Lakewood 80215.
Community College of Denver, 1001 East 62nd Avenue, Denver 80216.
Department of Health and Hospitals, West 8th Avenue and Cherokee Street, Denver 80204.
Fort Lewis College, Biology Department, Durango 81301.
Meridian Bio-Medical, Inc., 3278 South Wadsworth, Denver 80227.
Otero Junior College, 18th and Colorado Avenue, La Junta 81050.
Penrose Hospital, 2215 North Cascade Avenue, Colorado Springs 80903.
Regis College, West 50th and Lowell Boulevard, Denver 80221.
Saint Joseph Hospital, 1835 Franklin Street, Denver 80218.
University of Colorado, Boulder 80302.
University of Northern Colorado, Greeley 80631.
Western State College of Colorado, Gunnison 81230.

CONNECTICUT

Bio-Medical Research, Incorporated, 858 Oakwood Road, Orange 06477.
Center for Laboratory Animal Care, Farmington 06032.

Connecticut State Department of Health, P.O. Box 1689, Hartford 06101.
Fairfield University, Fairfield 06430.
Hartford Hospital, 80 Seymour Street, Hartford 06115.
The Hospital of St. Raphael, 1450 Chapel Street, New Haven 06511.
The John B. Pierce Foundation of Connecticut, Inc., 290 Congress Avenue, New Haven 06519.
New England Institute, 90 Grove Street, Ridgefield 06877.
The Norwalk Museum and Zoo, 133 Lexington Avenue, Norwalk 06854.
Quinnipiac College, 555 New Road, Hamden 06518.
Saint Francis Hospital, 114 Woodland Street, Hartford 06105.
Saint Mary's Hospital Surgical Laboratory, 56 Franklin Street, Waterbury 06702.
The University of Connecticut, Storrs 06268.
University of Hartford, 200 Bloomfield Avenue, West Hartford 06117.
Yale University, School of Medicine, 333 Cedar Street, New Haven 06510.

DELAWARE

Alfred I. DuPont Institute, Rockland Road, Wilmington 19899.
Atlas Chemical Industries, Inc., Concord Pike and New Murphy Road, Wilmington 19899.
DuPont Experimental Station Building 328, Room B-33, Wilmington 19898.
Haskell Laboratory for Toxicology and Industrial Medicine, Elkton Road, Newark 19711.
Hercules, Inc., Hercules Agricultural Chemicals Laboratory, Wilmington 19899.
Sterwin Laboratories, Inc., Dupont Highway, Millsboro 19966.
Stine Laboratory, E. I. Du Pont De Nemours and Co., Inc., P.O. Box 30, Newark 19711.
University of Delaware, Newark 19711.
Wilmington Medical Center, Inc., 14th and Washington Streets, Wilmington 19899.

DISTRICT OF COLUMBIA

The American University, Massachusetts and Nebraska Avenues, NW. 20016.
Children's Hospital of the District of Columbia, 2125 13th Street, NW., Washington 20009.
Georgetown University, Animal Care Facility, 3900 Reservoir Road, NW., Washington 20007.
The George Washington University, Washington 20006.
James F. Mitchell Foundation for Medical Education & Research, 5401 Western Ave., NW., Washington 20015.
National Canners Association, 1133 20th Street, NW., Washington 20036
Washington Hospital Center, George Hyman Memorial Research Building, 110 Irving Street, NW., Washington 20010.

FLORIDA

Cape Laboratories Corporation, Box 31, Venice 33595.
Dawson Research Corporation, 114 West Grant Avenue, Orlando 32806.
Eckerd College, St. Petersburg 33733.
Dr. G. T. Edds, Institute of Food and Agriculture Sciences, Gainesville 32601.
Entomological Research Center, P.O. Box 520, Vero Beach 32960.
Florida A & M University, Tallahassee 32307.
Florida Institute of Technology, Box 1150, Country Club Road, Melbourne 32901.
Florida Technological University, P.O. Box 2500, Alafaya Trail, Orlando 32816.
Laboratory Animal Resources, Tallahassee 32306.
J. Hillis Miller Health Center and College of Medicine, Gainesville 32601.
Miami Heart Institute, Adams Research Building, 4701 N. Meridian Avenue, Miami Beach 33140.
Mount Sinai Hospital, 4300 Alton Road, Miami Beach 33140.
University of Southern Florida, Medical Center, 4202 Fowler Avenue, Tampa 33620.
University of Florida, Office of the President, Gainesville 32601.
University of Southern Florida, Science Center, 801 First Street, South St. Petersburg 33733.
University of Miami, Coral Gables 33124.
Sherwood Medical Industries, Inc., P.O. Box 2078, Deland 32720.

GEORGIA

Emory University, School of Medicine, Atlanta 30322.
Maag and Easterbrooks, Inc., 1805 Tapawingo Drive, Gainesville 30501.
Medical College of Georgia, Augusta 30902.
Mercer University, Southern School of Pharmacy, 223 Walton Street, N.W., Atlanta 30303.
Palmer Chemical and Equipment Company, Inc., Palmer Village, P.O. Box 867, Douglasville 30134.
St. Joseph's Infirmary, 265 Ivy Street, N.E., Atlanta 30303.
University of Georgia, Athens 30601.

HAWAII

Kuakini Hospital and Home, 347 North Kuakini Street, Honolulu 96817.
Kuakini Medical Research Institute, 347 North Kuakini Street, Honolulu 96817.
Pacific Biomedical Research Center, University of Hawaii, Honolulu 96813.
The Queen's Medical Center, P.O. Box 861, Honolulu 96808.
Research Corporation of the University of Hawaii, 1110 University Avenue, Honolulu 96814.
St. Francis Hospital Research Laboratories, 2260 Liliha Street, Honolulu 96817.

IDAHO

Idaho State University, Pocatello 83201.
University of Idaho, Moscow 83843.

ILLINOIS

Abbott Laboratories, 1400 Sheridan Road, North Chicago 60064.
American Dental Association, 211 East Chicago Avenue, Chicago 60611.
Argonne National Laboratory, 9700 South Cass Avenue, Argonne 60439.
Armour Pharmaceutical Company, P.O. Box 511 Kankakee 60901.
Arnar-Stone Laboratories, Inc., 601 East Kensington Road, Mount Prospect 60056.
Biolabs, Inc., 2910 MacArthur Blvd., Northbrook 60062.
Blackburn College, Carlinville 62626.
Boebel, Dr. P. W., Sleepy Hollow Kennel and Cattery, Route 2, Box 73, Mundelein 60060.
Bradley University, Peoria 61606.
Chicago Board of Health, Chicago Civic Center, Chicago 60602.
Chicago College of Osteopathy, 1122 East 53rd Street, Chicago 60615.
Chicago Institute for Animal Research, P.O. Box 519, Morton Grove 60053.
The Chicago Medical School, 710 South Wolcott Avenue, Chicago 60612.
Children's Memorial Hospital, 2300 Children's Plaza, Chicago 60614.
College of DuPage, 22 Lamburt Road, Glen Ellyn 60137.
Cook County Graduate School of Medicine, 707 South Wood Street, Chicago 60612.
Department of Mental Health, 160 North LaSalle Street, Chicago 60601.
DePaul University, Dept. of Biological Sciences, 1036 W. Belden Avenue, Chicago 60614.
Dyrkacz, Stanley, dba Herpetology Research Laboratory, 5215 W. Rt. 120 McHenry 60050.
Edgewater Hospital, Research Laboratory, 5700 North Ashland, Chicago 60626.
Elmhurst College, Elmhurst 60126.
Eureka College, 300 East College, Eureka 61530.
Evanston Hospital, Research Laboratories, 2650 Ridge Avenue, Evanston 60201.
Galesburg State Research Hospital, Galesburg 61401.
G. D. Searle and Company, Box 5110, Chicago 60680.
General Foods Corporation, c/o Gaines Research Kennels, R.R. 3, St. Anne 60964.
George Williams College, 555 31st Street, Downers Grove 60515.
John A. Hartford Foundation, Lutheran General Hospital, Hyperbaric Oxygen Unit, 1775 Dempster, Park Ridge 60068.
Hektoen Institute for Medical Research of the Cook County Hospital 627 South Wood Street, Chicago 60612.
Illinois Benedictine College, Lisle 60532.
Illinois Department of Public Health, 535 West Jefferson Street, Springfield 62706.
Illinois Institute of Technology, 3300 South Federal Street, Chicago 60616.
Illinois State University, Normal 61761.
Illinois Wesleyan University, Bloomington 61701.
Industrial Bio-Test Laboratories, Inc., 1810 Frontage Road, Northbrook 60062.
International Scientific Industries, Inc., P.O. Box 9, Cary 60013.
ITT Research Institute, 10 West 35th Street, Chicago 60616.
Kendall Research Center, 411 Lake Zurich Road, Barrington 60010.
Kraftco Research Farm, Box 143, Danville 61832.
Lake-Erickson Lab, Inc., 112 North Tenth Avenue, Melrose Park 60160.
La Rabida University of Chicago Institute, East 65th Street at Lake Michigan, Chicago 60649.
Lake Forest College, Lake Forest 60045.
Lincoln Land Community College, 3865 South Sixth Street, Springfield 62703.
Loyola University, Stritch School of Medicine, 1400 South First Avenue, Hines 60141.
Medi-Physics, Inc., 9820 Bryn Mawr, Rosemont 60018.
The Memorial Hospital, 4501 North Park Drive, Belleville 62221.
Memorial Hospital, First and Miller Streets, Springfield 62701.
Mercy Hospital and Medical Center, Dept. of Research, Stevenson Expressway at King Drive, Chicago 60616.
Mount Sinai Hospital Medical Center, California Avenue at 15th Street, Chicago 60608.
Nelson M. Percy Medical Research Foundation, Augustana Hospital, 411 West Dickens, Chicago 60614.
Northeastern Illinois University, Bryn Mawr at St. Louis, Chicago 60625.
Northern Illinois University, De Kalb 60115.
Northwestern University, Administration Building, Room 115, 619 Clark Street, Evanston 60201.
Peoria Municipal TB Sanitarium, P.O. Box 60, Peoria 61601.
Presbyterian-St. Luke's Hospital, Animal Research Facility, 1753 West Congress Parkway, Chicago 60612.
Quaker Oats Company, 617 W. Main Street, Barrington 60010.
Quincy College, Quincy 62301.
Rosner-Hixson Laboratories, Division of Artnell Company, Inc., 7737 South Chicago Avenue, Chicago 60612.

Saint Francis Hospital, 530 NE. Glen Oak Avenue, Peoria 61603.
Saint Francis Hospital, Surgical Research Department, 355 Ridge Avenue, Evanston 60202.
Saint James Hospital, Clinical Laboratories, 1423 Chicago Road, Chicago Heights 60411.
Saint John's Hospital Research Laboratories, 1111 North Lincoln Street, Springfield 62707.
Sangamon State University, Springfield 62703.
Sherman Hospital, 934 Center Street, Elgin 60120.
Smith-Douglass Division, Borden Chemical, Borden, Inc., Animal Care Facilities, NRL, R.R. No. 1, Elgin 60120.
Southern Illinois University, Carbondale 62901.
Southern Illinois University, Edwardsville 62025.
A. E. Staley Manufacturing Co., P.O. Box 151, Decatur 62525.
The Suburban Cook County TB Sanitarium District, 55th and County Line Road, Hinsdale 60521.
Thompson Research Foundation, Route 1, Box 97, Monee 60499.
Timberwood Game Research Center, Route 1, Kankakee 60901.
Travenol Laboratories, Inc., 6301 Lincoln Avenue, Morton Grove 60053.
The University of Chicago, 950 East 59th Street, Chicago 60637.
The University of Illinois at Chicago Circle, 2833 University Hall, Chicago 60680.
University of Illinois at the Medical Center, 833 South Wood Street, Chicago 60612.
University of Illinois at Urbana-Champaign, Urbana 61801.
Western Illinois University, Macomb 61455.
West Laboratories, P.O. Box 666, St. Anne 60964.
Wilson Laboratories, Division of Wilson Pharmaceutical & Chemical Corporation, 4221 S. Western Blvd., Chicago 60609.

INDIANA

Ball State University, Cooper Life Science Building, Muncie 47306
Butler University, 4600 Sunset, Indianapolis 46208.
Central Soya Company, Inc., Research Feed Division, Decatur 46733.
Eli Lilly and Company, 740 South Alabama, Indianapolis 46206.
George M. Haley, M.D., Inc., 220 Sherland Building, South Bend 46601.
Indiana State University, Terre Haute 47809.
Indiana University, Bloomington 47401.
Fort Wayne Surgical Associates, Inc., 3124 East State Boulevard, Fort Wayne 46805.
Mead Johnson & Company, dba Mead Johnson Research Center, 2404 Pennsylvania Avenue, Evansville 47721.
Methodist Hospital of Indiana, Inc., Animal Research Facility, 1604 North Capitol Avenue, Indianapolis 46202.
Michigan Road Animal Hospital, 7720 N. Michigan Road, Indianapolis 46268.
Middle Mississippi Research Laboratory, 2819 W. Franklin Street, Evansville 47712.
Miles Laboratories, Inc., Therapeutics Research Laboratory, Elkhart 46514.
Purdue University, Purdue Research Foundation, Lafayette 47907.
Rose Polytechnic Institute, Biological Engineering Dept. 5500 Wabash Avenue, Terre Haute 47803.
University of Notre Dame, Lobund Laboratory, Notre Dame 46556.
Valparaiso University, Department of Biology, Valparaiso 46383.
Wabash College, Crawfordsville 47933.

IOWA

College of Osteopathic Medicine and Surgery, 720 Sixth Avenue, Des Moines 50309.
Diamond Laboratories, Inc., P.O. Box 868, Des Moines 50311.
Drake University, Des Moines 50311.
Fort Dodge Laboratories, Inc., 800 Fifth Street Northwest, Fort Dodge 50501.
Nutritional Research Center, National Pet Food Corporation, P.O. Box 443, Indianola 50125.
Iowa State University, Ames 50010.
Osborne Conservation Education Center, Elkader 52043.
The University of Iowa, Iowa City 52240.
Viva Laboratories, Inc., 255 Elliott Street, Council Bluffs 51501.

KANSAS

Biotec Laboratories, Inc., 9426 Rosehill Road, Lenexa 66215.
Chemagro Corporation, P.O. Box 4913, Hawthorn Road, Kansas City 64120.
Douglas Pharmacal Industries, Inc., 9900 Pflumm Road, #32 Lenexa 66215.
Haver-Lockhart Laboratories, P.O. Box 390, Shawnee Mission 66201.
Interx Research Corporation, 2201 West 21st Street, Lawrence 66044.
Kansas State University, Laboratory Animal Care Committee, Manhattan 66502.
National Laboratories Corporation, 12300 Santa Fe Drive, Lenexa 66215.
Parsons State Hospital, Research Center, Parsons 67357.
The University of Kansas, Lawrence 66044.
University of Kansas Medical Center and School of Medicine, Rainbow Boulevard at 39th Street, Kansas City 66103.

KENTUCKY

Harlan Appalachian Regional Hospital, Harlan 40831.
University of Louisville School of Medicine, 101 West Chestnut, Louisville 40202.
University of Kentucky, Lexington 40506.

LOUISIANA

Alton Ochsner Medical Foundation, Division of Research, 1520 Jefferson Highway, New Orleans 70121.
Gulf South Research Institute, P.O. Box 1177, New Iberia 70560.
Louisiana State University System, Baton Rouge 70803.
Louisiana Tech University, Ruston 71270.
N.E. Louisiana University, 40001 De Siard, Monroe 71201.
Northwestern State University of Louisiana, Natchitoches 71457.
Touro Research Institute, 1400 Foucher Street, New Orleans 70115.
Tulane University, New Orleans 70118.
University of Southwestern Louisiana, USL Station, Lafayette 70501.
Xavier University, Chemistry Department, New Orleans 70125.

MAINE

The Jackson Laboratory, Bar Harbor 04609.
Maine Medical Center, 22 Bramhall Street, Portland 04102.
Nasson College, Springvale 04083.
The President & Trustees of Bowdoin College, Brunswick 04011.
University of Maine, Orono 04473.
University of Maine, Biomedical Research Institute, 246 Deering Avenue, Portland 04102.
Westbrook College, 716 Stevens Avenue, Portland 04103.

MARYLAND

American Red Cross, Blood Research Laboratory, 9312 Old Georgetown Road, Bethesda 20014.
Biotech Research Laboratories, Inc., Rockville 20852.
Coppin State College, Biology Department, Baltimore 21216.
Eye Research Foundation of Bethesda, 8710 Old Georgetown Road, Bethesda 20014.
Friends Medical Science Research Center, Inc. 52 Wade Avenue, Baltimore 21228.
Harford Community College, 401 Thomas Run Road, Bel Air 21014.
The Johns Hopkins University, 34th and Charles Street, Baltimore 21218.
Litton Bionetics, Inc., 7315 Wisconsin Avenue, Suite 400W, Bethesda 20013.
Maryland Psychiatric Research Center, P.O. Box 3235, Baltimore 21228.
Mercy Hospital, Inc., Department of Surgery, 301 St. Paul Place, Baltimore 21201.
Microbiological Associates, Inc., 4733 Bethesda Avenue, Bethesda 20013.
Peninsula General Hospital, South Division and West Locust Street, Salisbury 21801.
Pharmacopathics Research Laboratories, Inc., 1261 North Washington Blvd., Laurel 20810.
Sacred Heart Hospital, 900 Seton Drive, Cumberland 21502.
Saint Joseph Hospital Research Laboratory, 7620 York Road, Baltimore 21204.
Sinai Hospital of Baltimore, Inc., Belvedere and Greenspring Avenue, Baltimore 21215.
Survival Research Laboratories, Baltimore City Hospitals, 4940 Eastern Avenue, Baltimore 21224.
Towson State College, Baltimore 21204.
University of Maryland, Baltimore City Campus, Baltimore 21201.
University of Maryland, College Park 20742.

MASSACHUSETTS

Arthur D. Little, Inc., 25 Acorn Park, Cambridge 02140.
Astra Pharmaceutical Products, Inc. 7½ Neponset Street, Worcester 01606.
Avco Everett Research Foundation, 2385 Revere Beach Parkway, Everett 02139.
Bassett, Harry W., Brewster 02631.
Berkshire Community College, Second Street, Pittsfield 01201.
Beth Israel Hospital Animal Unit, 330 Brookline Avenue, Boston 02215.
Bio-Research Institute, Inc., 9 Commercial Avenue, Cambridge 02141.
Boston City Hospital, Department of Health and Hospitals, 818 Harrison Avenue, Boston 02118.
Boston College, 140 Commonwealth Avenue, Chestnut Hill 02167.
Boston State Hospital, 591 Morton Street, Boston 02124.
Boston University, 705 Commonwealth Avenue, Boston 02118.
Brandeis University, Waltham 02154.
Cambridge Nuclear Radiopharmaceutical Corp., 575 Middlesex Turnpike, Billeric 01821.
The Children's Cancer Research Foundation, 35 Binney Street, Boston 02114.
Children's Hospital Medical Center, 300 Longwood Avenue, Boston 02114.
Children's Museum, Jamaica Way, Jamaica Plain 02130.
Clark University, 950 Main Street, Worcester 01610.
Faunalabs Research Foundation, Room 2200, 28 State Street, Boston 02109.
Forsyth Dental Center, 140 The Fenway, Boston 02115.
The Gillette Company, Prudential Tower Building, Boston 02199.
Harvard University, Cambridge 02138.
Holyoke Community College, Division of Biological Sciences, 303 Homestead Avenue, Holyoke 01040.
Howes, Dr. John F. Sharps Associate, North Easton 02356.
Institute of Laboratories, Massachusetts Department of Public Health, 375 South Street, Jamaica Plain 02130.
Lahey Clinic Foundation, 605 Commonwealth Avenue, Boston 02215.
Lemuel Shattuck Hospital, Department of Research, 170 Morton Street, Jamaica Plain 02130.

Mason Research Institute, Inc., 21 Harvard Street, Worcestershire 01608.
Massachusetts College of Pharmacy, 179 Longwod Avenue, Boston 02115.
Massachusetts Eye and Ear Infirmary, 243 Charles Street, Boston 02114.
Massachusetts General Hospital, Boston 02114.
Massachusetts Institute of Technology, 77 Massachusetts Avenue, Cambridge 02139.
The Memorial Hospital, Research Laboratory, 119 Belmont Street, Worcester 01605.
Mount Holyoke College, South Hadley 01075.
NEN Biomedical Assay Laboratories, 615 Albany Street, Boston 02118.
New England Deaconess Hospital, 185 Pilgrim Road, Boston 02215.
New England Educational Center, 100 Summer Street, Holiston 01746
New England Medical Center Hospitals, 171 Harrison Avenue, Boston 02111.
New England Nuclear Corp., 575 Albany Street, Boston 02118.
Newton-Wellesley Hospital, 2014 Washington Street, Newton Lower Falls 02162.
Northeastern University, 360 Huntington Avenue, Boston 02115.
Peter Bent Brigham Hospital, 721 Huntington Avenue, Boston 02115.
Pondville Hospital, Box 111, Walpole 02081.
Retina Foundation, 20 Staniford Street, Boston 02114.
Robert B. Brigham Hospital, 125 Parker Hill Avenue, Boston 02109.
St. Elizabeth's Hospital, Department of Research, 736 Cambridge Street, Brighton 02135.
St. Margaret's Hospital, 90 Cushing Avenue, Dorchester 02125.
St. Vincent Hospital, 25 Winthrop Street, Worcester 01610.
Sears Surgical Laboratory, Boston City Hospital, 818 Harrison Avenue, Boston 02118.
Shriners Burns Institute, 50 Blossom Street, Boston 02114.
Smith College, Northampton 01060.
Springfield Hospital Medical Center, 759 Chestnut Street, Springfield 01107.
Thermo Electron Corporation, 85 First Avenue, Waltham 02154.
The Trustees of Hampshire College, School of Natural Science and Mathematics, Amherst 01002.
Tufts University, Medford 02155.
University of Massachusetts, Amherst 01002.
Westfield State College, Westfield 01085.
Williams College, Williamstown 01267.
Worcester Foundation for Experimental Biology, 222 Maple Avenue, Shrewsbury 01545.
Worcester Polytechnic Institute, Worcester 01609.

MICHIGAN

Blodget Memorial Hospital, 1840 Wealth, SE., Grand Rapids 49506.
Butterworth Hospital, 100 Michigan, NE., Grand Rapids 49503.
Central Michigan University, Mt. Pleasant 48858.
Children's Hospital of Michigan, 3901 Beaubien, Detroit 48201.
Detroit Memorial Hospital, 1420 St. Antoine Street, Detroit 48226.
Detroit Osteopathic Hospital, 100 Michigan NE., Grand Rapids 49503.
Detroit Osteopathic Hospital, 12523 Third Avenue, Detroit 48203.
The Dow Chemical Company, Midland 48560.
The Dow-Corning Corporation, South Saginaw Road, Midland 48640.
Elyria Memorial Hospital, 620 E. River Street, Elyria 44035.
Ferris State College, Big Rapids 49307.
Grand Valley State College, College Landing, Allendale 49401.
Henry Ford Hospital and Edsel B. Ford, 2799 West Grand Boulevard, Detroit 48202.
Hope College, Holland 49423.
Hurley Hospital, 6th Avenue and Begole, Flint 48502.
Ingham Medical Hospital, 401 West Greenlawn, Lansing 48910.
International Research and Development Corporation, 900 Main Street, Mattawan 49071.
Laboratory Research Enterprises, Inc., 6251 South 6th Street, Kalamazoo 49001.
Lafayette Clinic, 951 East Lafayette, Detroit 48207.
Lake Superior State College, Sault Ste. Marie 49783.
Michigan Cancer Foundation, 110 East Warren Ave., Detroit 48201.
Michigan State University, East Lansing 48823.
Michigan Technological University, Houghton 49931.
Mount Carmel Mercy Hospital, Animal Research Laboratory, 6071 West Outer Drive, Detroit 48235.
Oakland University, Rochester 48063.
Parke, Davis and Company, G.P.O. Box 118, Detroit 48232.
Pontiac Medical Science Laboratories, Inc., 140 Elizabeth Lake Road, Pontiac 48053.
Providence Hospital, 16001 Nine Mile Road, Southfield 48075.
John Ramsey Residence (Dr. Martin Jaffe), Bay City 48706.
St. Joseph Mercy Hospital, 326 North Ingalls, Ann Arbor 48104.
Sinai Hospital of Detroit, Division of Research, 6767 West Outer Drive, Detroit 48235.
The Upjohn Company, 7000 Portage Road, Kalamazoo 49001.
University of Detroit, 4001 West McNichols Road, Detroit 48221.
University of Detroit, School of Dentistry, 2985 E. Jefferson, Detroit 48207.
University of Michigan, Ann Arbor 48104.
Wayne County General Hospital, Eloise 48132.
Wayne State University, Division of Laboratory Animal Resources, Detroit 48202.
Western Michigan University, Kalamazoo 49001.
William Beaumont Hospital, 3601 West 13 Mile Road, Royal Oak 48037.

MINNESOTA

Austin State Junior College, 1600 8th Avenue, NW., Austin 55912.
Cargill, Inc., Cargill Building, 110 South 7th Street, Minneapolis 55402.
Kallestad Laboratories, Inc., 1000 Lake Hazeltine Drive, Chaska 55318.
Life Science Foundation, Glenwood Hills Hospital, 4101 Golden Valley Road, Minneapolis 55422.
Mankato State College, Mankato 56001.
Mayo Foundation, 200 First Street, SW., Rochester 55901.
Medtronic, Inc., 3055 Old Highway Eight, Minneapolis 55418.
Metropolitan Reference Laboratory, 2304 Park Avenue South, Minneapolis 55404.
Minneapolis Medical Research Foundation, Inc., Hennepin County General Hospital, 619 South 5th Street, Minneapolis 55415.
Minnesota Mining and Manufacturing Co., Central Research Laboratories, 2301 Hudson Road, St. Paul 55101.
Mount Sinai Hospital, 22nd and Chicago Avenues, Minneapolis 55404.
North Star Research and Development Institute, 3100 38th Avenue South, Minneapolis 55406.
Northwestern Hospital, 810 E. 27th Street, Minneapolis 55318.
Saint Joseph's Research Laboratory, 69 West Exchange Street, St. Paul 55102.
Saint John's University, Collegeville 56321.
Saint Mary's Hospital, Research Laboratory, 2414 South 7th Street, Minneapolis 55406.
Saint Paul-Ramsey Hospital, 640 Jackson Street, St. Paul 55101.
Southwest Minnesota State College, Marshall 56258.
University of Minnesota, Minneapolis 55455.

MISSISSIPPI

Mississippi State University, Drawer G, State College 39762.
University of Mississippi, Office of the Chancellor, University 38677.

MISSOURI

The Curators of the University of Missouri, Columbia 65201.
Deaconess Hospital, 6150 Oakland Avenue, St. Louis 63139.
Douglas Pharmacal Industries, Inc., 10711 Hideman Mills Drive, Kansas City 64164.
Institute of Medical Education and Research, 1605 South 14th Street, St. Louis 63104.
The Jewish Hospital of St. Louis, 216 South Kingshighway Boulevard, St. Louis 63110.
Kansas City College of Osteopathic Medicine, 2105 Independence Boulevard, Kansas City 64124.
Kansas City General Hospital and Medical Center, Research Animal Care Unit, 24th and Cherry Streets, Kansas City 64108.
Kirksville College of Osteopathy and Surgery, Kirksville 63501.
Laboratory for Experimental Biology, Inc., Creve Coeur 63141.
Mallinckrodt Chemical Works, 2nd and Mallinckrodt Streets, St. Louis 63160.
Marion Laboratories, Inc., 10236 Bunker Ridge Road, Kansas City 64137.
Menorah Medical Center, 4949 Rockhill Road, Kansas City 64110.
Midwest Research Institute, 425 Volker Boulevard, Kansas City 64114.
Missouri Analytical Laboratories, Inc., St. Louis 63103.
Missouri Institute of Psychiatry, 5400 Arsenal Street, St. Louis 63139.
Philips Roxane, Inc., 2621 North Belt Highway, St. Joseph 64502.
Ralston Purina Company, 835 South 8th Street, St. Louis 63199.
Ranel Laboratories, 800 Woodswether Road, Kansas City 64105.
Saint John's Mercy Hospital, Research Laboratory, 621 South New Ballas Road, St. Louis 63141.
Saint Louis University, 1402 South Grand Avenue, St. Louis 63104.
Saint Mary's Hospital, 101 Memorial Drive, Kansas City 64108.
Scientific Associates, Inc., 6200 South Lindbergh, St. Louis 63123.
Sigma International, LTD., 3500 DeKalb Street, St. Louis 63118.
Washington University, Lindell and Skinker Boulevards, St. Louis 63130.
William Jewell College, Department of Psychology, Liberty 64068.
Younger Laboratories, Inc., 123 Cliff Cave Road, St. Louis 64108.

MONTANA

Montana State University, Bozeman 59715.
University of Montana, Missoula 59801.

NEBRASKA

The Creighton University School of Medicine, 657 North 27th Street, Omaha 68131.
Dellen, Inc., 2704 North 84th Street, Omaha 68134.
Harris Laboratories, Inc., 624 Peach Street, Lincoln 68501.
University of Nebraska, 14th and R Streets, Lincoln 68508.

NEVADA

University of Nevada, Reno 89507.

NEW HAMPSHIRE

Gianferrari, Dr. Edmund and Dr. Arthur Cohen, Department of Biology, K. S. C., Keene 03431.

Notre Dame College, 2321 Elm Street, Manchester 03104.
University of New Hampshire Animal Facilities, Spaulding Building, University of New Hampshire, Durham 03824.
Trustees of Dartmouth College, P.O. Box 432, Hanover 03755.

NEW JERSEY

Affiliated Medical Research, Inc., P.O. Box 5700, Princeton 08540.
Bio Dynamics, Inc., P.O. Box 43, East Millstone 08873.
Becton, Dickinson and Company, Rutherford 07070.
Biometric Testing, Inc., 375 Sylvan Avenue, Englewood Cliffs 07632.
Bio-Toxicology Laboratories, 7645 Maple Ave., Merchantville 08109.
Branchville Testing Labs, Box 369, Branchville 07826.
Bristol-Meyers Products, 225 Long Avenue, Hillside 07205.
Campbell Soup Company, Research Institute, 375 Memorial Avenue, Camden 08101.
Carter-Wallace, Inc., ½ Acre Road, Cranbury 08512.
CIBA Pharmaceutical Company, 556 Morris Avenue, Summit 07901.
Clinical Sciences, Inc., 30 Troy Road, Whippany 07981.
Colgate-Palmolive Company, 909 River Road, Piscataway 08854.
Cooper Laboratories, Inc., 110 East Hanover Avenue, Cedar Knolls 07927.
Cyanamid Foundation for Agricultural Development, P.O. Box 400, Princeton 08540.
E. R. Squibb & Sons, Inc., 745 Fifth Avenue, New York 10022 and Georges Road, New Brunswick 08903.
Ethicon Research Foundation, U.S. Highway 22, Somerville 08876.
Fairleigh Dickinson University, Dental Research Building, 1000 River Road, Teaneck 17666.
Food & Drug Research Lab., Inc., 60 Evergreen Place, East Orange 07018.
Hackensack Hospital, Cardio Pulmonary Animal Laboratory, Hackensack 07601.
Hoechst-Roussel Pharmaceutical, Inc., Route 202-206 North Somerville 08876.
Hoffman Laboratories, Inc., 17-50 River Road, Fairlawn 07410.
Hoffman-LaRoche, Inc., 340 Kingsland Street, Nutley 07110.
Institute for Medical Research, Copewood Street, Camden 08103.
Johnson and Johnson Research Foundation, Route 1, New Brunswick 08903.
Leberco Laboratories, 123 Hawthorne Street, Roselle Park 07204.
Dr. Clarence Manziano, 603 West Side Avenue, Jersey City 07304.
McGee Laboratories, Inc., 3651 Hill Road, Parsippany 07054.
Medi+Physics, Inc., 900 Durham Ave., South Plainfield 07080.
Merck & Co., Inc., 126 East Lincoln Avenue, Rahway 07065.
Middlesex General Hospital, 180 Somerset Street, New Brunswick 08901.
Monmouth Medical Center, Department of Physiology and Clinical Research, 3rd and Pavillion Avenues, Long Branch 07740.
Newark Beth Israel Medical Center, 201 Lyons Avenue, Newark 07112.
New Jersey College of Medicine and Dentistry, 24 Baldwin Avenue, Jersey City 07306.
New Jersey Department of Health, Division of Laboratories, Box 1540, Trenton 08625.
Organon, Inc., 375 Mt. Pleasant Avenue, West Orange 07052.
Ortho Research Institute, U.S. Highway 202, Raritan 08869.
Passaic General Hospital, 350 Boulevard, Passaic 07055.
Path-O-Tex, Box 6, Wenonah 08090.
Pfizer & Co., Chas., 199 Maywood Ave., Maywood 07607.
Pitman-Moore, Inc., P.O. Box 344, Washington Crossing 08560.
Price Research Lab., Inc., 7300 N. Crescent Blvd., Pennsauken 08110.
Princeton Laboratory Products Co., 1 Cherry Hill Road, Princeton 08540.
Reed and Carnrick, 30 Boright Avenue, Kenilworth 07033.
Rutgers, The State University, New Brunswick 08903.
St. Barnabas Medical Center, Old Short Hills Road, Livingston 07039.
St. Michael's Medical Center, Research Laboratory, 306 High Street, Newark 07102.
Sandoz Pharmaceuticals, Research Department, Hanover 07936.
Schering Corporation, 60 Orange Street, Bloomfield 07003.
Seton Hall University, South Orange 07079.
Foster D. Snell, Inc., Biological Science Laboratories, 800 Dowd Avenue, Elizabeth 07021.
South Mountain Life Sciences, 1102 Industrial Parkway, Bricktown 08723.
South Mountain Life Sciences Laboratories, Fischer Boulevard and Thistle Street, Toms River 08753.
Sylvana Company, Inc., 22 E. Willow Street, Millburn 07041.
The Trustees of Princeton University, Office of Research and Project Administration, New South Building, Princeton 08540.
University Laboratories, Inc., 810 North Second Avenue, Highland Park 08904.
U.S. Testing Company, Inc., 1415 Park Avenue, Hoboken 07070.
Warner-Lambert Research Institute, 170 Tabor Road, Morris Plains 07950.
Wells Laboratories, Inc., 25-27 Lewis Avenue, Jersey City 07306.

NEW MEXICO

Carlsbad Botanical-Zoological Park of the Southwest, Box 1569, Carlsbad 88220.
Los Alamos Scientific Laboratory, P.O. Box 1663, Los Alamos 87544.
The Lovelace Foundation for Medical Education and Research, 5200 Gibson Boulevard, S.E., Albuquerque 87106.
Dr. Rollie Schafer and Dr. G. Sanchez, Department of Biology, NMIMT, Socorro 87801.
The University of New Mexico, Albuquerque 87106.

NEW YORK

Agway Research Laboratory, 777 Warren Road, Ithaca 14850.
Albany College of Pharmacy, 106 New Scotland Avenue, Albany 12203.
Albany Medical College, 47 New Scotland Avenue, Albany 12208.
Alfred University, Alfred 14802.
American Cyanamid Company, Lederle Lab. Div., North Middletown Road, Pearl River 10965.
The American Museum of Natural History, Central Avenue West at 79th Street, New York 10024.
The Animal Medical Center, 510 East 62nd Street, New York 10021.
Arnot-Ogden Memorial Hospital, Roe Avenue, Elmira 14901.
Associated Universities, Inc., Brookhaven National Laboratory, Upton, Long Island 11973.
Avon Products, Inc., 9 West 57th Street, New York 10019.
Ayerst Research Laboratories, Division of Animal Health, Chazy 12921.
Beth Israel Medical Center, 10 Nathan D. Perlman Place, New York 10003.
Booth Memorial Hospital, Main Street at Booth Memorial Avenue, Flushing 11355.
Bristol Laboratories, P.O. Box 657, Syracuse 13201.
The Bronx-Lebanon Hospital Center, 1276 Fulton Avenue, Bronx 10456.
The Brookdale Hospital Center, Brookdale Plaza, Brooklyn 11212.
Brooklyn College of Pharmacy, 600 Lafayette Avenue, Brooklyn 11216.
The Brooklyn Hospital, 121 DeKalb Avenue, Brooklyn 11201.
Buffalo General Hospital, 100 High Street, Buffalo 14203.
Bureau of Laboratories, City of New York, 455 First Avenue, New York City 10016.
Canisius College, 2001 Main Street, Buffalo 14208.
Carter-Wallace, Inc., 2 Park Avenue, New York 10016.
Cattaraugus County Laboratory, 302 Laurene Street, Olean 14760.
The Children's Hospital of Buffalo, 219 Bryant Street, Buffalo 14222.
The City University of New York, 1411 Broadway, New York 10018.
Colgate University, Hamilton 13346.
Commercial Solvents Corporation, 245 Park Avenue, New York 10017.
Cornell University, Ithaca 14850.
Cornell University Medical College, 1300 York Avenue, New York 10021.
Corning Glass Works, Corning 14830.
D'Youville College, 320 Porter Avenue, Buffalo 14201.
E. J. Meyer Memorial Hospital, 462 Grider Street, Buffalo 14215.
Eastman Dental Center, 800 Main Street E., Rochester 14603.
Eastman Kodak Company, Health and Safety Lab, Kodak Park, Rochester 14650.
Elmira College, College Avenue, Elmira 14901.
Erie Community College, North Main Street and Youngs Road, Buffalo 14221.
Endo Laboratories, Inc., 1000 Stewart Avenue, Garden City 11533.
Ex-Lax, Inc., 423 Atlantic Avenue, Brooklyn 11217.
Food and Drug Research Laboratories, Inc., Maurice Avenue at 58th Street, Maspeth 11378.
Geigy Chemical Corporation, Geigy Research Division, Ardsley 10502.
General Foods Corporation, 250 North Street, White Plains 10625.
The Genesee Hospital, 224 Alexander Street, Rochester 14607.
Grand Island Biological Company, 3175 Staley Road, Grand Island 14072.
Great Atlantic and Pacific Tea Company, Inc., 420 Lexington Avenue, New York 10017.
Health Research, Inc., 84 Holland Avenue, Albany 12208.
Hobart & William Smith Colleges, Geneva 14456.
Hofstra University, Hampstead 11550.
Hudson Valley Community College, 80 Vandenburgh Avenue, Troy 12180.
Institute for Muscle Disease, Inc., 515 East 71st Street, New York 10021.
Jamestown Community College, 525 Falconer Street, Jamestown 14701.
Jewish Chronic Disease Hospital, 86 E. 49th Street, Brooklyn 11203.
Jewish Hospital and Medical Center of Brooklyn, 555 Prospect Place, Brooklyn 11238.
Lenox Hill Hospital, 100 East 77th Street, New York 10021.
The L. G. H. Laboratory, Mercy Hospital Association, 1000 North Village Avenue, Rockville Centre 11570.
The Long Island College Hospital, 340 Henry Street, Brooklyn 11201.
Long Island Jewish Medical Center, 270-05 76th Avenue, New Hyde Park 11040.
Maimonides Medical Center, 4802 Tenth Avenue, Brooklyn 11219.
Manhattan Eye, Ear & Throat Hospital, 210 East 64th Street, New York 10021.

The Mary Imogene Bassett Hospital, Atwell Road, Cooperstown 13326.
Masonic Medical Research Laboratory, Bleecker Street, Utica 13501.
The Medical Foundation of Buffalo, 73 High Street, Buffalo 14203.
Methodist Hospital of Brooklyn, 506 Sixth Street, Brooklyn 11215.
Millard Filmore Hospital, Urology Research Division, 3 Gates Circle, Buffalo 14209.
Misericordia Hospital, 600 East 233rd Street, Bronx 10466.
The Mount Sinai Hospital, School of Medicine, 100 Street and Fifth Avenue, New York 10029.
NACC Testing and Research Laboratory, 80 Hanson Place, Brooklyn 11217.
N.Y.C. Health & Hospital Corporation, 126 Worth Street, New York 10013.
Nassau County Medical Center, P.O. Box 175, East Meadow 11554.
Nassau Hospital, First Street, Mineola 11501.
The New York Blood Center of the Comm. Blood Council of Greater New York, Inc., 310 East 67th Street, New York 10021.
New York Medical College, Fifth Avenue at 160th Street, New York 10029.
New York State Health Department, Division of Laboratories and Research, New Scotland Avenue, Albany 12201.
New York State Department of Mental Hygiene, 44 Holland Avenue, Albany 12208.
New York University, Washington Square, New York 10003.
North Shore Hospital, Valley Road, Manhassett, Long Island 11030.
The Norwich Pharmacal Company, P.O. Box 191, Norwich 13815.
Pfizer, Inc., 235 East 42nd Street, New York 10017.
Philip D. Wilson Research Foundation, 535 East 70th Street, New York 10021.
Polytechnic Institute of Brooklyn, 333 Jay Street, Brooklyn 11201.
The Population Council, 245 Park Avenue, New York 10017.
The Public Health Research Institute of the City of New York, Inc., 455 First Avenue, New York City 10016.
Queens Hospital Center, 8267 164th Street, Jamaica, 11432.
Rensselaer Polytechnic Institute, Troy 12181.
Research Institute for Skeletomuscular Diseases of the Hospital for Jt. Diseases & Medical Center, 1919 Madison Avenue, New York 10035.
Revlon Research Center, Inc., 945 Zerega Avenue, Bronx 10473.
Richardson-Merrell, Inc., 122 East 42nd Street, New York 10017.
Rochester General Hospital, 1425 Portland Avenue, Rochester 14621.
The Rockefeller University, York Avenue at 66th Street, New York 10021.
The Roosevelt Hospital, 428 West 59th Street, New York 10019.
St. Barnabas Hospital, 183rd Street and Third Avenue, Bronx 10457.
St. Bonaventure University, St. Bonaventure 14778.
St. Clare's Hospital and Health Center, 415 West 51st Street, New York 10019.
St. John Fisher College, 3690 East Avenue, Rochester 14618.
St. John's University, Grand Central and Utopia Parkway, Jamaica 11432.
St. Joseph's Hospital, Health Center, 301 Prospect Avenue, Syracuse 13202.
St. Lawrence University, Canton 13617.
St. Luke's Hospital Center, Amsterdam Avenue at West 114th Street, New York 10025.
St. Mary's Hospital, 89 Genesee Street, Rochester 14611.
St. Vincent's Hospital and Medical Center of New York, 153 West 11th Street, New York 10011.
Sisters of Charity Hospital, 2157 Main Street, Buffalo 14214.
Skidmore College Biology Department, Saratoga Springs 12866.
Sloan-Kettering Institute for Cancer Research, 410 East 68th Street, New York 10021.
South Shore Analytical & Research Laboratory, Inc., 148 Islip Avenue, Islip 11751.
Standard Brands Incorporated, 625 Madison Avenue, New York 10022.
State University of New York, Thurlow Terrace, Albany 12201.
Syracuse University, 201 Marshall Street, Syracuse 13210.
Sterling Drug, Inc., Columbia Turnpike, Rensselaer 12155.
Boyce Thompson Institute for Plant Research, Inc., 1086 North Broadway, Yonkers 10701.
Tissue Culture Association, Inc., P.O. Box 631, Lake Placid 12946.
Trudeau Institute, Inc., Algonquin Avenue, Saranac Lake 12983.
The Trustees of Columbia University in the City of New York, Box 20, Lowe Memorial Library, New York 10027.
University of Rochester, River Boulevard, Rochester 14627.
USV Pharmaceutical Corp., Div. of Pharmacology, 1 Scarsdale Road, Tuckahoe 10707.
Waldemar Medical Research Foundation, Sunnyside Boulevard, Woodbury 11797.
Westchester County Medical Center, Valhalla 10595.
Westwood Pharmaceuticals, Inc., 468 Dewitt Street, Buffalo 14213.
Wilson Memorial Hospital, Heart Lung Laboratory, Broome-D, Johnson City 13790.
Yeshiva University, 55 Fifth Avenue, New York 10003.

NORTH CAROLINA

Behavior Systems, Inc., 2008 Hillsboro Street, Raleigh 27607.
Burroughs Wellcome Company, 3030 Cornwallis Road, Research Triangle Park 27709.
Duke University, Durham 27706.
East Carolina University, Greenville 27834.
Greer Laboratories, Inc., Box 800, Lenoir 28645.
Lorillard Research Center, 420 English Street, Greensboro 27420.
North Carolina State University at Raleigh, Raleigh 27607.
Research Triangle Institute, P.O. Box 12194, Research Triangle Park 27709.
University of North Carolina at Chapel Hill, Chapel Hill 27514.
University of North Carolina at Wilmington, 7205 Wrightsville Avenue, Wilmington 28401.
Wake Forest University, Winston-Salem 27107.

NORTH DAKOTA

Minot State College, Minot 58701.
North Dakota State University of Agriculture and Applied Science, Fargo 58102.
University of North Dakota, School of Medicine, Grand Forks 58201.

OHIO

Akron City Hospital, 525 East Market Street, Akron 44309.
Akron General Medical Center, 400 Wabash Avenue, Akron 44307.
Allergy Laboratories of Ohio, Inc., 623 E. 11th Ave., Columbus 43211.
Baldwin-Wallace College, Berea 44017.
Battelle Memorial Institute, Columbus Laboratories, 505 King Avenue, Columbus 43201.
Ben Venue Laboratories, Inc., 270 Northfield Road, Bedford 44146.
Bio/Toxicological Research Associates, Division of Acres, Inc., 533 North Broadway Street, Spencerville 45887.
Borden, Inc., 50 West Broad Street, Columbus 43215.
Bowling Green State University, Bowling Green 43402.
Capital University, Department of Biology, Columbus 43209.
Case Western Reserve University Circle, Cleveland 44106.
Central State University, Banneker Science Hall, Wilberforce 45384.
Children's Hospital of Akron, Animal Laboratories, Buchtel Avenue at Bowery Street, Akron 44308.
The Children's Hospital Research Foundation, Elland Avenue and Bethesda, Cincinnati 45229.
Children's Hospital Research Foundation, 561 South 17th Street, Columbus 43205.
Cincinnati Milacron, Inc. 4701 Marburg Avenue, Cincinnati 45209.
The Cleveland Clinic Foundation, 2020 East 93rd Street, Cleveland 44120.
Cleveland Metropolitan General Hospital, 3395 Scranton Road, Cleveland 44109.
The Cleveland State University, 1983 East 24th Street, Cleveland 44115.
The College of Wooster, Wooster 44691.
Cox Coronary Heart Institute, 3525 Southern Boulevard, Kettering 45429.
Creative Biology Laboratory, 3070 Cleveland-Massillon Road, Barberton 44203.
Cuyahoga Community College, Cleveland 44115.
Denison University, Granville 43023.
Elyria Memorial Hospital, 630 East River Street, Elyria 44035
Fairview General Hospital, 18101 Lorain Avenue, Cleveland 44111.
Good Samaritan Hospital, Animal Research Laboratory, 3217 Clifton Avenue, Cincinnati 45220.
The Good Samaritan Hospital of Dayton, Dayton 45420.
Grady Investment Corporation, 9211 Winton Road, Cincinnati 45231.
Hess and Clark, Route 250, Ashland 44805.
Highland View Hospital, 3901 Ireland Drive, Cleveland 44122.
Hill Top Research, Inc., Miamiville 45147.
Hiram College Biological Station, P.O. Box 1838, Hiram 44234.
Huron Road Hospital, 13951 Terrace Road, Cleveland 44112.
Jewish Hospital, 3200 Burnet Avenue, Cincinnati 45229.
John Carroll University, Cleveland 44118.
Kent State University, Kent 44240.
Kettering, Charles F., Res. Laboratory, 150 East South College Street, Yellow Springs 45387.
Lakeland Community College, Mentor 44060.
Marietta College, Marietta 45750.
Medical College of Ohio, P.O. Box 6190, Toledo 43614.
Miami University, Office of the President, Oxford 45056.
Miami Valley Hospital, 1 Wyoming Street, Dayton 45409.
Mogul Corporation, Chagrin Falls 44022.
Mt. Sinai Hospital, University Circle, Cleveland 44106.
Muskingum College Biology, Department Science Center, New Concord 43762.
North American Science Associates, Inc., 2261 Tracy Road, Northwood 43605.
Notre Dame College, Biology Department, South Euclid 44121.
Oberlin College, Department of Psychology, Oberlin 44074.
Ohio College of Podiatric Medicine, 2057 Cornell Road, Cleveland 44105.
Ohio Northern University, Department of Psychology, Ada 45810.
The Ohio State University, 190 North Oval Drive, Columbus 43210.
Ohio University, Athens 45701.
Otterbein College, Westerville 43081.
Procter and Gamble Company, P.O. Box 39175, Cincinnati 45239.
Riverside Methodist Hospital, 3535 Olentangy River Road, Columbus 43214.

Saint Elizabeth Hospital, 1044 Belmont Avenue, Youngstown 44512.
Saint Luke's Hospital Association of the Methodist Church, 11311 Shaker Boulevard, Cleveland 44104.
Saint Thomas Hospital of Akron, Ohio, 444 North Main Street, Akron 44310.
Saint Vincent Charity Hospital, Research Division, 2351 East 22nd Street, Cleveland 44115.
Saint Vincent Hospital and Medical Center, 2213 Cherry Street, Toledo 43608.
Searle Diagnostic, Inc., P.O. Box 2440, Columbus 43216.
Shriner's Hospitals for Crippled Children, Burns Institute, 202 Goodman Street, Cincinnati 45219.
Timken Mercy Hospital, 2015–12th Street, NW., Canton 44708.
The University of Akron, Akron 44304.
University of Cincinnati, Clifton Avenue, Cincinnati 45221.
University of Dayton, Biology Dept., 300 College Park 45469.
Warren-Teed Pharmaceuticals, Inc., 582 West Goodale Street, Columbus 43215.
Wittenburg University, Springfield 45501.
Wright State University, Department of Biological Sciences, Col. Glenn Highway, Dayton 45431.
Youngstown State University, 410 Wick Ave., Youngstown 44503.

OKLAHOMA

Baptist Memorial Hospital, 5800 NW. Grand Boulevard, Oklahoma City 73112.
Institute for Primate Studies, Route 6, Box 395, Norman 73069.
Oklahoma City University, 2501 North Blackwelder, Oklahoma City 73106.
Oklahoma Medical Research Foundation, 825 Northeast 13th Street, Oklahoma City 73104.
Oklahoma State Department of Health, Central Laboratory, 3400 North Eastern, Oklahoma City 73105.
Oklahoma State University of Agriculture and Applied Science, Stillwater 74074.
Southwestern State College, Weatherford 73096.
University of Oklahoma, 660 Parrington Oval, Norman 73069.

OREGON

E. Laboratories, 1954 NW. Pettygrove, Portland 97209.
Neurophysiology Research Laboratory, 1015 NW. 22nd Avenue, Portland 97210.
Oregon Regional Primate Research Center, 505 NW. 185th Avenue, Beaverton 97005.
Oregon State University, Corvallis 97331.
Pacific University, Optometry Department, Forest Grove 97116.
Portland State University, P.O. Box 751, Portland 97207.
University of Oregon, Eugene 97403.
University of Oregon Dental School, 611 SW. Campus Drive, Portland 97201.
University of Oregon Medical School, 3181 SW. Sam Jackson Park Road, Portland 97201.

PENNSYLVANIA

Albert Einstein Medical Center, York and Tabor Road, Philadelphia 19141.
Allegheny General Hospital, 320 E. North Avenue, Pittsburgh 15212.
Allen Products Co., Inc., Alpo Center for Advanced Pet Study, P.O. Box 2187, R.D. 3, Allentown 18001.
Bucknell University, Lewisburg 17837.
Burron Medical Laboratories, Inc., 824 Twelfth Avenue, Bethlehem 18018.
California State College, California 15419.
Carnegie-Mellon University, 4400 Fifth Avenue, Pittsburgh 15212.
Cannon Laboratories, P.O. Box 3627, Reading 19605
Centre Square Veterinary Clinic, 1030 De Kalb Pike, Centre Square 19422.
The Children's Hospital of Philadelphia, 1740 Bainbridge Street, Philadelphia 19146.
College Misericordia, Dallas 18612.
The Contributors to the Pennsylvania Hospital, 8th and Spruce Streets, Philadelphia 19107.
Coratomic, Inc., P.O. Box 434, Indiana 15701.
Dalmation Research Foundation, 720 Woodberry Road, York 17403.
Drexel Institute of Technology, 32nd and Chestnut Streets, Philadelphia 19104.
Duquesne University of the Holy Ghost, Pittsburgh 15219.
Eastern Pennsylvania Psychiatric Institution, Henry Avenue and Abbottsford Road, Philadelphia 19129.
Federated Medical Resources, RD #2, Honey Brook, 19344.
The Hahnemann Medical College and Hospital of Philadelphia, 230 North Broad Street, Philadelphia 19102.
Hamot Medical Center, P.O. Box 339, Erie 16512.
Homestead Hospital, 1800 West Street, Homestead 15120.
The Institute for Cancer Research, 7701 Burholme Avenue, Philadelphia 19111.
Institute for Medical Education and Research, The Geisinger Medical Center, Danville 17821.
The Jefferson Medical College of Philadelphia, 1025 Walnut Street, Philadelphia 19107.
Lankenau Hospital, Lancaster and City Line Avenues, Philadelphia 19151.
LaWall & Harrison Research Laboratories, Inc., 1921 Walnut Street, Philadelphia 19103.
Lehigh University, Bethlehem 18015.
Lincoln University, Lincoln University 19352.
Lycoming College, Williamsport 17701.
Lock Haven State College, Lock Haven 17745.
McNeil Laboratories, Inc., Camp Hill Road, Fort Washington 19034.
M. B. Research Laboratories, Inc., 2025 Ridge Road, Perkasie 18944.
The Medical College of Pennsylvania, 3300 Henry Avenue, Philadelphia 19129.
Mercy Catholic Medical Center, Lansdowne Avenue, Darby 19023.
Moravian College, Main and Elizabeth Avenue, Bethlehem 18018.
N. L. Cappel Laboratories, Inc., P.O. Box 156, Downingtown 19335.
Pennsylvania College of Podiatric Medicine, 8th at Race Street, Philadelphia 19107.
Pennsylvania Department of Health, 2100 West Girard Avenue, Philadelphia 19130.
The Pennsylvania State University, 207 Old Main, University Park 16802.
Pennwalt Corporation, 3 Penn Center, Philadelphia 19102.
Penrose Research Laboratory, Zoological Society of Philadelphia, 34th Street and Girard Avenue, Philadelphia 19104.
Pharmachem Corporation, 719 Stefko Boulevard, Bethlehem 18018.
Philadelphia College of Osteopathic Medicine, 48th and Spruce Streets, Philadelphia 19139.
Philadelphia College of Pharmacy & Science, 43rd Street and Kingsessing Avenue, Philadelphia 19104.
Philadelphia General Hospital, 34th Street and Civic Center Boulevard, Philadelphia 19104.
Presbyterian University of Pennsylvania Medical Center, 51 North 39th Street, Philadelphia 19104.
Rachelwood Wildlife Research Preserve, R.D. 1, New Florence 15944.
Rohm and Haas Company, Norristown & McKean Roads, Spring House 19477.
William H. Rorer, Inc., Research Div., 500 Virginia Drive, Fort Washington 19034.
Sacred Heart Hospital, 4th and Chew Streets, Allentown 18102.
Saint Vincent College, Latrobe 15650.
Smith, Kline & French Laboratories, 1500 Spring Garden Street, Philadelphia 19101.
Susquehanna University, Selinsgrove 17870.
Syndot Laboratories, 1075 New Dehaven Road, West Conshohocken 19428.
Temple University of the Commonwealth System of Higher Education, Broad and Montgomery Streets, Philadelphia 19122.
University Health Center of Pittsburgh, Terrace and Desoto Streets, Pittsburgh 15213.
University of Pennsylvania, Office of the President, 101 College Hall, Philadelphia 19104.
The Western Pennsylvania Hospital, 4800 Friendship Avenue, Pittsburgh 15224.
Westinghouse Electric Corporation, Research & Development Center, Beulah Road, Churchill Borough, Pittsburgh 15235.
Whitmoyer Laboratories, Inc., 19 North Railroad Street, Myerstown 17067.
Wills Eye Hospital Research Institute, Philadelphia 19130.
The Wistar Institute, 36th and Spruce Streets, Philadelphia 19104.
Wyeth Laboratories, Inc., P.O. Box 8299, Philadelphia 19101.

PUERTO RICO

University of Puerto Rico, Rio Piedras 00923.

RHODE ISLAND

Brown University, 79 Waterman Street, Brown Station, Providence 02912.
The Memorial Hospital, Prospect Street, Pawtucket 02860.
The Miriam Hospital, 164 Summit Avenue, Providence 02906.
Rhode Island College, Providence 02908.
Rhode Island Hospital, 593 Eddy Street, Providence 02903.
Roger Williams College, Old Ferry Road, Bristol 02809.
Roger Williams General Hospital, 825 Chalkston Avenue, Providence 02908.
St. Joseph's Hospital, 200 High Service Avenue, North Providence 02903.
University of Rhode Island, Kingston 02881.

SOUTH CAROLINA

Clemson University, Clemson 29631.
Medical College of South Carolina, 80 Barre Street, Charleston 29401.
University of South Carolina, Columbia 29208.

SOUTH DAKOTA

South Dakota State University, Brookings 57006.
University of South Dakota, Vermillion 57069.

TENNESSEE

Baptist Memorial Hospital, 899 Madison Avenue, Memphis 38103.
Meharry Medical College, 1005–18th Avenue, Nashville 37208.
Memphis State University, Memphis 38111.
Oak Ridge Associated University, Medical Division, P.O. Box 117, Oak Ridge 37830.
George Peabody College for Teachers, Box 512, Nashville 37203.
Plough, Inc., 3030 Jackson Avenue, Memphis 38112.
The S. E. Massengill Company, 501 Fifth Street, Bristol 37620.
St. Jude Children's Research Hospital, P.O. Box 318, Memphis 38103.
The University of Tennessee, Knoxville 37916.
Vanderbilt University, Division of Animal Care, School of Medicine, Station 17, Nashville 37203.

TEXAS

Baylor College of Dentistry, 800 Hall Street, Dallas 75235.
Baylor University, Waco 76703.
Callier Hearing and Speech Center, 1966 Inwood Road, Dallas 75235.

Carwile, D.V.M., Henry F., Drawer 821, Montgomery 77356.
Conrose Biologicals, 523 E. Court Street, Sequin 78155.
Franklin Laboratories, P.O. Box 669, Amarillo 79105.
Helena Laboratories, 1530 Lindbergh Drive, Beaumont 77704.
Methodist Hospital of Dallas, P.O. Box 5999, Dallas 75222.
Redden, Dr. David R., Box 5218 NT Station, Denton 76203.
Rice University, P.O. Box 1892, Houston 77001.
Southern Methodist University, Dallas 75222.
Southwest Research Institute, 8500 Culebra Road, San Antonio 78206.
St. Joseph's Hospital, Surgical Res. Lab., 1919 LaBranch, Houston 77002.
Texas Heart Institute, Houston 77002.
Texas Woman's University, Box 23971, TWU Station, Denton 76204.
Thuron Industries, Inc., 12200 Denton Drive, Dallas 75234.
Trinity University, 715 Stadium Drive, San Antonio 78212.
The University of Texas System, P.O. Box 7969, Austin 78712.
Wadley Institutes of Molecular Medicine, 9000 Harry Hines, Dallas 75235.

UTAH

Brigham Young University, College of Biological and Agricultural Sciences, 106 Heber J. Grant Buiding, Provo 84601.
EcoDynamics, Inc., 82 West Louise Avenue, Salt Lake City 84115.
Latter-day Saints Hospital, 325 8th Avenue, Salt Lake City 84103.
Primary Children's Hospital, 320 Twelfth Avenue, Salt Lake City 84103.
University of Utah, University Avenue at 2nd Street, Salt Lake City 84112.
Utah State University, Logan 84321.
Weber State College, Ogden 84403.

VERMONT

Bennington College, Bennington 05201.
Castleton State College, Castleton 05735.
Lyndon State College, Lyndonville 05851.
Middlebury College, Middlebury 05753.
Putnam Memorial Hospital, Dewey Street, Bennington 05201.
University of Vermont and State Agricultural College, Burlington 05401.
Windham College, Putney 05346.

VIRGINIA

A. H. Robins Co., Incorporated, Research Laboratories, 1211 Sherwood Avenue, Richmond 23220.
Bionetics Research Laboratories, Inc., 101 West Jefferson Street, Falls Church 22046.
Blue Ridge Community College, P.O. Box 80, Weyers Cave 24486.
College of William and Mary, Williamsburg 23185.
Cook Engineering Company, 900 Slaters Lane, Alexandria 22314.
Hazleton Laboratories, Inc., P.O. Box 30, Falls Church 22046.
Lynchburg College, Lynchburg 24504.
Medical College of Virginia, Animal Research Division, 12th and Broad Streets, Richmond 23219.
Meloy Laboratories, 6631 Iron Place, Springfield 22151.
The Research Institute of the Norfolk Area, Medical Center Authority, 600 Gresham Drive, Norfolk 23507.
University of Virginia, Charlottesville 22903.
Virginia Polytechnic Institute, Blacksburg 24061.
The Washington and Lee University, Lexington 24450
Weston Research Laboratories, Inc., Route 1, Box 33, Purcellville 22132.
Woodard Research Corp., 12310 Pinecrest Road, Herndon 22070.

WASHINGTON

Department of Social and Health Services, 1409 Smith Tower, Seattle 98104.
Eastern Washington State College, Chency 99004.
Fort Steilacoom Community College, Box 99186, Tacoma 98499.
Hollister-Stier Laboratories, Box 3145, Terminal Annex, Spokane 99220.
Pacific Northwest Laboratories, P.O. Box 999, Richland 99352.
Pacific Northwest Research Foundation, 1102 Columbia Street, Seattle 98104.
Providence Hospital, 528–18th Avenue, Seattle 98122.
Saint Joseph Hospital, Tacoma 98405.
Seattle-King County Health Department, 1303 Public Safety Building, Seattle 98104.
Seattle University, Seattle 98122.
Sweden Freezer Manufacturing Co., 3401–17th Avenue, West Seattle 98119.
University of Washington, Seattle 98105.
Virginia Mason Research Center, 1000 Seneca Street, Seattle 98101.
Washington State University, Laboratory, Animal Units, Pullman 99163.
Western Washington State College, Bellingham 98225.
Weyerhaeuser Company, Forestry Research Center, P.O. Box 420, Centralia 98531.

WEST VIRGINIA

West Virginia University, Morgantown 26506.

WISCONSIN

Allen-Bradley Medical Science Laboratory, 8700 W. Wisconsin Avenue, Milwaukee 53226.
Altech Laboratories, P.O. Box 4186, Madison 53711.
Appleton Memorial Hospital Association, 1818 North Meade Street, Appleton 54911.
Bellin Memorial Hospital, 744 South Webster Avenue, Green Bay 54301.
Beloit College, Beloit 53511.
Bjorksten Research Foundation, Madison 53701.
Central Wisconsin Colony and Training School, 317 Knutson Drive, Madison 53704.
Colgate-Palmolive Company, Lakeside Laboratories Division, 1707 E. North Avenue, Madison 53706.
Columbia Hospital, 3321 N. Maryland Avenue, Milwaukee 53211.
Endocrine Laboratories of Madison, Inc., P.O. Box 1436, 979 Jonathan Drive, Madison 53701.
Fromm Laboratories, Inc., Grafton 53024.
Adolf Gundersen Medical Foundation, 1836–1910 South Avenue, La Crosse 54601.
Marshfield Clinic Foundation for Medical Research and Education, 630 S. Central Avenue, Marshfield 54449.
Marquette University, 615 North Eleventh Street, Milwaukee 53233.
Medical College of Wisconsin, 561 N. 15th Street, Milwaukee 53233.
Mt. Sinai Hospital, May and Sigmund Winter Research Laboratory, 948 N. 12th Street, Milwaukee 53233.
The Regents of the University of Wisconsin, 750 University Avenue, Madison 53706.
St. Luke's Research Foundation, Inc., 2900 W. Oklahoma Avenue, Milwaukee 53215.
St. Norbert College, De Pere 54115.
Vocational, Technical and Adult Education No. 4, 211 North Carroll Street, Madison 53711.
Warf Institute, Inc., 506 N. Walnut, P.O. Box 2599, Madison 53701.
Wisconsin Department of Agriculture, Madison 53711.

WYOMING

Casper College, 125 College Drive, Casper 82601.
Laramie County Community College, 1400 East College Drive, Cheyenne 82001.
The University of Wyoming, Laramie 82070.

(Sec. 6, 80 Stat. 351, as amended, 84 Stat. 1561, (7 U.S.C. 2136) 37 FR 28464, 28477; 38 FR 19141; 9 CFR 2.127.)

Done at Washington, D.C., this 27th day of February, 1975.

PIERRE A. CHALOUX,
Acting Deputy Administrator, Veterinary Services, Animal and Plant Health Inspection Service.

[FR Doc.75-5785 Filed 3-4-75;8:45 am]

[PPQ 639]

SOIL SAMPLES

List of Approved Laboratories for Receipt of Certain Soil Samples

This document lists certain laboratories as indicated herein which are approved by the Deputy Administrator for receipt in interstate commerce of soil samples for processing, testing, or analysis pursuant to §§ 301.48–3, 301.72–3, 301.80–3, 301.81–3, 301.85–3, of the Japanese beetle, whitefringed beetle, witchweed, imported fire ant, and golden nematode regulations (7 CFR 301.48–3, 301.72–3, 301.80–3, 301.81–3, 301.85–3).

Also, in connection with the regulations relating to the movement into or through the United States of soil from foreign countries or Territories or possessions of the United States (7 CFR 330.300 et seq.), this document lists certain laboratories as indicated herein which the Deputy Administrator has approved for receipt, under permit, of soil samples for research or analytical purposes in accordance with safeguards and other conditions specified in the permits.

The list reads 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).[3]
ATS, Arvin, CA [2] (6–30–76).
Abbott Laboratories, North Chicago, IL [2] (6–30–76).
Ackenhell, A. C., & Associates, Inc., Nitro, WV.
Ackenhell, A. C., & Associates, Inc., Nitro, burgh, PA.
Agrico Chemical Co., Washington Courthouse, OH.
Agricultural Service Laboratories, Pharr, TX [2] (6–30–77).
Agrimanagment, Yakima, WA.
Alfred Agricultural and Technical Institute, State University of New York, Department 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.

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[1] See footnotes at end of document.

American Oil Co., Soil Testing Laboratory, Yoder, IN.
Ameron, South Gate, CA.
Amoco, Soil Guide Laboratory, Rochelle, GA.
Anaerobe Laboratory, Virginia Polytechnic Institute and State University, Blacksburg, VA.
Analysis Laboratories, Inc., Metairie, LA.
Analytical Biochemistry Laboratories, Inc., Columbia, MO.
Analytical Development Corp., Monument, CO[2] (6-30-79)
Analytical Research Labs., Inc., Monrovia, CA[2] (6-30-76)
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, Marianna, 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, CA.
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.
Benedict, Bowman, Craig and Moos, Columbus, OH.
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, P. 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] (C-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 Department of Transportation, Transportation Laboratory, Sacramento, CA[2] (6-30-75).
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 State University, Department of Civil Engineering, Sacramento, CA[2] (6-30-75).
California Testing Laboratories, Los Angeles, CA.
California, University of, Agricultural Extension Service, Riverside, CA.
California, University of, Department of Agronomy & Range Science, Davis, CA[2] (6-30-75).
California, University of, Department of Anthropology, Davis CA[2] (6-30-77).
California, University of, Department of Botany, Berkeley, CA[2] (6-30-75).
California, University of, Department 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, College of Natural Resources, Department of Plant Pathology, Berkeley, CA[2] (12-31-75).
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, Lawrence Livermore Laboratory, Livermore, CA[2] (12-31-75).
California, University of (Los Angeles), Laboratory of Nuclear Medicine and Radiation Biology, Los Angeles, CA.
California, University of (Southern), Department of Geological Sciences, Los Angeles, CA[2] (6-30-77).
California, University of, School of Engineering and Applied Science, Mechanics-Structures Department, Los Angeles, CA[2] (6-30-76).
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).
Chem-Lawn Corporation, Columbus, OH.
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.
Chicago, University of, Department of Geography, Chicago, IL[2] (6-30-76).
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.
Coleman Engineering Laboratories, Inc., Augusta, GA.
Colorado State University, Department 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[2] (6-30-80).
Colorado School of Mines, Research Institute, Golden, CO[2] (6-30-80).
Commercial Testing & Engineering Co., Chicago, IL.[1]
Commercial Testing & Engineering Co., Norfolk, VA.
Commonwealth Laboratory, Inc., Richmond, VA.
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, Denver, CO[2] (6-30-76).
Dames & Moore, Cincinnati, OH[2] (6-30-76).
Dames & Moore, Los Angeles, CA[2] 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).
Dames & Moore, Seattle, WA.[2] (6-30-79).
D'Appolonia, E., Consulting Engineers, Inc., Pittsburgh, PA.[2] (6-30-77).
Darwin, Charles, Research Institute, Dana Point, CA.[2] (6-30-75).
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.
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).
Effingham Equity, Effingham, IL
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.
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 & Education Center, Bradenton, FL[2] (6-30-76).
Florida, University of, Agricultural Research & Education Center, Lake Alfred, FL.
Florida, University of, Agricultural Extension Service, Soil Testing Laboratory, McCarty Hall, Gainesville, FL.
Florida, University of, Department of Geology, Floyd Hall, Gainesville, FL[2] (6-30-79).
Florida, University of, Soil Science Department, Gainesville, FL[2] (6-30-76).
Flowers Chemical Laboratories, Altamonte Springs, FL.
Foley, Hubert L., Jr., New Albany, MS.
Foundation Engineering Consultants, Inc., Columbia, SC.
Foundation Test Services, Inc., Bethesda, MD.
Franklin, R. T., & Associates, Burbank, CA.
Frederick Cancer Research Center, Fermentation Laboratory, Frederick, MD[2] (6-30-76).
Froehling & Robertson, Inc., Richmond, VA.[1]
Fruco & Associates, St. Louis, MO.
Fruin-Colnon Corp., St. Louis, MO.
F. S. Royster Guano Co., Toledo, OH.
Fugro, Inc., Long Beach, CA[2] (6-30-75).
Fugro Gulf, Inc., Houston, TX[2] (6-30-75).
Fuller Company, Catasauqua, PA[2] (6-30-80).

G

GHT Laboratories of Imperial Valley, Inc., Brawley, CA[2] (6-30-76).
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, Cooperative Extension Service, Athens, 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).
Geo-Survey, Inc., Camp Hill, PA[2] (6-30-75).
Geotechnical Consultants, Inc., Burbank, CA.
Geotechnical Engineering-Testing, Inc., Mobile, AL.
Geotechnical Engineers Inc., Winchester, MA[2] (6-30-76).
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., Columbia, MD[2] (6-30-77).
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).
Green Thumb Corp., Apopka, FL[2] (6-30-79).
Grimes, Walter B., & Associates, Chico, CA.
Growers Chemical Corp., Milan, OH.
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[2] (6-30-78).
Harding-Lawson Associates, San Rafael, CA[2] (6-30-75).
Harlan, R. C., and Associates, San Francisco, CA[2] (6-30-75).
Harris, Inc., Frederick R., Woodbridge, NJ[2] (6-30-76).
Harris Laboratories, Inc., Phoenix, AZ[1 2] (6-30-77).
Harris Laboratories, Inc., Lincoln, NE.
Harvard University, Peabody Museum, Cambridge, MA[2] (6-30-78).
Harvard University, Soil Mechanics Laboratory, Cambridge, MA.
Harza Engineering Co., Chicago, IL[2] (6-30-77).
Hawley & Hawley, Division of Skyline Labs, Inc., Tucson, AZ[2] (6-30-75).
Haynes, John H., Consulting Engineer, Dallas, TX.
Haze Research Inc., Golden, CO[2] (6-30-78).
Hazelton Laboratories, Inc., Falls Church, VA.
Hector Agricultural Export 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[2] (6-30-76).
Hill-Harned & Associates, Redding, CA.
Hoffman-LaRoche, Inc., Nutley, NJ[2] (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[2] (6-30-78).
Independent Testing Laboratories, Greensboro, NC.
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 Geochemics, Ltd., Gretna, LA.[2] (6-30-76).
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, Department of Agronomy, Ames, IA.[2] (6-30-80).
Iowa State University, Engineering Research Institute, Ames, IA.[2] (6-30-75).
Iowa, University of (Northern) Department of Biology, Cedar Falls, IA.[2] (6-30-76).

J

Jennings Laboratories, Virginia Beach, VA.
Jersey Testing Laboratories, Atco, NJ.
Jersey Testing Laboratories, Newark, NJ.
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.
Kaiser Aluminum and Chemical Corp., Center for Technology, Pleasanton, CA.[2] (6-30-80).
Kalo Laboratories, Inc., Quincy, IL.
Kansas City Testing Laboratory, Inc., Kansas City, MO.
Kansas State University, Civil Engineering Department, Manhattan, KS.[2] (6-30-76).
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.
Kinlab, Inc., Cincinnati, OH.
Kleinfelder, J. H., & Associates, Fresno, CA.
Kleinfelder, J. H., & Associates, Merced, CA.
Kleinfelder, J. H., & Associates, Sacramento, CA.
Kleinfelder, J. H., & Associates, Stockton, CA.
Krueger Enterprises, Inc., Cambridge, MA[2] (6-30-76).

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, Clifton, 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[1,2] (6-30-78).
Law Engineering Testing Co., Marietta, GA[2] (6-30-76).
Law Engineering Testing Co., McLean, VA[2] (6-30-79).
Law Engineering Testing Co., Tampa, FL[2] (6-30-76).
Layne-Western Co., Kansas City, MO.
Layne-Western Co., Kirkwood, MO.
Lederle Laboratories, Pearl River, NY[2] (6-30-75).
Lerch Brothers Inc., Hibbing, MN[2] (6-30-80).
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[2] (6-30-76).
Lilly, Eli, & Co., Greenfield, IN[2] (6-30-79).
Lilly, Eli, & Co., Lilly Research Laboratories, Indianapolis, IN[2] (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.
Maine, University of, Plant & Soil Science Department, Orono, ME[2] (6-30-76).
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[2] (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 Engineers, Inc., Houston, TX[2] (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.
Miami, University of, Department of Biology, Coral Gables, FL[2] (6-30-76).
Michigan Department of Public Health, Bureau of Laboratories, Division of Antibiotics and Fermentation, Lansing, MI[2] (6-30-78).
Michigan State University, Department of Animal Husbandry, East Lansing, MI[2] (6-30-76).
Michigan State University, Department of Botany and Plant Pathology, East Lansing, MI[2] (6-30-77).
Michigan State University, Department of Entomology, Nematology Lab, East Lansing, MI[2] (6-30-76).
Michigan State University, Crop and Soil Science Department, East Lansing, MI[2] (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., Marschall 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 Mining and Manufacturing Co., Agrichemical Laboratories, St. Paul, MN[2] (6-30-76).
Minnesota, University of, Department of Geology & Geophysics, Minneapolis, MN[2] (6-30-80).
Minnesota, University of, The Hormel Institute, Austin, MN[2] (6-30-76).
Minnesota, University of, Department of Soil Science, St. Paul, MN[2] (6-30-75).
Mississippi State University, State College, MS.
Mississippi, University of, University, MS.
Missouri Highway Commission, Jefferson City, MO.
Missouri, University of, Department of Food Sciences and Nutrition, Columbia, MO[2] (6-30-75).
Missouri, University of, Division of Biology, Columbia, MO[2] (6-30-76).
Monsanto Co., Agricultural Division, St. Louis, MO[2] (6-30-78).
Morse Laboratories, Sacramento, CA.
Mueser, Rutledge, Wentworth, and Johnston, New York, NY[2] (6-30-80).

N

Na-Churs Plant Food Co., Marion, OH[2] (6-30-75).
Na-Churs, Red Oak, IA.
National Aeronautics and Space Administration, Ames Research Center, Moffett Field, CA[2] (6-30-75).
National Bulk Carriers, Inc., New York, NY.
National Laboratories, Evansville, IN.
National Soil Services, Inc., Dallas, TX.
National Soil Services, Inc., Houston, TX[2] (6-30-75).
National Spectographic, Division of Shiller Industries, Warrenville Heights, OH.
Natural Resources Laboratory, Golden, CO.
Nebraska Department of Roads, Soil Testing Laboratory, Lincoln, NE.
Nebraska, University of, Department of Agronomy, Heim Hall, Lincoln, NE[2] (6-30-78).
Nelson Laboratories, Stockton, CA[2] (6-30-75).
Nevada State Highway Department Laboratory, Carson City, NV.
New Jersey Department of Transportation, Trenton, NJ.
New Mexico State Highway Department, Sante Fe, NM.
New Mexico State University, Soil and Water Testing Laboratory, Las Cruces, NM[2] (6-30-76).
New York Botanical Garden, Cryptogamic Herbarium, Bronx, NY[2] (6-30-76).
New York State, University of, College of Environmental Sciences & Forestry, Dept. of Forest Botany & Pathology, Syracuse, NY[2] (6-30-80).
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[2] (6-30-75).
North Carolina, University of, Research Lab. of Anthropology, Chapel Hill, NC[2] (6-30-76).
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[2] (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[2] (6-30-75).
Nutting, H. C., Co., Cincinnati, OH.

O

Ohio Florist Association, Columbus, OH.
Ohio State University, Botany Department, Columbus, OH[2] (6-30-76).
Ohio State University, Department of Agronomy, Columbus, OH[2] (6-30-78).
Ohio State University, Institute of Polar Studies, Columbus, OH[2] (6-30-76).
Ohio State University, Ohio Extension Service, Columbus, OH.
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.
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.
Pan American Laboratories, Brownsville, TX[2] (6-30-80).
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[2] (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 State University, Department of Anthropology, University Park, PA[2] (6-30-76).
Pennsylvania, University of, Dept. 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[2] (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[1,2] (6-30-75).
Plains Laboratory, Lubbock, TX.
Pope, W. L., 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[2] (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 Jeans, Clayton, MO.
Resources International, Fresno, CA[2] (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 & Sutherland, Inc., Richmond, VA[2] (6-30-75).
Schering Corp., Bloomfield, NJ[2] (6-30-79).
Scientific Associates, Inc., St. Louis, MO[2] (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[2] (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.[2] (6-30-77).
Smith-Douglas, Chesapeake, VA.
Smith-Douglas Co., Division of Borden Inc., Columbus, OH.
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[2] (6-30-75).
Soil Consultants, Inc., Charleston, SC.
Soil Consultants, Inc., Merrifield, VA.
Soil Control Laboratory, Watsonville, CA[2] (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[2] (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 California Testing Lab., Inc., San Diego, CA[2] (6-30-76).
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 Assayers & Chemists, Inc., Tucson, AZ[2] (6-30-79).
Southwestern Irrigation Field Station, Brawley, CA.
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.
Stilwell & Gladding, Inc., New York, NY.
Stone, Ralph and Co., Inc., Los Angeles, CA.[2] (6-30-76).
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.
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).

Texas, University of Radiocarbon Laboratory, Balcones Research Center, Austin, TX [3] (6-30-79).
Thompson, Vester J., Jr., Inc., Mobile, AL.
Thornton Laboratories, Inc., Tampa, FL.
Three Gee Dee, Pembroke, FL.
Tippetts-Abbett-McCarthy-Stratton, New York, NY [3] (6-30-76).
Trinity Testing Laboratories, Inc., Corpus Christi, TX.
Triple S Laboratory, Inc., Loveland, CO [3] (6-30-79).
Truesdale Laboratories, Inc., Los Angeles, CA.
Tulsa, University of, Department of Geology, Tulsa, OK [3] (6-30-76).
Twin City Testing and Engineering Laboratory, Inc., St. Paul, MN [3] (6-30-75).
Twin County Services Co., Murphysboro, IL.
Twining Laboratories, Inc., Fresno, CA [3] (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 [3] (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 [3] (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 [3] (6-30-79).
Utah State University, Soil Laboratory, Logan, UT.
Utah State University, Soil and Water Conservation Research, Mechanic Arts, Logan, UT.
Utah State University, Crops Research Laboratory, Logan, UT.
Utah, University of, Department of Anthropology, Salt Lake City, UT [3] (6-30-76).

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 [3] (6-30-77).
U.S. Department of Agriculture, ARS, SWC, Citrus, Vegetable, Soil, and Water Laboratory, Weslaco, TX [3] (6-30-75).
U.S. Department of Agriculture, ARS, Plant and Entomological Sciences, Washington, DC.
U.S. Department of Agriculture, ARS, Soil, Water, and Air Sciences, Washington, DC.
U.S. Department of Agriculture, ARS, Southern Piedmont Conservation Research Center, Watkinsville, GA [3] (6-30-78).
U.S. Department of Agriculture, ARS, U.S. Water Conservation Lab, Phoenix, AZ [3] (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 [3] (6-30-75).
U.S. Department of Agriculture, FS, Washington, DC.
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 [3] (6-30-77).
U.S. Department of Agriculture, SCS, Engineering Division, Washington, DC [1].
U.S. Department of Agriculture, SCS, Soil Mechanics Laboratory, Lincoln, NE.
U.S. Department of Agriculture, SCS, Soil Survey Investigations Unit, Lincoln, NE [3] (6-30-78).
U.S. Department of Agriculture, SCS, Soil Survey Laboratory, Riverside, CA [3] (6-30-77).
U.S. Department of Agriculture, SCS, Soil Survey, Washington, DC [1].
U.S. Department of Agriculture, SCS, Survey Investigations Unit, Beltsville, MD [3] (6-30-75).
U.S. Department of Commerce, National Bureau of Standards, Health Physics Section, Gaithersburg, MD [3] (6-30-75).
U.S. Department of Defense, U.S. Air Force, AFCES/DL Civil Engineering Center, Tyndall AFB, Panama City, FL [3] (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 [3] (6-30-76).
U.S. Department of Defense, U.S. Army, Construction Engineering Research Laboratory, Champaign, IL [3] (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 [3] (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, Engineer Waterways Experiment Station, Vicksburg, MS [3] (6-30-76).
U.S. Department of Defense, U.S. Army Corps of Engineers, Washington, DC [1].
U.S. Department of Defense, U.S. Army, Electronics Command, Institute for Exploratory Research, Fort Monmouth, NJ [3] (6-30-75).
U.S. Department of Defense, U.S. Army Environmental Hygiene Agency, Aberdeen Proving Ground, MD [3] (6-30-80).
U.S. Department of Defense, U.S. Army Facility Engineering Support Agency, Engineering Division, Nuclear Branch, Fort Belvoir, VA [3] (6-30-79).
U.S. Department of Defense, U.S. Army Mobile Equipment Research Development Center, Countermine/Counter Intrusion Dept., Fort Belvoir, VA [3] (6-30-79).
U.S. Department of Defense, U.S. Army, South Pacific Corps of Engineers, Engineering Division Laboratory, Sausalito, CA [3] (6-30-78).
U.S. Department of Defense, U.S. Navy, Atlantic Division, Naval Facilities Engineering Command, Norfolk, VA [3] (6-30-76).
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 [3] (6-30-78).
U.S. Department of the Interior, Bureau of Indian Affairs, Soil Testing Laboratory, Gallup, NM.
U.S. Department of the Interior, Branch of Central Environmental Geology, Denver, CO [3] (6-30-76).
U.S. Department of the Interior, Engineering and Research Center, Bureau of Reclamation, Denver, CO [3] (6-30-75).
U.S. Department of the Interior, Geological Survey, Branch of Exploration Research, Denver, CO [3] (6-30-75).
U.S. Department of the Interior, Geological Survey, Albuquerque, NM.
U.S. Department of the Interior, Geological Survey, Harrisburg, PA.
U.S. Department of the Interior, Geological Survey, Washington, DC [1].
U.S. Department of the Interior, National Park Service Science Center, National Space Technology Labs., Bay St. Louis, MS [3] (6-30-76).
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 [3] (6-30-77).
U.S. Department of Transportation, Federal Highway Administration, Washington, DC [1].
U.S. Department of Transportation, Federal Highway Administration, Sevier County Industrial Park, Sevierville, TN.
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).
U.S. Geological Survey, Quality of Water Laboratory, Water Resources Division, Menlo Park, CA.

V

Valmont Industries, Inc., Valley, NE [3] (6-30-75).
Value Engineering Company, Alexandria, VA.
Velsicol Chemical Corp., Chicago, IL [3] (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 [3] (6-30-76).
Ward Lind Engineers, Inc., Jackson, MS.
Warf Institute, Inc., Madison, WI.
Washington State University, Department of Agronomy and Soils, Pullman, WA [3] (6-30-75).
Washington State University, Department of Botany, Pullman, WA [3] (6-30-76).
Washington, University of, College of Forest Resources, Seattle, WA [3] (6-30-76).
Washington, University of, Department of Anthropology, St. Louis, MO [3] (6-30-76).
Washington, University of, Department of Biology, St. Louis, MO [3] (6-30-76).
Washington, University of, Department of Geological Sciences, Seattle, WA [3] (6-30-77).
Washington, University of, Department of Radiation Ecology, Seattle, WA [3] (6-30-80).
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.
Whitaker Laboratories, Inc., Savannah, GA.
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 [3] (6-30-79).
Wisconsin, University of, Department of Anthropology, Milwaukee, WI [3] (6-30-79).
Wisconsin, University of, Department of Geography, Milwaukee, Wisconsin [3] (6-30-75).
Wolf's, Dr., Agricultural Laboratories, Fort Lauderdale, FL [3] (6-30-75).
Woodard Research Corp., Herndon, VA.
Woodson-Tenent Laboratories, Memphis, TN.
Woodward & Associates, Inc., Baton Rouge, LA.
Woodward-Cleveneger & Asseociates, Inc., Denver, CO [3] (6-30-75).
Woodward, Clyde, & Associates, Orange, CA.
Woodward, Clyde, & Associates, Clifton, NJ.
Woodward, Clyde, & Associates, San Diego, CA.
Woodward, Gizienski & Associates, San Diego, CA [3] (6-30-80).
Woodward-Gardner & Associates, Philadelphia, PA.
Woodward-Krazynski & Associates, Inc., Houston, TX [3] (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 [3] (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 [3] (6-30-79).
Yale University, Department of Geology & Geophysics, New Haven, CT [3] (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

Zeff Associates, Inc., Denver, CO [3] (6-30-76).
Zoecon Corp., Palo Alto, CA.

Done at Washington, D.C., this 28th day of February, 1975.

JAMES O. LEE, JR.,
Acting Deputy Administrator, Plant Protection and Quarantine Programs.

[FR Doc.75-5829 Filed 3-4-75;8:45 am]

[1] Approval includes all branch laboratories in conterminous United States.

[2] Approved to receive soil samples pursuant to Subpart—Movement of Soil, Stone, and Quarry Products (7 CFR 330.300 *et seq.*) only.

[3] Approved to receive soil samples pursuant to Subpart—Movement of Soil, Stone, and Quarry Products (7 CFR 330.300 *et seq.*) and pursuant to sections 301.48-3, 301.72-3, 301.80-3, 301.81-3, and 301.85-3, of the Japanese beetle, whitefringed beetle, witchweed, imported fire ant, and golden nematode regulations (7 CFR 301.48-3, 301.72-3, 301.80-3, 301.81-3, 301.85-3).

NOTE.—All laboratories not designated by footnote [3] are approved to receive soil samples pursuant to §§ 301.48-3, 301.72-3, 301.80-3, 301.81-3, and 301.85-3, of the Japanese beetle, whitefringed beetle, witchweed, imported fire ant, and golden nematode regulations (7 CFR 301.48-3, 301.72-3, 301.80-3, 301.81-3, 301.85-3). A date after a name indicates when approval to receive soil samples pursuant to Subpart—Movement of Soil, Stone, and Quarry Products (7 CFR 330.300 *et seq.*) expires.

Cooperative State Research Service

SPECIAL GRANTS PROGRAM

Special Grants and Closing Date for Applications

Notice is hereby given that pursuant to the authority contained in section 2 of Pub. L. 89-106 (7 U.S.C. 450i) the Cooperative State Research Service (CSRS) will award competitive grants in the following areas:

	(*Thousands*)
1. Environmental quality	$350
2. Food and nutrition	750
3. Beef and pork production	750
4. Soybeans	500
5. Pest management	400

This notice solicits proposals that will be evaluated by peer panels in competition with proposals from other institutions or organizations. Proposals will be considered for funding only if they conform to the guidelines (Appendix I). Statements of review criteria (Appendix II and II.A) and proposal format (Appendix III) will assist in the preparation of proposals. Maximum project duration is five (5) years from the time of the award.

Submit four (4) copies of your proposal to the Administrator, Cooperative State Research Service, U.S. Department of Agriculture, Washington, D.C. 20250. To be considered for funding, proposals must reach this office before March 28, 1975.

After grants are awarded, proposals not funded will be returned along with summaries of the peer panel evaluations.

The regulations applicable to this grant program include Subpart 4-3.51 of the USDA Procurement Regulations (41 CFR 4-3.51), "Negotiated Research Agreements with Educational Institutions", and Title 4 of the USDA Administrative Regulations, "Agriculture Grant and Agreement Regulations".

ELIGIBILITY

Grants may be made to State Agricultural Experiment Stations, colleges, universities, and other research institutions and organizations, and to federal and private organizations, and individuals for research to further the programs of the Department of Agriculture.

JOSEPH R. WRIGHT, JR.,
Assistant Secretary for Administration.

FEBRUARY 26, 1975.

APPENDIX I

GUIDELINES FOR SUBJECT MATTER CATEGORIES

I. ENVIRONMENTAL QUALITY ($350,000)

Specific areas of inquiry

1. Development of processes by which wastes from animal production units can be made into useful byproducts including, but not limited to, animal feed and methane.

2. Development of methods and practices to minimize pollution hazards from land applications of animal wastes and municipal sludge and effluent.

A proposal should not exceed $90,000 in grant support.

II. FOOD AND NUTRITION ($750,000)

Specific areas of inquiry

1. Nutrient requirements of specific age groups, sexes and other segments of the population.

a. Determine nutrient needs of specific age groups, especially children, pregnant women, teenagers and older persons.

b. Determine the factors, including socio-economic conditions, which influence the selection, acceptability and consumption of foods, and evaluate ways to improve eating habits and nutritional status of consumers.

c. Identify changes in food consumption patterns due to inflationary forces and their effect on nutritional adequacy of the diet.

d. Develop means for improving dietary patterns and nutritional status of the consumers by designed modification and delivery of food.

e. Clarify the role of dietary fiber in nutrition.

2. Effects of processing and fabrication of foods from traditional and non-conventional materials on nutrient quality.

a. Develop procedures and principles for alteration of food processes which will result in improved nutritive value, better handling and storage characteristics, and acceptability of foods.

b. Determine the effects of processing, storage and distribution on the nutritive value of various foods, compatible with other desired characteristics.

c. Develop improved techniques for determining the nutrient content of processed foods and monitoring changes due to processing and handling.

d. Evaluate the nutritive content and value of raw and processed foods, food ingredients and food combinations.

e. Study problems of nutrient deterioration and compatibility in foods and ways to improve through formulation, enrichment, and fortification.

A proposal should not exceed $150,000 in CSRS grant support.

III. BEEF AND PORK PRODUCTION ($750,000)

Specific Areas of Inquiry

1. *Beef Production.* a. Increase reproductive efficiency and capacity of beef animals by natural or induced methods (including genetics, nutrition, physiology, and management).

b. Develop improved forage-beef production systems that combine innovative use of forage production and utilization of technology with cattle management practices to increase use of forages in beef production, decrease dependence on feed grains, and decrease costs of production of acceptable beef. (Forages include range, pasture, harvested forage, silage, and crop residues.)

c. Determine the causes and develop methods of diagnosis for the prevention and control of the bovine respiratory disease complex and diseases of calves.

2. *Pork Production.* a. Investigate the effect of management practices on physiological processes affecting reproduction to

maximize the number of pigs produced per sow per year.

b. Determine the etiology and means of control of the porcine stress syndrome and diseases of baby pigs.

A proposal should not exceed $190,000 in CSRS grant support.

IV. *SOYBEAN RESEARCH* ($500,000)

Specific Areas of Inquiry

1. Multiple crop protection strategies involving:

a. Multiple resistance or tolerance to diseases, weeds, and insects including genetics of host and pests

b. Management practices

c. Control mechanisms involving pesticides, biological controls, and other possible approaches.

2. Research to increase the utilization of, or the creation of, plant material to exploit the maximization of genetic diversity.

3. Identify functions of biochemical and physiological factors as they may interact with environmental conditions to affect productivity and quality.

4. Soil factors limiting production, including root development and plant competitive factors.

A proposal should not exceed $100,000 in CSRS grant support.

V. *PEST MANAGEMENT* ($400,000)

Specific Areas of Inquiry

1. Development of biological and other methodologies for the suppression of pest losses in important crops, including an isolation and analysis of component environmental (climatic and edaphic) and biological parameters as to their relative importance and the degree to which they can be manipulated in influencing the fecundity, survival and impact of disease agents, insect pests and weeds.

2. Refinement of economic threshold levels for major pests on our major agricultural crops and development of threshold levels for more pests on these and other crops, including procedures for predicting the effect on yield of various control techniques and effective methods for appraising losses caused by the pests.

3. Development of biological controls of weeds using insect and pathogen populations and their variants as selected biocontrol agents in a fashion compatible with insect and disease control.

4. Determination of mechanisms of resistance of plant hosts to pest organisms, incorporation of pest resistance into major agricultural crops and the integration of these resistant varieties, as suppression components, into pest management systems.

5. Development and integration of additional computer simulation models of plant growth and pest population dynamics for predictive and forecasting purposes.

A proposal should not exceed $100,000 in CSRS grant support.

APPENDIX II

INSTRUCTIONS FOR PEER PANELS ON USE OF SCORING FORM

The following items are numbered to correspond to those on the scoring form.

A. *Relevancy of Proposal to Guidelines.* Conformance of each proposal to the guidelines will be evaluated first in CSRS and if Item (1) is checked, the proposal will go routinely to peer review. Peers may not agree with CSRS and can so indicate on the scoring form. Where Item (2) is checked, CSRS will send the proposal for peer review to get additional insights. Where Item (3) is checked, the proposal will be returned to the originating institution as inappropriate for further consideration.

B. *Technical Criteria.* These criteria will provide the primary rationale for making awards. For all items, positive scoring will range from 1 (poor) through 10 (outstanding). A score of "0" will be reserved for those cases in which the proposal does not cover the item. In such cases, the Peers will recommend (or not) for negotiation with the originating institution largely as a function of the quality of other items.

Item 4: Divide ten points equally between educational background (1 to 5 points) and research experience (1 to 5 points). [Refer to Element 9 in Format.]

Item 5: Score from 1 to 10 points based on your assessment of the adequacy of the time and attention that the principal investigator(s) will devote to the project. [Refer to Element 9 in Format.]

Item 6: Distribute 10 points based on the adequacy of all facilities and equipment. Reduce points to reflect excessive purchases of equipment with grant funds. [Refer to Elements 7 and 10 in Format.]

Item 7: Peers will need to rely on their own experience and knowledge of programs at institutions around the country. [For related information, refer to Elements 4, 5, 6, 9, and 11.]

Item 8: Assess the probability that the research can be completed and written for publication during the period of the grant. [Refer to Element 8 in particular in Format.]

Item 9: Distribute points in increasing amount based on the relationships of the proposed research to current published knowledge and technology. [Refer to Element 5 in Format.]

Item 10: Distribute points in increasing amount based on the relationships of the proposed research to on-going and as yet unpublished research. [Refer to Element 6 in Format.]

C. *Research Impacts.* The purpose of the research impact criteria is to assess the magnitude of the benefits to be derived from the new knowledge or technology generated from the research project. These criteria will provide supplementary information to the Peers and to CSRS. Both items may not be applicable to particular proposals. Basic research, for example, may be evaluated only in Item 11.

Item 11: This criterion is based on the clear identification of and the likelihood of being used. Distribute 1 to 5 points based on the realistic identification of potential direct users of the research information and 1 to 5 points to assessment of how the information would be used. [Refer to Elements 4 and 12–A in Format.]

Item 12: This criterion requires clear and realistic identification and the degree of benefit that might be gained. Distribute 1 to 5 points on realistic identification of beneficiaries and 1 to 5 points on estimates of benefit magnitude. [Refer to Elements 4 and 12–B in Format.]

APPENDIX II-A

PEER PANEL SCORING FORM

Project title:.....

A. Relevance of proposal to guidelines (check 1 item):

(1) ☐ Within guidelines (forward for peer evaluation).
(2) ☐ Some minor deviation(s) from guidelines (forward for peer evaluation with notation).
(3) ☐ Does not conform to guidelines (return proposal to originating institution).

	Score [1] 1 to 10	
B. Technical criteria:		
(4) Research competence of principal investigator(s)	.....	3 or lower, project may be returned to institution.
(5) Amount of time and attention principal investigator(s) will devote to the project.	.....	3 or lower, possible negotiation with institution.
(6) Adequacy of facilities and equipment	.....	3 or lower, project may be returned to institution.
(7) Quality of research in the institution in the program area of the prepsoal.	.....	
(8) Feasibility of attaining objectives during life of proposed research.	.....	3 or lower, project may be returned to institution.
(9) Relevance of the proposed research to published literature.	.....	3 or lower, project may be returned to institution.
(10) Relevance of proposed research to ongoing research	.....	3 or lower, project may be returned to institution.
Subtotal	.....	
C. Research Impacts criteria:		
(11) Identification of direct users of research results	.....	3 or lower, project may be returned to institution.
(12) Identification of research beneficiaries	.....	
Subtotal	.....	
D. Written comments or explanation of scoring (use back of page).		

[1] All criteria will be scored from 0 to 10. A score of 0 indicates that proposal does not contain information on which to base a judgment and negotiation with institution may be indicated.

APPENDIX III

FORMAT FOR RESEARCH PROPOSAL

1. *Title page:*

A. *Title:* A brief, clear, specific designation of the subject of the research. Do not include such terms as, "A Study of—" or "A Detailed Analysis of—." Names of geographical regions or political subdivisions should not be included unless they are important to the subject of the research.

B. *Principal Investigator(s):*

C. *Name of performing organization and address:*

D. *Category of research program in which proposal will compete for funds:*

E. *Date of Submission:*

F. *Approval Signatures of appropriate officials:*

G. Submitted to: Dr. R. L. Lovvorn, Administrator, Cooperative State Research Service, United States Department of Agriculture, Washington, D.C. 20250.

2. *Objectives:* A clear, complete, and logically arranged statement of the specific aims of the research.

3. *Procedures:* A statement of the essential working plans and methods to be used in attaining each of the stated objectives. Procedures should correspond to the objectives and follow the same order. Procedures should include items such as: the sampling

plan, experimental design, and analyses anticipated.

4. *Justification:* This should describe: (1) the importance of the problem to the state or region, being sure to include estimates of the magnitude of the problem; (2) the importance of starting the work now; and (3) reasons for the work being performed in your particular institution.

5. *Literature review:* A summary of pertinent publications with emphasis on the relationship to the proposed research. Cite important and recent publications from other institutions as well as your own institution. Citations should be accurate and complete.

6. *Current research:* Describe the relevancy of the proposed research to on-going research and as yet unpublished research at your own and at other institutions. This section may be convenient to combine with literature review.

7. *Facilities and equipment:* The location of the work and the facilities and equipment needed and available should be clearly indicated. This section may be combined with Section 3, PROCEDURES, but the combination must clearly show needed and available facilities and equipment.

8. *Research timetable:* Show all important research phases as a function of time.

9. *Personnel support:* Identify clearly all personnel who will be involved in the research. For each scientist involved include: (1) An estimate of the time commitments necessary; (2) Statement of training and research experience; and (3) List of other research projects on which currently engaged.

10. *Financial support:* Show estimated annual costs by source of funds (grant and other sources) in conventional budget categories. Be certain to include indirect costs where appropriate.

11. *Institutional units involved:* List each unit of the institution contributing essential services or facilities. The responsibilities of each should be clearly shown. If there is an advisory, or coordinating committee for the project, list members by name, title, and affiliation.

12. *Research impacts:*

A. *Direct users of research results* should be described and projections made on how results would be used.

B. Identify *potential beneficiaries of the research* on the assumption that the results of the research will be put into use. Include estimates of the magnitudes of the benefits being sure to consider negative as well as positive effects. It is important to include consideration of environmental and energy impacts where the direct use of the research results would influence, plus or minus, significant environmental factors or the supply of non-renewable energy.

[FR Doc.75-5659 Filed 3-4-75;8:45 am]

Farmers Home Administration

[Notice of Designation No. A156]

PENNSYLVANIA

Designation of Emergency Areas

The Secretary of Agriculture has found that a general need for agricultural credit exists in Westmoreland County, Pennsylvania, as a result of a natural disaster consisting of a snowstorm on December 1 and 2, 1974.

Therefore, the Secretary has designated this area as eligible for Emergency loans, pursuant to the provisions of the Consolidated Farm and Rural Development Act, as amended by Pub. L. 93-237, and the provisions of 7 CFR 1832.3(b) including the recommendation of Governor Milton J. Shapp that such designation be made.

Applications for Emergency loans must be received by this Department no later than April 21, 1975, for physical losses and November 21, 1975, for production losses, except that qualified borrowers who receive initial loans pursuant to this designation may be eligible for subsequent loans. The urgency of the need for loans in the designated area makes it impracticable and contrary to the public interest to give advance notice of proposed rule making and invite public participation.

Done at Washington, D.C., this 27th day of February, 1975.

FRANK B. ELLIOTT,
Administrator,
Farmers Home Administration.

[FR Doc.75-5830 Filed 3-4-75;8:45 am]

[Notice of Designation No. A110, Amdt. 1]

TEXAS

Designation of Emergency Area

The Secretary of Agriculture has found that an additional general need for agricultural credit exists in the following county in Texas:

PARMER

The Secretary has found that this additional need exists as a result of a continuing natural disaster consisting of cold and wet weather August 16 to October 31 and hailstorms June 2, July 25, August 8, and October 4, 1974. He has also amended his previous designation of December 12, 1974, to correct the incidence period for drought in this county to be from October 1973 to August 15, 1974.

Therefore, the Secretary has designated this area as eligible for Emergency loans, pursuant to the provisions of the Consolidated Farm and Rural Development Act, as amended by Pub. L. 93-237, and the provisions of 7 CFR 1832.3(b) including the recommendation of Governor Dolph Briscoe that such designation be made.

Applications for emergency loans must be received by this Department no later than April 21, 1975, for physical losses and November 20, 1975, for production losses, except that qualified borrowers who receive initial loans pursuant to this designation may be eligible for subsequent loans. The urgency of the need for loans in the designated area makes it impracticable and contrary to the public interest to give advance notice of proposed rule making and invite public participation.

Done at Washington, D.C., this 27th day of February, 1975.

FRANK B. ELLIOTT,
Administrator,
Farmers Home Administration.

[FR Doc.75-5831 Filed 3-4-75;8:45 am]

[Notice of Designation Number A155]

WISCONSIN

Designation of Emergency Areas

The Secretary of Agriculture has found that a general need for agricultural credit exists in the following counties in Wisconsin:

GREEN LAKE
PRICE

The Secretary has found that this need exists as a result of a natural disaster consisting of exessive rainfall April 1 through May 31 and killing frost September 21, 1974, in Green Lake County and killing frost August 27 and 28 and September 1, 2, and 3, 1974, in Price County.

Therefore, the Secretary has designated these areas as eligible for Emergency loans, pursuant to the provisions of the Consolidated Farm and Rural Development Act, as amended by Pub. L. 93-237, and the provisions of 7 CFR 1832.3 (b) including the recommendation of Governor Patrick J. Lucey that such designation be made.

Applications for emergency loans must be received by this Department no later than April 21, 1975, for physical losses and November 21, 1975, for production losses, except that qualified borrowers who receive initial loans pursuant to this designation may be eligible for subsequent loans. The urgency of the need for loans in the designated areas makes it impracticable and contrary to the public interest to give advance notice of proposed rule making and invite public participation.

Done at Washington, D.C., this 27th day of February, 1975.

FRANK B. ELLIOTT,
Administrator,
Farmers Home Administration.

[FR Doc.75-5832 Filed 3-4-75; 8:45 am]

Forest Service

MULTIPLE USE PLAN RAINY DAY PLANNING 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 Rainy Day Planning Unit, Forest Service Report Number USDA-FS-DES (Adm) R-1-75-6.

The environmental statement concerns a proposal for development of a 61,700 acre tract of National Forest land. The proposal sets constraints and controls associated with the proposed developed area and delineates that part of the total area which will be left in a natural, undeveloped state.

This draft environmental statement was transmitted to CEQ on February 26, 1975.

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, DC 20250

USDA Forest Service
Northern Region
Federal Building
Missoula, MT 59801

USDA Forest Service
Nezperce National Forest
319 East Main
Grangeville, ID 83530

USDA Forest Service
Elk City Ranger District
Elk City, ID 83525

A limited number of single copies are available upon request to Forest Supervisor Don Biddison, Nezperce National Forest, 319 East Main, Grangeville, Idaho 83530.

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 Forest Supervisor Don Biddison, Nezperce National Forest, 319 East Main, Grangeville, Idaho 83530. Comments must be received by April 25, 1975, in order to be considered in the preparation of the final environmental statement.

KEITH M. THOMPSON,
Acting Regional Forester,
Northern Region, Forest Service.

FEBRUARY 26, 1975.

[FR Doc.75-5794 Filed 3-4-75;8:45 am]

DEPARTMENT OF COMMERCE

Domestic and International Business Administration

[Organization and Function Order 45-1]

BUREAU OF DOMESTIC COMMERCE

Organization and Functions

This order effective February 11, 1975 supersedes the material appearing at 39 FR 18488 of May 28, 1974.

SECTION 1. *Purpose.* This order delegates authority to the "Deputy Assistant Secretary for Domestic Commerce and prescribes the organization and functions of the Bureau.

SEC. 2. *Delegations of Authority.* .01 Pursuant to section 5.03 of Department Organization Order 10-3 of November 11, 1973, the following authorities delegated to the Assistant Secretary, DIB by the Secretary of Commerce are hereby delegated to the Deputy Assistant Secretary for Domestic Commerce:

a. Such provisions of the Act of February 14, 1903 (15 U.S.C. 1512 et seq.; 15 U.S.C. 171 et seq.) as amended, to foster, promote, and develop the domestic commerce of the United States, as are necessary to the performance of the Bureau's functions; and

b. Headnote 2, subpart B, part 6, schedule 6 of the Tariff Schedules of the United States (19 U.S.C. 1202) relating to the development, maintenance, and publication of a list of bona fide motor-vehicle manufacturers, and authority to promulgate rules and regulations pertaining thereto under section 501(2) of Title V of the Automotive Products Trade Act of 1965 (19 U.S.C. 2031).

0.2 For purposes of the following authority the Deputy Assistant Secretary for Domestic Commerce shall serve as Deputy to the Deputy Assistant Secretary for Domestic and International Business and shall act in the latter's absence:

a. The Defense Production Act of 1950, as amended, (50 U.S.C. App. 2061, et seq.) conferred on the Secretary under Executive Order 10480, dated August 14, 1953, as amended, except the authority with respect to transportation facilities and the creation of new agencies within the Department of Commerce;

b. Executive Order 11490 of October 28, 1969, as it relates to the development of national emergency preparedness plans and programs concerning production functions;

c. The National Security Act of 1947 (50 U.S.C. 401 et seq.) as amended, as it relates to mobilization preparedness responsibilities assigned thereunder;

d. The Strategic and Critical Materials Stockpiling Act, (50 U.S.C. 98-98h), as amended, with respect to the quality and quantity of materials acquired for the national stockpile and disposal of materials determined to be in excess of national defense requirements;

e. Executive Order 11179 of September 22, 1964, with respect to the establishment and training of the National Defense Executive Reserve; and

f. Executive Order 10421 of December 31, 1952, providing for the physical security of facilities important to the national defense.

.03 The Deputy Assistant Secretary for Domestic Commerce may redelegate authorities listed in section 2.01 to any employee of the Bureau of Domestic Commerce or to any other appropriate officer or agency of the Government subject to such conditions in the exercise of such authority as he may prescribe.

SEC. 3. Organization And Line Of Authority. .01 The Bureau of Domestic Commerce shall be headed by the Deputy Assistant Secretary for Domestic Commerce who shall be the Director and who shall report and be responsible to the Assistant Secretary for Domestic and International Business, except that for purposes of the administration of the Defense Production Act of 1950, he shall report and be responsible to the Deputy Assistant Secretary for Domestic and International Business. The Deputy Assistant Secretary shall be assisted by a Deputy Director who shall perform the functions of the Deputy Assistant Secretary during the latter's absence and by a Technical Operations Staff.

.02 The Bureau of Domestic Commerce shall consist of the following principal organizational elements: Office of Business and Legislative Issues, Office of Business Research and Analysis, Office of Industrial Mobilization, Office of Ombudsman for Business.

SEC. 4. *Functions.* The Bureau of Domestic Commerce shall:

.01 Perform the following functions:

a. Provide analyses and quantitative assessments of domestic business and legislative issues that support, supplement or complement activities of other elements of the Domestic and International Business Administration, the Department, or other agencies of the government engaged in developing and evaluating domestic business policy options.

b. Collect, analyze and maintain factual data on individual U.S. Industries, exclusive of data related to the fiber, textile, and apparel sector of the industrial economy, which shall be the responsibility of the Bureau of Resources and Trade Assistance. Data related to the fiber, textile and apparel sector of the industrial economy shall be the responsibility of the Bureau of Domestic Commerce insofar as required for the administration of the Defense Production Act of 1950, as amended.

This information will be used in support of policy decisions and program actions by the Bureau of Domestic Commerce, the Department of Commerce, and other areas of the Government. Both domestic and international data shall be included in categories such as production, pricing, inventories, marketing, labor, financing, taxation, and location and size of companies.

c. Serve as a focal point for business assistance, consultation, and advice; receive and respond to inquiries from business and industry, the Congress, other agencies of the Government, and the public; identify and take action to clarify business concerns involving Government policies and programs, and develop recommended alternatives; serve as the Department contact in consumer affairs matters with other Government agencies, business and public organizations.

.02 Perform the following action specifically required by law:

a. Certify U.S. firms as "bona fide motor-vehicle manufacturers" qualified to trade under the provisions of the U.S.-Canadian Automotive Agreement; and prepare the President's Annual Report to Congress concerning implementation of the Automotive Products Trade Act of 1965;

b. Prepare the Secretary's Annual Report to Congress as required by section 6 of the Federal Water Pollution Control Act Amendments of 1972.

.03 Perform the following national defense and industrial mobilization functions:

a. Assist in assuring, through the administration of a system of priorities and

allocations under the Defense Production Act, as amended, the timely completion of current military, atomic energy and space programs of production, construction and research and development; and through mobilization planning and preparedness programs assist in assuring adequate supplies of and methods of distribution of critical materials, products and components, including availability of facilities needed for defense, defense supporting and essential civilian requirements during any type of national emergency.

SEC. 5. *Effect on Other Orders.* This Order supersedes DIBA Organization and Function Order 45–1 of April 26, 1974.

Effective date. February 11, 1975.

TILTON H. DOBBIN,
Assistant Secretary for Domestic and International Business.

[FR Doc.75-5795 Filed 3-4-75;8:45 am]

[Organization and Function Order 45-2]

BUREAU OF DOMESTIC COMMERCE

Organization and Function Order

This order effective February 11, 1975 supersedes the material appearing at 39 FR 18489 of May 28, 1974.

SECTION 1. *Purpose.* This order prescribes the organization and assignment of functions within the Bureau of Domestic Commerce.

SEC. 2. *Organization and structure.* The organization structure and line of authority of the Bureau of Domestic Commerce (the "Bureau") shall be as depicted in the attached organization chart. A copy of this chart is on file with the original of this document in the Office of the Federal Register.

SEC. 3. *Delegation of Authority.* The following authority delegated to the Deputy Assistant Secretary for Domestic Commerce, is hereby redelegated to the Director, Office of Business Research and Analysis in accordance with Section 2.03 of DIBA Organization and Function Order 45–1:

Headnote 2, subpart B, part 6, schedule 6 of the Tariff Schedules of the United States (19 U.S.C. 1202) relating to the development, maintenance, and publication of a list of bona fide motor-vehicle manufacturers, and authority to promulgate rules and regulations pertaining thereto under Section 501(2) of Title V of the Automotive Products Trade Act of 1965 (19 U.S.C. 2031).

SEC. 4. *Office of the Deputy Assistant Secretary*

.01 The Deputy Assistant Secretary for Domestic Commerce, shall be responsible to the Assistant Secretary for Domestic and International Business and shall determine the objectives of the Bureau, formulate the policies and programs for achieving those objectives and direct execution of the programs. For the purpose of administration of the Defense Production Act of 1950, as amended, the Deputy Assistant Secretary shall report to the Deputy Assistant Secretary for Domestic and International Business and shall act as his Deputy.

.02 The Deputy Director shall assist in the direction of the Bureau and perform the functions of the Director in the latter's absence.

.03 The Technical Operations Staff shall coordinate bureau planning and development of information collection, data base, and modeling systems, and general-purpose cross-industry data develop guidelines and standards for economic and statistical analyses, reports, and publications and coordinate technical review of major bureau outputs; coordinate bureau program planning and evaluation and special projects involving more than one office; and evaluate and identify appropriate actions with respect to technical contracts and automated data processing services.

.04 The Deputy Assistant Secretary shall supervise and direct the following organizational components:

a. Office of the Deputy Assistant Secretary,

b. Office of Business and Legislative Issues,

c. Office of Business Research and Analysis,

d. Office of Industrial Mobilization,

e. Office of Ombudsman for Business.

SEC. 5. Office of Business and Legislative Issues.

.01 The Office of the Director includes: The Director who shall plan and direct the execution of policies and programs of the Office, and the Deputy Director who shall assist in the direction of the Office and perform the functions of the Director in his absence. The Director shall be a principal advisor to the Bureau Director on legislation and policy matters which have broad industry impact or involve broad sectors of business activity. The Director shall supervise and direct the following organizational components:

.02 The Legislation Division shall review proposed legislation on business-related issues and develop policy positions on such matters. Based on current major economic issues, it shall research and develop Department legislative initiatives; it shall prepare and coordinate within the Bureau the preparation of responses to legislative inquiries, and coordinate its activities with the Office of the General Counsel. It shall analyze Federal policies and industry practices, concerning such issues as labor-management relations, conditions of work, employee benefits, and labor law and practices, which affect industrial efficiency, and develop such policy options as will promote optimum utilization of human resources. The Division shall provide staff support to the Bureau Director on matters concerning the International Labor Organization and related activities.

.03 The Environmental Affairs Division shall conduct studies and analyses, including estimates of the probable costs and public benefits of various alternatives, in order to insure a balanced and informed approach to dealing with the nation's environmental problems, particularly as they affect business and economic activity. Areas of concern include industrial pollution problems, occupational safety and health, and the development and use of land, water, air, and marine resources, including energy/resource development and utilization. The Division shall provide economic and technological assessments of legislative and regulatory proposals and evaluate specific industry impacts as appropriate; participate in the development of Department legislative initiatives in the environmental area; provide technical assistance for environmental assessments to the Bureau of Resources and Trade Assistance; and prepare annual reports to the Congress on the effects of pollution abatement costs on the international comparative advantage of U.S. industries.

.04 The Quantitative Analysis Division shall conduct quantitative analyses of issues as they impact domestic business and industry. The bases for selection of issues to be analyzed are as follows: (1) the issue arises as a result of governmental action or proposed governmental action; (2) governmental action may be capable of reducing or mitigating an adverse impact; (3) the issue impacts industry or business in general rather than an individual industry; and (4) analysis of the issue may be accomplished through the application of complex analytical methods such as regression analysis, input/output models, or computer simulation. Such analyses are typically done on a cooperative basis with other units of Government within or outside the Department, with the Division having either the primary responsibility for conducting the analysis or a supporting role in carrying out discrete segments of analyses for which other units have primary responsibility. The Division shall develop new methodologies and techniques, or modify existing methodologies such as input/output models, linear programs, and regression packages, to the extent that such tools are required for analyzing issues but are not obtainable from other sources. The Division shall develop data bases and information systems as required to carry out office analyses if they are not available from other sources. Such activity will generally consist of processing, restructuring, or integrating data developed from other sources. After the data are processed and assembled, they will be made available to other interested groups to the extent that they can be readily packaged and distributed.

SEC. 6. *Office of business research and analysis.*

.01 The Office of the Director includes: The Director shall supervise and direct the execution of policies and programs of the Office, and the Deputy Director who shall assist in the direction of the Office and perform the functions of the Director in his absence. The Director shall be the principal assistant and policy advisor to the Bureau Director on commodity/industry activities essential to

American economic growth and stability. The Director shall supervise and direct the following organizational components:

.02 Economic Studies and Statistical Standards Staff shall undertake or support quantitative economic analyses in close cooperation with this Office's industry sector divisions, the Department, and other Federal agencies; develop techniques and methods to improve measures to forecast activity for specific industries and business segments including the responsibility for the economic content of public forecasts (e.g. Industrial Outlook); assist in obtaining and maintaining data, and develop sector data bases to support the activities of the industry sector divisions and the Bureau; advise the Bureau on industrial and commodity classifications, domestic and international; coordinate, monitor, and review the statistical activities of the industry sector divisions (e.g. industrial mobilization, GATT); represent the Bureau on interagency statistical committees for both domestic activity and foreign trade; and review and develop Bureau public use forms for survey purposes.

.03 The Industry Sector Divisions are:

Consumer Goods and Services Division, Materials Division, Construction and Forest Products Division, Transportation and Capital Equipment Division, Science and Electronics Division.

.04 Each Division shall for the industries under its cognizance:

a. collect, analyze, and disseminate information and data on production, capacity, consumption, inventories, markets, distribution, sources of supply, the business implications of technological developments, and financial structure; analyze trends in the economy as they affect industries, products and services; prepare analytical and statistical reports for use of business and industry and perform specific commodity/industry economic impact analyses and studies; identify and monitor short supply situations as required by the Export Administration Act; provide policy support for the Federal Government through analsis of industrial trends and problems; analyze and review the impact of existing and proposed regulations, standards and controls upon specific industries and recommend measures to revise and improve them in the best interest of the Nation; provide staff assistance including coordination and review of loan proposals, and supply industrial information to officials of the Department designated to carry out responsibilities in connection with commissions and with national and international organizations (e.g. wage and price stability council; General Services Administration/Office of Preparedness, Organization for Economic Cooperation and Development (OECD), World Bank, United Nations, Export-Import Bank, Inter-American Development Bank); coordinate activities pertaining to special industry committees of the Organization for Economic Cooperation and Development (OECD); perform for the Office of Industrial Mobilization, industrial preparedness and post-attack capability studies, Industry Evaluation Board studies, stockpile analyses, and special expediting assistance for defense production; participate in National Defense Executive Reserve activities; conduct research on marketing practices, methods, structure, costs and facilities and disseminate the findings to Government, consumers and business; assemble and disseminate domestic and foreign marketing data for use by business and Government; assist in the development of a comprehensive data and information base on the supply and consumption of energy in U.S. industry; provide energy-related industry expertise and analysis to other Bureau and Departmental units and the Federal Energy Administration; assist the Office of Business and Legislative Issues in preparation of Departmental responses to proposed EPA guidelines and standards for individual industries.

b. In addition to those functions set forth above:

1. the Transportation and Capital Equipment Division shall provide staff assistance to officials designated to carry out the Department's responsibilities for implementing the Agreement concerning Automotive Products between the Government of the United States and the Government of Canada, including annual and special reporting requirements; recommend certification of qualified applicants as "bona fide motor-vehicle manufacturers;" and maintain and prepare for publication from time to time, lists of bona fide motor-vehicle manufacturers under the provisions of the Automotive Products Trade Act of 1965;

2. the Construction and Forest Products Division shall maintain an industrial water use data base and shall develop and apply methodologies to project industrial water demands for coordinated Federal/state/local planning and development of water and related land resources; fulfill its Departmental assigned responsibility to serve as claimant to the Department of Interior for industrial water requirements under Executive Order 11490; and provide market information to meet materials and equipment requirements for water resources projects; and

3. the Consumer Goods and Services Division shall serve jointly with the Office of Ombudsman for Business, as the DOC contact with the Special Assistant to the President for Consumer Affairs, and the Council of Better Business Bureaus.

SEC. 7. *Office of Industrial Mobilization.*

.01 The Office of the Director includes: the Director who shall plan and direct the execution of policies and programs of the Office, and the Deputy Director who shall assist in the direction of the Office and perform the functions of the Director in his absence. The Director shall supervise and direct the following organizational components:

.02 The Mobilization Readiness Division shall develop and test the organizational plans and procedures for the Bureau to assume the responsibility for industrial production, construction, and distribution in the event of national emergencies; assist and guide industry in preparing for the conduct of emergency operations to assure the continuity of required production; and recruit and train Executive Reservists to assume major responsibilities in the event of a national emergency.

.03 The Industrial Resources Division shall provide guidance and recommendations to the Office of Preparedness/GSA on matters relating to the National Stockpile Program, including the establishment of objectives, development of procurement programs and purchase specifications, special instructions, disposal programs, storage manuals and special studies; provide staff support for the U.S. Representatives, NATO Industrial Planning Committee, and the Co-Chairman, U.S./Canada Emergency Industrial Production and Material Committee; and investigate and report on alleged impact of imports on national security.

.04 The Industrial Evaluation Division shall identify industrial facilities of exceptional importance to the national security, mobilization readiness, post-attack survival, and recovery, specify standards for assessing and evaluating their production capabilities; supervise the preparation of industrial analyses of critically important products and industrial services, including essential survival items; conduct industrial feasibility studies to determine capabilities to meet national emergencies; provide liaison between the Bureau and the Resource Analysis office of the Office of Preparedness/GSA; and support the Industry Evaluation Board.

.05 The Mobilization Operations and Plans Division shall support current national defense requirements by administering the Defense Materials System and the Defense Priorities System under Title I of the Defense Production Act of 1950, as amended and extended; plan for and maintain emergency measures for regulating industrial production and distribution during emergency situations; and develop plans for assisting defense contractors suffering injury from natural disasters and implement such plans as necessary.

SEC. 8. Office of Ombudsman for Business.

.01 The Office of the Director includes the Director who shall plan and direct the execution of policies and programs of the Office and who shall also serve as the Ombudsman for Business, and the Deputy Director who shall assist in the direction of the Office and perform the functions of the director in his absence. The Office of the Director shall be the Bureau liaison with the OFO in developing domestic business programs. In carrying out its functions, the Office shall not represent, intervene on behalf of or otherwise seek to assist

business and individuals on specific matters, cases, or issues before Federal regulatory agencies or before Federal departments exercising a regulatory function with respect thereto; nor shall it participate in, intervene in regard to, or in any way seek to influence, the negotiation or renegotiation of the terms of contracts between business and the Government.

The Director shall supervise and direct the following organizational components:

.02 The Domestic Program Support Staff shall edit and, with the Office of Public Affairs, coordinate the printing and distribution of the *U.S. Industrial Outlook;* edit, reproduce, and distribute special reports for Government use, e.g. information packages for OFO, situation reports and the weekly *Business Conditions Report;* provide automated word processing support for the Bureau's controlled correspondence and generation of reports; design and coordinate the collection of information from the Office of Field Operations to support Bureau programs.

.03 The Business Assistance Division shall be the Bureau focal point for gathering information and drafting replies to controlled correspondence and other inquiries from business and industry, the Congress, other agencies of Government and the public and preparing situation reports on short supply problems and shall provide assistance to the businessman in dealing with Government agencies and clarification of their functions.

.04 The Business Relations Division shall be responsible for promoting available Government services and programs of help to business and will identify business and industry views and opinions on Government policies, programs, and activities. The Division shall organize periodic Secretarial briefings with industry representatives, and other formal conferences as requested. The Division shall be responsible for this Office's relations with the business community on all matters concerned with consumer affairs and will serve jointly with the Office of Business Research and Analysis as the DOC contract with the Special Assistant to the President for Consumer Affairs, and the Council of Better Business Bureaus.

SEC. 9. *Administrative, Public Affairs and Field Services.*

.01 The Office of Public Affairs, Domestic and International Business Administration shall furnish public affairs and information services to Bureau organization units.

.02 The Directorate of Administrative Management, Domestic and International Business Administration shall furnish management, budget, personnel, travel and administrative services to Bureau organization units. The Directorate will also serve as liaison with Departmental elements providing other administrative services to Bureau organization units.

SEC. 10. *Effect on Other Orders.* This Order supersedes DIBA Organization and Function Order 45–2 of April 26, 1974.

Effective date. February 11, 1975.

SAMUEL B. SHERWIN,
Deputy Assistant Secretary for Domestic Commerce.

DONALD E. JOHNSON,
Deputy Assistant Secretary for Domestic and International Business.

Approved:

JUDITH S. CHADWICK,
Deputy Assistant Secretary, for Administrative Management.

[FR Doc.75–5796 Filed 3–4–75;8:45 am]

Maritime Administration

[Docket No. S–438]

WATERMAN STEAMSHIP CORP.

Application

Notice is hereby given that Waterman Steamship Corporation (Waterman) has filed an application pursuant to Title VI of the Merchant Marine Act, 1936, as amended (the Act), for an extension of its Operating-Differential Subsidy Agreement, Contract No. MA/MSB–138 (the Agreement).

Under the Agreement, Waterman is authorized to provide services on Trade Route No. 12 until the expiration date of the Agreement, now set at May 7, 1975. Waterman's request is for an amendment to Article I–9 of the Agreement to extend the expiration date thereof until the processing of its application for a long-term operating-differential subsidy agreement for Trade Route No. 12 has been completed, if such application is not fully processed by May 7, 1975. Waterman's application for a long-term subsidy contract on Trade Route No. 12 is currently the subject of a hearing before Administrative Law Judge Hunt.

Interested parties are invited to inspect the application at the Office of the Secretary, Maritime Subsidy Board (Board), Room 3099–B, Department of Commerce Building, 14th & E Streets, NW., Washington, D.C. 20230.

The Board, after consideration of all relevant facts and upon a review of the Board action of August 27, 1973, is prepared to find that the effect of awarding a contract, for a period not to exceed the time required to complete the hearings now in process in Docket Nos. S–336 and S–390 would not be unduly prejudicial or give undue advantage, as between citizens of the United States operating on Trade Route No. 12.

Any person, firm, or corporation having an interest in the application, and who would contest the above proposed finding of the Board is invited, by March 14, 1975, to file a written statement showing cause why this finding should not be made. Any party requesting oral argument before the Board shall specifically include such a request in its statement.

Any party desiring an evidentiary hearing on the application should set forth his interest in the application and should, with particularity, articulate any or all of the facts upon which he desires to adduce evidence. Any allegation of undue prejudice or unfair advantage shall be accompanied by a statement describing in detail the undue prejudice or unfair advantage.

Allegations of other factual issues which the party wishes the Board to consider in a hearing on the application shall include: (1) a clear and concise statement of the issues upon which a hearing is desired; and (2) the grounds upon which such allegations rest, in such detail as to permit the Board to determine their exact nature.

(Catalog of Federal Domestic Assistance Program No. 11.504 Operating-Differential Subsidies (ODS))

By Order of the Maritime Subsidy Board.

Dated: February 28, 1975.

JAMES S. DAWSON, JR.,
Secretary.

[FR Doc.75–5850 Filed 3–4–75;8:45 am]

National Technical Information Service

GOVERNMENT-OWNED INVENTIONS

Availability for Licensing

The inventions listed below are owned by the U.S. Government and are available for licensing in accordance with the licensing policy of each Agency-sponsor.

Copies of patents are available from the Commissioner of Patents, Washington, D.C. 20231, at $.50 each. Requests for copies of patents must include the patent number.

Copies of patent applications, either paper copy (PC) or microfiche (MF), can be purchased from the National Technical Information Service (NTIS), Springfield, Virginia 22161, at the prices cited. Requests for copies of patent applications must include the PAT-APPL-number. Claims are deleted from patent application copies sold to the public to avoid premature disclosure in the event of an interference before the Patent Office. Claims and other technical data can usually be made available to serious prospective licensees by the agency which filed the case.

Requests for licensing information should be directed to the address cited below for each agency.

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

Department of the Navy, Assistant Chief for Patents, Office of Naval Research, Arlington, Va. 22217.

Patent 3,756,180: Deep Submergence Container Lid Seal; filed 27 March 1972, Patented 4 September 1973; not available NTIS.

Patent 3,756,320: Fire Detection and Suppression System for Use in a Decompression Chamber; filed 20 July 1972, Patented 4 September 1973; not available NTIS.

Patent 3,756,540: Minimum Drag Circulation Profile; filed 6 August 1971; Patented 4 September 1973; not available NTIS.

Patent 3,756,756: Pressure Mold for Removing Liquid from Material Being Cast; filed 25 May 1972, Patented 4 September 1973; not available NTIS.

Patent 3,756,874: Temperature Resistant Propellants Containing Cyclotetramethylenetetranitramine; filed 1 July 1969, Patented 4 September 1973; not available NTIS.

Patent 3,756,887: Method of Making Microfuses on a Thin Film Circuitry Panel; filed 29 July 1971, Patented 4 September 1973; not available NTIS.

Patent 3,757,042: Pan and Tilt Underwater Optical Viewing System with Adjustable Source-Receiver Separation and Zoom Lenses; filed 18 February 1972, Patented 4 September 1973; not available NTIS.

Patent 3,757,247: Frequency Selective Optical Isolator; filed 22 June 1972, Patented 4 September 1973; not available NTIS.

U.S. Atomic Energy Commission, Assistant General Counsel for Patents, Washington, D.C. 20545.

Patent application 487,327: Tissue Irradiator; filed 10 July 1974; PC $3.25/MF $2.25.

Patent 3,801,446: Radioisotope Fueled Heat Transfer System; filed 5 June 1968, Patented 2 April 1974; not available NTIS.

U.S. Department of Health, Education, and Welfare, National Institutes of Health, Chief, Patent Branch, Bethesda, Md. 20014.

Patent application 512,622: Scanning Ultrasonic Spectrograph for Fluid Analysis; filed 7 October 1974; PC $3.25/MF $2.25.

Patent application 513,565: Esters of Aromatic Sulfonic Acids; filed 10 October 1974; PC $3.25/MF $2.25.

Patent 3,844,894: Apparatus for Performing Assays on Reactions that Produce Radioactive Gases; filed 30 August 1971, Patented 29 October 1974; not available NTIS.

[FR Doc.75-5791 Filed 3-4-75;8:45 am]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

[Docket No. FDC-D-708]

INTRAMAMMARY INFUSION PRODUCTS FOR TREATING MASTITIS

Order Denying Requests for Hearing and Withdrawing Approvals of Masti-Kure Products Company, Inc.

In the FEDERAL REGISTER of August 30, 1974 (39 FR 31678), the Commissioner of Food and Drugs issued a Notice of Opportunity for Hearing for certain intramammary infusion products for treating mastitis. Included in that notice were products manufactured by numerous companies, including the Masti-Kure Products Co., Inc., 166 Yantic Street, Norwich, CT 06360, hereinafter referred to as Masti-Kure. The following is a list of Masti-Kure's products subject to that notice, identified by the new animal drug application (NADA) number assigned to the product, the labeled active ingredients, the number of milliliters per dose and the applicable monograph regulation.

New animal drug application No.	Active ingredients	Milliliters per dose	Citation
1. NADA 65-154	Procaine penicillin G; 100,000 units; neomycin 250 mg.	7	21 CFR 146a.62.
2. NADA 65-239	Procaine penicillin G; 100,000 units; neomycin 350 mg.	10	21 CFR 146a.62.
3. NADA 65-246	Procaine penicillin G; 100,000 units; dihydrostreptomycin 500 mg.; sulfathiazole 500 mg.	7	21 CFR 146a.57.
4. NADA 65-255	Procaine penicillin G; 100,000 units; Neomycin 500 mg.	7	21 CFR 146a.62.
5. NADA 65-304	Procaine penicillin G; 100,000 units; dihydrostreptomycin 50 mg.; hydrocortisone acetate 20 mg.	13	21 CFR 146a.57.
6. NADA 65-306	Procaine penicillin G; 100,000 units; neomycin 350 mg.; hydrocortisone acetate 20 mg.	7	21 CFR 146a.62.
7. NADA 65-307	Procaine penicillin G; 100,000 units; neomycin 350 mg.; hydrocortisone 20 mg.	10	21 CFR 146a.62.
8. NADA 65-350	Procaine penicillin G; 100,000 units; dihydorstreptomycin 125 mg.; sulfamethazine 1,000 mg.; hydrocortisone acetate 20 mg.	25	21 CFR 146a.57.
9. NADA 65-351	Procaine penicillin G; 100,000 units; neomycin 25 mg.; sulfathiazole 1,000 mg.; hydrocortisone 20 mg.	10	21 CFR 146a.62.
10. NADA 65-352	Procaine penicillin G; 100,000 units; dihydrostreptomycin 50 mg.; sulfathiazole 1,000 mg.; hydrocortisone acetate 20 mg.	10	21 CFR 146a.57.
11. NADA 65-353	Procaine penicillin G; 100,000 units; neomycin 50 mg.; sulfamethazine 1,000 mg.; hydrocortisone 20 mg.	25	21 CFR 146a.62.
12. NADA 65-354	Procaine penicillin G; 100,000 units; dihydrostreptomycin 125 mg.; sulfamethazine 1,000 mg.; hydrocortisone acetate 20 mg.	25	21 CFR 146a.57.
13. NADA 65-359	Procaine penicillin G; 100,000 units; neomycin 25 mg.; sulfamethazine 750 mg.; hydrocortisone 20 mg.	7	21 CFR 146a.62.
14. NADA 65-360	Procaine penicillin G; 100,000 units; dihydrostreptomycin 50 mg.; sulfamethazine 750 mg.; hydrocortisone acetate 20 mg.	7	21 CFR 146a.57.
15. NADA 65-361	Procaine penicillin G; 100,000 units; neomycin 500 mg.	7	21 CFR 146a.62.
16. NADA 65-366	Procaine penicillin G; 100,000 units; neomycin 500 mg.	10	21 CFR 146a.62.
17. NADA 65-381	Procaine penicillin G; 100,000 units; neomycin 25 mg.	10	21 CFR 146a.62.
18. NADA 65-382	Procaine penicillin G; 100,000 units; dihydrostreptomycin 50 mg.; sulfathiazole 500 mg.; hydrocortisone acetate 20 mg.	10	21 CFR 146a.57.
19. NADA 65-383	Procaine penicillin G.; 100,000 units	10	21 CFR 146a.45.
20. NADA 65-385	Procaine penicillin G; 100,000 units; dihydrostreptomycin 50 mg.	10	21 CFR 146a.57.
21. NADA 65-386	Procaine penicillin G; 100,000 units; dihydrostreptomycin 50 mg.	25	21 CFR 146a.57.
22. NADA 65-387	Procaine penicillin G; 100,000 units; neomycin 25 mg.; hydrocortisone 20 mg.	10	21 CFR 146a.62.
23. NADA 65-388	Procaine penicillin G; 100,000 units; dihydrostreptomycin 50 mg.; hydrocortisone 20 mg.	10	21 CFR 146a.57.
24. NADA 65-392	Procaine penicillin G; 100,000 units; neomycin 25 mg.; sulfathiazole 500 mg.	10	21 CFR 146a.62.
25. NADA 65-397	Procaine penicillin G; 100,000 units; neomycin 50 mg.; sulfamethazine 1,000 mg.; hydrocortisone 20 mg.	14	21 CFR 146a.62.
26. NADA 65-401	Procaine penicillin G; 100,000 units; dihydrostreptomycin 100 mg.; sulfamethazine 1,000 mg.; hydrocortisone 20 mg.	25	21 CFR 146a.57.
27. NADA 65-414	Procaine penicillin G; 100,000 units; neomycin 250 mg.	10	21 CFR 146a.62.
28. NADA 65-416	Procaine penicillin G; 100,000 units; neomycin 250 mg.; sulfathiazole 500 mg.	10	21 CFR 146a.62.
29. NADA 65-438	Procaine penicillin G; 100,000 units; neomycin 25 mg.; sulfathiazole 1,000 mg.	10	21 CFR 146a.62.
30. NADA 65-444	Procaine penicillin G; 100,000 units; neomycin 400 mg.	10	21 CFR 146a.62.

One product, designated as NADA 65-383, is a single entity product, Procaine Penicillin G 100,000 units, and was erroneously listed in the Notice of Opportunity for Hearing. That drug product approval will not be withdrawn or affected by this order since it is not a combination product.

In addition to those products listed in the Notice, pursuant to a requirement in the Notice, Masti-Kure identified an additional drug product which had not been listed and for which Masti-Kure contends it holds an approval: NADA 65-450 containing Procaine Penicillin G, 100,000 units, and Dihydrostreptomycin, 500 mg., at 7 ml. per dose. Pursuant to the Notice, this order withdraws any other approvals held by Masti-Kure which may exist for drug products not listed and not identified by Masti-Kure.

The notice of opportunity for hearing stated that the Commissioner proposed to issue an order under section 512(e) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360b(e)) withdrawing approval of the products subject to the Notice on the ground that new information before him with respect to the drug products, evaluated together with evidence available to him at the time of the approval of the products, shows there is a lack of substantial evidence that the drug products will have the effect that they purport or are represented to have under the conditions of use prescribed, recommended, or suggested in the labeling thereof, in that there is a lack of substantial evidence that the products are effective as fixed combinations, in accordance with the requirements set forth in 21 CFR 135.4a(b)(8)(v). This notice of opportunity for hearing also encompassed all issues relating to the legal status of the drug products subject to it.

The history of the developments leading to the notice of opportunity for hearing is set forth in that notice. Some of the drug products manufactured by the several companies subject to the notice were first marketed prior to the Animal Drug Amendments of 1968, which for the first time required approved new animal

drug applications for animal drugs containing antibiotics subject to certification. Continuing approval for those products was contained in section 108(b)(2) of those Amendments, subject to withdrawal of approval in accordance with the provisions of section 512 of the Act. Other drug products subject to the notice of opportunity for hearing were first marketed subsequent to the effective date of the Animal Drug Amendments of 1968 under interim procedures adopted by the Food and Drug Administration for these mastitis products, which interim procedures have since been terminated. The interim procedures were explained in the notice of opportunity for hearing.

The notice of opportunity for hearing was framed as an opportunity for hearing on the issue of withdrawal of approval of new animal drug applications, rather than on the issue of refusal to approve new animal drug applications, which is the required procedure after termination of the interim procedures, because no search of Food and Drug Administration files had yet been made to determine the original approval date for each drug product of each affected company, and because the issue of effectiveness is the same whether it is withdrawal of an existing approval or denial of a new application.

In litigation brought by Masti-Kure against the Food and Drug Administration concerning these mastitis products (*Masti-Kure Products Co.* v. *Weinberger*, Civil Action No. 74–1444, (D.D.C.)), the court, at the request of Masti-Kure, ruled in its conclusions of law accompanying a preliminary injunction that the products have approved new animal drug applications within the meanings of 21 U.S.C. 360b, section 108(b)(2) of Pub. L. 90–399 and 21 CFR 3.517(f). This was not a final decision, no appeal has yet been taken, and the Commissioner believes that this conclusion of law is erroneous. Food and Drug Administration records reveal that the Masti-Kure products subject to the Notice were approved subsequent to the effective date of the Animal Drug Amendments of 1968. As a technical matter, therefore, the Commissioner believes this administrative proceeding concerns denial of approval of new animal drug applications for the products subject to the Notice. Nevertheless, in accordance with the court's conclusion this order will refer to the action as withdrawal of approval of the drug products, rather than as denial of approval of new animal drug applications. As stated above, the issue of effectiveness is the same in either case.

In its submission, Masti-Kure contends that the requirement that a fixed combination drug product be effective as a fixed combination; i.e., that the combination be more effective than the individual components, as required by 21 CFR 135.4a(b)(8)(v), is not required by statute. The Commissioner rejects this contention. The Food and Drug Administration policy on the effectiveness of fixed combination drugs was expressly approved in *Pfizer, Inc.* v. *Richardson*, 434 F.2d 536, 548 (2d Cir. 1970) and implicitly approved in *Upjohn Co.* v. *Finch*, 422 F.2d 944 (6th Cir. 1970).

Pursuant to the notice, Masti-Kure filed a request for hearing on seven of the products subject to the notice: NADA's 65–154, 65–239, 65–354, 65–361, 65–381, 65–386, and 65–450. In accordance with 21 CFR 135.16, the failure of Masti-Kure to file a request for hearing for the other products constitutes an election not to avail itself of the opportunity for hearing concerning the action proposed with respect to such drug products and a waiver of any contentions concerning the legal status of such drug products. No data on any of these products were submitted and the Commissioner therefore finds with respect to each of the following drugs, identified by assigned NADA number, that on the basis of new information before him, evaluated together with the evidence available to him when the drug was approved, that there is a lack of substantial evidence that such drug will have the effect it purports or is represented to have under the conditions of use prescribed, recommended or suggested in the labeling thereof: NADA's 65–246, 65–255, 65–304, 65–306, 65–307, 65–350, 65–351, 65–352, 65–353, 65–359, 65–360, 65–366, 65–382, 65–385, 65–387, 65–388, 65–392, 65–397, 65–401, 65–414, 65–416, 65–438, and 65–444.

The Supreme Court held in *Weinberger* v. *Hynson, Westcott and Dunning, Inc.*, 412 U.S. 609 (1973), that the Food and Drug Administration may exercise administrative summary judgment on a request for hearing when it is clear from the fact of the requester's submission that its data cannot meet the required standards. As the Court stated:

> There can be no question that to prevail at a hearing an applicant must furnish evidence stemming from "adequate and well-controlled investigations." We cannot impute to Congress the design of requiring, nor does due process demand, a hearing when it appears conclusively from the applicant's "pleadings" that the application cannot succeed.

Thus, if the submission does not contain adequate and well-controlled investigations, as defined in the regulations, or if the submission does not purport to demonstrate what is required to be shown, then administrative summary judgment may be exercised, and approval of the drug withdrawn.

In response to the notice of opportunity for hearing Masti-Kure submitted studies purporting to show that the drug product covered by NADA 65–381 is effective as a fixed combination, and these data have been studied by the Food and Drug Administration. The Commissioner is advised by the Director of the Bureau of Veterinary Medicine that the Director intends shortly to issue to Masti-Kure for its comment an analysis of deficiencies in the studies. This additional notice to Masti-Kure is intended to comply with the requirements for specificity of notice established by the U.S. Court of Appeals for the District of Columbia Circuit in *Hess & Clark, Division of Rhodia, Inc.* v. *FDA*, 495 F.2d 975 (D.C. Cir. 1974). This order therefore does not deal with the drug product covered by NADA 65–381. This order applies only to those drug products for which Masti-Kure submitted no data whatsoever that purport to show that the product is effective as a fixed combination.

Studies were also submitted on the product covered by NADA 65–154. On page 20 of its submission, however, Masti-Kure states, "Because of the practical difficulty in obtaining sufficient numbers of infected dry cows in a reasonable period of time, it was not possible to show a statistically significant difference between the combination and its components in this study." Thus, Masti-Kure does not represent this study as purporting to show that the combination is more effective than the individual components, which is the showing required to be made by 21 CFR 135.4a(b)(8)(v).

Although Masti-Kure did not submit any studies represented as demonstrating effectiveness conducted with the drug products covered by NADA's 65–154, 65–239, and 65–361, it contends that the studies conducted with a similar but different drug product, NADA 65–381, are applicable to the other three. The submission states on page 21, "Since NADA 65–154 utilizes the same ingredients [as NADA 65–381] for the treatment of mastitis caused by the same pathogenic organisms, it is reasonable to conclude that both ingredients contribute in this formulation as well." The same contention is made for the drug products covered by NADA's 65–239 and 65–361.

The submission, however, presents no explanation of why such a conclusion is reasonable, and the Commissioner is unaware of any. On the contrary, the Commissioner believes it is unreasonable and improper to assume that because a combination of drugs at certain levels is effective as a combination, that a combination will still be more effective than its individual components when the levels of the component drugs are changed. Such a conclusion can only be established through adequate and well-controlled investigations, and Masti-Kure's submission does not contain any studies that purport to demonstrate that conclusion.

Moreover, the products covered by NADA's 65–154, 65–239, and 65–361 are represented in their labeling for use in dry (non-lactating period) cows, while the product covered by NADA 65–381 is represented for use in lactating cows. That these are different conditions of use, and the subject animals are physiologically different, are additional reasons why data from study of the latter product cannot be applied to the former products and why adequate and well-controlled investigations must be conducted to demonstrate the effectiveness of those products under their intended conditions of use. Masti-Kure has submitted no studies purporting to show that data for lactating cow products can be applied to dry cow products, and the Commissioner believes that such data cannot be so applied.

The data submitted also include a study conducted with an experimental drug formulation consisting of 300,000 units of penicillin and 50 milligrams of neomycin. Masti-Kure makes no representation that the data from this study demonstrate the effectiveness of any of the products subject to the notice, and the Commissioner agrees that the study does not purport to do so. The study was conducted with components of different levels from those in any drug product subject to the notice, and does not purport to show that the products subject to the notice are themselves effective, as required by 21 CFR 135.4a(b)(8)(v).

Therefore, the Commissioner finds that Masti-Kure has submitted no adequate and well-controlled studies purporting to demonstrate that the drug products covered by NADA's 65–154, 65–239, and 65–361, are effective as required by 21 CFR 135.4a(b)(8)(v). Accordingly, the Commissioner finds with respect to each such drug, on the basis of new information before him with respect to such drug, evaluated together with the evidence available to him when such drug was approved, that there is a lack of substantial evidence that such drug will have the effect it purports or is represented to have under the conditions of use prescribed, recommended, or suggested in the labeling thereof.

Masti-Kure also requested a hearing on three penicillin-dihydrostreptomycin combinations, namely those drug products covered by NADA's 65–386, 65–354, and 65–450. Masti-Kure submitted no studies whatsoever purporting to demonstrate the effectiveness of these products, however. On pages 22–23 of its submission, Masti-Kure states that studies are in progress, but that they are not yet complete. Obviously, studies that are not yet complete and that are not submitted to the Food and Drug Administration do not constitute adequate and well-controlled studies by which the Commissioner can determine the effectiveness of a drug product.

Masti-Kure contends in its submission (pages 11–12, 22) that it should be allowed additional time to complete the studies since it was misled by the Food and Drug Administration. Specifically, Masti-Kure contends that until November 1973 the Food and Drug Administration regarded a penicillin and dihydrostreptomycin combination as a single entity drug.

The Commissioner admits that a penicillin-dihydrostreptomycin combination was for some time erroneously regarded as a single entity product. In its submission, however, Masti-Kure does not contend that a penicillin-dihydrostreptomycin combination is not a fixed combination drug; its request for additonal time is based solely on the erroneous prior determination of the Food and Drug Administration.

There is no provision in the act that requires that the sale of a drug product be permitted while studies to demonstrate its effectiveness are conducted. However, it is within the Commissioners discretion to delay ruling on a request for hearing, and the Commissioner has considered whether it would be advisable to delay ruling on this request for hearing until the results of these studies are available. The sponsor must show that the proposed studies are capable of demonstrating the existence of substantial evidence of effectiveness for the products before the Commissioner will consider postponing a ruling on the request for hearing. This can only be accomplished by showing that these proposed studies will qualify as adequate and well-controlled investigations. Therefore, the statement of protocol must satisfy the criteria for adequate and well-controlled investigations established in 21 CFR 135.12(a)(5).

The limited information submitted concerning the test protocols in Exhibits D through H of Masti-Kure's submission reveals major defects which do not justify any delay in ruling on a request for hearing. Even if these defects were not present, the protocols are inadequately specific to establish that the studies will be adequate and well-controlled investigations which would produce substantial evidence of effectiveness. While it is not appropriate in this order to discuss the deficiencies in the protocols, if requested, representatives of the Food and Drug Administration will meet with representatives of Masti-Kure to assist in the development of proper protocols. Because the submitted protocols are defective and do not establish that the studies will be adequate and well-controlled, the Commissioner cannot justify any delay in ruling on a request for hearing.

The Commissioner therefore denies the request for additional time to conduct studies. The Commissioner notes that this decision works no injustice, since there was approximately one year between the announcement of the change of policy on penicillin-dihydrostreptomycin combinations (November 1973) and the deadline for submission of data pursuant to the notice of opportunity for hearing, and the extension of time granted thereto (October 30, 1974).

The only data on which Masti-Kure relies to support the effectiveness of its penicillin-dihydrostreptomycin products are the original studies on penicillin and dihydrostreptomycin which were the basis for the antibiotic monograph, 21 CFR 146a.57, authorizing certification of this combination. The Commissioner advises that the data originally submitted years ago by a company other than Masti-Kure to support initial establishment of the monograph are not pertinent to the question raised in this notice of opportunity for hearing. The original data were not included in Masti-Kure's submission, and they are no longer available to the Food and Drug Administration. Moreover, the old studies presumably did not purport to show that the combination was more effective than the individual components, as required by 21 CFR 135.4a(b)(8)(v), since that issue has arisen only in recent years, as is discussed in the notice of opportunity for hearing.

Therefore, the Commissioner finds that Masti-Kure has submitted no adequate and well-controlled studies purporting to demonstrate that the drug products covered by NADA's 65–354, 65–386, and 65–450 are effective as required by 21 CFR 135.4a(b)(8)(v). Accordingly, the Commissioner finds with respect to each of such drugs, on the basis of new information before him with respect to such drug, evaluated together with the evidence available to him when the drug was approved, that there is a lack of substantial evidence that such drug will have the effect it purports or is represented to have under the conditions of use prescribed, recommended, or suggested in the labeling thereof.

In its submission, Masti-Kure objects to the incorporation by reference in the notice of opportunity for hearing of the requirements in 21 CFR 314.200 (c)(2) and (d). The Commissioner rejects this objection, since the requirements prescribe only the format in which the submission was required to be made. Such requirements can clearly be imposed without first offering opportunity for comment. In any event, no failure to comply with any requirement in 21 CFR 314.200 (c)(2) or (d) is the basis of any action in this order.

Since this order withdraws approval of the drug products, no further certification of batches will be made. This termination of certification services applies to batches submitted for certification but not yet certified, as well as to batches not yet submitted.

Therefore, pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (secs. 409, 507, 512, 701; 52 Stat. 1055–1056 as amended; 59 Stat. 463 as amended; 72 Stat. 1785–1788 as amended; 82 Stat. 343–351 (21 U.S.C. 348, 357, 360b, 371)) and the Animal Drug Amendments of 1968 (sec. 108(b), 82 Stat. 353) and under authority delegated to him (21 CFR 2.120), the Commissioner hereby orders, based on the findings stated above:

1. That the requests for hearing on withdrawal of approval of the following drug products, identified by the assigned new animal drug application numbers, be and they hereby are denied: NADA's 65–154, 65–239, 65–354, 65–361, 65–386, and 65–450.

2. That approvals of the following drug products, identified by assigned new animal drug application numbers, be and they hereby are withdrawn effective on the date of the signature of this order: NADA's 65–154, 65–239, 65–246, 65–255, 65–304, 65–306, 65–307, 65–350, 65–351, 65–352, 65–353, 65–354, 65–359, 65–360, 65–361, 65–366, 65–382, 65–385, 65–386, 65–387, 65–388, 65–392, 65–397, 65–401, 65–414, 65–416, 65–438, 65–444, 65–450.

3. That any approval held by the Masti-Kure Products Co., Inc., for any fixed combination intramammary infusion drug product for treating mastitis, under 21 CFR 146a.45, 21 CFR 146a.57, 21 CFR 146a.62, or 21 CFR 146a.128,

which was not named in the notice of opportunity for hearing published in the FEDERAL REGISTER of August 30, 1974 (39 FR 31678), except NADA 65-450, which was identified by Masti-Kure in its submission and which is specifically dealt with in this order, be and it hereby is withdrawn effective on the date of the signature of this order.

Dated: February 24, 1975.

A. M. SCHMIDT,
Commissioner of Food and Drugs.

[FR Doc.75-5468 Filed 2-26-75;11:11 am]

National Institutes of Health

NATIONAL INSTITUTE OF ARTHRITIS, METABOLISM, AND DIGESTIVE DISEASES

Meetings

Pursuant to Pub. L. 92-463, notice is hereby given of the meeting of the National Arthritis, Metabolism, and Digestive Diseases Advisory Council, National Institute of Arthritis, Metabolism, and Digestive Diseases on March 20-22, 1975, from 9 a.m. to 5 p.m., in Building 31, Conference Room 6, Bethesda, Maryland. This meeting will be open to the public from 9 a.m. to 1 p.m. on March 20, 1975, to discuss administrative reports. Attendance by the public will be limited to space available. In addition, a meeting of the Digestive Diseases and Nutrition Subcommittee of the above Council will be held from 9 a.m. to 7:30 p.m. on March 19, 1975, in Building 31, Room 9A51, Bethesda, Maryland.

In accordance with the provisions set forth in sections 552(b)(4), 552(b)(5) and 552(b)(6), Title 5, U.S. Code and section 10(d) of Pub. L. 92-463, the meeting of the Council will be closed to the public on March 20 from 1 p.m. to 5 p.m. and on March 21, 1975, from 9 a.m. to 5 p.m., for the review, discussion and evaluation of individual initial pending and renewal grant applications. The Digestive Diseases and Nutrition Subcommittee of the above Council will be closed to the public from 9 a.m. to 7:30 p.m. on March 19, 1975, also for the review, discussion and evaluation of individual initial and renewal grant applications. The closed portions of the meetings involve solely the internal expression of views and judgments of committee members on individual grant applications which contain informa- of a proprietary or confidential nature, including detailed research protocols, designs, and other technical information; financial data, such as salaries; and personal information concerning individuals associated with the applications.

Mr. Victor Wartofsky, Information Officer, NIAMDD, National Institutes of Health, Building 31, Room 9A04, Bethesda, Maryland 20014, (301) 496-3583, will furnish rosters of committee members, summaries of the meetings, and other information pertaining to the meetings.

(Catalog of Federal Domestic Assistance Program No. 13.309, National Institutes of Health.)

Dated: February 28, 1975.

S. L. FREMEAU,
Committee Management Officer, NIH.

[FR Doc.75-5824 Filed 3-4-75;8:45 am]

NATIONAL HEART AND LUNG INSTITUTE

Meetings

Pursuant to Pub. L. 92-463, notice is hereby given of the meeting of the National Heart and Lung Advisory Council, National Heart and Lung Institute, March 20-22, 1975, from 9 a.m. to 5 p.m., in Building 31, Conference Room 10, Bethesda, Maryland. This meeting will be open to the public on March 20 from 9 a.m. to 5 p.m. to discuss program policies and issues. Attendance by the public will be limited to space available. In addition, meetings of the Manpower Subcommittee and the Research Subcommittee of the above Council will be held on March 19, 1975 in Building 31; the Manpower Subcommittee at 8 p.m. in Conference Room 3, and the Research Subcommittee at 9 p.m. in Conference Room 10.

In accordance with the provisions set forth in sections 552(b)(4), 552(b)(5) and 552(b)(6), Title 5, U.S. Code and section 10(d) of Pub. L. 92-463, the meeting of the Council will be closed to the public on March 21 from 9 a.m. to 5 p.m. and on March 22 from 9 a.m. to adjournament for the review, discussion and evaluation of individual initial pending, supplemental and renewal grant applications. The Manpower Subcommittee of the above Council will be closed from 8 to 10 p.m., and the Research Subcommittee will be closed from 9 to 11 p.m. on March 19, 1975, also for the review, discussion and evaluation of individual initial pending, supplemental and renewal grant applications. The closed portions of the meetings involve solely the internal expression of views and judgments of committee members on individual grant applications which contain information of a proprietary or confidential nature, including detailed research protocols, designs, and other technical information; financial data, such as salaries; and personal information concerning individuals associated with the applications.

Mr. York Onnen, Chief, Public Inquiries and Reports Branch, National Heart and Lung Institute, Building 31, Room 5A21, National Institutes of Health, Bethesda, Maryland 20014, (301) 496-4236, will provide summaries of the meetings and rosters of the Council members.

Dr. Jerome G. Green, Director of Extramural Affairs, NHLI, Westwood Building, Room 5A18 (301) 496-7416, will provide substantive program information.

(Catalog of Federal Domestic Assistance Program Nos. 13.837, 13.838, and 13.839, National Institutes of Health.)

Dated: February 28, 1975.

S. L. FREMEAU,
Committee Management Officer, NIH.

[FR Doc.75-5825 Filed 3-4-75;8:45 am]

DEPARTMENT OF TRANSPORTATION

Saint Lawrence Seaway Development Corporation

ADVISORY BOARD

Open Meeting

Notice is hereby given pursuant to the Federal Advisory Committee Act, section 10(a)(2), dated October 6, 1972, that an open meeting of the Advisory Board of the Saint Lawrence Seaway Development Corporation will be held in the offices of the Corporation on the 8th floor at 800 Independence Avenue SW., Washington, D.C. on March 20, 1975 at 1:30 p.m.

Agenda items are as follows: (1) Opening remarks by the Administrator; (2) Approval of minutes of prior meeting; (3) Administrative report; (4) Program reviews; (5) Closing remarks.

Reservations and further information may be obtained from Mr. Robert Kraft, Special Assistant to the Administrator, Office of the Administrator, at the above address, or by calling 202-426-3574.

D. W. OBERLIN,
Administrator.

[FR Doc.75-5806 Filed 3-4-75;8:45 am]

ADVISORY COUNCIL ON HISTORIC PRESERVATION

PUBLIC INFORMATION MEETING

Notice is hereby given in accordance with the Federal Advisory Committee Act (Pub. L. 92-463) and section 800.5(c) of the Advisory Council's Procedures for the Protection of Historic and Cultural Properties (36 CFR, Part 800) that on March 20, 1975, at 7:00 PM a public information meeting will be held at the Phyllis Wheatley Public School, 2300 Dumaine Street, New Orleans, Louisiana 70119, so that representatives of National, State, and local units of government and representatives of public and private organizations and interested citizens can receive information and express their views on a proposed undertaking of the United States Postal Service that will have an adverse effect upon a property listed in the National Register of Historic Places. The proposed undertaking is construction of Mid-City Postal Station, New Orleans, Louisiana. The property listed in the National Register is the General Laundry Building, N. Rocheblane and St. Peter Streets. A summary of the agenda of the public information meeting follows:

(1) Explanation of the procedures and purpose of the meeting by representatives of the Executive Director of the Advisory Council.

(2) Explanation of the project by the representatives of the U.S. Postal Service.

(3) Statement by the Louisiana State Historic Preservation Officer on the project.

(4) Statements from the public on the project.

Speakers will be permitted to present their views on the project and should limit their statements to approximately five minutes. Statements should be limited to the undertaking, its effects on historic and cultural properties and alternate courses of action. Written statements and furtherance of oral remarks will be accepted by the council at the time of the meeting. Additional information regarding the meeting is available from the Executive Director, Advisory Council on Historic Preservation, 1522 K Street NW., Washington, D.C. 20005 (202-254-3380).

JOHN D. MCDERMOTT,
Acting Executive Secretary.

[FR Doc.75-5942 Filed 3-4-75;8:45 am]

CIVIL AERONAUTICS BOARD

[Docket 27525]

BRADLEY AIR SERVICES LTD. CANADA-U.S. CHARTER SERVICES (SMALL AIRCRAFT)

Prehearing Conference and Hearing

Notice is hereby given that a prehearing conference in this proceeding is assigned to be held on March 17, 1975, at 10 a.m. (local time), in Room 911, Universal Building, 1825 Connecticut Avenue, NW., Washington, D.C., before Administrative Law Judge Frank M. Whiting.

Notice is also given that the hearing may be held immediately following conclusion of the prehearing conference unless a person objects or shows reason for postponement on or before March 7, 1975.

Ordinary transcript will be adequate for the proper conduct of this proceeding.

Dated at Washington, D.C., February 27, 1975.

[SEAL] ROBERT L. PARK,
Chief Administrative Law Judge.

[FR Doc.75-5811 Filed 3-4-75;8:45 am]

[Docket No. 22859; Order 75-2-122]

BRANIFF AIRWAYS, INC.

Domestic Air Freight Rate Investigation; Order of Suspension

By tariff revisions filed January 30 and marked to become effective March 1, 1975, Braniff Airways, Inc. (Braniff) proposes to adjust its freight rates by an average of 9.19 percent, as follows:

1. Increase general commodity rates and charges for bulk and containerized shipments;

2. Cancel the pivot points for Type A containers of 3,100 and 3,200 pounds and establish a new pivot weight of 4,500 pounds for these containers in certain markets; [1]

3. Increase the bulk maximum charges in the Mainland-Hawaii market from $15 to $16 and cancel the 250/500-pound weight-breaks in this market; and

4. Cancel the 179 percent premium for human remains (not cremated) and add specific commodity rates, resulting in no rate changes on such shipments.

In support of its proposal, Braniff contends, *inter alia*, that (1) the carrier has adopted the same formula for bulk rates used by American Airlines, Inc. (American) that became effective January 1, 1975, and was approved by Board Order 74-12-128; (2) the proposed container rates are identical to those of American for a 4,500-pound shipment, and thus the proposed container rates are cost-justified; (3) the two minor changes in the Hawaiian market represent the first change in this structure since April 1973, and are fully justified, especially in view of the well-documented cost increases in this market since 1973; and (4) the proposal is expected to generate $1.7 million additional annual revenue for 1975, leaving the carrier still 6.59 percent short of obtaining a 12 percent return on investment.

The proposed rates and charges come within the scope of the *Domestic Air Freight Rate Investigation*, Docket 22859, and their lawfulness will be determined in that proceeding. The issue now before the Board is whether to suspend the proposal or to permit it to become effective pending investigation.

The Board has reviewed Braniff's proposed rates and charges in the light of industry-average costs of carrying air freight (including a full return on investment),[2] and finds that the proposed rates and charges for Type A containers exceed costs in the following markets:

Chicago to Dallas and Houston
New York to Dallas and Houston

In view of the foregoing and upon consideration of all relevant factors, the Board concludes that those rates that are above costs should be suspended. The remaining portions of the proposal, including increases in bulk rates and minimum charges, appear sufficiently related to costs that the Board will permit them to become effective.

Braniff's proposal to cancel the pivot points of 3,100 and 3,200 pounds for Type A containers and establish a new pivot weight of 4,500 pounds per container results in rate increases as high as 86 percent above rates currently in effect. While the carrier contends that its proposed rates at the new pivot weight are identical to those currently in effect for American for a shipment weighing 4,500 pounds,[3] the important distinction between the Braniff and American tariffs is that American's minimum charge per container is based upon a pivot weight of 3,100 pounds as compared to 4,500 pounds for Braniff, which gives the shipper the option of a much lower minimum charge if he ships via American. Braniff's proposed minimum charge applies to a pivot weight of 4,500 pounds for Type A containers, which reflects an unduly high minimum density of 10.11 pounds per cubic foot. This is significantly above the average stowed density of 8.83 pounds per cubic foot. Furthermore, the instant proposal unduly penalizes the shipper of lightweight or average density traffic, and the minimum charge for the higher pivot weight is greater than the industry costs of providing the service in some markets.

Accordingly, pursuant to the Federal Aviation Act of 1958, and particularly Sections 204(a), 403, 404, and 1002 thereof,

It is ordered, That:

1. Pending hearing and decision by the Board, the rates and charges described in Appendix A [4] hereto are suspended, and their use deferred to and including May 29, 1975, unless otherwise ordered by the Board, and that no change be made therein during the period of suspension except by order or special tariff permission of the Board; and

2. Copies of this order shall be filed with the tariffs and served upon Braniff Airways, Inc.

This order will be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

[SEAL] PHYLLIS T. KAYLOR,
Acting Secretary.

[FR Doc.75-5821 Filed 3-4-75;8:45 am]

[Docket No. 25280; Agreements C.A.B. 24965, 24966; Order 75-2-107]

INTERNATIONAL AIR TRANSPORT ASSOCIATION

Specific Commodity Rates; Order

FEBRUARY 27, 1975.

Agreements have been filed with the Board pursuant to section 412(a) of the Federal Aviation Act of 1958 (the Act) and Part 261 of the Board's Economic Regulations between various air carriers, foreign air carriers, and other carriers embodied in the resolutions of the Joint Traffic Conferences of the International Air Transport Association (IATA), and adopted pursuant to the provisions of Resolution 590 dealing with specific commodity rates.

The agreements name additional specific commodity rates as set forth below,

[1] Between Chicago and Dallas/Ft. Worth/Houston and from New York to Dallas/Ft. Worth/Houston.

[2] These cover industry-average online and interline noncapacity costs (which include transfers from one plane to another) plus online capacity costs. These costs have been adjusted for recent increases in unit operating costs through the period January-September 1974.

[3] For example, in the New York to Dallas market, Braniff's proposed minimum charge for a Type A container with a pivot weight of 4,500 pounds is $793. American's current rates in this market are $596 for a pivot weight of 3,100 pounds and $14.05 for each additional 100 pounds, resulting in a $793 charge for a 4,500-pound shipment.

[4] Filed as part of original document.

reflecting reductions from general cargo rates; and were adopted pursuant to unprotested notices to the carriers and promulgated in IATA letters dated February 13, 1975 (C.A.B. Agreement 24965) and February 18, 1975 (C.A.B. Agreement 24966).

Agreement C.A.B.	Specific commodity item No.	Description and rate
24965	9615	Pipes, Smoking 224 cents per kg., minimum weight 100 kgs., 210 cents per kg., minimum weight 500 kgs., from Nairobi/Arusha to New York, N.Y.
24966	1050	Horses, 215 cents per kg., minimum weight 500 kgs., from Sydney to Los Angeles, 200 cents per kg., minimum weight 500 kgs., from Auckland to Los Angeles.

Pursuant to authority duly delegated by the Board in the Board's Regulations, 14 CFR 385.14, it is not found that the subject agreements are adverse to the public interest or in violation of the Act, provided that approval is subject to the conditions hereinafter ordered.

Accordingly, *it is ordered*, that:

Agreement C.A.B. 24965 and Agreement C.A.B. 24966 are approved, provided that approval shall not constitute approval of the specific commodity descriptions contained therein for purposes of tariff publications; provided further that tariff filings shall be marked to become effective on not less than 30 days' notice from the date of filing.

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

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

This order will be published in the FEDERAL REGISTER.

[SEAL] PHYLLIS T. KAYLOR,
Acting Secretary.

[FR Doc.75-5820 Filed 3-4-75;8:45 am]

[Docket No. 25280; Agreements C.A.B. 24851, 24873; R-1 through R-6; Order 75-2-111]

INTERNATIONAL AIR TRANSPORT ASSOCIATION

North and Mid-Atlantic Cargo Rates; Order

Adopted by the Civil Aeronautics Board at its office in Washington, D.C. on the 27th day of February, 1975.

By Order 75-1-14, January 6, 1975, the Board established procedural dates for the receipt of carrier justification and comments and/or objections from interested persons on an agreement of the carrier members of the International Air Transport Association (IATA) to establish North Atlantic cargo rates through September 30, 1975.[1]

In general, the agreement would increase all North Atlantic rates, except the 30,000-kilogram rates, 10 cents per kilogram. Scheduled service 30,000-kilogram rates would be increased 15 cents per kilogram with an equivalent increase in minimum cargo charter rates in order to maintain the same differential *vis-a-vis* the scheduled 30,000-kilogram rates. Charges for minimum shipments would remain unchanged and westbound 30,000 kilogram rates from certain European countries would be specified in local currency.

Statements of justification and supporting data have been submitted by Pan American World Airways, Inc. (Pan American) and Trans World Airlines, Inc. (TWA). In addition, comments have been filed by Seaboard World Airlines, Inc. (Seaboard).

Carrier Justification. Pan American and TWA both forecast significant increases in cargo-service revenue under the proposed agreement compared with the results anticipated if the present rates were retained. These carriers indicate the proposed agreement would bring about improvements in their overall operating results of $9.5 million and $4.7 million, respectively, and would produce rates of return on investment of 13.9 percent and 5.5 percent. While TWA forecasts an increase of 4.9 percent in its overall revenue ton-miles (RTM's), Pan American expects its total overall RTM's to decline 8.2 percent.[2]

In comments accompanying their data, both carriers maintain the increases are warranted by continued rapid cost increases and TWA further contends the increases are necessary in order to achieve a reasonable rate of return on investment in its transatlantic cargo operations. Additionally both carriers discuss in some detail the difficulties and uncertainties encountered in properly allocating cargo-related costs on combination service (cargo carried on the lower deck of passenger aircraft) to cargo revenue and contend that the choice of the cost allocation method can have a significant impact on investment return.[3] Accordingly, both recommend judging the instant agreement in terms of all-cargo freighter service.

Comments. Although certain aspects of the agreement do not accord with Seaboard's views of an ideal transatlantic structure,[4] the carrier strongly urges approval thereof, in light of its need for additional cargo revenues. Seaboard forecasts a $6.5 million increase in its cargo revenue with the agreement, to produce a return on investment of 7.07 percent as opposed to a 1.11 percent return at current rates. Additionally, while the carrier forecasts a 9.4 percent increase in capacity, traffic is forecast to increase by only 5.8 percent for a net decline in overall load factor.

Findings. Pan American's forecast for 1975 considers the recent North Atlantic route realignment. However, it appears that its operating costs are projected to increase significantly, due in large part to proposed introduction of the B-747 freighter, whose additional capacity will apparently result in a lower overall load factor.

On the other hand, TWA's submission does not incorporate the results of the route realignment. Although TWA projects an increase of only 2 percent in total freight RTM's (excluding mail), it anticipates a 16.7 percent increase in freight carried in scheduled all-cargo equipment and projects that its load factor for scheduled all-cargo service will decline from 59.9 percent for the year ended September 30, 1974 to 56.1 percent during calendar year 1975. We can perceive no rationale for such a capacity increase from a base already low when compared with competitors providing similar service.[5]

The Board notes the contentions of Pan American and TWA as to the difficulties of a cost allocation for cargo carried in combination aircraft as well as the infirmities in the submissions of these carriers. We conclude that sufficient data are not available to permit evaluation of the impact of the proposed agreement upon both Pan American and TWA because of the distortions caused by the availability of cargo space in combination aircraft, the recent North Atlantic route realignment and the introduction by Pan American of B-747 freighters. Because of these circumstances, we find it more appropriate to evaluate the instant agreement in terms of the operations of Seaboard, the only U.S. all-cargo carrier providing service over the Atlantic. Seaboard's operations are not materially affected by the Pan American-TWA route realignment, its operations are not distorted by combination services and belly capacity and it is currently flying B-747 freighter aircraft.

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[1] Also mentioned in Order 75-1-14 was Agreement C.A.B. 24851 which would increase all general cargo and specific commodity rates between the U.S. Virgin Islands/Puerto Rico and Europe/Middle East/Africa by 5 percent.

[2] The decline in Pan American's total RTM's reflects that carrier's estimation of the effects of the Pan American-TWA route realignment recently approved by the Board in Order 75-1-133 (January 30, 1975). TWA's forecast RTM's do not take into account the effects of the route realignment. In addition, while Pan American's forecast period is for the year ending September 30, 1975, TWA's forecast period is for calendar year 1975.

[3] In procedural Order 75-1-14, the carriers were requested to submit justification in terms of impact on both all-cargo and belly-cargo revenues and costs.

[4] The particular features of the agreement with which Seaboard disagrees concern the failure to incorporate proper unitization incentives for 15,000 and 30,000 kg. rates and the absence of appropriate rates for 10 and 20 ft. bungalow units to countries other than Germany.

[5] For example, Seaboard's and Pan American's respective load factors were 69.8 percent and 63.4 percent for the year ended September 30, 1974.

While Seaboard's data may be somewhat distorted by additional capacity resulting from projected B–747 freighter operations for the forecast period, when forecast operating revenues are adjusted by holding the load factor to 1974 levels, the carrier would still realize rates of return on investment of only 5.7 percent at present rates and 10.4 percent at the proposed rates, well below the 12 percent benchmark.

In these circumstances the increases in North Atlantic cargo rates appear warranted. Moreover, the manner by which the increases are applied, although they result in a greater percentage increase to lower individual rates within the separate general and specific commodity rate structures, reduces the discount spread between the specific and general commodity rates structures. This reduction in discounts from the general commodity rates is in line with long established Board policy.

However, we will disapprove the proposed 5 percent increase in rates between the U.S. Virgin Islands/Puerto Rico and Europe/Middle East/Africa since Pan American, the only U.S. carrier serving this market, does not specifically address this proposed increase in its justification. Accordingly, in the absence of specific justification by Pan American and the earnings position which the carrier itself projects, we are unable to conclude that the proposed increase is warranted and, as such, it will be disapproved.

The Board, acting pursuant to sections 102, 204(a), and 412 of the Act, makes the following findings:

(1) It is not found that the following resolutions, incorporated in Agreement C.A.B. 24873 as indicated, are adverse to the public interest or in violation of the Act provided that approval is subject, where applicable, to conditions previously imposed by the Board:

Agreement C.A.B. 24873:	*IATA resolution*
R–1	JT12 (Mail 857) 001v (N. Atlantic except Africa).
R–2	JT12 (Mail 857) 002 (N. Atlantic except Africa).
R–3	JT12 (Mail 857) 045e.
R–4	JT12(Mail 857) 534a.
R–5	JT12(Mail 857) 554a.
R–6	JT12(Mail 857) 590.

(2) It is found that the following resolution, incorporated in Agreement C.A.B. 24851, is adverse to the public interest and in violation of the Act:

Agreement C.A.B.:	*IATA resolution*
24851	JT12(Mail 858) 003ff.

Accordingly, *It is ordered*, That:

1. Agreement C.A.B. 24873, R–1 through R–6 be and hereby is approved subject, where applicable, to conditions previously imposed by the Board;

2. The carriers are hereby authorized to file tariffs implementing the approved agreement on not less than one day's notice for effectiveness not earlier than March 3, 1975. The authority granted in this paragraph expires with April 2, 1975;

3. Tariffs implementing the approved agreement shall be marked to expire on September 30, 1975; and

4. Agreement C.A.B. 24851 be and hereby is disapproved.

This order will be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

[SEAL] PHYLLIS T. KAYLOR,
Acting Secretary.

[FR Doc.75–5822 Filed 3–4–75;8:45 am]

THE COMMISSION OF FINE ARTS

MEETING

FEBRUARY 19, 1975.

The Commission of Fine Arts will meet on Wednesday, March 19, 1975, and again on April 16, 1975, at 11:30 a.m., in the Commission offices at 708 Jackson Place NW., Washington, D.C. 20006 to discuss various public projects affecting the appearance of Washington, D.C. Inquiries regarding the agenda and requests to submit written or verbal statements should be addressed to Charles H. Atherton, Secretary, Commission of Fine Arts, at the above address.

CHARLES H. ATHERTON,
Secretary.

[FR Doc.75–5935 Filed 3–4–75;8:45 am]

CONSUMER PRODUCT SAFETY COMMISSION

ARCHITECTURAL GLASS

Extension of Time for Publishing a Proposed Rule or Withdrawing Notice of Proceeding

The purpose of this notice is to extend the period in which the Consumer Product Safety Commission must publish a rule proposing a consumer product standard for architectural glass or a notice withdrawing the notice of proceeding. This extension merely reflects the extension of the development proceeding previously granted by the Commission.

By notice in the FEDERAL REGISTER of May 28, 1974 (39 FR 18502), the Commission commenced a proceeding under section 7 of the Consumer Product Safety Act (15 U.S.C. 2056) for the development of a consumer product safety standard applicable to architectural glass. On August 15, 1974, the Commission accepted the offer of the Consumer Safety Glazing Committee to develop a recommended standard and published a notice in the FEDERAL REGISTER on August 21, 1974 (39 FR 30191) announcing the acceptance. On November 1, 1974, the Commission announced by notice in the FEDERAL REGISTER (39 FR 38715) that it had granted the CSGC's request for an extension of time for the development of a safety standard for architectural glass from October 25, 1974 until January 24, 1975.

In extending the period for development of the standard, the Commission inadvertently neglected to extend the period provided in section 7(f) of the CPSA (15 U.S.C. 2056(f)) within which it is required to publish a proposed product safety standard or a notice withdrawing the notice of proceeding. Section 7(f) specifies that the Commission must take the aforementioned action no more than 210 days after the publication of the notice of proceeding. In view of the fact that the Commission, for good cause shown, extended the development period for 120 days, or for 270 days from the date the notice of proceeding was published, publication of a proposed standard or a notice withdrawing the notice of proceeding within the 210 day period provided in section 7(f) is not realistic.

Accordingly, the Commission hereby extends the period in which it must publish a proposed standard or withdraw the notice of proceeding by 120 days, the same period for which an extension of the development period was granted. This period will end on March 21, 1975 but may be further extended by a notice published in the FEDERAL REGISTER stating good cause therefor.

Dated: February 27, 1975.

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

[FR Doc.75–5771 Filed 3–4–75;8:45 am]

HARVEY E. SCHOCK, JR.

Denial of Petition for Regulation of Textbooks

In a petition dated October 1, 1974, Harvey E. Schock, Jr., of Haddonfield, New Jersey, requested that the Consumer Product Safety Commission regulate certain textbooks because they present an unreasonable risk of injury. Specifically, the petitioner claimed that the textbooks contain instructions for performing science experiments that do not include discussions, cautions, or illustrations relating to safety consideration.

The Commission, after careful deliberation, concluded that its jurisdiction under the Consumer Product Safety Act (CPSA) and the other acts the Commission administers does not extend to risks of injury such as the one alleged by the petition. Accordingly, the Commission has denied the petition, although its decision was based solely upon its judgment regarding the Commission's jurisdictional limitations and not upon the merit or lack of merit of the petition.

The Commission believes that textbooks are clearly "consumer products" under section 3(a)(1) of the Consumer Product Safety Act (15 U.S.C. 2052(a)(1)). If any textbook were manufactured with unreasonably sharp edges, for example, that hazard could be addressed under the Act. However, the Commission could find no evidence that Congress intended to authorize regulation of the written contents of textbooks which contain directions for scientific experiments when it enacted the Act. Congress was concerned with those injury risks directly associated with and caused by the consumption, use or enjoyment of consumer products. While it is no doubt true that unsafe textbook directions might affect

the way a child performs a scientific experiment and could even contribute to an injury resulting from the unsafe performance of that experiment, the Commission does not believe that such an indirect causal connection was included within the congressional intent in passing this legislation. Nevertheless, the Commission has decided to investigate the possibility of urging publishers of educational materials intended for children to avoid text and/or illustrations which could encourage any unsafe use of consumer products.

Pursuant to section 10(d) of the Consumer Product Safety Act (15 U.S.C. 2059(d)), notice is hereby given that Mr. Schock's petition for regulation of textbooks is denied.

Dated: February 27, 1975.

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

[FR Doc.75-5772 Filed 3-4-75;8:45 am]

POWER LAWN EQUIPMENT

Extension of Standard Development Period

The purpose of this notice is to announce that the Consumer Product Safety Commission has (1) granted a request by Consumers Union of the United States, Inc. (Consumers Union) for an extension of time from December 19, 1974, until June 19, 1975, for the development of a recommended safety standard for power lawn mowers, lawn tractors, and lawn and garden tractors (hereinafter referred to as power lawn mowers), (2) provided additional funds for the extended development period, and (3) extended the period in which the Commission must publish a proposed rule or a notice withdrawing the notice of proceeding.

By notice in the FEDERAL REGISTER of July 22, 1974 (39 FR 26662), the Commission commenced a proceeding under section 7 of the Consumer Product Safety Act (15 U.S.C. 2056) for the development of a recommended consumer product safety standard applicable to power lawn mowers. On October 17, 1974, the Commission accepted the offer of Consumers Union to develop a recommended standard and published a notice in the FEDERAL REGISTER (39 FR 37803) on October 24, 1974, announcing the acceptance. The Commission agreed to contribute $66,745 toward the offeror's cost in developing the standard. These funds were to be used in connection with offeror personnel expenses, offeror personnel travel expenses, consumer participant travel expenses, and certain administrative expenses. In addition, a contingency fund of $25,000 was set aside for machine shop use and testing expenses if the offeror could not obtain these services without charge and could demonstrate a need for them.

The expiration period for the development of the standard was specified in the notice as December 19, 1974. However, section 7(e)(3) of the Act (15 U.S.C. 2053(e)(3)) and the regulations issued under section 7 (16 CFR 1105) provide that the Commission may extend the development period if good cause is shown and the reasons for such extension are published in the FEDERAL REGISTER.

On December 6, 1974, Consumers Union petitioned the Commission for an extension of the development period and additional funds to cover the additional development period. Based on a discussion with members of Consumers Union's management in which they clarified their reasons for requesting an extension of the development period, the Commission has determined that Consumers Union has shown good cause for extending the time for development of the power mower standard to June 19, 1975. Consumers Union's reasons for requesting an extension of the development period included the complexity of the subject and the need to allow additional time for post development review. A copy of Consumers Union's petition is available for review in the Office of the Secretary.

The Commission also believes Consumers Union has demonstrated (1) a revised and pragmatic plan for completing the development by June 19, 1975, and (2) a firm commitment by its Executive Director, Rhoda Karpatkin, to fully complete the development of a recommended standard by that time. The Commission has, therefore, extended the development period until June 19, 1975. In addition, the Commission has provided additional support funds for offeror personnel expenses, offeror personnel travel expenses, consumer participant travel expenses, and certain administrative expenses in the amount of $90,165.

Section 7(f) of the CPSA (15 U.S.C. 2056(f)) specifies in relevant part that

> "not more than 210 days after publication of a notice of proceeding . . . (which time may be extended by the Commission by a notice published in the FEDERAL REGISTER stating good cause therefor), the Commission shall publish in the FEDERAL REGISTER a notice withdrawing such notice of proceeding or publish a proposed rule . . . which proposes a product safety standard. . . ."

In view of the fact that the Commission has, for good cause shown, extended the power mower development period for 6 months until June 19, 1975 or for 332 days from the date the notice of proceeding was published, publication of a proposed standard, or a notice withdrawing the notice of proceeding within the 210 day period provided in section 7(f) is not realistic.

Accordingly, the Commission hereby extends the period in which it must publish a proposed standard or withdraw the notice of proceeding, by 6 months, the same period for which an extension of the development period was granted. This period will end on August 18, 1975 but may be further extended by a notice published in the FEDERAL REGISTER stating good cause therefor.

Dated: February 27, 1975.

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

[FR Doc.75-5773 Filed 3-4-75;8:45 am]

ENVIRONMENTAL PROTECTION AGENCY

[FRL 340-2]

ENVIRONMENTAL IMPACT STATEMENTS AND OTHER ACTIONS IMPACTING THE ENVIRONMENT

Availability of Comments

Pursuant to the requirements of section 102(2)(C) of the National Environmental Policy Act of 1969, and section 309 of the Clean Air Act, as amended, the Environmental Protection Agency (EPA) has reviewed and commented in writing on Federal agency actions impacting the environment contained in the following appendices during the period of January 1, 1975 and January 31, 1975.

Appendix I contains a listing of draft environmental impact statements reviewed and commented upon in writing during this review period. The list includes the Federal agency responsible for the statement, the number and title of the statement, the classification of the nature of EPA's comments as defined in Appendix II, and the EPA source for copies of the comments as set forth in Appendix V.

Appendix II contains the definitions of the classifications of EPA's comments on the draft environmental impact statements as set forth in Appendix I.

Appendix III contains a listing of final environmental impact statements reviewed and commented upon in writing during this reviewing period. The listing will include the Federal agency responsible for the statement, the number and title of the statement, a summary of the nature of EPA's comments, and the EPA source for copies of the comments as set forth in Appendix V.

Appendix IV contains a listing of proposed Federal agency regulations, legislation proposed by Federal agencies, and any other proposed actions reviewed and commented upon in writing pursuant to section 309(a) of the Clean Air Act, as amended, during the referenced reviewing period. The listing includes the Federal agency responsible for the proposed action, the title of the action, a summary of the nature of EPA's comments, and the source for copies of the comments as set forth in Appendix V.

Appendix V contains a listing of the names and addresses of the sources for copies of EPA comments listed in Appendices I, III, and IV.

Copies of the EPA Manual setting forth the policies and procedures for EPA's review of agency actions may be obtained by writing the Public Inquiries Branch, Office of Public Affairs, Environmental Protection Agency, Washington, D.C. 20460. Copies of the draft and final environmental impact statements referenced herein are available from the originating Federal department or agency.

Dated: February 25, 1975.

SHELDON MEYERS,
Director,
Office of Federal Activities.

APPENDIX I—*Draft environmental impact statements for which comments were issued between Jan. 1, 1975 and Jan. 31, 1975*

Identifying No.	Title	General nature of comments	Source for copies of comments
Atomic Energy Commission:			
D-AEC-A00108-WA	Waste Management Operations, Hanford Reservation, Richland, Wash.	ER-2	A
D-AEC-A06143-MO	Callaway Plant Units 1 and 2, Union Electric Co., Docket Nos. STN 50-483 and STN 50-486, Callaway County, Mo.	ER-2	H
D-AEC-A06144-TX	South Texas Project Units 1 and 2, Houston Lighting & Power Co., Docket Nos. 50-498 and 50-499, Matagorda County, Tex.	ER-2	A
D-AEC-A06145-WA	Washington Public Power Supply System, Nuclear Projects 1 and 4, Docket Nos. 50-460 and 50-513, Benton County, Wash.	ER-2	A
Department of Agriculture:			
D-AFS-G60002-NM	Proposed Sandia Peak Tram Co. Land Exchange, Cibola National Forest, N. Mex.	LO-2	G
D-AFS-J65008-ND	Little Missouri National Grasslands, Custer National Forest, N. Dak.	LO-1	I
D-AFS-K60001-CA	Triangle Range Wetlands, Land Exchange, Modoc National Forest, Calif.	LO-1	J
D-AFS-K65002-CA	Proposed Aspen-Horsethief Timber Sales, Sierra National Forest, Fresno County, Calif.	LO-2	J
D-AFS-K65004-CA	Upper Trinity Planning Unit, Shasta-Trinity National Forest, Trinity County, Calif.	ER-2	J
D-AFS-K65006-NV	Ruby Mountains Land Use Plan, Humboldt National Forest, Nev.	LO-1	J
D-SCS-D36006-PA	Pine Run Watershed Project, Montgomery County, Pa.	LO-1	D
D-SCS-E36009-KY	East Fork Pond River Watershed, Watershed Protection and Flood Prevention, Christian, Muhlenberg, and Todd Counties, Ky.	LO-1	E
D-SCS-E36010-NC	Stoney Creek Watershed, Wayne County, Watershed Protection, Flood Prevention and Recreation Facility Development, N.C.	LO-2	E
D-SCS-G36003-OK	Pott-Sem-Turkey Watershed, Okla.	LO-2	G
D-SCS-G36004-LA	Kinder Watershed, Allen and Jefferson Davis Parishes, La.	LO-1	G
D-SCS-G36005-OK	Upper Muddy Boggy Creek Watershed, Coal, Huges, Pittsburg Counties, Okla.	LO-1	G
D-SCS-G36007-LA	East Franklin Watershed, Catahoula, Franklin and Richland Parishes, La.	LO-1	G
D-SCS-G36008-AR	Ozan Creeks Watershed, Hempstead County, Ark.	LO-1	G
D-AFS-L61012-ID	Bighorn Winter Sports Site, Caribou National Forest Oneida and Bannock Counties, Idaho.	LO-2	K
D-AFS-L61013-OR	Wallow-Whitman National Forest, Lake Fork Management Unit, Baker and Wallowa Counties, Oreg.	LO-1	K
D-DOA-A82005-00	1975 Addendum to 1974 Gypsy Moth Suppression	LO-2	C
D-SCS-B36002-NH	Indian Brook Watershed, Installation of Watershed Protection, Flood Prevention and Fish and Wildlife Development Project, Coos County, Lancaster, N.H.	ER-1	B
Corps of Engineers:			
DS-COE-A35073-RI	Providence River and Harbor Rock Removal, R.I.	LO-1	B
D-COE-C32001-NY	Safe Navigation, St. Lawrence Seaway to Pollys Gut, N.Y.	LO-1	C
D-COE-C35003-NY	Maintenance dredging, snagging and clearing of Hudson River, N.Y.	ER-2	C
D-COE-C36038-NY	Root Creek, Bolivar, N.Y.	ER-2	C
D-COE-C36009-NY	Feasibility study for flood control and related purposes, Cazenovia Creek, Erie County, N.Y.	LO-2	C
D-COE-D35003-00	Albemarle and Chesspeake Canal and the Dismal Swamp Canal Routes of the Atlantic Intracoastal Waterway, Va. and N.C.	ER-2	D
D-COE-D36005-PA	Girty's Run, local flood protection project, Millvale, Pa.	LO-1	D
D-COE-F32008-WI	Sheboygan Harbor, maintenance and dredging, Wis.	LO-1	F
D-COE-F35006-OH	Diked disposal facility, site No. 7, Lorain Harbor Area, Lake Erie, Lorain, Ohio	ER-2	F
D-COE-F36007-IL	Milan-Big Island local flood protection area, Rock River and Mill Creek, Milan, Ill.	LO-2	F
D-COE-F36008-IN	Small flood control project at Indianapolis, Lower Eagle Creek, Ind.	LO-1	F
DS-COE-G30001-TX	Corpus Christi Beach, restoration project, Tex.	LO-2	G
D-COE-G32008-TX	Gulf Intracoastal Waterway, Texas section, main channel and tributary channels, maintenance and dredging, Tex.	LO-2	G
D-COE-G32009-TX	Clear Creek and Clear Lake, maintenance and dredging, Tex.	LO-2	G
D-COE-G32010-TX	Double Bayou, maintenance dredging, Tex.	LO-2	G
D-COE-G36006-OK	Mud Creek local protection project, McCurtain County, Idabel, Okla.	LO-2	G
D-COE-G36001-TX	Neches River and tributaries, saltwater barrier on Neches River at Beaumont, Tex.	LO-2	G
D-COE-H34001-KS	Melvern Dam and Lake, Osage County, Kans.	LO-2	H
D-COE-H36004-IA	Davenport local flood protection, Iowa	ER-2	H
D-COE-K35001-CA	San Quentin landfill, regulatory permit application, Marin County, Calif.	LO-2	J
D-COE-K36006-HI	IAO stream flood control project, Maui, Hawaii	ER-2	J
D-COE-L36011-00	Columbia and Lower Willamette River, maintenance and completion of the 40-ft navigational channel, downstream of Vancouver, Wash., and Portland, Oreg.	LO-1	K
Department of Defense:			
D-USA-E11001-00	Blackbird control on Army installations, Fort Campbell, Christian, and Trigg Counties, Ky. and Milan Army Ammunition Plant, Montgomery, Stewart, Gibson, and Carroll Counties, Tenn.	LO-2	E
D-USN-D11001-MD	Uniformed Services University of the Health Sciences, Bethesda, Montgomery County, Md.	LO-2	D
D-USN-K11005-CA	New ammunition facility, Naval Air Station, San Diego County, Calif.	ER-2	J
General Services Administration:			
D-GSA-G99001-TX	GSA interagency motor pool, Dallas County, Tex.	LO-2	G
D-GSA-J81001-CO	Repair and alteration project, Denver Federal Center, Lakewood, Colo.	LO-1	I

APPENDIX I—*Draft environmental impact statements for which comments were issued between Jan. 1, 1975 and Jan. 31, 1975*

Identifying No.	Title	General nature of comments	Source for copies of comments
Department of Housing and Urban Development:			
D-HUD-E85004-GA	Stoneleigh subdivision, ASP 71-140, De Kalb County, Ga.	LO-2	E
D-HUD-F85001-MN	New community of Cedar Riverside, stage II development, Minneapolis, Minn.	ER-2	F
Interstate Commerce Commission:			
RD-ICC-A25033-00	49 CFR Part 1062, transportation of waste products for reuse and recycling.	LO-1	A
D-ICC-B53001-ME	Authority to acquire control of Maine Central Railroad, *Maine Central Railroad Company v. Amoskeag Company, et al.*, Maine.	LO-1	B
D-ICC-D53001-MD	Proposed railline abandonment, B&O line from Clifford Junction, Baltimore to Annapolis, Md.	LO-1	D
D-ICC-D53002-00	Norfolk & Western Railroad Co. abandonment between Arlington, Va. and West Jefferson, N.C.	LO-1	D
D-ICC-F53001-IL	Illinois Central Gulf Railroad Co., electric commuter train fares, Cook County, Ill.	ER-2	F
Department of the Interior:			
D-BIM-A02064-00	Proposed increase in acreage to be offered for oil and gas leasing, outer continental shelf.	ER-3	A
D-BPA-L08010-WA	Lower Snake grid reinforcement, lower granite-little goose 500 kv line, lower Monumental-Ashe No. 1, 500 kv line, Washington.	LO-1	K
D-IBR-K32001-00	Granite reef aqueduct transmission system, central Arizona project, Ariz. and N. Mex.	ER-2	J
D-NPS-G65006-NM	Proposed master plan, Baudelier National Monument, N. Mex.	LO-2	G
D-NPS-G65007-TX	Proposed master plan for Guadalupe Mountains National Park, Tex.	LO-2	G
LD-NPS-E61007-00	Proposed wilderness, Gulf Island National Seashore, Fla. and Miss.	LO-1	E
LD-NPS-E61008-00	Wilderness recommendation, Great Smokey Mountains National Park, N.C. and Tenn.	LO-1	E
Department of Transportation:			
D-CGD-E50001-SC	Proposed fixed highway bridge across Station Creek in Beaufort County, access from St. Helena Island to St. Phillips Island, S.C.	EU-2	E
D-FAA-B51002-CT	Igor I. Sikorsky Memorial Airport, establishment of instrument landing system for runway 6, Stratford, Conn.	LO-2	B
D-FAA-D51002-VA	Brookneal Municipal Airport, Campbell County, Va.	LO-2	D
RD-FAA-A88009-00	Civil airplane fleet noise requirements.	LO-1	A
D-FAA-E51006-MS	Fletcher Field, Clarksdale, Miss.	LO-2	E
D-FAA-H51007-KS	Rush County Airport, LaCrosse, Kans.	ER-2	H
D-FAA-K51001-CA	Whiteman Airport, Los Angeles County, Calif.	ER-2	J
DS-DOT-A41101-KS	I-435 extension, Johnson County, Kans.	LO-2	H
DS-FHW-A41741-FL	Air quality analysis, Broward County, FL-5, SJ 86010-1512, FJ 7-003-3(49), Florida.	LO-2	E
DS-FHW-A42159-CA	I-210 freeway, Los Angeles County, Calif.	ER-2	J
D-FHW-A42337-CO	Second bore of Eisenhower Tunnel, I-70, Summit and Clear Creek Counties, Colo.	ER-3	I
D-FHW-B40007-ME	Westbrook arterial, Westbrook-Portland, Cumberland County, Maine.	LO-2	B
D-FHW-C40010-NY	Improvement of Route 31, NY-31, Baldwinsville, Route 690 to Belgium Route 481, Onondaga County, N.Y.	ER-2	C
D-FHW-E40021-MS	I-10 from MS-57, easterly to Mississippi-Alabama State line, Mississippi.	ER-2	E
D-FHW-E40024-TN	Northwest County Highway Route No. S-8208, Shelby County, Tenn.	LO-2	E
D-FHW-E40025-GA	Projects M-3059(1) and S-0761, Bibb County, Ga.	LO-2	E
D-FHW-F40019-MN	TH 36, MN-36, Cedar Avenue, Hennepin and Dakota Counties, Minn.	ER-2	F
D-FHW-F40021-WI	North 14th Street extension, Sheboygan, WI-42 and Business Highway 141, Wis.	LO-2	F
D-FHW-F40022-IL	FAP Route 14, IL-14, relocated IL-13, New Athens Bypass, St. Clair County, Ill.	ER-2	F
D-FHW-K40007-CA	Los Positas Interchange, City and County of Santa Barbara, Calif.	LO-1	J
D-FHW-G40019-TX	FM 1765 from I-45 to TX-3, Texas City, Galveston County, Tex.	LO-2	G
D-FHW-G40020-TX	U.S. 59 from Fort Bend-Wharton county line to 2 miles west of Rosenberg, Tex.	LO-2	G
D-FHW-G40021-NM	State road 283, NM-283, San Miguel County, N. Mex.	LO-2	G
D-FHW-H40013-KS	U.S. 56, Marion County, Kans.	LO-2	H
D-FHW-H40014-IA	U.S. 18, expressway, Clayton County, Iowa.	LO-2	H
D-FHW-H40015-OO	Missouri River Bridge, South Sioux City, Nebraska to Sioux City, Iowa.	ER-3	H
DS-FHW-H40016-IA	I-380, Linn, Benton, Black Hawk and Buchanan Counties, air quality and noise supplement, Iowa.	LO-2	H
D-FHW-H40017-KS	Improvement of 57th Street from KS-32 and Parallel Avenue, Kansas City, Kans.	ER-2	H
D-FHW-J40005-CO	Project I-70-2-(24) Wheeler Junction to Frisco, Summit County, Colo.	ER-3	I
D-FHW-J40007-CO	Reconstruction of Forest Highway 15, CO-133, bottom of McClure Pass to Paonia Reservation, Colo.	LO-2	I
D-FHW-K40009-HI	Salt Lake Boulevard, Puuloa Road to Halawa Heights Road extension, Hawaii.	3	J
D-FHW-L40009-OR	Cascade Lakes Highway, Forest Highway route 46, Deschutes County, Oreg.	LO-1	K
D-FHW-L40010-AK	Petersburg to Kake Highway, proposal project ES0122, Alaska.	LO-1	K
D-FHW-L40012-OR	Head Road, Airport Road, Section Biddle Road, FAS 15-107, Jackson County, Oreg.	LO-1	K
D-FHW-L40016-AK	Taylor Highway, Tetlin Junction to Canadian Border, Alaska.	LO-1	K
D-FHW-L40013-OR	Elk River, Port Orford Section, Oregon Coast Highway, Curry County, Oreg.	LO-2	K
Tennessee Valley Authority:			
D-TVA-E85008-TN:	Timberlake new community, planned community on shoreline of Tellico Lake, Tenn.	ER-2	E

APPENDIX II—DEFINITIONS OF CODES FOR THE GENERAL NATURE OF EPA COMMENTS

ENVIRONMENTAL IMPACT OF THE ACTION

LO—Lack of Objection. EPA has no objections to the proposed action as described in the draft impact statement; or suggests only minor changes in the proposed action.

ER—Environmental Reservations. EPA has reservations concerning the environmental effects of certain aspects of the proposed action. EPA believes that further study of suggested alternatives or modifications is required and has asked the originating Federal agency to reassess these impacts.

EU—Environmentally Unsatisfactory. EPA believes that the proposed action is unsatisfactory because of its potentially harmful effect on the environment. Furthermore, the agency believes that the potential safeguards which might be utilized may not adequately protect the environment from hazards arising from this action. The agency recommends that alternatives to the action be analyzed further (including the possibility of no action at all).

ADEQUACY OF THE IMPACT STATEMENT

Category 1—Adequate. The draft impact statement adequately sets forth the environmental impact of the proposed project or action as well as alternatives reasonably available to the project or action.

Category 2—Insufficient Information. EPA believes that the draft impact statement does not contain sufficient information to assess fully the environmental impact of the proposed project or action. However, from the information submitted, the agency is able to make a preliminary determination of the impact on the environment. EPA has requested that the originator provide the information that was not included in the draft statement.

Category 3—Inadequate. EPA believes that the draft impact statement does not adequately assess the environmental impact of the proposed project or action, or that the statement inadequately analyzes reasonable available alternatives. The agency has requested more information and analysis concerning the potential environmental hazards and has asked that substantial revision be made to the impact statement.

APPENDIX III—*Final environmental impact statements for which comments were issued between Jan. 1, 1975 and Jan. 31, 1975*—Continued

Identifying No.	Title	General nature of comments	Source for copies of comments
Atomic Energy Commission:			
F-AEC-A06136-WY.	Shirley Basin Uranium Mill, Utah International, Inc., docket No. 40-6622, Carbon County, Wyo.	EPA generally had no objections to the proposed project. However, EPA raised the generic concern of advanced planning for radioactive tailings disposal along with several misinterpretations by the AEC of environmental data generated by either the license applicant or the EPA.	I
Department of Agriculture:			
F-AFS-A65067-MT..	Bitterroot north planning unit, Bitterroot National Forest, Mont.	EPA had no objections to the proposed project...	I
F-AFS-A65079-FL..	Withlacoochee State Forest, limestone mining, plan of operation, Citrus County, Fla.	EPA generally expressed no objections to the proposed project; however, EPA recommended that consideration be given to benefits of using the rehabilitation of the area as a demonstration project, and that more specific information be provided on emission of particulate to the atmosphere.	E
F-AFS-A82078-00...	Strategy for control of southern pine beetle in the southeastern United States.	EPA generally expressed no objections to the proposed project; however, EPA recommended that a supplementary sheet be prepared to cover the effect of open burning on urban areas which conflicts with State air pollution regulations.	E
Corps of Engineers:			
F-COE-A32392-GA.	Carters Dam and Lake, Coosawattee River, Ga.	EPA generally had no objections to the proposed project, however, EPA recommended that more information be provided on increasing low flows at Rome and manipulations at Carters Dam to improve these flows.	E E
F-COE-A32441-FL.	Canaveral Harbor extension, navigation, Fla.	EPA had no objections to the proposed project...	I
F-COE-A36429-ND.	Minot Channel modifications, flood control, Souris River, N. Dak.	The interrelated nature of the Minot Channel and Burlington Dam projects makes it imperative that the combined impact of the project alternatives be assessed. To date the cumulative environmental impacts have not been evaluated for the proposed projects. This is a major deficiency of both the Minot Channel and Burlington Dam impact statements. EPA requested that the COE reconsider the comments made by EPA before proceeding with the project.	
F-COE-A89034-OH.	Paint Creek, Scioto River Basin, Ohio.	EPA generally had no objections to the project as proposed.	F
General Services Administration:			
F-GSA-K81001-CA.	Disposal of Oxnard Air Force Base, Camarillo, Ventura County, Calif.	Since the alternative for airport use was selected, EPA critically reexamined the noise impacts. Given the close proximity to residential areas, EPA recommended that the noise contours be recalculated on the basis of current aircraft noise data, frequency of Santa Ana Winds, business jet usage. In the event of violations of the California airport noise regulations, a contingency plan of action, based on a noise monitoring program, should be adopted. EPA requested further evidence that operating restrictions proposed by Ventura County will be imposed by the Federal Aviation Administration.	J

APPENDIX III—*Final environmental impact statements for which comments were issued between Jan. 1, 1975 and Jan. 31, 1975*—Continued

Identifying No.	Title	General nature of comments	Source for copies of comments
Department of Housing and Urban Development:			
F-HUD-A85035-DC.	Proposed "Seasons" 221 D4 project 1775 Que St. NW., Washington, D.C.	EPA expressed no objections on the posposed project.	D
F-HUD-G85001-TX.	The proposed colony subdivision, Denton County, Tex.	EPA had no objections to the project as proposed.	G
Department of the Interior:			
F-DOI-A61038-WY.	Master plan, Yellowstone National Park, Wyo.	EPA had no objection to the project as proposed.	
Department of Transportation:			
F-DOT-A41513-PA.	LR 1033, Sec. A02, Mifflin and Juniata Counties, Pa.	EPA expressed no objections to further development of the project but advised that more detailed analysis of projected noise impacts would insure compliance with noise standards established by the Federal Highway Administration.	D
F-FHW-A41763-NC.	Charlotte inner belt loop from York Rd, NC-49 to Central Ave., Mecklenburg County, SP 8.272 3001 FAP F-20-1(1), N.C.	EPA generally had no objections to the proposed project; however, EPA recommended that an air quality analysis supplemental be prepared.	E
F-FHW-A41834-FL.	Okaloosa and Walton Counties, SJ 57030-1524 and 60030-1504, FJ F-017-1-(31) and F-017-1(32), FL-30, U.S. 98, Fla.	EPA generally had no objections to the proposed project. However, EPA recommended that ambient noise measurements within the proposed corridor be provided, and any noise-sensitive sites be identified on an area map.	E
F-FHW-A41889-NY.	Elmira North-South arterial, Chemung County, N.Y.	While EPA raised no objections to the project itself as described in the environmental statement, information requested by EPA during the review of the draft EIS is lacking. EPA requested clarification of air quality predictions, noise attenuation measures and the proposed relocation of Seeley Creek.	C
F-FHW-A42025-KS.	KS-96, Sedgwick County, Kans.	EPA generally had no objections to the proposed project.	H
F-FHW-A42337-CO.	Second bore of the Eisenhower Tunnel, I-70, Summit and Clear Creek Counties, Colo.	EPA reviewed the final environmental impact statement in conjunction with the review of a draft impact statement for a segment of I-70 located a short distance away because of the cumulative secondary effects of the 2 projects. EPA expressed environmental reservations concerning the construction of the second bore of the Eisenhower Tunnel. In addition, pending the completion of additional studies which would document potentially adverse secondary environmental effects of the project (E.G., air quality and land use impacts), EPA recommended that final project approval be deferred.	I
F-FHW-A42338-CO.	Highway project M-7508 (001) and F 050-4(L), Troy Ave., Pueblo, Pueblo County, Colo.	Environmental reservations were expressed concerning the noise and air quality impacts of the proposed highway project. For the proposed alternative, the FHWA noise standard is exceeded at all locations analyzed along Troy Ave. Measures to mitigate this adverse noise impact are planned for only one residential community. Other residential areas will be affected by noise levels which exceed standards. Further study is recommended with proposals given for possible lowering of noise impact of this project. The analysis of air quality impacts overlooked several important aspects which will result in the prediction of higher CO concentrations. Recommendations were made for further analysis to determine if standards will be violated.	I
F-FHW-A42340-CA.	I-580 and CA-238, joint freeway mass transit corridor project, Alameda County, Calif.	Due to the serious air pollution problems in the Livermore Valley, EPA had environmental reservations concerning the action as described in the final statement. EPA's concerns are based upon the deficiencies of information available to properly advise the public of the air quality impact, and the need to establish a commitment to public transit in the Livermore Valley. EPA is seeking a reconciliation of the various air pollution studies done by California Department of Transportation, the Metropolitan Transportation Commission, and the City of Livermore, and is seeking a commitment from CALTRANS to reserve bus lanes for public transit in the freeway alinement.	J
FS-FHW-A49006-KS.	U.S. 54, Sedgwick County, Kans.	EPA had no objections to the project as proposed.	H
Tennessee Valley Authority:			
F-TVA-E05001-TN.	Johnsonville steam plant, units 11-16, 6 unit gas turbine peaking plant addition, Humphreys County, Tenn.	EPA generally raised no objections to the proposed project.	E
F-TVA-E05002-TN.	Gallatin steam plant, units 1-4 gas turbine peaking plant addition, Sumner County, Tenn.	EPA generally had no objections to the proposed project. However, EPA recommended that identification of model used in assessing pollutant concentrations and the listing of predicted concentrations be included in the impact statement.	E

APPENDIX IV—REGULATIONS, LEGISLATION AND OTHER FEDERAL AGENCY ACTIONS FOR WHICH COMMENTS WERE ISSUED BETWEEN JAN. 1, 1975 AND JAN. 31, 1975

Identifying No.	Title	General nature of comments	Source for copies of comments
Atomic Energy Commission:			
R-AEC-A00024-00.	10 CFR Part 34, licenses for radiography and radiation safety requirements for radiographic operations, personnel monitoring of radiographers.	EPA indicated that, although the proposed amendment represents a Step in the right direction, it appears that much more should be done by the AEC in this area. In EPA's opinion, a thorough analysis of industrial radiography operations personnel overexposure incidents is needed to devise remedial measures. Further, EPA believes provisions should be incorporated in the regulations for initial and subsequent calibrations of the self-reading dosimeters. Also the AEC should give consideration to the use of the more modern, and currently available, poket dosimeters which incorporate audible alarms and are easier to read.	A
R-AEC-A00025-00.	10 CFR Pt 70, special nuclear material, criticality accident dosimetry.	In general EPA agrees with the proposed regulation. However, the purpose for sec. 70.24(a)(5) is not clear since there may be certain reactor types or new types of nuclear fuels for which it may be desirable to impose the proposed provisions for criticality accident dosimetry. EPA believes the final regulations should clarify this point. In addition, EPA questions the necessity of sec. 70.24(a)(4), since it is this agency's interpretation that equivalent provisions are required in accident plans for all nuclear reactors.	A
R-AEC-A00026-00...	10 CFR pts. 40, 70, effluent monitoring and reporting, proposed requirements.	EPA supports this proposed regulation as it will provide detailed effluent data which are not presently available. Although the proposed regulation does not contain specific reporting requirements, we assume that a future regulatory guide will provide these details since, in our opinion, they will be necessary to the implementation of this regulation.	A
R-AEC-A00027-00...	Notice, regulatory guide 4.7, general site suitability criteria for nuclear power stations.	EPA commented that, although regulatory guide 4.7 could be the means to provide needed strong guidance, it will have to be improved in order to be effective. EPA indicated that much of the material presented defines requirements for information rather than detailing acceptability criteria to be used in judging sites. Numerical or other definitive guidance is lacking in many areas. EPA further indicated that more definitive guidance would increase the chances that environmentally acceptable sites would be chosen at the outset, thus, decreasing burdens on both the utilities and the AEC staff and reducing chances for delay in licensing new nuclear plants.	A
Department of Agriculture:			
A-AFS-A65107-00...	Environmental program for the future, a long-term forestry plan.	EPA's comments offered specific suggestions in the areas of economic analysis, minerals development, comprehensive resource and area planning, timber resource management, the range resource system and the recreation and wilderness system. The comments were directed to aiding the Forest Service in developing a final report which provides a better understanding of the Forest Service's programs and other national policies, such as the role of timber and mineral exports, and their relationship to environmental values.	A
Department of the Interior:			
R-BLM-A01028-00...	43 CFR pts. 3500, 3520, Coal Leases, Diligent Development and Continuous Operations.	The EPA recommended a revision of the definition of "Diligent Development" to include a time specification. Additional recommendations called for a shortening of the time limit for an operator to have his lease included within an IMU to 1 year, and forfeiture of the lease when substantial noncompliance with the lease terms can be shown.	A
R-BLM-A02065-00...	Notices, Outer Continental Shelf Oil and Gas Leasing Schedule Through 1978.	EPA recommended that the proposed schedule be revised to more closely reflect recommendations continued in the Council on Environmental Quality's April 1974 assessment of OCS oil and gas development, developmental potential, and EPA's comments on the draft programmatic environmental impact statement for the 10,000,000-acre lease offering.	A
Department of Transportation:			
R-CGD-A99005-00...	33 CFR pt. 153, Oil and Hazardous Substance Liability.	EPA's comments expressed concern about how the proposed regulations could confuse existing reporting procedures and response actions.	A

APPENDIX V—
SOURCE FOR COPIES OF EPA COMMENTS

A. Director, Office of Public Affairs, Environmental Protection Agency, 401 M Street SW., Washington, D.C. 20460.
B. Director of Public Affairs, Region I, Environmental Protection Agency, John F. Kennedy Federal Building, Boston, Massachusetts 02203.
C. Director of Public Affairs, Region II, Environmental Protection Agency, 2 Federal Plaza, New York, New York 10007.
D. Director of Public Affairs, Region III, Environmental Protection Agency, Curtis Building, 6th and Walnut Streets, Philadelphia, Pennsylvania 19106.
E. Director of Public Affairs, Region IV, Environmental Protection Agency, 1421 Peachtree Street NE., Atlanta, Georgia 30309.
F. Director of Public Affairs, Region V, Environmental Protection Agency, 230 South Dearborn Street, Chicago, Illinois 60604.
G. Director of Public Affairs, Region VI, Environmental Protection Agency, 1600 Patterson Street, Dallas, Texas 75201.
H. Director of Public Affairs, Region VII, Environmental Protection Agency, 1735 Baltimore Street, Kansas City, Missouri 64108.
I. Director of Public Affairs, Region VIII, Environmental Protection Agency, 1860 Lincoln Street, Denver, Colorado 80203.
J. Director of Public Affairs, Region IX, Environmental Protection Agency, 100 California Street, San Francisco, California 94111.
K. Director of Public Affairs, Region X, Environmental Protection Agency, 1200 Sixth Avenue, Seattle, Washington 98101.

[FR Doc.75-5559 Filed 3-4-75;8:45 am]

[FRL 340-8]

SCIENCE ADVISORY BOARD; NATIONAL AIR QUALITY CRITERIA ADVISORY COMMITTEE

Meeting

Pursuant to Pub. L. 92-463, notice is hereby given that a meeting of the National Air Quality Criteria Advisory Committe of the Science Advisory Board will be held at 9 a.m. on March 21, 1975 in Conference Room A (Room 1112), Crystal Mall Building No. 2, 1921 Jefferson Davis Highway, Arlington, Virginia.

The purpose of the meeting will be (1) to consult the committee regarding the determination and documentation of adverse effects on the public health and welfare of nickel as an atmospheric pollutant; (2) to brief the committee on and to discuss certain aspects of the airborne lead problem and specifically (a) the anticipated impact of controlling stationary sources of airborne lead on reducing environmental contamination by lead, (b) on-going and planned EPA research on the health implications of airborne lead, and (c) recent research findings on the health implications of airborne lead; (3) to brief the committee on and to discuss EPA monitoring activities of atmospheric vinyl chloride; and (4) to discuss the future role of the committee and ways of assuring its effectiveness. The agenda will also include (5) brief reports or informational items of current interest to the members.

The meeting will be open to the public. Any member of the public wishing to attend or submit a paper should contact the Executive Secretary, Mr. Ernst Linde, Scientist Administrator, National Environmental Research Center, Environmental Protection Agency, Research Triangle Park, North Carolina 27711.

The telephone number is (919) 549-8411, extension 2266.

WILSON K. TALLEY,
Assistant Administrator for Research and Development.

FEBRUARY 28, 1975.

[FR Doc.75-5856 Filed 3-4-75;8:45 am]

FEDERAL COMMUNICATIONS COMMISSION

CANADIAN STANDARD BROADCAST STATIONS

List of New Stations

List of new stations, proposed changes in existing stations, deletions, and corrections in assignments of Canadian standard broadcast stations modifying the assignments of Canadian broadcast stations contained in the Appendix to the Recommendations of the North American Regional Broadcasting Agreement Engineering Meeting January 30, 1941.

Canadian List No. 338

FEBRUARY 7, 1975.

Call letters	Location	Power kilowatts	Antenna	Schedule	Class	Antenna height (feet)	Ground system: Number of radials	Ground system: Length (feet)	Proposed date of commencement of operation
		680 kHz							
CHFA (PO 680 kHz, 5 kW, DA-1, N. 53°27'20" W. 113° 27'03").	Edmonton, Alberta, N. 53°24'35" W. 113°30'41".	10	DA-1	U	II				E.I.O., 2-7-76.
		690 kHz							
CBF (PO 690 kHz, 50 KW, ND-238, 585, 120, 585, N. 45° 49'13" W. 73°17'50").	Montreal, Quebec, N. 45°25'42" W. 73°26'58".	50	ND-D-254.6 ND-N-235.3	U	I-A	[1] 575	180	600	E.I.O., 2-7-76.
		690 kHz							
CFRG (PO 710 kHz and 1230 kHz).	Gravelbourg, Saskatchewan, N. 49°52'16" W. 106°28'19".	5	DA-N ND-D-183	U	II				E.I.O., 2-7-76.
		710 kHz							
CFRG (vide: 690 kHz)	Gravelbourg, Saskatchewan, N. 49°52'30" W. 106°28'34".	5	ND-198	D	II	245	120	554	
		940 kHz							
CBM (PO 940 kHz, 50 kW, ND-246, 525, 130, 500, N. 45°26'09" W. 73°10'40").	Montreal, Quebec, N. 45°25'42" W. 73°26'58".	50	*DA-1*	U	IB				E.I.O., 2-7-76.
		1190 kHz							
CJMR (now in operation)	Mississauga, Ontario, N. 43°26'10" W. 79°43'06".	10	DA-D	D	II				
		1230 kHz							
CHFC (PO Fort Churchill, 1230 kHz, 0.25 kW, ND-150, N. 58°45'49" W. 94°04'42", inverted L antenna).	Churchill, Manitoba, N. 58°45'17" W. 94°05'39".	0.25	ND-*180*	U	IV	*134*	*180*	*580*	E.I.O. 2-7-76.
		1230 kHz							
CFGR (vide: CFRG, 690 kHz).	Gravelbourg, Saskatchewan, N. 49°52'20" W. 106°28'34".	0.25	ND-390	N	IV	245	120	600	
		1240 kHz							
CKMK (now in operation)	Mackenzie, British Columbia, N. 53°20'48" W. 123°08'54".	ID/0.25N	ND-182	U	IV	150	120	318	
		1490 kHz							
(New)	Prince George, British Columbia, N. 53°54'10" W. 122°44'30".	0.25	ND-224	U	IV	208	120	300-800	E.I.O. 2-7-76.

[1] Sectionalized tower.

[SEAL]

WALLACE E. JOHNSON,
Chief, Broadcast Bureau, Federal Communications Commission.

[FR Doc.75-5676 Filed 3-4-75;8:45 am]

[Docket No. 20271]

NATIONAL ASSOCIATION OF BROADCASTERS

Order Extending Time

In the matter of an inquiry relating to preparation for a General World Administrative Radio Conference of the International Telecommunication Union to consider revision of the Radio Regulations.

The National Association of Broadcasters (NAB) has filed a petition for extension of time for filing reply comments in the above-captioned proceeding (40 FR 3245). The request is that the time be extended from February 28 to April 1, 1975.

In support of its request, NAB states that 35 days were allowed for filing comments, only 14 days were allowed for filing reply comments, but that the main task for broadcast interests is to respond to comments of non-broadcast interests who advocate changes which would adversely affect the broadcasting industry. The 14 days provided, it states, is inadequate for this task.

On considering this request, we have concluded that an extension is warranted but that time should be extended only to March 17, 1975, rather than for the full period requested. We believe that the period, as thus extended, is ample, particularly in light of the preliminary nature of this proceeding. Further opportunities will be provided for interested parties to develop and express their positions in detail.

In view of the foregoing *it is ordered*, That the time for filing reply comments in this proceeding is extended to March 17, 1975.

Adopted: February 27, 1975.

Released: February 27, 1975.

[SEAL] ASHTON R. HARDY,
General Counsel.

[FR Doc.75-5790 Filed 3-4-75;8:45 am]

FEDERAL ENERGY ADMINISTRATION

GUIDELINES FOR ADJUSTMENTS AND ASSIGNMENTS OF PROPANE AND BUTANE TO PURCHASERS

Notice of Establishment; Correction

On January 25, 1975, the Federal Energy Administration issued a notice setting forth in an Appendix the "Guidelines for Adjustments and Assignments of Propane and Butane to Purchasers Whose Supplies of a Source of Energy Have Been or May Be Curtailed as Provided by 10 CFR § 211.12(h)" (40 FR 4485, January 30, 1975).

In subparagraph (b)(1)(B) of paragraph 3 of the Guidelines, reference was inadvertently made to 10 CFR § 211.12 (d) of the Mandatory Petroleum Allocation Regulations for the requirement that a user having an allocation level of one hundred percent of current requirements subject to an allocation fraction must certify its increased current requirements to its base period supplier. This reference should have been to 10 CFR § 211.13(d). Therefore, the guidelines are corrected by changing the reference in the second sentence of paragraph 3(b)(i)(B) from "10 CFR § 211.12 (d)" to "10 CFR § 211.13(d)."

Dated: February 28, 1975.

DAVID G. WILSON,
Acting General Counsel,
Federal Energy Administration.

[FR Doc.75-5855 Filed 3-4-75;8:45 am]

FEDERAL MARITIME COMMISSION

PORT OF PALM BEACH AND BIRDSALL, INC.

Notice of Agreement Filed

Notice is hereby given that the following agreement has been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 1100 L Street, NW., Room 10126; or may inspect the agreement at the Field Offices located at New York, N.Y., New Orleans, Louisiana, San Francisco, California, and Old San Juan, Puerto Rico. Comments on such agreements, including requests for hearing, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C. 20573, on or before March 25, 1975. Any person desiring a hearing on the proposed agreement shall provide a clear and concise statement of the matters upon which they desire to adduce evidence. An allegation of discrimination or unfairness shall be accompanied by a statement describing the discrimination or unfairness with particularity. If a violation of the Act or detriment to the commerce of the United States is alleged, the statement shall set forth with particularity the acts and circumstances said to constitute such violation or detriment to commerce.

A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the statement should indicate that this has been done.

Notice of Agreement Filed by:

Mr. Dwight Green
Traffic Consultant
Port of Palm Beach
P.O. Box 9935
Riviera Beach, Florida 33404

Agreement No. T-3062, between the Port of Palm Beach District (Port) and Birdsall, Inc., (Birdsall), provides for Birdsall's sale to Port of certain truck weighing scales at Palm Beach, Florida, in exchange for Birdsall's free use of said scales for a seven-year period. As compensation for its sale of the scales, Birdsall shall receive a sum of $1,000.

By Order of the Federal Maritime Commission.

Dated: February 27, 1975.

FRANCIS C. HURNEY,
Secretary.

[FR Doc.75-5817 Filed 3-4-75;8:45 am]

FEDERAL POWER COMMISSION

[Docket No. G-5999, et al.]

ANADARKO PRODUCTION CO. (OPERATOR), ET AL.

Applications for Certificates, Abandonment of Service and Petitions To Amend Certificates [1]

FEBRUARY 19, 1975.

Take notice that each of the applicants listed herein has filed an application or petition pursuant to section 7 of the Natural Gas Act for authorization to sell natural gas in interstate commerce or to abandon service as described herein, all as more fully described in the respective applications and amendments which are on file with the Commission and open to public inspection.

Any person desiring to be heard or to make any protest with reference to said applications should on or before March 12, 1975, file with the Federal Power Commission, Washington, D.C. 20426, petitions to intervene or protests in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Persons wishing to become parties to a proceeding or to participate as a party in any hearing therein must file petitions to intervene in accordance with the Commission's rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure a hearing will be held without further notice before the Commission on all applications in which no petition to intervene is filed within the time required herein if the Commission on its own review of the matter believes that a grant of the certificates or the authorization for the proposed abandonment is required by the public convenience and necessity. Where a petition for leave to intervene is timely filed, or where the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for applicants to appear or be represented at the hearing.

KENNETH F. PLUMB,
Secretary.

[1] This notice does not provide for consolidation for hearing of the several matters covered herein.

Docket No. and date filed	Applicant	Purchaser and location	Price per thousand cubic feet	Pressure base
G-5999 1-17-75 [2]	Anadarko Production Co. (operator), et al., P.O. Box 9317, Fort Worth, Tex. 76107.	Northern Natural Gas Co. Hugoton and Panoma Council Grove Fields, Stevens County, Kans.		
G-5999 1-17-75 [2]	Anadarko Production Co. (operator), et al.	Panhandle Eastern Pipe Line Co. Panoma Council Grove Field, Seward County, Kans.		
G-13138 E 1-27-75	PGP Gas Products, Inc. (successor to Atlantic Richfield Co.) P.O. Box 3669, Odessa, Tex. 79760.	Northern Natural Gas Co. Imperial Gas Processing Plant, Pecos County, Tex.	[3] 22.64	14.65
CI62-28 1-17-75 [2]	Anadarko Production Co. (operator), et al.	Panhandle Eastern Pipe Line Co. Panoma Council Grove Field, Seward County, Kans.		
CI65-1286 C 1-23-75	PWG Partnership 1700 Mercantile Bank Bldg., Dallas, Tex. 75201.	El Paso Natural Gas Co. Basin Dakota Field, Rio Arriba County, N. Mex.	[4] 28.0 [5] 28.0 [6] 50.0 [7] 51.0	15.025 15.025 15.025 15.025
CI69-766 2-5-75 [8]	Sohio Petroleum Co., 1100 Penn Tower, Oklahoma City, Okla. 73118.	Kansas-Nebraska Natural Gas Co., Inc., Lost Cabin Field, Fremont County, Wyo.		
CI69-849 2-5-75 [8]	Sohio Petroleum Co.	Colorado Interstate Gas Co., a Division of Colorado Interstate Corp. Madden Field, Fremont and Natrona Counties, Wyo.		
CI72-233 1-17-75 [2]	Anadarko Production Co. (operator), et al., P.O. Box 9317, Fort Worth, Tex. 76107.	Panhandle Eastern Pipe Line Co., Panoma Council Grove Field, Seward County, Kans.		
CI72-260 1-17-75 [2]	Anadarko Production Co. (operator), et al.	Panhandle Eastern Pipe Line Co.; Acreage in Stevens County, Kans.		
CI75-165 C 1-30-75	Chevron Oil Co., Western Division, P.O. Box 599, Denver, Colo. 80201.	Mississippi River Transmission Co., Mills Ranch (Hunton) Field, Wheeler County, Tex.	[9] 51.0	14.73

Filing code: A—Initial Service:
B—Abandonment.
C—Amendment to add acreage:
D—Amendment to delete acreage:
E—Total Succession.
F—Partial Succession:

Docket No. and date filed	Applicant	Purchaser and location	Price per thousand cubic feet	Pressure base
CI75-384..... C 1-27-75	American Petrofina Co. of Texas, P.O. Box 2159, Dallas Tex. 75221.	El Paso Natural Gas Co., Sand Hills Field, Crane County, Tex.	[9] 54.875	14.65
CI75-439..... (G-16059) B 1-22-75	Joseph M. Jones (operator), et al., 225 Baronne St., New Orleans, La. 70112	Texas Gas Transmission Corp., North Cankton Field, St. Landry Parish, La.	depleted	
CI75-441..... A 1-27-75	Colorado Oil & Gas Corp., Five Greenway Plaza East, Houston, Tex. 77046.	Colorado Interstate Gas Co., a Division of Colorado Interstate Corp., Madden Deep Unit, Fremont County, Wyo.	[10] 55.1337	14.65
CI75-443..... (CS71-727) F 1-28-75	Sun Oil Co. (successor to Pelto Oil Co. Division of Southdown, Inc.), P.O. Box 2880, Dallas, Tex. 75221.	Texas Gas Transmission Corp., Ship Shoal Block 23, offshore Terrebonne Parish, La.	[3] 31.1125	15.025
CI75-445..... A 1-30-75	HNG Oil Co., P.O. Box 2267, Midland, Tex. 79701.	Natural Gas Pipeline Co. of America, Evetts Field Area, Loving and Winkler Counties, Tex.	[11] 17.3021	14.65
CI75-446..... A 1-31-75	Mesa Petroleum Co., P.O. Box 2009, Amarillo, Tex. 79105.	Transwestern Pipeline Co., Potash Eddy Field, Eddy County, N. Mex.	[3 12] 80.0	14.65
CI75-447..... A 2-3-75	Amoco Production Co., P.O. Box 3092, Houston, Tex. 77001.	Natural Gas Pipeline Co. of America, Seven Oaks Field, Polk County, Tex.	[12] 60.7580	14.65
CI75-448..... A 2-3-75	Amoco Production Co	do	[12] 60.7580	14.65
CI75-449..... A 2-3-75	Gulf Oil Corp., P.O. Box 1589, Tulsa, Okla. 74102.	El Paso Natural Gas Co., A-B-M Field, Upton County, Tex.	[14] 74.9286	14.73
CI75-451..... A 2-3-75	Exxon Corp., P.O. Box 2180, Houston, Tex. 77001.	El Paso Natural Gas Co., Cooper Area, Lea County, N. Mex.	[13] 55.20	14.73
CI75-452..... (C161-1146) F 1-29-75	Branda Oil Co. (successor to J. N. Ingraham), 3250 Liberty Tower, Oklahoma City, Okla. 73102.	Michigan-Wisconsin Pipe Line Co., NE Seiling Field, Major County, Okla.	[10] 21.05	14.65
CI75-453..... (C163-647) F 1-29-75	Branda Oil Co. (successor to Cities Service Oil Co.).	do	[10] 21.05	14.65
CI75-454..... (C161-1281) F 1-29-75	Branda Oil Co. (successor to Mobil Oil Corp.), 3250 Liberty Tower, Oklahoma City Okla. 73102.	Michigan-Wisconsin Pipe Line Co., NE Seiling Field, Major County, Okla.	[10] 21.05	14.65
CI75-456..... (CS72-739) F 1-31-75	Exchange Oil & Gas Corp. (successor to Union Texas Petroleum, a division of Allied Chemical Corp.), 16th floor, 1010 Common St., New Orleans, La 70112.	Transcontinental Gas Pipe Line Corp., Orange Grove Field, Terrebonne Parish, La.	[17] 31.1125	15.025
CI75-457..... (G-4582) B 1-30-75	Sohio Petroleum Co. 1100 Penn Tower, Oklahoma City, Okla. 73118.	Texas Eastern Transmission Corp., Delhi Field, Richland, Madison, and Franklin Parishes, La.	Contract expired.[18]	
CI75-458..... A 13-675	Atlantic Richfield Co., P.O. Box 2819, Dallas, Tex. 75221.	United Gas Pipe Line Co., Willow Springs Field, Gregg County, Tex.	[3] 55.24	17.65

[1] Amendment to redesignate Anadarko as the operator in lieu of William H. Chamberlain, d.b.a. Saturn Oil & Gas Co. (operator), et al., for continuation of same service.
[2] Includes 0.75¢/Mcf upward Btu adjustment.
[3] Subject to upward and downward Btu adjustment.
[4] Rate for gas from date of first delivery (December 1973) to Dec. 31, 1973.
[5] Rate for gas from Jan. 1, 1974, to June 21, 1974.
[6] Rate for gas from June 22, 1974 to Dec. 31, 1974.
[7] Rate for gas after Jan. 1, 1975.
[8] Applicant requests that the order issuing the certificate be amended by deleting authorization for sales from other than applicant's interests. Applicant states that it is no longer operator of the producing properties.
[9] Subject to upward Btu adjustment.
[10] Includes 2.6254¢/Mcf upward Btu adjustment and 1.7853¢/Mcf tax adjustment.
[11] Includes 0.2625¢/Mcf downward Btu adjustment and 0.06404¢/Mcf tax reimbursement.
[12] Applicant is willing to accept a certificate in accordance with Opinion No. 699.
[13] Includes 5.9223¢/Mcf upward Btu adjustment.
[14] Includes 4.1351¢/Mcf production taxes and 19.7035¢/Mcf upward Btu adjustment.
[15] Subject to upward and downward Btu adjustment; estimated upward adjustment is 4.25¢/Mcf.
[16] Subject to upward Btu adjustment; estimated adjustment is 0.0155¢/Mcf.
[17] Includes tax reimbursement and is subject to downward Btu adjustment.
[18] Sales will be continued under the contract of the operator, Sun Oil Co. FPC Gas Rate Schedule No. 35.

[FR Doc.75-5575 Filed 3-4-75;8:45 am]

[Docket No. E-8855 and E-9037]

BOSTON EDISON CO.

Postponement of Hearing

FEBRUARY 26, 1975.

Take notice that due to a schedule conflict of the Presiding Administrative Law Judge, the hearing date in the above-designated matter fixed by notice issued February 14, 1975, is extended to March 18, 1975, at 10 a.m. (e.d.t.).

KENNETH F. PLUMB,
Secretary.

[FR Doc.75-5748 Filed 3-4-75;8:45 am]

[Docket Nos. RP74-82, RP74-81]

COLUMBIA GAS TRANSMISSION CORP., COLUMBIA GULF TRANSMISSION CO.

Postponement of Hearing

FEBRUARY 26, 1975.

Take notice that due to a schedule conflict of the Presiding Administrative Law Judge, the hearing date in the above-designated matter, fixed by notice issued September 27, 1974, is extended to March 18, 1975, at 10 a.m. (e.d.t.).

KENNETH F. PLUMB,
Secretary.

[FR Doc.75-5749 Filed 3-4-75;8:45 am]

[Docket No. CP73-131]

EL PASO NATURAL GAS CO.

Scheduling of Oral Argument

FEBRUARY 26, 1975.

The Commission has before it the initial decision of the Presiding Administrative Law Judge issued June 21, 1974, the briefs on exceptions, and the briefs opposing exceptions, in the above-designated matter.

Take notice that an oral argument is scheduled to be heard by the Commission *en banc* commencing at 9:30 a.m. (e.d.t.) on March 13, 1975, in a hearing room of the Federal Power Commission, 825 North Capitol Street, Washington, D.C. 20426.

All participants in this proceeding who desire to present oral argument shall notify the Secretary of the Commission in writing, on or before March 6, 1975, of the amount of time requested for presentation of their respective oral arguments.

By direction of the Commission.

KENNETH F. PLUMB,
Secretary.

[FR Doc.75-5750 Filed 3-4-75;8:45 am]

[Docket No. RP-67-9, and Area Rate Proceeding, Docket Nos. AR61-1, et al. and AR-64-1, et al.]

EL PASO NATURAL GAS CO.

Notice of Report of Refunds

FEBRUARY 26, 1975.

Take notice that on February 3, 1975, El Paso Natural Gas (El Paso) submitted to the Commission a report of refunds received from its producer-suppliers during the period January 1, 1973, through December 31, 1974. El Paso's report states that during the period January 1, 1973, through December 31, 1974, El Paso has received refunds aggregating $42,630,239.86 from certain Southern Division System producer-suppliers, which refunds have been retained by El Paso and commingled with its corporate funds in accordance with Article IV of its Stipulations and Agreements in Docket Nos. G-4769 et al., and RP-67-9.

With respect to Northwest Division System refunds pending flow through, El Paso states that it had received from Northwest Division System producer-supplies refunds aggregating $125,596.43, applicable to periods prior to January 31, 1974. El Paso further states that on October 11, 1974, it flowed through to its former Northwest Division System customers the jurisdictional portion of said $125,596.43 refunds and on November 14, 1974, reported such disposition to the Commission.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol

Street, NE., Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's rules of practice and procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before March 7, 1975. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.75-5751 Filed 3-4-75;8:45 am]

[Docket No. CP74-35]

EXXON PIPELINE COMPANY OF CALIFORNIA

Notice of Extension of Time

FEBRUARY 27, 1975.

On February 13, 1975, the United States Department of Commerce filed a motion to extend the time for filing comments to the draft environmental impact statement in the above designated matter.

Upon consideration, notice is hereby given that pursuant to § 2.81(b) of the Commission's rules of practice and procedure, the time for comments in the above matter is extended to and including March 7, 1975.

By direction of the Commission.

KENNETH F. PLUMB,
Secretary.

[FR Doc.75-5752 Filed 3-4-75;8:45 am]

[Docket No. RP75-20]

MISSISSIPPI RIVER TRANSMISSION CORP.

Notice of Extension of Procedural Dates

FEBRUARY 27, 1975.

On February 21, 1975, Staff Counsel filed a motion to extend the procedural dates fixed by order issued October 31, 1974, in the above-designated matter. The motion states that the parties have been notified and have no objection.

Upon consideration, notice is hereby given that the procedural dates in the above matter are modified as follows:

Service of staff's testimony.	Apr. 15, 1975.
Service of intervenors testimony.	May 6, 1975.
Service of company rebuttal.	May 20, 1975.
Hearing	June 3, 1975 (10 a.m. e.d.t.).

KENNETH F. PLUMB,
Secretary.

[FR Doc.75-5753 Filed 3-4-75;8:45 am]

[Docket No. RP71-125; PGA75-7]

NATURAL GAS PIPELINE COMPANY OF AMERICA

Notice of PGA Filing To Track a Pipeline Supplier Rate Increase

FEBRUARY 26, 1975.

Take notice that on February 21, 1975, Natural Gas Pipeline Company of America (Natural) submitted for filing as part of its FPC Gas Tariff, Third Revised Volume No. 1, Twentieth Revised Sheet No. 5, to be effective March 1, 1975.

Natural states the filing was made pursuant to the provisions of section 18, Purchased Gas Cost Adjustment, of the General Terms and Conditions of its FPC Gas Tariff, to track the increased cost of gas purchased, effective March 1, 1975, from United Gas Pipe Line Company, a pipeline supplier to Natural. United's filing was made on February 21, 1975 to track the effect of United of the Uniform National Rate approved by the Commission in Opinion No. 699-H.

Natural states that as notice of the supplier filing was not received by Natural in time to permit it to meet the 45 day filing requirement of its PGA tariff provision, it requests that that provision be waived to permit Natural's PGA unit adjustment to become effective March 1, 1975.

Any person desiring to be heard or to protest said application should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's rules of practice and procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before March 11, 1975. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this application are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.75-5754 Filed 3-4-75;8:45 am]

[Docket No. RP74-88]

NORTH PENN GAS CO.

Notice of Further Extension of Time

FEBRUARY 26, 1975.

On January 31, 1975, North Penn Gas Co. filed a motion to extend the procedural dates fixed by order issued June 28, 1974, as most recently modified by notice issued January 8, 1975, in the above-designated matter.

Upon consideration, notice is hereby given that the procedural dates in the above matter are modified as follows:

Service of intervenor's testimony.	Apr. 3, 1975.
Service of company rebuttal.	Apr. 16, 1975.
Hearing	May 6, 1975 (10 a.m. e.d.t.).

KENNETH F. PLUMB,
Secretary.

[FR Doc. 75-5755 Filed 3-4-75;8:45 am]

[Docket No. RP75-63]

PACIFIC GAS TRANSMISSION CO.

Notice of Tariff Change

FEBRUARY 26, 1975.

Take notice that on February 12, 1974, Pacific Gas Transmission Company (PGT) tendered for filing certain new and revised Tariff Sheets to be included in its FPC Gas Tariff, Original Volume No. 1. These tariff sheets are:

Second Revised Sheet No. 4
Second Revised Sheet No. 14
Original Sheet No. 14A
Original Sheet No. 14B

PGT states that the purpose of these sheets is to permit it to include advances to suppliers in its rate base.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street NE., Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's rules of practice and procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before March 10, 1975. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.75-5756 Filed 3-4-75;8:45 am]

[Docket No. RI75-111]

PHILLIPS PETROLEUM CO.

Hearing on and Suspension of Proposed Change in Rate, and Allowing Rate Change To Become Effective Subject to Refund

FEBRUARY 18, 1975.

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 thousand cubic feet [1]		Rate in effect subject to refund in docket numbers
									Rate in effect	Proposed increased rate	
RI75-111..	Phillips Petroleum Co....	270	24	Northwest Pipeline Corp. (Hogsback, area, Sublette and Lincoln Counties, Wyo.), (Rocky Mountain area).	$1,997,160	1-20-75	.....	7-20-75	[2] 25.25	[2] 51.0	RI73-91.

[1] Unless otherwise stated, the pressure base is 14.73 lb/in ²a.
[2] Base rate—exclusive of adjustments.

The proposed rate increase of Phillips exceeds the applicable are a rate in Opinion No. 658 and is suspended for five months.

[FR Doc.75-5649 Filed 3-4-75;8:45 am]

[Docket Nos. CI61-104, CI68-1146, and CI70-102]

SHELL OIL CO.

Order Setting Date for Prehearing Conference and Granting Interventions

FEBRUARY 27, 1975.

On December 16, 1974, Shell Oil Company (Shell) filed a petition for the release to it of certain funds held in escrow in Docket Nos. CI61-104, CI68-1146, and CI70-102.

The escrow fund resulted from the jurisdictional sale by Shell of casinghead gas from the Disputed Zone in Southern Louisiana. This controversy was settled in favor of the United States in 1971 by *United States* v. *Louisiana*.[1] Prior to this resolution, however, part of the rate Shell was authorized by the Commission to charge Tennessee Gas Pipeline Company (Tennessee) and United Gas Pipe Line Company (United) was held in escrow to cover a potential liability for Louisiana state tax should the subject acreage ultimately be determined to be within the taxing jurisdiction of the State of Louisiana.

The sale in Docket No. CI61-104 to Tennessee was authorized by a temporary certificate issued November 7, 1963. The initial rate was 20 cents per Mcf, of which .5 cent per Mcf was placed in the escrow account pending settlement of the boundary dispute. According to the terms of the temporary certificate, in the event the property were determined to be in the Federal Domain, Tennessee would receive all funds deposited in the escrow account. Prior to the issuance of the temporary certificate, a petition to intervene was filed in this docket by the Long Island Lighting Company (Long Island), and notices of intervention were filed by the Pennsylvania Public Utility Commission and the Public Service Commission of the State of New York (NYPSC).

Docket No. CI68-1146 concerns a sale to United pursuant to a temporary certificate issued May 27, 1968, which provided for an initial price of 20 cents per Mcf, 1.5 cents per Mcf of which was to be placed in an escrow account. In the event the differential between the just and reasonable rate determined for the Southern Louisiana taxing jurisdiction and the Federal Domain was less than 1.5 cents per Mcf then the volume delivered by the reduction in the differential. The just and reasonable rates in Opinion No. 598 [2] established a differential of only one cent per Mcf. At the time of the issuance of the temporary certificate petitions to intervene had been filed by Long Island and Brooklyn Union Gas Company (Brooklyn Union), and a notice of intervention was filed by NY PSC.

In Docket No. CI70-102 Shell was permitted, by a temporary certificate issued August 29, 1969, to sell both gas well and casinghead gas to United at an initial rate of 20.0 and 18.5 cents per Mcf, respectively, with 1.5 cents per Mcf held in escrow pending the settlement of the jurisdictional issue. The temporary certificate also provides that if the sale is determined to have been made in the Federal Domain, Shell would be entitled only to the 1.5 cents per Mcf held in escrow as the result of the sale of gas well gas. However, only casinghead gas was the subject of the sale. A notice of intervention at the time of the issuance of the temporary certificate was filed by NYPSC, and petitions to intervene were filed by Long Island, Brooklyn Union, Consolidated Edison Company of New York, Inc., and Philadelphia Gas Works Division of UGI Corporation (PGW).

Notice of the December 16, 1974, Shell petition was issued on January 8, 1975, and appeared in the FEDERAL REGISTER on January 14, 1975, at 40 FR 2622. Interventions were filed by Tennessee and United. A notice of intervention was filed late by NYPSC, and a hearing was requested.

The arguments presented by Shell in its petition in favor of releasing the escrowed funds to it parallel those made by the producers in Kerr-McGee Corporation, et al., Docket Nos. CI67-1594, et al., Order Conditionally Accepting Settlement Proposal, issued October 29, 1974.[3] In both proceedings it has been contended that because Opinion No. 598 set the just and reasonable rates for the disputed offshore area above the rate actually collected, the producer was entitled to the escrow fund. This assertion

[1] 404 U.S. 388 (1971).

[2] Mobil Oil Corp. v. F.P.C., ---- U.S. ----, 94 S. Ct. 2328 (June 10, 1974).

[3] ---- FPC ---- (October 29, 1974), petition for rehearing denied, ---- FPC ---- (December 20, 1974).

was contested in Kerr-McGee by certain distribution companies, the Staff, NYPSC, and PGW.

It was not necessary for us to decide the question of ownership of the escrow fund in Kerr-McGee because we concurred in the agreement reached by the parties, subject to certain conditions embodied in our order of October 29, 1974, that the settlement proposed as a resolution of the controversy was more in the public interest than protracted litigation over the question of entitlement to the escrow fund.[4] The settlement provided that the $23 million in the escrow fund would be augmented by the contribution of producer capital on a three for two matching basis to produce an exploration and development fund of approximately $57.5 million. This amount would be expended on producer owned leases to explore for and develop gas reserves, primarily for the benefit of the subject pipeline.[5]

The similarity between the Kerr-McGee proceeding and the instant petition recommends to us that the same procedural steps be followed in seeking a resolution of the controversy over ownership to the escrow fund. Accordingly, it is in the public interest that the Shell petition be set for a prehearing conference.

The Commission finds. (1) It is necessary and in the public interest that the above-docketed proceeding be set for hearing.

(2) It is desirable and in the public interest to allow Long Island, Pennsylvania Public Utility Commission, NYPSC, Brooklyn Union, Consolidated Edison Company of New York, PGW, Tennessee, and United to intervene in this proceeding.

The Commission orders. (A) Pursuant to the authority of the Natural Gas Act, a public hearing shall be held concerning the issues presented herein.

(B) On March 18, 1975, a prehearing conference shall be held in accordance with § 1.18 of the rules of practice and procedure to resolve the issues herein in a hearing room of the Federal Power Commission, Washington, D.C., at 10 a.m. (e.d.t.).

(C) A Presiding Administrative Law Judge, to be designated by the Chief Administrative Law Judge for that purpose shall convene the prehearing conference in the proceeding.

(D) The Administrative Law Judge may in his discretion grant recesses from time to time if he deems a settlement or submission of the issues upon stipulated facts to be possible. If no stipulation or settlement can be reached by the parties hereto after reasonable time and provisions have been made to the same, the Presiding Administrative Law Judge shall establish the time for the submission of other evidence by any party desiring so to do, and the commencement of the hearing, and shall prescribe relevant procedural matters not herein provided.

(E) The above-named petitioners are permitted to intervene in this proceeding subject to the rules and regulations of the Commission; *Provided, however,* That the participation of such intervenors shall be limited to matters affecting asserted rights and interests as specifically set forth in said petitions for leave to intervene; and *provided, further,* That the admission of such interests shall not be construed as recognition by the Commission that such intervenors might be aggrieved because of any order or orders of the Commission entered in this proceeding.

By the Commission.

[SEAL]

KENNETH F. PLUMB,
Secretary.

[FR Doc.75-5757 Filed 3-4-75;8:45 am]

[4] *Id.* at mimeo 7-8.

[5] *Id.* at mimeo 15. Some of the gas found as the result of the use of money attributable to Southern Natural Gas Company would be sold to that company's pipeline affiliate rather than to Transcontinental Gas Pipe Line Corporation.

[Docket No. RP72-91 (Phase II), et al.]

SOUTHERN NATURAL GAS CO.

Notice of Further Postponement of Hearing

FEBRUARY 26, 1975.

On February 24, 1975, Southern Natural Gas Co. filed a motion to extend the hearing date fixed by order issued July 19, 1974, as most recently modified by notice issued January 2, 1975, in the above-designated matter. The motion states that the parties have been notified and have no objection.

Upon consideration, notice is hereby given that the hearing date in the above matter is postponed until April 21, 1975, (10 a.m. e.d.t.).

MARY B. KIDD,
Acting Secretary.

[FR Doc.75-5758 Filed 3-4-75;8:45 am]

[Docket Nos. RI75-90, et al.]

Correction

TENNECO OIL CO., ET AL.

FEBRUARY 13, 1975.

In the Order Providing for Hearing on and Suspension of Proposed Changes in Rates, and Allowing Rate Changes to Become Effective Subject to Refund issued December 31, 1974 and Published in the FEDERAL REGISTER on January 10, 1975 40 FR 2282, Appendix "A" Page 2284, Docket No. RI75-93, *Continental Oil Company,* Change footnote reference "2" to "8". Page 2284, footnote reference 8 please change from "Includes applicable tax and Btu adjustments" to read "Rate includes applicable tax and is subject to Btu adjustment".

KENNETH F. PLUMB,
Secretary.

[FR Doc.75-5759 Filed 3-4-75;8:45 am]

[Docket Nos. RP75-3 and RP74-48]

TRANSCONTINENTAL GAS PIPE LINE CORP.

Notice of Further Extension of Procedural Dates

FEBRUARY 27, 1975.

On February 20, 1975, Transcontinental Gas Pipe Line Corporation filed a motion to extend the procedural dates fixed by order issued August 30, 1974, as most recenly modified by notice issued January 6, 1975, in the above-designated matter. The motion states that the parties have been notified and have no objection.

Upon consideration, notice is hereby given that the procedural dates in the above matter are modified as follows:

Service of intervenor's testimony.	Mar. 27, 1975.
Service of company rebuttal	Apr. 11, 1975.
Hearing	Apr. 22, 1975 (10 a.m. e.s.t.).

KENNETH F. PLUMB,
Secretary.

[FR Doc.75-5760 Filed 3-4-75;8:45 am]

[Docket No. CP73-211]

TRANSWESTERN COAL GASIFICATION CO., ET AL.

Scheduling of Oral Argument

FEBRUARY 26, 1975.

The Commission has before it the initial decision of the Presiding Administrative Law Judge issued June 13, 1974, the briefs on exceptions, and the briefs opposing exceptions, in the above-designated matter.

Take notice that an oral argument is scheduled to be heard by the Commission en banc commencing at 9:30 a.m. (e.s.t) on March 14, 1975, in a hearing room of the Federal Power Commission, 825 North Capitol Street, Washington, D.C. 20426.

All participants in this proceeding who desire to present oral argument shall notify the Secretary of the Commission in writing, on or before March 7, 1975, of the amount of time requested for presentation of their respective oral arguments.

By direction of the Commission.

KENNETH F. PLUMB,
Secretary.

[FR Doc.75-5761 Filed 3-4-75;8:45 am]

[Docket No. R-472; Order No. 523]

STATEMENTS AND REPORTS (SCHEDULES)

Schedule 1A to F.P.C. Form No. 16, Report of Gas Supply and Requirements

FEBRUARY 6, 1975.

By notice issued July 25, 1974, and published in the FEDERAL REGISTER on July 31, 1974 (39 FR 27735), in Docket

No. R-472, pursuant to section 553 of Title 5 of the U.S. Code and section 16 of the Natural Gas Act (52 Stat. 830 (15 U.S.C. 7178)), the Commission proposed to amend § 260.12 of Part 260, Statements and Reports (Schedules) Subchapter G-Approved Forms, Natural Gas Act, Chapter 1, Title 18 of the Code of Federal Regulations, to add six new schedules to FPC Form No. 16, Report of Supply and Requirements.

By Order No. 489 issued August 24, 1973, in Docket No. R-472 (50 FPC 561), the Commission promulgated § 260.12 to prescribe FPC Form No. 16, Report of Supply and Requirements, to be filed by natural gas pipeline companies making sales in interstate commerce of natural gas for resale. The schedules that are now in Form No. 16 show system-wide summary information concerning pipeline company supply, requirements and curtailments, by months, for one year of actual experience and one year of projections. The proposed additional schedules in Form No. 16, as noticed, were designed to provide the Commission with detailed information on the impact of gas shortages on the individual distributors and the direct industrial customers of the pipelines as well as on the customers of the distributors. Additionally, they were to provide information concerning the impact of the curtailments on alternate fuels and assist the Commission in cooperating with the Federal Energy Administration (FEA) in comprehending the effect of the gas shortage on the national economy.

Proposed new Schedule 1A would have required the pipelines to furnish information showing their deliveries, curtailments and requirements, customer-by-customer, by states, each month for a year prior to the filing of the report. It would require such details concerning each customer of the pipeline receiving from the pipeline 100,000 Mcf or more of gas per year and combined data for the remainder. A similar schedule was to require the data projected month-by-month for one year subsequent to the filing of the form.

Proposed Schedule 1B would have required the pipelines to report for each curtailed distributor receiving normally 100,000 Mcf or more of gas per year (remainder combined), the names of the large customers curtailed by the distributor, month-by-month, with volumes, locations, end-use, SIC code [1] and alternate fuel information for each such large customer. Similar information was to be projected month-by-month for one year in the future.

Proposed Schedule 1C would have required the pipelines to furnish end-use, location, SIC code and alternate fuel information for each large direct customer curtailed by the pipeline, actual and projected for one year.

The notice of July 25, 1974, also proposed elimination of FPC Form No. 17 because the proposed new schedules in Form No. 16 would have duplicated the information filed monthly in Form No. 17.

Twenty-nine responses to the notice of proposed rulemaking have been received [2] with a majority of the comments originating from gas distributors and interstate natural gas pipeline companies. There was little opposition by pipelines to proposed Schedule 1A covering pipeline information, other than requests for definitions and clarifications, which are provided in Appendix C hereto. The major opposition centered on proposed Schedule 1B which covers curtailments by the distributors that are customers of the pipelines. The pipelines would be required to obtain the information from the distributors.

Of the 15 distributors that filed comments, 12 opposed Schedule 1B, 2 favored the entire proposal and one was not opposed. Associated Gas Distributors (AGD) opposed Schedule 1B. Of the 9 pipelines that filed comments, opposition was registered against Schedule 1B and in some cases against Schedules 1A and 1C. Two pipelines were not opposed to any of the schedules. Interstate Natural Gas Association of America (INGAA) opposed proposed Schedules 1B and 1C. The Public Utility Commission of Ohio opposed Schedule 1B unless the data to be reported is more clearly defined and verified. Southern California Edison Co. favored the proposed new schedules and the Good Samaritan Hospital of Lebanon, Pennsylvania, feared that the increased reporting costs of its gas supplier would ultimately raise its hospital costs. There was no opposition to the proposal to eliminate Form No. 17.

Many of the respondents raised problems concerning the difficulty of obtaining the information from their customers, the legality of the FPC's collecting data from distributors and the burden of collecting and furnishing the data, among others. We have thoroughly considered these arguments against collecting the data.

Pursuant to notice issued November 12, 1974, a public meeting was held in this proceeding on November 18, 1974, concerning coordination of the proposed revisions to Form No. 16 with FEA. Representatives of FEA, the Commission, and 24 other organizations participated in the meeting. A transcript of the conference was made for the public record. Essentially the same contentions were made in the public meeting by the pipelines and distributors as those contained in their written comments. At the meeting, FEA expressed a desire to obtain from gas distributors historical data on their curtailments, end-uses, and alternate fuels of their customers back to April 1, 1971, to make comparisons with base year fuels data; to require reporting not only to the state level but also to the county level; to require updates on a monthly basis; to require projections of distributor curtailments on a normal winter basis and on a colder than normal variation; to provide definitions to leave as little room as possible for misinterpretation; and to share with the Commission the work load and costs of obtaining, processing and analysing of the data. FEA also suggested the use of its authority by the FPC to collect the data from the distributors.

It was proposed that a working committee be established consisting of members of the staffs of the Commission, FEA and the National Association of Regulatory Utility Commissioners (NARUC) to formulate the expanded forms. Subsequent to the meeting, additional written comments were submitted by the respondents listed in Appendix B hereto. These comments urge postponement of any action in this proceeding, as noticed July 25, 1974, until agreement is reached among the Commission, FEA, and NARUC on the expanded information desired by FEA, with the proceeding then renoticed based on such changes.

Since FEA is primarily concerned with collecting alternate fuel and end use data from distributors and their customers and the pipelines' ultimate consumers, we shall at this time promulgate only proposed new Schedule 1A which involves data to be collected only from the interstate pipelines regarding the requirements and curtailments of their customers for one year of actual experience and one year of projections.[3] The distributor data proposed in Schedule 1B and the pipeline direct consumer data proposed in Schedule 1C shall be proposed at a future time in another proceeding to encompass the expanded information desired by FEA; and the instant proceeding, as noticed July 25, 1974, shall be concluded. Additionally, the proposal to eliminate the requirement to file Form No. 17 shall be postponed pending the disposition of the future expanded proceeding. The additional information concerning pipeline requirements, deliveries and curtailments in Schedule 1A will assist the Commission in its handling of curtailment proceedings and provide additional essential information to the public.

The Commission finds.

(1) The notice and opportunity to participate in this proceeding through the submission in writing of data, views, comments, and suggestions in the manner described above and by participation in

[1] Standard Industrial Classification, issued by the Office of Management and Budget.

[2] A list of respondents is in Appendix A to this order.

[3] With respect to proposed Schedule 1A, United Gas Pipe Line Company requests that it be modified to report customer-by-customer data only for those customers (with requirements of 100,000 Mcf per year or more) that either were curtailed or are projected to be curtailed on a regular basis in the year ahead. We shall not grant this request since we believe it would provide an incomplete and inadequate picture of the pipeline company's handling of its shortage situation.

the public meeting heretofore described are consistent and in accordance with the procedural requirements in 5 U.S.C. 553.

(2) Schedule 1A as set forth in Appendix C [4] hereto is necessary and appropriate in carrying out the provisions of the Natural Gas Act.

(3) The proposed Schedule 1A herein promulgated will provide the Commission periodically with information showing deliveries, curtailments, and requirements, customer-by-customer, by states, of natural gas pipeline companies making sales in interstate commerce of natural gas for resale. The customer-by-customer data shall be for those receiving 100,000 Mcf per year or more of gas from the reporting pipeline with combined data for the remaining customers.

The Commission, acting pursuant to authority granted by the Natural Gas Act, as amended, particularly sections 10 and 16 thereof (52 Stat. 826, 15 U.S.C. 717i; 52 Stat. 830 (15 U.S.C. 717o)), and in accordance with 5 U.S.C. 553, *orders:*

(A) Effective March 14, 1975, § 260.12 of Part 260, Statements and Reports (Schedules), Subchapter G—Approved Forms, Natural Gas Act, Chapter 1, Title 18 of the Code of Federal Regulations, is amended by promulgating Schedule 1A to FPC Form No. 16, Report of Supply and Requirements.

(B) Schedule 1A to FPC Form No. 16, Report of Gas Supply and Requirements, is adopted in the form set forth in Appendix C hereto.

(C) The proceeding in the instant docket, as noticed July 25, 1974, is concluded.

(D) The Secretary shall cause prompt publication of this order to be made in the FEDERAL REGISTER.

By the Commission.

[SEAL] KENNETH F. PLUMB, *Secretary.*

[FR Doc.75-5765 Filed 3-4-75;8:45 am]

U.S. INFORMATION AGENCY

U.S. Advisory Commission on Information

USIA MAGAZINES

Meeting

FEBRUARY 27, 1975.

Pursuant to the Federal Advisory Committee Act (Pub. L. 92-463), notice is hereby given of a meeting to be held on April 7, 1975. The session will commence at 9:15 a.m. in Room 660 at 1776 Pennsylvania Avenue NW., Washington, D.C. There will be an examination of U.S. Information Agency (USIA) magazines in Washington and a presentation of USIA magazines produced by the Agency's overseas posts. The agenda of the meeting follows:

1. An Overview of USIA's Magazines
2. USIA's Overseas Magazines
3. USIA Magazines Produced by Washington Headquarters:
   a. America Illustrated
   b. Horizons USA
   c. Dialogue
   d. Problems of Communism
   e. Economic Impact
   f. Al-Majal
   g. Topic

This session will be open to the general public. Persons wishing to attend the Commission's meeting should contact Mr. Louis T. Olom, Staff Director, U.S. Advisory Commission on Information, Room 1008, 1750 Pennsylvania Avenue NW., Washington, D.C. 20547, telephone 632-5210, so that adequate space will be assured. Written statements concerning topics set forth in the agenda should also be submitted to Mr. Olom.

MARGARET J. MILLER, *Federal Register Liaison Officer.*

[FR Doc.75-5808 Filed 3-4-75;8:45 am]

INTERNATIONAL TRADE COMMISSION

[337-40]

ELECTRONIC FLASH DEVICES

Postponement of Hearing

On February 27, 1975, the U.S. International Trade Commission postponed indefinitely the public hearing scheduled for February 28, 1975, in connection with investigation No. 337-40, Electronic Flash Devices. Notice of the institution of the investigation and the ordering of the hearing was published in the FEDERAL REGISTER on November 20, 1974 (39 FR 40828).

By order of the Commission.

Issued: February 27, 1975.

[SEAL] KENNETH R. MASON, *Secretary.*

[FR Doc.75-5766 Filed 3-4-75;8:45 am]

[TEA-F-68]

WEISS-LAWRENCE, INC.

Notice of Investigation

On the basis of a petition filed under section 301(a)(2) of the Trade Expansion Act of 1962 on behalf of Weiss-Lawrence, Inc., Dover, New Hampshire, the United States International Trade Commission, on February 26, 1975, instituted an investigation under section 301(c)(1) of the said Act to determine whether, as a result in major part of concessions granted under trade agreements, articles like or directly competitive with footwear for women, misses and children (of the types provided for in items 700.45 and 700.55 of the Tariff Schedules of the United States) produced by the aforementioned firm, are being imported into the United States in such increased quantities as to cause, or threaten to cause, serious injury to such firm.

The optional public hearing afforded by law has not been requested by the petitioners. Any other party showing a proper interest in the subject matter of the investigation may request a hearing, provided such request is filed on or before March 14, 1975.

The petition filed in this case is available for inspection at the Office of the Secretary, United States International Trade Commission, 8th and E Streets, NW., Washington, D.C., and at the New York City office of the International Trade Commission located at 6 World Trade Center.

By order of the Commission.

Issued: February 27, 1975.

[SEAL] KENNETH R. MASON, *Secretary.*

[FR Doc.75-5767 Filed 3-4-75;8:54 am]

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

[Notice (75-15)]

NASA SPACE PROGRAM ADVISORY COUNCIL

Meeting

The NASA Space Program Advisory Council will meet on March 25 and 26, 1975, in Room 7002, Federal Office Building 6, 400 Maryland Avenue SW., Washington, D.C. The meeting is open to the public from 9 a.m. to 4:30 p.m. on March 25, 1975, and from 8:30 a.m. to 1 p.m. on March 26, 1975. The seating capacity of the room is about 40 persons, including Council members and other participants. Visitors will be requested to sign a visitor's register.

The NASA Space Program Advisory Council was established as an interdisciplinary group to advise NASA senior management with respect to the plans for, the work in progress on, and the accomplishments of NASA's space programs. The Council is concerned with the disciplines appropriate to Physical Sciences, Life Sciences, Space Applications, and Space Systems, as they bear on space programs. The Chairman of the Council is Dr. Frederick Seitz. There are currently fifteen members on the Council and additional members on four committees which report to the Council. The following list sets forth the approved agenda and schedule for the meeting. For further information contact the Executive Secretary, Mr. Nathaniel B. Cohen, Area Code 202, 755-8433.

MARCH 25, 1975

Time	*Topic*
	OPENING REMARKS
9 a.m.	This time is provided for the Chairman's introductory remarks and for the Executive Secretary to cover administrative matters.
	NASA BUDGET STATUS
9:15 a.m.	The status of the NASA budget will be reviewed. The extent of the FY 1975 budget deferrals and the contents of the FY 1976 budget proposals will be described and their respective implications outlined. The prospects for the FY

[4] Appendices A, B, and C filed as part of original document.

Time	Topic
	1977 budget and its schedule will be reviewed. The Council will be asked to study the issues considered to be important and to give their views on how best to resolve them at the next SPAC meeting.
	STRATOSPHERIC RESEARCH
11:15 a.m.	The Council will be briefed on recent developments in the NASA Stratospheric Research Program. The contents of the program will be reviewed, including elements related to space shuttle environmental effects, effects of high altitude aircraft, and effects of chlorofluoromethanes. The relation of this program to programs of other parties and to national needs for stratospheric research will be described, along with the elements of NASA's organization for stratospheric research. The Council is asked to advise NASA on the adequacy of this program in the light of national needs.
12 Noon	LUNCH
	OUTLOOK FOR SPACE
1:15 p.m.	The interim results of the planning study, "Outlook for Space," will be summarized for the Council. The Council is asked to provide their comments and criticisms so that they may be factored into the final report.
	SPAC AD HOC SUBCOMMITTEE ON SCIENTIST ASTRONAUTS
3:45 p.m.	The status of and pro- Council and, if its final report is complete, will provide it for the Council's consideration.
4:30 p.m.	ADJOURN
	MARCH 26, 1975
	US/USSR COOPERATIVE PROGRAMS
8:30 a.m.	The status of and prospects for US/USSR Cooperative Programs will be described for the information of the Council. Included will be summaries of preesnt cooperative programs, new programs being developed, and proposals for future cooperation. A description of the overall framework for the Apollo-Soyuz Test Program (ASTP) will also be included.
	ASTP STATUS REPORT
9:15 a.m.	The Council will be presented a report on the specific technical status of the ASTP US/USSR joint docking mission, scheduled for launch in Summer, 1975.
	SPACELAB MISSION OBJECTIVES
9:45 a.m.	The status of plans for the first Spacelab mission will be described to the Council. SPAC will be asked to comment on the experiment objectives that are being established by the joint NASA-ESRO planning activity for this mission.
	STANDING COMMITTEE REPORTS
10:15 a.m.	The four standing committees of the Council will report on their activities since the last SPAC meeting. Recommendations of each Committee to SPAC and to the Associate Administrator will be summarized for the Council, and the Council will consider its own position on each recommendation.
	SPAC WORKING SESSION
12	The Council, in working session, will discuss the subjects and issues raised during the previous sessions. The issues and SPAC views on them will be summarized for feedback to NASA; issues requiring further study will be identified and arrangements made for their consideration.
1 p.m.	LUNCH
	EXECUTIVE SESSION
2:15 p.m.	The Council will reconvene in executive session to critique NASA objectives, programs, program implementation, and program personnel relative to the issues presented in prior sessions of this meeting. Discussion of these topics will require frequent references to and comments on the professional qualifications of these program personnel. Because discussion of these matters may invade the personal privacy of these individuals, the session will be closed pursuant to 5 U.S.C. 552 (b)(6).
4 p.m.	ADJOURN

DUWARD L. CROW,
Assistant Administrator for DOD and Interagency Affairs, National Aeronautics and Space Administration.

FEBRUARY 23, 1975.

[FR Doc.75-5809 Filed 3-4-75;8:45 am]

[Notice (75-16)]

NASA RESEARCH AND TECHNOLOGY ADVISORY COUNCIL

Panel on Space Vehicles

The NASA Research and Technology Advisory Council Panel on Space Vehicles will meet on March 25–26, 1975, at the NASA Marshall Space Flight Center, Huntsville, Alabama. The meeting will be held in Conference Room 715 of Building 4200. Members of the public will be admitted on a first-come, first-served basis, up to the seating capacity of the room, which is about 50 persons. All visitors must report to the Visitors Center of the Marshall Space Flight Center for badging.

The NASA Research and Technology Advisory Council Panel on Space Vehicles serves in an advisory capacity only. The current Chairman is Mr. R. James Gunkel. There are nine members. The following list sets forth the approved agenda and schedule for the March 25–26, 1975, meeting of the Panel on Space Vehicles. For further information, please contact Mr. William C. Hayes, Jr., Executive Secretary, Area Code 202, 755–8504, or Dr. James B. Dozier, Area Code 205, 453–3083.

MARCH 25, 1975

Time	Topic
8:30 a.m.	Report of the Chairman (Purpose: To summarize action taken at the November 1974 meeting of the Research and Technology Advisory Council.)
9:15 a.m.	Report of the Executive Secretary (Purpose: To brief the Panel on recent or proposed changes, if any, in NASA policy or organization that could affect the Panel on Space Vehicles' functions.)
9:30 a.m.	Report on Space Shuttle Main Engine (Purpose: To review the technical development progress of the space shuttle main engine on a component/subsystem basis.)
2:30 p.m.	Report on Space Vehicle Lee-Side Heating and Related Technology Areas (Purpose: To review the technical data and analytical prediction techniques for lee-side heating of space vehicles.)
4 p.m.	Report on Space Shuttle Dynamics and Ground Vehicle Test Programs (Purpose: To review the currently planned vehicle testing program.)
	MARCH 26, 1975
8:30 a.m.	Report on Space Shuttle Orbiter/747 Separation Testing (Purpose: To inform members of the Panel on Space Vehicles on the operational testing aspects of the separation of the space shuttle orbiter from the 747 transport vehicle.)

Time	Topic
9:30 a.m.	Report on the Office of Aeronautics and Space Technology's Long Duration Exposure Facility Program (Purpose: To inform the Panel with respect to questions concerning retrieval of the Long Duration Exposure Facility, off-the-shelf equipment testing and experimental opportunities in space.)
11 a.m.	Report on "Outlook for Space" Technologies (Purpose: To inform members of the Panel on Space Vehicles of the progress to date in determining possible technology needs and trends for future space programs as identified by the "Outlook for Space" study.)
1 p.m.	Selection of Topics to be Reported to the Research and Technology Advisory Council (Purpose: To recapitulate previous issues and formulate topics to be forwarded by the Panel Chairman to the Research and Technology Advisory Council.)
4:30 p.m.	Adjournment.

DUWARD L. CROW,
Assistant Administrator for DOD and Interagency Affairs, National Aeronautics and Space Administration.

FEBRUARY 27, 1975.

[FR Doc.75-5810 Filed 3-4-75;8:45 am]

NATIONAL ENDOWMENT FOR THE ARTS

PUBLIC MEDIA PROGRAM

Guidelines, Fiscal Year 1976

The following are guidelines for grants made under the Public Media 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 dates for this program are:

Programming in the Arts, September 15, 1975.
Media Studies, May 15, 1975.
Regional Development, August 1, 1975.

Interested persons should contact Chloe Aaron, Director, Public Media Program, National Endowment for the Arts, Washington, D.C. 20506, (202) 634-6300 for further information and application forms. Only the Public Media Program office may distribute application forms.

Signed at Washington, D.C. on February 25, 1975.

FANNIE TAYLOR,
Director, Program Information.

PUBLIC MEDIA PROGRAM

INTRODUCTION

In Fiscal Year 1976 (July 1, 1975—June 30, 1976), the Public Media Program will provide support in three main areas:

Programming in the Arts. Support for production, research and development designed to improve the quality of arts programming on film, television, and radio by professional individuals and organizations.

Regional Development. Support for regional media organizations to build new audiences through regional showcases and to provide resources for research and study of film and video art.

Media Studies. Support for: 1) filmmakers and video artists in short-term residencies at educational or other similar institutions; and 2) seminars, workshops, institutes and conferences designed to further the creation and study of film and video as an art form.

The Endowment will continue support of The American Film Institute for its work in preserving and developing the Nation's artistic and cultural resources in film. The Institute is concentrating essentially in the following areas of endeavor: archives, education, advanced filmmaker training, filmmaker grants and research and publication.

The Public Media Program also works with the Corporation for Public Broadcasting by jointly funding specific projects which foster the arts on public television.

GENERAL INFORMATION

DEADLINES

There will be three deadlines in Fiscal Year 1976: Programming in the Arts, September 15, 1975; Media Studies, May 15, 1975; Regional Development, August 1, 1975.

Applicants applying for support under General Programs may apply under any of the above deadlines. We regret because of review procedures, applications postmarked after the deadline date *cannot be considered.*

Applicants who can are encouraged to mail early.

ELIGIBILITY

For Organizations. By statute, the National Endowment for the Arts is limited to the support of organizations which meet the following criteria:

1) *Only* those organizations which meet the applicable requirements of Title VI of the Civil Rights Act of 1964 for the duration of any project supported in whole or in part by the National Endowment for the Arts.

2) *Only* those organizations in which no part of net earnings inure to the benefit of a private stockholder or individual and to which donations are allowable as a charitable contribution under Section 170(c) of the Internal Revenue Code of 1954, as amended. *Copy of Internal Revenue Service Determination letter for tax-exempt status must be submitted with each application.*

3) *Only* those organizations which compensate all professional performers, related or supporting professional personnel, laborers, and mechanics at the equivalent of the prevailing minimum compensation level *or on the basis of negotiated agreements which would satisfy the requirements of Parts 3, 5, and 505 of Title 29 of the Code of Federal Regulations* for the duration of any project supported in whole or in part by the National Endowment for the Arts.

(4) In addition to statutory requirements, applicants should note that the Public Media Program provides funds on a specific project basis. If the total cost of a project applied for represents a substantial portion of the organization's total fiscal activity, the application will not be considered eligible.

For Individuals. By statute, individuals must be of exceptional talent to qualify for grants from the Endowment. Ordinarily, grants are made only to U.S. citizens or permanent residents of the United States. Students are not eligible.

APPLICATION PROCEDURES

If, after careful review of the guidelines, you feel that your project falls within the scope of the Public Media Program, please request the appropriate application forms (either individual or project grant) by writing the Public Media Program, National Endowment for the Arts, Washington, D.C. 20506.

Typewritten application forms must be submitted in *triplicate* to:

Grants Office
National Endowment for the Arts
Washington, D.C. 20506

Only information requested on the application form itself is submitted in triplicate. The applicant should send only one copy of reviews supporting statements, letter(s) of interest and examples of previous work(s).

The application, if not completed properly, will be returned to the applicant for corrections. The Endowment cannot accept responsibility for delays occasioned by the late arrival of applications or requests which have been improperly submitted.

An application will be returned to the applicant if the project does not meet the eligibility criteria set forth in these guidelines or if the proposed project does not fall within the scope of these guidelines.

If an application form is incomplete and/or if all required material has not been submitted, the application may be rejected due to insufficient information for review.

Applicants are urged to retain duplicates of any print materials sent to the agency.

For Organizations. (1) Organizations should use the forms entitled "Project Grant Application" (NEA-3, Rev.). *Please follow closely the instruction sheet attached to your application and supply all information requested.*

(2) *Project Description:* The Project Description should be brief but specific.

Spell out concrete details. All essential elements of the proposal must be included in a concise project summary in the space provided on the application. If applicants wish to supply additional information, they should submit no more than one side of one additional page (8½" by 11") with the application.

(3) *Budget:* Budget estimates should cover the total project costs. Project costs include total direct and indirect costs essential to the project and consistent with specific program guidelines that follow. All budget items, irrespective of the amount requested, should be broken down. It is important to fully explain all sources of matching funds. Please provide all budget detail and supplemental material required by the Project Grant Application (NEA–3, Rev.) instructions and specific program guidelines.

Project budget may not include amounts for past deficits, entertainment, construction of facilities, and/or contingencies.

Indirect cost amounts, regardless of how established, will be subject to negotiation.

Names and titles should be *typed or printed* beneath all signatures appearing on the application.

For Individuals. Individuals applying to the Endowment should use the application forms entitled "Individual Grant Application" (NEA–2, Rev.). These forms must be submitted in triplicate and in accordance with the instruction sheet which is attached. A budget breakdown typed on a separate page should be submitted with the application form.

NOTE.—The Internal Revenue Code and regulations provide that certain fellowships to individuals who are not candidates for degrees are, within limitations, excludable from gross income, for tax purposes. If a fellowship qualifies for this exclusion, the amount is limited to $300 times the number of months the fellowship is intended to cover, but not in excess of 36 months. In addition, amounts received to cover certain expenses for travel, research, clerical help or equipment incident to the followship are excludable to the extent of the recipient's actual expenses provided that these expenses are not claimed as a deduction. A pamphlet published by the Internal Revenue Service on this subject and entitled *Tax Information on Scholarships and Fellowships* (Publication 520 [Rev. 10/73]) should be available from your own tax counselor or local Internal Revenue Service Office. The Endowment cannot advise you as to the deductibility of all or any portion of a fellowship, should one be awarded to you. Advice should be sought from your local Internal Revenue Service Office.

APPLICATION REVIEW

After an application with all the necessary information has been received, it will be reviewed as follows:

1) The Endowment's Public Media staff, the Public Media Advisory Panel, and the National Council on the Arts successively review the application.

2) The applicant is then notified concerning final action taken by the Chairman of the Endowment.

Information regarding action taken on applications cannot be made available until after the groups listed above in Item 1 have made their recommendations and the Chairman of the Endowment has reached a final decision. Applicants are requested not to seek information on the status of their requests.

All inquiries in regard to the Public Media Program and application procedures of Public Media grants should be directed to:

Public Media Program
National Endowment for the Arts
Washington, D.C. 20506

METHODS OF FUNDING

Program Funds Method. Generally, grants will be made on at least a dollar-for-dollar *matching* basis. Applicants requesting assistance from Program Funds must present evidence in the proper space (Section X) on the application (Project Grant Application/NEA–3, Rev.) that at least one-half of the total cost of the project will be provided by the applicant. Anticipated sources of matching must be identified.

Treasury Fund Method. When the National Endowment for the Arts was created, Congress included a unique provision in its enabling legislation. This provision allows the Endowment to work in partnership with private and other nonfederal sources of funding for the arts. Designed to encourage and stimulate continued private funding for the arts, the Treasury Fund allows nonfederal contributors to join the Endowment in the grant-making process.

The Endowment encourages use of the Treasury Fund method as an especially effective way of combining federal and private support, and as an encouragement to all potential donors, particularly those representing new or substantially increased sources of funds. Treasury Fund grants are project grants applied for and approved in the same manner and for the same purposes as regular grants.

Under the Treasury Fund method, when a donation is received, it frees an equal amount from the Treasury Fund, and the doubled amount is then made available to the grantee to match. Thus for every $1.00 given by private sources under this program, another $1.00 is released from the Treasury. The grantee then matches this $2.00 with an additional $2.00 since almost all Endowment grants are for only half the total budget of an approved project. Please see the enclosed brochure for further information.

BICENTENNIAL PROJECTS

The Endowment recognizes that the arts will play an important role in the celebration of our country's bicentennial. The Endowment welcomes this involvement on the part of artists and cultural organizations. The Endowment has an active interest in participating in these efforts, within funds available to it, and insofar as they are directed to professional creation and presentation of new works, improvement of artistic standards, preservation of our cultural heritage, and increasing the availability of the arts for all Americans. If funds under these guidelines are sought for projects deemed by the applicant to be related to the bicentennial, a brief description of this relationship should be made in the application.

RESOLUTION ON ACCESSIBILITY TO THE ARTS FOR THE HANDICAPPED

One of the main goals of the National Endowment for the Arts is to assist in making the arts available to all Americans. The arts are a right, not a privilege. They are central to what our society is and what it can be. The National Council on the Arts believes very strongly that no citizen should be deprived of the beauty and the insights into the human experience that only the arts can impart.

The National Council on the Arts believes that cultural institutions and individual artists could make a significant contribution to the lives of citizens who are physically handicapped. It therefore urges the National Endowment for the Arts to take a leadership role in advocating special provision for the handicapped in cultural facilities and programs.

The Council notes that the Congress of the United States passed in 1968 (P.L. 90–480) legislation that would require all public buildings constructed, leased or financed in whole or in part by the Federal Government to be accessible to handicapped persons. The Council strongly endorses the intent of this legislation and urges private interests and governments at the state and local levels to take the intent of this legislation into account when building or renovating cultural facilities.

The Council further requests that the National Endowment for the Arts and all the program areas within the Endowment be mindful of the intent and purposes of this legislation as they formulate their own guidelines and as they review proposals from the field. The Council urges the Endowment to give consideration to all the ways in which the agency can further promote and implement the goal of making cultural facilities and activities accessible to Americans who are physically handicapped. (Adopted by the National Council on the Arts, September 15, 1973.)

CATEGORIES OF FUNDING

PROGRAMMING IN THE ARTS

Matching grants up to $50,000 for production, research and development designed to improve the quality of arts programming on film, television and radio. Some of the grants made specifically in regard to programming on Public Television will be jointly funded by the Corporation for Public Broadcasting and the National Endowment for the Arts.

Applications for matching *Treasury Fund* grants will be accepted from recognized, nonprofit producing organizations for production, research and development of major programs on the arts,

including those designed specifically for broadcast as a series over the Public Television network. There is no set maximum for applications in this area.

The Endowment also supports a grant program for independent filmmakers at The American Film Institute. Inquiries should be addressed to: The American Film Institute, 501 Doheny Drive, Beverly Hills, California 90210.

Eligibility. Nonprofit, tax-exempt organizations that plan to utilize the services of a project director who has completed at least one film or program that has been broadcast or placed in educational or commercial distribution. (In the case of research and development, the project director should be a recognized expert in the field.)

Grant Amounts. Grants generally will not exceed $50,000. Grants for radio projects will rarely exceed $10,000. Grants to individuals of exceptional talent will be made occasionally on a non-matching basis. These grants will generally not exceed $10,000.

Deadline and Announcement Dates. *Applications must be postmarked no later than September 15, 1975.* Applicants should not anticipate announcement of awards and rejections before March 15, 1976. Projects should not be scheduled to begin before April 15, 1976.

Project Examples: 1) Film or television program designed to showcase the work of individual artists, or performing or visual arts groups; or to present specific art works or art movements;

2) Experimental workshop at a Public Television station designed to explore new techniques and formats for presenting the performing or visual arts on television;

3) Research and development such as a special study or seminar designed to encourage the presentation of outstanding short and feature films on television;

4) Production of radio program(s) of and about drama, poetry, music, etcetera designed for national distribution.

Essential Information To Be Supplied by Applicant. All applicants requesting support for a project involving film, video or radio production *must submit with the application* the following:

1) *Sample Work*—For Film Project: A loan print (16mm optical) of at least one completed work by the filmmaker.

For Video Project: A ¾ inch cassette or ½ inch reel sample of work by the video artist.

For Radio Project: Sample audio tape of at least one completed program by the project director on a 7" reel, 7½ speed, head out in a tape box. Please be sure to clearly label all materials with the name of the applicant, address, title of work, and identification of the artists. All films, videotapes, and audio tapes received at the Endowment will be returned although the Endowment cannot accept responsibility for losses incurred en route.

Please note that failure to submit sample work will result in unavoidable delays which will prevent the scheduled consideration of your application.

2) *Biographical Information*—Please specify who will have primary artistic responsibility (filmmaker, video artists, et cetera) for the proposed work and include a career summary of his or her professional background.

3) *Supporting Information*—In the case of films or programs about an artist, a statement from the artist indicating willingness to participate must be included.

4) *Distribution Plans*—A statement of what arrangements, if any, have been made for distribution.

5) *Supplementary Budget Information*—Applicants requesting funds for film or television productions should include in their budgets the costs of providing two 16mm prints or two ¾ inch video cassettes—one to be sent to the Endowment upon completion of the project and one to be provided to the Library of Congress. In addition, applicants requesting funds for radio productions should include the costs of providing two complete copies on 7 inch reels, 7½ speed—one to be sent to the Endowment upon completion of the project and one for the Library of Congress. This material will be used by the Endowment for internal purposes only.

Procedure: Please review the instructions given on page 1 (as well as the essential information outlined above) and complete the forms entitled "Project Grant Application" (NEA–3, Rev.). Applicants are once again reminded to provide a complete concise description of their project in the space provided on the first page of the application.

REGIONAL DEVELOPMENT

Matching grants up to $30,000 to regional organizations to provide:

1) High quality exhibition of film and video art and visiting artists programs.
2) Access to production facilities.
3) A resource for film and video research, study and information.
4) Training of regional development personnel.
5) Integration and coordination of media resources on a regional basis.

Applicants should describe their region, its needs and the applicants' plans for meeting those needs. This should include any existing or proposed coordination with other organizations in the region. Please limit to one side of one additional page (8½" x 11").

Eligibility. The regional media organization may be independent or attached to a museum, university, state arts agency, et cetera. It should have had an ongoing program in any of the areas listed above for at least one year.

The general purpose of this program is to encourage quality projects that will stimulate the interest and involvement in film and video art of as many people as possible. For this reason, support will be restricted to those facilities which maintain the following policies:

(1) Activities open to the public at a reasonable cost.

2) Access where practical to all materials for any person who needs access to screening, presentations, facilities and articles of information in the collection without restriction to age level, education or affiliation.

Grant Amounts. Matching grants will generally be for less than $30,000. Applicants are advised to apply for what they need and can match rather than the maximum amount.

Deadline and Announcement Dates. *Applications must be postmarked no later than August 1, 1975.* Applicants should not anticipate announcement of awards and rejections before January 1, 1976. Projects should not be scheduled to begin before February 15, 1976.

Project Examples:

1) Partial support for a curator to program films or video tapes for public exhibition.

2) Partial support for a media extension agent to provide information services to the region, possibly traveling throughout the region, but maintaining headquarters at a resource center.

3) Partial support for a film information officer in residence to work with visitors, to travel, and to handle telephone inquiries.

4) Partial support of film rentals and costs of preparing program notes for a specific series, retrospective, etcetera.

5) Partial support for purchase of production equipment for public access use of artists. (Organization is asked to submit procedures for selecting artists who will have access to equipment.) Please note that the Public Media Program provides funds on a specific project basis. Applicants with requests for unspecified general support of on-going programs will not be considered eligible.

Factors for Review. In general, assistance to regional development projects in Fiscal Year 1976 will be determined by a review of the following factors:

1) A nearby concentration of audience, which can guarantee substantial audience support for general exhibition.

2) Demonstrated willingness to work with all film and video related elements in the region, as well as other film and video centers in other regions.

3) Accessible location within a geographic region.

Supplemental Information to be Supplied by Applicant. Applicants are requested to submit with their application the following information:

1) When and where project will be carried out.

2) History of operation and programs, including sample program notes and brochures.

3) Description of services provided to the region.

4) Biographical material about the project director.

Any background information pertinent to the project may be attached.

Procedure. Please review the instructions given on page 1 and complete the forms entitled "Project Grant Application" (NEA–3, Rev.) and the supplemental information outlined above. Applicants are requested to provide a concise narrative response to "Factors for Review"

listed above. Please note that irrespective of the amount requested, all budget items should be broken down on the application form.

Note. The Museum Program, under its Museum Purchase Plan, will entertain applications from museums for the purchase of prints of films made by living independent American filmmakers. Inquiries should be addressed to the Museum Program, National Endowment for the Arts, Washington, D.C. 20506.

MEDIA STUDIES

Grants will be awarded in Fiscal Year 1976 in this category to support:

1) Filmmakers and video artists in short term residencies at educational and other institutions; 2) Seminars, workshops, institutes and conferences designed to further the creation and study of film and video as an art form.

Filmmakers and Video Artists in Residence: Grants are made to educational institutions and other organizations to invite professional filmmakers and/or video artists of national reputation who do not normally support themselves by teaching for *short term* stays to instruct, influence and stimulate students, faculty and the general public while practicing their professions. Institutions select the artist(s) of their choice and work out a mutually acceptable schedule of activities. While new methods are not necessarily better, more inventive ways of bringing this contact about may be desirable; for instance, making the evolution of a work of art itself the teaching situation or engaging the students as assistants in some project or process.

Eligibility. While aimed primarily at university and college film and media departments, other film and video related organizations also may apply.

Grant Amounts. Grants will not exceed $5,000 and will be made on a matching basis. Project budgets should generally include only artists' fees and transportation for one round trip for the artist.

Deadline and Announcement Dates. Applications for this program are accepted and grants made throughout the year. However, applications should be received *six* months before the planned residency will begin.

Procedure. Please review the instructions given on page 1 and complete the forms entitled "Project Grant Application" (NEA–3, Rev.).

Seminar Workshop Program. To support seminars, workshops, institutes and other conferences designed to bring together professional film and video artists, scholars, and students to further the creation and study of film and video as an art form.

Eligibility. Educational and other similar institutions, film and video related nonprofit tax-exempt organizations, museums and state arts agencies are eligible to apply.

Applicants should submit detailed plans for the implementation of the program and delination of the program's broad goals, as well as an estimate of the number of participants, faculty and provisions for scholarships.

Grant Amounts. Grants will be available up to $15,000 and will be made on a matching basis. Grants will generally be for less than the maximum amount.

Deadline and Announcement Dates. Applications must be postmarked no later than May 15, 1975. Notices of approval or rejection will not be sent before October 15, 1975. Projects should not be scheduled to begin before November 1, 1975.

Procedure. Please review the instructions given on page 1 and complete the forms entitled "Project Grant Application" (NEA–3, Rev.).

OTHER RESIDENCY PROGRAMS

In addition to the residency program described above, there are two other residency categories.

Filmmakers in Residence at Public Television Stations: Jointly with the Corporation for Public Broadcasting, the Endowment will provide support for filmmakers in residence at selected public television stations. The project is designed to provide an opportunity for an experienced filmmaker and a public television station to work together creatively in the production of programming for broadcast. Interested public television stations should write: Public Media Program, National Endowment for the Arts, Washington, D.C. 20506.

Filmmakers in Residence at Cable Television Stations: The Endowment through the Alternate Media Center will provide support aimed at utilizing the skills of young filmmakers with an interest in local programming in collaboration with the facilities and personnel of established cable television stations. Inquiries should be addressed to the Alternate Media Center, New York University, Washington Square, New York, New York, 10012.

GENERAL PROGRAMS

Projects which do not fit into any of the foregoing areas of support may be considered under General Programs. They may be one-time or on-going projects but in every case they must fit in with the overall Public Media Program guidelines of being responsive to the needs and aims of the field.

If funds are requested for productions in film, television or radio, applicants should carefully review the information provided under Programming in the Arts: Essential Information to be Supplied by Applicant on page 7.

PILOT PROGRAMS

In addition to the established areas of support, the Public Media Program has set up several new programs on a special pilot basis. These pilot programs will not be open to inquiries or applications in this fiscal year.

Short Film Showcasing. With the cooperation of theatre owners and distributors, the Endowment hopes to encourage the exhibition of a limited number of outstanding short films by American filmmakers in theatres throughout the country. The Endowment will contribute print costs, including blowups from 16mm to 35mm, and a fellowship to the filmmakers who are included in the program.

Post-Graduate Fellowships. The Endowment, through a pilot program with universities, is giving selected students the opportunity to gain production experience necessary to their professional careers. The pilot program will be a three-way partnership between a host university, a local public broadcast station and a filmmaker.

JANUARY 1975.

[FR Doc.75-5805 Filed 3-4-75;8:45 am]

DANCE TOURING PROGRAM

Special Instructions for Sponsors of Larger Companies, Fiscal Year 1976

The following are guidelines for grants made under the Dance Touring 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 dates for this program are:

Deadline:	*Residencies during—*
Mar. 14, 1975	July 1, 1975 to Oct. 15, 1975.
July 18, 1975	Oct. 16, 1975 to Dec. 31, 1975.
Oct. 10, 1975	Jan. 1, 1976 to Mar. 31, 1976.
Jan. 2, 1976	Apr. 1, 1976 to June 30, 1976.

Interested persons should contact Joe Krakora, Director, Dance Program, National Endowment for the Arts, Washington, D.C. 20506, (202) 634–6383 for further information and application forms. Only the Dance Program office may distribute application forms.

Signed at Washington, D.C. on February 25, 1975.

FANNIE TAYLOR,
Director,
Program Information.

DANCE TOURING PROGRAM GUIDELINES: (LARGER COMPANIES)

INTRODUCTION

The National Endowment for the Arts will continue to offer support for touring activities of the three largest companies in Fiscal Year 1975 through the Dance Touring Program. The Program of support for the largest companies was initiated in fiscal 1972 as a pilot program and continued the following year on the same basis. The purpose of the program is to assist nonprofit sponsorship in the presentation of residency programs by large dance companies, and to allow the companies to receive fees adequate to meet the expenses of a touring engagement. This program intends to continue to make the larger dance companies available to the growing dance public. It is the Endowment's hope that this program will engender new audiences and support for local, regional, and resident dance companies as well.

The National Endowment strongly encourages sponsors to develop local sources of contributed support toward the costs of large company residencies. While the largest and best of our American dance companies must continue to be widely available to audiences outside New York City, their touring costs continue to rise sharply. Contributed income in addition to the Endowment grant will be necessary to assure their continued availability.

The National Endowment for the Arts is hopeful that the largest possible public will be reached under this program. It wishes to encourage promotion plans that will make knowledge of performances available throughout the entire community and to encourage distribution plans that will make tickets available to portions of the public that might not otherwise be able to attend.

The minimum requirement of a one-half-week residency under this program is intended to afford the local sponsor the opportunity to present a wider range of repertoire than has been possible previously, and to engage civic support and develop other areas of community involvement through master classes, special performances for youth audiences, lecture-demonstrations, and so forth, in association with local educational institutions and cultural organizations. The emphasis of the Program is on performance, but it is expected that the sponsor and company will also include opportunities for these kinds of community involvement in other programs and activities offered during the residency period.

A complete explanation of application deadlines for residencies under this program appears on page 6. This is a summary of deadline dates. Application must be made by the date in the left column for residencies taking place in the corresponding time period in the right column:

Deadline:	*Residencies during—*
Mar. 14, 1975	July 1, 1975 to Oct. 15, 1975.
July 18, 1975	Oct. 16, 1975 to Dec. 31, 1975.
Oct. 10, 1975	Jan. 1, 1976 to Mar. 31, 1976.
Jan. 2, 1976	Apr. 1, 1976 to June 30, 1976.

General Information

The Bicentennial

The Endowment recognizes that the arts will play an important role in the next few years in the celebration of our country's bicentennial. The National Council on the Arts believes that efforts to make America's great cultural resources available to all of our citizens, through programs such as touring, is an appropriate thrust for the bicentennial era. Therefore, for our information, if funds under these Guidelines are sought for performances planned by the applicant to be related to the bicentennial, a brief description of this relationship should be made in the application.

Level of Funding

The National Endowment for the Arts, under the Dance Touring Program (larger companies), will offer grants to the local sponsors of 30% of the company's established minimum weekly fee as quoted below. The minimum half-week fee will be exactly one-half the quoted minimum weekly fee, and the Endowment participation will be 30% of that amount.

	Weekly fee	30 percent (NEA share)
American Ballet Theatre	$80,000	$24,000
City Center Joffrey Ballet	56,200	16,860
New York City Ballet	93,300	27,990

The companies will certify to the National Endowment that they will accept no smaller weekly fee nor part thereof for similar engagements. Negotiations for guarantees or percentages above the established minimum are permissible. However, the Endowment's participation will be limited to a maximum of 30% of the certified minimum weekly fee.

Eligibility

Local sponsors must meet the following criteria:

a) Organizations in which no part of net earnings inures to the benefit of a private stockholder or individual and to which donations are allowable as a charitable contribution under Section 170(c) of the Internal Revenue Code of 1954, as amended. *A copy of the Internal Revenue Service Determination letter for tax-exempt status must be submitted with each application.*

b) Organizations which meet the requirements of Title VI of the Civil Rights Act of 1964 for the duration of any project supported in whole or in part by the National Endowment for the Arts.

c) Organizations which compensate all professional performers, related or supporting professional personnel, laborers, and mechanics at the equivalent of the prevailing minimum compensation level *or on the basis of negotiated agreements which would satisfy the requirements of Parts 3, 5, and 505 of Title 29 of the Code of Federal Regulations for the duration of any project supported in whole or in part by the National Endowment for the Arts.*

Divisions of Responsibility

The following lists define the divisions of responsibility for residencies under this program. In general, responsibility for an item has been placed with the dance company or with the local sponsor because one or the other is best able to control the costs of that item.

The Dance Company Will Provide:

—the dance company.
—conductors.
—solo musicians.
—pianists for rehearsal.
—technical personnel, including stage managers and road crew, wardrobe head, and make-up specialist (where required).
—administrative personnel, including company manager and press agent.
—all artists' and composers' royalties.
—full technical information as required in the first five points of the sponsor's responsibility.
—personnel and public liability, fire and theft insurance for company and materials.
—[1] transportation of company to and from city (hotel to hotel).
—[1] transfer of technical materials (scenery, costumes, et cetera) theatre to theatre.

The Local Sponsor Will Provide:

—necessary stage crew for take-in, hanging, rehearsals, changeover, running, striking, take-out, and mopping calls.
—truck loaders.
—local wardrobe assistance and dressers.
—orchestra for rehearsals and performances.
—supers, children, singers and other performers.
—all front-of-house staff, including box office staff, and mail order personnel, door men, ticket takers, ushers and porters.
—exclusive use of stage and rehearsal facilities during the residency.
—rehearsal space, if required.
—all house equipment (as required), including switchboard, electrics, curtain, follow-spot, et cetera.
—stage ready as specified prior to company arrival.
—adequate sized orchestra pit with chairs and lighted music stands.
—piano(s), properly tuned, in pit for performance and on stage for rehearsals.
—dressing rooms equipped with chairs, tables, lighted mirrors, and hot and cold running water.
—all local advertising charges, including newspaper, radio, TV, bill posting, freight and necessary printing of publicity materials.
—tickets.
—programs.
—local transportation, as required by union regulations.
—heated or air-conditioned theatre during all working hours.

Final Descriptive Report

Sponsors should note that the Final Descriptive Report required of all grantees at the close of the project period will ask as a minimum for certain specific information on the residency: statistics on attendance and the composition of the audience, activities in the development of new audiences, generation of new sources of income in the community, types of activities and services sponsored during the engagement, detailed breakdown of total actual engagement costs,

[1] These items are supported by the National Endowment for the Arts in separate corollary grants made directly to the companies. These costs are not included in the weekly fee.

specific problems encountered under the program, and the general effectiveness and impact of the program. The final report should also include two copies of the printed programs from the engagement. Sponsors should plan to gather this information as the residency progresses.

How To Apply: Instructions to Sponsors

Applications forms are available from:

Dance Program
National Endowment for the Arts
Washington, D.C. 20506
202/634-6383

If you are making application for more than one company, they should be included on one application, if possible. Please use Project Grant Application NEA-3(Rev.). The application form should be filled out in the following manner:

Under *"II. Program Under Which Support is Requested,"* enter "Dance Touring Program: larger companies."

The time span under *"III. Period of Support Requested"* should allow for the planning, execution, and closing out of the project, and should be longer than simply the dates during which the company is in residence.

The following information should be included under *"IV. Summary of Project Description:"* the name of the company to be presented, the dates of the residency, the number of performances and their nature (i.e., public, school, etcetera), the name and location of the theatre where the company will appear, and any other general information the applicant deems relevant, such as joint sponsorship, premieres and so forth.

The *"Total Project Cost"* (under *"VI. Summary of Estimated Costs"*) is just the company's fee: $56,200 per week for the Joffrey, $80,000 per week for ABT, and $93,300 per week for the New York City Ballet. The *"Total Amount Requested From the NEA (VII)"* is 30% of that figure. On a one-week basis, that would be the following amounts for the Joffrey, $16,860; for ABT, $24,000; and for NYCB, $27,990.

All budget Breakdown sections may be left blank except No. 5, *"Other,"* which is where the company fee should be listed. (It should also be carried over to the line labeled *"Other"* on the first page of the application.)

Under *"X. Contributions, Grants and Revenues (for this project),"* fill in the source(s) of the remaining income, other than the NEA grant, to cover the company fee (in other words, 70% of the company fee) in the appropriate blanks.

Be sure the final page of the application has the necessary signatures in the appropriate places and is dated. The application is to be submitted in triplicate.

The following information should not appear on the application form, but must be attached to it:

(1) The full budget for the presentation of the company.

(2) Seating capacity of the house, ticket prices, and the approximate number of seats available at each price.

(3) Projected sources of income other than ticket revenue.

(4) A brief description of public service programs planned.

(5) A copy of the applicant's IRS Tax-Exempt Determination Letter.

Applications (in triplicate) and all supplementary material should be mailed to:

Grants Office
National Endowment for the Arts
Washington, D.C. 20506

Any questions about the program or application forms should be directed to:

Dance Program
National Endowment for the Arts
Washington, D.C. 20506
202/634-6383

Deadlines

It is impossible to set a uniform deadline for submission of applications for all residencies under the program as the companies' touring periods occur at different times through the year. The following dates refer to the NEA's internal structures for approval and processing of grants, and are based on meetings of the National Council on the Arts, which must make final recommendations on applications.

In order for funds to be available to the sponsor by the time of the residency, application must be made no later than the date in the left column for residencies taking place in the corresponding time period in the right column:

Deadline:	*Residencies during*
Mar. 14, 1975	July 1, 1975 to Oct. 15, 1975.
July 18, 1975	Oct. 16, 1975 to Dec. 31, 1975.
Oct. 10, 1975	Jan. 1, 1976 to Mar. 31, 1976.
Jan. 2, 1976	Apr. 1, 1976 to June 30, 1976.

Instructions to Dance Companies

Participation in the program requires that the following information be provided to the Endowment:

(1) Full touring budget substantiating the quoted minimum weekly fee, including the number of personnel touring with the company (by category: dancers, technicians, administrative, et cetera) and file copies of the union contracts under which tour personnel are engaged.

(2) Certification that for Fiscal Year 1976 (July 1, 1975 through June 30, 1976) the company has not contracted and will not contract for any similar touring engagements at less than the minimum weekly fee quoted in these Guidelines.

(3) A copy of the company's IRS Tax-Exempt Determination Letter.

Application for a grant to cover travel and transportation expenses for touring dates under the program should be made on the Project Grant Application Form, NEA-3 (Rev.). The application should include *only* the expenses of travel (not per diems) for dancers and staff, transportation of scenery and directly related travel services. Any directly related travel services the company may wish to include in the application must be described, itemized, and cleared in writing by the Dance Program office. Since it is a non-matching grant, Contributions, Grants and Revenues should be left blank. Travel and transportation expenses should be listed and described in some detail. (Travel should be listed on the application form under No. 3 "Travel," and transportation of scenery under No. 5 "Other.") The National Endowment will support the costs of all reasonable and usual travel under the program, but extraordinary transportation costs, such as air transportation of scenery, isolated tour engagements requiring transportation over long distances, and so forth will not be eligible for assistance without prior approval of the Endowment.

Please Note: It is the responsibility of the dance company to provide copies of the signed contracts between sponsor and company to the National Endowment for the Arts for each residency. Grants will not be awarded and funds will not be available until contracts have been received in the Dance Program Office.

In all published material and announcements regarding residencies sponsored under the Dance Touring Program, including publicity and program material, it is requested that special notice be made that: "This project is supported in part by a grant from the National Endowment for the Arts in Washington, D.C., a Federal agency."

Resolution on Accessibility to the Arts for the Handicapped

One of the main goals of the National Endowment for the Arts is to assist in making the arts available to all Americans. The arts are a right, not a privilege. They are central to what our society is and what it can be. The National Council on the Arts believes very strongly that no citizen should be deprived of the beauty and the insights into the human experience that only the arts can impart.

The National Council on the Arts believes that cultural institutions and individual artists could make a significant contribution to the lives of citizens who are physically handicapped. It therefore urges the National Endowment for the Arts to take a leadership role in advocating special provision for the handicapped in cultural facilities and programs. (Portion of resolution adopted by the National Council on the Arts, September 1973.)

February 1975.

[FR Doc.75-5804 Filed 3-4-75;8:45 am]

NATIONAL SCIENCE FOUNDATION

ADVISORY PANEL ON SCIENCE EDUCATION PROJECTS SUBPANEL ON MINORITY INSTITUTIONS SCIENCE IMPROVEMENT PROGRAM

Cancellation of Meeting

The meeting of the Subpanel on Minority Institutions Science Improvement Program (MISIP) scheduled to be held on March 6 and 7, 1975, which was announced in the FEDERAL REGISTER, Vol. 40, No. 32, Friday, February 14, 1975, is hereby cancelled.

Dated: February 28, 1975.

R. GAIL ANDERSON,
Acting Committee Management Officer.

[FR Doc.75-5849 Filed 3-4-75;8:45 am]

NUCLEAR REGULATORY COMMISSION

[Docket Nos. 50-458 and 50-459]

GULF STATES UTILITIES CO. (RIVER BEND STATION, UNITS 1 & 2)

Hearing

FEBRUARY 28, 1975.

In the matter of Gulf States Utilities Co., (River Bend Station, Units 1 & 2).

Please take notice that a public hearing will be held before an Atomic Safety and Licensing Board (the Board), pursuant to the Atomic Energy Act of 1954, as amended, and the Commission's Regulations (Title 10, Code of Federal Regulations, Part 2 & 50), starting at 9:30 a.m. local time, Monday, March 24, 1975, at the following location:

Committee Room "E" (Basement)
State Capitol Building
Baton Rouge, Louisiana 70804

The purpose of this public, evidentiary hearing, as set forth in the Atomic Energy Commission's "Notice of Hearing on Application for Construction Permits" dated October 17, 1973 and published in the FEDERAL REGISTER October 23, 1973, (38 FR 29243),[1] is to consider the application of the Gulf States Utilities Company for construction permits to build two boiling water nuclear reactors to be known as the River Bend Station, Units 1 and 2, in the West Feliciana Parish, on the east bank of the Mississippi River, about 24 miles north-northwest of Baton Rouge, Louisiana. Each of the two units is designed for initial operation at 2894 megawatts thermal [Mw(t)] to generate a net electrical output of 934 megawatts [Mw(e)].

The issues to be considered at this hearing are those environmental and "NEPA"[2] issues set forth in the Commission's "Notice of Hearing on Application for Construction Permits," *supra*, as well as the issue of site suitability, as prescribed in the Commission's Regulations regarding pre-construction permit activities. (See, particularly, 10 CFR § 50.10(e)(1) & (e)(2)(ii), amendments published April 24, 1974, 39 FR 14506). The radiological health and safety issues will be considered at a separate public hearing session to be scheduled later.

The hearing will start on March 24 and continue daily, from 9:30 a.m. to 5 p.m., until completed. All requests to make limited appearance statements (orally or in writing) have been granted. Limited appearances will be received early on the first day of the hearing, but for cases involving personal schedule problems, the Board will also receive limited appearances later in that same week.

The agreement between counsel for the parties proposing a schedule for submission of responses to Applicant's motion for summary disposition (deadline: March 10), and the filing of written direct testimony (deadline: March 17), is approved.

Interested members of the public are invited to attend the hearing.

It is so ordered.

Issued at Bethesda, Maryland this 28th day of February, 1975.

For the Atomic Safety and Licensing Board.

THOMAS W. REILLY, Esq.,
Chairman.

[FR Doc.75-5770 Filed 3-4-75;8:45 am]

[Docket Nos. 50-510A and 50-511A]

GULF STATES UTILITIES CO. (BLUE HILLS STATION, UNITS 1 AND 2)

Receipt of Attorney General's Advice and Time for Filing of Petitions To Intervene on Antitrust Matters

The Commission has received, pursuant to section 105c. of the Atomic Energy Act of 1954, as amended, a letter of advice from the Attorney General of the United States, dated February 19, 1975, a copy of which is attached as Appendix A.

Any person whose interest may be affected by this proceeding may, pursuant to § 2.714 of the Commission's "Rules of Practice," 10 CFR Part 2, file a petition for leave to intervene and request a hearing on the antitrust aspects of the application. Petitions for leave to intervene and requests for hearing shall be filed by April 4, 1975 either (1) by delivery to the NRC Public Docketing and Service Section at 1717 H Street, NW., Washington, D.C., or (2) by mail or telegram addressed to the Secretary, Nuclear Regulatory Commission, Washington, D.C. 20555, ATTN: Docketing and Service Section.

For the Nuclear Regulatory Commission.

ABRAHAM BRAITMAN,
Chief, Office of Antitrust & Indemnity, Nuclear Reactor Regulation.

APPENDIX A

BLUE HILLS STATION, UNITS 1 AND 2, GULF STATES UTILITIES CO., NRC DOCKET NOS. 50-510A AND 50-511A, DEPARTMENT OF JUSTICE FILE 60-415-110

FEBRUARY 19, 1975.

You have requested our advice pursuant to the provisions of section 105 of the Atomic Energy Act of 1954, as amended, in regard to the above-cited application.

Applicant. The applicant is a large electrical utility principally engaged in the business of generating electrical energy and distributing and selling such energy at retail in Southeast Texas and South Central Louisiana, an approximately 28,000 square-mile area with an estimated population of 1,270,000. The applicant sells electric energy at retail to 286 communities in this territory. It sells for resale electric energy to ten municipal systems, six rural electric cooperatives, and one other utility. Applicant is seeking a license to build and operate two generating units in Newton County, Texas, to be known as Blue Hills Station, Units 1 and 2. Each of these units will have a generating capacity of approximately 930 megawatts. Blue Hills Station Unit 1 is scheduled to be in service in September 1981, Unit 2 in September 1983.

Applicant's 1970 system peak was 3,039 MW, with a little less than one-half of its business in Texas. Applicant owns most of the high voltage and extra-high voltage transmission lines within its service area in the southeastern part of Texas.

Structure of the electric power supply market in Texas. The principal interconnecting and coordinating power pooling organization in Texas is the Texas Interconnected System (TIS). TIS is a group of nine interconnected systems that operate throughout the State of Texas. These systems do not operate outside the State of Texas and are therefore not subject to regulation by the Federal Power Commission. Applicant is not a member of TIS since applicant does substantial business in the State of Louisiana and applicant is subject to regulation by the FPC. Applicant is interconnected iwth and a member of the Southwest Power Pool.

Competitive conduct of the applicant. By letter dated March 25, 1974 the Department of Justice rendered antitrust advice pursuant to section 105 of the Atomic Energy Act of 1954 with regard to an application by applicant for a construction permit for River

[1] For purposes of this proceeding, the U.S. Nuclear Regulatory Commission is the successor agency to the U.S. Atomic Energy Commission, as of January 19, 1975. See the Energy Reorganization Act of 1974, P.L. 93-438, 88 Stat. 1233, Oct. 11, 1974; and Presidential Executive Order No. 11834, Jan. 15, 1975 (40 FR 2971, Jan. 17, 1975).

[2] National Environmental Policy Act of 1969, P.L. 91-190, 42 U.S.C. § 4321 et seq., 83 State. 852 et seq.

Bend Station, Units 1 and 2, to be located in Louisiana. We mentioned therein that the Department had been conducting an independent antitrust investigation of the applicant's conduct in that state. We also indicated in that letter that applicant had lately evidenced a constructive attitude in its relations with smaller electric systems. Finally, we advised that the applicant had agreed to accept the imposition of certain license conditions to the permit concerning the River Bend Station and that, therefore, an antitrust hearing was not deemed necessary. In connection with the River Bend application the applicant made the following additional commitment:

Applicant will shortly file an application for a construction permit for two nuclear units known as Blue Hills Units 1 and 2 which it plans to build in Texas. License conditions generally similar to those involved here will be acceptable to Applicant in connection with the Blue Hills Units permits.

Applicant's policy commitments concerning bulk power dealings with other electric systems which are contained in the attachment to applicant's letter of January 29, 1975 concerning the Blue Hills Station which is attached hereto conform with the prior understanding between the Department and applicant.

Conclusion. If the policy commitments contained in the attachment to applicant's January 29, 1975 letter to the Department were to be imposed by the Commission as conditions to the permit applied for in the instant docket, as we hereby recommend, an antitrust hearing on this application would appear to be unnecessary.

ATTACHMENT

JANUARY 29, 1975.

A March 20, 1974 letter to you relating to applicant's River Bend Nuclear Power Plant, Units 1 and 2 in Louisiana outlined applicant's policies with respect to such aspects of its operations in Louisiana as access to nuclear units, interconnections and reserve sharing, transportation service and exchange of bulk power. Similar policies will be followed by the applicant in connection with its operations in Texas of the Blue Hills Nuclear Plant, Units 1 and 2. The purpose of this letter is to outline these policies.

We understand that your review of this application has raised certain questions under the antitrust laws relating to the bulk power supply policies of the applicant. While it is the position of applicant that its activities, and in particular its bulk power supply policies, should not concern any such questions, the applicant submits this letter setting forth certain statements regarding such policies.

In order to obviate the possibility of a hearing on possible antitrust issues in the above-referenced proceeding, the applicant sets forth in the appendix to this letter policies which it will maintain during the period of this license, subject to the understandings stated herein. It is understood that this statement of policy satisfies the Department's antitrust questions and will enable the Department to render a no hearing antitrust advice letter. In the event the Atomic Energy Commission in any event should institute a hearing on antitrust issues or attempt to impose different, inconsistent or additional conditions, applicant does not intend by this letter or the statement of policies attached to waive, and instead hereby reserves all of its rights under law to appear in such proceeding and contest the imposition of different, inconsistent or additional conditions.

During our discussions with you about participation in the subject nuclear units, we advised you that we have not constructed and have not planned to construct any jointly-owned electric generating plants on our system, and we have not and have not planned to sell unit power from any present or future electric generating units. While applicant appreciates that financial and business conditions in the future may require it to change such policies and for such reason reserves the right to do so, applicant understands that the proposed license conditions relating to participation apply only to nuclear units in Texas.

Nothing in this letter shall be construed to be a waiver by the applicant of its rights to appear and express its position on behalf of or in opposition to any specific proposals relating to bulk power supply before any legislative, administrative, judicial, or other body.

The applicant would not object to an inclusion of this letter in, and the statements and policies expressed herein being made conditions to the license applied for before the U.S. Atomic Energy Commission, as referenced above, specifically related to the Blue Hills Nuclear Power Station Plant Units 1 and 2 for which the subject application is pending.

The commitments made are subject to the following understandings:

(1) Applicant does not intend by these commitments to become a common carrier.

(2) Applicant reserves all rights and protection afforded it by law with respect to retail distribution of electricity in those areas in which it holds franchises to conduct its business.

(3) That any license conditions imposed by the Atomic Energy Commission upon applicant based in whole or in part upon these commitments shall be subject to continuing jurisdiction; and that Applicant shall have the right to seek relief from or modification of such conditions by appropriate legal recourse through the Atomic Energy Commission, its successor agencies, or through any other administrative, legislative, or judicial authority having jurisdiction.

(4) That none of these commitments shall require applicant to enter into any binding arrangements with another party until the financial responsibility of such party is evident or reasonably assured nor prior to resolution of any substantial questions as to the lawful authority of such party to engage in the transaction.

(5) All of the understandings and commitments of the applicant are contained in the commitments herein made and this cover letter.

(6) None of the commitments herein made shall be construed as a waiver by applicant of its rights to contest whether or not a future factual situation is inconsistent with the commitments herein made or to contest by appropriate legal proceedings the validity of any regulation, order, or requirement imposed upon applicant by any governmental or regulatory authority, including but not limited to the Atomic Energy Commission and the Federal Power Commission, or their successor agencies.

(7) Enforcement of any of the commitments shall only be through appropriate proceedings before the Atomic Energy Commission.

POLICY COMMITMENTS OF GULF STATES UTILITIES CO. TO BE APPENDED AS CONDITIONS TO BLUE HILLS NUCLEAR POWER PLANT, UNITS 1 AND 2, AEC LICENSE, AEC DOCKETS NOS. 50-510 AND 50-511

JANUARY 29, 1975.

Definitions. 1. "Bulk Power" means the electric power, and any attendant energy, supplied or made available at transmission or subtransmission voltage by an entity from its generating facilities.

2. "Entity" means person, a private or public corporation, governmental agency, an association, a joint stock association, business trust, municipality, or rural electric cooperative owning, operating, or proposing to own or operate equipment or facilities for the generation, transmission, or distribution of electricity primarily for sale or resale to the public. Provided, that, except for municipalities, governmental agencies, or rural electric cooperatives, "entity" is further restricted to those which are or will be public utilities under the laws of the State in which the entity transacts or will transact business or under the Federal Power Act, and are or will be providing electric service under a contract or rate schedule on file with and subject to the regulation of a State regulatory commission or the Federal Power Commission.

3. "Cost" means all operating and maintenance expenses and ownership and capital costs properly allocable to the particular transaction. "Cost" to be shared by participants under condition 8 shall include all costs of acquisition, construction, ownership, capital, operation, and maintenance reasonably allocable to the subject unit. Costs shall include no value for loss of revenues from sale of power at wholesale or retail by one party to a customer which another party might otherwise serve, except as otherwise authorized by any regulatory authority having jurisdiction. Costs shall include a reasonable return on applicant's investment.

Policy Commitments. 1. Applicant shall interconnect with and coordinate reserves by means of the sale and purchase of emergency and/or scheduled maintenance bulk power with any entity(ies) in or within reasonable proximity to applicant's service area in Texas engaging in or proposing to engage in electric bulk power supply on terms that will provide for applicant's costs in connection therewith and allow the other entity(ies) full access to the benefits and obligations of reserve coordination.

2. Such emergency service and/or scheduled maintenance service to be provided by each entity shall be furnished to the fullest extent available from the supplying entity and desired by the entity in need. Applicant and each entity(ies) shall provide to the other such emergency service and/or scheduled maintenance service if and when available from its own generation and from generation of others to the extent it can do so without impairing service to its customers including other electric systems to whom it has firm commitments.

3. Applicant and the other entity(ies) which is (are) party(ies) to a reserve sharing arrangement shall from time to time jointly establish the minimum reserves to be installed and/or provided as necessary to maintain in total a reserve margin sufficient to provide adequate reliability of power supply to the interconnected systems of the parties, consistent with good utility industry practice in the region. If applicant plans its reserve margin on a pooled basis with other regional companies, the reserves jointly established hereunder shall be on the same basis.

Unless otherwise agreed upon or established by such regional practice, minimum reserves shall be calculated as a percentage of estimated peak load responsibility.

No party to the arrangement shall be required to maintain greater reserves than the percentage of its estimated peak load responsibility which results from the aforesaid calculation; provided, that if the reserve requirements of applicant are increased over the amount applicant would be required to maintain without such interconnection, then the other party(ies) shall be required to carry or provide for as its (their) reserves the full amount in kilowatts of such increase.

4. The entities which are parties to such a reserve sharing agreement shall provide such amounts of ready reserve capacity as may be adequate to avoid the imposition of unreasonable demands on the others in meeting the normal contingencies of operating its system. However, in no circumstances shall the ready reserve requirement exceed the installed reserve requirement.

5. Interconnections will not be limited to low voltages when higher voltages are available from applicant's installed facilities in the area where interconnection is desired, when the proposed arrangement is found to be technically and economically feasible. Control and telemetering facilities shall be provided as required for safe and prudent operation of the interconnected systems.

6. Interconnection and coordination agreements shall not embody any unlawful or unreasonably restrictive provisions pertaining to intersystem coordination. Good industry practice as developed in the area from time to time (if not unlawfully or unreasonably restrictive) will satisfy this provision.

7. Applicant will sell (when available) bulk power at its costs to or purchase (when needed) bulk power from any other entity(ies) in or within reasonable proximity to applicant's service area in Texas engaging in or proposing to engage in generation of electric power at such entity(ies) cost when such transactions would serve to reduce the overall costs of new bulk power supply, each for itself and for the other party(ies) to the transactions and would serve to coordinate the planning of new generation, transmission, and related facilities by both the applicant and the other entity. This provision shall not be construed to require applicant to purchase or sell bulk power if it finds such purchase or sale infeasible or its costs in connection with such purchase or sale would exceed its benefits therefrom.

8. Applicant and any successor in title shall offer an opportunity to participate in Blue Hills Nuclear Units Nos. 1 and 2 for the term of the instant license, or any extension or renewal thereof, or such shorter term as applicant and the participant(s) may mutually agree upon, to any entity(ies) in or within reasonable proximity to applicant's service area in the State of Texas which has in writing requested participation therein prior to April 15, 1975, and which no later than April 15, 1976 has entered into an executory contract with respect to such participation, having taken all necessary action for it to lawfully do so prior to so doing, to a fair and reasonable extent and on reasonable terms and conditions and on a basis that will fully compensate applicant for its costs incurred and to be incurred and that will not adversely affect the financing and constructing of such nuclear units. Applicant shall similarly offer an opportunity to participate in any additional nuclear generating unit(s) the power from which is intended for use in applicant's general system operations, which the applicant may construct, own, and operate in Texas during the term of the instant license, or any extension or renewal thereof. Participation shall be either by ownership of or purchase of unit participation power from the respective nuclear units. Participation in any form shall be on an equitable basis whereby the participants, in proportion to their interests, share fully in all costs and risks of the respective nuclear unit. In connection with such participation, applicant will offer transmission service as may be required for delivery of such power to such participant(s) on a basis that will fully compensate applicant for its costs.

9. Applicant shall facilitate the exchange of bulk power by transmission over its transmission facilities between two or more entities engaging in bulk power supply in its service area in Texas with which it is interconnected; and between any such entity(ies) and any entity(ies) engaging in bulk power supply outside applicant's service area in Texas between whose facilities applicant's transmission lines and other transmission lines would form a continuous electrical path; provided that (1) Permission to utilize such other transmission lines has been obtained by the entities involved, (2) applicant has appropriate agreements for transmission service with the entities interconnected with applicant at both the receiving and delivery points on applicant's system, and (3) the arrangements reasonably can be accommodated from a functional and technical standpoint. Such transmission shall be on terms that fully compensate applicant for its cost. Any entity(ies) requesting such transmission arrangements shall give reasonable advance notice of its (their) schedule and requirements. (The foregoing applies to any entity(ies) engaging in bulk power supply to which applicant may be interconnected in the future as well as those to which it is now interconnected).

10. Applicant shall include in its planning and construction program sufficient transmission capacity as required for the transactions referred to in paragraph 9; provided, that any entity(ies) in its service area in Texas give applicant sufficient advance notice as may be necessary to accommodate its (their) requirements from a functional and technical standpoint and that such entity (ies) fully compensates Applicant for its cost. Applicant shall not be required to construct transmission facilities which will be of no demonstrable present or future benefit to applicant.

11. Applicant will sell power (when available) for resale to any entity(ies) in its service area in Texas now engaging in or proposing in good faith to engage in retail distribution of electric power, whenever power to meet the needs of such entity(ies) is not available from alternate sources at competitive costs.

12. The foregoing conditions shall be in all respects implemented on reasonable terms and conditions in a manner consistent with the provisions of the Federal Power Act and other applicable federal and state laws and regulatory orders, and shall be subject to force majeure, applicable curtailment programs, and engineering and technical feasibility for applicant's system. None of the foregoing conditions shall require applicant to sell power, perform any service, or engage in any course of action on a basis which would be unlawfully preferential or discriminatory under any applicable law or that would impair applicant's ability to render adequate and reliable service to its own customers. All rates, charges or practices in connection therewith are to be subject to the approval of regulatory agencies having jurisdiction over them.

[FR Doc.75-5418 Filed 3-4-75;8:45 am]

ADVISORY COMMITTEE ON REACTOR SAFEGUARDS, FULTON GENERATING STATION SUBCOMMITTEE, AND SUMMIT POWER STATION SUBCOMMITTEE

Meeting

In accordance with the purposes of Sections 29 and 182 b. of the Atomic Energy Act (42 U.S.C. 2039, 2232b.), the Advisory Committee on Reactor Safeguards' Subcommittees on the Fulton Generating Station and the Summit Power Station will hold a meeting on March 20, 1975 in the Sir Galahad Room of the Royal Court Inn, 1750 S. Elmhurst, Des Plaines, Illinois.

The purpose of the meeting will be to discuss the application by the Philadelphia Electric Co. for construction permits for the Fulton Generating Station and the Delmarva Power and Light Co. for construction permits for the Summit Power Station.

The following constitutes that portion of the Subcommittees' agenda for the above meeting which will be open to the public:

THURSDAY, MARCH 20, 1975, 9 A.M.–5 P.M.

Discussions with representatives of the Philadelphia Electric Co., the Delmarva Power and Light Co., and the NRC Staff.

Representatives of the Philadelphia Electric Co. will make presentations on various aspects of the design of the high temperature gas-cooled reactors proposed for the Fulton Generating Station.

In connection with the above agenda, the subcommittees will hold executive sessions prior to, and at the close of, the day's public session, which will involve a discussion of their preliminary views, and an exchange of opinions of the subcommittees members and internal deliberations and formulation of recommendations to the ACRS. In addition, the subcommittees may hold a closed session with the NRC Staff and representatives of the Philadelphia Electric Co. and/or the Delmarva Power and Light Co. to discuss privileged information relating to the proposed design features.

I have determined, in accordance with subsection 10(d) of Pub. L. 92-463, that the executive sessions at the beginning and end of the day's session will consist of an exchange of opinions and formulation of recommendations, the discussion of which, if written, would fall within exemption (5) of 5 U.S.C. 552(b) and that a closed session may be held, if necessary, to discuss certain documents and information which are privileged and fall within exemption (4) of 5 U.S.C. 552(b). Further, any non-exempt material that will be discussed during the above closed sessions will be inextricably intertwined with exempt material, and no further separation of this material is considered practical. It is essential to close such portions of the meeting to protect such privileged information and protect the free interchange of internal views and to avoid undue interference with agency or committee operation.

Practical considerations may dictate alterations in the above agenda or schedule.

The Chairman of the Subcommittees 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 item may do so by mailing 25 copies thereof, postmarked no later than March 13, 1975, to the Executive Secretary, Advisory Committee on Reactor Safeguards, Nuclear Regulatory Commission, Washington, D.C. 20555. Such comments shall be based upon documents which are on file and available for public inspection at the Nuclear Regulatory Commission's Public Document Room, 1717 H Street NW., Washington, D.C. 20555; the Lancaster County Library, 125 North Duke Street, Lancaster, Pennsylvania 17602; and the Newark Free Library, Elkton and Delaware Roads, Newark, Delaware 19711.

(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 Subcommittees. To the extent that the time available for the meeting permits, the Subcommittees will receive oral statements during a period of no more than 30 minutes at an appropriate time, chosen by the Chairman of the Subcommittees between the hours of 1:30 p.m. and 3:30 p.m. on March 20, 1975.

(c) Requests for the opportunity to make oral statements shall be ruled on by the Chairman of the Subcommittees who is empowered to apportion the time available among those selected by him to make oral statements.

(d) Information as to whether the meeting has 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 March 18, 1975 to the Advisory Committee on Reactor Safeguards (telephone 202-634-1374) between 8:15 a.m. and 5 p.m., Eastern Time.

(e) Questions may be propounded only by members of the Subcommittees and their consultants.

(f) Seating for the public will be available on a first-come, first-served basis.

(g) The use of still, motion picture, and television cameras, the physical installation and presence of which will not interfere with the conduct 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.

(h) Persons desiring to attend portions of the meeting where proprietary information, other than plant security information, is to be discussed may do so by providing to the Executive Secretary, Advisory Committee on Reactor Safeguards, 1717 H St., NW., Washington, D.C. 20555, 7 days prior to the meeting, a copy of an executed agreement with the owner of the proprietary information to safeguard this material.

(i) A copy of the transcript of the open portions of the meeting will be available for inspection on or after March 24, 1975 at the Nuclear Regulatory Commission's Public Document Room, 1717 H Street, NW., Washington, D.C. 20555, and within approximately nine days at the Lancaster County Library, 125 North Duek Street, Lancaster, Pennsylvania 17602, and the Newark Free Library, Elkton and Delaware Roads, Newark, Delaware 19711. Copies of the transcript may be reproduced in the Public Document Room or may be obtained from Ace Federal Reporters, Inc., 415 Second Street, NE., Washington, D.C. 20002 (telephone 202-547-6222) upon payment of appropriate charges.

(j) On request, copies of the minutes of the meeting will be made available for inspection at the NRC Public Document Room 1717 H St., NW., Wash., D.C. 20555 after June 20, 1975. Copies may be obtained upon payment of appropriate charges.

JOHN C. HOYLE,
Acting Advisory
Committee Management Officer.

FEBRUARY 27, 1975.

[FR Doc.75-5769 Filed 3-4-75;8:45 am]

INTERSTATE COMMERCE COMMISSION

IRREGULAR-ROUTE MOTOR COMMON CARRIERS OF PROPERTY—ELIMINATION OF GATEWAY LETTER NOTICES

Notice

FEBRUARY 24, 1975.

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 March 17, 1975. 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 107107 (Sub-No. E4), filed June 4, 1974. Applicant: ALTERMAN TRANSPORT LINES, INC., P.O. Box 425, Opa Locka, Fla. 33054. Applicant's representative: Ford W. Sewell (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Fresh meat*, from points in Texas to points in Maine, New Hampshire, and Vermont (Pensacola, Fla.),* (2) *Dairy products*, as described by the Commission, and *frozen foods*, from Houston and San Antonio, Tex., and points in Bosque, Collin, Cooke, Dallas, Denton, Ellis, Erath, Fannin, Grayson, Henderson, Hill, Hood, Hunt, Jack, Jackson, Kaufman, Navarro, Palo Pinto, Parker, Rains, Rockwall, Somervell, Tarrant, Van Zandt, and Wise Counties, Tex., to points in Florida (points in Alabama on and south of U.S. Highway 80).* The purpose of this filing is to eliminate the gateways indicated by asterisks above.

No. MC 107107 (Sub-No. E5), filed June 4, 1974. Applicant: ALTERMAN TRANSPORT LINES, INC., P.O. Box 425, Opa Locka, Fla. 33054. Applicant's representative: Ford W. Sewell (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Foods and food products and food ingredients* requiring temperature control in transit, from Philadelphia, Pa., to points in Chatham, Wayne, Lowndes, Ware, and Glynn Counties, Ga. (Jacksonville, Fla.);* and (2) *Meat, meat products, and meat byproducts*, from Philadelphia, Pa., to those points in Alabama on and south of U.S. Highway 80 and those points in Georgia on and south of U.S. Highway 280 (except Savannah, Ga.) (Florida).* The purpose of this filing is to eliminate the gateways indicated by asterisks above.

No. MC 107107 (Sub-No. E6), filed June 4, 1974. Applicant: ALTERMAN TRANSPORT LINES, INC., P.O. Box 425, Opa Locka, Fla. 33054. Applicant's representative: Ford W. Sewell (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, from Cleveland, Ohio, to points in Louisiana and those points in Mississippi on and south of U.S. Highway 82. The purpose of this filing is to eliminate the gateway of Doraville, Ga.

No. MC 107107 (Sub-No. E7), filed June 4, 1974. Applicant: ALTERMAN TRANSPORT LINES, INC., P.O. Box 425, Opa Locka, Fla. 33054. Applicant's representative: Ford W. Sewell (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Foodstuffs* (except frozen foodstuffs, canned citrus fruits, canned citrus juices, coffee, and tea), and *related advertising and promotional material* when moving with such commodities, in vehicles equipped with mechanical refrigeration, from Miami, Fla., to Salisbury, Md. (Wilmington, Del.);* (2) *Candy and confectionery and related advertising material*, when shipped with candy and confectionery, from Atlanta, Ga., and Chattanooga, Tenn., to points in Baldwin and Mobile Counties, Ala., and those points in Mississippi on and south of U.S. Highway 90 and those in Louisiana on and south of U.S. Highway 84 (Pensacola, Fla.).* The purpose of this filing is to eliminate the gateways indicated by asterisks above.

No. MC-107107 (Sub.-No. E8), filed June 4, 1974. Applicant: ALTERMAN TRANSPORT LINES, INC., P.O. Box 425, Opa Locka, Fla. 33054. Applicant's representative: Ford W. Sewell (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Food and food ingredients* requiring temperature control (except dairy products as defined by the Commission), from Chicago, Ill., to points in Wayne, Chatham, Lowndes, Ware, and Glynn Counties, Ga. (Jacksonville, Fla.);* and (2) *Frozen foods*, from the Chicago, Ill., commercial zone, to points in and west of Hampton, Calleton, Dorchester, and Berkeley Counties, S.C. (Savannah, Ga.).* The purpose of this filing is to eliminate the gateways indicated by asterisks above.

No. MC 112617 (Sub-No. E39), filed May 11, 1974. Applicant: LIQUID TRANSPORTERS, INC., P.O. Box 21395, Louisville, Ky. 40221. Applicant's representative: Charles R. Dunford (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Chemicals*, in bulk, in tank vehicles, from Calvert City, Ky., and points in Marshall County, Ky., within 5 miles thereof, to points in North Carolina and Virginia. The purpose of this filing is to eliminate the gateway of points in Robertson County, Tenn.

No. MC 112617 (Sub-No. E40), filed May 11, 1974. Applicant: LIQUID TRANSPORTERS, INC., P.O. Box 21395, Louisville, Ky. 40221. Applicant's representative: Charles R. Dunford (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Chemicals*, in bulk, in tank vehicles, from points in Kentucky within 5 miles of Brandenburg, Ky., excluding Brandenburg and Ekron, Ky., to points in New Mexico, Wyoming, and Utah. The purpose of this filing is to eliminate the gateway of points in Robertson County, Tenn., and Calvert City, Ky.

No. MC 112617 (Sub-No. E41), filed May 11, 1974. Applicant: LIQUID TRANSPORTERS, INC., P.O. Box 21395, Louisville, Ky. 40221. Applicant's representative: Charles R. Dunford (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Chemicals*, in bulk, in tank vehicles, from points in Kentucky within 5 miles of Brandenburg, Ky., excluding Brandenburg and Ekron, Ky., to points in North Dakota. The purpose of this filing is to eliminate the gateway of points in Robertson County, Tenn., and Calvert City, Ky.

No. MC 112617 (Sub-No. E42), filed May 11, 1974. Applicant: LIQUID TRANSPORTERS, INC., P.O. Box 21395, Louisville, Ky. 40221. Applicant's representative: Charles R. Dunford (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Chemicals*, in bulk, in tank vehicles, from points in Kentucky within 5 miles of Brandenburg, Ky., excluding Brandenburg and Ekron, Ky., to points in Colorado and Montana. The purpose of this filing is to eliminate the gateway of Robertson County, Tenn., and Calvert City, Ky.

No. MC 112617 (Sub-No. E43), filed May 11, 1974. Applicant: LIQUID TRANSPORTERS, INC., P.O. Box 21395, Louisville, Ky. 40221. Applicant's representative: Charles R. Dunford (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Chemicals* (except petrochemicals), in bulk, in tank vehicles, from the facilities of the Polymers & Chemicals Division of W. R. Grace and Co., at Owensboro, Ky., to points in New Mexico, Wyoming, and Utah. The purpose of this filing is to eliminate the gateway of Calvert City, Ky.

No. MC 112617 (Sub-No. E44), filed May 11, 1974. Applicant: LIQUID TRANSPORTERS, INC., P.O. Box 21395, Louisville, Ky. 40221. Applicant's representative: Charles R. Dunford (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Chemicals*, (except petrochemicals), in bulk,

in tank vehicles, from the facilities of the Polymers & Chemicals Division of the W. R. Grace and Co., at Owensboro, Ky., to points in North Dakota. The purpose of this filing is to eliminate the gateway of Calvert City, Ky.

No. MC 112617 (Sub-No. E45), filed May 11, 1974. Applicant: LIQUID TRANSPORTERS, INC., P.O. Box 21395, Louisville, Ky. 40221. Applicant's representative: Charles R. Dunford (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Chemicals* (except petrochemicals), in bulk, in tank vehicles, from the facilities of the Polymers & Chemicals Division of the W. R. Grace and Co., at Owensboro, Ky. to points in Colorado and Montana. The purpose of this filing is to eliminate the gateway of Calvert City, Ky.

No. MC 112617 (Sub-No. E47), filed May 11, 1974. Applicant: LIQUID TRANSPORTERS, INC., P.O. Box 21395, Louisville, Ky. 40221. Applicant's representative: Charles R. Dunford (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid feed* supplement, in bulk, in tank vehicles, from the facilities of National Molasses Co, at Owensboro, Ky., to points in Alabama (except Lauderdale and Colbert Counties), Georgia, Mississippi, and North Carolina, restricted to the transportation of shipments originating at the above-named origin facility. The purpose of this filing is to eliminate the gateway of points in Robertson County, Tenn.

No. MC 112617 (Sub-No. E49), filed May 11, 1974. Applicant: LIQUID TRANSPORTERS, INC., P.O. Box 21395, Louisville, Ky. 40221. Applicant's representative: Charles R. Dunford (same as above). Authority sought to operate as a *common carrier* by motor vehicle, over irregular routes, transporting: *Liquid Chemicals*, (except those which are petroleum products and are listed in Appendix XIII to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209), in bulk, in tank vehicles from Huntington, W. Va., to points in Arkansas, Oklahoma, Kansas, and Texas (except points in Harris County, Tex.). The purpose of this filing is to eliminate the gateway of Calvert City, Ky.

No. MC 112617 (Sub-No. E50), filed May 11, 1974. Applicant: LIQUID TRANSPORTERS, INC., P.O. Box 21395, Louisville, Ky. 40221. Applicant's representative: Charles R. Dunford (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chemicals* (except those which are petroleum products and are listed in Appendix XIII to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209), in bulk, in tank vehicles from Huntington, W. Va., to points in New Mexico, Wyoming, and Utah. The purpose of this filing is to eliminate the gateway of Calvert City, Ky.

No. MC 112617 (Sub-No. E51), filed May 11, 1974. Applicant: LIQUID TRANSPORTERS, INC., P.O. Box 21395, Louisville, Ky. 40221. Applicant's representative: Charles R. Dunford (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chemicals* (except those which are petroleum products and are listed in Appendix XIII to the report in *Description in Motor Carrier Certificates*, 61 M.C.C. 209), in bulk, in tank vehicles, from Huntington, W. Va., to points in Colorado and Montana. The purpose of this filing is to eliminate the gateway of Calvert City, Ky.

No. MC 112617 (Sub-No. E53), filed May 11, 1974. Applicant: LIQUID TRANSPORTERS, INC., P.O. Box 21395, Louisville, Ky. 40221. Applicant's representative: Charles R. Dunford (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chemicals* (except those which are petroleum products and are listed in Appendix XIV to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209, in bulk, in tank vehicles, from Huntington, W. Va., to points in Georgia and Florida. The purpose of this filing is to eliminate the gateway of Doe Run, Ky.

No. MC 112617 (Sub-No. E54), filed May 11, 1974. Applicant: LIQUID TRANSPORTERS, INC., P.O. Box 21395, Louisville, Ky. 40221. Applicant's representative: Charles R. Dunford (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 Sheffield, Ala., and points within 15 miles thereof, to points in Maryland, Michigan, Pennsylvania, and West Virginia. The purpose of this filing is to eliminate the gateway of Doe Run, Ky.

No. MC 112617 (Sub-No. E55), filed May 11, 1974. Applicant: LIQUID TRANSPORTERS, INC., P.O. Box 21395, Louisville, Ky. 40221. Applicant's representative: Charles R. Dunford (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Chemicals*, in bulk, in tank vehicles, from Sheffield, Ala., and points within 15 miles thereof, to points in Minnesota, Iowa, Nebraska, and Kansas. The purpose of this filing is to eliminate the gateway of Calvert City, Ky.

No. MC 112617 (Sub-No. E57), filed May 11, 1974. Applicant: LIQUID TRANSPORTERS, INC., P.O. Box 21395, Louisville, Ky. 40221. Applicant's representative: Charles R. Dunford (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 Sheffield, Ala., and points within 15 miles thereof, to points in Wisconsin. The purpose of this filing is to eliminate the gateway of Doe Run, Ky.

No. MC 112617 (Sub-No. E59), filed May 11, 1974. Applicant: LIQUID TRANSPORTERS, INC., P.O. Box 21395, Louisville, Ky. 40221. Applicant's representative: Charles R. Dunford (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Chemicals*, in bulk, in tank vehicles, from Sheffield, Ala., and points within 15 miles thereof, to points in New Mexico, Wyoming, Utah, North Dakota, Colorado, and Montana. The purpose of this filing is to eliminate the gateway of Calvert City, Ky. .

No. MC 112617 (Sub-No. E61), filed May 11, 1974. Applicant: LIQUID TRANSPORTERS, INC., P.O. Box 21395, Louisville, Ky. 40221. Applicant's representative: Charles R. Dunford (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Chemicals*, as described in Appendix XV to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209, in bulk, in tank vehicles, from Charleston, Tenn., to points in Michigan, Minnesota, Iowa, Nebraska, and Kansas. The purpose of this filing is to eliminate the gateway of Doe Run, Ky.

No. MC 112617 (Sub-No. E62), filed May 11, 1974. Applicant: LIQUID TRANSPORTERS, INC., P.O. Box 21395, Louisville, Ky. 40221. Applicant's representative: Charles R. Dunford (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Chemicals*, in bulk, in tank vehicles, from Charleston, Tenn., to points in North Dakota, New Mexico, Wyoming, Utah, Colorado, Montana, and Oklahoma. The purpose of this filing is to eliminate the gateway of Calvert City, Ky.

No. MC 112617 (Sub-No. E65), filed May 11, 1974. Applicant: LIQUID TRANSPORTERS, INC., P.O. Box 21395, Louisville, Kentucky 40221. Applicant's representative: Charles R. Dunford (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Chemicals*, in bulk, in tank vehicles, from points in Robertson County, Tenn., to points in North Dakota, Montana, New Mexico, Wyoming, Utah, and Colorado. The purpose of this filing is to eliminate the gateway of Calvert City, Ky.

No. MC 114019 (Sub-No. E254), filed May 12, 1974. Applicant: MIDWEST EMERY FREIGHT SYSTEM, INC., 7000 South Pulaski Road, Chicago, Illinois 60629. Applicant's representative: Arthur J. Sibik (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Aluminum siding* and *parts, accessories* and *materials* used in the installation of aluminum siding, in mixed shipments with other building, roofing, and insulating materials, from Sparrows Point and Baltimore, Md., New York, N.Y., and points within 30 miles thereof, points in those parts of New Jersey, Delaware, and Maryland, which are within 30 miles of Philadelphia, Pa., those points in West Virginia on and north of U.S. Highway 50, those points

in Pennsylvania on and south and east of a line beginning at the Maryland-Pennsylvania State line and extending along U.S. Highway 119 to junction U.S. Highway 22, thence U.S. Highway 22 to the Pennsylvania-New Jersey State line, to points in Wisconsin, Iowa, Missouri, Illinois, those points in Indiana on, south, and west of a line beginning at the Ohio-Indiana State line and extending along U.S. Highway 40 to junction Interstate Highway 65, then Interstate Highway 65 to Lake Michigan, and those points in Kentucky on and west of Interstate Highway 27. The purpose of this filing is to eliminate the gateway of Lockland, Ohio.

No. MC 114019 (Sub-No. E402), filed May 16, 1974. Applicant: MIDWEST EMERY FREIGHT SYSTEM, INC., 7000 South Pulaski Road, Chicago, Illinois 60629. Applicant's representative: Arthur J. Sibik (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods* and *foods not frozen*, when transported in the same vehicles with frozen foods in vehicles equipped with mechanical refrigeration, from Sparrows Point and Baltimore, Md., points in New Jersey and Connecticut which are within 30 miles of New York, N.Y., points in those parts of New Jersey, Delaware, and Maryland, which are within 30 miles of Philadelphia, Pa., and those points in West Virginia, on and east of a line beginning at the Ohio-West Virginia State line and extending along Interstate Highway 77 to its junction with U.S. Highway 219, then U.S. Highway 219 to the West Virginia-Virginia State line, to points in Michigan. The purpose of this filing is to eliminate the gateway of Cleveland, Ohio.

No. MC 114019 (Sub-No. E414), filed May 19, 1974. Applicant: MIDWEST EMERY FREIGHT SYSTEM, INC., 7000 South Pulaski Drive, Chicago, Illinois 60629. Applicant's representative: Arthur J. Sibik (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Plastic* and *vinyl building materials, backerboard*, and *materials* and *supplies* used on the installation thereof, from the facilities of Baird and Son, Inc., at Bardstown, Ky., to points in West Virginia, (except points in Mingo County). The purpose of this filing is to eliminate the gateway of Chesapeake, Ohio.

No. MC 114211 (Sub-No. E708), filed June 4, 1974. Applicant: WARREN TRANSPORT, INC., P.O. Box 402, Waterloo, Iowa 50704. Applicant's representative: Kenneth R. Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Road building equipment* (except in each instance, commodities which because of size or weight, requires the use of special equipment, and except commodities described in *Mercer Extension-Oil Field Commodities*, 74 M.C.C. 459), to points in Washington, Montana, North Dakota, South Dakota, Nebraska, Minnesota, Iowa, Kentucky, Virginia, West Virginia, New Jersey, and to points in that part of Tennessee on and north of a line beginning at the Missouri-Tennessee State line extending along Tennessee Highway 20 to junction Tennessee Highway 104, thence along Tennessee Highway 104 to junction U.S. Highway 70, thence along U.S. Highway 70 to junction Tennessee Highway 42, thence along Tennessee Highway 42 to junction Tennessee Highway 52, thence along Tennessee Highway 52 to junction U.S. Highway 27, thence along U.S. Highway 27 to junction Tennessee Highway 63, thence along Tennessee Highway 63 to junction U.S. Highway 25E, thence along U.S. Highway 25E to junction U.S. Highway 11W, thence along U.S. Highway 11W to the Tennessee-Virginia State line; to points in that part of Arkansas on and north of a line beginning at the Oklahoma-Arkansas State line extending along U.S. Highway 64 to junction U.S. Highway 67, thence along U.S. Highway 67 to junction Arkansas Highway 25, thence along Arkansas Highway 25 to the Arkansas-Missouri State line; to points in that part of Oklahoma on and northeast of a line beginning at the Kansas-Oklahoma State line extending along U.S. Highway 281 to junction U.S. Highway 64, thence along U.S. Highway 64 to junction U.S. Highway 60, thence along U.S. Highway 60 to junction U.S. Highway 177, thence along U.S. Highway 177 to junction U.S. Highway 64, thence along U.S. Highway 64 to the Oklahoma-Arkansas State line; to points in that part of Kansas on and northeast of a line beginning at the Kansas-Colorado State line extending along U.S. Highway 24 to junction Interstate Highway 70, thence along Interstate Highway 70 to junction U.S. Highway 281, thence along U.S. Highway 281 to the Kansas-Oklahoma State line; to points in that part of Colorado on and northeast of a line beginning at the Wyoming-Colorado State line extending along U.S. Highway 85 to junction U.S. Highway 34, thence along U.S. Highway 34 to junction U.S. Highway 385, thence along U.S. Highway 385 to junction U.S. Highway 24, thence along U.S. Highway 24 to the Colorado-Kansas State line; to points in that part of Wyoming on and north of a line beginning at the Idaho-Wyoming State line extending along U.S. Highway 30N to junction Interstate Highway 80, thence along Interstate Highway 80 to junction U.S. Highway 85, thence along U.S. Highway 85 to the Wyoming-Colorado State line; to points in that part of Idaho on and north of a line beginning at the Oregon-Idaho State line extending along U.S. Highway 20 to junction Interstate Highway 80N, thence along Interstate Highway 80N to junction Interstate Highway 15W, thence along Interstate Highway 15W to junction U.S. Highway 30N, thence along U.S. Highway 30N to the Idaho-Wyoming State line; and to points in that part of Oregon on and north of a line beginning at Coquille Point, Oreg., extending along Oregon Highway 425 to junction Oregon Highway 42, thence along Oregon Highway 42 to junction Interstate Highway 5, thence along Interstate Highway 5 to junction Oregon Highway 126, thence along Oregon Highway 126 to junction U.S. Highway 20, thence along U.S. Highway 20 to the Oregon-Idaho State line, restricted against shipments moving in foreign commerce to points in Canada. The purpose of this filing is to eliminate the gateway of Claremore, Okla.

No. MC 114211 (Sub-No. E1037), filed July 3, 1974. Applicant: WARREN TRANSPORT, INC., P.O. Box 420, Waterloo, Iowa 50704. Applicant's representative: Kenneth R. Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Self-propelled farm machinery* and *parts* thereof, (except commodities the transportation of which because of size or weight requires the use of special equipment) from Madison, S. Dak., to points in Florida, Alabama, South Carolina, North Carolina, Tennessee, Kentucky, West Virginia, Ohio, Indiana, Michigan, and to points in that part of Minnesota on and east of a line beginning at the Wisconsin-Minnesota State line extending along U.S. Highway 10 to junction Minnesota Highway 65, thence along Minnesota Highway 65 to junction Minnesota Highway 169, thence along Minnesota Highway 169, to junction Minnesota Highway 6, thence along Minnesota Highway 6, to junction Minnesota Highway 72, thence along Minnesota Highway 72, to junction Minnesota Highway 11, thence along Minnesota Highway 11 to Warroad, Minn., to points in that part of Wisconsin on and east of a line beginning at the Illinois-Wisconsin State line extending along U.S. Highway 51 to junction U.S. Highway 12, thence along U.S. Highway 12, to junction U.S. Highway 10, thence along U.S. Highway 10 to the Wisconsin-Minnesota State line, to points in that part of Illinois on and east of a line beginning at the Missouri-Illinois State line extending along U.S. Highway 66 to junction Illinois Highway 29, thence along Illinois Highway 29, to junction U.S. Highway 51, thence along U.S. Highway 51 to the Illinois-Wisconsin State line, to points in that part of Missouri on and east of a line beginning at the Arkansas-Missouri State line extending along U.S. Highway 67 to the Missouri-Illinois State line, to points in that part of Arkansas on and east of a line beginning at the Missouri-Arkansas State line extending along U.S. Highway 67 to junction Arkansas Highway 1, thence along Arkansas Highway 1 to the Arkansas-Mississippi State line thence along the Arkansas-Mississippi State line to junction U.S. Highway 82, thence along U.S. Highway 82 to junction U.S. Highway 65, thence along U.S. Highway 65, to junction Arkansas Highway 8, thence along Arkansas Highway 8, to junction U.S. Highway 165, thence along U.S. Highway 165 to the Arkansas-Louisiana State line, to points in that part of Mississippi on and east of a line beginning at the Arkansas-Mississippi State line extending along U.S. Highway 49 to junction U.S. Highway 61, thence along U.S. Highway 61, to junction U.S.

Highway 82, thence along U.S. Highway 82 to the Arkansas-Mississippi State line, and to points in that part of Louisiana on and east of a line beginning at Morgan City, La., extending along Louisiana Highway 70 to junction Louisiana Highway 69, thence along Louisiana Highway 69, to junction Louisiana Highway 1, thence along Louisiana Highway 1, to junction U.S. Highway 190, thence along U.S. Highway 190, to junction U.S. Highway 71, thence along U.S. Highway 71, to junction U.S. Highway 165, thence along U.S. Highway 165 to the Louisiana-Arkansas State line. The purpose of this filing is to eliminate the gateway of Minneapolis, and Nassau, Minn.

No. MC 114211 (Sub-No. E1045), filed July 3, 1974. Applicant: WARREN TRANSPORT, INC., P.O. Box 420, Waterloo, Iowa 50704. Applicant's representative: Kenneth R. Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Farm machinery* and *parts* thereof (except commodities the transportation of which because of size or weight requires the use of special equipment or special handling), from Thief River Falls, Minn., to points in Nebraska and Wyoming. The purpose of this filing is to eliminate the gateway of Nassau, Minn. and points in South Dakota.

No. MC 114211 (Sub-No. E1048), filed July 3, 1974. Applicant: WARREN TRANSPORT, INC., P.O. Box 420, Waterloo, Iowa 50704. Applicant's representative: Kenneth R. Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Farm machinery* and *parts* thereof (except commodities the transportation of which because of size or weight requires the use of special equipment) to points in Louisiana, and to points in that part of Alabama on and south of a line beginning at the Alabama-Mississippi State line extending along U.S. Highway 84 to junction Wisconsin State Highway 52, thence along Alabama State Highway 52, to junction Alabama State Highway 27, thence along Alabama State Highway 27 to the Florida-Alabama State line, to points in that part of Mississippi on and south of a line beginning at the Arkansas-Mississippi State line extending along U.S. Highway 49 to junction U.S. Highway 82, thence along U.S. Highway 82, to junction U.S. Highway 51, thence along U.S. Highway 51, to junction Mississippi State Highway 35, thence along Mississippi State Highway 35, to junction U.S. Highway 80, thence along U.S. Highway 80, to junction U.S. Highway 45, thence along U.S. Highway 45, to junction U.S. Highway 84, thence along U.S. Highway 84 to the Mississippi-Alabama State line, to points in that part of Arkansas on and south of a line beginning at the Oklahoma-Arkansas State line extending along Interstate Highway 40 to junction Arkansas State Highway 130, thence along Arkansas State Highway 130, to junction U.S. Highway 79, thence along U.S. Highway 79, to junction U.S. Highway 49, thence along U.S. Highway 49 to the Arkansas-Mississippi State line to points in that part of Texas on and south of a line beginning at the New Mexico-Texas State line extending along Interstate Highway 40 to the Texas-Oklahoma State line and to points in that part of New Mexico on and south of a line beginning at the Arizona-New Mexico State line extending along Interstate Highway 40 to the junction Interstate Highway 25, thence along Interstate Highway 25, to junction New Mexico State Highway 3, thence along New Mexico State Highway 3 to junction Interstate Highway 40, thence along Interstate Highway 40 to the New Mexico-Texas State line. The purpose of this filing is to eliminate the gateway of Des Moines, Iowa, Martin City, Mo., points in Kansas within 15 miles of Martin City, Mo., and Tulsa, Okla.

No. MC 114211 (Sub-No. E1050), filed July 3, 1974. Applicant: WARREN TRANSPORT, INC., P.O. Box 420, Waterloo, Iowa 50704. Applicant's representative: Kenneth R. Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Self-propelled farm machinery* and *parts* thereof, from Pella, Iowa, to points in Washington, Montana, and to points in that part of California on and west of a line beginning at the California-Nevada State line extending along U.S. Highway 6 to junction U.S. Highway 395, thence along U.S. Highway 395 to junction California Highway 58, thence along California Highway 58 to junction Interstate Highway 15, thence along Interstate Highway 15 to junction Interstate Highway 10, thence along Interstate Highway 10 to junction California Highway 111, thence along California Highway 111 to junction California Highway 74, thence along California Highway 74 to junction California Highway 71, thence along California Highway 71 to junction California Highway 79, thence along California Highway 79 to junction Interstate Highway 8, thence along Interstate Highway 8 to junction Interstate Highway 5, thence along Interstate Highway 5 to the United States-Mexico Boundary line, to points in that part of Nevada on and southwest of a line beginning at the California-Nevada State line extending along U.S. Highway 40 to junction Alternate U.S. Highway 95, thence along Alternate U.S. Highway 95 to junction U.S. Highway 50, thence along U.S. Highway 50 to junction Nevada Highway 8A, thence along Nevada Highway 8A to junction U.S. Highway 6, thence along U.S. Highway 6 to the California-Nevada State line, to points in that part of Oregon on and northwest of a line beginning at the Idaho-Oregon State line extending along U.S. Highway 95 to the Oregon-Nevada State line, to points in that part of Idaho on and north of a line beginning at the Idaho-Wyoming State line extending along U.S. Highway 20 to junction Idaho Highway 68, thence along Idaho Highway 68 to junction U.S. Highway 20, thence along U.S. Highway 20 to junction U.S. Highway 95, thence along U.S. Highway 95 to the Idaho-Oregon State line, to points in that part of Wyoming on and north of a line beginning at the Wyoming-South Dakota State line extending along U.S. Highway 14 to junction U.S. Highway 16, thence along U.S. Highway 16 to junction U.S. Highway 20, thence along U.S. Highway 20 to the Wyoming-Idaho State line, to points in that part of Michigan on and west of a line beginning at the Michigan-Wisconsin State line extending along U.S. Highway 2/141 to junction Michigan Highway 95, thence along Michigan Highway 95 to junction U.S. Highway 41, thence along U.S. Highway 41 to Marquette, Mich., to points in that part of Wisconsin on and northwest of a line beginning at the Wisconsin-Minnesota State line extending along U.S. Highway 63 to junction U.S. Highway 10, thence along U.S. Highway 10 to junction Wisconsin Highway 27, thence along Wisconsin Highway 27 to junction Wisconsin Highway 29, thence along Wisconsin Highway 29 to junction Wisconsin Highway 52, thence along Wisconsin Highway 52 to junction Wisconsin Highway 32, thence along Wisconsin Highway 32 to junction U.S. Highway 8, thence along U.S. Highway 8 to junction U.S. Highway 8/141, thence along U.S. Highway 8/141 to the Wisconsin-Michigan State line. The purpose of this filing is to eliminate the gateway of Minneapolis, Minn.

No. MC 114211 (Sub-No. E1051), filed July 3, 1974. Applicant: WARREN TRANSPORT, INC., P.O. Box 420, Waterloo, Iowa 50704. Applicant's representative: Kenneth R. Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Farm machinery* and *parts* thereof, from Armstrong, Iowa, to points in that part of Missouri on and south of a line beginning at the Kansas-Missouri State line extending along U.S. Highway 66 to junction Interstate Highway 44, thence along Interstate Highway 44 to junction U.S. Highway 60, thence along U.S. Highway 60 to junction U.S. Highway 63, thence along U.S. Highway 63 to the Arkansas-Missouri State line, restricted against movement to oil field locations. The purpose of this filing is to eliminate the gateways of Beatrice and Nebraska City, Nebr.

No. MC 114211 (Sub-No. E1052), filed July 3, 1974. Applicant: WARREN TRANSPORT, INC., P.O. Box 420, Waterloo, Iowa 50704. Applicant's representative: Kenneth R. Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Farm machinery*, (except, in each instance, commodities which, because of size or weight require the use of special equipment, and except commodities described in *Mercer Extension-Oil Field Commodities*, 74 M.C.C. 459), from Pella, Iowa, to points in Arizona, New Mexico, Louisiana, to points in that part of Florida on and south of a line beginning at the Florida-Alabama State line extending along U.S.

Highway 90 to junction U.S. Highway 98, thence along U.S. Highway 98 to Panama City, Fla., to points in that part of Alabama on and south of a line beginning at the Mississippi-Alabama State line extending along U.S. Highway 45 to junction U.S. Highway 90, thence along U.S. Highway 90 to the Alabama-Florida State line, to points in that part of Mississippi on, south and west of a line beginning at the Arkansas-Mississippi State line extending along U.S. Highway 82 to junction U.S. Highway 49, thence along U.S. Highway 49 to junction U.S. Highway 84, thence along U.S. Highway 84 to junction U.S. Highway 45, thence along U.S. Highway 45 to the Mississippi-Alabama State line, to points in that part of Arkansas on and southwest of a line beginning at the Arkansas-Oklahoma State line extending along Interstate Highway 40 to junction U.S. Highway 71, thence along U.S. Highway 71 to junction U.S. Highway 270, thence along U.S. Highway 270 to junction U.S. Highway 65, thence along U.S. Highway 65 to junction U.S. Highway 82, thence along U.S. Highway 82 to the Arkansas-Mississippi State line, to points in that part of Nevada on and south of a line beginning at the California-Nevada State line extending along Interstate Highway 15 to the Nevada-Arizona State line, to points in that part of California on, south and west of a line beginning at San Francisco, Calif., extending along Interstate Highway 80 to junction Interstate Highway 580, thence along Interstate Highway 580 to junction Interstate Highway 5, thence along Interstate Highway 5 to junction California Highway 4, thence along California Highway 4 to junction California Highway 99, thence along California Highway 99 to junction California Highway 140, thence along California Highway 140 to junction California Highway 120, thence along California Highway 120 to junction U.S. Highway 395, thence along U.S. Highway 395 to junction California Highway 58, thence along California Highway 58 to junction Interstate Highway 15, thence along Interstate Highway 15 to the California-Nevada State line. The purpose of this filing is to eliminate the gateways of Des Moines, Iowa, Claremore, Okla., Martin City, Mo., and points in Kansas within 15 miles of Martin City, Mo.

No. MC 114211 (Sub-No. E1053), filed July 3, 1974. Applicant: WARREN TRANSPORT, INC., P.O. Box 420, Waterloo, Iowa 50704. Applicant's representative: Kenneth R. Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cast iron pressure pipe* (other than pipe used in, or in connection with the discovery, development, production, refining, manufacture, processing, storage, transmission, and distribution of natural gas, and petroleum and their products and by-products), and *fittings and accessories* therefor when moving with such pipe from Bridgeton, N.J., and Macungie, Pa., to points in Idaho, Utah, and Arizona. The purpose of this filing is to eliminate the gateway of the plant site of Griffin Pipe Company located at or near Council Bluffs, Iowa.

No. MC 114211 (Sub-No. E1054), filed July 3, 1974. Applicant: WARREN TRANSPORT, INC., P.O. Box 420, Waterloo, Iowa 50704. Applicant's representative: Kenneth R. Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Farm machinery* and *parts* thereof, from Thief River Falls, Minn., to points in Texas and to points in that part of Missouri on and south of a line beginning at the Missouri-Nebraska State line extending along U.S. Highway 275 to junction U.S. Highway 136, thence along U.S. Highway 136 to junction U.S. Highway 59, thence along U.S. Highway 59 to junction Missouri Highway 46, thence along Missouri Highway 46 to junction U.S. Highway 71, thence along U.S. Highway 71 to junction Missouri Highway 48, thence along Missouri Highway 48 to junction U.S. Highway 69, thence along U.S. Highway 69 to junction Missouri Highway 6, thence along Missouri Highway 6 to junction Missouri Highway 13, thence along Missouri Highway 13 to junction U.S. Highway 36, thence along U.S. Highway 36 to junction U.S. Highway 65, thence along U.S. Highway 65 to junction U.S. Highway 24, thence along U.S. Highway 24 to junction U.S. Highway 63, thence along U.S. Highway 63 to junction Missouri Highway 22, thence along Missouri Highway 22 to junction U.S. Highway 54, thence along U.S. Highway 54 to junction Interstate Highway 70, thence along Interstate Highway 70 to the Missouri-Illinois State line, restricted against movement to oil field locations. The purpose of this filing is to eliminate the gateways of points in Iowa and Beatrice, Nebr.

No. MC 114211 (Sub-No. E1056), filed July 3, 1974. Applicant: WARREN TRANSPORT, INC., P.O. Box 420, Waterloo, Iowa 50704. Applicant's representative Kenneth R. Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Self-propelled farm machinery* and *parts* thereof, from Armstrong, Iowa, to points in Washington, Oregon, California, Nevada, Alabama, Georgia, Florida, Tennessee, Kentucky, Ohio, North Carolina, South Carolina, and to points in that part of Wisconsin on, north and east of a line beginning at Kenosha, Wis., extending along Wisconsin Highway 32 to junction U.S. Highway 141, thence along U.S. Highway 141 to junction Wisconsin Highway 29, thence along Wisconsin Highway 29 to junction Wisconsin Highway 49, thence along Wisconsin Highway 49 to junction Wisconsin Highway 153, thence along Wisconsin Highway 153 to junction U.S. Highway 51, thence along U.S. Highway 51 to junction Wisconsin Highway 34, thence along Wisconsin Highway 34 to junction U.S. Highway 10, thence along U.S. Highway 10 to the Wisconsin-Minnesota State line, to points in that part of Michigan on and east of a line beginning at the Indiana-Michigan State line extending along U.S. Highway 31 to junction Michigan Highway 140, thence along Michigan Highway 140 to junction U.S. Highway 31, thence along U.S. Highway 31 to Muskegon, Mich., to points in that part of Indiana on and east of a line beginning at the Kentucky-Indiana State line extending along U.S. Highway 41 to junction Indiana Highway 57, thence along Indiana Highway 57 to junction Indiana Highway 54, thence along Indiana Highway 54 to junction Indiana Highway 45, thence along Indiana Highway 45 to junction Indiana Highway 37, thence along Indiana Highway 37 to junction U.S. Highway 31, thence along U.S. Highway 31 to the Indiana-Michigan State line, to points in that part of Mississippi on and east of a line beginning at the Louisiana-Mississippi State line extending along Interstate Highway 55 to the Mississippi-Tennessee State line, to points in that part of Louisiana on and south of a line beginning at the Texas-Louisiana State line extending along Interstate Highway 10 to junction U.S. Highway 190, thence along U.S. Highway 190 to junction Interstate Highway 55, thence along Interstate Highway 55 to the Louisiana-Mississippi State line, to points in that part of Texas on and south of a line beginning at the New Mexico-Texas State line extending along Texas Highway 18 to junction Texas Highway 302, thence along Texas Highway 302 to junction U.S. Highway 385, thence along U.S. Highway 385 to junction County Highway 305, thence along County Highway 305 to junction Texas Highway 29, thence along Texas Highway 29 to junction County Highway 42, thence along County Highway 42 to junction Texas Highway 71, thence along Texas Highway 71 to junction U.S. Highway 290, thence along U.S. Highway 290 to junction Interstate Highway 10, thence along Interstate Highway 10 to the Texas-Louisiana State line, to points in that part of New Mexico on and west of a line beginning at the Arizona-New Mexico State line extending along Interstate Highway 40 to junction New Mexico Highway 32, thence along New Mexico Highway 32 to junction U.S. Highway 60, thence along U.S. Highway 60 to junction Interstate 25, thence along Interstate Highway 25 to junction U.S. Highway 380, thence along U.S. Highway 380 to junction U.S. Highway 54, thence along U.S. Highway 54 to junction U.S. Highway 82, thence along U.S. Highway 82 to junction U.S. Highway 285, thence along U.S. Highway 285 to junction New Mexico Highway 128, thence along New Mexico Highway 128 to junction New Mexico Highway 18, thence along New Mexico Highway 18 to the New Mexico-Texas State line, to points in that part of Arizona on, west and south of a line beginning at the Utah-Arizona State line extending along U.S. Highway 89 to junction Interstate Highway 40, thence along Interstate Highway 40 to the Arizona-New Mexico State line, to points in that part of Utah on and west of a line beginning at the Idaho-Utah State line extending along Interstate Highway 15, thence along Interstate Highway 15 to junction Utah Highway 28, thence along Utah Highway 28 to junction U.S. High-

way 89, thence along U.S. Highway 89 to the Utah-Arizona State line, to points in that part of Wyoming on and west of a line beginning at the Montana-Wyoming State line extending along Wyoming Highway 120 to junction U.S. Highway 20, thence along U.S. Highway 20 to the Wyoming-Idaho State line and to points in that part of Montana on and north of a line beginning at the North Dakota-Montana State line extending along U.S. Highway 10 to junction U.S. Highway 310, thence along U.S. Highway 310 to junction County Highway 308, thence along County Highway 308 to junction County Highway 397, thence along County Highway 397 to the Montana-Wyoming State line. The purpose of this filing is to eliminate the gateway of Minneapolis, Minn.

No. MC 114211 (Sub-No. E1058), filed July 3, 1974. Applicant: WARREN TRANSPORT, INC., P.O. Box 420, Waterloo, Iowa 50704. Applicant's representative: Kenneth R. Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Construction equipment* (except commodities which because of size or weight require the use of special equipment and except commodities described in *Mercer Extension-Oil Field Commodities*, 74 M.C.C. 459), from Barnesville, Minn., to points in that part of California on and south of a line beginning at the California-Arizona State line extending along U.S. Highway 95 to junction Interstate Highway 10, thence along Interstate Highway 10 to junction California Highway 111, thence along California Highway 111 to junction California Highway 74, thence along California Highway 74 to junction California Highway 71, thence along California Highway 71 to junction U.S. Highway 395, thence along U.S. Highway 395 to junction California Highway 76, thence along California Highway 76 to Oceanside, Calif., to points in that part of Arizona on and south of a line beginning at the Oklahoma-Arizona State line extending along U.S. Highway 66 to the Arizona-California State line, to points in that part of New Mexico on and south of a line beginning at the New Mexico-Texas State line extending along U.S. Highway 66 to the New Mexico-Arizona State line, to points in that part of Oklahoma on and south of a line beginning at the Arkansas-Oklahoma State line extending along U.S. Highway 59 to Oklahoma Highway 51, thence along Oklahoma Highway 51 to junction Interstate Highway 35, thence along Interstate Highway 35 to junction U.S. Highway 64, thence along U.S. Highway 64 to junction U.S. Highway 81, thence along U.S. Highway 81 to junction Oklahoma Highway 33, thence along Oklahoma Highway 33 to junction U.S. Highway 183, thence along U.S. Highway 183 to junction U.S. Highway 66, thence along U.S. Highway 66 to the Oklahoma-Texas State line, to points in that part of Arkansas on and south of a line beginning at the Tennessee-Arkansas State line extending along U.S. Highway 63 to junction Arkansas Highway 14, thence along Arkansas Highway 14 to junction Arkansas Highway 27, thence along Arkansas Highway 27 to junction U.S. Highway 65, thence along U.S. Highway 65 to junction Arkansas Highway 123, thence along Arkansas Highway 123 to junction Arkansas Highway 16, thence along Arkansas Highway 16 to junction Arkansas Highway 68, thence along Arkansas Highway 68 to the Arkansas-Oklahoma State line, to points in that part of Mississippi on, west and south of a line beginning at the Alabama-Mississippi State line extending along U.S. Highway 82 to junction U.S. Highway 45, thence along U.S. Highway 45 to junction U.S. Highway 78, thence along U.S. Highway 78 to the Mississippi-Tennessee State line, to points in that part of Alabama on and south of a line beginning at the Alabama-Georgia State line extending along U.S. Highway 80 to junction U.S. Highway 82, thence along U.S. Highway 82 to the Alabama-Mississippi State line, and to points in that part of Georgia on and south of a line beginning at Brunswick, Ga., extending along U.S. Highway 84 to junction U.S. Highway 82, thence along U.S. Highway 82 to junction U.S. Highway 41, thence along U.S. Highway 41 to junction U.S. Highway 280, thence along U.S. Highway 280 to the Georgia-Alabama State line. The purpose of this filing is to eliminate the gateways of points in Kansas and Claremore, Okla.

No. MC 114211 (Sub-No. E1059), filed July 3, 1974. Applicant: WARREN TRANSPORT, INC., P.O. Box 420, Waterloo, Iowa 50704. Applicant's representative: Kenneth R. Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Farm tractors* (except those with vehicle beds, bed frames and fifth wheels), equipment designed for use in conjunction with tractors, attachments for the above described commodities described in mixed loads with such commodities, from Barnesville, Minn., to points in that part of South Dakota on and west of a line beginning at the South Dakota-North Dakota State line extending along South Dakota Highway 25 to junction South Dakota Highway 10, thence along South Dakota Highway 10 to junction South Dakota Highway 23, thence along South Dakota Highway 23 to junction South Dakota Highway 25, thence along South Dakota Highway 25 to junction South Dakota Highway 20, thence along South Dakota Highway 20 to junction U.S. Highway 81, thence along U.S. Highway 81 to junction U.S. Highway 14, thence along U.S. Highway 14 to the South Dakota-Minnesota State line and to points in Maine, Vermont, New Hampshire, Massachusetts, Rhode Island, Connecticut, New York, Pennsylvania, New Jersey, Delaware, Maryland, the District of Columbia, West Virginia, Virginia, North Carolina, South Carolina, Georgia, Florida, Alabama, Tennessee, Kentucky, Ohio, Michigan, Indiana, Wisconsin, Mississippi, Louisiana, Arkansas, Missouri, Texas, Oklahoma, Kansas, Nebraska, Montana, Wyoming, Colorado, New Mexico, Arizona, Nevada, Utah, Idaho, Washington, Oregon, and California. The purpose of this filing is to eliminate the gateway of Fargo, North Dakota.

No. MC 114211 (Sub-No. E1060), filed July 3, 1974. Applicant: WARREN TRANSPORT, INC., P.O. Box 420, Waterloo, Iowa 50704. Applicant's representative: Kenneth R. Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Self-propelled tractors, road-making machinery and contractors' equipment* and *contractors' equipment* and supplies, from Barnesville, Minn., to points in Arizona, California, New Mexico, Texas, Oklahoma, Arkansas, Louisiana, Illinois, Michigan, Indiana, Ohio, Kentucky, West Virginia, Tennessee, North Carolina, Mississippi, Alabama, Georgia, South Carolina, Florida, Vermont, New Hampshire, Maine, to points in that part of Missouri on and south of a line beginning at the Iowa-Missouri State line extending along U.S. Highway 169 to junction U.S. Highway 36, thence along U.S. Highway 36 to the Missouri-Kansas State line, to points in that part of Kansas on and south of a line beginning at the Missouri-Kansas State line extending along U.S. Highway 59 to junction Kansas Highway 4, thence along Kansas Highway 4 to junction Interstate Highway 35, thence along Interstate Highway 35 to junction U.S. Highway 54, thence along U.S. Highway 54 to junction U.S. Highway 154, thence along U.S. Highway 154 to junction Kansas Highway 23, thence along Kansas Highway 23 to junction Kansas Highway 96, thence along Kansas Highway 96 to junction U.S. Highway 83, thence along U.S. Highway 83 to junction Interstate Highway 70, thence along Interstate Highway 70 to junction Kansas Highway 27, thence along Kansas Highway 27 to the Kansas-Nebraska State line, to points in that part of Colorado on and south of a line beginning at the Nebraska-Colorado State line extending along U.S. Highway 34 to junction Colorado Highway 61, thence along Colorado Highway 61 to junction Colorado Highway 14, thence along Colorado Highway 14 to junction U.S. Highway 287, thence along U.S. Highway 287 to junction U.S. Highway 34, thence along U.S. Highway 34 to junction U.S. Highway 40, thence along U.S. Highway 40 to junction U.S. Highway 6, thence along U.S. Highway 6 to junction Colorado Highway 13, thence along Colorado Highway 13 to junction Colorado Highway 64, thence along Colorado Highway 64 to junction U.S. Highway 40, thence along U.S. Highway 40 to the Colorado-Utah State line, to points in that part of Utah on and south of a line beginning at the Utah-Colorado State line extending along U.S. Highway 40 to junction Interstate Highway 80, thence along Interstate Highway 80 to junction Interstate Highway 80N, thence along Interstate Highway 80N to junction U.S. Highway 91, thence along U.S. Highway 91 to junction Interstate Highway 80, thence along Interstate Highway 80 to the Utah-Ne-

vada State line, to points in that part of Nevada on and south of a line beginning at the Utah-Nevada State line extending along U.S. Highway 50 to junction Nevada Highway 51, thence along Nevada Highway 51 to junction U.S. Highway 40, thence along U.S. Highway 40 to junction U.S. Highway 95, thence along U.S. Highway 95 to junction Nevada Highway 140, thence along Nevada Highway 140 to the Nevada-Oregon State line, to points in that part of Oregon on and southwest of a line beginning at the Nevada-Oregon State line extending along Oregon Highway 140 to junction U.S. Highway 97, thence along U.S. Highway 97 to junction Oregon Highway 62, thence along Oregon Highway 62 to junction Oregon Highway 227, thence along Oregon Highway 227 to junction Oregon Highway 99, thence along Oregon Highway 99 to junction Oregon Highway 138, thence along Oregon Highway 138 to junction Oregon Highway 38, thence along Oregon Highway 38 to Reedsport, Oreg., to points in that part of Wisconsin on and south of a line beginning at the Minnesota-Wisconsin State line extending along Wisconsin Highway 77 to junction Wisconsin Highway 13, thence along Wisconsin Highway 13 to junction Wisconsin Highway 70, thence along Wisconsin Highway 70 to junction U.S. Highway 45, thence along U.S. Highway 45 to the Wisconsin-Michigan State line, and to points in that part of Upper Peninsula of Michigan on and east of a line beginning at the Wisconsin-Michigan State line extending along U.S. Highway 45 to junction U.S. Highway 2, thence along U.S. Highway 2 to junction Michigan Highway 64, thence along Michigan Highway 64 to Silver City, Mich., restricted against the transportation to points in Maine, New Hampshire, Rhode Island, and Vermont of agricultural implements and machinery as defined in Appendix XII to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 292. The purpose of this filing is to eliminate the gateway of Minneapolis, Minn.

No. MC 114211 (Sub-No. E1061), filed July 3, 1974. Applicant: WARREN TRANSPORT, INC., P.O. Box 420, Waterloo, Iowa 50704. Applicant's representative: Kenneth R. Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Tractors* (except those with vehicle beds, bed frames and fifth wheels), *equipment* designed for use in conjunction with tractors, and *attachments* for the above-described commodities in mixed loads with such commodities, from Barnesville, Minn., to points in that part of North Dakota on and west of a line beginning at the North Dakota-Minnesota State line extending along Interstate Highway 94 to junction North Dakota Highway 38, thence along North Dakota Highway 38 to junction North Dakota Highway 46, thence along North Dakota Highway 46 to junction North Dakota Highway 32, thence along North Dakota Highway 32 to the North Dakota-South Dakota State line, and to points in Maine, Vermont, New Hampshire, Massachusetts, Rhode Island, Connecticut, New Jersey, Delaware, Maryland, the District of Columbia, Virginia, North Carolina, South Carolina, Georgia, Florida, Alabama, Tennessee, Kentucky, West Virginia, Ohio, Pennsylvania, New York, Indiana, Michigan, Wisconsin, Illinois, Mississippi, Louisiana, Arkansas, Missouri, Oklahoma, Texas, New Mexico, Wyoming, Montana, Idaho, Utah, Arizona, California, Nevada, Oregon, and Washington. The purpose of this filing is to eliminate the gateway of Minneapolis, Minn.

No. MC 114211 (Sub-No. E1065), filed July 3, 1974. Applicant: WARREN TRANSPORT, INC., P.O. Box 420, Waterloo, Iowa 50704. Applicant's representative: Kenneth R. Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Farm tractors* (except those with vehicle beds, bed frames and fifth wheels), *equipment* designed for use in conjunction with tractors, and *parts* thereof, from Thief River Falls, Minn., to points in that part of Montana on and south of a line beginning at the United States-Canada Boundary line extending along County Highway 247 to junction Montana Highway 24, thence along Montana Highway 24 to junction Montana Highway 200, thence along Montana Highway 200 to junction Montana Highway 200S, thence along Montana Highway 200S to junction Interstate Highway 94, thence along Interstate Highway 94 to the Montana-South Dakota State line, points in that part of Wisconsin on and south of a line beginning at the Minnesota-Wisconsin State line extending along U.S. Highway 12 to junction Wisconsin Highway 29, thence along Wisconsin Highway 29 to junction Wisconsin Highway 52, thence along Wisconsin Highway 52 to junction U.S. Highway 45, thence along U.S. Highway 45 to junction Wisconsin Highway 64, thence along Wisconsin Highway 64 to the Michigan-Wisconsin State line, to points in that part of the Upper Peninsula of Michigan on, east, and south of a line beginning at Marquette, Mich., extending along U.S. Highway 41 to the Michigan-Wisconsin State line, and to points in Maine, Vermont, New Hampshire, Massachusetts, Rhode Island, Connecticut, New Jersey, Delaware, Maryland, the District of Columbia, Virginia, North Carolina, South Carolina, Georgia, Florida, Alabama, Tennessee, Kentucky, West Virginia, Ohio, New York, Pennsylvania, Indiana, Illinois, Michigan, Missouri, Arkansas, Louisiana, Texas, Oklahoma, Kansas, Nebraska, South Dakota, Wyoming, Colorado, New Mexico, Arizona, Utah, Idaho, Nevada, Washington, Oregon, and California. The purpose of this filing is to eliminate the gateway of Fargo, N. Dak.

No. MC 114211 (Sub-No. E1070), filed July 3, 1974. Applicant: WARREN TRANSPORT, INC., P.O. Box 420, Waterloo, Iowa 50704. Applicant's representative: Kenneth R. Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Farm machinery* and *parts* thereof (except commodities the transportation of which because of size or weight requires the use of special equipment), from Green Isle, Minn., to points in Louisiana and to points in that part of California on and south of a line beginning at San Luis Obispo, California extending along U.S. Highway 101 to junction California Highway 58, thence along California Highway 58, to junction U.S. Highway 66, thence along U.S. Highway 66 to Arizona-California State line, and to points in that part of Arizona on and south of a line beginning at the California-Arizona State line extending along U.S. Highway 66 to the Arizona-New Mexico on and south of a line beginning at the Arizona-New Mexico State line extending along U.S. Highway 66 to junction New Mexico Highway 52, thence along New Mexico Highway 52, the junction U.S. Highway 85, thence along U.S. Highway 85, to junction U.S. Highway 380, thence along U.S. Highway 380 to junction U.S. Highway 70, thence along U.S. Highway 70 to the Texas-New Mexico State line, to points in that part of Arkansas on and south of a line beginning at the Oklahoma-Arkansas State line extending along Interstate Highway 40 to junction U.S. Highway 71, thence along U.S. Highway 71, to junction U.S. Highway 270, thence along U.S. Highway 270, to junction Arkansas Highway 9, thence along Arkansas Highway 9, to junction Arkansas Highway 8, thence along Arkansas Highway 8, to junction U.S. Highway 167, thence along U.S. Highway 167, to junction U.S. Highway 82, thence along U.S. Highway 82 to the Arkansas-Mississippi State line, and to points in that part of Mississippi on and south of a line beginning at the Mississippi-Arkansas State line extending along Mississippi Highway 454 to junction U.S. Highway 80, thence along U.S. Highway 80, to junction U.S. Highway 49, thence along U.S. Highway 49, to junction U.S. Highway 98, thence along U.S. Highway 98, to junction Mississippi Highway 63, thence along Mississippi Highway 63 to Pascagoula, Miss. The purpose of this filing is to eliminate the gateway of Beatrice and Nebraska City, Nebr., Claremore, Okla., and points in Iowa.

No. MC 114211 (Sub-No. E1071), filed July 3, 1974. Applicant: WARREN TRANSPORT, INC., P.O. Box 420, Waterloo, Iowa 50704. Applicant's representative: Kenneth R. Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Road building equipment* (except commodities which because of size or weight require the use of special equipment and except commodities described in Mercer Extension—Oil Field Commodities, 74 M.C.C. 459), from Thief River Fall, Minn., to points in Louisiana, Florida, and to points in that part of Oklahoma on and southeast of a line beginning at the

Kansas-Oklahoma State line extending along U.S. Highway 281 to junction Oklahoma Highway 15, thence along Oklahoma Highway 15, to junction U.S. Highway 283, thence along U.S. Highway 283, to junction U.S. Highway 60, thence along U.S. Highway 60 to the Oklahoma-Texas State line, to points in that part of New Mexico on and south of a line beginning at the Texas-New Mexico State line extending along U.S. Highway 66 to junction New Mexico Highway 104, thence along New Mexico Highway 104, to junction U.S. Highway 85, thence along U.S. Highway 85, to junction U.S. Highway 66, thence along U.S. Highway 66 to the New Mexico-Arizona State line, to points in that part of Arizona on and south of a line beginning at the New Mexico-Arizona State line extending along U.S. Highway 66 to the Arizona-California State line, to points in that part of California on and south of a line beginning at the Arizona-California State line extending along U.S. Highway 95 to junction Interstate Highway 10, thence along Interstate Highway 10, to junction California Highway 74, thence along California Highway 74 to junction Interstate Highway 5, thence along Interstate Highway 5 to Los Angeles, Calif., to points in that part of Arkansas on and south of a line beginning at the Missouri-Arkansas State line extending along Arkansas Highway 5 to junction U.S. Highway 62, thence along U.S. Highway 62, to junction U.S. Highway 63, thence along U.S. Highway 63, to junction U.S. Highway 61, thence along U.S. Highway 61 to the Arkansas-Tennessee State line, to points in that part of Mississippi on and south of a line beginning at the Tennessee-Mississippi State line extending along U.S. Highway 72 to the Mississippi-Alabama State line to points in that part of Tennessee on and southwest of a line beginning at the Arkansas-Tennessee State line extending along U.S. Highway 61 to junction U.S. Highway 72, thence along U.S. Highway 72 to the Tennessee-Mississippi State line, to points in that part of Alabama on and south of a line beginning at the Mississippi-Alabama State line extending along U.S. Highway 72 to junction Alabama Highway 20, thence along Alabama Highway 20, to junction U.S. Highway 31, thence along U.S. Highway 31, to junction Alabama Highway 67, thence along Alabama Highway 67, to junction U.S. Highway 231, thence along U.S. Highway 231, to junction U.S. Highway 278, thence along U.S. Highway 278 to the Alabama-Georgia State line, and to points in that part of Georgia on and south of a line beginning at the Alabama-Georgia State line extending along U.S. Highway 278 to junction Interstate Highway 20, thence along Interstate Highway 20, to junction Georgia Highway 24, thence along Georgia Highway 24, to junction Georgia Highway 21, thence along Georgia Highway 21 to Savannah, Ga. The purpose of this filing is to eliminate the gateway of Claremore, Okla., and points in Kansas.

No. MC 114211 (Sub-No. E1077), filed July 3, 1974. Applicant: WARREN TRANSPORT, INC., P.O. Box 420, Waterloo, Iowa 50704. Applicant's representative: Kenneth R. Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cast iron pressure pipe* and *fittings* and *accessories* therefor when moving with such pipe, from Hughes Springs, Tex., to points in Montana, Wyoming, South Dakota, North Dakota, and to points in that part of Nebraska on and north of a line beginning at the Colorado-Nebraska State line extending along Interstate Highway 80S to junction Interstate Highway 80, thence along Interstate Highway 80 to the Nebraska-Idaho State line, to points in that part of Illinois on and north of a line beginning at the Iowa-Illinois State line extending along Illinois Highway 92 to junction Illinois Highway 2, thence along Illinois Highway 2 to junction U.S. Highway 51, thence along U.S. Highway 51 to the Wisconsin-Illinois State line, and to points in that part of Michigan on and north of a line beginning at Tawas City, Mich. extending along Michigan Highway 55 to junction Michigan Highway 33, thence along Michigan Highway 33 to junction Michigan Highway 72, thence along Michigan Highway 72 to Empire, Mich. The purpose of this filing is to eliminate the gateway of the plant site of Griffin Pipe Products Co., located at or near Council Bluffs, Iowa.

No. MC 114211 (Sub-No. E1078), filed July 3, 1974. Applicant: WARREN TRANSPORT, INC., P.O. Box 420, Waterloo, Iowa 50704. Applicant's representative: Kenneth R. Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cast iron pressure pipe* and *fittings* and *accessories* therefor, when moving with such pipe, from Tyler, Tex., to points in Montana, South Dakota, North Dakota, and to points in that part of Wyoming on and north of a line beginning at the Nebraska-Wyoming State line extending along Interstate Highway 80 to the Wyoming-Utah State line, to points in that part of Nebraska on and north of a line beginning at the Iowa-Nebraska State line extending along Interstate Highway 80 to junction Interstate Highway 80S, thence along Interstate Highway 80S to the Colorado-Nebraska State line, to points in that part of Illinois on and north of a line beginning at the Iowa-Illinois State line extending along Illinois Highway 92 to junction Illinois Highway 2, thence along Illinois 2 to junction U.S. Highway 51, thence along U.S. Highway 51 to the Wisconsin-Illinois State line, and to points in that part of Michigan on and north of a line beginning at Traverse City, Mich., extending along Michigan Highway 72 to junction Highway 33, thence along Michigan Highway 33 to junction Michigan Highway 55, thence along Michigan Highway 55 to Tawas City, Mich. The purpose of this filing is to eliminate the gateway of the plant site of Griffin Pipe Products Co., located at or near Council Bluffs, Iowa.

No. MC 114211 (Sub-No. E1079), filed July 3, 1974. Applicant: WARREN TRANSPORT, INC., P.O. Box 420, Waterloo, Iowa 50704. Applicant's representative: Kenneth R. Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Farm machinery* and *parts* thereof, (except commodities the transportation of which because of size or weight requires the use of special equipment or special handling), from Valley, Nebraska, to points in Iowa, Minnesota, and Illinois. The purpose of this filing is to eliminate the gateway of Omaha, Nebr., and Council Bluffs, Iowa.

No. MC 114211 (Sub-No. E1080), filed July 3, 1974. Applicant: WARREN TRANSPORT, INC., P.O. Box 420, Waterloo, Iowa 50704. Applicant's representative: Kenneth R. Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Road building equipment* (except commodities which because of size or weight require the use of special equipment, and except commodities described in Mercer Extension—Oil Field Commodities, 74 M.C.C. 459), from Durant, Okla., to points in Washington, Oregon, California, Nevada, Idaho, Montana, Wyoming, North Dakota, South Dakota, Iowa, Wisconsin, West Virginia, Virginia, and to points in that part of North Carolina on and east of a line beginning at the Tennessee-North Carolina State line extending along U.S. Highway 70 to junction Interstate Highway 26, thence along Interstate Highway 26 to the North Carolina-South Carolina State line, to points in that part of South Carolina on and east of a line beginning at the North Carolina-South Carolina State line extending along Interstate Highway 26 to Charleston, S.C., to points in that part of Tennessee on and east of a line beginning at the Kentucky-Tennessee State line extending along U.S. Highway 25E to junction U.S. Highway 70, thence along U.S. Highway 70 to the Tennessee-North Carolina State line, to points in that part of Kentucky on and north of a line beginning at the Illinois-Kentucky State line extending along U.S. Highway 45 to junction U.S. Highway 68, thence along U.S. Highway 68 to junction Kentucky Highway 90, thence along Kentucky Highway 90 to junction U.S. Highway 127, thence along U.S. Highway 127 to the Kentucky-Tennessee State line, to points in that part of Kansas on and east of a line beginning at the Oklahoma-Kansas State line extending along U.S. Highway 75 to junction Kansas Highway 57, thence along Kansas Highway 57 to junction Kansas Highway 99, thence along Kansas Highway 99 to junction Kansas Highway 18, thence along Kansas Highway 18 to junction U.S. Highway 24, thence along U.S. Highway 24 to junction U.S. Highway 77, thence along U.S. Highway 77 to the Kansas-Nebraska State line, to points in that part of Nebraska on and north of a line beginning at the Colorado-Nebraska State line extending along Interstate Highway 80 to junction Nebraska Highway 70, thence along Nebraska Highway 70 to junction Nebraska Highway 2, thence along Nebraska Highway 2 to

junction U.S. Highway 281, thence along U.S. Highway 281 to junction U.S. Highway 6, thence along U.S. Highway 6 to junction Nebraska Highway 15, thence along Nebraska Highway 15 to the Nebraska-Kansas State line, to points in that part of Colorado on and north of a line beginning at the Utah-Colorado State line extending along U.S. Highway 6 to junction U.S. Highway 138, thence along U.S. Highway 138 to the Colorado-Nebraska State line, and to points in that part of Utah on and north of a line beginning at the Colorado-Utah State line extending along U.S. Highway 6 to junction Interstate Highway 70, thence along Interstate Highway 70 to junction Utah Highway 4, thence along Utah Highway 4 to junction U.S. Highway 91, thence along U.S. Highway 91 to the Utah-Arizona State line. The purpose of this filing is to eliminate the gateway of Claremore, Okla.

No. MC 114211 (Sub-No. E1081), filed July 3, 1974. Applicant: WARREN TRANSPORT, INC., P.O. Box 420, Waterloo, Iowa 50704. Applicant's representative: Kenneth R. Nelson (same as above). 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 in conjunction with tractors, (3) *attachments* for the above described commodities, and (4) *parts* of the commodities described in (1) through (3) above, in mixed loads with such commodities, from Madison, South Dakota, to points in Washington, Oregon, Vermont, New Hampshire, Maine, Connecticut, Massachusetts, Rhode Island, New Jersey, Delaware, District of Columbia, South Carolina, Virginia, and to points in that part of California on and west of a line beginning at San Diego, Calif., extending along Interstate Highway 15 to junction U.S. Highway 395, thence along U.S. Highway 395 to junction Interstate Highway 10, thence along Interstate Highway 10 to junction U.S. Highway 95, thence along U.S. Highway 95 to junction Interstate Highway 40, thence along Interstate Highway 40 to junction California Highway 58, thence along California Highway 58 to junction U.S. Highway 395, thence along U.S. Highway 395 to the California-Nevada State line, to points in that part of Nevada on and west of a line beginning at the California-Nevada State line extending along U.S. Highway 395 to junction U.S. Highway 40, thence along U.S. Highway 40 to junction U.S. Highway 95, thence along U.S. Highway 95 to the Nevada-Oregon State line, to points in that part of Idaho on and north and west of a line beginning at the Oregon-Idaho State line extending along U.S. Highway 95 to junction Idaho Highway 19, thence along Idaho Highway 19 to junction U.S. Highway 30, thence along U.S. Highway 30 to junction U.S. Highway 26, thence along U.S. Highway 26 to the Idaho-Montana State line, to points in that part of Montana on and northwest of a line beginning at the Idaho-Montana State line extending along Interstate Highway 15 to junction Montana Highway 200, thence along Montana Highway 200 to junction Montana Highway 200S, thence along Montana Highway 200S to junction Interstate Highway 94, thence along Interstate Highway 94 to the Montana-North Dakota State line, to points in that part of North Dakota on and north of a line beginning at the Montana-North Dakota State line extending along Interstate Highway 94 to the North Dakota-Minnesota State line, to points in that part of Minnesota on and north of a line beginning at the North Dakota-Minnesota State line extending along U.S. Highway 10 to junction Minnesota Highway 34, thence along Minnesota Highway 34 to junction U.S. Highway 71, thence along U.S. Highway 71 to the United States-Canada Boundary line, to points in that part of New York on and east of a line beginning at Buffalo, N.Y. extending along U.S. Highway 62 to the New York-Pennsylvania State line, to points in that part of Pennsylvania on and east of a line beginning at the New York-Pennsylvania State line extending along U.S. Highway 62 to junction Pennsylvania Highway 948, thence along Pennsylvania Highway 948 to junction U.S. Highway 219, thence along U.S. Highway 219, thence along U.S. Highway 219 to the Pennsylvania-Maryland State line, to points in that part of Maryland on and east of a line beginning at the Pennsylvania-Maryland State line extending along U.S. Highway 219 to junction U.S. Highway 40, thence along U.S. Highway 40 to junction U.S. Highway 220, thence along U.S. Highway 220 to the Maryland-Virginia State line, to points in that part of Tennessee on and southeast of a line beginning at the Tennessee-Virginia State line extending along U.S. Highway 11W to junction U.S. Highway 129, thence along U.S. Highway 129 to the Tennessee-North Carolina State line, to points in that part of North Carolina on and east of a line beginning at the Tennessee-North Carolina State line extending along U.S. Highway 129 to junction U.S. Highway 19, thence along U.S. Highway 19 to junction U.S. Highway 25, thence along U.S. Highway 25 to the North Carolina-South Carolina State line, to points in that part of Georgia on and southeast of a line beginning at the South Carolina-Georgia State line extending along U.S. Highway 25 to junction Georgia Highway 121, thence along Georgia Highway 212 to junction U.S. Highway 84 thence along U.S. Highway 84 to junction Georgia Highway 31, thence along Georgia Highway 31 to the Georgia-Florida State line, to points in that part of Florida on and east of a line beginning at the Georgia-Florida State line extending along Florida Highway 145 to junction Florida Highway 14, thence along Florida Highway 14 to junction U.S. Highway 221, thence along U.S. Highway 221 to junction Florida Highway 27A to the Gulf of Mexico. The purpose of this filing is to eliminate the gateway of Fargo, North Dakota, and that part of the Fargo, North Dakota, commercial zone located in Moorhead, Minn.

No. MC 114211 (Sub-No. E1082), filed July 3, 1974. Applicant: WARREN TRANSPORT, INC., P.O. Box 420, Waterloo, Iowa 50704. Applicant's representative: Kenneth R. Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Agricultural implements* and *parts* thereof (except those commodities the transportation of which require the use of special equipment or special handling), between Valley, Nebr., on the one hand, and, on the other, points in Colorado, Kansas, and Oklahoma. The purpose of this filing is to eliminate the gateway of Beatrice, Nebr.

No. MC 114211 (Sub-No. E1083), filed July 3, 1974. Applicant: WARREN TRANSPORT, INC., P.O. Box 420, Waterloo, Iowa 50704. Applicant's representative: Kenneth R. Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Farm machinery*, between Armstrong, Iowa, on the one hand, and, on the other, points in Texas restricted against movement to oil field locations. The purpose of this filing is to eliminate the gateway of Beatrice, Nebr.

No. MC 114211 (Sub-No. E1084), filed July 3, 1974. Applicant: WARREN TRANSPORT, INC., P.O. Box 420, Waterloo, Iowa 50704. Applicant's representative: Kenneth R. Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Self-Propelled agricultural implements* and *parts* for agricultural implements, from Tonkawa, Okla., to points in that part of Wisconsin on and north of a line beginning at the Wisconsin-Minnesota State line extending U.S. Highway 16 to junction Wisconsin State Highway 33, thence along Wisconsin State Highway 33 to junction Wisconsin State Highway 68, thence along Wisconsin State Highway 68 to junction U.S. Highway 151, thence along U.S. Highway 151 to junction Wisconsin State Highway 23, thence along Wisconsin State Highway 23 to Sheboygan, Wis., and to points in that part of North Dakota on and northeast of a line beginning at the United States-Canada Boundary line extending along North Dakota State Highway 81, thence along U.S. Highway 81 to junction U.S. Highway 10, thence along U.S. Highway 10 to the North Dakota-Minnesota State line, and to points in the Upper Peninsula of Michigan restricted against movement to oil field locations. The purpose of this filing is to eliminate the gateway of Beatrice, Nebr., and Minneapolis, Minn.

No. MC 114211 (Sub-No. E1088), filed July 3, 1974. Applicant: WARREN TRANSPORT, INC., P.O. Box 420, Waterloo, Iowa 50704. Applicant's representative: Kenneth R. Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Self-propelled farm machinery* and *parts* thereof, (except commodities the transportation of which because of size or weight re-

quires the use of special equipment), from Mitchell, S. Dak., to points in Florida, Alabama, Georgia, South Carolina, North Carolina, West Virginia, Ohio, Michigan, and to points in that part of Mississippi on and east of a line beginning at the Tennessee-Mississippi State line extending along U.S. Highway 45 to junction Mississippi Highway 4, thence along Mississippi Highway 4 to junction Mississippi Highway 25, thence along Mississippi Highway 25 to junction U.S. Highway 45, thence along U.S. Highway 45 to junction Mississippi Highway 63, thence along Mississippi Highway 63 to junction U.S. Highway 90, thence along U.S. Highway 90 to Gulfport, Miss., to points in that part of Kentucky on and east of a line beginning at the Kentucky-Indiana State line extending along U.S. Highway 231 to junction U.S. Highway 68, thence along U.S. Highway 68 to junction U.S. Highway 41, thence along U.S. Highway 41 to the Kentucky-Tennessee State line, to points in that part of Tennessee on and east of a line beginning at the Kentucky-Tennessee State line extending along U.S. Highway 41 to junction Tennessee Highway 13, thence along Tennessee Highway 13 to junction U.S. Highway 70, thence along U.S. Highway 70 to junction Tennessee Highway 22, thence along Tennessee Highway 22 to junction U.S. Highway 64, thence along U.S. Highway 64 to junction U.S. Highway 45, thence along U.S. Highway 45 to the Tennessee-Mississippi State line, to points in that part of Indiana on and northeast of a line beginning at the Indiana-Illinois State line extending along U.S. Highway 52 to junction Interstate Highway 65, thence along Interstate Highway 65 to junction U.S. Highway 50, thence along U.S. Highway 50 to junction U.S. Highway 231, thence along U.S. Highway 231 to the Indiana-Kentucky State line, to points in that part of Illinois on and east of a line beginning at the Wisconsin-Illinois State line extending along U.S. Highway 14 to junction Illinois Highway 59, thence along Illinois Highway 59 to junction U.S. Highway 52, thence along U.S. Highway 52 to the Illinois-Indiana State line, to points in that part of Wisconsin on the east of a line beginning at the Minnesota-Wisconsin State line extending along Wisconsin Highway 35 to junction U.S. Highway 8, thence along U.S. Highway 8 to junction U.S. Highway 51, thence along U.S. Highway 51 to the Wisconsin-Illinois State line, and to points in that part of Minnesota on and north of a line beginning at the United States-Canada Boundary line extending along U.S. Highway 71 to junction Minnesota Highway 6 thence along Minnesota Highway 6 to junction Minnesota Highway 38, thence along Minnesota Highway 38 to junction U.S. Highway 2, thence along U.S. Highway 2 to the Minnesota-Wisconsin State line. The purpose of this filing is to eliminate the gateway of Nassau and Minneapolis, Minnesota.

No. MC 114211 (Sub-No. E1089), filed July 3, 1974. Applicant: WARREN TRANSPORT, INC., P.O. Box 420, Waterloo, Iowa 50704. Applicant's representative: Kenneth R. Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Self-propelled tractors, road making machinery* and *contractors' equipment*, from Madison, S. Dak., to pointts in Michigan, Wisconsin, Illinois, Indiana, Ohio, Rhode Island, Vermont, New Hampshire, Maine, Kentucky, West Virginia, Tennessee, North Carolina, South Carolina, Mississippi, Alabama, Georgia, Florida, and to points in that part of Minnesota on and east of a line beginning at the United States-Canada Boundary line extending along U.S. Highway 53 to junction Minnesota Highway 73, thence along Minnesota Highway 73 to junction U.S. Highway 169, thence along U.S. Highway 69 to junction Minnesota Highway 210, thence along Minnesota Highway 210 to junction Minnesota Highway 371, thence along Minnesota Highway 371, to junction U.S. Highway 10, thence along U.S. Highway 10, to junction U.S. Highway 52, thence along U.S. Highway 52 to the Minnesota-Iowa State line, to points in that part of Iowa on and east of a line beginning at the Minnesota-Iowa State line extending along U.S. Highway 52 to junction Iowa Highway 150, thence along Iowa Highway 150, to junction U.S. Highway 218, thence along U.S. Highway 218, to junction U.S. Highway 61, thence along U.S. Highway 61 to points in that part of Missouri on and east of a line beginning at the Iowa-Missouri State line extending along U.S. Highway 61 to junction U.S. Highway 67, thence along U.S. Highway 67 to the Missouri-Arkansas State line, to points in that part of Arkansas on and east of a line beginning at the Missouri-Arkansas State line extending along U.S. Highway 67 to junction U.S. Highway 63, thence along U.S. Highway 63, to junction U.S. Highway 61, thence along U.S. Highway 61 to the Arkansas-Tennessee State line, and to points in that part of Louisiana on and south and east of a line beginning at the Mississippi-Louisiana State line extending along U.S. Highway 80 to junction U.S. Highway 165, thence along U.S. 165, to junction U.S. Highway along U.S. Highway 90 to Houma, La. The purpose of this filing is to eliminate the gateway of Minneapolis, Minn.

No. MC 114211 (Sub-No. E1090), filed July 3, 1974. Applicant: WARREN TRANSPORT, INC., P.O. Box 420, Waterloo, Iowa 50704. Applicant's representative: Kenneth R. Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Self-propelled road building equipment* from Perry Okla., to points in that part of Wisconsin on and north of a line beginning at the Wisconsin-Minnesota State line extending along U.S. Highway 10 to Manitowoc, Wis. and to points in that part of Minnesota on and north of a line beginning at the United States-Canada Boundary line extending along U.S. Highway 75 to junction Minnesota 175, thence along Minnesota 175 to junction U.S. 59, thence along U.S. Highway 59 to junction U.S. Highway 2, thence along U.S. Highway 2, to junction U.S. Highway 71, thence along U.S. Highway 71 to junction U.S. Highway 10, thence along U.S. Highway 10 to the Minnesota-Wisconsin State line and to points in the Upper Peninsula of Michigan. The purpose of this filing is to eliminate the gateway of points of Kansas and Minneapolis, Minn.

No. MC 114211 (Sub-No. E1093), filed July 3, 1974. Applicant: WARREN TRANSPORT, INC., P.O. Box 420, Waterloo, Iowa 50704. Applicant's representative: Kenneth R. Nelson (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Agricultural machinery* and *implements* (except commodities the transportation of which, because of size or weight, requires the use of special equipment or special handling) between Madison, S. Dak., on the one hand, and, on the other, points in Kansas, Oklahoma, points in that part of Colorado on and south of a line beginning at the Colorado-Kansas State line extending along U.S. Highway 36 to junction Interstate Highway 70, thence along Interstate Highway 70 to the Colorado-Utah State line. The purpose of this filing is to eliminate the gateway of Beatrice, Nebr.

No. MC 117344 (Sub-No. E47), filed May 21, 1974. Applicant: THE MAXWELL CO., 10380 Evendale Drive, Cincinnati, Ohio 45215. Applicant's representative: Thomas L. Maxwell (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Liquid blue and synthetic liquid resins*, in bulk, in tank vehicles, from Cincinnati, Ohio, to points in Alabama, Arkansas, Georgia, Illinois, Indiana, Michigan, Mississippi, South Carolina, Tennessee, Texas, and Wisconsin; (2) *Liquid glue*, in bulk, in tank vehicles, from Cincinnati, Ohio, to points in North Carolina and Virginia; and (3) *Synthetic liquid resins*, in bulk, in tank vehicles, from Cincinnati, Ohio, to points in Pennsylvania (except points in Allegheny, Butler, Chester, Delaware, Franklin, Mercer, Philadelphia, Beaver, Cambia, Dauphin, Fayette, McKean, Montgomery, Schuylkill, and Venango Counties), and those in West Virginia (except points in Brooke, Hancock, Monongalia, Hampshire, Kanawha, Ohio, Marion, Marshall, Pleasants, and Wetzel Counties). The purpose of this filing is to eliminate the gateway of Taylorsport, Ky.

No. MC 117344 (Sub-No. E48), filed May 19, 1974. Applicant: THE MAXWELL CO., 10380 Evendale Drive, Cincinnati, Ohio 45215. Applicant's representative: Thomas L. Maxwell (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Benzol, Benzine, Toluol* and *Xylol*, in bulk, in tank vehicles, from Middletown, Ohio to points in Illinois (except points in the St. Louis, Mo.-East St. Louis, Ill. Commercial Zone as defined by the Commission), points in Kentucky on and west of a line beginning at Louisville, Ky. and extending south along U.S. Route 31E to Hodgenville, thence south along State Route

61 to Columbia, thence east along State Route 80 to Russell Springs, thence south along U.S. Route 127 to the Kentucky-Tennessee State line, points in Tennessee on and west of U.S. Route 127, and points in Wisconsin. The purpose of this filing is to eliminate the gateway of Jackson County, Ind.

No. MC 117344 (Sub-No. E51), filed May 19, 1974. Applicant: THE MAXWELL CO., 10380 Evendale Drive, Cincinnati, Ohio 45215. Applicant's representative: Thomas L. Maxwell (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Phenol, Alkylbenzine* and *Resin Sizing*, in bulk, in tank vehicles, from Addyston, Ohio to points in Illinois (except points in the St. Louis, Mo.-East St. Louis, Ill. Commercial Zone, as defined by the Commission), the Upper Peninsula of Michigan, those in the Lower Peninsula of Michigan on and west of a line beginning at the Michigan-Indiana boundary and extending north along U.S. Route 131 to its junction with U.S. Route 31, thence along U.S. Highway 31 to Mackinaw City (except Grand Rapids, Michigan, and points in its Commercial Zone as defined by the Commission), those in Tennessee on and west of U. S. Highway 127, and Wisconsin. The purpose of this filing is to eliminate the gateway of Jackson County, Ind.

No. MC 117344 (Sub-No. E76), filed May 19, 1974. Applicant: THE MAXWELL COMPANY, 10380 Evendale Drive, Cincinnati, Ohio 45215. Applicant's representative: Thomas L. Maxwell (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Aluminum sulphate and rosin sizing*, in bulk, in tank vehicles, from points in Butler County, Ohio to points in Illinois (except points in the St. Louis, Mo.-East St. Louis, Ill., Commercial Zone as defined by the Commission); points in Tennessee on and west of U.S. Highway 127, and points in Wisconsin. The purpose of this filing is to eliminate the gateway of Jackson County, Ind.

No. MC 117574 (Sub-No. E7), filed May 31, 1974. Applicant: DAILY EXPRESS, INC., P.O. Box 39, Carlisle, Pa. 17013. Applicant's representative: E. S. Moore, Jr., (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Such commodities as by reason of their size or weight* require the use of special equipment except machinery, equipment, materials and supplies used in, or in connection with, the construction, operations, repair, servicing, maintenance and dismantling of pipelines, between points in Florida and Georgia, on the one hand, and, on the other, points in the Pennsylvania Counties of Bucks, Chester, Delaware, Berks, Montgomery, Philadelphia, Lehigh, Schuylkill, Carbon, Monroe, Northampton, Pike, and Wayne, and those points in Susquehanna, Wyoming, Lackawanna, Luzerne, Columbia, Montour, and Northumberland, on and east of U.S. Highway 11 (Danville, Pa.*); (2) *such commodities as by reason of their size or weight* require the use of special equipment except machinery, equipment, materials and supplies used in, or in connection with, the construction, operations, repair, servicing, maintenance and dismantling of pipelines, between points in South Carolina, on the one hand, and, on the other, points in Pennsylvania on and east of U.S. Highway 11 in the Counties of Susquehanna, Wyoming, Lackawanna, Luzerne, Columbia, Montour, and Northumberland, all points in the Pennsylvania Counties of Carbon, Wayne, Pike, Monroe, Schuylkill, Northampton, and Lehigh, and those in Berks, Bucks and Montgomery Counties lying north of a line drawn along U.S. Highway 422 from the Berks-Lebanon County line to its intersection with U.S. Highway 202 and thence along U.S. Highway 202 to the Pennsylvania-New Jersey State line (Danville, Pa.*); (3) *commodities*, which because of size or weight require the use of special equipment or special handling, (except boats), between points in the Pennsylvania Counties of Bucks, Berks, Philadelphia, Montgomery, Chester, Delaware, Lehigh, Northampton, Carbon, Schuylkill, Monroe, Pike, Wayne, and those points on and east of U.S. Highway 11 in the Counties of Susquehanna, Wyoming, Lackawanna, Luzerne, Columbia, Montour, and Northumberland, on the one hand, and, on the other, points in North Carolina and those in the District of Columbia, Maryland, and Virginia, west of the Susquehanna River and the Chesapeake Bay (Wakefield, Pa.*); (4) *heavy machinery*, building and contractors' equipment, materials and supplies which because of size or weight require the use of special equipment or special handling, between points in Pennsylvania on and north of U.S. Highway 30, on the one hand, and, on the other, points in Delaware, those in Maryland on and east of a line beginning at the Pennsylvania-Maryland State line and extending along Interstate Highway 83 to junction Interstate Highway 695, thence along Interstate Highway 695 to junction Maryland Highway 3, thence along Maryland Highway 3 to junction U.S. Highway 301, thence along U.S. Highway 301 to the Maryland-Virginia State line, and points in Virginia on and east of U.S. Highway 301 and U.S. Highway 17, through Norfolk, to the North Carolina-Virginia State line, and those points in North Carolina on and east of U.S. Highway 15 (25 miles radius of Baltimore, Md.,* and Shrewsbury, Pa.*); (5) *heavy machinery*, building and contractors' equipment, materials and supplies which because of size or weight require the use of special equipment or special handling, between points in Connecticut, Massachusetts, Rhode Island, New Jersey, and those points in New York on and south of a line beginning at the Pennsylvania-New York State line at Port Jervis, N.Y., along U.S. Highway 209 to junction U.S. Highway 44, thence along U.S. Highway 44 to the Massachusetts-New York State line, on the one hand, and, on the other, points in Pennsylvania on and south of a line from the Ohio-Pennsylvania State line in an easterly direction along U.S. Highway 422 to its junction with U.S. Highway 22 at Ebensburg, Pa., thence along U.S. Highway 22 to U.S. Highway 11/15 at Amity Hall, Pa., thence along U.S. Highway 15 to the Pennsylvania-Maryland State line (Shrewsbury, Pa.*); (6) *heavy machinery*, building and contractors' equipment, materials and supplies which because of size or weight require the use of special equipment or special handling, between points in New York City, Staten Island, and Long Island, N.Y., and those in New Jersey on and south of U.S. Highway 46, on the one hand, and, on the other, those in Pennsylvania in an area bounded on the west by the Ohio-Pennsylvania State line, thence along the shore of Lake Erie, thence along the New York-Pennsylvania State line to U.S. Highway 219, thence along U.S. Highway 219 to junction U.S. Highway 322, thence along U.S. Highway 322 to junction U.S. Highway 220, thence along U.S. Highway 220 to junction U.S. Highway 22, thence along U.S. Highway 22 to junction U.S. Highway 422, thence along U.S. Highway 422 to the point of beginning at the Pennsylvania-Ohio State line (Shrewsbury, Pa.*); (7) *commodities*, which because of size or weight require the use of special equipment or special handling, between points in New York on, north and west of a line beginning at the Pennsylvania-New York State line at Corbettsville, N.Y., and thence along New York Highway 7 to junction U.S. Highway 9, through Glens Falls, N.Y., thence along U.S. Highway 4 to the Vermont-New York State line, on the one hand, and, on the other, all points in the Pennsylvania Counties of Luzerne, Carbon, Northampton, Monroe, Schuylkill, Berks, Lehigh, Bucks, Montgomery, Delaware, Chester, and Philadelphia, and those in Montour, Northumberland, and Columbia Counties, Pa., on and south of U.S. Highway 11 (Scranton, Williamsport and Bloomsburg, Pa.*). The purpose of this filing is to eliminate the gateways indicated by the asterisks above.

By the Commission.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.75-5846 Filed 3-4-75;8:45 am]

FILING OF MOTOR CARRIER INTRASTATE APPLICATIONS

FEBRUARY 28, 1975.

The following applications for motor common carrier authority to operate in intrastate commerce seek concurrent motor carrier authorization in interstate or foreign commerce within the limits of the intrastate authority sought, pursuant to section 206(a)(6) of the Interstate Commerce Act, as amended October 15, 1962. These applications are governed by § 1.245 of the Commission's Rules of Practice, published in the FEDERAL REGISTER, issue of April 11, 1963, page 3533, which provides, among other things, that protests and requests for information concerning the time and place of State Commission hearings or

other proceedings, any subsequent changes therein, any other related matters shall be directed to the State Commission with which the application is filed and shall not be addressed to or filed with the Interstate Commerce Commission.

Alaska Docket No. 75–18 MF/O, filed January 21, 1975. Applicant: CLEVELAND TRUCKING, 8277 Spring Street, Anchorage, Alaska 99502. Certificate of Public Convenience and Necessity sought to operate a freight service as follows: Machinery, equipment, materials and supplies used in or in connection with the discovery, development, production, refining, manufacturing, processing, storage, transmission, and distribution of natural gas, oil and petroleum and their products and by-products; machinery, equipment, materials and supplies used in or in connection with the construction on, operation, repair, servicing, maintenance and dismantling of pipelines, including the stringing and picking up thereof; building and construction, machinery, materials, equipment and supplies, between all points and places in Alaska, except Zones 1 and 8. Intrastate, interstate, and foreign commerce authority sought.

HEARING: Date, time and place not yet fixed. Requests for procedural information should be addressed to the Alaska Transportation Commission, 1000 MacKay Building, 338 Denali Street, Anchorage, Alaska 99501 and should not be directed to the Interstate Commerce Commission.

California Docket No. A 55483, filed February 6, 1975. Applicant: ROBERT E. SMITH, doing business as ALCAL MAIL SERVICE, 4365 Evelyn Court, Pleasanton, Calif. 94566. Applicant's representative: Edward J. Hegarty, 100 Bush St., 21st Flr., San Francisco, Calif. 94104. Certificate of Public Convenience and Necessity sought to operate a freight service as follows: General commodities (except as hereinafter provided): Between all points and places in and within 10 miles of the boundaries of the San Francisco Territory as follows: San Francisco Territory includes all the City of San Jose and that area embraced by the following boundary: Beginning at the point the San Francisco-San Mateo County line meets the Pacific Ocean; thence easterly along said County Line to a point 1 mile west of State Highway 82; southerly along an imaginary line 1 mile west of and paralleling State Highway 82 to its intersection with Southern Pacific Company right-of-way at Arastradero Road; southeasterly along the Southern Pacific Company right-of-way to Pollard Road, including industries served by the Southern Pacific Company spur line extending approximately 2 miles southwest from Simla to Permanente; easterly along Pollard Road to W. Parr Avenue; easterly along W. Parr Avenue to Capri Drive; southerly along Capri Drive to Division Street; easterly along Division Street to the Southern Pacific Company right-of-way; southerly along the Southern Pacific right-of-way to the Campbell-Los Gatos City Limits; easterly along said limits and the prolongation thereof to South Bascom Avenue (formerly San Jose-Los Gatos Road); northeasterly along South Bascom Avenue to Foxworthy Avenue; easterly along Foxworthy Avenue to Almaden Road; southerly along Almaden Road to Hillsdale Avenue.

Easterly along Hillsdale Avenue to State Highway 82; northwesterly along State Highway 82 to Tully Road; northeasterly along Tully Road and the prolongation thereof to White Road; northwesterly along White Road to McKee Road; southwesterly along McKee Road to Capitol Avenue; northwesterly along Capitol Avenue to State Highway 238 (Oakland Road); northerly along State Highway 238 to Warm Springs; northerly along State Highway 238 (Mission Blvd.) via Mission San Jose and Niles to Hayward; northerly along Foothill Blvd. and MacArthur Blvd. to Seminary Avenue; easterly along Seminary Avenue to Mountain Blvd.; northerly along Mountain Blvd. to Warren Blvd. (State Highway 13); northerly along Warren Blvd. to Broadway Terrace; westerly along Broadway Terrace to College Avenue; northerly along College Avenue to Dwight Way; easterly along Dwight Way to the Berkeley-Oakland Boundary Line; northerly along said boundary line to the campus boundary of the University of California; westerly, northerly and easterly along the campus boundary to Euclid Avenue; northerly along Euclid Avenue to Marin Avenue; westerly along Marin Avenue to Arlington Avenue; northerly along Arlington Avenue to San Pablo Avenue (State Highway 123); northerly along San Pablo Avenue to and including the City of Richmond to Point Richmond; southerly along an imaginary line from Point Richmond to the San Francisco waterfront at the foot of Market Street; westerly along said waterfront and shoreline to the Pacific Ocean; southerly along the shoreline of the Pacific Ocean to point of beginning.

Except that applicant shall not transport any shipments of: 1. Used household goods and personal effects not packed in accordance with the crated property requirements set forth in paragraph (d) of Item No. 10–C of Minimum Rate Tariff No. 4–A. 2. Automobiles, trucks and buses, viz.: new and used, finished or unfinished passenger automobiles (including jeeps), ambulances, hearses and taxis; freight automobile chassis, trucks, truck chassis, truck trailers, trucks and trailers combined, buses and bus chassis. 3. Livestock, viz.: bucks, bulls, calves, cattle, cows, dairy cattle, ewes, goats, hogs, horses, kids, lambs, oxen, pigs, sheep, sheep camp outfits, sows, steers, stags or swine. 4. Liquids, compressed gases, commodities in semi-plastic form and commodities in suspension in liquids in bulk, in tank trucks, tank trailers, tank semi-trailers, or a combination of such highway vehicles. 5. Commodities when transported in bulk in dump trucks or in hopper-type trucks. 6. Commodities when transported in motor vehicles equipped for mechanical mixing in transit. 7. Cement. 8. Logs. 9. Commodities of unusual or extraordinary value. 10. Fresh Fruits and Vegetables. Intrastate, interstate and foreign commerce authority sought. HEARING: Date, time and place not yet fixed. Requests for procedural information should be addressed to the California Public Utilities Commission, California State Building, 350 McAllister Street, San Francisco, Calif. 94102 and should *not* be directed to the Interstate Commerce Commission.

California Docket No. A 55486, filed February 7, 1975. Applicant: H. R. McDONALD, doing business as R & S DRAYAGE, 760 Dolores Avenue, San Leandro, Calif. 94577. Applicant's representative: Daniel W. Baker, 100 Pine Street, San Francisco, Calif. 94111. Certificate of Public Convenience and Necessity sought to operate a freight service as follows: General commodities, except the following: (a) Used household goods and personal effects not packed in accordance with the crated property requirements; (b) Livestock; (c) Liquids, compressed gases, commodities in semi-plastic form and commodities in suspension in liquids in bulk, in tank trucks, tank trailers, tank semi-trailers or a combination of such highway vehicles; (d) Commodities when transported in bulk in dump trucks or in hopper-type trucks; (e) Commodities when transported in motor vehicles equipped for mechanical mixing in transit; (f) Logs; (g) Fresh fruits and vegetables; (h) Automobiles, trucks, and buses.

Between all points and places in the San Francisco Territory as described hereafter, and all points within ten miles of any point therein. In performing the service herein authorized, applicant may make use of any and all streets, roads, highways and bridges necessary or convenient for the performance of said service. San Francisco Territory includes all the City of San Jose and that area embraced by the following boundary: Beginning at the point the San Francisco-San Mateo County Boundary Line meets the Pacific Ocean; thence easterly along said boundary line to a point 1 mile west of U.S. Highway 101; southerly along an imaginary line 1 mile west of and paralleling U.S. Highway 101 to its intersection with Southern Pacific Company right of way at Arastradero Road; southeasterly along the Southern Pacific Company right of way to Pollard Road, including industries served by the Southern Pacific Company spur line extending approximately 2 miles southwest from Simla to Permanente; easterly along Pollard Road to W. Parr Avenue; easterly along W. Parr Avenue to Capri Drive; southerly along Capri Drive to E. Parr Avenue; easterly along E. Parr Avenue to the Southern Pacific Company right of way; southerly along the Southern Pacific Company right of way to the Campbell-Los Gatos city limits; easterly along said limits and the prolongation thereof to the San Jose-Los Gatos Road.

Northeasterly along San Jose-Los Gatos Road to Foxworthy Avenue; easterly along Foxworthy Avenue to Almaden Road; southerly along Almaden Road to

Hillsdale Avenue; easterly along Hillsdale Avenue to U.S. Highway 101; northwesterly along U.S. Highway 101 to Tully Road; northeasterly along Tully Road to White Road; northwesterly along White Road to McKee Road; southwesterly along McKee Road to Capitol Avenue; northwesterly along Capitol Avenue to State Highway 17 (Oakland Road); northerly along State Highway 17 to Warm Springs; northerly along the unnumbered highway via Mission San Jose and Niles to Hayward; northerly along Foothill Boulevard to Seminary Avenue; easterly along Seminary Avenue to Mountain Boulevard; northerly along Mountain Boulevard and Moraga Avenue to Estates Drive; westerly along Estates Drive, Harbord Drive and Broadway Terrace to College Avenue; northerly along College Avenue to Dwight Way; easterly along Dwight Way to the Berkeley-Oakland boundary line; northerly along said boundary line to the campus boundary of the University of California; northerly and westerly along the campus boundary of the University of California to Euclid Avenue; northerly along Euclid Avenue to Marin Avenue; westerly along Marin Avenue to Arlington Avenue; northerly along Arlington Avenue to U.S. Highway 40 (San Pablo Avenue); northerly along U.S. Highway 40 to and including the city of Richmond; southwesterly along the highway extending from the city of Richmond to Point Richmond; southerly along an imaginary line from Point Richmond to the San Francisco Waterfront at the foot of Market Street; westerly along said waterfront and shore line to the Pacific Ocean; southerly along the shore line of the Pacific Ocean to point of beginning. Intrastate, interstate and foreign commerce authority sought.

HEARING: Date, time and place not yet fixed. Requests for procedural information should be addressed to the California Public Utilities Commission, California State Building, 350 McAllister Street, San Francisco, Calif. 94102 and should not be directed to the Interstate Commerce Commission.

Texas Docket No. 2047, filed December 16, 1974. Applicant: VICTOR L. LANGE, doing business as LANGE TRUCK LINE, P.O. Box 28, Pleasanton, Tex. 78064. Applicant's representative: Mike Cotten, P.O. Box 1148, Austin, Tex. 78767. Certificate of Public Convenience and Necessity sought to operate a freight service as follows: Transportation of general commodities, over the following regular routes: (1) Between Pleasanton and Floresville, Tex.: From Pleasanton over State Highway 97 to Floresville and return over the same route, serving no intermediate points; (2) Between George West and Beeville, Tex.: From George West over U.S. Highway 59 to Beeville and return over the same route, serving no intermediate points; (3) Between Junction U.S. Highway 281 and State Highway 9 and Junction State Highway 9 and U.S. Highway 59: From Junction U.S. Highway 281 and State Highway 9 over State Highway 9 to Junction State Highway 9 and U.S. Highway 59 and return over the same route, serving no intermediate points, coordinating the proposed service with service rendered under existing authority. Intrastate, interstate and foreign commerce authority sought.

HEARING: Date, time and place not yet fixed. Requests for procedural information should be addressed to the Texas Railroad Commission, Drawer 12967, Capitol Station, Austin, Tex. 78711, and should not be directed to the Interstate Commerce Commission.

By the Commission.

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

[FR Doc.75-5838 Filed 3-4-75;8:45 am]

[Notice 6]

MOTOR CARRIER ALTERNATE ROUTE DEVIATION NOTICES

FEBRUARY 28, 1975.

The following letter-notices of proposals (except as otherwise specifically noted, each applicant states that there will be no significant effect on the quality of the human environment resulting from approval of its application), to operate over deviation routes for operating convenience only have been filed with the Interstate Commerce Commission under the Commission's Revised Deviation Rules-Motor Carriers of Passengers, 1969 (49 CFR 1042.2(c)(9)) and notice thereof to all interested persons is hereby given as provided in such rules (49 CFR 1042.2(c)(9)).

Protests against the use of any proposed deviation route herein described may be filed with the Interstate Commerce Commission in the manner and form provided in such rules (49 CFR 1042.2(c)(9)) at any time, but will not operate to stay commencement of the proposed operations unless filed within 30 days from the date of publication.

Successively filed letter-notices of the same carrier under the Commission's Revised Deviation Rules-Motor Carriers of Property, 1969, will be numbered consecutively for convenience in identification and protests, if any, should refer to such letter-notices by number.

MOTOR CARRIERS OF PASSENGERS

No. MC 1515 (Deviation No. 693), GREYHOUND LINES, INC. (Eastern Division), P.O. Box 6903, 1400 W. Third Street, Cleveland, Ohio 44101, filed February 19, 1975. Carrier proposes to operate as a common carrier, by motor vehicle, of passengers and their baggage, and express and newspapers in the same vehicle with passengers, over deviation routes as follows: From Beckley, W. Va., over West Virginia Highway 3 to junction Interstate Highway 77, thence over Interstate Highway 77 to junction U.S. Highway 21 (southwest of Bland, Va.), with the following access route: (a) From junction Interstate Highway 77 and West Virginia Highway 290 over West Virginia Highway 290 to Bluefield, W. Va., and return over the same routes for operating convenience only. The notice indicates that the carrier is presently authorized to transport passengers and the same property, over a pertinent service route as follows: From Beckley, W. Va., over U.S. Highway 21 via Bluefield, W. Va., to junction Interstate Highway 77 (southwest of Bland, Va.), and return over the same route.

By the Commission.

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

[FR Doc.75-5839 Filed 3-4-75;8:45 am]

[Notice 8]

MOTOR CARRIER ALTERNATE ROUTE DEVIATION NOTICES

FEBRUARY 28, 1975.

The following letter-notices of proposals (except as otherwise specifically noted, each applicant states that there will be no significant effect on the quality of the human environment resulting from approval of its application), to operate over deviation routes for operating convenience only have been filed with the Interstate Commerce Commission under the Commission's Revised Deviation Rules-Motor Carriers of Property, 1969 (49 CFR 1042.4(c)(11)) and notice thereof to all interested persons is hereby given as provided in such rules (49 CFR 1042.4(c)(11)).

Protests against the use of any proposed deviation route herein described may be filed with the Interstate Commerce Commission in the manner and form provided in such rules (49 CFR 1042.4(c)(12)) at any time, but will not operate to stay commencement of the proposed operations unless filed within 30 days from the date of publication.

Successively filed letter-notices of the same carrier under the Commission's Revised Deviation Rules-Motor Carriers of Property, 1969, will be numbered consecutively for convenience in identification and protests, if any, should refer to such letter-notices by number.

MOTOR CARRIERS OF PROPERTY

No. MC 2229 (Deviation No. 22), RED BALL MOTOR FREIGHT, INC., 3177 Irving Blvd., P.O. Box 47407, Dallas, Tex. 75247, filed February 19, 1975. Carrier proposes to operate as a common carrier, by motor vehicle, of general commodities, with certain exceptions, over a deviation route as follows: From Jefferson, Tex., over U.S. Highway 59 to Texarkana, Tex.-Ark., and return over the same route for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities, over a pertinent service route as follows: From Jefferson, Tex., over Texas Highway 49 to Mount Pleasant, Tex., thence over U.S. Highway 67 to Texarkana, Tex.-Ark., and return over the same route.

No. MC 5888 (Deviation No. 5), MID-AMERICAN LINES, INC., 127 West 10th Street, Kansas City, Mo. 64105, filed February 19, 1975. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: From Kansas City, Mo., over

Interstate Highway 70 to junction Interstate Highway 270, thence over Interstate Highway 270 to junction Interstate Highway 70, thence over Interstate Highway 70 to junction U.S. Highway 52, and return over the same route for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities, over a pertinent service route as follows: From Kansas City, Mo., over U.S. Highway 169 to junction U.S. Highway 36, thence over U.S. Highway 36 to junction U.S. Highway 66, thence over U.S. Highway 66 to Chicago, Ill., thence over U.S. Highway 41 to junction U.S. Highway 52, thence over U.S. Highway 52 to junction Interstate Highway 70 and return over the same route.

No. MC 80430 (Deviation No. 14), GATEWAY TRANSPORTATION CO., INC., Executive Offices, La Crosse, Wis. 54601, filed February 19, 1975. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: From Kansas City, Mo., north over Interstate Highway 35 to junction Interstate Highway 80 at Des Moines, Iowa, thence east over Interstate Highway 80 to junction Interstate Highway 55 near Joliet, Ill., thence north over Interstate Highway 55 to Chicago, Ill., and return over the same route for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities, over a pertinent service route as follows: From Kansas City, Mo., over U.S. Highway 24 to Chenoa, Ill., thence over unnumbered highway to junction U.S. Highway 66, thence over U.S. Highway 66 to junction Alternate U.S. Highway 66 (formerly U.S. Highway 66) near Gardner, Ill., thence over Alternate U.S. Highway 66 to junction U.S. Highway 66, thence over U.S. Highway 66 to Chicago, Ill., and return over the same route.

By the Commission.

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

[FR Doc.75-5840 Filed 3-4-75;8:45 am]

[Notice 17]

MOTOR CARRIER APPLICATIONS AND CERTAIN OTHER PROCEEDINGS

FEBRUARY 28, 1975.

The following publications (except as otherwise specifically noted, each applicant (on applications filed after March 27, 1972) states that there will be no significant effect on the quality of the human environment resulting from approval of its application), are governed by the new Special Rule 1100.247 of the Commission's Rules of Practice, published in the FEDERAL REGISTER, issue of December 3, 1963, which became effective January 1, 1964.

Special Notice. The publications hereinafter set forth reflect the scope of the applications as filed by applicant, and may include descriptions, restrictions, or limitations which are not in a form acceptable to the Commission. Authority which ultimately may be granted as a result of the applications here noticed will not necessarily reflect the phraseology set forth in the application as filed, but also will eliminate any restrictions which are not acceptable by the Commission.

No. MC 59223 (Sub-No. 5) (Republication), filed June 17, 1974, and published in the FEDERAL REGISTER issue of August 1, 1974, and republished this issue. Applicant: NEW DEAL DELIVERY SERVICE, INC., 206 West 37th Street, New York, N.Y. 10015. Applicant's representative: Arthur J. Piken, 1 Lefrak City Plaza, Flushing, N.Y. 11368. An Order of the Commission, Operating Rights Board, dated January 22, 1975, and served February 18, 1975, finds that the present and future public convenience and necessity require operation by applicant, in interstate or foreign commerce, as a *common carrier*, by motor vehicle, over irregular routes, of *wearing apparel, accessories, and dry goods*, (1) between points in the New York, N.Y., Commercial Zone as defined in *Commercial Zone and Terminal Areas*, 53 M.C.C. 451, within which local operations may be concluded pursuant to the partial exemption of section 203(b)(8) of the Interstate Act (the "exempt" zone), and Keasby, N.J., on the one hand, and, on the other, Deptford, Toms River and Laurence, N.J., and Springfield, Montgomeryville and King of Prussia, Pa., restricted to the transportation of traffic to or from the facilities of Bamberger's Division of R. H. Macy & Co., Inc., and located at the above specified points and (2) between Cherry Hill, East Brunswick, Livingston, Menlo Park, Eatontown, Morristown, Newark, Bloomfield, Edison, Paramus, Plainfield, Wayne, Deptford, Toms River, and Lawrence, N.J., and Manuet, N.Y., Langhorne, Springfield, Montgomeryville, and King of Prussia, Pa., restricted to the transportation of traffic between the facilities of Bamberger's Division of R. H. Macy & Co., Inc., located at the above specified points; that applicant is fit, willing, and able properly to perform such service and to conform to the requirements of the Interstate Comerce Act and the Commission's rules and regulations thereunder; The purpose of this republication is to more appropriately describe the territorial description. Because it is possible that other parties who have relied upon the notice of the application as published, may have an interest in and would be prejudiced by the lack of proper notice of the authority described above, issuance of a certificate in this proceeding will be withheld for a period of 30 days from the date of this publication of the authority actually granted, during which period any proper party in interest may file an appropriate petition for intervention or other relief in this proceeding setting forth in detail the precise manner in which it has been so prejudiced.

MC 128383 (Sub-No. 59) (Republication), filed July 31, 1974, and published in the FEDERAL REGISTER issue of September 12, 1974, and republished this issue. Applicant: PINTO TRUCKING SERVICE, INC., 1414 Calcon Hook Road, Sharon Hill, Pa. 19079. Applicant's representative: Gerald K. Gimmell, 303 North Frederick Ave., Gaithersburg, Md. 20760. An order of the Commission, Operation Rights Board, dated January 20, 1975, and served February 18, 1975, finds that the present and future public convenience and necessity require operation by applicant in interstate or foreign commerce, as a *common carrier* by motor vehicle, over irregular routes, of *general commodities* (except Class A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), between the Greater Pittsburgh Airport, at or near Pittsburgh, Pa., on the one hand, and, on the other, Philadelphia International Airport, Philadelphia, Pa., Baltimore-Washington International Airport, Anne Arundel County, Md., National Airport, Gravelly Point, Va., and Dulles International Airport, Fairfax and Loudon Counties, Va., restricted to the transportation of traffic having a prior or subsequent movement by air that applicant is fit, willing, and able properly to perform such service and to conform to the requirements of the Interstate Commerce Act and the Commission's rules and regulations thereunder; The purpose of this republication is to omit (except those of unusual value), from the commodity description. Because it is possible that other parties who have relied upon the notice of the application as published, may have an interest in and would be prejudiced by the lack of proper notice of the authority described above, issuance of a Certificate in this proceeding will be withheld for a period of 30 days from the date of this publication of the authority actually granted, during which period any proper party in interest may file an appropriate petition for intervention or other relief in this proceeding setting forth in detail the precise manner in which it has been so prejudiced.

MC 139666 (Sub-No. 2) (Republication), filed April 25, 1974, and published in the FEDERAL REGISTER issue of May 31, 1974, and republished this issue. Applicant: AICRAG CORPORATION, 2721 SW Plum Ct., Portland, Oreg. 97219. Applicant's representative: Frank E. Larwood, 4786 SW Elm Lane, Portland, Oreg. 97221. An order of the Commission, Operating Rights Board, dated January 30, 1975, and served February 19, 1975, finds, that the present and future public convenience and necessity require operation by applicant, in interstate or foreign commerce, as a *common carrier* by motor vehicle, over irregular routes, of *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 Portland International Airport, Oreg., and Seattle-Tacoma International Airport, Wash., restricted to the transportation of traffic having an immediately prior or immediately subsequent movement by air; that applicant is fit,

willing, and able properly to perform such service and to conform to the requirements of the Interstate Commerce Act and the Commission's rules and regulations thereunder. The purpose of this republication is to modify the authority requested from contract route authority, to common route authority; and adding to the exceptions after General commodities (except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, and those requiring special equipment). Because it is possible that other parties who have relied upon the notice of the application as published, may have an interest in and would be prejudiced by the lack of proper notice of the authority described above, issuance of a Certificate in this proceeding will be withheld for a period of 30 days from the date of this publication of the authority actually granted, during which period any proper party in interest may file an appropriate petition for intervention or other relief in this proceeding setting forth in detail the precise manner in which it has been so prejudiced.

No. MC 52709 (Sub-Nos. 91 and 92) (Notice of Filing of Petition for Extension of Explosives Authority), filed February 13, 1975. Petitioner: RINGSBY TRUCK LINES, INC., P.O. Box 192, Littleton, Colo. 80120. Petitioner's representative: Wayne E. Lucore (same address as petitioner). Petitioner holds motor *common carrier* certificates in No. MC 52709 (Sub-Nos. 91 and 92), issued February 4, 1969 and June 5, 1969, respectively, authorizing transportation, over regular routes, in Sub No. 91, of *Classes A and B explosives*, Serving the plant site of the Thikol Chemical Corporation, located near Corinne, Utah, as an off-route point in connection with carrier's regular-route operations, such authority to be of no further force and effect after January 13, 1974; and in Sub-No. 92, of *General commodities* (except those of unusual value, commodities in bulk, those requiring special equipment, livestock, and household goods as defined by the Commission) and *compressed gas* (other than liquefied petroleum gas) in government-owned compressed gas trailers, Serving intercontinental ballistic missile testing and launching sites, and supply points therefor, located (a) in Weld, Washington, Lincoln, Gilpin, Jefferson, Adams, Morgan, Arapahoe, Elbert, Douglas, El Paso, Larimer, Teller, Park, Clear Creek, and Boulder Counties, Colo., as off-route points in connection with carrier's authorized regular-route operations to, from, or through Denver, Colo.; and (b) in Laramie, Platte, and Goshen Counties, Wyo., Weld and Larimer Counties, Colo., and Kimball County, Nebr., in connection with carrier's authorized regular-route operations to, from, or through Cheyenne, Wyo., such authority, to the extent it authorizes the transportation of explosives, to be limited in point of time to a period expiring April 4, 1974. By the instant petition, petition seeks the reinstatement and extension of the explosives authority in the above certificates. Any interested person or persons desiring to participate may file an original and six copies of his written representations, views or arguments in support of or against the petition within 30 days from the date of publication in the FEDERAL REGISTER.

No. MC 105733 (Sub-No. 34) (Notice of Filing of Petition To Modify Territorial Description), filed February 18, 1975. Petitioner: H. R. RITTER TRUCKING CO., INC., 928 East Hazelwood Ave., Rahway, N.J. 07065. Petitioner's representative: Chester A. Zyblut, 1522 K Street NW., Washington, D.C. 20005. Petitioner holds a motor *common carrier* certificate in No. MC 105733 (Sub-No. 34), issued December 23, 1964, authorizing transportation, as pertinent, over irregular routes, of *Liquefied Petroleum Gas*, in bulk, in tank vehicles, from pipeline outlets on the Texas Eastern Transmission Corporation (Little Big Inch Div.) pipeline in Pennsylvania, to points in Delaware, Maryland, Ohio, Virginia, West Virginia and the District of Columbia. By the instant petition, petitioner seeks to add points in New York and New Jersey as destination points in the above territorial description. Any interested person or persons desiring to participate may file an original and six copies of his written representations, views or arguments in support of or against the petition within 30 days from the date of publication in the FEDERAL REGISTER.

No. MC 109397 (Sub-No. 177) (Notice of Filing of Petition To Partially Remove a Restriction), filed February 13, 1975. Petitioner: TRI-STATE MOTOR TRANSIT CO., a corporation, P.O. Box 113, Joplin, Mo. 64801. Petitioner's representative: Max G. Morgan, Suite 223 Ciudad Bldg., Oklahoma City, Okla. 73112. Petitioner holds a motor *common carrier* certificate in No. MC 109397 (Sub-No. 177), issued July 3, 1972, authorizing transportation, over irregular routes, of: (1) *Commodities* bearing a security classification by the United States Government and (2) *weapons, ammunition*, and *drugs* which are designated sensitive by the United States Government, between points in the United States (except Alaska and Hawaii), restricted against the transportation of shipments weighing in the aggregate more than 5,000 pounds from one consignor to one consignee on any one day, such authority to be of no further force and effect after July 3, 1977. By the instant petition, petitioner seeks to delete the application of the restriction of 5,000 pounds insofar as it pertains to the transportation of part (1) *Commodities* bearing a security classification by the United States Government. The restriction would remain applicable to part (2). Any interested person or persons desiring to participate may file an original and six copies of his written representations, views or arguments in support of or against the petition within 30 days from the date of publication in the FEDERAL REGISTER.

No. MC 115353 (Sub-No. 11) (Notice of Filing of Petition To Modify a Territorial Description), filed February 13, 1975. Petitioner: LOUIS J. KENNEDY TRUCKING COMPANY, a corporation, 342 Schuyler Avenue, Kearny, N.J. 07032. Petitioner's representative: Bert Collins, Suite 6193, 5 World Trade Center, New York, N.Y. 10048. Petitioner holds a motor *contract carrier* permit in No. MC-115353 (Sub-No. 11), issued June 24, 1971, authorizing transportation, over irregular routes, of *Building materials, gypsum and gypsum products, paint and paint products, lime* (except liquid in bulk), and *such materials and supplies* as are used in the manufacture, installation and distribution of the aforementioned commodities (except commodities in bulk), between Staten Island and Stony Point, N.Y., and Kearny, N.J., on the one hand, and, on the other, points in Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, Vermont, Virginia, West Virginia, and the District of Columbia, under a continuing contract or contracts with United States Gypsum Company, of Chicago, Ill. By the instant petition, petitioner seeks to modify the territorial description in the above authority by substituting Woodbridge Township (Middlesex County), N.J. for Staten Island, N.Y. Any interested person or persons desiring to participate may file an original and six copies of his written representations, views or arguments in support of or against the petition within 30 days from the date of publication in the FEDERAL REGISTER.

No. MC 118959 (Sub-No. 37) (Notice of Filing of Petition To Modify Territorial Description), filed February 10, 1975. Petitioner: JERRY LIPPS, INC., 130 S. Frederick St., Cape Girardeau, Mo. 63701. Petitioner's representative: William P. Jackson, Jr., 919 Eighteenth Street NW., Washington, D.C. 20006. Petitioner holds a motor *common carrier* certificate in No. MC 118959 (Sub-No. 37), issued August 1, 1972 authorizing transportation, over irregular routes, of (1) *Paper and paper products:* (a) From the plant site and storage facilities utilized by the St. Regis Paper Company, at or near Cantonment, Fla., to Jacksonville, Fla., restricted to foreign commerce only; (b) From the plant site and storage facilities utilized by the St. Regis Paper Company, at or near Cantonment, Fla., to points in Alabama, Arkansas, Arizona, Georgia, Kentucky, Illinois, Indiana, Iowa, Kansas, Louisiana, Mississippi, Michigan, Missouri, Minnesota, North Carolina, New Mexico, New York, Ohio, Pennsylvania, South Carolina, Tennessee, Texas, Virginia, West Virginia, and Wisconsin; and (c) From the plant sites and storage facilities utilized by Hudson Pulp & Paper Corp., in Putnam County, Fla., and Terminal Paper Bag Co., Inc., at Yulee, Fla., to points in Alabama, Arkansas, Arizona, Georgia, Kentucky, Illinois, Indiana, Iowa, Kansas, Louisiana, Mississippi,

Michigan, Missouri, Minnesota, North Carolina, New Mexico, New York, Ohio, Pennsylvania, South Carolina, Tennessee, Texas, Virginia, West Virginia, and Wisconsin; and

(2) *Materials* used in the processing or manufacture of paper products (except commodities in bulk, and those which because of size or weight require special equipment and handling), From points in Alabama, Arkansas, Arizona, Georgia, Kentucky, Illinois, Indiana, Iowa, Kansas, Louisiana, Mississippi, Michigan, Missouri, Minnesota, North Carolina, New Mexico, New York, Ohio, Pennsylvania, South Carolina, Tennessee, Texas, Virginia, West Virginia, and Wisconsin, to the plant sites and storage facilities of Hudson Pulp & Paper Corp., in Putnam County, Fla., and Terminal Paper Bag Co., Inc., at Yulee, Fla., and the plant site and storage facilities utilized by the Knight Paper Company and Crusader Paper Products Manufacturing Company, at Jacksonville, Fla., subject to the right of the Commission, which is hereby expressly reserved, to impose such terms, conditions or limitations in the future as it may find necessary in order to insure that carrier's operations shall conform to the provisions of section 210 of the Act. By the instant petition, petitioner seeks to modify the territorial description in the above authority by adding the plant sites and storage facilities of Central States Diversified, Inc., in Putnam County, Fla. as an origin point (1)(c) above, and as a destination point in (2) above. Any interested person or persons desiring to participate may file an original and six copies of his written representations, views or arguments in support of or against the petition within 30 days from the date of publication in the FEDERAL REGISTER.

No. MC 123075 (Sub-No. 2) (Notice of filing of petition to modify a permit), filed February 10, 1975. Petitioner: SHUPE & YOST, INC., P.O. Box 1123, Greeley, Colo. 80631. Petitioner's representative: Stuart L. Poelman, Seventh Floor, Continental Bank Building, Salt Lake City, Utah 84101. Petitioner holds a motor *contract carrier* permit in No. MC 123075 (Sub-No. 2), issued May 3, 1974, authorizing transportation, over irregular routes, of (1) *Animal and poultry feed* and *animal and poultry feed ingredients and supplements*, From Ault, Colo., to points in those parts of South Dakota, Nebraska, and Kansas located on and west of a line extending along U.S. Highway 83 from the North Dakota-South Dakota State line to Vivian, S. Dak., thence along U.S. Highway 16 to Presho, S. Dak., and thence along U.S. Highway 183 to the Kansas-Oklahoma State line, and to points in Wyoming, under a continuing contract or contracts, with Farmland Industries, Inc, of Kansas City, Mo.; (2) *Animal and poultry feed* and *animal and poultry feed ingredients and supplements* (except liquid feed in tank vehicles), From the sites of the plants or other facilities of Wilgro, Inc., at or near Longmont, Eaton, Fort Morgan, and Rocky Ford, Colo., to points in Kansas, Nebraska, New Mexico, Oklahoma, Texas, and Wyoming, under a continuing contract or contracts, with Wilgro, Inc., of Denver, Colo., restricted against the transportation (1) of alfalfa meal and alfalfa pellets to points in New Mexico and Texas, and (2) of dry chemicals in bulk, to points in Harris, Galveston, Brazoria, Fort Bend, Austin, Waller, Montgomery, Liberty, and Chambers Counties, Tex.; and (3) *Salt* and *salt products:*

(a) From the plant site of Leslie Salt Company, at or near Lake Point, Utah, to points in that part of Nebraska on and west of U.S. Highway 83, and points in Yuma, Washington, Adams, Denver, Jefferson, Clear Creek, Summit, Eagle, Grand, Jackson, Sedgwick, Phillips, Logan, Weld, Morgan, Larimer, Boulder, Fremont, Pueblo, El Paso, and Gilpin Counties, Colo., and those in Albany, Platte, Goshen, and Laramie Counties, Wyo., under a continuing contract, or contracts with Leslie Salt Company and Hardy Salt Company, of St. Louis, Mo. (b) From the plant site of the American Salt Company, Solar Division, Tooele County, Utah, to points in Colorado, Kansas, those parts of Nebraska and South Dakota on and west of U.S. Highway 83, and Wyoming, under a continuing contract, or contracts, with Carey Salt Company, Hutchison, Kans., and American Salt Company, Solar Division, Salt Lake City, Utah; and (c) From the plant site of the Leslie Salt Company at or near Lake Point, Utah, to points in Colorado (except points in Yuma, Washington, Adams, Denver, Jefferson, Clear Creek, Summit, Eagle, Grand, Jackson, Sedgwick, Phillips, Logan, Weld, Morgan, Larimer, Boulder, Fremont, Pueblo, El Paso, and Gilpin Counties, Colo.), that part of South Dakota on and west of U.S. Highway 83, and Wyoming (except points in Albany, Platte, Goshen, and Laramie Counties, Wyo.), under a continuing contract, or contracts, with Hardy Salt Company, of St. Louis, Mo.

By the instant petition, petitioner seeks to modify the authority in the above permit by: (1) extending the territorial description in (3) above to include all points in North Dakota and those points in Nebraska and South Dakota east of U.S. Highway 83; (2) correcting the name of "Leslie Salt Company" to "Hardy Salt Company"; and (3) combining territorial descriptions relating to Colorado destination points as they apply to service rendered on behalf of Hardy Salt Company. The permit would then read as follows: (1) *Animal and poultry feed* and *animal and poultry feed ingredients and supplements*, From Ault, Colo., to points in those parts of South Dakota, Nebraska, and Kansas located on and west of a line extending along U.S. Highway 83 from the North Dakota-South Dakota State line to Vivian, S. Dak., thence along U.S. Highway 16 to Presho, S. Dak., and thence along U.S. Highway 183 to the Kansas-Oklahoma State line, and to points in Wyoming, under a continuing contract, or contracts, with Farmland Industries, Inc., of Kansas City, Mo.; (2) *Animal and poultry feed* and *animal and poultry feed ingredients and supplements*, (except liquid feed in tank vehicles), From the sites of the plants or other facilities of Wilgro, Inc., at or near Longmont, Eaton, Fort Morgan, and Rocky Ford, Colo., to points in Kansas, Nebraska, New Mexico, Oklahoma, Texas, and Wyoming, under a continuing contract, or contracts, with Wilgro, Inc., of Denver, Colo., restricted against the transportation (1) of alfalfa meal and alfalfa pellets to points in New Mexico and Texas, and (2) of dry chemicals in bulk, to points in Harris, Galveston, Brazoria, Fort Bend, Austin, Waller, Montgomery, Liberty, and Chambers Counties, Tex.; and (3) *salt and salt products*:

(a) From the plant site of Hardy Salt Company, at or near Lake Point, Utah, to points in Wyoming, Colorado, Nebraska, North Dakota and South Dakota, under a continuing contract, or contracts, with Hardy Salt Company, of St. Louis, Mo.; (b) From the plant site of American Salt Company, Solar Division, in Tooele County, Utah, to points in Colorado, Kansas, those parts of Nebraska and South Dakota on and west of U.S. Highway 83, and Wyoming, under a continuing contract, or contracts, with Carey Salt Company, Hutchinson, Kans.; and (c) From the plant site of American Salt Company, Solar Division, in Tooele County, Utah, to points in Wyoming, Colorado, Kansas, Nebraska, North Dakota and South Dakota, under a continuing contract, or contracts, with American Salt Company, Solar Division, Salt Lake City, Utah. Any interested person or persons desiring to participate may file an original and six copies of his written representations, views or arguments in support of or against the petition within 30 days from the date of publication in the FEDERAL REGISTER.

No. MC 124621 (Sub-No. 4) (Notice of Filing of Petition To Add a contracting Shipper), filed February 18, 1975. Petitioner: CLEMENT RISBERG, doing business as RISBERG TRUCK SERVICE, 2339 Southeast Grand Ave., Portland, Oreg. 97214. Petitioner's representative: Jerry R. Woods, 620 Blue Cross Building, 100 S.W. Market Street, Portland, Oreg. 97201. Petitioner holds a motor *contract carrier* permit in No. MC 124621 (Sub-No. 4), issued February 21, 1973, authorizing transportation, over irregular routes, of *General commodities* (except those of unusual value, household goods as defined by the Commission, commodities in bulk, and commodities requiring special equipment), Between points in Oregon, Washington, Idaho, and Montana, under a continuing contract, or contracts, with Fred Meyer, Inc., and its subsidiaries, subject to the right of the Commission, which is hereby expressly reserved, to impose such terms, conditions or limitations in the future as it may find necessary in order to insure that carrier's operations shall conform to the provisions of section 210 of the Act, and such authority to the extent that it authorizes the transportation of

classes A and B explosives to be limited, in point of time, to a period expiring 5 years after October 17, 1972. By the instant petition, petitioner seeks to add Pay Less Drug Stores Northwest, Inc. and its subsidiaries as a contracting shipper in the above authority. Any interested person or persons desiring to participate may file an original and six copies of his written representations, views or arguments in support of or against the petition within 30 days from the date of publication in the FEDERAL REGISTER.

No. MC 127187 (Sub-No. 10) (Notice of Filing of Petition To Modify Restrictions), filed February 14, 1975. Petitioner: FLOYD DUENOW, 1728 Industrial Park Blvd., Fergus Falls, Minn. 56537. Petitioner's representative: Gene P. Johnson, 425 Gate City Building, Fargo, N. Dak. 58102. Petitioner holds a motor *common carrier* certificate in No. MC 127187 (Sub-No. 10), issued June 20, 1974 authorizing transportation, in interstate commerce, over irregular routes, of: *Animal and poultry feed ingredients* (except in bulk, in tank vehicles), between points in Montana, Wyoming, North Dakota and South Dakota, restricted against tacking with carrier's other operating authority. By the instant petition, petitioner seeks to remove the restriction against foreign commerce, and to modify the tacking restriction, so as to read: in interstate or foreign commerce, over irregular routes, of: *Animal and poultry feed ingredients* (except in bulk, in tank vehicles), between points in Montana, Wyoming, North Dakota and South Dakota, restricted against tacking with carrier's other operating authority except to perform transportation service in foreign commerce. Any interested person or persons desiring to participate may file an original and six copies of his written representations, views or arguments in support of or against the petition within 30 days from the date of publication in the FEDERAL REGISTER.

No. MC 129695 (Notice of Filing of Petition for Extension of Explosives Authority), filed February 10, 1975. Petitioner: HAWKEYE TRUCKING COMPANY, a corporation, Northwest 66th and Toni Drive, Rural Route 4, Des Moines, Iowa 50313. Petitioner's representative: William L. Fairbank, 1980 Financial Center, Des Moines, Iowa 50309. Petitioner holds a motor *contract carrier* permit in No. MC 129695 issued March 4, 1969, authorizing transportation, over irregular routes, of *Explosives and nitrocarbonitrate*, from Seneca, Ill., and Mineral Springs, Ala., to points in Iowa, under a continuing contract, or contracts with Quick Supply Co., of Des Moines, Iowa, such permit to be of no further force and effect after March 4, 1974. By the instant petition, petitioner seeks a reinstatement and extension of the above authority. Any interested person or persons desiring to participate may file an original and six copies of his written representations, views or arguments in support of or against the petition within 30 days from the date of publication in the FEDERAL REGISTER.

APPLICATIONS UNDER SECTIONS 5 AND 210a(b)

The following applications are governed by the Interstate Commerce Commission's Special Rules governing notice of filing of applications by motor carriers of property or passengers under Sections 5(a) and 210a(b) of the Interstate Commerce Act and certain other proceedings with respect thereto. (49 CFR 1.240.)

No. MC-F-12391. Authority sought for purchase by ACE DORAN HAULING & RIGGING CO., 1601 Blue Rock St., Cincinnati, OH 45223, of a portion of the operating rights of FRED CARPENTER, INC., 201 Peat St., Syracuse, N.Y., and for acquisition by R. J. DORAN, R. E. DORAN, and C. M. DORAN, all of Cincinnati, OH 45223, of control of such rights through the purchase. Applicants' attorneys: John P. McMahon, 100 East Broad St., Columbus, OH 43215, and Frank J. Weiner, 15 Court Square, Boston, MA 02108. Operating rights sought to be transferred: *Commodities*, which because of their size or weight require special handling or the use of special equipment, as a *common carrier* over irregular routes, between Syracuse, N.Y., and points in New York within 75 miles of Syracuse, on the other, points in Vermont, New Hampshire, Massachusetts, Connecticut and Rhode Island. Vendee is authorized to operate as a *common carrier* in all of the States in the United States (except Alaska and Hawaii). Application has not been filed for temporary authority under section 210a(b).

MC-F-12398. (Correction) (O.N.C. FREIGHT SYSTEMS — CONTROL — RITEWAY TRANSPORT, INC.), published in the January 29, 1975, issue of the FEDERAL REGISTER on page 4390. Prior notice should have read ". . . between Blanding, Utah and the minesite of the Industrial Uranium Corporation . . ."

No. MC-F-12429. (Correction) (CARRANO'S EXPRESS, INCORPORATED—PURCHASE (PORTION)—F. L. CASTINE, INCORPORATED), published in the February 12, 1975, issue of the FEDERAL REGISTER on page 6567. Prior notice should read, "Vendee is authorized to operate as a common carrier in Connecticut."

No. MC-F-12437. Authority sought for purchase by CROUCH FREIGHT SYSTEMS, INC., P.O. Box 1059, St. Joseph, MO 64502, of the operating rights of MILLS TRANSFER COMPANY, ET AL., 31 Fargo St., Boston, MA 02210, and for acquisition by U T S FREIGHT SYSTEMS, O.N.C. FREIGHT SYSTEMS, both of 2800 W. Bayshore, Palo Alto, CA 94303, and ROCOR INTERNATIONAL, a noncarrier holding company, and in turn by DAVID P. ROUSH, and DIANE G. ROUSH, as custodian, for their minor children, all of 260 Sheridan, Palo Alto, CA 94303, of control of such rights through the purchase. Applicants' attorney: Roland Rice, Suite 618 Perpetual Bldg., 1111 E Street NW., Washington, D.C. 20004. Operating rights sought to be transferred: *General commodities*, with the usual exceptions, as a *common carrier* over regular routes, serving points in Massachusetts and New Hampshire; general commodities, with the usual exceptions over irregular routes, between Boston, Mass., on the one hand, and, on the other, points in Massachusetts, Rhode Island, and those within 110 miles of Boston in Maine and New Hampshire, with restriction. Vendee is authorized to operate as a *common carrier* in Arkansas, Colorado, Connecticut, Illinois, Indiana, Iowa, Kansas, Louisiana, Maine, Massachusetts, Minnesota, Mississippi, Missouri, Nebraska, New Hampshire, New Jersey, New York, North Dakota, Ohio, Oklahoma, Pennsylvania, Rhode Island, South Dakota, Tennessee, and Texas. Application has been filed for temporary authority under section 210a(b).

No. MC-F-12438. Authority sought for purchase by NEUENDORF TRANSPORTATION CO., P.O. Box 588, Madison, WI 54701, of the operating rights and property of CHARLES A. GROEPPER, doing business as BADGER TRUCK LINE, INC., Route #6, Menomonie, WI 54751, and for acquisition by C. J. NEUENDORF, of Madison, WI 53701, and E. H. PRIES, 341 S. 8th St., Medford, WI 54451, of control of such rights and property through the purchase. Applicants' attorney: Steven L. Weiman, 303 N. Frederick Ave., Gaithersburg, MD 20760. Operating rights sought to be transferred: *General commodities*, with the usual exceptions, as a *common carrier* over irregular routes, between points in the Towns of Menomonie, Lucas, Stanton, (not including the Village of Knapp), and Weston, Dunn County, Wis., and points in the Town of Cady, St. Croix County, Wis., on the one hand, and, on the other, Hastings, Minneapolis, Newport, St. Paul, South St. Paul, and Stillwater, Minn., from South St. Paul, St. Paul, and Minneapolis, Minn., to points in the Towns of Dunn, Spring, Brook, Red Cedar, Weston, and Menomonie, Dunn County, Wis., from South St. Paul, St. Paul, Minneapolis, and Stillwater, Minn., to points in a defined area of Wisconsin, except the incorporated municipalities of Wilson, Woodville, Hammond, and Baldwin, Wis.; *livestock and agricultural commodities*, from points in the Towns of Dunn, Spring Brook, Red Cedar, Weston, and Menomonie, Dunn County, Wis., to South St. Paul, and Minneapolis, Minn.; *livestock*, between Glenwood City, Wis., and points within 15 miles of Glenwood City, Wis., on the one hand, and, on the other, South St. Paul and Newport, Minn., from points in the Towns of Forest, Emerald, and Glenwood, St. Croix County, Wis., and New Haven and Tiffany, Dunn County, Wis., to Newport and South St. Paul, Minn., from New Richmond and Deer Park, Wis., and points in the Towns of Glenwood, Forest, Springfield, Emerald, Cylon, Baldwin, Erin Prairie, Hammond, and Richmond, St. Croix County, Wis., and Stanton, Tiffany, New

Haven, and Hay River, Dunn County, Wis., except the incorporated municipalities of Glenwood City, Wilson, Woodville, Hammond, and Baldwin, Wis., to St. Paul, South St. Paul, Minneapolis, and Stillwater, Minn.; *well drilling supplies*, from Minneapolis and St. Paul, Minn., to points in St. Croix, Polk, Dunn, Barron, and Pierce Counties, Wis.; *flour, feed, and feed mill products*, from New Prague, Minn., to Glenwood City, Wis. Vendee is authorized to operate as a *common carrier* in Wisconsin, Illinois, Iowa, Minnesota, and Indiana. Application has been filed for temporary authority under section 210a(b).

No. MC–F–12439. Authority sought for purchase by CAROLINA FREIGHT CARRIERS CORPORATION, P.O. Box 697, Cherryville, NC 28021, of a portion of the operating rights of O. K. MOTOR SERVICE, INC., 3400 S. Pulaski Rd., Chicago, IL 60623, and for acquisition by C. GRIER BEAM (Custodian for L. M'Shel Beam), Route #2, Cherryville, NC, of control of such rights through the purchase. Applicants' attorney: Leonard R. Kofkin, 39 S. LaSalle St., Chicago, IL 60603. Operating rights sought to be transferred: *General commodities*, with the usual exceptions, as a *common carrier* over regular routes, between Peoria, Ill., and Waukesha, Wis. Vendee is authorized to operate as a *common carrier* in Alabama, Connecticut, Florida, Georgia Illinois, Indiana, Maryland, Massachusetts, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, South Carolina, Virginia, West Virginia and Wisconsin. Application has not been filed.

No. MC–F–12441. Authority sought to control by CENTRAL TRANSFER CO., 1080 Springfield Rd., Union, NJ 07083, of ELGIN TRUCKING CO., INC., 4450 Rising Sun Ave., Philadelphia, PA 19140, and for acquisition by P. A. ALBANESE, also of Union, NJ 07083, of control of ELGIN TRUCKING CO., INC., through the acquisition by CENTRAL TRANSFER COMPANY. Applicants' attorneys: A. David Millner, 744 Broad St., Newark, NJ 07102, and Alan Kahn, Two Penn Central Plaza, Philadelphia, PA 19102. Operating rights sought to be controlled: *General commodities*, with the usual exceptions, as a *common carrier* over irregular routes, between points in Hudson, Bergen, Passaic, Essex, Middlesex, Somerset, and Morris Counties, N.J., and Trenton, N.J., on the one hand, and, on the other, Philadelphia, Pa., between points in the New York, N.Y., Commercial Zone, as defined by the Commission, other than points in Hudson and Bergen Counties, N.J., on the one hand, and, on the other, Philadelphia, Pa., moving through Harrison, Kearny, and Newark, N.J. CENTRAL TRANSFER CO., is authorized to operate as a *common carrier* in Maryland, New Jersey and Pennsylvania. Application has been filed for temporary authority under section 210a(b).

No. MC–F–12442. Authority sought for purchase by HADLEY AUTO TRANSPORT, P.O. Box 96, Pico Rivera CA., 90660, of the operating rights of DEALERS TRANSPORT COMPANY, 7130 Wornall Road, Kansas City, MO., 64114, and for acquisition by SANTA ANITA CONSOLIDATED, INC., Suite 2525 One Wilshire Bldg., Los Angeles, CA., 90017, of control of such rights through the purchase. Applicants' attorney: Edward T. Lyons, Jr., 1600 Lincoln Center Building, 1660 Lincoln Street, Denver, CO., Operating rights sought to be transferred: *New Automobiles, new trucks, chassis, and new tractors*, etc., as a *contract carrier* over irregular routes from places of manufacture and assembly in Kansas City, Mo., to points and places in Kansas, Missouri, Nebraska, and Oklahoma, from the site of the Ford Motor Company, Claycomo, Mo., to points in Alabama, Arkansas, Illinois, Indiana, Kentucky, Louisiana, Minnesota, Mississippi, North Dakota, Oregon, Tennessee and Wisconsin, with no transportation for compensation on return except as otherwise authorized, from the site of the Ford Motor Company assembly plant at Claycomo, Mo., to points in Colorado, Idaho, Montana, Nevada, New Mexico, Utah, and Wyoming, from the plant site of the Ford Motor Company, in Claycomo, Mo., to points in Michigan, Ohio, Pennsylvania, Virginia, West Virginia, North Carolina, and South Carolina, from the plant site of the Ford Motor Company, in Claycomo, Mo., to points in Texas on, along and north of U.S. Highway 380 and on, along and west of U.S. Highway 283. *Automobiles, trucks, and tractors*, etc., from places of manufacture and assembly in Kansas City, Mo., to points and places in Kansas, Missouri, Nebraska, and Oklahoma, from the site of the Ford Motor Company plant located at or near Claycomo, Mo., in Clay County, Mo., to points in North Dakota, from the site of the Ford Motor Company plant in Clay County, Mo., to points in Iowa and South Dakota, from the site of the Ford Motor Company plant in Clay County, Mo., to points in Arkansas, Iowa, South Dakota, Illinois, Minnesota, and Wisconsin, with restrictions.

Motor vehicles, in initial movements, in truckaway service, from Kansas City, Mo., to points in Colorado, from Kansas City, Mo., to points in Montana, Utah, Wyoming, Idaho, Nevada, and New Mexico, traversing Arizona, Iowa, and South Dakota for operating convenience only, with no transportation for compensation on return except as otherwise authorized. *Automobiles, trucks, chassis, and tractors*, in initial movements, in truckaway and driveaway service, from the site of the Ford Motor Company plant in Clay County, Mo., to points in Colorado, Idaho, Kansas, Missouri, Nebraska, Oklahoma, Montana, New Mexico, Nevada, Utah, and Wyoming, with no transportation for compensation on return except as otherwise authorized. Vendee is authorized to operate as a *contract carrier* in Alabama, Arkansas, Colorado, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, Nevada, New Mexico, North Carolina, North Dakota, Ohio, Oklahoma, Oregon, Pennsylvania, South Carolina, South Dakota, Tennessee, Texas, Utah, Virginia, West Virginia, Wisconsin, and Wyoming. Application has been filed for temporary authority under section 210a(b).

No. MC–F–12443. Authority sought for purchase by JERRY LIPPS, INC., 130 South Frederick Street, Cape Girardeau, MO 63701, of the operating rights of PASCAGOULA DRAYAGE COMPANY, INC., 701 East Pine Street, Hattiesburg, MS 39401, and for acquisition by Jerry Lipps, 130 S. Frederick St., Cape Girardeau, MO 63701, of control of such rights through the purchase. Applicants' attorneys: Edward G. Bazelon, 39 South LaSalle St., Chicago, IL 60603 and Harold D. Miller, Jr., P.O. Box 22567, Jackson, MS 39205. Operating rights sought to be transferred: *Specified commodities*, as a *common carrier*, over irregular routes, from, to, and between specified points in the States of Mississippi, Tennessee, Alabama, Arkansas, Louisiana, Florida, Georgia, Kentucky, North Carolina, Oklahoma, South Carolina, Texas, Virginia, North Dakota, South Dakota, Nebraska, Kansas, New Mexico, Minnesota, Iowa, Missouri, Illinois, Indiana, Ohio, Wisconsin, Michigan, West Virginia, Maryland, Pennsylvania, New York, New Jersey, Delaware, Connecticut, Rhode Island, Massachusetts, New Hampshire, Vermont, Maine, District of Columbia, Arizona, California, Nevada, Oregon, Montana, Utah, Washington, and Wyoming. Vendee is authorized to operate as a *common carrier* in all States in the United States (except Alaska and Hawaii). Application has been filed for temporary authority under section 210a(b).

No. MC–F–12445. Authority sought for control by BRANCH INDUSTRIES, INC., a non carrier, 114 Fifth Ave., New York, NY 10011, of WHITE TRUCK LINE, INC., 260 University Ave., S.W., Atlanta, GA 30315, and for acquisition by BRANCH MOTOR EXPRESS COMPANY, also of New York, N.Y. 10011, of control of WHITE TRUCK LINE, INC., through the acquisition by BRANCH INDUSTRIES, INC. Applicants' attorneys: Jack R. Turney, 2001 Massachusetts Ave., Washington, DC 20036, and Paul M. Daniell, P.O. Box 872, Atlanta, GA 30301. Operating rights sought to be controlled: *General commodities*, with the usual exceptions, as a *common carrier* over regular routes, between Atlanta, and Rex, Ga., between Gainesville, and Jefferson, Ga., between Gainesville, and Commerce, Ga., between Gainesville, Ga., and Greenville, S.C., between junction U.S. Highway 129 and Interstate Highway 85 near Jefferson, Ga., and Greenville, S.C., between Atlanta, and Gainesville, Ga., between Atlanta, and Warm Springs, Ga., between Jonesboro, and Woodbury, Ga., between Atlanta, and Buford, Ga., between Atlanta, and Doraville, Ga., between Manchester, and Columbus, Ga., serving various intermediate and off-route points; *general commodities*, with the usual exceptions over irregular routes, between Atlanta,

Ga., on the one hand, and, on the other, Peachtree City, Ga., and the sites of Tuckerstone Mountain Industrial District and Stone Mountain Industrial Park, De Kalb County, Ga. BRANCH INDUSTRIES, INC., holds no authority from this Commission. However, it is affiliated with (1) BRANCH MOTOR EXPRESS COMPANY, 114 Fifth Ave., New York, N.Y. 10011, and (2) MOTOR FREIGHT CORPORATION, also of New York, N.Y. 10011, which are authorized to operate as *common carriers* in (1) New York, Maryland, New Jersey, Pennsylvania, Delaware, Virginia, West Virginia, Ohio, Massachusetts, Connecticut, Rhode Island, North Carolina, Tennessee, South Carolina, Michigan, and the District of Columbia; and (2) Indiana, Illinois, Missouri, Ohio, Kentucky, Nebraska, Tennessee and Michigan. Application has been filed for temporary authority under section 210a(b).

No. MC-F-12446. Authority sought for purchase by MILTON TRANSPORTATION, INC., P.O. Box 355, Milton, PA 17847 of a portion of the operating rights of HUNT TRANSPORTATION, INC., 10770 "I" St., Omaha, NE 68127, and for acquisition by RAY B. BOWERSOX, GARY L. WIEAND, both of R.D. No. 1, Milton, Pa., GLEN L. HAREHOOD, 233 Turbot Ave., Milton, PA, SANDRA J. BOWER, R.D. No. 2, Milton, PA 17847, and JAMES R. SPOTTS, 21 Main, Watsontown, PA 17777, of control of such rights through the purchase. Applicants' attorneys: George A. Olsen, 69 Tonnele Ave., Jersey City, NJ 07306, and Donald L. Stern, 530 Univac Bldg., 7100 W. Center Rd., Omaha, NE 68106. Operating rights sought to be transferred: *Paper and paper products and woodpulp*, as a *common carrier* over irregular routes, from Calhoun, Tenn., to points in Connecticut, Delaware, Maryland, Massachusetts, New Jersey, Pennsylvania, and Virginia, with restriction. Vendee is authorized to operate as a *common carrier* in Pennsylvania, New York, New Jersey, Delaware, Maine, Ohio, Maryland, West Virginia, Virginia, Connecticut, Massachusetts, Rhode Island, Vermont, New Hampshire, Indiana, Illinois, Michigan, Wisconsin, Tennessee, North Carolina, South Carolina, Georgia, Florida, Alabama, Mississippi, Kentucky, Iowa, Missouri, Nebraska, Texas, and the District of Columbia. Application has not been filed for temporary authority under section 210a(b).

By the Commission.

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

[FR Doc.75-5841 Filed 3-4-75;8:45 am]

[Notice 23]

MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

FEBRUARY 27, 1975.

The following are notices of filing of application, except as otherwise specifically noted, each applicant states that there will be no significant effect on the quality of the human environment resulting from approval of its application, for temporary authority under section 210a(a) of the Interstate Commerce Act provided for under the new rules of Ex Parte No. MC-67 (49 CFR Part 1131), published in the FEDERAL REGISTER, issue of April 27, 1965, effective July 1, 1965. These rules provide that protests to the granting of an application must be filed with the field official named in the FEDERAL REGISTER publication, within 15 calendar days after the date of notice of the filing of the application is published in the FEDERAL REGISTER. One copy of such protests must be served on the applicant, or its authorized representative, if any, and the protests must certify that such service has been made. The protests must be specific as to the service which such protestant can and will offer, and must consist of a signed original and six (6) copies.

A copy of the application is on file, and can be examined at the Office of the Secretary, Interstate Commerce Commission, Washington, D.C., and also in field office to which protests are to be transmitted.

MOTOR CARRIERS OF PROPERTY

No. MC 5101 (Sub-No. 8TA), filed February 21, 1975. Applicant: SREIN FURNITURE CARRIERS, INC., 2307 Bristol Pike, Croydon, Pa. 19020. Applicant's representative: James H. Sweeney, P.O. Box 684, Woodbury, N.J. 08096. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Styrofoam chests, containers and parts, and materials used or useful in the manufacture thereof*, except in bulk, between the plant site and warehouse facilities of Life-Like Products, Inc., at Baltimore, Md., on the one hand, and, on the other, points in Alabama, Connecticut, Delaware, District of Columbia, Florida, Georgia, Illinois, Kentucky, Louisiana, Maine, Massachusetts, Mississippi, New Hampshire, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, South Carolina, Tennessee, Vermont, Virginia and West Virginia, for 180 days. Supporting shipper: Edward Byczyaski, Sales Administration Manager, Life-Like Products, Inc., 1600 Union Avenue, Baltimore, Md. 21211. Send protests to: F. W. Doyle, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 600 Arch St., Room 3238, Philadelphia, Pa. 19106.

No. MC 10761 (Sub-No. 273TA), filed February 20, 1975. Applicant: TRANS-AMERICAN FREIGHT LINES, INC., 5650 Foremost Dr., S.E., Grand Rapids, Mich. 49506. Applicant's representative: L. R. Knapp (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Vacuum bottles, lunch kits, jugs, chests, cooling boxes, tents, insulating material, bowls and cups, cups fillers*, (VB) from the plantsite of King Seeley Thermos Co., at or near Macomb, Ill., to all points in the state of Michigan (with the exception of the Upper Peninsula), for 180 days. Supporting shipper: King Seeley Thermos, Thermos Avenue, Norwich, Conn. 06360. Send protests to: C. R. Flemming, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 225 Federal Bldg., Lansing, Mich. 28933.

No. MC 41116 (Sub-No. 50TA), filed February 21, 1975. Applicant: FOGLEMAN TRUCK LINE, INC., P.O. Box 1504, Crowley, La. 70526. Applicant's representative: Byron Fogleman (same address as applicant). Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Woodpulp*, in rolls, from Pineville, La., to Lake Charles, La., having a subsequent movement by water, for 180 days. Supporting shipper: Pineville Kraft Corporation, P.O. Box 870, Pineville, La. 71360. Send protests to: Ray C. Armstrong, Jr., District Supervisor, Bureau of Operations, Interstate Commerce Commission, Room T-9038 U.S. Postal Service Bldg., 701 Loyola, Avenue, New Orleans, La. 70113.

No. MC 50307 (Sub-No. 74TA), filed February 24, 1975. Applicant: INTERSTATE DRESS CARRIERS, INC., 247 West 35th Street, New York, N.Y. 10001. Applicant's representative: Herbert Burstein, One World Trade Center, New York, N.Y. 10048. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Wearing apparel and materials, supplies and equipment* used in the manufacture thereof, over irregular routes, between Miami, Fla., on the one hand, and, on the other, Ocala, Fla., having a prior or subsequent movement by air, for 150 days. Supporting shipper: Silver Springs Sportswear, P.O. Box 1150, Ocala, Fla. 32670. Send protests to: Paul W. Assenza, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 26 Federal Plaza, New York, N.Y. 10007.

No. MC 59367 (Sub-No. 96 TA), filed February 21, 1975. Applicant: DECKER TRUCK LINE, INC., P.O. Box 915, Fort Dodge, Iowa 50501. Applicant's representative: William L. Fairbank, 1980 Financial Center, Des Moines, Iowa 50309. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Mustards, cranberry products, salad dressings, meat flavoring sauces, vinegar, relishes, and pickles*, from Green Bay, Wis., to Omaha, Nebr., and Waterloo, Cedar Rapids, Cedar Falls, and Sioux City, Iowa, for 180 days. Supporting shipper: Green Bay Food Company, P.O. Box 460, Green Bay, Wis. 54305. Send protests to Herbert W. Allen, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 875 Federal Bldg., Des Moines, Iowa 50309.

No. MC 71459 (Sub-No. 47TA) (Correction), filed February 11, 1975, published in the FEDERAL REGISTER issue of February 25, 1975, and republished as corrected this issue. Applicant: O.N.C. FREIGHT SYSTEMS, 2800 West Bayshore Road, Palo Alto, Calif. 94303. Applicant's representative: Martin J. Rosen, Esq., 140 Montgomery Street, San Francisco, Calif. 94104. 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 Questa, New Mexico and Albuquerque, N. Mex., serving all intermediate points and the off-route points of: Espanola, N. Mex., the facility of the Amalia Lumber Company located 8 miles east and north of Costilla, N. Mex., the facilities of the Chad Land Company, located approximately 2½ miles east of the junction of U.S. Highway 64 and New Mexico Highway 38; the facility of the Angel Fire Construction Company, located approximately 3 miles east of the junction of U.S. Highway 64 and New Mexico Highway 38; and the facilities of the Angel Fire Ski Resort and Country Club, located approximately 4½ miles east to the junction of U.S. Highway 64 and New Mexico Highway 38, from Questa, over New Mexico State Highway 38 to its junction with U.S. Highway 64, thence over U.S. Highway 64 to its junction with New Mexico Highway 68, thence over New Mexico Highway 68 to its junction with U.S. Highway 84, thence over U.S. Highway 84 to its junction with U.S. Highway 85, thence over U.S. Highway 85, thence over U.S. Highway 85 to Albuquerque, New Mexico, and return over the same route. Applicant requests the right to serve the commercial zones of all points. Carrier intends to tack requested authority with existing authority at Questa and Taos, N. Mex., Carrier intends to interline with other carriers at Albuquerque, Santa Fe and Taos for 180 days. Supporting shippers: There are approximately 41 statements of support attached to the application, which may be examined at the Interstate Commerce Commission in Washington, D.C., or copiers thereof which may be examined at the field office named below. Send protests to: Claud W. Reeves, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 450 Golden Gate Avenue, Box 36004, San Francisco, Calif. 94102.

NOTE.—The purpose of this republication is to add the duration days, which was omitted in the previous publication.

No. MC 109708 (Sub-No. 61TA) (Correction), filed February 10, 1975, published in the FEDERAL REGISTER issue of February 25, 1975, and republished as corrected this issue. Applicant: INDIAN RIVER TRANSPORT CO., doing business as INDIAN RIVER TRANSPORT INC., P.O. Box 966, State Highway 70, East at West 14th Street, Okeechobee, Fla. 33472. Applicant's representative: James E. Wharton, 17th Floor, CNA Bldg., P.O. Box 231, Orlando, Fla. 32802. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Alcoholic beverages* (in bulk, in tank vehicles), from Ft. Pierce and Miami, Fla., to Burlingame, Calif., for 180 days. Supporting shipper: Hiram Walker & Sons, Inc., Foot of Edmund Street, Peoria, Ill. 61601. Send protests to: Joseph B. Teichert, District Supervisor, Bureau of Operations, Interstate Commerce Commission, Palm Coast II Bldg., Suite 208, 5255 Northwest 87th Ave., Miami, Fla. 33178.

NOTE.—The purpose of this republication is to state the correct name of the applicant.

No. MC 115654 (Sub-No. 34TA), filed February 18, 1975. Applicant: TENNESSEE CARTAGE CO., INC., P.O. Box 1193, Nashville, Tenn. 37202. Applicant's representative: Walter Harwood, P.O. Box 15214. Nashville, Tenn. 37215. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Confectionery and confectionery products*, except in bulk, in vehicles equipped with mechanical refrigeration, from Nashville, Tenn., to points in Alabama which lie on and south of U.S. Highway 278 and on and north of U.S. Highway 80, for 180 days. Supporting shippers: Standard Candy Company, Inc., 443 2nd Avenue, North, Nashville, Tenn. 37202. Ward-Johnston, Inc., 2131 Utopia Avenue, Nashville, Tenn. Send protests to: Joe J. Tate, District Supervisor, Bureau of Operations, Interstate Commerce Commission, A–422 U.S. Court House, Nashville, Tenn. 37203.

NOTE.—Applicant intends to interline at Birmingham, Ala.

No. MC 119493 (Sub-No. 135TA), filed February 21, 1975. Applicant: MONKEM COMPANY, INC., West 20th Street Road, P.O. Box 1196, Joplin, Mo. 64801. Applicant's representative: J. J. Knotts, Jr. (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Manufactured animal and poultry feeds and ingredients* (except in bulk), from Muscatine, Iowa, to points in Indiana, Ohio, Michigan, Minnesota, Wisconsin, Kentucky, and Atlanta, Ga., for 180 days. Supporting shipper: Doane Products Co., P.O. Box 879, Joplin, Mo. 64801. Send protests to: John V. Barry, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 600 Federal Office Bldg., 911 Walnut Street, Kansas City, Mo. 64106.

No. MC 123233 (Sub-No. 54TA) (Correction), filed February 14, 1975, published in the FEDERAL REGISTER issue of February 25, 1975, and republished as corrected this issue. Applicant: PROVOST CARTAGE INC., 7887 Grenache, Ville d'Anjou, Quebec, Canada. Applicant's representative: J. P. Vermette (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Alcoholic liquor*, (in bulk, in tank vehicles), from Baltimore, Dundalk and Relay, Md., to the Port of Entry on the International Boundary Line, between the United States and Canada, located at or near Detroit, Mich., restricted to the transportation of traffic having an immediate subsequent movement in foreign commerce, for 90 days. Supporting shipper: Joseph E. Seagram & Sons, Inc., 800 Third Ave., New York, N.Y. 10022. Send protests to: Paul D. Collins, District Supervisor, Bureau of Operations, Interstate Commerce Commission, P.O. Box 548, 87 State St., Montpelier, Vt. 05602.

NOTE: The purpose of this republication is to correct the duration days.

No. MC 124328 (Sub-No. 73TA), filed February 20, 1975. Applicant: BRINK'S INCORPORATED, 234 East 24th St., Chicago, Ill. 60616. Applicant's representative: Ben Cotton, 704 Southern Bldg., Washington, D.C. 20005. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Precious metal products and items of unusual value*, from Waterbury, Conn., Attleboro and Plainville, Mass., Carteret and Winslow, N.J., New York City, and Malvern, Pa., to N. Andover, Mass., Oklahoma City, Okla., Chicago, Ill., Columbus, Ohio, Kansas City, Mo.-Kans., Shreveport, La., Richmond, Va., Winston-Salem, N.C., and Indianapolis, Ind. for 180 days. Supporting shipper: J. L. Young, Jr., Transportation Supervisor, Contracts & Service, Western Electric, 222 Broadway, New York, N.Y. 10038. Send protests to: Richard K. Shullaw, District Supervisor, Bureau of Operations, Interstate Commerce Commission, Everett McKinley Dirksen Bldg., 219 S. Dearborn St., Room 1086, Chicago, Ill. 60604.

No. MC 128217 (Sub-No. 16TA), filed February 21, 1975. Applicant: REINHART MAYER, doing business as MAYER TRUCK LINE, 1203 South Riverside Drive, Jamestown, N. Dak. 58401. Applicant's representative: James B. Hovland, 425 Gate City Bldg., Fargo, N. Dak. 58102. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Materials, parts and supplies* used in the manufacture of agricultural, industrial and construction machinery (except commodities in bulk, in tank vehicles), from points in Illinois, Wisconsin, Missouri, the lower peninsula of Michigan, Indiana on and north of U.S. Highway 70, and Ohio (except Youngstown, Lorain and Warren), to Bismarck, Cooperstown and Gwinner, N. Dak., for 180 days. Supporting shipper: Clark Equipment Co., Melroe Division, Gwinner, N. Dak. 58040. Send protests to: J. H. Ambs, District Supervisor, Bureau of Operations, Interstate Commerce Commission, P.O. Box 2340, Fargo, N. Dak. 58102.

No. MC 128409 (Sub-No. 3TA), filed February 21, 1975. Applicant: HAROLD A. MILLER, P.O. Box 623, Moorhead, Minn. 56560. Applicant's representative: F. H. Kroeger, 1745 University Avenue, St. Paul, Minn. 55104. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Boats*, from Waubun, Minn., to points in North Dakota, South Dakota, Iowa and Wisconsin, for 180 days. Supporting shipper: Austin Aeromarine, Incorporated, Box 5461, Fargo, N. Dak. 58102. Send protests to: J. H. Ambs, District Supervisor, Bureau of Operations, Interstate Commerce Commission, P.O. Box 2340, Fargo, N. Dak. 58102.

No. MC 129664 (Sub-No. 3TA), filed February 18, 1975. Applicant: COMET MESSENGER AND DELIVERY SERVICE, INC., 7–11 South Avenue, Garwood, N.J. 07027. Applicant's representative: Alan Kahn, 1920 Two Penn Center Plaza, Philadelphia, Pa. 19102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Business forms and materials used in accounting systems*, no single parcel or package to exceed 25 lbs. in weight, from the facilities of Safeguard Business Systems, Inc., in Lansdale, Pa., to points in New Jersey (except points in Atlantic, Burlington, Camden, Cumberland, Gloucester, Salem and Cape May Counties); New York, N.Y., and points in Orange, Rockland, Nassau, Suffolk, and Westchester Counties, N.Y. *Return shipments*, from the above described destination territory to the above named origin point, for 180 days. Supporting shipper: Safeguard Business & Systems, Inc., P.O. Box 151, Lansdale, Pa. Send protests to: Robert E. Johnston, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 9 Clinton St., Newark, N.J. 07102.

No. MC 134323 (Sub-No. 71TA), filed February 19, 1975. Applicant: JAY LINES, INC., 720 North Grand, Amarillo, Tex. 79105. Applicant's representative: Gailyn Larsen, P.O. Box 80806, 521 South 14th Street, Lincoln, Nebr. 68501. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, and meat by-products, and articles distributed by meat packinghouses*, from the plant sites and storage facilities of MBPXL Corporation at Wichita, Kans., to points in the United States (except Nebraska, Missouri, Arkansas, Oklahoma, Texas, Idaho, Montana, Wyoming, North Dakota, South Dakota, Alaska, and Hawaii), for 180 days. Supporting shipper: MBPXL Corporation, P.O. Box 910, Plainview, Tex. 79072. Send protests to: Haskell E. Ballard, District Supervisor, Bureau of Operations, Interstate Commerce Commission, Box H–4395, Herring Plaza, Amarillo, Tex. 79101.

No. MC 138000 (Sub-No. 17TA), filed February 18, 1975. Applicant: ARTHUR H. FULTON, P.O. Box 86, Stephens City, Va. 22655. Applicant's representative: Charles E. Creager, P.O. Box 1417, 1329 Pennsylvania Ave., Hagerstown, Md. 21740. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Malt beverages*, from Detroit, Mich., to points in Virginia, for 180 days. Supporting shippers: The Stroh Brewery Company, 909 East Elizabeth, Detroit, Mich. 48226. Valley Distributing Corp., Box 1377, Salem, Va. J. W. Sales, Co., 2813 Carrol Avenue, Lynchburg, Va. 24501. Lawrence Distributing Co., P.O. Box 536, Danville, Va. 24591. Send protests to: W. C. Hersman, District Supervisor, Bureau of Operations, Interstate Commerce Commission, Room 317, 12th Constitution Ave. NW., Washington, D.C. 20432.

No. MC 138498 (Sub-No. 6TA), filed February 13, 1975. Applicant: ASI, INC., P.O. Box 10444, Jacksonville, Fla. 32207. Applicant's representative: Sol H. Proctor, 1107 Blackstone Bldg., Jacksonville, Fla. 32202. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* having a prior or subsequent movement by air, between the Raleigh-Durham Airport between Raleigh and Durham, N.C., on the one hand, and, points in Virginia on and south of U.S. Highway 58 and on and east of U.S. Highway 220 and points in North Carolina on and east of U.S. Highway 220, from the Virginia Border to its junction with U.S. 1 and then U.S. 1 to the South Carolina Border, for 180 days. Supporting shippers: There are approximately 10 statements of support attached to the application, which may be examined at the Interstate Commerce Commission in Washington, D.C., or copies thereof which may be examined at the field office named below. Send protests to: G. H. Fauss, Jr., District Supervisor, Box 35008, 400 West Bay St., Jacksonville, Fla. 32202.

No. MC 140615 TA (Correction), filed January 31, 1975, published in the FEDERAL REGISTER issue of February 18, 1975, and republished as corrected this issue. Applicant: DAIRYLAND TRANSPORT, INC., P.O. Box 1064, Wisconsin Rapids, Wis. 54494. Applicant's: Dennis C. Brown (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Dairy products, dairy by-products*, and gift paks, from Alpha, plantsite of East Auburndale Cheese Co., near Auburndale, Arpin, Ellsworth, Greenwood, plantsite of John Wuethrich Creamery Co., Inc., near Greenwood, Gilman, Knapp, Lena, Medford, plantsite of Ino Food Corp., near Merrill, Poy Sippi, Spencer, Thorp, and Wisconsin Rapids, Wis., Bongard and Dalbo, Minn., to all states east of the Mississippi River, Texas, Louisiana, Arkansas, Oklahoma and Missouri, and (2) *Materials, supplies and equipment*, used in the preparation, packing and sale of these commodities, from the above mentioned states to Alpha, Auburndale, Arpin, Ellsworth, Greenwood, Gilman, Knapp, Lena, Medford, Merrill, Poy Sippi, Spencer, Thorp, and Wisconsin Rapids, Wis., Bongard and Dalbo, Minn., (3) *dairy products, dairy by-products and gift paks* from Big Stone City, S. Dak., to Lena, Wis., for 180 days. Supporting shippers: Frigo Cheese Corp., Lena, Wis. 54139. Arpin Dairy, Inc., Arpin, Wis. 54410. Ino Food Corp., Route 5, Merrill, Wis. Wuetrich Creamery Co., Inc., Greenwood, Wis. 54437. Cheez Co., Inc., 2319–2321 Jefferson St., Wisconsin Rapids, Wis. 54494. Send protests to: Barney L. Hardin, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 139 W. Wilson St., Room 202, Madison, Wis. 53703.

NOTE.—The purpose of this republication is to add Wisconsin Rapids, Wis., as a destination point.

No. MC 140627 (Sub-No. 1TA) (Correction), filed February 7, 1975, published in the FEDERAL REGISTER issue of February 25, and republished as corrected this issue. Applicant: ROBERT F. KAZIMOUR, 1200 Norwood Drive SE., Cedar Rapids, Iowa 52403. Applicant's representative: A. J. Swanson, P.O. Box 81849, Lincoln, Nebr. 68501. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Motorcycles, recreational vehicles and machines, accessories, parts, and materials, equipment, and supplies* (except commodities in bulk), between the facilities of Kawasaki Motors Corp., U.S.A., located in the commercial zone of Lincoln, Nebr., on the one hand, and, on the other, points in Alabama, Arizona, Arkansas, California, Colorado, Florida, Georgia, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, Nevada, New Mexico, North Carolina, North Dakota, Ohio, Oklahoma, Oregon, South Carolina, South Dakota, Tennessee, Texas, Utah, Washington, Wisconsin, and Wyoming, for 180 days. Supporting shipper: Kawasaki Motors Corp., 1062 McGaw Avenue, Santa Ana, Calif. 92705. Send protests to: Herbert W. Allen, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 875 Federal Bldg., Des Moines, Iowa 50309. The purpose of this republication is to add Nevada as a destination point.

No. MC 140643 TA (Correction), filed February 11, 1975, published in the FEDERAL REGISTER issue of February 25, 1975, and republished as corrected this issue. Applicant: HOWARD N. CHILD, doing business as EIGHT BALL LINE TRUCKING, 2717 Goodrick Avenue, Richmond, Calif. 94804. Applicant's representative: Ramond A. Greene, Jr., 100 Pine St., Suite 2550, San Francisco, Calif. 94111. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Mineral wool*, from LaMirada and Union City, Calif., to points in Arizona, Idaho, Montana, New Mexico, Oregon, Utah, Washington, Wyoming and Nevada, for 180 days. Supporting shipper: Certain-Teed Products, Inc., P.O. Box 860, Valley Forge, Pa. 19482. Send protests to: A. J. Rodriguez, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 450 Golden Gate Ave., Box 36004, San Francisco, Calif. 94102.

NOTE.—The purpose of this republication is to indicate irregular routes in lieu of regular routes.

No. MC 140664 (Sub-No. 1TA), filed February 18, 1975. Applicant: PATRICK CARROLL ENTERPRISES, INC., Box 153, Lucinda, Pa. 16235. Applicant's representative: William J. Lavelle, 2310 Grant Bldg., Pittsburgh, Pa. 15219. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Coal*, from points in Clarion County, Pa., to Buffalo, Phelps, Fayetteville, Ithaca, Silver Springs, Jamestown and Lockport, New York and Niles, Ohio. Restriction: The operations authorized herein are limited to a transportation service under a continuing contract or contracts with Carroll Coal

Trusts, for 180 days. Supporting shipper: Carroll Coal Trusts, Box 153, Lucinda, Pa. 16235. Send protests to: James C. Donaldson, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 2111 Federal Bldg., Pittsburgh, Pa. 15222.

No. MC 140670 TA, filed February 21, 1975. Applicant: LOWELL L. TREFFERT, INC., 3323 Rodney Lane, Racine, Wis. 53406. Applicant's representative: Richard C. Alexander, 710 North Plankinton Avenue, Milwaukee, Wis. 53203. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Corn twists, cheese corn and popcorn*, from Milwaukee, Wis., to Louisville, Ky., and *prepared foods*, from Milwaukee, Wis., to Waukegan and Chicago, Ill., for the account of Geiser's Potato Chip Company, for 180 days. Supporting shipper: Geiser's Potato Chip Company, Milwaukee, Wis. Send protests to: John E. Ryden, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 135 West Wells St., Room 807, Milwaukee, Wis. 53203.

By the Commission.

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

[FR Doc.75-5842 Filed 3-4-75;8:45 am]

[Notice No. 712]

ASSIGNMENT OF HEARINGS

FEBRUARY 28, 1975.

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.

No. 36098, Sterling Colorado Beef Company, Inc. Vs. The Atchison, Topeka and Santa Fe Railway Company, et al., now being assigned May 6, 1975, at the Offices of the Interstate Commerce Commission, Washington, D.C.

No. 36114, Potomac Electric Power Company Vs. Penn Central Transportation Company, John H. McArthur, Robert W. Blanchette, and Richard C. Bond, Trustees, et al., now being assigned May 13, 1975, at the Offices of the Interstate Commerce Commission, Washington, D.C.

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

[FR Doc.75-5843 Filed 3-4-75;8:45 am]

[Notice No. 243]

MOTOR CARRIER BOARD TRANSFER PROCEEDINGS

MARCH 5, 1975.

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 perosn may file a petition seeking reconsideration of the following numbered proceedings on or before March 25, 1975. 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-75464. By order of February 24, 1975, the Motor Carrier Board approved the transfer to Luvene S. Christensen, doing business as Christensen Truck Line, Redwood Falls, Minn., of the operating rights in Certificate No. MC 127143 issued May 17, 1966 to Duane Fruin, Cottonwood, Minn., authorizing the transportation of animal and poultry feeds and feed ingredients from Weeping Water, Nebr. to points in North Dakota, South Dakota, and Minnesota. Gene P. Johnson, 425 Gate City Building, Fargo, N.D. 58102, Attorney for applicants.

No. MC-FC-75467. By order of February 24, 1975, the Motor Carrier Board approved the transfer to Clifton A. Schultz, doing business as Midwest Express, Danville, Ill., of the operating rights in Permits No. MC 90760, MC 90760 (Sub-No. 1), MC 90760 (Sub-No. 2), and MC 90760 (Sub-No. 12), issued November 18, 1946, June 5, 1959, August 14, 1950, and August 27, 1956 respectively to Russell D. Enos, Danville, Ill., authorizing the transportation of various commodities from, to and between specified points and areas in Indiana, Illinois, Iowa, Minnesota, Nebraska, South Dakota, Tennessee, Kentucky, Ohio, Missouri, Wisconsin, and Michigan. Ray M. Foreman, 41 North Vermilion St., Danville, Ill. 61832, Attorney for applicants.

No. MC-FC-75664. By order of February 24, 1975, the Motor Carrier Board approved the transfer to A & R Lumber Sales, a corporation, Eugene, Oreg., of the operating rights in Permit No. MC 124186 (Sub-No. 3) issued January 11, 1965, to J-Ways Trucking Co., Inc., Silverton, Oreg., authorizing the transportation of dry fertilizer, from the plant sites of Best Fertilizers Co., near Lathrop, Calif., Filtrol Corporation, Los Angeles, Calif., Collier Carbon & Chemical Corporation at Brea Chem, Calif., California Chemical Co., at Richmond, Calif., Western States Chemical Co., Nichols, Calif., Shell Chemical Company at Nitroshell, north of Ventura, Calif., and at Shell Point, near Pittsburg, Calif., and Dominguez, Calif., to points in Oregon. Robt. B. Hollis, 400 Pacific Building, Portland, Oreg. 97204, Attorney for applicants.

No. MC-FC-75667. By order of February 25, 1975, the Motor Carrier Board approved the transfer to A. L. Seymore, Ronald Seymore, Terry Seymore, and Michael Seymore, a partnership, doing business as Seymore Truck Lines, Greenville, S.C., of the operating rights in Certificate No. MC 125895 and Permit No. MC 112977 both issued March 22, 1973, to Sims Transfer Company, Spartanburg, S.C. authorizing the transportation (1) in motor common carriage, of textile waste materials and used bagging and textile waste materials and cotton which are within the exemption of section 203 (b)(6) of the Act, when transported in the same vehicle with the above-specified commodities, between points in North Carolina, South Carolina, Alabama, Georgia, and Tennessee, and (2) in motor contract carriage, of concrete pipe, from Spartanburg, S.C. to points in Buncombe, Burke, Clay, Cleveland, Gaston, Haywood, Henderson, Jackson, Macon, McDowell, Polk, Rutherford, Transylvania, Cherokee, Graham, Swain, Madison, Yancey, and Mitchell Counties, N.C., and lumber, brick, concrete blocks, and construction machinery, between Spartanburg and Greenville, S.C., on the one hand, and, on the other, points in Buncombe, Henderson, McDowell, Rutherford, Polk, Cleveland, Gaston, and Mecklenburg Counties, N.C., and Richmond County, Ga. *Dual operations were approved.* Jefferson V. Smith, Jr., 123 Broadus Avenue, Greenville, S.C. 29603, and Frank A. Graham, Jr., 707 Security Federal Bldg., Columbia, S.C. 29201, Attorneys for applicants.

ROBERT L. OSWALD, *Secretary.*

[FR Doc.75-5844 Filed 3-4-75;8:45 am]

[Ex Parte No. 293 (Sub-No. 5)]

REVIEW OF THE UNITED STATES RAILWAY ASSOCIATION'S PRELIMINARY SYSTEM PLAN—RAIL SERVICES PLANNING OFFICE HEARINGS

Notice of Public Hearings; Corrections and Additions

On February 21, 1975, a listing of hearings to be conducted by the Rail Services Planning Office on the preliminary system plan of the United States Railway Association pursuant to section 207(a)(2) of the Regional Rail Reorganization Act of 1973 was published in the FEDERAL

REGISTER at pp 7725–6. To that notice are the following corrections and additions.

CORRECTIONS

The following is the correct address for the hearing site in Boston, Massachusetts:

Minihan Auditorium
Massachusetts Division of Employment Security Building
(C.F. Hurley Building)
Government Center
Boston, Massachusetts

The following is the correct address for the hearing site in Providence, Rhode Island:

City Council Chamber
City Hall
Dorrance Street
Providence, Rhode Island

The following are the correct dates for the hearings to be held in Pittsburgh, Pennsylvania:

March 17–20.

ADDITIONS

Three (3) additional locations to the 23 public hearing sites previously announced have been selected:

It is therefore ordered, That:

(1) The following dates and hearing sites are established together with the local contact coordinator who will receive requested appearance times at the respective hearings:

FRIDAY, MARCH 21, 1975

Allentown, Pennsylvania—Council Chambers, Room 119, 435 Hamilton Street, Allentown, Pennsylvania.

CONTACT: Sandra Diehl, c/o ICC Office, 278 Federal Building, 228 Walnut Street, Harrisburg, Pennsylvania 17108 Phone: 717–782–3458.

Altoona, Pennsylvania—Roosevelt Jr. High School, 15th Street and 7th Avenue, Altoona, Pennsylvania.

CONTACT: Henrietta Vlasic, c/o ICC Office, 2111 Federal Building, 1000 Liberty Avenue, Pittsburgh, Pennsylvania 15222 Phone: 412–644–2929.

MONDAY, MARCH 24, 1975–WEDNESDAY, MARCH 26, 1975

Traverse City, Michigan—Park Place Motor Inn, Michigan, Room, 300 East 8th Street, Traverse City, Michigan.

CONTACT: Mary Brown, c/o ICC Office, 225 Federal Building, 325 West Allegan Street, Lansing, Michigan 48933 Phone: 517–373–1910.

(2) The availability of free legal assistance and the rules and procedures applicable to the previously announced hearings, given in sections (2) and (3) of the February 21, 1975 notice at pp. 7725–6 apply equally to persons testifying at these additional hearing sites.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.75–5845 Filed 3–4–75;8:45 am]

federal register

WEDNESDAY, MARCH 5, 1975

WASHINGTON, D.C.

Volume 40 ■ Number 44

PART II

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Public Health Service

■

PROPOSED REGULATION OF PROJECT GRANTS FOR SUDDEN INFANT DEATH SYNDROME INFORMATION AND COUNSELING

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Public Health Service

[42 CFR Part 51a]

PROJECT GRANTS FOR SUDDEN INFANT DEATH SYNDROME INFORMATION AND COUNSELING

Notice of Proposed Rulemaking

Notice is hereby given that the Assistant Secretary for Health, with approval of the Secretary of Health, Education, and Welfare proposes to add a new Subpart E, entitled, "Project Grants for Sudden Infant Death Syndrome Information and Counseling," to Part 51a of Title 42, Code of Federal Regulations. The purpose of the new Subpart E of Part 51a is to establish regulations governing grants to public and nonprofit private entities under section 1121(b) of the Public Health Service Act (42 U.S.C. 300c–11) for projects which include both the collection, analysis and furnishing of information relating to the causes of, and the provision of information and counseling to families affected by, the sudden infant death syndrome.

Section 1121(b) also provides that the Secretary may carry out the provisions of subsection (b) by means of contracts with public and private entities. However, the Secretary is currently exploring the issues raised by assistance-type contracts, a mechanism which has heretofore not been used in public health assistance programs. Accordingly, it was considered advisable in the interest of starting the program mandated by section 1121(b) at the earliest date possible to publish initially only the regulations covering grants under section 1121(b). Regulations governing contracts under section 1121(b) will be published at a later date.

Interested persons are invited to submit written comments, suggestions, or objections concerning the proposed regulations to the Director, Division of Policy Development, Bureau of Community Health Services, Health Services Administration, Room 6–17, 5600 Fishers Lane, Rockville, Md. 20852, on or before April 4, 1975. All comments received in timely response to this notice will be considered and will be available for public inspection in the above named office during regular business hours.

It is therefore proposed to amend Part 51a of Title 42 by changing the title thereof to "Grants for Maternal and Child Health" and by adding thereto a new Subpart E, as set forth below.

Dated: January 17, 1975.

CHARLES C. EDWARDS,
Assistant Secretary for Health.

Approved: February 24, 1975.

CASPAR W. WEINBERGER,
Secretary.

Subpart E—Project Grants for Sudden Infant Death Syndrome Information and Counseling

PART 51a—GRANTS FOR MATERNAL AND CHILD HEALTH AND CRIPPLED CHILDREN'S SERVICES

Sec.

51a.501 Applicability.
51a.502 Definitions.
51a.503 Eligibility.
51a.504 Application for a grant.
51a.505 Project requirements.
51a.506 Project community council.
51a.507 Evaluation and grant award.
51a.508 Payments.
51a.509 Use of project funds.
51a.510 Civil rights.
51a.511 Confidentiality of information.
51a.512 Publications and copyright.
51a.513 Grantee accountability.
51a.514 Performance report.
51a.515 Additional conditions.
51a.516 Applicability of 45 CFR Part 74.

AUTHORITY: Sec. 215, 58 Stat. 690, as amended (42 U.S.C. 216); Sec. 1121, 88 Stat. 91 (42 U.S.C. 300c–11).

Subpart E—Project Grants for Sudden Infant Death Syndrome Information and Counseling

§ 51a.501 Applicability.

The regulations of this subpart are applicable to grants to public and nonprofit private entities pursuant to section 1121(b) of the Public Health Service Act (42 U.S.C. 300c–11) for projects for the collection, analysis and furnishing of information relating to the causes of the sudden infant death syndrome and the provision of information and counseling to families affected by the sudden infant death syndrome.

§ 51a.502 Definitions.

As used in this subpart:

(a) "Act" means the Public Health Service Act, as amended.

(b) "Secretary" means the Secretary of Health, Education, and Welfare and any other officer or employee of the Department of Health, Education, and Welfare to whom the authority involved has been delegated.

(c) "Nonprofit" as applied to a private entity means that no part of the net earnings of such entity inures, or may lawfully inure, to the benefit of any private shareholder or individual.

(d) "The Sudden Infant Death Syndrome," for the purpose of this regulation, means the sudden death of any infant which is unexpected by history, and in which a thorough post mortem examination fails to demonstrate an adequate cause for death.

(e) "SIDS" means the sudden infant death syndrome.

(f) "Family" means the relatives of a SIDS victim or any persons functioning in loco parentis to such victim at the time of a SIDS death.

(g) "Applicant" means a public or nonprofit private entity which applies for a grant.

§ 51a.503 Eligibility.

(a) *Eligible applicants.* Any public or nonprofit private entity is eligible to apply for a grant under this subpart.

(b) *Eligible projects.* Grants to eligible applicants may be made by the Secretary for projects which include both:

(1) The collection, analysis, and furnishing of information (derived from post mortem examinations and other means) pertaining to the causes of SIDS; and

(2) The provision of information and counseling to families affected by SIDS.

§ 51a.504 Application for a grant.

(a) An application for a grant under this subpart shall be submitted to the Secretary at such time and in such form and manner as the Secretary may prescribe. The application shall contain:

(1) A full and adequate description of the project and of the manner in which the applicant intends to conduct the project and carry out the requirements of this subpart;

(2) A budget and justification of the amount of grant funds requested;

(3) Such other pertinent information as the Secretary may require.

(b) The application must be executed by an individual authorized to act for the applicant and to assume for the applicant the obligations imposed by the regulations of this subpart and any additional conditions of the grant.

(c) The application shall:

(1) Provide that the project will be administered by or under the supervision of the applicant;

(2) Provide, in accordance with the provisions of § 51a.506, that the project will have appropriate community representation in its development and operation;

(3) Set forth such fiscal controls and fund accounting procedures, in accordance with the provisions of § 51a.516, as may be necessary to assure proper disbursement of and accounting for grant funds paid to the applicant; and

(4) Provide for making such reports, in addition to the performance report required by § 51a.514, in such form and containing such information as the Secretary may from time to time reasonably require.

§ 51a.505 Project requirements.

An approvable application must contain each of the following:

(a) A description, together with supporting materials, of how the project will:

(1) Establish a mechanism, or utilize a mechanism already existing in the community by which to identify possible SIDS deaths.

(2) Encourage and, where necessary, arrange for or provide appropriate medical investigations of the cause of death performed in accordance with appropriate medical standards when possible SIDS deaths are identified.

(3) Obtain and provide pertinent information from medical investigations of probable SIDS deaths by board qualified or board eligible medical pathologists or other persons authorized by law to perform such investigations.

(4) Identify and, where possible, utilize third-party sources of payment for appropriate medical investigations of probable SIDS deaths.

(5) Encourage the use of SIDS as a diagnosis on death certificates, or as the cause of death on death certificates, when medically determined.

(6) Provide information concerning SIDS to families affected by SIDS, including providing or arranging for prompt diagnosis of the cause of death and notification of the family of the

diagnosis within 24 hours of the diagnosis where possible.

(7) Provide for voluntary counseling of families affected by SIDS, including home visits and other followup in accordance with the families' needs, by personnel qualified by training and experience to provide such services. Such personnel must be fully knowledgeable about the management of SIDS and of problems associated with death, grief, and mourning. Such counseling services shall be provided by:

(i) project personnel; and

(ii) as necessary or appropriate to meet the families' needs, other counseling resources within the community.

(8) Maintain consultation and arrangements with other community resources, such as clergy, police, emergency personnel, mental health services, organized parents' groups, and other voluntary organizations, for

(i) Referral of families affected by SIDS, as appropriate, to such resources; and

(ii) Furnishing directly or indirectly information and suggestions for dealing with SIDS cases to such community resources.

(9) Collect information on SIDS cases in the project area including demographic data, epidemiological data, and therapeutic management data.

(10) Provide information gathered under subparagraph (9) above, in accordance with § 51a.511, to:

(i) Appropriate public officials; and

(ii) Interested members of the general public in the project area.

(b) Assurances that:

(1) Services will be made available without the imposition of any durational residence or referral requirement;

(2) Services will be made available without regard to religion, creed, age, sex, parity, marital status, or income; and

(3) Services will be made available in such a manner as to protect the dignity of the individual.

§ 51a.506 Project community council.

(a) A project community council shall be established by the grantee and shall consist of a minimum of nine and a maximum of fifteen members. At least one-third of such members shall be representatives of the community being served by the project, including representatives of parents' groups or other voluntary civic or community organizations. The membership shall also include representatives of health care or public safety professions, such as medical examiners, public health nurses, private physicans, police and fire department representatives, and funeral directors.

(b) The process of selection of its members shall be stipulated in the council's bylaws, which shall be subject to approval by the Secretary and must provide that:

(1) Members shall serve for definite terms which shall not exceed four years, so staggered as to assure that the terms of not more than one-third of the members shall expire in any calendar year.

(2) The council shall meet as often as necessary, but not less than six times per year, for the purpose of considering and, as appropriate, consulting with an advising the grantee with respect to:

(i) The project's progress toward achieving its goals of service to the area, and

(ii) Review and modification of the project's existing functions, as necessary.

(iii) All recommendations of the council with respect to the project's activities shall be available to the public.

(iv) Written minutes shall be kept of all council meetings.

(c) The Secretary may, for good cause shown, allow a grantee a period of time, not to exceed three months from the date of the receipt of a grant awarded under section 1121(b) of the Act, for compliance with the requirements of this section. In addition, in the case of a grantee which is a State or local governmental agency and which has demonstrated to the satisfaction of the Secretary that it is unable, under State or local law, to establish a project community council pursuant to paragraph (a) of this section, the Secretary may allow such grantee a reasonable period of time to take the appropriate steps to have such legal disability removed. *Provided*, That, such grantee, in the interim, must establish alternate procedures, approved by the Secretary, to assure maximum community participation in the development and operation of the project.

§ 51a.507 Evaluation and grant award.

(a) Within the limit of funds available for such purposes, the Secretary may award grants to assist in the establishment and operation of those projects which will, in his judgment, best promote the purposes of section 1121(b) of the Act, taking into account:

(1) The need for the project's services and informational materials to be provided, including the relative extent to which the project will contribute to the development of a nationwide distribution of such services and materials;

(2) The applicant's demonstration of an understanding of the problem, including the incidence of SIDS and the handling of the problem in the project area;

(3) The capability of the applicant to provide services and informational materials of high quality and effectiveness; and

(4) The degree to which the project plan adequately provides for the elements set forth in § 51a.505.

(b) In determining priority in awarding grants under section 1121(b) of the Act, the Secretary will take into consideration the relative extent to which the project:

(1) Would serve an area with a population of one million or more persons;

(2) Would be located in an area with an infant mortality rate higher than the national average;

(3) Has community resources available which will enable it to meet the requirements of § 51a.505 and;

(4) Is assured of community support and provides an indication of how continuation of its services will be maintained after Federal funding is concluded.

(c) The amount of any award will be determined by the Secretary on the basis of his estimate of the sum necessary for the proper performance of the project. In determining the grantee's share of project costs, if any, costs borne by Federal funds, or costs used to match other Federal grants may not be included except as may be otherwise provided by law.

(d) All grant awards shall be in writing, shall set forth the amount of funds granted, and the period for which support is recommended.

(e) Neither the approval of any project nor any grant award shall commit or obligate the United States in any way to make additional, supplemental, continuation, or other award with respect to any approved project or portion thereof. For continuation support, grantees must make separate application periodically at such times and in such form as the Secretary may direct.

§ 51a.508 Payments.

The Secretary shall from time to time make payments to a grantee of all or portion of any grant award either in advance or by way of reimbursement for expenses incurred in the performance of the project, to the extent he determines such payments necessary to promote prompt initiation and advancement of the approved project.

§ 51a.509 Use of project funds.

Any funds granted pursuant to this subpart as well as other funds to be used in performance of the approved project may be expended solely for carrying out the approved project in accordance with the applicable statute, the regulations of this subpart, the terms and conditions of the award, and the applicable cost principles prescribed by Subpart Q of 45 CFR, Part 74. Project grant funds may be used for appropriate medical investigations of probable SIDS deaths, such as autopsies performed in accordance with appropriate medical standards, by a board certified or board eligible medical pathologist or other person qualified by law to perform such medical investigations, but only where the following conditions are met:

(a) No other source of funds for such investigations is available;

(b) The cost of such investigations is reasonable;

(c) The results of such investigations are used only for the collection, analysis and furnishing of information relating to the causes of SIDS; and

(d) The results of such investigations are made available to the families of suspected SIDS victims unless medically contraindicated.

§ 51a.510 Civil rights.

Attention is called to the requirements of title VI of the Civil Rights Act of 1964 (78 Stat. 252 (42 U.S.C. 2000d et seq.)) and in particular section 601 of such Act which provides that no person in the United States shall on the grounds of

race, color, or national origin be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance. A regulation implementing such title VI, which applies to grants made under this part, has been issued by the Secretary with the approval of the President (45 CFR Part 80). In addition, no person shall be denied employment in or by such program or activity on the grounds of age, sex, creed, or marital status.

§ 51a.511 Confidentiality of information.

All information as to personal facts and circumstances obtained by the project staff in connection with the provision of services under the project shall be treated as privileged communications, shall be held confidential, and shall not be divulged without the individual's consent except as may be necessary to provide services to the individual. Such information may be disclosed in summary, statistical, or other form which does not identify particular individuals.

§ 51a.512 Publications and copyright.

Except as may otherwise be provided under the terms and conditions of the award, the grantee may copyright without prior approval any publication, films or similar materials developed or resulting from a project supported by a grant under this part, subject, however, to a royalty-free, nonexclusive, and irrevocable license or right in the Government to reproduce, translate, publish, use, disseminate, and dispose of such materials and to authorize others to do so. Royalties received by grantees from copyrights on publications or other works developed under the grant shall first be used to reduce the Federal share of the grant to cover the costs of publishing or producing the materials and any royalties in excess of the costs of publishing or producing such materials shall be distributed in accordance with Chapter 1-420 of the Department of Health, Education, and Welfare Grants Administration Manual.[1]

§ 51a.513 Grantee accountability.

(a) *Accounting for grant award payments.* All payments made by the Secretary shall be recorded by the grantee in accounting records separate from the records of all other grant funds, including funds derived from other grant awards. With respect to each approved project the grantee shall account for the sum total of all amounts paid by presenting or otherwise making available evidence satisfactory to the Secretary of expenditures for direct and indirect costs meeting the requirements of this subpart. *Provided, however,* That when the amount awarded for indirect costs was based on a predetermined fixed percentage of estimated direct costs, the amount allowed for indirect costs shall be computed on the basis of such predetermined fixed-percentage rates applied to the total, or a selected element thereof, of the reimbursement direct costs incurred.

(b) *Grant closeout.* (1) Date of final accounting. A grantee shall render, with respect to each approved project, a full account, as provided herein, as of the date of the termination of grant support. The Secretary may require other special and periodic accounting.

(2) Final settlement. There shall be payable to the Federal government as final settlement with respect to each approved project the total sum of:

(i) Any amount not accounted for pursuant to paragraph (a) of this section.

(ii) Any credits for earned interest pursuant to paragraph (b) of this section.

(iii) Any other amounts due pursuant to Subparts F, M, and O of 45 CFR Part 74. Such total sum shall constitute a debt owed by the grantee to the Federal government and shall be recovered from the grantee or its successors or assignees by setoff or other action as provided by law.

[1] The Department of Health, Education, and Welfare Grants Administration Manual is available for public inspection and copying at the Department and Regional Offices' information centers listed in 45 CFR Part 531 and may be purchased from the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402.

§ 51a.514 Performance report.

With each continuation or renewal application or with each financial status report at the end of a project period, whichever is appropriate, grantees shall submit a performance report for each grant which briefly presents the following for each program, functions, or activity involved:

(a) A comparison of actual accomplishments to the goals established for the period. Where the output of grant programs can be quantified, such quantitative data should be related to cost data for computation of unit costs.

(b) An explanation when established goals have not been met.

(c) Other pertinent information including, when appropriate, analysis and explanation of cost overruns or higher than anticipated unit costs.

§ 51a.515 Additional conditions.

The Secretary may with respect to any grant award impose additional conditions prior to or at the time of any award when in his judgment such conditions are necessary to assure or protect advancement of the approved project, the interests of public health, or the conservation of grant funds.

§ 51a.516 Applicability of 45 CFR Part 74.

The relevant provisions of the following subparts of 45 CFR Part 74, establishing uniform administrative requirements and cost principles, shall apply to all grants under this subpart:

45 CFR PART 74

SUBPART
A—General
B—Cash Depositories
C—Bonding and Insurance
D—Retention and Custodial Requirements for Records
F—Grant—Related Income
K—Grant Payment Requirements
L—Budget Revision Procedures
M—Grant Closeout, Suspension, and Termination
O—Property
Q—Cost Principles

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PART III

FEDERAL RESERVE SYSTEM

■

SECURITIES OF MEMBER STATE BANKS

Proposed Correlation With Regulations Issued by the Securities and Exchange Commission

FEDERAL RESERVE SYSTEM

[12 CFR Part 206]

[Reg. F]

SECURITIES OF MEMBER STATE BANKS

Notice of Proposed Rulemaking

FEBRUARY 21, 1975.

Pursuant to its authority under section 12(i) of the Securities Exchange Act of 1934, as amended (15 U.S.C. § 78*l*(i)) (the "Act"), the Board of Governors proposes to revise its regulations in order that they will be substantially similar to comparable rules and regulations issued by the Securities and Exchange Commission.

On October 8, 1974, the President signed into law the Depository Institutions Amendments of 1974 (Pub. L. 93-495). Section 105(b) of that statute amends section 12(i) of the Act with respect to securities of banks that are regulated by the various Federal bank supervisory agencies. With respect to securities of State-chartered banks that are members of the Federal Reserve System, section 12(i) of the Act, as amended, requires that the Board:

> . . . issue substantially similar regulations to regulations and rules issued by the [Securities and Exchange] Commission under sections 12, 13, 14(a), 14(c), 14(d), 14(f), and 16, unless, [the Board] find[s] that implementation of substantially similar regulations with respect to insured banks and insured institutions are not necessary or appropriate in the public interest or for protection of investors, and publish such findings, and the detailed reasons therefor, in the FEDERAL REGISTER. Such regulations of [the Board] or the reasons for failure to publish such substantially similar regulations to those of the [Securities and Exchange] Commission, shall be published in the FEDERAL REGISTER within 120 days of the date of enactment of this subsection, and, thereafter, within 60 days of any changes made by the [Securities and Exchange] Commission in its relevant regulations and rules.

The proposed revisions of the Board's Regulation F are being published for comment by interested persons. The revisions would, among other things, require the inclusion of bank stock market data in annual reports to the Board; require the furnishing to a stockholder or investor, upon request, of a copy of the annual report filed with the Board; require the disclosure of additional financial data in the annual report to stockholders; revise stockholder proposal procedures; add certain requirements with respect to tender offers for registered bank stock; and expand and revise the instructions to "insider" ownership report forms to require the reporting of stock option ownership. In addition, numerous minor changes are included to clarify existing regulations. The proposed amendments to the Board's Regulation F are substantially similar to the comparable regulations and rules issued by the Securities and Exchange Commission, with two notable exceptions: "line of business reporting" and certification of financial statements.

The Securities and Exchange Commission's disclosure requirements as to each "line of business" in which a registrant is engaged are basically premised upon the wide diversity of activities engaged in by registrants subject to the Commission's jurisdiction. However, commercial banking constitutes a single line of commerce and detailed regulations in this area would in the Board's opinion, be of marginal value for the protection of investors and not in the public interest.

The Commission requires that all financial statements filed by its registrants be certified by an independent public accountant. Since the adoption of Regulation F in 1964, the Board, although accepting certified financial statements, has also accepted a verification statement by a bank's principal accounting officer and internal auditor. The Board proposes to permit the certification of financial statements of members State banks to remain optional. State-chartered member banks are subject to examination by both State banking authorities and the Federal Reserve System. In addition, many banks maintain an internal audit control system at considerable cost and many also employ independent public accountants for "director's audits". Accordingly, in order to avoid both duplication of supervisory effort and the added cost of independent audits, certification of financial statements does not appear to be necessary or appropriate in the public interest or for the protection of investors in the case of State member banks.

To aid in the consideration of this matter by the Board, interested persons are invited to submit relevant data, comments, views or arguments. Any requests for a hearing on this matter 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.

Any views or requests for a hearing should be submitted in writing to the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551, to be received not later than April 27, 1975. All views expressed in written comments on the proposal and received by that date will be considered by the Board. Such material will be made available for inspection and copying upon request, except as provided in the Board's rules regarding availability of information (12 CFR Part 261).

The proposed amendments to Regulation F (12 CFR Part 206) read as follows, all new matter being bracketed:

Sections 206.1 through 206.71 are revised as set forth below:

PART 206—SECURITIES OF MEMBER STATE BANK

REGULATIONS

Sec.

206.1 Scope of part.
206.2 Definitions.
206.3 Inspection and publication of information filed under the Act.
206.4 Registration statements and reports.
206.5 Proxy statements and other solicitations under section 14 of the Act.
206.6 "Insiders'" securities transactions and reports under section 16 of the Act.
206.7 Form and content of financial statements.

FORMS

206.41 Form for registration of securities of a bank pursuant to section 12(b) or section 12(g) of the Securities Exchange Act of 1934 (Form F-1).
206.42 Form for annual report of bank (Form F-2).
206.43 Form for current report of a bank (Form F-3).
206.44 Form for quarterly report of bank (Form F-4).
206.45 Form for amendment to registration statement or periodic report of bank (Form F-20).
206.46 Form for registration of additional class of securities of a bank pursuant to section 12(b) or section 12 (g) of the Securities Exchange Act of 1934 (Form F-10).
296.47 Form for statement to be filed pursuant to § 206.4(g) (2) or § 206.5(l) of Regulation F (Form F-11).
206.51 Form for proxy statement; statement where management does not solicit proxies (Form F-5).
206.52 Form for statement in election contests (Form F-6).
206.53 Form for statement to be filed pursuant to § 206.5(m) of Regulation F (Form F-12).
206.61 Form for initial statement of beneficial ownership of equity securities (Form F-7).
206.62 Form for statement of changes in beneficial ownership of equity securities (Form F-8).
206.65 Form for registration of certain successor issues pursuant to section 12 (b) or (g) of the Securities Exchange Act of 1934.
206.71 Forms for finanical statements (Forms F-9, A, B, C, and D).

REGULATIONS

§ 206.1 Scope of part.[1]

This Part is issued by the Board of Governors of the Federal Reserve System (the "Board") pursuant to section 12(i) of the Securities Exchange Act of 1934 (15 U.S.C. 78) (the "Act") and applies to all securities subject to registration pursuant to section 12(b) or section 12(g) of the Act by a bank that is organized under State law and is a member of the Federal Reserve System ("bank").

§ 206.2 Definitions.

For the purposes of this Part, including all forms and instructions promulgated for use in connection herewith, unless the context otherwise requires:

(a) The terms "exchange", "director", "person", "security", and "equity security" have the meanings given them in section 3(a) of the Act.[2]

(b) The term "affiliate" (whether referred to as an "affiliate" of, or a person "affiliated" with, a specified person)

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[1] This text corresponds to the Code of Federal Regulations, Title 12, Chapter II, Part 206, cited as 12 CFR 206. The words "this Part", as used herein, mean Regulation F.

[2] See Appendix of Regulation F published by the Board of Governors of the Federal Reserve System.

means a person that directly, or indirectly through one of more intermediaries, controls, or is controlled by, or is under common control with, the person specified.

(c) The term "amount", when used with respect to securities, means the principal amount if relating to evidences of indebtedness, the number of shares if relating to shares, and the number of units if relating to any other kind of security.

(d) The term "associate", when used to indicate a relationship with any person, means (1) any corporation or organization (other than the bank or a majority-owned subsidiary of the bank) of which such person is an officer or partner or is, directly or indirectly, either alone or together with one or more members of his immediate family, the beneficial owner of 10 per cent or more of any class of equity securities, (2) any trust or other estate in which such person has a substantial beneficial interest or as to which such person serves as trustee or in a similar fiduciary capacity, and (3) any relative or spouse of such person, or any relative of such spouse, who has the same home as such person, or who is a director or officer of the bank or any of its parents or subsidiaries.

(e) The term "charter" includes articles of incorporation, declarations of trust, articles of association or partnership, or any similar instrument, as amended, effecting (either with or without filing with any governmental agency) the organization or creation of an incorporated or unincorporated person.

(f) The term "control" (including the terms "controlling", "controlled by", and "under common control with") means the possession, directly or indirectly, of the power to direct or cause the direction of the management and policies of a person, whether through the ownership of voting securities, by contract, or otherwise.

(g) The term "employee" does not include a director, trustee, or officer.

(h) The term "equity capital accounts" means capital stock, surplus, undivided profits, and reserve for contingencies and other capital reserves.

(i) The term "fiscal year" means the annual accounting period or, if no closing date has been adopted, the calendar year ending on December 31.

(j) (1) For the purpose of determining whether the registration requirements of section 12(g)(1) of the Act are applicable, securities shall be deemed to be "held of record" by each person who is identified as the owner of such securities on records of security holders maintained by or on behalf of the bank, subject to the following:

(i) In any case where the records of security holders have not been maintained in accordance with accepted practice, any additional person who would be identified as such an owner on such records if they had been maintained in accordance with accepted practice shall be included as a holder of record.

(ii) Securities identified as held of record by a corporation, a partnership, a trust whether or not the trustees are named, or other organization shall be included as so held by one person.

(iii) Securities identified as held of record by one or more persons as trustees, executors, guardians, custodians, or in other fiduciary capacities with respect to a single trust, estate, or account shall be included as held of record by one person.

(iv) Securities held by two or more persons as co-owners shall be included as held by one person.

(v) Each outstanding unregistered or bearer certificate shall be included as held of record by a separate person, except to the extent that the bank can establish that, if such securities were registered, they would be held of record, under the provisions of this paragraph (j), by a lesser number of persons.

(vi) Securities registered in substantially similar names, where the bank has reason to believe because of the address or other indications that such names represent the same person, may be included as held of record by one person.

(2) Notwithstanding subparagraph (1):

(i) Securities held subject to a voting trust, deposit agreement, or similar arrangement shall be included as held of record by the record holders of the voting trust certificates, certificates of deposit, receipts, or similar evidences of interest that the bank may rely in good faith on such information as is received in response to its request from a nonaffiliated issuer of the certificates or interests.

(ii) If the bank knows or has reason to know that the form of holding securities of record is used principally to circumvent the provisions of section 12(g)(1) of the Act, the beneficial owners of such securities shall be deemed to be record owners thereof.

(k) The term "immediate family" includes a person's (1) spouse; (2) son, daughter, and descendant of either; (3) father, mother, and ancestor of either; (4) stepson and stepdaughter; and (4) stepfather and stepmother. For the purpose of determining whether any of the foregoing relationships exist, a legally adopted child shall be considered a child by blood.

[(l) The term "information statement" means the statement required by § 206.5(a), whether or not contained in a single document.]

[(m) The term "last fiscal year" of bank means the last fiscal year of bank ending prior to the date of the meeting with respect to which an information statement is required to be distributed.]

(n) The term "listed" means admitted to full trading privileges upon application by the bank and includes securities for which authority to add to the list on official notice of issuance has been granted.

(o) The term "majority-owned subsidiary" means a subsidiary more than 50 per cent of whose outstanding securities representing the right, other than as affected by events of default, to vote for the election of directors, is owned by the subsidiary's parent and/or one or more of the parent's other majority-owned subsidiaries.

(p) The term "material", when used to qualify a requirement for furnishing of information as to any subject, limits the information required to those matters as to which an average prudent investor ought reasonably to be informed before buying or selling the security registered.

(q) The term "officer" means a Chairman of the Board of Directors, Vice Chairman of the Board, Chairman of the Executive Committee, President, Vice President (except as indicated in the next sentence), Cashier, Treasurer, Secretary, Comptroller, and any other person who participates in major policy-making functions of the bank. In some banks (particularly banks with officers bearing titles such as Executive Vice President, Senior Vice President, or First Vice President as well as a number of "Vice Presidents"), some or all "Vice Presidents" do not participate in major policy-making functions, and such persons are not officers for the purpose of this Part.

(r) The term "option" means any option, warrant, or right other than those issued to security holders on a pro rata basis.

(s) The term "parent" of a specified person is a person controlling such person directly, or indirectly through one or more intermediaries.

(t) The term "plan" includes all plans, contracts, authorizations, or arrangements, whether or not set forth in any formal document.

(u) The term "predecessor" means a person the major portion of the business and assets of which another person acquired in a single succession or in a series of related successions.

(v) The terms "previously filed" and "previously reported" mean previously filed with, or reported in, a registration statement under section 12, a report under section 13, or a definitive proxy statement or statement where management does not solicit proxies under section 14 of the Act, which statement or report has been filed with the Board, except that information contained in any such document shall be deemed to have been previously filed with or reported to an exchange only if such document is filed with such exchange.

(w) The term "principal underwriter" means an underwriter in privity of contract with the bank of the securities as to which he is underwriter.

(x) The term "promoter" includes: (1) any person who, acting alone or in conjunction with one or more other persons, directly or indirectly takes initiative in founding and organizing the bank; (2) any person who, in connection with the founding and organizing of the bank, directly or indirectly receives in consideration of services or property or both services and property 10 per cent or more of any class of securities of the bank or 10 per cent or more of the proceeds from the sale of any class of such securities. A person who receives such securities or proceeds either solely as underwriting commissions or solely in consideration of property shall not, however, be deemed a promoter if such per-

son does not otherwise take part in founding and organizing the bank.

(y) The term "proxy" includes every proxy, consent, or authorization within the meaning of section 14(a) of the Act. The consent or authorization may take the form of failure to object or to dissent.

[(z) The term "proxy statement" means the statement required by § 206.5 (a), whether or not contained in a single document.]

(aa) The terms "qualified stock option", restricted stock option", and "employee stock purchase plan" have the meanings given them in sections 422 through 424 of the Internal Revenue Code of 1954, [as amended. For the purposes of this regulation, an option which meets all of the conditions of section 424(b) of the Internal Revenue Code of 1914, as amended, other than the date of issuance shall be deemed to be a "restricted stock option".]

[(bb) The term "registration statement" or "statement", when used with reference to registration pursuant to § 206.4 of this Part, includes both an application for registration of securities on a national securities exchange pursuant to section 12(b) of the Act and a registration statement filed pursuant to section 12(g) of the Act.]

(cc) The term "share" means a share of stock in a corporation or unit of interest in an unincorporated person.

(dd) The term "significant subsidiary" means a subsidiary meeting any of the following conditions:

(1) The investments in the subsidiary by its parent plus the parent's proportion of the investments in such subsidiary by the parent's other subsidiaries, if any, exceed 5 per cent of the equity capital accounts of the bank. "Investments" refers to the amount carried on the books of the parent and other subsidiaries or the amount equivalent to the parent's proportionate share in the equity capital accounts of the subsidiary, whichever is greater; or

(2) The parent's proportion of the gross operating revenues of the subsidiary exceeds 5 per cent of the gross operating revenues of the parent; or

[(3) The parent's proportion of income of the subsidiary before income taxes exceeds 5 per cent or more of the income before taxes of parent.

[NOTE: The subsidiary may be the parent of one or more subsidiaries and, together with such subsidiaries may, if considered in the aggregate, constitute a significant subsidiary.]

(ee) The terms "solicit" and "solicitation" means (1) any request for a proxy whether or not accompanied by or included in a form of proxy; (2) any request to execute or not to execute, or to revoke, a proxy; or (3) the furnishing of a form of proxy or other communication to security holders under circumstances reasonably calculated to result in the procurement, withholding, or revocation of a proxy. The terms do not apply, however, to the furnishing of a form of proxy to a security holder upon the unsolicited request of such security holder, the performance by the bank of acts required by § 206.5(g), or the performance by any person of ministerial acts on behalf of a person soliciting a proxy.

(ff) A "subsidiary" of a bank is (1) an affiliate controlled by the bank, directly or indirectly, through one or more intermediaries, except where the control (i) exists by reason of ownership or control of voting securities by the bank in a fiduciary capacity, or (ii) was obtained by the bank in the course of securing or collecting a debt previously contracted in good faith, or (2) a person a majority of whose voting securities are held in trust for the benefit of the holders of a class of stock of the bank pro rata.

(gg) The term "succession" means the direct acquisition of the [shares or] assets comprising a going business, whether by merger, consolidation, purchase, or other direct transfer. The term does not include the acquisition of control of a business unless followed by the direct acquisition of its [shares or] assets. The term "succeed" and "successor" have meanings correlative to the foregoing.

(hh) The term "verified", when used with respect to financial statements, means either (1) certified by an independent public accountant, or (2) signed in accordance with § 206.7(b)(2) by the person principally responsible for the accounting records of the bank (the "principal accounting officer") and by the person principally responsible for the audit procedures of the bank (the "auditor"); except that the term "verified" shall mean certified by an independent public accountant in any case in which the Board so informs the bank concerned, in writing, at least 90 days prior to the end of the fiscal year to which the financial statements will relate.

(ii) The term "voting securities" means securities the holders of which are presently entitled to vote for the election of directors.

(jj) The terms "beneficial ownership", "beneficially owned", and the like, when used with respect to the reporting of ownership of the bank's equity securities in any statement or report required by this Part, shall include, in addition to direct and indirect beneficial ownership by the reporting person, ownership of such securities (1) by the spouse (except where legally separated) and minor children of such reporting person, and (2) by any other relative of the reporting person who has the same home as such person.

§ 206.3 Inspection and publication of information filed under the Act.

(a) *Filing of material with the Board.* All papers required to be filed with the Board pursuant to the Act or regulations thereunder shall be filed at its office in Washington, D.C. Material may be filed by delivery to the Board, through the mails, or otherwise. The date on which papers are actually received by the Board shall be the date of filing thereof if all of the requirements with respect to the filing have been complied with.

(b) *Inspection.* Except as provided in paragraph (c) of this section, [all information filed, other than ownership reports required to be filed pursuant to § 206.6(a),] regarding a security registered with the Board will be available for inspection at the Federal Deposit Insurance Corporation, 550 Seventeenth Street, NW., Washington, D.C. In addition, copies of the registration statement and reports required by § 206.4 (exclusive of exhibits), the statements required by § 206.5(a), and the annual reports to security holders required by § 206.5(c), will be available for inspection at the New York, Chicago, and San Francisco Federal Reserve Banks and at the Reserve Bank of the district in which the bank filing the statements or reports is located. [The ownership reports required to be filed pursuant to § 206.6(a) will be available for public inspection at the Board's office in Washington, D.C.]

(c) *Nondisclosure of certain information filed.* Any person filing any statement, report, or document under the Act may make written objection to the public disclosure of any information contained therein in accordance with the procedure set forth below:

(1) The person shall omit from the statement, report, or document, when it is filed, the portion thereof that it desires to keep undisclosed (hereinafter called the confidential portion). In lieu thereof, it shall indicate at the appropriate place in the statement, report, or document that the confidential portion has been so omitted and filed separately with the Board.

(2) The person shall file with the copies of the statement, report, or document filed with the Board:

(i) As many copies of the confidential portion, each clearly marked "CONFIDENTIAL TREATMENT", as there are copies of the statement, report, or document filed with the Board and with each exchange, if any. Each copy shall contain the complete text of the item and, notwithstanding that the confidential portion does not constitute the whole of the answer, the entire answer thereto; except that in case the confidential portion is part of a financial statement or schedule, only the particular financial statement or schedule need be included. All copies of the confidential portion shall be in the same form as the remainder of the statement, report, or document.

(ii) An application making objection to the disclosure of the confidential portion. Such application shall be on a sheet or sheets separate from the confidential portion, and shall contain (A) an identification of the portion of the statement, report, or document that has been omitted, (B) a statement of the grounds of objection, and (C) the name of each exchange, if any, with which the statement, report, or document is filed. The copies of the confidential portion and the application filed in accordance with this subparagraph shall be enclosed in a separate envelope marked "CONFIDENTIAL TREATMENT" and addressed to Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551.

(3) Pending the determination by the Board as to the objection filed in accordance with paragraph (c)(2) of this

section, the confidential portion will not be disclosed by the Board.

(4) If the Board determines that the objection shall be sustained, a notation to that effect will be made at the appropriate place in the statement, report, or document.

(5) If the Board shall have determined that disclosure of the confidential portion is in the public interest, a finding and determination to that effect will be entered and notice of the finding and determination will be sent by registered or certified mail to the person.

(6) The confidential portion shall be made available to the public:

(i) upon the lapse of 15 days after the dispatch of notice by registered or certified mail of the finding and determination of the Board described in paragraph (e)(5) of this section, if prior to the lapse of such 15 days the person shall not have filed a written statement that he intends in good faith to seek judicial review of the finding and determination;

(ii) upon the lapse of 60 days after the dispatch of notice by registered or certified mail or the finding and determination of the Board, if the statement described in clause (i) shall have been filed and if a petition for judicial review shall not have been filed within such 60 days; or

(iii) if such petition for judicial review shall have been filed within such 60 days, upon final disposition, adverse to the person, of the judicial proceedings.

(7) If the confidential portion is made available to the public, a copy thereof shall be attached to each copy of the statement, report, or document filed with the Board and with each exchange concerned.

§ 206.4 Registration statements and reports.

(a) *Requirement of registration statement.* Securities of a bank shall be registered under the provisions of either section 12(b) or section 12(g) of the Act by filing a statement in conformity with the requirements of Form F-1, [Form F-1B (in the case of registration of securities of a successor bank),] or Form F-10 (in the case of registration of an additional class of securities). No registration shall be required under the provisions of section 12(b) or section 12(g) of the Act of any warrant or certificate evidencing a right to subscribe to or otherwise acquire a security of a bank if such warrant or certificate by its terms expires within 90 days after the issuance thereof.

[(1) Where in connection with a succession by merger, consolidation, exchange of securities or acquisition of assets, equity securities of a bank, not previously registered pursuant to section 12 of the Act, are issued to the holders of any class of equity securities of another bank which is registered pursuant to section 12(g), the class of securities so issued shall be deemed to be registered pursuant to section 12(g) of the Act unless upon consummation of the succession such class is exempt from such registration or all securities of such class are held of record by less than 300 persons.]

[(2) Where in connection with a succession by merger, consolidation, exchange of securities or acquisition of assets, equity securities of a bank, which are not registered pursuant to section 12 of the Act, are issued to the holders of any class of equity securities of another bank which is required to file a registration statement pursuant to section 12(g) but has not yet done so, the duty to file such statement shall be deemed to have been assumed by the bank whose class of securities is so issued and such bank shall file a registration statement pursuant to section 12(g) of the Act with respect to such class within the period of time the predecessor bank would have been required to file such a statement, or within such extended period of time as the Board may authorize upon application pursuant to § 206.4(r), unless upon consummation of the succession such class is exempt from such registration or all securities of the class are held of record by less than 300 persons.]

(b) *Registration effective as to class or series.* Depending upon whether the security is to be listed on an exchange, registration shall become effective as provided in section 12(d) or section 12(g)(1) of the Act as to the entire class of such security, then or thereafter authorized. If, however, a class of security is issuable in two or more series with different terms, each such series shall be deemed a separate class for the purposes of this paragraph.

(c) *Acceleration of effectiveness of registration.* A request for acceleration of the effective date of registration shall be made in writing by either the bank, an exchange, or both and shall briefly describe the reasons therefor.

(d) *Exchange certification.* (1) Certification that a security has been approved by an exchange for listing and registration pursuant to section 12(d) of the Act shall be made by the governing committee or other corresponding authority of the exchange.

(2) The certification shall specify (i) the approval of the exchange for listing and registration; (ii) the title of the security so approved; (iii) the date of filing with the exchange of the registration statement and of any amendments thereto; and (iv) any conditions imposed on such certification. The exchange shall promptly notify the Board of the partial or complete satisfaction of any such conditions.

(3) The certification may be made by telegram but in such case shall be confirmed in writing. All certifications in writing and all amendments thereto shall be filed with the Board in duplicate and at least one copy shall be manually signed by the appropriate exchange authority.

(4) The date of receipt by the Board of the certification approving a security for listing and registration shall be the date on which the certification is actually received by the Board or the date on which the registration statement to which the certification relates is actually received by the Board, whichever date is later.

(5) If an amendment to the registration statement is filed with the exchange and with the Board after the receipt by the Board of the certification of the exchange approving the security for listing and registration, the certification, unless withdrawn, shall be deemed made with reference to the statement as amended.

(6) An exchange may, by notice to the Board, withdraw its certification prior to the time that the registration to which it relates first becomes effective pursuant to paragraph (b) of this section.

[(7) An exchange may suspend from trading a bank security listed and registered thereon in accordance with its rules. Suspension of trading shall not terminate the registration of any bank security.]

(e) *Requirement of annual reports.* Every registrant bank shall file an annual report for each fiscal year after the last full fiscal year for which financial statements were filed with the registration statement. The report, which shall conform to the requirements of Form F-2, shall be filed within 90 days after the close of the fiscal year or within 30 days of the mailing of the bank's annual report to stockholders, whichever occurs first.

[(f) *Annual reports of predecessors.* Every bank having securities registered pursuant to section 12 of the Act on Form F-1 (or Form F-10, in the case of registration of an additional class of securities) shall file an annual report pursuant to paragraph (e) of this section for each of its predecessors which had securities registered pursuant to section 12 covering the last full fiscal year of the predecessor prior to the registrant's succession, unless such report has been filed by the predecessor. Such annual report shall contain the information that would be required if filed by the predecessor.]

(g) *Exception from requirement for annual report.* Notwithstanding paragraph (e) of this section, any bank that has filed, within the period prescribed for filing an annual report pursuant to that paragraph, a registration statement that has become effective and is not subject to any proceeding under section 15(c) or section 19(a) of the Act, or to an order thereunder, need not file an annual report if such statement covers the fiscal period that would be covered by such annual report and contains all of the information, including financial statements and exhibits, required for annual reports.

(h) *Current reports.* (1) Every registrant bank shall file a current report in conformity with the requirements of Form F-3 within 10 days after the close of any month during which any of the events specified in that form occurs, unless substantially the same information as required by that form has been previously reported by the bank.

[(2) Each bank having securities registered pursuant to section 12(g) of the Act, upon being notified by a national securities association registered pursuant to section 15A of the Act, that a class of the bank's securities is to be quoted on an

interdealer quotation system which is sponsored and governed by the rules of such association, shall thereafter notify such association promptly of (i) any increase or decrease in the amount of securities of such class outstanding which exceeds 5 percent of the amount of such class last reported to the association and (ii) any change in the name of the bank. The obligation to report pursuant to this paragraph (2) shall continue until notification is received from the association that all classes of securities are no longer quoted on such interdealer quotation system.]

(3) (i) Any person who, after acquiring, directly or indirectly, the beneficial ownership of any equity security of a member State bank, of a class which is registered pursuant to section 12 of the Act, is directly or indirectly the beneficial owner of more than 5 percent of such class shall, within ten days after such acquisition, send to the bank at its principal executive office, by registered or certified mail, send to each exchange where the security is traded, and file with the Board a statement containing the information required by Form F-11. Eight copies of the statement shall be filed with the Board.

(ii) Acquisitions of securities by a security holder who, prior to such acquisition, was the beneficial owner of more than 5 percent of the outstanding securities of the same class as those acquired shall be exempt from the reporting requirements of (h)(3) (i) of this section if the following conditions are met: (A) the acquisition is made pursuant to preemptive subscription rights in an offering made to all holders of securities of the class to which the preemptive subscription rights pertain; (B) the purchaser does not, through the exercise of such preemptive subscription rights, acquire more than his or its pro-rata share of the securities offered; and (C) the acquisition is duly reported pursuant to section 16(a) of the Act and the provisions of § 206.6 promulgated thereunder.

(4) If any material change occurs in the facts set forth in the statement required by paragraph (h)(3) of this section, the person who filed such statement shall promptly file with the Board and send to the bank and the exchange an amendment disclosing such change.

[(5) Determination of ownership of specified percentages of a class of equity securities. In determining, for the purposes of § 206.4(h) or § 206.5(l), whether a person is directly or indirectly the beneficial owner of securities of any class, such person shall be deemed to be the beneficial owner of securities of such class which such person has the right to acquire through the exercise of presently exercisable options, warrants or rights or through the conversion of presently convertible securities, or otherwise. The securities subject to such options, warrants, rights or conversion privileges held by a person shall be deemed to be outstanding for the purpose of computing the percentage of outstanding securities of the class owned by such person but shall not be deemed to be outstanding for the purpose of computing the percentage of the class owned by any other person.]

(i) *Quarterly reports.* Every registrant bank shall file a quarterly report in conformity with the requirements of Form F-4 for each fiscal quarter ending after the close of the latest fiscal year for which financial statements were filed in a registration statement, except that no report need be filed for the fiscal quarter which coincides with the end of the fiscal year of the bank. Such reports shall be filed not later than 30 days after the end of such quarterly period, except that the report for any period ending prior to the date on which a class of securities of the bank first becomes effectively registered may be filed not later than 30 days after the effective date of such registration.

(j) *Additional information.* In addition to the information expressly required to be included in a statement or report, there shall be added such further material information, if any, as may be necessary to make the required statements, in the light of the circumstances under which they are made, not misleading.

(k) *Information not available.* Information required need be given only insofar as it is known or reasonably available to the bank. If any required information is unknown and not reasonably available to the bank, either because the obtaining thereof would involve unreasonable effort or expense or because it rests peculiarly within the knowledge of another person not affiliated with the bank, the information may be omitted, subject to the following conditions:

(1) The bank shall give such information on the subject as it possesses or can acquire without unreasonable effort or expense together with the sources thereof, and

(2) The bank shall include a statement either showing that unreasonable effort or expense would be involved or indicating the absence of any affiliation with the person within whose knowledge the information rests and stating the result of a request made to such person for the information. No such request need be made, however, to any foreign government, or an agency or instrumentality thereof, if, in the opinion of the bank, such request would be harmful to existing relationships.

(l) *Disclaimer of control.* If the existence of control is open to reasonable doubt in any instance, the bank may disclaim the existence of control and any admission thereof; in such case, however, the bank shall state the material facts pertinent to the possible existence of control.

(m) *Incorporation by reference.* (1) Matter contained in any part of a statement or report, other than exhibits, may be incorporated by reference in answer or partial answer to any item of the [same] statement or report. Matter contained in an exhibit may be so incorporated to the extent permitted in paragraph (n) of this section. A registration statement for an additional class of securities of the bank may incorporate by reference any item contained in a previous registration statement or report.

(2) Material incorporated by reference shall be clearly identified in the reference. An express statement that the specified matter is incorporated by reference shall be made at the particular place in the statement or report where the information is required. Matter shall not be incorporated by reference in any case where such incorporation would render the statement incomplete, unclear, or confusing.

(n) *Summaries or outlines of documents.* Where an item requires a summary or outline of the provisions of any document, only a brief statement shall be made, in succinct and condensed form, as to the most important provisions. In addition to such statement, the summary or outline may incorporate by reference particular items, sections, or paragraphs of any exhibit and may be qualified in its entirety by such reference. Matter contained in an exhibit may be incorporated by reference in answer to an item only to the extent permitted by this paragraph (n).

(o) *Omission of substantially identical documents.* In any case where two or more indentures, contracts, franchises, or other documents required to be filed as exhibits are substantially identical in all material respects except as to the parties thereto, the date of execution, or other details, the bank need file a copy of only one of such documents, with a schedule identifying the documents omitted and setting forth the material details in which such documents differ from the document of which a copy is filed. The Board may at any time in its discretion require the filing of copies of documents so omitted.

[(p) *Additional exhibits.* The bank may file such exhibits as it may desire, in addition to those required by the appropriate form. Such exhibits shall be so marked as to indicate clearly the subject matters to which they refer.]

(q) *Incorporation of exhibits by reference.* (1) Any document or part thereof previously filed with the Board pursuant to this Part may, subject to the following limitations, be incorporated by reference as an exhibit to any registration statement or report filed with the Board by the same or any other person. Any document or part thereof filed with an exchange pursuant to the Act may be incorporated by reference as an exhibit to any registration statement or report filed with the exchange by the same or any other person.

(2) Any document incorporated by reference pursuant to this paragraph (q) shall be so incorporated only by reference to the specific document and to the prior filing in which it was physically filed, not to another file which incorporates it by reference.

(3) If any modification has occurred in the text of any document incorporated by reference since the filing thereof, the bank shall file with the reference a statement containing the text of any such modification and the date thereof.

(4) No document which has been on file with the Board pursuant to this Part for a period of more than 10 years may be incorporated by reference. This limitation shall not, however, apply to a corporate charter or by-laws if such document has not been amended more than twice since such filing.

(r) *Extension of time for furnishing information.* If the furnishing of any information, document, or report at the time it is required to be filed is impracticable, the bank may file with the Board as a separate document an application (1) identifying the information, document, or report in question, (2) stating why the filing thereof at the time required is impracticable, and (3) requesting an extension of time for filing the information, document, or report to a specified date not more than 60 days after the date it would otherwise have to be filed. The application shall be deemed granted unless the Board, within 15 days after receipt thereof, shall enter an order denying the application.

[(i) If the extension requested pursuant to this paragraph is necessitated by the inability of any person other than the registrant to furnish any required opinion, information, report or verification, the application shall have attached as an exhibit, a statement signed by such person stating the specific reasons why such person is unable to furnish the required opinion, information, report or verification.]

[(ii) If the application pursuant to this paragraph, or the extension of time granted, relates only to a portion of the required information, document or report, the registrant shall file the remaining portion, and the portion filed shall prominently indicate the nature of the omitted portion.]

(s) *Number of copies; signatures; binding.* (1) Except where otherwise provided in a particular form, 8 copies of each registration statement and report (including financial statements) and 4 copies of each exhibit and each other document filed as a part thereof, shall be filed with the Board. At least one complete copy of each statement shall be file with each exchange, if any, on which the securities covered thereby are being registered. At least one copy of each report shall be filed with each exchange, if any, on which the bank has securities registered.

(2) At least one copy of each statement or report filed with the Board and one copy thereof filed with an exchange shall be manually signed. If the statement or report is typewritten, one of the signed copies filed with the Board shall be an original "ribbon" copy. Unsigned copies shall be conformed. If the signature of any person is affixed pursuant to a power of attorney or other similar authority, a copy of such power or other authority shall also be filed with the statement or report.

(3) Each copy of a statement or report filed with the Board or with an exchange shall be bound in one or more parts. Copies filed with the Board shall be bound without stiff covers. The statement or report shall be bound on the left side in such a manner as to leave the reading matter legible.

(t) *Requirements as to paper, printing, and language.* (1) Statements and reports shall be filed on good quality, unglazed, white paper 8½ x 13 inches in size, insofar as practicable. Tables, charts, maps, and financial statements may, however, be on larger paper if folded to that size.

(2) The statement or report and, insofar as practicable, all papers and documents filed as a part thereof, shall be printed, lithographed, mimeographed, photocopied, or typewritten. The statement or report or any portion thereof may, however, be prepared by any similar process that, in the opinion of the Board, produces copies suitable for a permanent record. Irrespective of the process used, all copies of any such material shall be clear, easily readable, and suitable for repeated photocopying. Debits in credit categories and credits in debit categories shall be designated so as to be clearly distinguishable as such on photocopies.

(3) The body of all printed statements and reports shall be in roman type at least as large as 10-point modern type. To the extent necessary for convenient presentation, however, financial statements and other statistical or tabular data and the notes thereto may be in type at least as large as 8-point modern type. All type shall be leaded at least 2 points.

(4) Statements and reports shall be in English. If any exhibit or other paper or document filed with a statement or report is in a foreign language, it shall be accompanied by a translation into English.

(u) *Preparation of statement or report.* Each statement and report shall contain the numbers and captions of all items of the appropriate form, but the text of the items may be omitted provided the answers thereto are so prepared as to indicate to the reader the coverage of the items without the necessity of his referring to the text of the items or instructions thereto. Where any item requires information to be given in tablular form, such information shall be given in substantially the tabular form specified in the item. All instructions, whether appearing under the items of the form or elsewhere therein, are to be omitted. Unless expressly provided otherwise, if any item is inapplicable, or the answer thereto is in the negative, an appropriate statement to that effect shall be made.

(v) *Riders; inserts.* Riders shall not be used. If the statement or report is typed on a printed form, and the space provided for the answer to any given item is insufficient, reference shall be made in such space to a full insert page or pages on which the item number and caption and the complete answer are given.

(w) *Amendments.* All amendments shall comply with all pertinent requirements applicable to statements and reports. Amendments shall be filed separately for each separate statement or report amended. Amendments to a statement may be filed either before or after registration becomes effective.

(x) *Title of securities.* Wherever the title of securities is required to be stated, information shall be given that will indicate the type and general character of the securities, including:

(1) In the case of shares, the par or stated value, if any; the rate of dividends, if fixed, and whether cumulative or noncumulative; a brief indication of the preference, if any; and if convertible, a statement to that effect.

(2) In the case of funded debt, the rate of interest; the date of maturity, or if the issue matures serially, a brief indication of the serial maturities, such as "maturing serially from 1970 to 1980"; if payment of principal or interest is contingent, an appropriate indication of such contingency; a brief indication of the priority of the issue; and if convertible, a statement to that effect.

(3) In the case of any other kind of security, appropriate information of comparable character.

(y) *Interpretation of requirements.* Unless the context clearly shows otherwise,

(1) The forms require information only as to the bank.

(2) Whenever any fixed period of time in the past is indicated, such period shall be computed from the date of filing.

(3) Whenever words relate to the future, they have reference solely to present intention.

(4) Any words indicating the holder of a position or office include persons, by whatever titles designated, whose duties are those ordinarily performed by holders of such positions or offices.

(z) *When securities are deemed to be registered.* A class of securities with respect to which a registration statement has been filed pursuant to section 12 of the Act shall be deemed to be registered for the purposes of sections 13, 14, and 16 of the Act and this Part only when such registration statement has become effective as provided in section 12, and securities of said class shall not be subject to sections 13, 14, and 16 of the Act until such registration statement has become effective as provided in section 12.

§ 206.5 Proxy statements and other solicitations under section 14 of the Act.

(a) *Requirement of statement.* No solicitation of a proxy with respect to a security of a bank registered pursuant to section 12 of the Act shall be made unless each person solicited is concurrently furnished, or has previously been furnished, with a written proxy statement containing the information required by Form F-5. If the management of any bank having such a security outstanding fails to solicit proxies from the holders of any such security in such a manner as to require the furnishing of such a proxy statement, such bank shall transmit to all holders of record of such security a statement containing the information required by Form F-5. The "information statement" required by the preceding sentence shall be transmitted (1) at least 20 calendar days prior to any

annual or other meeting of the holders of such security at which such holders are entitled to vote, or (2) in the case of corporate action taken with the written authorization or consent of security holders, at least 20 days prior to the earliest date on which the corporate action may be taken. A proxy statement or an "information statement" required by this paragraph is hereinafter sometimes referred to as a "Statement".

(b) *Exceptions.* The requirements of the first sentence of paragraph (a) of this section shall not apply to the following:

(1) Any solicitation made otherwise than on behalf of the management of the bank where the total number of persons solicited is not more than 10.

(2) Any solicitation by a person in respect to securities carried in his name or in the name of his nominee (otherwise than as voting trustee) or held in his custody, if such person

(i) receives no commission or remuneration for such solicitation, directly or indirectly, other than reimbursement of reasonable expenses;

(ii) furnishes promptly to the person solicited a copy of all soliciting material with respect to the same subject matter or meeting received from all persons who will furnish copies thereof for such purpose and who will, if requested, defray the reasonable expenses to be incurred in forwarding such material; and

(iii) in addition, does no more than (A) impartially instruct the person solicited to forward a proxy to the person, if any, to whom the person solicited desires to give a proxy, or (B) impartially request from the person solicited instructions as to the authority to be conferred by the proxy and state that a proxy will be given if no instructions are received by a certain date.

(3) Any solicitation by a person with respect to securities of which he is the beneficial owner.

(4) Any solicitation through the medium of a newspaper advertisement that informs security holders of a source from which they may obtain copies of a proxy statement, form of proxy, and any other soliciting material and does no more than (i) name the bank; (ii) state the reason for the advertisement; and (iii) identify the proposal or proposals to be acted upon by security holders.

(c) *Annual report to security holders to accompany Statements.* (1) Any Statement furnished on behalf of the management of the bank that relates to an annual meeting of security holders at which directors are to be elected shall be accompanied or preceded by an annual report to such security holders containing such financial statements for the last 2 fiscal years as will, in the opinion of the management, adequately reflect the financial position of the bank at the end of each such year and the results of its operations for each such year. The financial statements included in the annual report may omit details or summarize information if such statements, considered as a whole in the light of other information contained in the report and in the light of the financial statements of the bank filed or to be filed with the Board, will not by such procedure omit any material information necessary to a fair presentation or to make the financial statements not misleading under the circumstances. Subject to the foregoing requirements with respect to financial statements, the annual report to security holders may be in any form deemed suitable by the [management and the information required by paragraphs (c)(1) (i) to (iii) of this paragraph may be presented in an appendix or other separate section of the report, provided that the attention of security holders is called to such presentation.]

[(i) The report shall contain a brief description of the operations done by the bank and its subsidiaries during the most recent fiscal year.]

[(ii) The report shall identify each of the bank's directors and officers, and shall indicate the principal occupation or employment of each such person and the name and principal business of any organization by which such person is so employed.]

[(iii) The report shall identify the principal market, if any, in which securities of any class entitled to vote at the meeting are traded, and shall state the high and low sales prices for such securities (or, in the absence of such information, the range of bid and asked quotation) and the dividends paid on such securities for each quarterly period during the bank's two most recent fiscal years. If bank securities are inactively traded, the report shall so state and shall indicate the range of sales prices known to management for the periods specified above and the source(s) of such information.]

[(2) Management's Statement, or the report, shall contain an undertaking in bold face or otherwise reasonably prominent type to provide without charge to each person solicited, on the written request of any such person, a copy of the bank's annual report on Form F-2 inculding the financial statements and the schedules thereto, required to be filed with the Board pursuant to § 206.4 of this Part for the bank's most recent fiscal year, and shall indicate the name and address of the person to whom such a written request is to be directed. In the discretion of management, a bank need not undertake to furnish without charge copies of all exhibits to its Form F-2 provided that the copy of the annual report on Form F-2 furnished without charge to requesting security holders is accompanied by a list briefly describing all the exhibits not contained therein and indicating that the bank will furnish any exhibit upon the payment of a specified reasonable fee which fee shall be limited to the bank's reasonable expenses in furnishing such exhibit.]

[NOTE: Pursuant to the undertaking required by the paragraph (c)(2) of this section, a bank shall furnish a copy of its annual report on Form F-2 to a beneficial owner of its securities upon receipt of a written request from such person. Each request must set forth a good faith representation that, as of the record date for the annual meeting of the bank's security holders, the person making the request was a beneficial owner of securities entitled to vote at such meeting.]

[(3) Providing copies of material for certain beneficial owners. If the bank knows that securities of any class entitled to vote at a meeting are held of record by a broker, dealer, nonmember or member bank or voting trustee, or their nominees, the bank shall inquire of such record holder whether other persons are the beneficial owners of such securities and, if so, the number of copies of the Statement and other soliciting material, if applicable, and in the case of an annual meeting at which directors are to be elected, the number of copies of the annual report to security holders, necessary to supply such material to such beneficial owners. The bank shall supply such record holder with additional copies in such quantities, assembled in such form and at such a place, as the record holder may reasonably request in order to address and send one copy of each to each beneficial owner of securities so held and shall, upon the request of such record holder, pay its reasonable expenses for completing the mailing of such material to security holders to whom the material is sent.]

[(4) If bank's list of security holders indicates that some of its securities are registered in the name of "Cede & Co.", a nominee for the Depository Trust Company, or in the name of a nominee for any central certificate depository system, bank shall make appropriate inquiry of the central depository system and thereafter of the participants in such a system who may hold on behalf of a beneficial owner, and shall comply with the above paragraph with respect to any such participant.]

This paragraph (c) shall not apply, however, to solicitations made on behalf of management before the financial statements are available if solicitation is being made at the time in opposition to the management and if the management's statement includes an undertaking in bold-face type to furnish such annual report to all persons being solicited at least 20 days before the date of the meeting.

NOTES: 1. To reflect adequately the financial position and results of operations of a bank in its annual report to security holders, the financial presentation shall include, but not necessarily be limited to, the following:

[(a) Comparative statements of condition at the end of each of the last 2 fiscal years.]

[(b) Comparative statements of income in a form providing for the determination of "net income" for each fiscal year and per share earnings and dividend data.]

[(c) Comparative statements of changes in capital accounts for each fiscal year similar in form to Form F-9C.]

[(d) Comparative statements of changes in financial position for each fiscal year for which a statement of income is furnished.]

[(e) A comparative reconciliation of the "Allowance for Possible Loan Losses" account similar in form to Schedule VII, Form F-9D, and a comparative loan classification summary similar in form to Schedule III, of Form F-9D.]

[(f) Supplemental notes to financial statements to the extent necesary to furnish a fair

financial presentation. Such notes should include the aggregate market value as at the balance sheet date for each category of investment securities reported on the balance sheet, and other information required to be furnished in notes to financial statements included in the bank's Form F-2 Annual Report.]

[2. The financial statements should be prepared on a consolidated basis to the extent required by § 206.7(d). Any difference from the principles of consolidation or other accounting principles or practices, or methods of applying accounting principles or practices, applicable to the financial statements of the bank filed or to be filed with the Board, which have a material effect on the financial position or results of operations of the bank, shall be noted and the effect thereof reconciled or explained in the [financial statements or the notes thereto in the] annual report to security holders.]

[3. When financial statements included in the annual report (Form F-2) filed, or proposed to be filed, with the Board are accompanied by an opinion of an independent public accountant, the financial statements in the annual report to security holders should also be accompanied by an opinion of such independent public accountant.]

[4. The requirement for sending an annual report to each person being solicited will be satisfied with respect to persons having the same address by sending at least one report to a holder of record at that address provided (i) that management has reasonable cause to believe that the record holder to whom the report is sent is the "beneficial owner" (see definition in § 206.2(jj)) of securities registered in the name of such person in other capacities or in the name of other persons at such address, or (ii) the security holders at such address consent thereto in writing. Nothing herein shall be deemed to relieve any person so consenting of any obligation to obtain or send such annual report to any other person.]

(5) Eight copies of each annual report sent to security holders pursuant to this paragraph (c) of this section shall be sent to the Board not later than (i) the date on which such report is first sent or given to security holders, or (ii) the date on which preliminary copies of the management Statement are filed with the Board pursuant to paragraph (f) of this section, whichever date is later. Such annual report is not deemed to be "soliciting material" or to be "filed" with the Board or otherwise subject to this § 206.5 or the liabilities of section 18 of the Act, except to the extent that the bank specifically requests that it be treated as a part of the proxy soliciting material or incorporates it in the proxy statement by reference.

(d) *Requirements as to proxy.* (1) The form of proxy (i) shall indicate in bold-face type whether or not the proxy is solicited on behalf of the management of the bank, (ii) shall provide a specifically designated blank space for dating the proxy, and (iii) shall identify clearly and impartially each matter or group of related matters intended to be acted upon, whether proposed by the management or by security holders. No reference need be made, however, to proposals as to which discretionary authority is conferred pursuant to paragraph (d)(4) of this section.

(2) Means shall be provided in the form of proxy whereby the person solicited is afforded an opportunity to specify by ballot a choice between approval or disapproval of each matter or group of related matters referred to therein as intended to be acted upon, other than elections to office. A proxy may confer discretionary authority with respect to matters as to which a choice is not so specified if the form of proxy states in bold-face type how the shares represented by the proxy are intended to be voted in each such case.

(3) A form of proxy which provides both for the election of directors and for action on other specified matters shall be prepared so as clearly to provide, by a box or otherwise, means by which the security holder may withhold authority to vote for the election of directors. Any such form of proxy which is executed by the security holder in such manner as not to withhold authority to vote for the election of directors shall be deemed to grant such authority, provided the form of proxy so states in bold-face type. This paragraph (3) does not apply (i) in the case of a merger, consolidation, or other plan if the election of directors is an integral part of the plan and is not to be separately voted upon or (ii) if the only matters to be acted upon are the election of directors and the election, selection, or approval of other persons such as clerks or auditors.

(4) A proxy may confer discretionary authority to vote with respect to any of the following matters:

(i) Matters that the persons making the solicitation do not know, within a reasonable time before the solicitation, are to be presented at the meeting, if a specific statement to that effect is made in the proxy statement or form of proxy;

(ii) Approval of the minutes of the prior meeting if such approval does not amount to ratification of the action taken at that meeting;

(iii) The election of any person to any office for which a bona fide nominee is named in the proxy statement and such nominee is unable to serve or for good cause refuses to serve;

(iv) Any proposal omitted from the proxy statement and form of proxy pursuant to § 206.5(k);

(v) Matters incident to the conduct of the meeting.

(5) No proxy shall confer authority (i) to vote for the election of any person to any office for which a bona fide nominee is not named in the proxy statement, or (ii) to vote at any annual meeting other than the next annual meeting (or any adjournment thereof) to be held after the date on which the proxy statement and form of proxy are first sent or given to security holders. A person shall not be deemed to be a bona fide nominee and he shall not be named as such unless he has consented to being named in the proxy statement and to serve if elected.

(6) The proxy statement or form of proxy shall provide, subject to reasonable specified conditions, that the shares represented by the proxy will be voted and that where the person solicited specifies by means of a ballot provided pursuant to paragraph (d)(2) of this section a choice with respect to any matters to be acted upon, the shares will be voted in accordance with the specifications so made.

(e) *Presentation of information in Statement.* (1) The information included in the Statement shall be clearly presented and the statements made shall be divided into groups according to subject matter and the various groups of statements shall be preceded by appropriate headings. The order of items in the form need not be followed. Where practicable and appropriate, the information shall be presented in tabular form. All amounts shall be stated in figures. Information required by more than one applicable item need not be repeated. No statement need be made in response to any item that is inapplicable.

(2) Any information required to be included in the Statement as to terms of securities or other subject matter that from a standpoint of practical necessity must be determined in the future may be stated in terms of present knowledge and intention. To the extent practicable, the authority to be conferred concerning each such matter shall be confined within limits reasonably related to the need for discretionary authority. Subject to the foregoing information that is not known to the persons on whose behalf the solicitation is to be made and is not reasonably within the power of such persons to ascertain or procure may be omitted, if a brief statement of the circumstances rendering such information unavailable is made.

(3) There may be omitted from a proxy statement any information contained in any other proxy soliciting material that has been furnished to each person solicited in connection with the same meeting or subject matter if a clear reference is made to the particular document containing such information.

(4) All printed Statements shall be set in roman type at least as large as 10-point modern type except that, to the extent necessary for convenient presentation, financial statements and other statistical or tabular matter may be set in roman type at least as large as 8-point modern type. All type shall be leaded at least 2 points.

[(5) All proxy statements shall disclose on the first page thereof the complete mailing address, including ZIP code, of the principal executive offices of bank and the approximate date on which the proxy statement and form of proxy are first sent or given to security holders.]

(f) *Material required to be filed.* (1) Three preliminary copies of each Statement, form of proxy, and other items of soliciting material to be furnished to security holders concurrently therewith, shall be filed with the Board by management or any other person making a solicitation subject to this § 206.5 at least 10 calendar days (or 15 calendar days in the case of other than routine meetings, as defined below) prior to the date such item is first sent or given to any security holders, or such shorter period prior to that date as may be authorized. For the purposes of this paragraph (f)(1) of this section, a routine meeting means a meet-

ing with respect to which no one is soliciting proxies subject to this § 206.5 other than on behalf of management and at which management intends to present no matters other than the election of directors, election of inspectors of election, and other recurring matters. In the absence of actual knowledge to the contrary, management may assume that no other such solicitation of the bank's security holders is being made. In cases of annual meetings, one additional preliminary copy of the Statement, the form of proxy, and any other soliciting material, marked to show changes from the material sent or given to security holders with respect to the preceding annual meeting shall be filed with the Board.

(2) Three preliminary copies of any additional soliciting material, relating to the same meeting or subject matter, furnished to security holders subsequent to the proxy statement shall be filed with the Board at least two days (exclusive of Saturdays, Sundays, and holidays) prior to the date copies of such material are first sent or given to security holders, or such shorter period prior to such date as may be authorized upon a showing of good cause therefor.

(3) Eight copies of each Statement, form of proxy, and other items of soliciting material, in the form in which such material is furnished to security holders, shall be filed with, or mailed for filing to, the Board not later than the date such material is first sent or given to any security holders. Three copies of such material shall at the same time be filed with, or mailed for filing to, each exchange upon which any security of the bank is listed.

[NOTE: The definitive material filed with the Board should be accompanied by a letter over the signature of an officer of bank or its counsel indicating any material changes which have been made therein, other than those made in response to the staff's comments.]

(4) If the solicitation is to be made in whole or in part by personal solicitation, three copies of all written instructions or other material that discusses or reviews, or comments upon the merits of, any matter to be acted upon, and is furnished to the individuals making the actual solicitation for their use directly or indirectly in connection with the solicitation, shall be filed with the Board by the person on whose behalf the solicitation is made at least five days prior to the date copies of such material are first sent or given to such individuals, or such shorter period prior to that date as may be authorized upon a showing of good cause therefor.

(5) All copies of material filed pursuant to paragraphs (f) (1) and (2) of this section shall be clearly marked "Preliminary Copies" and shall be for the information of the Board only, except that such material may be disclosed to any department or agency of the United States Government and the Board may make such inquiries or investigation with respect to the material as may be necessary for an adequate review thereof. All material filed pursuant to paragraphs (f) (1), (2), or (3) of this section shall be accompanied by a statement of the date upon which copies thereof are intended to be or have been sent or given to security holders. All material filed pursuant to paragraph (f) (4) of this section shall be accompanied by a statement of the date upon which copies thereof are intended to be released to the individuals who will make the actual solicitation.

(6) Copies of replies to inquiries for security holders requesting further information and copies of communications that do no more than request that forms of proxy theretofore solicited be signed, dated, and returned need not be filed pursuant to this paragraph (f).

(7) Notwithstanding the provisions of paragraphs (f) (1), (f) (2), and (i) (5) of this section, copies of soliciting material in the form of speeches, press releases, and radio or television scripts may, but need not, be filed with the Board prior to use or publication. Definitive copies, however, shall be filed with or mailed for filing to the Board as required by paragraph (f) (3) of this section not later than the date such material is used or published. The provisions of paragraphs (f) (1), (f) (2), and (i) (5) of this section shall apply, however, to any reprints or reproductions of all or any part of such material.

(8) Where any Statement, form of proxy, or other material filed pursuant to this paragraph (f) is revised, two of the copies of such revised material filed pursuant to paragraph (f) (3) of this section shall be marked to indicate clearly the changes. If the revision alters the text of the material, the changes in such text shall be indicated by means of underscoring or in some other appropriate manner.

(9) The date that proxy material is "filed" with the Board for purposes of paragraphs (f) (1), (2), and (4) of this section is the date of receipt of the material by the Board, not the date of mailing to the Board. In computing the advance filing period for preliminary copies of proxy soliciting material referred to in such paragraphs, the filing date of the preliminary material is to be counted as the first day of the period and definitive material should not be planned to be mailed or distributed to security holders until after the expiration of such period. Where additional time is required for final printing after receipt of comments, the preliminary proxy material should be filed as early as possible prior to the intended mailing date.

(10) Where preliminary copies of material are filed with the Board pursuant to this subsection, the printing of definitive copies for distribution to security holders should be deferred until comments of the Board's staff have been received and considered.

(g) *Mailing communications for security holders.* If the management of the bank has made or intends to make any proxy solicitation subject to this § 206.5, the bank shall perform such of the following acts as may be requested in writing with respect to the same subject matter or meeting by any security holder who is entitled to vote on such matter or to vote at such meeting and who shall first defray the reasonable expenses to be incurred by the bank in the performance of the act or acts requested:

(1) The bank shall mail or otherwise furnish to such security holder the following information as promptly as practicable after the receipt of such request:

(i) A statement of the approximate number of holders of record of any class of securities, any of the holders of which have been or are to be solicited on behalf of the management, or any group of such holders that the security holder shall designate;

(ii) If the management of the bank has made or intends to make, through bankers, brokers, or other persons, any solicitation of the beneficial owners of securities of any class, a statement of the approximate number of such beneficial owners, or any group of such owners that the security holder shall designate;

(iii) An estimate of the cost of mailing a specified proxy statement, form of proxy, or other communication to such holders, including insofar as known or reasonably available, the estimated handling and mailing costs of the bankers, brokers, or other persons specified in (g) (1) (ii) of this section.

(2) (i) Copies of any proxy statement, form of proxy, or other communication furnished by the security holder shall be mailed by the bank to such of the holders of record specified in (g) (1) (i) of this section as the security holder shall designate. The bank shall also mail to each banker, broker, or other persons specified in (g) (1) (ii) of this section, a sufficient number of copies of such proxy statement, form of proxy, or other communication as will enable the banker, broker, or other person to furnish a copy thereof to each beneficial owner solicited or to be solicited through him;

(ii) Any such material that is furnished by the security holder shall be mailed with reasonable promptness by the bank after receipt of a tender of the material to be mailed, of envelopes or other containers therefor, of postage or payment for postage, and of evidence that such material has been filed with the Board pursuant to paragraph (f) of this section. The bank need not, however, mail any such material that relates to any matter to be acted upon at an annual meeting of security holders prior to the earlier of (a) a day corresponding to the first date on which management proxy soliciting material was released to security holders in connection with the last annual meeting of security holders, or (b) the first day on which solicitation is made on behalf of management. With respect to any such material that relates to any matter to be acted upon by security holders otherwise than at an annual meeting, such material need not be mailed prior to the first day on which solicitation is made on behalf of management.

(iii) Neither the management nor the bank shall be responsible for such proxy statement, form of proxy, or other communication.

(3) In lieu of performing the acts specified above, the bank may, at its option,

furnish promptly to such security holder a reasonably current list of the names and addresses of such of the holders of record specified in (g)(1)(i) of this section as the security holder shall designate, and a list of the names and addresses of the bankers, brokers, or other persons specified in (g)(1)(ii) of this section as the security holder shall designate together with a statement of the approximate number of beneficial owners solicited or to be solicited through each such banker, broker, or other person and a schedule of the handling and mailing costs of each such banker, broker, or other person, if such schedule has been supplied to the management of the bank. The foregoing information shall be furnished promptly upon the request of the security holder or at daily or other reasonable intervals as it becomes available to the management of the bank.

(h) *False or misleading statements.* (1) No solicitation or communication subject to this section shall be made by means of any Statement, form of proxy, notice of meeting, or other communication, written or oral, containing any statement that, at the time and in the light of the circumstances under which it is made, is false or misleading with respect to any material fact, or that omits to state any material fact necessary in order to make the statements therein not false or misleading or necessary to correct any statement in any earlier communication with respect to the solicitation of a proxy for the same meeting or subject matter that has become false or misleading. Depending upon particular circumstances, the following may be misleading within the meaning of this paragraph: predictions as to specific future market values, earnings, or dividends; material that directly or indirectly impugns character, integrity, or personal reputation, or directly or indirectly makes charges concerning improper, illegal, or immoral conduct or associations, without factual foundation; failure to so identify a Statement, form of proxy, and other soliciting material as to clearly distinguish it from the soliciting material of any other person or persons soliciting for the same meeting or subject matter; claims made prior to a meeting regarding the results of a solicitation.

(2) The fact that a proxy statement, form of proxy, or other soliciting material has been filed with or reviewed by the Board or its staff shall not be deemed a finding by the Board that such material is accurate or complete or not false or misleading, or that the Board has passed upon the merits of or approved any statement therein or any matter to be acted upon by security holders. No representation contrary to the foregoing shall be made.

(i) *Special provisions applicable to election contests.*—(1) *Solicitations to which this paragraph applies.* This paragraph (i) applies to any solicitation subject to this § 206.5 by any person or group of persons for the purpose of opposing a solicitation subject to this section by any other person or group of persons with respect to the election or removal of directors at any annual or special meeting of security holders.

(2) *Participant defined.* (i) For purposes of this paragraph (i) the terms "participant" and "participant in a solicitation" include the following:

(A) The bank;

(B) Any director of the bank, and any nominee for whose election as a director proxies are solicited;

(C) Any committee or group that solicits proxies, any member of such committee or group, and any person whether or not named as a member who, acting alone or with one or more other persons, directly or indirectly, takes the initiative in organizing, directing, or financing any such committee or group;

(D) Any person who finances or joins with another to finance the solicitation of proxies, except persons who contribute not more than $500 and who are not otherwise participants;

(E) any person who lends money or furnishes credit or enters into any other arrangements, pursuant to any contract or understanding with a participant, for the purpose of financing or otherwise inducing the purchase, sale, holding, or voting of securities of the bank by any participant or other person, in support of or in opposition to a participant, except a [member or nonmember] bank, broker, or dealer who, in the ordinary course of business, lends money or executes orders for the purchase or sale of securities and who is not otherwise a participant;

(F) Any other person who solicits proxies.

(ii) Such terms do not include:

(A) Any person or organization retained or employed by a participant to solicit security holders, or any person who merely transmits proxy soliciting material or performs ministerial or clerical duties;

(B) Any person employed by a participant in the capacity of attorney, accountant, or advertising, public relations, or financial adviser, and whose activities are limited to the performance of his duties in the course of such employment;

(C) Any person regularly employed as an officer or employee of the bank or any of its subsidiaries who is not otherwise a participant; or

(D) Any officer or director of, or any person regularly employed by, any other participant, if such officer, director, or employee is not otherwise a participant.

(3) *Filing of information required by Form F–6.* (i) No solicitation subject to this paragraph (i) shall be made by any person other than the management of the bank unless at least five business days prior thereto, or such shorter period as the Board may authorize upon a showing of good cause therefor, there have been filed with the Board and with each exchange upon which any security of the bank is listed, by or on behalf of each participant in such solicitation, a statement in duplicate containing the information specified by Form F–6.

(ii) Within five business days after a solicitation subject to this paragraph (i) is made by the management of the bank, of such longer period as the Board may authorize upon a showing of good cause therefor, there shall be filed with the Board and with each exchange upon which any security of the bank is listed, by or on behalf of each participant in such solicitation, other than the bank, a statement in duplicate containing the information specified by Form F–6.

(iii) If any solicitation on behalf of management or any other person has been made, or if proxy material is ready for distribution, prior to a solicitation subject to paragraph (i)(3)(i) of this section in opposition thereto, a statement in duplicate containing the information specified in Form F–6 shall be filed by or on behalf of each participant in such prior solicitation, other than the bank, as soon as reasonably practicable after the commencement of the solicitation in opposition thereto, with the Board and with each exchange on which any security of the bank is listed.

(iv) If, subsequent to the filing of the statements required by paragraphs (i)(3)(i), (ii), and (iii) of this section, additional persons become participants in a solicitation subject to paragraph (i)(3)(i) of this section, there shall be filed, with the Board and each appropriate exchange, by or on behalf of each such person a statement in duplicate containing the information specified by Form F–6, within three business days after such person becomes a participant, or such longer period as the Board may authorize upon a showing of good cause therefor.

(v) If any material change occurs in the facts reported in any statement filed by or on behalf of any participant, an appropriate amendment to such statement shall be filed promptly with the Board and each appropriate exchange.

(vi) Each statement and amendment thereto filed pursuant to this paragraph (i) shall be part of the official public files of the Board and shall be deemed a communication subject to the provisions of paragraph (h) of this section.

(4) *Solicitations prior to furnishing required Statement.* Notwithstanding the provisions of § 206.5(a), a solicitation subject to paragraph (i)(4)(i) of this section may be made prior to furnishing security holders a written Statement containing the information specified in Form F–5 with respect to such solicitation if (i) the statements required by paragraph (h)(3) of this section of this paragraph (i) are filed by or on behalf of each participant in such solicitation; (ii) no form of proxy is furnished to security holders prior to the time the Statement is furnished to security holders, except that paragraph (i)(4)(ii) of this section shall not apply where a Statement then meeting the requirements of Form F–5 has been furnished to security holders; (iii) at least the information specified in Items 2(a) and 3(a) of the statement required by paragraph (i)(3) of this section to be filed by each participant, or an appropriate summary thereof, is included in each communication sent or given to security holders in connection with the solicitation; and (iv) a written Statement containing the information specified in Form F–5 with

respect to a solicitation is sent or given security holders at the earliest practicable date.

(5) *Solicitations prior to furnishing required Statement.*—filing requirements. Three copies of any soliciting material proposed to be sent or given to security holders prior to the furnishing of the proxy statement required by § 206.5(a) shall be filed with the Board in preliminary form, at least five business days prior to the date copies of such material are first sent or given to security holders, or such shorter period as the Board may authorize upon a showing of good cause therefor.

(6) *Application of this paragraph to annual report.* Notwithstanding the provisions of § 206.5(c), three copies of any portion of the annual report referred to in that paragraph that comments upon or refers to any solicitation subject to this paragraph (i), or to any participant in any such solicitation, other than the solicitation by the management, shall be filed with the Board as proxy material subject to this section. Such portion of the annual report shall be filed with the Board in preliminary form at least five business days prior to the date copies of the report are first sent or given to security holders.

(7) *Application of paragraph (f).* The provisions of paragraphs (f) (3), (4), (5), (6), and (7) of this section shall apply, to the extent pertinent, to soliciting material subject to subparagraphs (5) and (6) of this paragraph (i).

(8) *Use of reprints or reproductions.* In any solicitations subject to paragraph (i) of this section, soliciting material that includes, in whole or in part, any reprints or reproductions of any previously published material shall:

(i) state the name of the author and publication, the date of prior publication, and identify any person who is quoted without being named in the previously published material.

(ii) except in the case of a public, official document or statement, state whether or not the consent of the author and publisher has been obtained to the use of the previously published material as proxy soliciting material.

(iii) if any participant using the previously published material, or anyone on his behalf, paid, directly or indirectly, for the preparation or prior publication of the previously published material, or has made or proposed to make any payments or given any other consideration in connection with the publication or republication of such material, state the circumstances.

(j) *Prohibition of certain solicitations.* No person making a solicitation that is subject to this § 206.5 shall solicit (1) any undated or postdated proxy; or (2) any proxy that provides that it shall be deemed to be dated as of any date subsequent to the date on which it is signed by the security holder.

(k) *Proposals of security holders.* (1) If any security holder entitled to vote at a meeting of security holders of the bank shall submit to the management of the bank, within the time hereinafter specified, a proposal which is accompanied by notice of his intention to present the proposal for action at the meeting, the management shall set forth the proposal in [*its Statement.*] If management issues a proxy statement, it shall identify the proposal in its form of proxy and provide means by which security holders can either approve or disapprove the proposal. [If management issues an information statement, it shall identify the proposal and indicate the disposition proposed to be made of the proposal by the management at the meeting.] The management of the [bank] shall not be required by this paragraph to include the proposal in its [Statement or form of proxy] for an annual meeting unless the proposal is received by the management at the bank's principal executive offices not less than [70] days in advance of a date corresponding to the date set forth on the management's Statement released to security holders in connection with the last annual meeting of security holders. A proposal to be presented at any other meeting shall be received by the management of the bank a reasonable time before the solicitation is made. This paragraph (k) of this section shall not apply, [however, to elections of office or to counter proposals to matters to be submitted by the management.]

NOTE.—In order to curtail controversy as to the date that a security holder's proposal was received by the management, it is suggested that security holders submit their proposals by Certified Mail—Return Receipt Requested.

(2) If the management opposes the proposal, it shall also, at the written request of the security holder, include in its Statement (i) the name and address of the security holder, or a statement that such name and address will be furnished upon request, and (ii) a statement of the security holder (which shall not include such name and address) of not more than 200 words in support of the proposal. [Any statements in the text of a proposal, such as a preamble or "whereas" clauses, which are in effect arguments in support of the proposal, shall be deemed part of the supporting statement and subject to the 200-word limitation thereon.] The statement and request of the security holder shall be furnished to the management at the same time that the proposal is furnished. Neither the management nor the bank shall be responsible for such statement.

(3) Notwithstanding paragraphs (k) (1) and (2) of this section, the management may omit a proposal and any statement in support thereof from its [Statement] or form proxy under any of the following circumstances:

(i) if the proposal is impossible to accomplish or, under applicable law, is not a proper subject for action by security holders; or

(ii) if the proposal consists of a recommendation or request that the management take action with respect to a matter relating to the conduct of the ordinary business operations of the bank; or

(iii) if it appears that the proposal is submitted by the security holder principally for the purpose of enforcing a personal claim or redressing a personal grievance against the bank or its management, or consists of a recommendation, request or mandate that action be taken with respect to any matter, including a general economic, political, racial, religious, social, or similar cause [that is neither significantly related to the business of the bank nor within the control of the bank;] or

(iv) if the management has at the security holder's request included a proposal in its proxy statement and form of proxy relating to either of the two preceding annual meetings of security holders or any special meeting held subsequent to the earlier of such two annual meetings, and such security holder has failed without good cause to present the proposal, in person or by proxy, for action at the meeting; or

(v) if substantially the same proposal has previously been submitted to security holders in the management's proxy statement and form of proxy relating to any meeting of security holders held within the preceding five calendar years, it may be omitted from the proxy statement relating to any meeting of security holders held within the three calendar years after the latest such previous submission; provided, that (a) if the proposal had been submitted at only one meeting during such preceding period, it received less than [3] percent of the total number of votes cast in regard thereto, or (b) if the proposal had been submitted at only two meetings during such preceding period, it received at the time of its second submission less than [6] per cent of the total number of votes cast in regard thereto, or (c) if the proposal had been submitted at three or more meetings during such period, it received at the time of its latest submission less than [10] per cent of the total number of votes cast in regard thereto; or

(vi) if, prior to the receipt of such proposal, substantially the same proposal has been received by the management from another security holder and is to be included in the bank's proxy soliciting material.

[NOTE. Proposals not within the bank's control are those which are beyond its power to effectuate.]

(4) Whenever the management asserts that a proposal and any statement in support thereof may properly be omitted from [its Statement] and form of proxy, it shall file with the Board, not later than [30] days prior to the date the preliminary copies of the [Statement] or form of proxy are filed pursuant to § 206.5(f)(1) or such shorter period prior to such date as the Board may permit, a copy of the proposal and any statement in support thereof as received from the security holder, together with a statement of the reasons why the management deems such omission to be proper in the particular case, and, where such reasons are based on matters of law, a supporting opinion of counsel. The

management shall at the same time, if it has not already done so, notify the security holder submitting the proposal of its intention to omit the proposal from its [Statement] and shall forward to him a copy of the statement of the reasons why the management deems the omission of the proposal to be proper and a copy of such supporting opinion of counsel.

(l) *Invitation for tenders.* (1) No person, directly or indirectly, by use of the mails or by any means or instrumentality of interstate commerce or of any facility of a national securities exchange or otherwise, shall make a tender offer for, or a request or invitation for tenders of, any class of any equity security, which is registered pursuant to section 12 of the Act, of a member State bank if, after consummation thereof, such person would, directly or indirectly, be the beneficial owner of more than 5 per cent of such class, unless, at the time copies of the offer or request or invitation are first published or sent or given to security holders, such person has filed with the Board a statement containing the information and exhibits required by Form F–11.

(2) If any material change occurs in the facts set forth in the statement required by paragraph (l) of this section, the person who filed such statement shall promptly file with the Board an amendment disclosing such change.

[(3) All tender offers for, or requests or invitations for tenders of, securities published or sent or given to the holders of such securities shall include the following information:]

[(i) The name of the person making the tender offer, request or invitation;]

[(ii) The exact dates prior to which, and after which, security holders who deposit their securities will have the right to withdraw their securities pursuant to section 14(d)(5) of the Act, or otherwise;]

[(iii) If the tender offer or request or invitation for tenders is for less than all of the outstanding securities of the class and the person making the offer, request or invitation is not obligated to purchase all of the securities tendered, the date of expiration of the period during which the securities will be taken up pro rata pursuant to section 14(d)(6) of the Act, or otherwise; and]

[(iv) The information required by Items 2 (a) and (c), 3, 4, 5 and 6 of Form F–11, or a fair and adequate summary thereof, and shall be filed with the Board as part of the statement required by paragraph (l) of this section.]

(4) Any additional material soliciting or requesting such tender offers subsequent to the initial solicitation or request shall contain the name of the persons making such solicitation or request and the information required by Items 2 (a) and (c), 3, 4, 5 and 6 of Form F–11, or a fair and adequate summary thereof; provided, however, that such material may omit any of such information previously furnished to the persons solicited or requested for tender offers. Copies of such additional material soliciting or requesting such tender offers shall be filed with the Board not later than the time copies of such material are first published or sent or given to security holders.

(5) If any securities to be offered in connection with the tender offer for, or request or invitation for tenders of, securities with respect to which a statement is required to be filed pursuant to paragraph (l) of this section, have been or are to be registered under the Securities Act of 1933, a copy of the prospectus containing the information required to be included therein under that Act shall be filed as an exhibit to such statement. Any information contained in the prospectus may be incorporated by reference in such statement.

[(6) When a person makes a tender offer for, or request or invitation for tenders of, any class of equity securities of a bank registered pursuant to section 12 of the Act, and such person has filed a statement with the Board pursuant to this section, any other person controlling, controlled by, or under common control ("control person") with the issuing bank [which bank is prohibited by R.S. 5201 (12 U.S.C. 83) from purchasing, with certain exceptions, shares of its own capital stock] shall not thereafter, during the period such tender offer, request or invitation continues, purchase any class of equity securities of the issuing bank unless:]

[(i) The control person has filed with the Board a statement containing the information specified below with respect to proposed purchases:]

[(A) The title and amount of equity securities to be purchased, the names of the persons or classes of persons from whom, and the market in which, the securities are to be purchased, including the name of any exchange on which the purchase is to be made;]

[(B) The purpose for which the purchase is to be made and any plan or proposal for the disposition of such securities; and]

[(C) The source and amount of funds or other consideration used or to be used in making the purchases, and if any part of the purchase price or proposed purchase price is represented by funds or other consideration borrowed or otherwise obtained for the purpose of acquiring, holding, or trading the securities, a description of the transaction and the names of the parties thereto.]

[(ii) The control person has at any time within the past six months sent or given to the equity security holders of the issuing bank the substance of the information contained in the statement required by subparagraph (1)(6)(i) of this section; provided, however, that any control person making such purchases which commenced prior to _____, 1975, shall, if such purchases continue after such date, comply with the provisions of this subparagraph on or before _____, 1975.]

(7) Eight copies of the statement required by subparagraph (1) of this paragraph, every amendment to such statement, and all other material required by this section shall be filed with the Board.

[(8) Certain communications. The following communications shall not be deemed to be requests or invitations for tenders:]

[(i) Offers to purchase securities made in connection with a distribution of securities permitted by Rules 10b–6, 10b–7 and 10b–8 under the Act as promulgated by the Securities and Exchange Commission (17 CFR §§ 240.10b–6, 10b–7 and 10b–8).]

[(ii) The call or redemption of any security in accordance with the terms and conditions of the governing instruments.]

[(iii) Offers to purchase securities evidenced by a script certificate, order form or similar document which represents a fractional interest in a share of stock or similar security.]

[(iv) Offers to purchase securities pursuant to a statutory procedure for the purchase of dissenting shareholders' securities.]

[(v) The furnishing of information and advice regarding a tender offer to customers or clients by attorneys, member or nonmember banks, brokers, fiduciaries or investment advisers, who are not otherwise participating in the tender offer or solicitation, on the unsolicited request of a person or pursuant to a general contract for advice to the person to whom the information or advice is given.]

[(vi) A communication from a bank to its security holders which does no more than (1) identify a tender offer or request or invitation for tenders made by another person, (2) state that the management of the bank is studying the matter and will, on or before a specified date (which shall be not later than 10 days prior to the date specified in the offer, request or invitation, as the last date on which tenders will be accepted, or such shorter periods as the Board may authorize) advise security holders as to the management's recommendation to accept or reject the offer, request or invitation, and (3) request security holders to defer making a determination as to whether or not they should accept or reject the offer, request or invitation until they have received the management's recommendation with respect thereto.

(m) *Recommendations as to tender offers.* (1) No solicitation or recommendation to the holders of a security to accept or reject a tender offer or request or invitation for tenders subject to section 14 (d) of the Act shall be made unless, at the time copies of the solicitation or recommendation are first published or sent or given to holders of the security, the person making such solicitation or recommendation has filed with the Board a statement containing the information specified by Form F–12; provided, however, that this paragraph shall not apply to (i) a person required by § 206.5(1) to file a statement, or (ii) a person, other than the bank or the management of the bank, who makes no written solicitations or recommendations other than solicitations or recommendations copies of which have otherwise been filed with the Board.

(2) If any material change occurs in the facts set forth in the statement required by paragraph (m)(1) of this section, the person who filed such statement shall promptly file with the Board an amendment disclosing such change.

(3) Any written solicitation or recommendation to the holders of a security to accept or reject a tender offer or request or invitation for tenders subject to section 14(d) of the Act shall include the name of the person making such solicitation or recommendation and the information required by Items 1(b) and 2(b) of Form F-12, or a fair and adequate summary thereof; provided, however, that such written solicitation or recommendation may omit any of such information previously furnished to the persons to whom the solicitation or recommendation is made.

(n) *Change in majority of directors.* If, pursuant to any arrangement or understanding with the person or persons acquiring securities in a transaction subject to section 13(d) or 14(d) of the Act, any persons are to be elected or designated as directors of the bank, otherwise than at a meeting of security holders, and the persons so elected or designated will constitute a majority of the directors of the bank, then, not less than 10 days prior to the date any such person takes office as a director, or such shorter period prior to that date as the Board may authorize upon a showing of good cause therefor, the bank shall file with the Board and transmit to all holders of record of securities of the bank who would be entitled to vote at a meeting for election of directors, information substantially equivalent to the information which would be required by Items 5 (a), (d), (e) and (f), 6 and 7 of Form F-5 to be transmitted if such person or persons were nominees for election as directors at a meeting of such security holders.

(o) *Solicitation prior to furnishing required proxy statement.* (1) Notwithstanding the provisions of § 206.5(a), a solicitation (other than one subject to § 206.5(i)) may be made prior to furnishing security holders a written proxy statement containing the information specified in Form F-5 with respect to such solicitation if—

(i) The solicitation is made in opposition to a prior solicitation or an invitation for tenders or other publicized activity, which if successful, could reasonably have the effect of defeating the action proposed to be taken at the meeting.

(ii) No form of proxy is furnished to security holders prior to the time the written proxy statement required by § 206.5(a) is furnished to security holders; provided, however, that this paragraph (o)(ii) of this section shall not apply where a proxy statement then meeting the requirements of Form F-5 has been furnished to security holders by or on behalf of the person making the solicitation;

(iii) The identity of the person or persons by or on whose behalf the solicitation is made and a description of their interests, direct or indirect, by security holdings or otherwise, are set forth in each communication sent or given to security holders in connection with the solicitation; and

(iv) A written proxy statement meeting the requirements of this section is sent or given to security holders at the earliest practicable date.

(2) Three copies of any soliciting material proposed to be sent or given to security holders prior to the furnishing of the written proxy statement required by § 206.5(a) shall be filed with the Board in preliminary form at least 5 business days prior to the date definitive copies of such material are first sent or given to security holders, or such shorter period as may be authorized.

§ 206.6 "Insiders'" securities transactions and reports under section 16 of the Act.

(a) *Filing of statements by directors, officers and principal stockholders.* (1) initial statements of beneficial ownership ownership of equity securities of a bank required by section 16(a) of the Act, and statements of changes in such beneficial ownership, shall be prepared and filed in accordance with the requirements of Form F-7 and Form F-8, respectively.

(2) A person who is already filing statements with the Board pursuant to section 16(a) of the Act need file an additional statement on Form F-7 when an additional class of equity securities of the same bank becomes registered or when he assumes another or an additional relationship to the bank; for example, when an officer becomes a director.

(3) Any bank that has equity securities listed on more than one national securities exchange may designate one of them as the only exchange with which reports pursuant to section 16(a) of the Act need be filed. Such designation shall be filed with the Board and with each national securities exchange on which any equity security of the bank is listed. After the filing of such designation the securities of such bank shall be exepted with respect to the filing of statements pursuant to section 16(a) of the Act with any exchange other than the designated exchange.

[(4) Any director or officer who is required to file a statement on Form F-8 with respect to any change in his beneficial ownership of equity securities which occurs within six months after he became a director or officer of the bank issuing such securities, or within six months after equity securities of such bank first became registered pursuant to section 12 of the Act, shall include in the first such statement the information called for by Form F-8 with respect to all changesi n his benegcial ownership of equity securities of such bank which occurred within 6 months prior to the date of the changes which require the filing of such statement.]

[(5) Any person who has ceased to be a director or officer of a bank which has equity securities registered pursuant to section 123 of the Act, or who is a director or officer of a bank at the time it ceased to have any equity securities so registered, shal file a statement on Form F-8 with respect to any change in his beneficial ownership of equity securities of such bank which shall occur on or after the date on which he ceased to be such director or officer, or the date on which bank ceased to have any equity securities so registered, as the case may be, i fsuc hchange shall occur within 6 months after any cahnge in his beneficial ownership of such securities prior to such date. The statement on Form F-8 shall be filed within 10 days after the end of the month in which the reported change in beneficial ownership occurs.]

(b) *Ownership of more than 10 per cent of a class of equity securities.* [(1) In determining for the purpose of section 16(a) o fthe Act whether a person is the beneficial ownre, directly or indirectly, of more than 10 percent of any class of equity securities, such person shall be deemed to be the beneficial owner of securities o fsuch clas which such person has the right to acquire through the exercise of presently exercisable options, warrants or rights or through the conversion of presently convertible securities. The securities subject to such options, warrants, rights or conversion privilages held by a person shall be deemed to be outstanding for the purpose of computing the percentage of outstanding securities of the class owned by such person but shall be not be deemed outstanding for the purpose of computing the percentage o fthe class owned by any other person. This subparagraph shall not be construed to relieve any person of any duty to comply with section 16(a) of the Act with respect to any equity securities consisting of options, warrants, rights or convertible securities which are otherwise subject as a class to section 16(a) of the Act.]

[(2) For the purpose of this paragraph a person acting in good faith may reply on the information contained in the latest Form F-1, F-1B or F-2 filed with the Board under § 206.4 with respect to the amount of securities of the class outstanding or in the case of voting trust certificates or certificates of deposit the amount thereof issuable.]

[(3) For the purpose of determining percentage ownership of voting trust certificates or certificates of deposit for equity securities, the class of voting trust certificates or certificates of deposit shall be deemed to consist of the amount of voting trust certificates or certificates of deposits issuable with respect to the total amount of outstanding equity securities of the class which may be deposited under the voting trust agreement or deposit agreement in question, whether or not all of such outstanding securities have been so deposited.]

(c) *Disclaimer of beneficial ownership.* Any person filing a statement may expressly declare therein that the filing of such statement shall not be construed as an admission that such person is, for the purpose of section 16 of the Act, the beneficial owner of any equity securities covered by the statement.

(d) *Ownership of securities held in trust.* (1) Beneficial ownership of a bank's securities for the purpose of section 16(a) of the Act shall include:

(i) the ownership of such securities as a trustee where either the trustee or members of his immediate family have a vested interest in the income or corpus of the trust,

(ii) the ownership of vested beneficial interest in a trust, and

(iii) the ownership of such securites as a settlor of a trust in which the settlor has the power to revoke the trust without obtaining the consent of all beneficiaries.

(2) Except as provided in paragraph (d)(3) of this section, beneficial ownership of securities of registrant banks solely as a settlor or beneficiary of a trust shall be exempt from the provisions of section 16(a) of the Act where less than 20 per cent in market value of the securities having a readily ascertainable market value held by such trust (determined as of the end of the preceding fiscal year of the trust) consists of equity securities with respect to which reports are required by section 16(a) of the Act or would be required but for an exemption by the Securities and Exchange Commission, the Comptroller of the Currency, of the Federal Deposit Insurance Corporation similar to the exemption provided for by this sentence. Exemption from section 16(a) of the Act is likewise accorded with respect to any obligation that would otherwise be imposed solely by reason of ownership as settlor or beneficiary of a bank's securities held in trust, where the ownership, acquisition, or disposition of such securities by the trust is made without prior approval by the settlor or beneficiary. No exemption pursuant to this subparagraph shall, however, be acquired or lost solely as a result of changes in the value of the trust assets during any fiscal year or during any time when there is no transaction by the trust in the securities otherwise subject to the reporting requirements of section 16(a) of the Act.

(3) In the event that 10 percent of any class of any equity security of a bank is held in a trust, that trust and the trustees thereof as such shall be deemed a person required to file the reports specified in section 16(a) of the Act.

(4) Not more than one report need be filed to report any holdings of a bank's securities or with respect to any transaction in such securities held by a trust, regardless of the number of officers, directors, or 10 percent stockholders who are either trustees, settlors, or beneficiaries of a trust if the report filed discloses the names of all trustees, settlors, or beneficiaries who are officers, directors, or 10 percent stockholders. A person having an interest only as a beneficiary of a trust shall not be required to file any such report so long as he relies in good faith upon an understanding that the trustee of such trust will file whatever reports might otherwise be required of such beneficiary.

(5) In determining, for the purposes of paragraph (a) of this section, whether a person is the beneficial owner, directly or indirectly, of more than 10 percent of any class of equity security of a bank, the interest of such person in the remainder of a trust shall be excluded.

(6) No report shall be required by any person, whether or not otherwise subject to the requirement of filing reports under section 16(a) of the Act, with respect to his indirect interest in portfolio securities held by

(i) any holding company registered under the Public Utility Holding Company Act,

(ii) any investment company registered under the Investment Company Act,

(iii) a pension or retirement plan holding securities of a bank whose employees generally are the beneficiaries of the plan,

(iv) a business trust with over 25 beneficiaries.

(e) *Certain transactions subject to section 16(a)* of the Act. (1) The [granting,] acquisition or disposition of any [presently exercisable] put, call, option, [or other right or obligation to buy securities from, or to sell securities to, another person, or any expiration or cancellation thereof] shall be deemed to effect such a change in the beneficial ownership of the bank's security to which [the right or obligation] relates as to require the filing of a statement reflecting the [granting,] acquisition or disposition of such [right or obligation.] Nothing in paragraph (e) of this section, however, shall exempt any person from filing the statements required upon the exercise of such put, call, [option or other right or obligation to buy or sell securities.]

[(1) If any such right or obligation is not initially exercisable, the granting and acquisition thereof shall be reported in a statement filed for the month in which it became exercisable, unless the filing of such statement is otherwise not required.]

[(ii) The right of a pledgee or borrower of securities to sell the pledge or borrowed securities is not an option or right to sell securities within the meaning of this paragraph. However, the sale of the pledged or borrowed securities by the pledgee or borrower shall be reported by the pledgor or lender.]

[(iii) The right to acquire securities, or the obligation to dispose of securities, in connection with a merger or consolidation involving the bank issuing the securities is not a right or obligation to buy or sell securities within the meaning of this paragraph.

[(2) For the purpose of section 16(a) of the Act both the grantor and the holder of any presently exercisable put, call, option or other right or obligation to buy or sell securities shall be deemed to be beneficial owners of the securities subject to such right or obligation until it is exercised or cancelled or expires.

[(3) Notwithstanding the foregoing, a statement need not be filed pursuant to section 16(a) of the Act (i) by any person with respect to the acquisition, expiration or cancellation of any nontransferable qualified, restricted or other stock option granted by the bank with respect to securities to which the option relates pursuant to a plan provided for the benefit of the bank's employees or the employees of the bank's affiliates if such plan meets the condition specified in § 206.6(1), or (ii) by any bank with respect to any put, call, option or other right or obligation to buy or sell securities of which it is the issuer.]

[NOTE. An option, otherwise non-transferable, is deemed to be non-transferable even though it may be disposed of by will or by descent and distribution upon the death of the holder.]

(f) *Exemption from section 16 of securities purchased or sold by odd-lot dealers.* A bank's securities purchased or sold by an odd-lot dealer (1) in odd-lots so far as reasonably necessary to carry on odd-lot transactions, or (2) in round lots to offset odd-lot transactions previously or simultaneously executed or reasonably anticipated in the usual course of business, shall be exempt from the provisions of section 16 of the Act with respect to participation by such odd-lot dealer in such transactions.

(g) *Exemption of small transactions from section 16(a) of the Act.* (1) Any acquisition of a bank's securities shall be exempt from section 16(a) of the Act where

(i) the person effecting the acquisition does not within six months thereafter effect any disposition, otherwise than by way of gift, of securities of the same class, and

(ii) the person effecting such acquisition does not participate in acquisitions or in dispositions of securities of the same class having a total market value in excess of $3,000 for any six-month period during which the acquisition occurs.

(2) Any acquisition or disposition of a bank's securities by way of gift, where the total amount of such gifts does not exceed $3,000 in market value for any six-month period, shall be exempt from section 16(a) of the Act and may be excluded from the computations prescribed in paragraph (g)(1)(ii) of this section.

(3) Any person exempted by paragraphs (g) (1) or (2) of this section shall include in the first report filed by him after a transaction within the exemption a statement showing his acquisitions and dispositions for each six-month period or portion thereof that has elapsed since his last filing.

(h) *Temporary exemption of certain persons from sections 16 (a) and (b) of the Act.* During the period of 12 months following their appointment and qualification, a bank's securities held by the following persons shall be exempt from sections 16(a) and 16(b) of the Act:

(1) Executors or administrators of the estate of a decedent;

(2) Guardians or committees for an incompetent; and

(3) Receivers, trustees in bankruptcy, assignees for the benefit of creditors, conservators, liquidating agents, and similar persons duly authorized by law to administer the estate or assets of other persons. After the 12-month period following their appointment and qualification the foregoing persons shall be required to file reports under section

16(a) with respect to a bank's securities held by the estates that they administer and shall be liable for profits realized from trading in such securities pursuant to section 16(b) only when the estate being administered is a beneficial owner of more than 10 per cent of any class of equity security of the bank.

(i) *Exemption from section 16(b) of transactions that need not be reported under section 16(a).* Any transaction that has been or shall be exempted by the Board from the requirements of section 16(a) shall, insofar as it is otherwise subject to the provisions of section 16(b), be likewise exempted from section 16(b).

(j) *Exemption from section 16(b) of certain transactions by registered investment companies.* Any transaction of purchase and sale or sale and purchase, of any equity security of a bank shall be exempt from the operation of section 16(b), as not comprehended within the purpose of that section, if the transaction is effected by an investment company registered under the Investment Company Act of 1940 and both the purchase and sale of such security have been exempted from the provisions of section 17(a) of the Investment Company Act of 1940 by an order of the Securities and Exchange Commission entered pursuant to section 17(b) of that Act.

(k) *Exemption from section 16(b) of certain transactions effected in connection with a distribution.* (1) Any transaction of purchase and sale, or sale and purchase, of an equity security of a bank that is effected in connection with the distribution of a substantial block of such securities shall be exempt from the provisions of section 16(b), to the extent specified in paragraph (k) of this section, as not comprehended within the purpose of said section, upon the following conditions:

(i) The person effecting the transaction is engaged in the business of distributing securities and is participating in good faith, in the ordinary course of such business, in the distribution of such block of securities;

(ii) The security involved in the transaction is (a) a part of such block of securities and is acquired by the person effecting the transaction, with a view to the distribution thereof, from the bank or other person on whose behalf such securities are being distributed or from a person who is participating in good faith in the distribution of such block of securities, or (b) a security purchased in good faith by or for the account of the person effecting the transaction for the purpose of stabilizing the market price of securities of the class being distributed or to cover an overallotment or other short position created in connection with such distribution; and

(iii) Other persons not within the purview of section 16(b) are participating in the distribution of such block of securities on terms at least as favorable as those on which such person is participating and to an extent at least equal to the aggregate participation of all persons exempted from the provisions of section 16(b) by paragraph (k) of this section. However, the performance of the functions of manager of a distributing group and the receipt of a bona fide payment for performing such functions shall not preclude an exemption that would otherwise be available under this paragraph.

(2) The exemption of a transaction pursuant to this paragraph (k) with respect to the participation therein of one party thereto shall not render such transaction exempt with respect to participation of any other party therein unless such other party also meets the conditions of this paragraph.

(l) *Exemption from section 16(b) of acquisitions of shares of stock and stock options under certain stock bonus, stock option, or similar plans.* Any acquisition of shares of a bank's stock (other than stock acquired upon the exercise of an option, warrant, or right) pursuant to a stock bonus, profit sharing retirement, incentive, thrift, savings, or similar plan, or any acquisition of a qualified or restricted stock option pursuant to a qualified or restricted stock option plan, or of a stock option pursuant to an employee stock purchase plan, by a director or officer of the bank issuing such stock or stock option shall be exempt from the operation of section 16(b) if the plan meets the following conditions:

(1) The plan has been duly approved, directly or indirectly,

(i) By the holders of a majority of the securities of the bank present, or represented, and entitled to vote at the meeting at which it was approved, or by the written consent of the holders of a majority of the securities of the bank entitled to vote, or

(ii) by the holders of a majority of the securities of a predecessor so entitled to vote, if the plan or obligations to participate thereunder were assumed by the bank in connection with the succession. [Provided, however, That if such vote or written consent was not solicited substantially in accordance with the requirements, if any, in effect under § 206.5 of this Part at the time of such vote or written consent, the bank shall furnish in writing to the holders of record of the securities entitled to vote for the plan substantially the same information concerning the plan which would be required by the provisions in effect under § 206.5 of this Part at the time such information is furnished, if proxies to be voted with respect to the approval or disapproval of the plan were then being solicited, on or prior to the date of the first annual meeting of security holders held subsequent to the later of (A) the first registration of an equity security under section 12 of the Act, or (B) the acquisition of an equity security for which exemption is claimed. Such written information may be furnished by mail to the last known address of the security holders of record within 30 days prior to the date of mailing. Eight copies of such written information shall be filed with, or mailed for filing to, the Board not later than the date on which it is first sent or given to security holders of the bank.]

(2) If the selection of any director or officer of the bank to whom stock may be allocated (or to whom qualified, restricted, or employee stock purchase plan stock options may be granted pursuant to the plan) or the determination of the number or maximum number of shares of stock that may be allocated to any such director or officer (or that may be covered by qualified, restricted, or employee stock purchase plan stock options granted to any such director or officer) is subject to the discretion of any person, then such discretion shall be exercised only as follows:

(i) With respect to the participation of directors (A) by the board of directors of the bank, a majority of which board and a majority of the directors acting in the matter are disinterested persons; (B) by, or only in accordance with the recommendation of, a committee of three or more persons having full authority to act in the matter, all of the members of which committee are disinterested persons; or (C) otherwise in accordance with the plan, if the plan specifies the number or maximum number of shares of stock that directors may acquire (or that may be subject to qualified, restricted, or employee stock purchase plan stock options granted to directors) and the terms upon which and the times at which, or the periods within which, such stock may be acquired (or such options may be acquired and exercised); or sets forth, by formula or otherwise, effective and determinable limitations with respect to the foregoing based upon earnings of the bank, dividends paid, compensation received by participants, option prices, market value of shares, outstanding shares or percentages thereof outstanding from time to time, or similar factors.

(ii) With respect to the participation of officers who are not directors (A) by the board of directors of the bank or a committee of three or more directors; or (B) by, or only in accordance with the recommendations of, a committee of three or more persons having full authority to act in the matter, all of the members of which committee are disinterested persons. For the purposes of paragraph (l)(2) of this section, a director or committee member shall be deemed to be a disinterested person only if such person is not at the time such discretion is exercised eligible and has not at any time within one year prior thereto been eligible for selection as a person to whom stock may be allocated (or to whom qualified, restricted, or employee stock purchase plan stock options may be granted) pursuant to the plan or any other plan of the bank or any of its affiliates entitling the participants therein to acquire stock or qualified, restricted, or employee stock purchase plan stock options of the bank or any of its affiliates.

(3) As to each participant or as to all participants the plan effectively limits the aggregate dollar amount or the aggregate number of shares of stock that may be allocated (or may be subject to qualified, restricted, or employee stock purchase plan stock options granted)

pursuant to the plan. The limitations may be established on an annual basis, or for the duration of the plan, whether or not the plan has a fixed termination date. Such limitations may be determined either by fixed or maximum dollar amounts, fixed or maximum numbers of shares, formulas based upon earnings of the bank, dividends paid, compensation received by participants, option prices, market value of shares, outstanding shares or percentages thereof outstanding from time to time, or similar factors that will result in an effective and determinable limitation. Such limitations may be subject to any provisions for adjustment of the plan or of stock allocable (or options outstanding thereunder) to prevent dilution or enlargement of rights.

[(4) The term "exercise of an option, warrant or right" contained in the parenthetical clause of the first sentence of § 206.6(1) shall not include (i) the making of any election to receive under any plan compensation in the form of stock or credits therefore; provided That such election is made either prior to the making of the award or prior to the fulfillment of all conditions to the receipt of the compensation and; provided further, that such election is irrevocable until at least six months after termination of employment; (ii) the subsequent crediting of such stock; (iii) the making of any election as to the time for delivery of such stock after termination of employment; provided, that such election is made at least six months prior to any such delivery; (iv) the fulfillment of any condition to the absolute right to receive such stock; or (v) the acceptance of certificates for shares of such stock.]

(m) *Exemption from section 16(b) of long-term profits incident to sales within six months of the exericse of an option.* (1) To the extent specified in paragraph (m)(2) of this section, transactions involving the purchase and sale, or sale and purchase, of any equity security of a bank shall be exempt from the operation of section 16(b), as not comprehended within the purpose of that section, if such purchase is pursuant to the exercise of an option, warrant, or right either—

(i) Acquired more than six months before its exercise, or

(ii) Acquired pursuant to the tetrms of an employment contract entered into more than six months before its exercise.

(2) With respect to transactions specified in paragraph (m)(1) of this section, the profits inuring to the bank pursuant to section 16(b) shall not exceed the difference between the proceeds of sale and the lowest market price of any security of the same class within six months before or after the date of sale. Nothing in paragraph (m) of this section shall be deemed to enlarge the amount of profit that would insure to the bank in the absence of this paragraph.

(3) The disposition of any equity security of a bank shall also be exempt from the operation of section 16(b), as not comprehended within the purpose of that section, if purchased in a transaction specified in paragraph (m) of this section pursuant to a plan or agreement for merger or consolidation, or reclassification of the bank's securities, or for the exchange of its securities for the securities of another person that has acquired its assets, where the terms of such plan or agreement are binding upon all stockholders of the bank except to the extent that dissenting stockholders may be entitled, under statutory provisions or provisions contained in the bank's charter, to receive the appraised or fair value of their holdings.

(4) The exemptions provided by paragraph (m) of this section shall not apply to any transaction made unlawful by section 16(c) or by any regulations thereunder.

(5) The burden of establishing market price of a security for the purpose of paragraph (m) of this section shall rest upon the person claiming the exemption.

[(n) *Exemption from section 16(b) of dispositions of equity securities pursuant to certain mergers or consolidations incident to formation of a bank holding company.* (1) There shall be exempt from the provisions of section 16(b), as not comprehended within the purpose of that section, the disposition of any equity security, pursuant to a merger or consolidation, of a bank which, prior to said merger or consolidation, held over 85 percent of the combined assets of all the companies undergoing merger or consolidation, as determined by reference to their most recent available financial statements for a 12-month period prior to the merger or consolidation, if, in such merger or consolidation, there are issued, in exchange for such equity securities of such bank equity securities of a bank holding company as defined in the Bank Holding Company Act of 1956, as amended, 12 U.S.C. 1841.]

[(2) Notwithstanding the foregoing, if an officer, director, or stockholder shall make any purchase (other than a purchase exempted by this paragraph or any rule under section 16(b) of the Act) of an equity security of any company involved in the merger or consolidation and any sale (other than a sale exempted by this paragraph or any rule under section 16(b) of the Act) of an equity security in any other company involved in the merger or consolidation within any period of less than six months during which the merger or consolidation took place, the exemption provided by this rule shall be unavailable to such officer, director, or stockholder to the extent of such purchase and sale.]

[(o) *Exemption from section 16(b) of transactions involving the deposit or withdrawal of equity securities under a voting trust or deposit agreement.* Any acquisition or disposition of an equity security involved in the deposit of such security under, or the withdrawal of such security from, a voting trust or deposit agreement, and the acquisition or disposition in connection therewith of the certificate representing such security, shall be exempt from the operation of section 16(b) of the Act if substantially all of the assets held under the voting trust or deposit agreement immediately after the deposit or immediately prior to the withdrawal, as the case may be, consisted of equity securities of the same class as the security deposited or withdrawn; provided, however, that this rule shall not apply to the extent that there shall have been either (i) a purchase of an equity security of the class deposited and a sale of any certificate representing an equity security of such class, or (ii) a sale of an equity security of the class deposited and a purchase of any certificate representing an equity security of such class (otherwise than in a transaction involved in such deposit or withdrawal or in a transaction exempted by any rule under section 16(b) within a period of less than six months which includes the date of the deposit or withdrawal.]

[(p) *Exemption from section 16(b) of transactions involving the conversion of equity securities.* (1) Any acquisition or disposition of an equity security involved in the conversion of an equity security which, by its terms or pursuant to the terms of the bank's corporate charter or other governing instruments, is convertible immediately or after a stated period of time into another equity security of the same bank, shall be exempt from the operation of section 16(b) of the Act; provided, however, that this paragraph shall not apply to the extent that there shall have been either (i) a purchase of any equity security of the class convertible (including any acquisition of or change in a conversion privilege) and a sale of any equity security of the class issuable upon conversion, or (ii) a sale of any equity security of the class convertible and any purchase of any equity security issuable upon conversion (otherwise than in a transaction involved in such conversion or in a transaction exempted by any paragraph under section 16(b)) within a period of less than six months which includes the date of conversion.]

[(2) For the purpose of this paragraph, an equity security shall not be deemed to be acquired or disposed of upon conversion of an equity security if the terms of the equity security converted require the payment or entail the receipt, in connection with such conversion, of cash or other property (other than equity securities involved in the conversion) equal in value at the time of conversion to more than 15 percent of the value of the equity security issued upon conversion.]

[(3) For the purpose of this paragraph, an equity security shall be deemed convertible if it is convertible at the option of the holder or of some other person or by operation of the terms of the security or of the governing instruments.]

[(q) *Exemption from section 16(b) of certain transactions involving the sale of subscription rights.* (1) Any sale of a subscription right to acquire any subject security of the same bank shall be exempt from the provision of section 16(b)

of the Act, to the extent prescribed in this paragraph, as not comprehended within the purpose of said section, if:]

[(i) Such subscription right is acquired, directly or indirectly, from the bank without the payment of consideration;]

[(ii) Such subscription right by its terms expires within 45 days after the issuance thereof; and]

[(iii) Such subscription right by its terms is issued on a pro rata basis to all holders of the beneficiary security of the bank.]

[(2) When used within this paragraph the following terms shall have the meaning indicated:]

[(i) The term "subscription right" means any warrant or certificate evidencing a right to subscribe to or otherwise acquire an equity security.]

[(ii) The term "beneficiary security" means a security registered pursuant to section 12 of the Act to the holders of which a subscription right is granted.]

[(iii) The term "subject security" means a security which is the subject of a subscription right.]

[(3) Notwithstanding anything contained herein to the contrary, if a person purchases subscription rights for cash or other consideration, then a sale by such person of subscription rights otherwise exempted by this paragraph will not be so exempted to the extent of such purchases within the 6-month period preceding or following such sale.]

(r) *Exemption of certain securities from section 16(c).* Any equity security of a bank shall be exempt from the operation of section 16(c) to the extent necessary to render lawful under such section the execution by a broker of an order for an account in which he had no direct or indirect interest.

(s) *Exemption from section 16(c) of certain transactions effected in connection with a distribution.* Any equity security of a bank shall be exempt from the operation of section 16(c) to the extent necessary to render lawful under such section any sale made by or on behalf of a dealer in connection with a distribution of a substantial block of the bank's securities, upon the following conditions:

(1) The sale is made with respect to an overallotment in which the dealer is participating as a member of an underwriting group, or the dealer or a person acting on his behalf intends in good faith to offset such sale with a security to be acquired by or on behalf of the dealer as a participant in and underwriting, selling, or soliciting-dealer group of which the dealer is a member at the time of the sale, whether or not the security to be so acquired is subject to a prior offering to existing security holders or some other class of persons; and

(2) Other persons not within the purview of section 16(c) are participating in the distribution of such block of securities on terms at least as favorable as those on which such dealer is participating and to an extent at least equal to the aggregate participation of all persons exempted from the provisions of section 16(c) by paragraph (s) of this section. The performance of the functions of manager of a distributing group and the receipt of a bona fide payment for performing such functions shall not, however, preclude an exemption that would otherwise be available under this paragraph.

(t) *Exemption of sales of securities to be acquired.* (1) Whenever any person is entitled, as an incident to his ownership of an issued equity security of a bank and without the payment of consideration, to receive another security of the bank "when issued" or "when distributed", the security to be acquired shall be exempt from the operation of section 16(c) if

(i) The sale is made subject to the same conditions as those attaching to the right of acquisition,

(ii) Such person exercises reasonable diligence to deliver such security to the purchaser promptly after his right of acquisition matures, and

(iii) Such person reports the sale on the appropriate form for reporting transactions by persons subject to section 16(a).

(2) This paragraph (t) shall not be construed as exempting transactions involving both a sale of a security "when issued" or "when distributed" and a sale of the security by virtue of which the seller expects to receive the "when-issued" or "when-distributed" security, if the two transactions combined result in a sale of more units than the aggregate of those owned by the seller plus those to be received by him pursuant to his right of acquisition.

(u) *Arbitrage transactions under section 16.* It shall be unlawful for any director or officer of a bank to effect any foreign or domestic arbitrage transaction in any equity security of the bank, unless he shall include such transaction in the statements required by section 16(a) of the Act and § 206.6(a) and shall account to such bank for the profits arising from such transaction, as provided in section 16(b). The provisions of section 16(c) shall not apply to such arbitrage transactions. The provisions of § 206.6(a) and of section 16 shall not apply to any bona fide foreign or domestic arbitrage transaction insofar as it is effected by any person other than such director or officer of the bank issuing such security.

§ 206.7 Form and content of financial statements.

(a) *Principles of financing reporting.* Financial statements filed with the Board pursuant to this Part shall be prepared in accordance with generally accepted accounting principles and practices applicable to banks. The Board may from time to time issue releases on accounting principles and practices to be used with respect to specific areas.

(b) *Verification.* (1) *General.* (i) Every verification with respect to financial statements filed pursuant to this Part shall be dated, shall be signed manually, [shall indicate the city and state where issue], and shall identify without detailed enumeration the financial statements covered by the verification.

(ii) If the person or persons making the verification considers that he must take exceptions or express qualifications with respect thereto, each such exception or qualification shall be stated specifically and clearly and, to the extent practicable, shall indicate the effect of the matter on the financial statements to which it relates.

(2) *Opinions to be expressed by principal accounting officer and auditor.* Every verification by a bank's principal accounting officer and auditor shall state:

(i) The opinions of such persons with respect to the financial statements covered by the verification and the accounting principles and practices reflected therein; and

(ii) The opinions of such persons as to any material changes in accounting principles or practices or in the method of applying the accounting principles or practices, or adjustments of the accounts, required to be set forth by paragraph (c)(5) of this section.]

(3) *Certification by independent public accountants.* (i) Qualifications of independent public accountants—

(A) The Board will not recognize any person as an independent public accountant who is not registered or licensed to practice as a public accountant by a regulatory authority of a State and in good standing with such authority as such an accountant.

(B) The Board will not recognize as independent a public accountant who is not in fact independent. For example, an accountant will be considered not independent with respect to any person in which he has, or had during the period of report, any direct financial interest or material indirect financial interest; or with which he is, or was during such period connected as a promoter, underwriter, voting trustee, director, officer, or employee.

(C) Indetermining whether a public accountant is in fact, independent with respect to a particular person, the Board will give appropriate consideration to all relevant circumstances, including evidence bearing on all relationships between the accountant and that person or any affiliate thereof, and will not confine itself to the relationships existing in connection with the filing of reports with the Board.

(ii) Representations as to the audit. The independent public accountant's certificate—

(A) shall state whether the audit was made in accordance with generally accepted auditing standards; and

(B) shall designate any auditing procedures generally recognized as normal (or deemed necessary by the accountant under the circumstances of the particular case) that have been omitted, and the reasons for their omission, but no procedure that independent accountants ordinarily employ in the course of an audit made for the purpose of expressing the opinions required by clause (iii) below shall be omitted.

(iii) Opinions to be expressed. The independent public accountant's certificate shall state—

(A) The opinion of the accountant with respect to the financial statements covered by the certificate and the accounting principles and practices reflected therein;

(B) The opinion of the accountant as to any material changes in accounting principles or practices or in the method of applying the accounting principles or practices, or adjustments of the accounts, required to be set forth by paragraph (c)(5) of this section; and

(C) The nature of, and the opinion of the accountant as to, any material differences between the accounting principles and practices reflected in the financial statements and those reflected in the accounts after the entry of adjustments for the period under review.

[(iv) Exceptions. If the accountant making the report considers that he must take exceptions or express qualifications with respect thereto, each such exception or qualification shall be stated specifically and clearly and, to the extent practicable, shall indicate the effect of the matter on the financial statements to which it relates.]

(v) Certification of financial statements by more than one independent public accountant. If, with respect to the certification of the financial statements of any bank, the principal independent public accountant relies on an examination made by another independent public accountant of certain of the accounts of such bank or its affiliates, the certificate of such other accountant shall be filed (and the provisions of this subparagraph shall be applicable thereto); however, the certificate of such other accountant need not be filed (a) if no reference is made directly or indirectly to such other accountant's examination in the principal accountant's certificate, or (b) if, having referred to such other accountant's examination, the principal accountant states in his certificate that he assumes responsibility for such other accountant's examination in the same manner as if it had been made by him.

(c) *Provisions of general application.* (1) *Requirements as to form.* Financial statements shall be prepared in accordance with the applicable requirements of Forms 9 A, B, C, and D. All money amounts required to be shown in financial statements may be expressed in even dollars or thousands of dollars. If shown in even thousands, an indication to that effect shall be inserted immediately beneath the caption of the statement or schedule, or at the top of each money column. The individual amounts shown need not be adjusted to the nearest dollar or thousand if the failure of the items to add to the totals shown is stated in a note as due to the dropping of amounts of less than $1.00 or $1,000, as appropriate.

(2) *Items not material.* If the amount that would otherwise be required to be shown with respect to any item is not material, it need not be separately set forth.

(3) *Inapplicable captions and omission of unrequired or inapplicable financial statements.* No caption need be shown in any financial statement required by the forms set forth in this Part as to which the items and conditions are not present. Financial statements not required or inapplicable because the required matter is not present need not be filed, but the statements omitted and the reasons for their omission shall be indicated in the list of financial statements required by the applicable form.

(4) *Additional information.* In addition to the information required with respect to any financial statement, such further information shall be furnished as is necessary to make the required statements, in the light of the circumstances under which they are made, not misleading.

(5) *Changes in accounting principles and practices and retroactive adjustments of accounts.* Any change in accounting principle or practice, or in the method of applying any accounting principle or practice, made during any period for which financial statements are filed that affects comparability of such financial statements with those of prior or future periods, and the effect thereof upon the net income for each period for which financial statements are filed, shall be disclosed in a note to the appropriate financial statement. Any material retroactive adjustment made during any period for which financial statements are filed, and the effect thereof upon net income of prior periods, shall be disclosed in a note to the appropriate financial statement.

(6) *Summary of accounting principles and practices.* Information required in notes as to accounting principles and practices reflected in the financial statements may be presented in the form of a single statement. In such a case specific references shall be made in the appropriate financial statement to the applicable portion of such single statement.

(7) *Foreign currencies.* The basis of conversion of all items in foreign currencies shall be stated, and the amount and disposition of the resulting unrealized profit or loss shown. Disclosure should be made as to the effect, insofar as this can be reasonably determined, of foreign exchange restrictions upon the consolidated financial position and operating results of the bank and its subsidiaries.

(8) *Commitments.* If material in amount, the pertinent facts relative to firm commitments for the acquisition, directly or indirectly, of fixed assets and for the purchase, repurchase, construction, or rental of assets under long-term leases shall be stated briefly in the balance sheet or in footnotes referred to therein. Where the rentals or obligations under long-term leases are material [the following shall be set forth in a note to the appropriate financial statement:]

[(i) Total rental expense (reduced by rentals from subleases, with disclosure of such amounts) entering into the determination of results of operations for each period for which an income statement is presented shall be disclosed. Rental payments under short-term leases for a month or less which are not expected to be renewed need not be included. Contingent rentals, such as those based upon usage or sales, shall be reported separately from the basic or minimum rentals. Rentals on noncapitalized financing leases shall be shown separately for both categories or rentals reported.]

[(ii) The minimum rental commitments under all noncancelable leases shall be disclosed, as of the date of the latest balance sheet presented, in the aggregate (with disclosure of the amounts applicable to noncapitalized financing leases) for (A) each of the five succeeding fiscal years; (B) each of the next five-year periods; and (C) the remainder as a single amount. The amounts so determined should be reduced by rentals to be received from existing noncancelable subleases (with disclosure of the amounts of such rentals). For purposes of this rule, a noncancelable lease is defined as one that has an initial or remaining term of more than one year and is noncancelable, or is cancelable only upon the occurrence of some remote contingency or upon the payment of a substantial penalty.]

[(iii) Additional disclosures shall be made to report in general terms: (A) the basis for calculating rental payments if dependent upon factors other than the lapse of time; (B) existence and terms of renewal or purchase options, escalation clauses, etc.; (C) the nature and amount of related guarantees made or obligations assumed; (D) restrictions on paying dividends, incurring additional debt, further leasing, etc.; and (E) any other information necessary to assess the effect of lease commitments upon the financial position, results of operations, and charges in financial position of the lessee.

(9) *General notes to balance sheets.* If present with respect to the person for which the statement is filed, the following shall be set forth in the balance sheet or in referenced notes thereto:

(i) Assets subject to lien or security interest shall be designated and the obligation secured thereby, if any, shall be identified briefly.

(ii) Intercompany profits and losses. The effect upon any balance sheet item of profits or losses resulting from transactions with affiliated companies not consolidated shall be stated. If impracticable of accurate determination without unreasonable effort or expense, an estimate or explanation shall be given.

(iii) *Preferred shares.* [(A) If convertible, the terms of the conversion shall be described briefly;] (B) If callable, the date or dates and the amount per share at which such shares are callable shall be stated; (C) Arrears in cumulative dividends per share and in total for each class of shares shall be stated: (D) [Aggregate] preferences on involuntary liquidation, if other than the par or stated value, shall be shown [parenthetically in the equity section of the balance sheet.] When the excess involved is material, there shall be shown the difference between the aggregate preference on involuntary liquidation and the aggregate par or stated value, a statement that this difference (plus any arrears in dividends) exceeds the sum of the par or stated value of the junior capital shares, surplus, and undivided profits if such is the case, and a

statement as to the existence (or absence) of any restrictions upon surplus and/or undivided profits growing out of the fact that upon involuntary liquidation the preference of the preferred stock exceeds its par or stated value.

(iv) *Pension and retirement plans.* (A) A brief description of the essential provisions of any employee pension or retirement plan shall be given; (B) The estimated annual cost of the plan shall be stated; (C) If a plan has not been funded or otherwise provided for, the estimated amount that would be necessary to fund or otherwise provide for the past-service cost of the plan shall be disclosed; [(D) The excess, if any of the actually computed value of vested benefits over the total of the pension fund and any balance sheet pension accruals, less any pension prepayments or deferred charges, shall be given as the most recent practicable date; (E) A statement shall be given of the nature and effect of significant matters affecting comparability of pension cost for any periods for which income statements are presented.]

(v) *Capital stock optioned to officers and employees.* (A) A brief description of the terms of each option arrangement shall be given, including the title and amount of securities subject to the option, the year or years during which the options were granted, and the year or years during which the optionees became, or will become, entitled to exercise the options;

(B) There shall be stated the number of shares under option at the balance sheet date, and the option price and the fair value thereof (per share and in total) at the dates the options were granted; the number of shares with respect to which options became exercisable during the period, and the option price and the fair value thereof (per share and in total) at the dates the options became exercisable; and the number of shares with respect to which options were exercised during the period, and the option price and the fair value thereof (per share and in total) and the dates the options were exercised. The required information may be summarized as appropriate with respect to each of the categories referred to in this subclause (b);

(C) The basis of accounting for such option arrangements and the amount of charges, if any, reflected in income with respect thereto shall be stated.

(vi) *Restrictions that limit the availability of surplus and/or undivided profits for dividend purposes.* Any such restriction, other than as reported in paragraph (c)(9)(iii) of this section shall be described, indicating briefly its source, its pertinent provisions, and, where appropriate and determinable, the amount of the surplus and/or undivided profits so restricted.

(vii) *Contingent liabilities.* A brief statement as to contingent liabilities not reflected in the balance sheet shall be made.

(viii) *Standby letters of credit.* State the amount of outstanding "standby letters of credit." For the purpose of this paragraph, "standby letters of credit" include every letter of credit (or similar arrangement however named or designated) which represents an obligation to the beneficiary on the part of the issuer (A) to repay money borrowed by or advanced to or for the account of the account party or (B) to make payment on account of any evidence of indebtedness undertaken by the account party, or (C) to make payment on account of any default by the account party in the performance of an obligation,* except that, if prior to or at the time of issuance of a standby letter of credit, the issuing bank (D) is paid an amount equal to the bank's maximum liability under the standby letter of credit, or (E) has set aside sufficient funds in a segregated, clearly earmarked deposit account to cover the bank's maximum liability under the standby letter of credit, then the amount of that standby letter of credit need not be stated.

(10) *General notes to statements of income.* If present with respect to the person for which the statement is filed, the following shall be set forth in the statement of income or in referenced notes thereto:

(i) *Intercompany profits and losses.* The amount of any profits or losses resulting from transactions between unconsolidated affiliated companies shall be stated. If impracticable of determination without unreasonable effort and expense, an estimate or explanation shall be given.

(ii) *Depreciation and amortization.* For the period of which statements of income are filed, there shall be stated the policy followed with respect to: (A) The provision for depreciation of physical properties or valuation allowances created in lieu thereof, including the methods and, if practicable, the rates used in computing the annual amounts; (B) The provision for depreciation and amortization of intangibles, or valuation allowances created in lieu thereof, including the methods and, if practicable, the rates used in computing the annual amounts; (C) The accounting treatment for maintenance, repairs, renewals, and improvements; and (D) The adjustment of the accumulated valuation allowances for depreciation and amortization at the time the properties were retired or otherwise disposed of, including the disposition made of any profit or loss on sale of such properties.

[(iii) Bonus, profit sharing, and other similar plans. (A) Describe (I) the essential provisions of any plans in which only directors, officers, or key employees may participate, and state, for each of the fiscal periods for which income statements are required to be filed, the aggregate amount provided for all plans by charges to expense. (Types of timing differences that are individually less than 15 percent of the deferred tax amount in the income statement may be combined. If no individual type of difference is more than five percent of the amount computed by multiplying the income before tax by the applicable statutory Federal income tax rate and the aggregate amount of timing difference is less than five percent of such computed amount, disclosure of each of the separate types of timing differences may be omitted.) and (2) operating losses; and (3) the net deferred investment tax credits. Amounts applicable to United States Federal income taxes, to foreign income taxes and to other income taxes shall be stated separately for each major component, unless the amounts applicable to foreign and other income taxes do not exceed five percent of the total for the component. (B) Provide a reconciliation between the amount of reported total income tax expense and the amount computed by multiplying the income before tax by the applicable statutory Federal income tax rate, showing the estimated dollar amount of each of the underlying causes for the difference. If no individual reconciling item amounts to more than five percent of the amount computed by multiplying the income before tax by the applicable statutory Federal income tax rate, and the total difference to b ereconciled is less than five percent of such computed amount, no reconciliation need be provided unless it would be significant in appraising the trend of earnings. Reconciling items that are individually less than five percent of the computed amount may be aggregated in the reconciliation. The reconciliation may be presented in percentages rather than in dollar amounts.]

(d) *Consolidated financial statements.* (1) Consolidated statements generally present more meaningful information to the investor than unconsolidated statements. Except where good reason exists, consolidated statements of the bank and its majority-owned significant subsidiaries should be filed.

(2) Every majority-owned bank-premises subsidiary and every majority-owned subsidiary operating under the provisions of section 25 or section 25(a) of the Federal Reserve Act ("Agreement Corporation" and "Edge Act Corporations") shall be consolidated with that of the reporting bank irrespective of whether such subsidiary is a significant subsidiary.

(3) If the financial statements of a subsidiary are as of a date or for periods different from those of the bank, such statements may be used as the basis for consolidation of the subsidiary only if the date of such statements is not more than 93 days from the date of the close of the bank's fiscal year; the closing date of the subsidiary is specified; the necessity for the use of different closing dates is explained briefly; and any changes in the respective fiscal periods of the bank and the subsidiary made during the period of report are indicated clearly.

(4) There shall be set forth in a note to each consolidated balance sheet filed

*As defined, "standby letter of credit" would not include (1) commercial letters of credit and similar instruments where the issuing bank expects the beneficiary to draw upon the issuer and which do not "guaranty" payment of a money obligation or (2) a guaranty or similar obligation issued by a foreign branch in accordance with and subject to the limitations of Regulation M.

a statement of any difference between the investment in subsidiaries consolidated, as shown by the bank's books, and the bank's equity in the net assets of such subsidiaries as shown by the subsidiaries' books. If any such difference exists, there shall be set forth the amount of the difference and the disposition made thereof in preparing the consolidated statements, naming the balance sheet captions and stating the amount included in each.

(5) Minority interests in the net assets of subsidiaries consolidated shall be shown in each consolidated balance sheet. The aggregate amount of profit or loss accruing to minority interests shall be stated separately in each consolidated statement of income.

(6) In general, intercompany items and transactions shall be eliminated. If not eliminated, a statement of the reasons for inclusion and the methods of treatment shall be made.

(e) Statement of changes in capital accounts. A statement of changes in capital accounts shall be filed with each statement of income filed pursuant to this Part.

[(f) *Statement of changes in financial position.* A statement of changes in financial position shall be filed with each statement of income.]

(g) Schedules to be filed. (1) The following schedules shall be filed with each balance sheet filed pursuant to this Part: Schedule I—U.S. Treasury Securities, Securites of other U.S. Government Agencies and Corporations, and Obligations of States and Political Subdicisions; Schedule II—Other securities; Schedule III—Other Loans; Schedule IV—Bank Premises and Equipment; Schedule V—Investments in, Dividend Income from, and Share in Earnings or Losses of Unconsolidated Subsidiaries; and Schedule VI—"Other" Liabilities for Borrowed Money.

(2) The following schedule shall be filed with each statement of income filed pursuant to this Part: Schedule VII—Allowance for Possible Loan Losses.

(3) Reference to the schedules referred to in subparagraphs (1) and (2) shall be made against the appropriate captions of the balance sheet or statement of income.

FORMS

§ 206.41 Form for registration of securities of a bank pursuant to section 12 (b) or section 12(g) of the Securities Exchange Act of 1934 (Form F–1).

BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM

FORM F–1

REGISTRATION STATEMENT FOR SECURITIES OF A BANK

Pursuant to section 12(b) or section 12(g) of the Securities Exchange Act of 1934

(Exact name of bank as specified in charter)

(Address of principal office)

(I.R.S. Employer Identification No.)

(Bank's telephone number, including area code)

Title of each class of securities being registered pursuant to section 12(g) of the Act: [1]

Title of class

Name of each exchange on which class is being registered

Title of each class of securities being registered pursuant to section 12(g) of the Act: [1]

GENERAL INSTRUCTIONS

[Form F–1 shall be used for registration pursuant to section 12 (b) or (g) of the Securities Exchange Act of 1934 of classes of securities of issuers that are State-chartered banks that are members of the Federal Reserve System]. This form is not to be used as a blank form to be filled in but only as a guide in the preparation of a registration statement. Particular attention should be given to the definitions in § 206.2 and the general requirements in § 206.4 of this part. Unless otherwise stated, the information required shall be given as of a date reasonably close to the date of filing the statement. The statement shall contain the numbers and captions of all items, but the text of the items may be omitted if the answers with respect thereto are prepared in the manner specified in § 206.4(u). [Attention is directed to § 206.4(j) which states: "In addition to the information expressly required to be included in a statement or report, there shall be added such further material information, if any, as may be necessary to make the required statements, in light of the circumstances under which they are made, not misleading."]

[Section 206.4(s) requires that four complete copies of the registration statement, including financial statements, exhibits and all other papers and documents filed as a part thereof, and four additional copies which need not include exhibits, shall be filed with the Board. At least one complete copy of the registration statement, including financial statements, exhibits and all other papers and documents filed as a part thereof, shall be filed with each exchange on which any class of securities is to be registered. At least one complete copy of the registration statement filed with the Board and one such copy filed with each exchange shall be manually signed. Copies not manually signed shall bear typed or printed signatures.]

[Information required by any item or other requirement of this form with respect to any foreign subsidiary may be omitted to the extent that the required disclosure would be detrimental to the registrant. However, financial statements, otherwise required, shall not be omitted pursuant to this instruction. Where information is omitted pursuant to this instruction, a statement shall be made that such information has been omitted and the names of the subsidiaries involved shall be separately furnished to the Board. The Board may, in its discretion, call for justification that the required disclosure would be detrimental.]

INFORMATION REQUIRED IN REGISTRATION STATEMENT

Item 1. General information.

State the year in which the bank was organized. If organized as a national bank, state the year of conversion into a State bank. Indicate the approximate number of holders of record of each class of equity securities of the bank.

Item 2. Parents and Subsidiaries of the Bank.

(a) List all parents of the bank, showing the basis of control and, as to each parent, the percentage of voting securities owned or other basis of control by its immediate parent, if any.

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[1] If none, so state.

(b) Furnish a list or diagram of all subsidiaries of the bank and, as to each subsidiary, indicate (1) the State or other jurisdiction under the laws of which it was organized, and (2) the percentage of voting securities owned or other basis of control by its immediate parent. Designate (i) subsidiaries for which separate financial statements are filed; (ii) subsidiaries included in consolidated financial statements; [(iii) subsidiaries included in group financial statements filed for unconsolidated subsidiaries; and (iv)] subsidiaries for which no financial statements are filed, indicating briefly why statements of such subsidiaries are not filed.

Instructions. 1. Include the bank and show clearly the relationship of each person named to the bank and the other persons named, including the percentage of voting securities of the bank owned or other basis of control by its immediate parent. The names of particular subsidiaries may be omitted if the unnamed subsidiaries considered in the aggregate as a single subsidiary would not constitute a significant subsidiary.

2. In case the bank owns, directly or indirectly, approximately 50 per cent of the voting securities of any person and approximately 50 per cent of the voting securities of such person are owned directly or indirectly by another single interest, or if the bank takes up the equity in undistributed earnings of any other unconsolidated person, such person shall be deemed to be a subsidiary for the purpose of this item.]

[NOTE: If any person is controlled by means of the direct ownership of its securities by two or more persons listed in response to this item, so indicate by appropriate cross reference.]

[(c) Describe any contractual arrangement, known to the bank, including any pledge of securities of the bank or any of its parents the operation of the terms of which may at a subsequent date result in a change of control of the bank.]

[Instruction. This paragraph does not require a description of ordinary default provisions contained in the charter, trust indentures or other governing instruments relating to securities of the registrant.]

Item 3. Description of Business.

Describe briefly the business done [or intended to be done] by the bank and any significant developments or trends in such business occurring over the preceding five years. Information should be furnished as to any mergers, consolidations, or other acquisitions of assets of any other person that were consummated during such period. State the number of banking offices in each city (or county) in the United States in which the bank has offices and the number of banking offices located in each foreign country or jurisdiction. In describing the business done by the bank, the business of its subsidiaries should be included only insofar as the same is important to an understanding of the character and development of the business conducted by the total enterprise.

(a) [The description shall include, without limitation, information as to matters such as the following:]

(1) [Competitive conditions in the market areas involved and the competitive position of the bank, if known or reasonably available to the bank. If several services are involved, separate consideration shall be given to the principal services or classes of services.]

(2) [The principal services rendered by the bank, including any significant changes in the kinds of services rendered, during the past three fiscal years.]

(3) [The estimated dollar amount, if material, spent during each of the last two fiscal years for the development of new services or the improvement of existing services.]

(4) [The number of persons employed by the bank.]

(5) [The extent to which the business of the bank or a material portion thereof is or may be seasonal.]

(6) [Present in tabular form, for each of the three years for which a statement of income is being furnished, ratios of the bank's net income to the following items: (a) Average equity capital accounts, and (b) average daily total deposits. Ratios for such periods of average daily loans to average daily deposits should also be included.]

(7) [If more than 25 percent of the bank's loans are concentrated in any one of the categories specified in Schedule III of Form F-9D, or if more than 10 percent of the bank's loans in any particular category specified in Schedule III of Form F-9D represent the indebtedness of persons or firms in a particular industry (for example, electronics or real estate investment trusts), the category of loans, the particular industry or industries involved, and the percentages that the amounts of such loans bear to the total amount of the bank's loans and to the total amount of the bank's loans in the pertinent category in Schedule III.]

(8) [The dollar amounts of loan and other commitments as of the end of the last fiscal year and previous fiscal year, indicating also the portions thereof reasonably expected to be exercised within the current fiscal year.]

Instructions. [1. If the bank proposes to enter, or has recently entered or introduced a new service requiring the investment of a material amount of its total assets, provide as supplemental information at the time of filing of the registration statement, but not as a part thereof, a copy of any studies conducted or performed by or for the bank relating to such business, and a statement as to the actual or proposed use of such study. Where material, disclosure of the absence of such a study is required.]

[2. The principal methods of competition (e.g., rate service) should be identified and positive and negative factors pertaining to the competitive position of the bank, to the extent that they exist, should be explained, if known or reasonably available to the bank. An estimate of the number of competitors should be included, and where material, the particular market areas in which the bank competes should be identified. Where one or a small number of competitors are dominant, they should be identified.]

[3. The description shall not relate to the powers and objects specified in the charter, but to the actual business done and intended to be done. Include the business of subsidiaries of the bank insofar as is necessary to understand the character and development of the business conducted by the total enterprise.]

[4. In describing developments, information shall be given as to matters such as the following: the nature and results of any other material reorganization, readjustment or succession of the registrant or any of its significant subsidiaries; the acquisition or disposition of any material amount of assets otherwise than in the ordinary course of business; and any material changes in the mode of conducting the business.]

[5. Appropriate disclosure shall also be made as to the material effects that compliance with Federal, State and local provisions which have been enacted or adopted regulating the discharge of materials into the environment, or otherwise relating to the protection of the environment, may have upon the capital expenditures, earnings and competitive position of the bank and its subsidiaries.]

[6. The business of a predecessor or predecessors shall be deemed to be the business of the bank for the purpose of this item.]

[7. Appropriate disclosure shall be made with respect to any material portion of the business, e.g. deposits which may be subject to termination at the election of state, local, or federal governments, or any other depositor.]

[(b) If the bank and its subsidiaries engage in material operations in foreign countries, or if a material portion of revenues is derived from customers in foreign countries, appropriate disclosure shall be made with respect to the importance of that part of the business to the bank and the risks attendant thereto. Insofar as practicable, furnish information with respect to volume and profitability of such operations.]

[(c) The Board may, upon written request of the bank, and where consistent with the protection of investors, permit the omission of any of the information herein required or the furnishing in substitution therefor of appropriate information of comparable character. The Board may also require the furnishing of other information in addition to, or in substitution for, the information herein required in any case where such information is necessary or appropriate for an adequate description of the business done or intended to be done.]

[*Item 4. Summary of Operations.*]

[Furnish in comparative columnar form a summary of operations for the bank or for the bank and its subsidiaries consolidated, as appropriate, for—]

[(a) each of the last five fiscal years of the bank (or for the life of the bank and its predecessors, if less), and]

[(b) any additional fiscal years necessary to keep the summary from being misleading.]

[Where necessary, include information or explanation of material significance to investors in appraising the results shown, or refer to such information or explanation set forth elsewhere in the registration statement.]

[*Instruction.* 1. As a minimum, operating income, operating expenses, income before income taxes and security gains (losses), applicable income taxes, income before security gains (losses), security gains (losses), and net income should be presented. The summary shall reflect retroactive adjustments of any material items affecting the comparability of the results.]

[2. Per share earnings and dividends declared for each period of the summary shall be also shown. The basis of the computation of per share earnings shall be stated, together with the number of shares used in the computation. The bank shall file as an exhibit a statement setting forth in reasonable detail the computation of per share earnings, unless the computation can be clearly determined from the answer to this item.]

[3. (a) If debt securities are being registered, the bank may, at its option, show in tabular form for each fiscal year the ratio of earnings to fixed charges. Such ratio shall be calculated both on the basis of excluding interest on deposits and including interest on deposits as part of "fixed charges."]

[(b) Earnings shall be computed after all operating and income deductions except fixed charges and taxes based on income or profits and after eliminating undistributed income or unconsolidated subsidiaries and 50 per cent or less owned persons.]

[(c) The term "fixed charges" shall mean (i) interest and amortization of debt discount and expense and premium on all indebtedness; (ii) such portion of rentals as can be demonstrated to be representative of the interest factor in the particular case.]

[(d) Any bank electing to show the ratio of earnings to fixed charges, in accordance with this instruction, shall file as an exhibit a statement setting forth in reasonable detail the computations of the ratios shown.]

Item 5. Description of bank premises and other real estate.

Describe briefly, individually or by categories, (a) properties held in fee, by the bank and its subsidiaries, in which the banking offices are located, indicating any major encumbrances with respect thereto, and (b) other real estate of material value that is owned by the bank. In the event aggregate annual rentals paid during the bank's last fiscal year exceeded 5 per cent of its operating expenses, state the amount of such rentals, the average term of the leases pursuant to which such rentals were paid, [and the expiration dates of any material leases should be indicated.]

Item 6. Organization within five years.

If the bank was organized within the past five years, furnish the following information.

(a) State the names of the promoters, the nature and amount of anything of value (including money, property, contracts, options, or rights of any kind) received or to be received by each promoter directly or indirectly from the bank, and the nature and amount of any assets, services, or other consideration therefor received or to be received by the bank.

(b) As to any assets acquired or to be acquired by the bank from a promoter, state the amount at which acquired or to be acquired and the principle followed [or to be followed] in determining the amount. Identify the persons making the determination and state their relationship, if any, with the bank or any promoter. If the assets were acquired by the promoter within 2 years prior to their transfer to the bank, state the cost thereof to the promoter.

Item 7. Pending Legal Proceedings.

Describe briefly any material pending legal proceedings, other than ordinary routine proceedings incidental to the business, to which the bank or any of its subsidiaries is a party or of which any of their property is the subject. Include the name of the court or agency in which the proceedings were instituted, the date instituted, the principal parties thereto, [a description of the factual basis alleged to underlie the proceeding and the relief sought. Include similar information as to any such proceedings known to be contemplated by governmental authorities.]

Instructions. [1. No collection action or other claim need be described unless it departs from the normal kind of such actions.]

2. No information need be given with respect to proceedings that involve principally claims for damages if the aggregate amount involved does not exceed 10 percent of the equity capital accounts of the bank. If, however, any proceeding presents in large degree the same issues as other proceedings pending or known to be contemplated, the amount involved in such other proceedings shall be included in computing such percentage.

3. Any material proceedings to which any director, officer, or affiliate of the bank, any security holder named in answer to Item 12(a), or any association of any such director, officer, or security holder, is a party, or has a material interest, adverse to the bank or any of its subsidiaries shall also be described.

4. [Notwithstanding the foregoing, administrative or judicial proceedings arising under any Federal, State or local provisions which have been enacted or adopted relating to the protection of the environment, shall not be deemed "ordinary routine litigation incidental to the business" and shall be described if such proceeding is material to the business or financial condition of the bank or if it involves primarily a claim for damages and the amount involved exclusive of interest and costs, exceeds 10 percent of the equity capital accounts of the bank and its subsidiaries on a consolidated basis. Any such proceedings by governmental authori-

ties shall be deemed material and shall be described whether or not the amount of any claim for damages involved exceeds 10 percent of equity capital accounts on a consolidated basis and whether or not such proceedings are considered "ordinary routine litigation incidental to the business"; provided however, that such proceedings which are similar in nature may be grouped and described generically stating: the number of such proceedings in each group; a generic description of such proceedings; the issues generally involved; and, if such proceedings in the aggregate are material to the business or financial condition of the bank, the effect of such proceedings on the business or financial condition of the bank.]

Item 8. Directors and Officers.

[(a)] List all directors and officers of the bank and all persons chosen to become directors or officers. Indicate all positions and offices with the bank held by each person named. [State the age of the persons named, their terms of office, and the periods during which each such person has served. Briefly describe any arrangement or understanding between each director or officer and any other person pursuant to which such director or officer was selected to serve in that capacity.] The term "officer" is defined in § 206.2(q).

Instruction. [Do not include arrangements or understandings with directors or officers of the bank acting solely in their capacities as such.]

[(b) State the nature of any family relationship between any director or officer and any other director or officer.]

Instruction. [The term "family relationship" means any relationship by blood, marriage or adoption, not more remote than first cousin.]

[(c) Give a brief account of the business experience during the past five years of each director and each officer, including his principal occupations and employment during that period and the name and principal business of any coroporation or other organization in which such occupations and employment were carried on. Where an executive officer has been employed by the bank or a subsidiary of the registrant for less than five years, a brief explanation should be included as to the nature of the responsibilities undertaken by the individual in prior positions to provide adequate disclosure of his prior business experience.]

[(d) Describe any of the following events which occurred during the past ten years and which are material to an evaluation of ability and integrity of any director or officer of the bank.]

[(1) A petition under the Bankruptcy Act or any state insolvency law was filed by or against, or a receiver, fiscal agent or similar officer was appointed by a court for the business or property of, such person, or any partnership in which he was a general partner at or within 2 years before the time of such filing, or any corporation or business association of which he was an officer at or within 2 years before the time of such filing.]

[(2) Such person was convicted in a criminal proceeding (excluding traffic violations and other minor offenses) or is the subject of a criminal proceeding which is presently pending; or]

[(3) Such person was the subject of any order, judgment or decree of any court of competent jurisdiction permanently or temporarily enjoining him from acting as an investment adviser, underwriter, broker or dealer in securities, or as an affiliated person, director or employee of any investment company, bank, savings and loan association or insurance company, or from engaging in or continuing any conduct or practice in connection with any such activity or in connection with the purchase or sale of any security, or was the subject of any order of a Federal or State authority barring or suspending, for more than 60 days, the right of such person to be engaged in any such activity or to be associated with persons engaged in any such activity, which order has not been reversed or suspended.]

Instruction. [If any event specified in paragraph (d) has occurred but information in regard thereto is omitted on the ground that it is not material, the bank shall furnish, as supplemental information and not as a part of the registration statement, a description of the event and a statement of the reasons for the omission of information in regard thereto.]

Item 9. Indemnification of directors and officers.

State the general effect of any charter provision, by-law, contract, arrangement, or statute under which any director or officer of the bank is insured or indemnified in any manner against any liability that he may incur in his capacity as such.

Item 10. Remuneration of Directors and Officers.

(a) Furnish the following information in substantially the tabular form indicated below as to all direct remuneration paid by the bank and its subsidiaries during the bank's latest fiscal year to the following persons for services in all capacities:

(1) Each director, and each of the [three] highest paid officers, of the bank whose annual total direct remuneration exceeded [$40,000], naming each such person.

(2) All directors and officers of the bank as a group, without naming them, but stating the number of persons included.

Name of individual or number of persons in group	Capacities in which remuneration was received	Aggregate remuneration
(A)	(B)	(C)

Instructions. 1. This item applies to any person who was a director or officer of the bank at any time during said fiscal year. Information need not, however, be given for any portion of that period during which such person was not a director or officer.

2. The information is to be given on an accrual basis, if practicable. The tables required by this paragraph and paragraph (b) may be combined if the bank so desires.

3. Do not include remuneration paid to a partnership in which any director or officer was a partner. But see Item 12, below.

4. If the bank has not completed a full fiscal year since its organization or if it acquired or is to acquire the majority of its assets from a predecessor within the current fiscal year, the information shall be given for the current fiscal year, estimating future payments if necessary. To the extent that such remuneration is to be computed upon the basis of a percentage of [earnings or] profits, the percentage may be stated without estimating the amount of such profits to be paid.

5. If any part of the remuneration shown in response to this item was paid pursuant to a material bonus or profit-sharing plan, describe briefly the plan and the basis upon which directors or officers participate therein. [See Instruction 4 to paragraph (b) for the meaning of the term "plan".]

(b) Furnish the following information, in substantially the tabular form indicated below, as to all [annuity,] pension or retirement benefits proposed to be paid under any existing plan in the event of retirement at normal retirement date, directly or indirectly, by the bank or any of its subsidiaries to [(1)] each director of officer named in answer to paragraph (a)(1) [and (2) all directors and officers of the bank who are eligible for such benefits, as a group, stating the number of persons in the group without naming them:]

Name of individual or number of persons in group	Amounts set aside or accrued during bank's last fiscal year	Estimated annual benefits upon retirement
(A)	(B)	(C)

Instructions. 1. Column (B) need not be answered with respect to amounts computed on an actuarial basis under any plan that provides for fixed benefits in the event of retirement at a specified age or after a specified number of years of service. [In such case, Columns (A) and (C) need not be answered with respect to directors and officers as a group.]

2. The information called for by Column (C) may be given in a table showing the annual benefits payable upon retirement to persons in specified salary classifications.

3. In the case of any plan (other than those specified in Instruction 01) where the amount set aside each year depends upon the amount of earnings [or profits] of the bank or its subsidiaries for such year or a prior year (or where otherwise impracticable to state the estimated annual benefits upon retirement) there shall be set forth, in lieu of the information called for by Column (C), the aggregate amount set aside or accrued to date, unless impracticable to do so, in which case the method of computing such benefits shall be stated.

[4. The term "plan" in this paragraph and in paragraph (c) includes all plans, contracts, authorizations or arrangements, whether or not set forth in any formal document.]

(c) Describe briefly all remuneration payments (other than [accrued] payments reported under paragraph (a) or (b) of this item) proposed to be made in the future, directly or indirectly, by the bank or any of its subsidiaries pursuant to any existing plan to (i) each director or officer named in answer to paragraph (a)(1), naming each such person, and (ii) all directors and officers of the bank as a group, without naming them.

Instruction. Information need not be included as to payments to be made for, or benefits to be received from, group life or accident insurance, group hospitalization, or similar group payments or benefits. If impractical to state the amount of remuneration, payments proposed to be made, the aggregate amount set aside or accrued to date in respect of such payments should be stated, together with an explanation of the basis for future payments.

[*Item 11. Management Options to Purchase Securities.* Furnish the following information as to all options to purchase securities from the bank held by any of the following persons: (i) each director or officer named in answer to paragraph (a)(1) of Item 7, naming each such person; and (ii) all directors and officers of the registrant as a group, without naming them.]

[(a) The title and amount of securities called for;]

[(b) The option prices, expiration dates, and other material provisions;]

[(c) Any consideration received for the granting thereof;]

[(d) The market value of the security on the date of grant.]

[Instructions. 1. The term "options" as used in this term includes all options, warrants or rights, other than those issued to security holders as such on a pro rata basis.]

[2. The extension, regranting or material amendment of options shall be deemed the

granting of options within the meaning of this item.]

[3. Where the total market value of securities called for by all outstanding options does not exceed $10,000 for any person required to be named, or $40,000 for all directors and officers as a group, this term need not be answered with respect to such person or group.]

[4. In case a number of options are outstanding having different prices and expiration dates, the options may be grouped by prices and dates. If this produces more than five separate groups then there may be shown only the range of the expiration dates and prices.]

Item 12. Principal holders of securities. Furnish the following information as of a specified date within 90 days prior to the date of filing in substantially the tabular form indicated:

(a) As to the voting securities of the bank owned of record or beneficially by each person who owns of record, or is known by the bank to own beneficially, more than 10 per cent of any class of such securities. Show in Column (C) whether the securities are owned both of record and beneficially, or record only, or beneficially only, and show in Columns (D) and (E) the respective amounts and percentages owned in each such manner:

Name and address	Title of class	Type of ownership	Amount owned	Percent of class
(A)	(B)	(C)	(D)	(E)

(b) As to each class of equity securities of the bank or any of its parents or subsidiaries, other than directors' qualifying shares, beneficially owned directly or indirectly by all directors and officers of the bank, as a group, without naming them.

Title of class	Amount beneficially owned	Percent of class
(A)	(B)	(C)

Instructions. 1. The percentages are to be calculated on the basis of the amount of securities outstanding, excluding securities held by or for the account of the bank. In any case where the amount owned by directors and officers as a group is less than 1 per cent of the class, the per cent of the class owned by them may be omitted.

2. If, to the knowledge of the bank, more than 10 per cent of any class of voting securities of the bank are held or to be held subject to any voting trust or other similar agreement, state the title of such securities, the amount held or to be held, and the duration of the agreement. Give the names and addresses of the voting trustees and outline briefly their voting rights and other powers under the agreement.

[3. For the purpose of this item a person shall be deemed to be the beneficial owner of securities which he has the right to acquire through the exercise of presently exercisable options, warrants or rights or through the conversion of presently convertible securities. In computing the percentage of the class owned, securities which such person has a right to acquire shall be deemed to be outstanding.]

Item 13. Interest of management and others in certain transactions. [(a)] Describe briefly, and where practicable state the approximate amount of, any material interest, direct or indirect, of any of the following persons in any material transactions during the last three years, or in any material proposed transactions, to which the bank or any of its subsidiaries was, or is to be, a party:

(a) Any Director or officer of the bank;

(b) Any security holder named in answer to Item 11(a); or

(c) Any associate of any of the foregoing persons.

Instructions. 1. See Instruction 1 to Item 10(a). Include the name of each person whose interest in any transaction is described and the nature of the relationship by reason of which such interest is required to be described [as well as the nature of his interest in the transaction]. Where it is not practicable to state the approximate amount of the interest, the approximate amount involved in the transaction shall be indicated.

2. As to any transaction involving the purchase or sale of assets by or to the bank or any subsidiary, otherwise than in the ordinary course of business, state the cost of the assets to the purchaser and the cost thereof to the seller if acquired by the seller within two years prior to the transaction.

3. This item does not apply to any interest arising from the ownership of securities of the bank where the security holder receives no extra or special benefit not shared on a pro rata basis by all other holders of the same class.

[4. *No information need be given in response to this Item 13(a) as to any remuneration or other transaction reported in response to Items 10 or 11, or as to any transaction with respect to which information may be omitted pursuant to Instruction 1 to Item 10(b) or the instruction to Item 10(c).*]

5. Information should be included as to any material underwriting discounts and commissions upon the sale of securities by the bank where any of the specified persons was or is to be a principal underwriter or is a controlling person or member of a firm that was or is to be a principal underwriter. Information need not be given concerning ordinary management fees paid by underwriters to a managing underwriter pursuant to an agreement among underwriters the parties to which do not include the bank or its subsidiaries.

6. No information need be given in answer to this item as to any transaction or any interest therein where:

(i) The rates or charges involved in the transaction are fixed by law [or governmental authority] or determined by competitive bids;

(ii) The interest of the specified person in the transaction is solely that of a director of another corporation that is a party to the transaction;

(iii) The specified person is subject to this Item 13(a) solely as a director of the bank (or associate of a director) and his interest in the transaction is solely that of a director and/or officer of another corporation that is a party to the transaction;

(iv) [The transaction does not involve remuneration for services, directly or indirectly, and] (A) the interest of the specified persons arises from the ownership individually and in the aggregate of less than a 10 percent interest in another person that is a party to the transaction, (B) [the transaction is in the ordinary course of business of the bank or its subsidiaries, and (C) the amount of such transaction or series of transactions is less than 10 percent of the equity capital accounts of the bank;]

(v) The transaction involves services as a bank depository of funds, transfer agent, registrar, trustee under a trust indenture, or other similar service;

(vi) The interest of the specified person, including all periodic installments in the case of any lease or other agreement providing for periodic payments or installments, does not exceed [$40,000.]

(vii) [The transaction consists of extensions of credit by the bank in the ordinary course of its business that (A) are made on substantially the same terms, including interest rates and collateral, as those prevailing at the time for comparable transactions with other than specified persons, (B) at no time exceed 10 per cent of the equity capital accounts of the bank, or $10 million, whichever is less, and (C) do not involve more than the normal risk of collectibility or present other unfavorable features. Notwithstanding the foregoing, if aggregate extensions of credit to the specified persons, as a group, exceeded 20 per cent of the equity capital accounts of the bank at any time during the preceding year, (1) the aggregate amount of such extensions of credit shall be disclosed, and (2) a statement shall be included, to the extent applicable, that the bank has had, and expects to have in the future, banking transactions in the ordinary course of its business with directors, officers, principal stockholders, and their associates, on the same terms, including interest rates and collateral on loans, as those prevailing at the same time for comparable transactions with others. For the purpose of determining "aggregate extensions of credit" in this instruction, transactions which are exempted from disclosure pursuant to other instructions to this item 13(a) may be excluded.]

7. Information shall be furnished in answer to this item with respect to transactions not excluded above that involve remuneration, directly or indirectly, to any of the specified persons for services in any capacity unless the interest of such persons arises solely from the ownership individually and in the aggregate of less than a 10 per cent interest in another person furnishing the services to the bank or its subsidiaries.

8. [The amount of the interest of any specified person shall be computed without regard to the amount of the profit or loss involved in the transaction.]

(b) [Describe briefly any transactions during the last three years or any presently proposed transactions, to which any pension, retirement, savings or similar plan provided by the bank, or any of its parents or subsidiaries, was or is to be a party, in which any of the following persons had or is to have a direct or indirect material interest, naming such person and stating his relationship to the bank, the nature of his interest in the transaction and, where practicable, the amount of such interest:]

[(1) Any director or officer of the bank;]

[(2) Any security holder named in answer to Item 12(a);]

[(3) Any relative or spouse of any of the foregoing persons, or any relative of such spouse, who has the same home as such person or who is a director or officer of any parent or subsidiary of the bank; or]

[(4) The bank or any of its subsidiaries.]

[*Instructions.* 1. Instructions 1, 2, 3, 4, 6, 7 and 8 to Item 13(a) shall apply to this Item (13(b)).]

[2. Without limiting the general meaning of the term "transaction" there shall be included in answer to this item any remunera-

tion received or any loans received or outstanding during the period, or proposed to be received.]

[3. No information need be given in answer to paragraph (c) with respect to—]

[(a) Payments to the plan, or payments to beneficiaries, pursuant to the terms of the plan;]

[(b) Payment of remuneration for services not in excess of 5 percent of the aggregate remuneration received by the specified person during the bank's last fiscal year from the bank and its subsidiaries; or]

(c) Any interest of the bank or any of its subsidiaries which arises solely from its general interest in the success of the plan.

Item 14. Capital stock being registered. If capital stock is being registered, state the title of the class and furnish the following information:

(a) Outline briefly (1) dividend rights; (2) voting rights; (3) liquidation rights; (4) preemptive rights; (5) conversion rights; (6) redemption provisions; (7) sinking fund provisions; and (8) liability to further calls or to assessment by the bank.

(b) If the rights of holders of such stock may be modified otherwise than by a vote of a majority or more of the shares outstanding, voting as a class, so state and explain briefly.

(c) Outline briefly any restriction on the repurchase or redemption of shares by the bank while there is any arrearage in the payment of dividends or sinking fund installments. If there is no such restriction, so state.

Instructions. 1. This item requires only a brief summary of the provisions that are pertinent from an investment standpoint. A complete legal description of the provisions referred to is not required and should not be given. Do not set forth the provisions of the governing instruments verbatim; only a succinct resume is required.

2. If the rights evidenced by the securities being registered are materially limited or qualified by the rights of any other class of securities [or by the provisions of any contract or other document], include such information regarding such other securities being registered. [If any securities being registered are to be offered in exchange for other securities, an appropriate description of such other securities shall be given. No information need be given, however, as to any class of securities all of which will be redeemed and retired if appropriate steps to assure such redemption and retirement will be taken prior to registration of the securities being registered.]

Item 5. Long-Term Debt Being Registered. If long-term debt is being registered, outline briefly such of the following as are relevant:

(a) Provisions with respect to interest, conversion, maturity, redemption, amortization, sinking fund, or retirement.

(b) Provisions restricting the declaration of dividends [or requiring the maintenance of any ratio of assets] or the creation or maintenance of reserves [or the maintenance of properties.]

(c) Provisions permitting or restricting the issuance of additional securities, the withdrawal of cash deposited against such issuance, the incurring of additional debt, [the release or substitution of assets securing the issue], the modification of the terms of the security, and similar provisions.

(d) The name of the trustee and the nature of any material relationship with the bank or any of its affiliates; the percentage of securities of the class necessary to require the trustee to take action, and what indemnification the trustee may require before proceeding to enforce the lien.

(e) [Provisions with respect to the kind and priority of any lien, securing the issue, together with a brief identification of the principal properties subject to each lien.]

Instruction. 1. The instructions to Item 4 shall apply to this item.

2. Provisions permitting the release of assets upon the deposit of equivalent funds or the pledge of equivalent property, the release of property no longer required in the business, obsolete property or property taken by eminent domain, the application of insurance moneys, and similar provisions, need not be described in answer to paragraph (c).

Item 6. Other Securities Being Registered. If securities other than capital stock or long-term debt are being registered, outline briefly the rights evidenced thereby. If subscription warrants or rights are being registered, state the title and amount of securities called for, the period during which and the price at which the warrants or rights are exercisable.

Instruction. The instructions to Item 4 shall also apply to this item.

Item 17. Recent Sales of Securities. Furnish the following information as to all securities of the bank sold by the bank within the past three years or presently proposed to be sold. Include securities issued in exchange for property, services, or other securities, [and new securities resulting from the modification of outstanding securities.]

(a) Give the date of sale, title, and amount of securities sold.

(b) Give the names of the principal underwriters, if any. As to any securities sold privately, name the persons or identify the class of persons to whom the securities were sold.

(c) As to securities sold for cash, state the aggregate offering price and the aggregate underwriting discounts or commissions. As to any securities sold otherwise than for cash, state the nature of the transaction and the nature and aggregate amount of consideration received by the bank.

(d) [Give a reasonably itemized statement of the purposes, so far as determinable, for which the net proceeds have been or are to be used and the approximate amount to be used for each purpose.]

Instructions. (1) Information need not be set forth as to notes, drafts, bills of exchange, or bank acceptances that mature not later than [12 months] from the date of issuance.

(2) If the sales were made in a series of transactions, the information may be given by such totals and periods as will reasonably convey the information required.

[*Item 18. Nature of Trading Market.*]

[As to each class of securities to be registered pursuant to Section 12(g) of the Act, state briefly the nature of the trading market, if any, in such securities, including the names of the principal market makers and the reported high and low bid prices for each quarterly period during the past three years. If bank securitis are inactively traded, so state and indicate the range of sales prices known to management for each such period and the source of such information.]

[*Item 19. Applicability of State Laws.*]

[Describe briefly the manner in which the laws of the State under the laws of which the bank is chartered may materially affect:

(a) [*De novo branching;*]
(b) [*Mergers;*]
(c) [*Interest rates on loans; or*]
(d) [*Bank holding companies.*]

Item 20. Financial statements and exhibits. List all financial statements and exhibits filed as a part of the registration statement.

(a) Financial statements.

(b) Exhibits.

SIGNATURES

Pursuant to the requirements of the Securities Exchange Act of 1934, the bank has duly caused this registration statement to be signed on its behalf by the undersigned, thereunto duly authorized.

(Name of bank)

Date_____ By_____
(Name and title of signing officer)

INSTRUCTIONS AS TO FINANCIAL STATEMENTS

These instructions specify the balance sheets and statements of income required to be filed as a part of a Registration Statement on this form. Section 206.7 of this part governs the verification form, and content of the balance sheets and statements of income required, including the basis of consolidation, and prescribes the statement of changes in capital accounts [, *statement of changes in financial position,*] and the schedules to be filed in support thereof.

A. *Financial statements of the bank.* 1. *Balance sheets.* (a) The bank shall file a verified balance sheet as of the close of its latest fiscal year unless such fiscal year has ended within 90 days prior to the date of filing the Registration Statement, in which case the balance sheet may be as of the close of the preceding fiscal year.

(b) If the latest fiscal year of the bank has ended within 90 days prior to the date of filing the Registration Statement and the balance sheet required by paragraph (a) is filed as of the end of the preceding fiscal year, there shall be filed as an amendment to the Registration Statement, within 120 days after the date of filing, a verified balance sheet of the bank as of the end of the latest fiscal year.

2. *Statements of income.* (a) The bank shall file verified statements of income for each of the three fiscal years preceding the date of the balance sheet required by Instruction 1(a).

(b) There shall be filed with each balance sheet filed pursuant to Instruction 1(b) a verified statement of income of the bank for the fiscal year immediately preceding the date of the balance sheet.

3. *Omission of bank's financial statements in certain cases.* Notwithstanding Instructions 1 and 2, the individual financial statements of the bank may be omitted if consolidated statements of the bank and one or more of its subsidiaries are filed.

B. *Consolidated statements.* 4. *Consolidated balance sheets.* (a) There shall be filed a verified consolidated balance sheet of the bank and its majority-owned (i) bank premises subsidiaries, (ii) subsidiaries operating under the provisions of sections 25 or 25(a) of the Federal Reserve Act ("Agreement Corporations" and "Edge Act Corporations"), and (iii) significant subsidiaries, as of the close of the latest fiscal year of the bank, unless such fiscal year has ended within 90 days prior to the date of filing the Registration Statement, in which case this balance sheet may be as of the close of the preceding fiscal year.

(b) If the latest fiscal year of the bank has ended within 90 days prior to the date of filing the Registration Statement, and the balance sheet required by paragraph (a) is filed as of the end of the preceding fiscal year, there shall be filed as an amendment to the Registration Statement, within 120 days after the date of filing, a verified consolidated balance sheet of the bank and such subsidiaries as of the end of the latest fiscal year.

5. *Consolidated statement of income.* (a) There shall be filed verified statements of income of the bank and its majority-owned (i) bank premises subsidiaries, (ii) subsidiaries operating under the provisions of sections 25 or 25(a) of the Federal Reserve Act ("Agreement Corporations" and "Edge Act Corporations"), and (iii) significant subsidi-

aries, for each of the three fiscal years preceding the date of the consolidated balance sheet required by Instruction 4(a).

(b) There shall be filed with each balance sheet filed pursuant to Instruction 4(b), a verified consolidated statement of income of the bank and such subsidiaries for the fiscal year immediately preceding the date of the balance sheet.

C. *Unconsolidated subsidiaries and other persons.* 6. *Separate statements of unconsolidated subsidiaries and other persons.* There shall be filed such other verified financial statements with respect to unconsolidated subsidiaries and other persons as are material to a proper understanding of the financial position and results of operations of the total enterprise. [For purposes of this item, "other persons" includes 50 percent owned persons and unconsolidated persons in which the bank takes up equity in undistributed earnings.]

D. *Special provisions.* 7. *Succession to other businesses.* (a) If during the period for which its statements of income are required, the bank has by merger, consolidation, or otherwise succeeded to one or more businesses, the additions, eliminations, and other changes effected in the succession shall be appropriately set forth in a note or supporting schedule to the balance sheets filed. In addition, statements of income for each constituent business, or combined statements, if appropriate, shall be filed for such period prior to the succession as may be necessary when added to the time, if any, for which statements of income after the succession are filed to cover the equivalent of the period specified in Instructions 2 and 5 above.

(b) If the bank by merger, consolidation, or otherwise is about to succeed to one or more businesses, there shall be filed for the constituent businesses financial statements, combined if appropriate, that would be required if they were registering securities under the Act. In addition, there shall be filed a balance sheet of the bank giving effect to the plan of succession. These balance sheets shall be set forth in such form, preferably columnar, as will show in related manner the balance sheets of the constituent businesses the changes to be effected in the succession and the balance sheet of the bank after giving effect to the plan of succession. By a footnote or otherwise, a brief explanation of the changes shall be given.

(c) This instruction shall not apply with respect to the bank's succession to the business of any majority-owned subsidiary or to any acquisition of a business by purchase.

8. *Acquisition of other businesses.* (a) There shall be filed for any business directly or indirectly acquired by the bank after the date of the balance sheet filed pursuant to Part A or B above and for any business to be directly or indirectly acquired by the bank, the financial statements that would be required if such business were a registrant.

(b) The acquisition of securities shall be deemed to be the acquisition of a business if such securities give control of the business or combined with securities already held give such control. In addition, the acquisition of securities that will extend the bank's control of a business shall be deemed the acquisition of the business if any of the securities being registered hereunder are to be offered in exchange for the securities to be acquired.

(c) No financial statements need be filed, however, for any business acquired or to be acquired from a majority-owned subsidiary. In addition, the statements of any one or more businesses may be omitted if such businesses, considered in the aggregate as a single subsidiary, would not constitute a significant subsidiary.

9. *Filing of other statements in certain cases.* The Board may, upon the request of the bank, and where consistent with the protection of investors, permit the omission of one or more of the statements herein required or the filing in substitution therefor of appropriate statements of comparable character. The Board may also require the filing of other statements in addition to, or in substitution for, the statements herein required in any case where such statements are necessary or appropriate for an adequate presentation of the financial condition of any person whose financial statements are required, or whose statements are otherwise necessary for the protection of investors.

E. *Historical Financial Information.* 10. *Scope of Part E.* The information required by Part E shall be furnished for the seven-year period preceding the period for which statements of income are filed, as to the accounts of each person whose balance sheet is filed. The information is to be given as to all of the accounts specified whether they are presently carried on the books or not. Part E does not call for verification, but only for a survey or review of the accounts specified. It should not be detailed beyond a point material to an investor.

11. *Revaluation of assets.* (a) If there were any material increases or decreases resulting from revaluing of assets, state (1) in what year or years such revaluations were made; (2) the amounts of such increases or decreases, and the accounts affected, including all related entries; and (3) if in connection with such revaluations any related adjustments were made in reserve accounts, the accounts and amounts with explanations.

(b) Information is not required as to adjustments made in the ordinary course of business, but only as to major revaluations made for the purpose of entering on the books current values, reproduction cost, or any values other than original cost.

(c) No information need be furnished with respect to any revaluation entry that was subsequently reversed or with respect to the reversal of a revaluation entry recorded prior to the period if a statement as to the reversal is made.

12. *Capital shares.* (a) If there were any material restatements of capital shares that resulted in transfers from capital share liability to surplus, undivided profits, or reserves, state the amount of each such restatement and all related entries. No statement need be made as to restatements resulting from the declaration of share dividends.

(b) If there was an original issue of capital shares, any part of the proceeds of which was credited to accounts other than capital stock accounts, state the title of the class, the accounts, and the respective amounts credited thereto.

13. *Debt discount and expense written off.* If any material amount of debt discount and expense, on long-term debt still outstanding, was written off earlier than as required under any periodic amortization plan, give the following information: (1) Title of the securities; (2) date of the write-off; (3) amount written off; and (4) to what account charged.

14. *Premiums and discount and expense on securities retired.* If any material amount of long-term debt or preferred shares was retired, and if either the retirement was made at a premium or there remained, at the time of retirement, a material amount of unamortized discount and expense applicable to the securities retired, state for each class (1) title of the securities retired; (2) date of retirement; (3) amount of premium paid and of unamortized discount and expense; (4) to what account charged; and (5) whether being amortized and, if so, the plan of amortization.

15. *Other changes in surplus or undivided profits.* If there were any material increases or decreases in surplus or undivided profits, other than those resulting from transactions specified above, the closing of the income account, or the declaration or payment of dividends, state (1) the year or years in which such increases or decreases were made; (2) the nature and amounts thereof; and (3) the accounts affected, including all material related entries. Instruction 11(c) above also applies here.

16. *Predecessors.* The information shall be furnished, to the extent material, as to any predecessor of the bank from the beginning of the period to the date of succession, not only as to the entries made respectively in the books of the predecessor or the successor, but also as to the changes effected in the transfer of the assets from the predecessor. No information need be furnished, however, as to any one or more predecessors that, considered in the aggregate, would not constitute a significant predecessor.

17. *Omission of certain information.* (a) No information need be furnished as to any subsidiary, whether consolidated or unconsolidated, for the period prior to the date on which the subsidiary became a majority-owned subsidiary of the bank or of a predecessor for which information is required above.

(b) No information need be furnished hereunder as to any one or more unconsolidated subsidiaries for which separate financial statements are filed if all subsidiaries for which the information is so omitted, considered in the aggregate, would not constitute a significant subsidiary.

(c) Only the information specified in Instruction 11 need be given as to any predecessor or any subsidiary thereof if immediately prior to the date of succession thereto by a person for which information is required, the predecessor or subsidiary was in insolvency proceedings.

INSTRUCTIONS AS TO EXHIBITS

Subject to provisions regarding incorporation by reference, the following exhibits shall be filed as a part of the Registration Statement. Exhibits shall be appropriately lettered or numbered for convenient reference. Exhibits incorporated by reference may bear the designation given in the previous filing. Where exhibits are incorporated by reference, the reference shall be made in the list of exhibits in Item 20.

1. Copies of the charter (or a composite or restatement thereof) and the by-laws (or instruments corresponding thereto) as presently in effect.

2. Copies of any plan of acquisition, reorganization, readjustment, or succession described in answer to Item 3 or [17].

3. (a) Specimens or copies of all securities being registered hereunder, and copies of all constituent instruments defining the rights of holders of long-term debt of the bank and of all subsidiaries for which consolidated or unconsolidated financial statements are required to be filed.

(b) There need not be filed, however, (1) any instrument with respect to long-term debt not being registered hereunder if the total amount of securities authorized thereunder does not exceed 25 per cent of the equity capital accounts of the bank and its subsidiaries on a consolidated basis and if there is filed an agreement to furnish a copy of such instrument to the Board upon request, (2) any instrument with respect to any class of securities if appropriate steps to assure the redemption or retirement of such class will be taken prior to or upon delivery by the bank of the securities being registered, or (3) copies of instruments evidencing scrip certificates for fractions of shares.

4. Copies of all pension, retirement, or other deferred compensation plans, contracts, or arrangements. If any such plan, contract, or arrangement is not set forth in

a formal document, furnish a reasonably detailed description thereof. Copies of any booklet or other description of any such plan, contract, or arrangement shall also be filed.

5. Copies of any plan setting forth the terms and conditions upon which outstanding options, warrants, or rights to purchase securities of the bank or its subsidiaries from the bank or its affiliates have been issued, together with specimen copies of such options, warrants, or rights; or, if they were not issued pursuant to such a plan, copies of each such option, warrant, or right.

6. Copies of any voting trust agreement referred to in answer to Item [12].

7. (a) Copies of every material contract not made in the ordinary course of business that is to be performed in whole or in part at or after the filing of the Registration Statement or that was made not more than two years before such filing and performance of which has not been completed. Only contracts need be filed as to which the bank or a subsidiary is a party or has succeeded to a party by assumption or assignment, and in which the bank or such subsidiary has a beneficial interest.

(b) If the contract is such as ordinarily accompanies the kind of business conducted by the bank and its subsidiaries, it is made in the ordinary course of business and need not be filed, unless it falls within one or more of the following categories, in which case it should be filed except where immaterial in amount or significance:

(1) Directors, officers, promoters, voting trustee, or security holders named in answer to Item 11(a) are parties thereto except where the contract merely involves purchase or sale of current assets having a determinable market price, at such price.

(2) It calls for the acquisition or sale of fixed assets for a consideration exceeding [10] per cent of the value of all fixed assets of the bank and its subsidiaries.

(3) It is a lease under which a significant part of the property described under Item 4 is held by the bank, or

(4) The amount of the contract, or its importance to the business of the bank and its subsidiaries, is material, and the terms and conditions are of a nature of which investors reasonably should be informed.

(c) Any bonus or profit-sharing plan, contract, or arrangement shall be deemed material and shall be filed.

§ 206.42 Form for annual report of bank (Form F–2).

BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM

FORM F–2

ANNUAL REPORT PURSUANT TO SECTION 13 OF THE SECURITIES EXCHANGE ACT OF 1934

For the fiscal year ended _____

_____
(Exact name of registrant as specified in its charter)

_____
(State or other jurisdiction of incorporation or organization)

_____
[(I.R.S. Employer Identification No.)]

_____ _____
(Address of principal) (Zip Code)
Bank's telephone number, including area code _____

_____ _____
Securities registered pursuant to Section 12(b) of the Act:

Title of each class *Name of each exchange on which registered*

_____ _____

_____ _____

Securities registered pursuant to Section 12 (g) of the Act:

_____
(Title of class)

_____
(Title of class)

[GENERAL INSTRUCTIONS]

A. [*Rule as to Use of Form F–2.*] (a) [Form F–2 shall be used for annual reports pursuant to section 13 of the Securities Exchange Act of 1934.]

(b) [Reports on this form shall be filed within 90 days after the end of the fiscal year covered by the report, or within 30 days of the mailing of the bank's annual report to stockholders, which ever occurs first.]

B. [*Application of Regulation F.*] [(a) The Board's Regulation F contains certain general requirements which are applicable to reports on any form. These general requirements should be carefully read and observed in the preparation and filing of reports on this form.]

[(b) Particular attention is directed to § 206.4 which contains general requirements regarding matters such as the kind and size of paper to be used, the legibility of the report, the information to be given whenever the title of securities is required to be stated, and the filing of the report. The definitions contained in Section 206.2 should be especially noted.]

C. [*Preparation of Report.*] [(a) This form is not to be used as a blank form to be filled in, but only as a guide in the preparation of the report on paper meeting the requirements of § 206.4(t). The report shall contain the item numbers and captions of all items but the text of such items may be omitted. The answers to the items shall be prepared in the manner specified in § 206.4 (u).]

[(b) Except where information is required to be given for the fiscal year or as of a specified date, it shall be given as of the latest practicable date.

(c) Attention is directed to § 206.4(j) which states: "In addition to the information expressly required to be included in a statement or report, there shall be added such further material information, if any, as may be necessary to make the required statements, in the light of the circumstances under which they are made, not misleading."

D. [*Signature and Filing of Report.*] [Four complete copies of the report, including financial statements, exhibits and all other papers and documents filed as a part thereof, and four additional copies which need not include exhibits, shall be filed with the Board. At least one complete copy of the report, including financial statements, exhibits and all other papers and documents filed as a part thereof, shall be filed with each exchange on which any class of securities of the bank is registered. At least one complete copy of the report filed with the Board and one such copy filed with each exchange shall be manually signed. Copies not manually signed shall bear typed or printed signatures.]

E. [*Disclosure with Respect to Foreign Subsidiaries.*] [Information required by any item or other requirement of this form with respect to any foreign subsidiary may be omitted to the extent that the required disclosure would be detrimental to the bank. However, financial statements, otherwise required, shall not be omitted pursuant to this instruction. Where information is omitted pursuant to this instruction, a statement shall be made that such information has been omitted and the names of the subsidiaries involved shall be separately furnished to the Board. The Board may, in its discretion, call for justification that the required disclosure would be detrimental.]

F. [*Incorporation of Certain Information by Reference.*] [Attention is directed to § 206.4(e) which provides for the incorporation by reference of information contained in certain documents in answer or partial answer to any item of a report.]

G. [*Omission of Information Previously Filed.*] [(a) Except as provided in paragraph (b) below, the information called for by itms 1, 2, 3, 4, 8, 9, 10, 11, 12 and 15 is to be furnished by all banks required to file a report on this form. Items 5, 6, 7, 13 and 14 may be omitted from the report by any bank which, since the close of the fiscal year, has filed with the Board a definitive proxy statement or a definitive information statement pursuant to § 206.5, which involved the election of directors.]

[(b) If the information called for by Item 2, 9, or 12 would be unchanged from that given in a previous report, a reference to the previous report which includes the required information will be sufficient. Copies of such previous report need not be filed with the report currently being filed on this form.]

[*Item 1. Approximate Number of Equity Security Holders.*]

[State in the tabular form indicated below the approximate number of holders of record of each class of equity securities of the bank as of the end of the fiscal year:]

[(1)]	[(2)]
[Title of Class]	[Number of record holders]

[*Instructions.* 1. Attention is directed to the definition of the term "equity security" in section 3(a)(11) of the Act and the definition of the term "held of record" in § 206.2(j).]

[2. The information shall be given as of the end of the last fiscal year or as of any subsequent date, except that if the latest determination of the number of record holders of any class of equity securities was made for some other purpose within 90 days prior to the end of the last fiscal year, the information may be given as of the date of such determination.]

[3. Information need not be given with respect to the number of holders of outstanding nontransferable options to purchase securities of the bank.]

Item 2. Parents and subsidiaries of the bank. Furnish a list or diagram showing the relationship of the bank to all parents and subsidiaries, and as to each person named indicate the percentage of voting securities owned, or other basis of control, by its immediate parent. [See General Instruction G.]

Instructions. 1. This item need not be answered if there has been no change in the list or diagram as last previously reported.

2. The list or diagram shall include the bank and shall be so prepared as to show clearly the relationship of each person named to the bank and to the other persons named. If any person is controlled by means of the direct ownership of its securities by two or more persons, so indicate by appropriate cross reference.

3. Designate by appropriate symbols (a) subsidiaries for which separate financial statements are filed; (b) subsidiaries included in the respective consolidated financial statements, [(c) subsidiaries included in

group financial statements filed for unconsolidated subsidiaries], and (d) other subsidiaries, indicating briefly why statements of such subsidiaries are not filed.

4. Indicate the name of the [state or other jurisdiction] in which each subsidiary was organized [or incorporated.]

5. The names of particular subsidiaries may be omitted if the unnamed subsidiaries, considered in the aggregate as a single subsidiary, would not constitute a significant subsidiary.

6. A person, approximately 50 per cent of whose voting securities are owned, directly or indirectly, by the bank, and approximately 50 per cent of whose voting securities are owned directly or indirectly, by another person, [or if the bank takes up the equity in undistributed earnings of any other unconsolidated person] shall be considered a subsidiary for the purpose of this item.

Item 3. Business. [(a) Describe any material changes and developments since the beginning of the fiscal year in the business done and intended to be done by the bank and its subsidiaries. The description shall include information as to changes in matters as to which information is required to be furnished in response to Item 3 of Form F-1.]

[(b) If the bank and its subsidiaries engage in material operations in foreign countries, or if a material portion of revenues is derived from customers in foreign countries, appropriate disclosure shall be made with respect to the importance of that part of the business to the bank and the risks attendant thereto. Insofar as practicable, furnish information with respect to volume and relative profitability of such operations.]

[(c) The Board may, upon written request of the bank and where consistent with the protection of investors, permit the omission of any of the information herein required or the furnishing in substitution therefor of appropriate information of comparable character. The Board may also require the furnishing of other information in addition to, or in substitution for, the information herein required in any case where such information is necessary or appropriate for an adequate description of the business done or intended to be done.]

Item 4. Summary of operations. [Furnish in comparative columnar form a summary of operations for the bank or for the bank and its subsidiaries consolidated, as appropriate, for—]

[(a) each of the last five fiscal years of the bank (or for the life of the bank and its predecessors, if less), and]

[(b) any additional fiscal years necessary to keep the summary from being misleading.]

[Where necessary, include information or explanation of material significance to investors in appraising the results shown, or refer to such information or explanation set forth elsewhere in the registration statement.]

[Instruction. 1. As a minimum, operating income, operating expenses, income before income taxes and security gains (losses), applicable income taxes, income before security gains (losses), security gains (losses), and net income should be presented. The summary shall reflect retroactive adjustments of any material items affecting the comparability of the results.]

[2. Per share earnings and dividends declared for each period of the summary shall be also shown. The basis of the computation of per share earnings shall be stated, together with the number of shares used in the computation. The bank shall file as an exhibit a statement setting forth in reasonable detail the computation of per share earnings, unless the computation can be clearly determined from the answer to this item.]

[3. (a) If debt securities are being registered, the bank may, at its option, show in tabular form for each fiscal year the ratio of earnings to fixed charges. Such ratio shall be calculated both on the basis of excluding interest on deposits and including interest on deposits as part of "fixed charges."]

[(b) Earnings shall be computed after all operating and income deductions except fixed charges and taxes based on income or profits and after eliminating undistributed income or unconsolidated subsidiaries and 50 per cent or less owned persons.]

[(c) The term "fixed charges" shall mean (i) interest and amortization of debt discount and expense and premium on all indebtedness; (ii) such portion of rentals as can be demonstrated to be representative of the interest factor in the particular case.]

[(d) Any bank electing to show the ratio of earnings to fixed charges, in accordance with this instruction, shall file as an exhibit a statement setting forth in reasonable detail the computations of the ratios shown.]

[*Item 5.* Principal holders of voting securities and security holdings of management. Set forth the same information as to principal holders of voting securities and security holdings of management as is required to be furnished by Item 5 of Form F-5. See General Instruction G.]

[*Item 6.* Directors of bank. Set forth the same information as to directors of bank as is required to be furnished by Item 6 of Form F-5. See General Instruction G.]

[*Item 7.* Remuneration of director and officers and related matters. Set forth the same information as to remuneration of officers and directors and their transactions with management and others as is required to be furnished by Item 7 (a), (b), and (c) of Form F-5. See General Instruction G.]

[*Item 8.* Bank Premises and Other Real Estate. Describe material changes in the location and general character of premises and real property of the bank and its subsidiaries, whether held in fee or leased, and if leased, the expiration dates of material leases.]

Item 9. [Legal Proceedings. Briefly describe any material pending legal proceedings, other than ordinary routine litigation incidental to the business, to which the bank or any of its subsidiaries is a party or of which any of their property is the subject. Include the name of the court or agency in which the proceedings are pending, the date instituted, the principal parties thereto, a description of the factual basis alleged to underlie the proceedings and the relief sought. Include similar information as to any such proceedings known to be contemplated by governmental authorities. See General Instruction G.]

[*Instructions.* 1. No collection action or other claim need be described unless it departs from the normal kind of such actions.]

[2. No information need be given with respect to any proceeding which involves primarily a claim for damages if the amount involved, exclusive of interest and costs, does not exceed 10 per cent of the equity capital of the bank and its subsidiaries on a consolidated basis. However, if any proceeding presents in large degree the same issues as other proceedings pending or known to be contemplated, the amount involved in such other proceedings shall be included in computing such percentage.]

[3. Notwithstanding Instructions 1 and 2, any material proceedings to which any director, officer or affiliate of the bank, any security holder named in answer to Item 4(a), or any associate of any such director, officer or security holder, is a party, or has a material interest, adverse to the bank or any of its subsidiaries shall also be described.]

[4. Notwithstanding the foregoing, administrative or judicial proceedings arising under any Federal, State or local provisions regulating the discharge of materials into the environment or otherwise relating to the protection of the environment, shall not be be deemed "ordinary routine litigation incidental to the business" and shall be described if such proceeding is material to the business or financial condition of the bank or if it involves primarily a claim for damages and the amount involved, exclusive of interest and costs, exceeds 10 per cent of the equity capital of the bank and its subsidiaries on a consolidated basis. Any such proceedings by governmental authorities shall be deemed material and shall be described whether or not the amount of any claim for damages involved exceeds 10 percent of equity capital on a consolidated basis and whether or not such proceedings are considered "ordinary routine litigation incidental to the business"; provided however, that such proceedings which are similar in nature may be grouped and described generically stating: the number of such proceedings in each group; a generic description of such proceedings; the issues generally involved; and, if such proceedings in the aggregate are material to the business or financial condition of the registrant, the effect of such proceedings on the business or financial condition of the bank.]

[*Item 10.* Increases and Decreases in Outstanding Securities. Give the following information as to all increases and decreases during the fiscal year in the amount of equity securities of the bank outstanding:]

[(1) The title of the class of securities involved;]

[(2) The date of the transaction;]

[(3) The amount of securities involved and whether an increase or a decrease;]

[(4) A brief description of the transaction in which the increase or decrease occurred. If previously reported, the description may be incorporated by a specific reference to the previous filing.]

[Instruction. The information shall be prepared in the form of a reconciliation between the amounts shown to be outstanding on the balance sheet to be filed with this report and the amounts shown on the bank's balance sheet for the previous year. The exercise of outstanding options or warrants (separately by class or type of option warrant), conversions of previously issued convertible securities (separately by class of security) and the issuance of options may be grouped together showing the dates between which all such transactions occurred.]

[*Item 11. Officers of the bank.* [(a) List the names and ages of all officers of the bank and all persons chosen to become officers; state the nature of any family relationship between them; indicate all positions and offices with the bank held by each such persons; state his term of office as officer and the period during which he has served as such and briefly describe any arrangement or understanding between him and any other person pursuant to which he was selected as an officer.]

[Instructions. 1. Do not include arrangements or understandings with directors or officers of the bank acting solely in their capacities as such.]

[2. The term "officer" is defined in section] 206.2(q).

[3. The term "family relationship" means any relationship by blood, marriage or adoption, not more remote than first cousin.]

[(b) Give a brief account of the business experience during the past five years of each officer, including his principal occupations and employment during that period and the name and principal business of any corporation or other organization in which such occupations and employment were carried on. Where an officer has been employed by the bank or a subsidiary of the bank for less than five years, a brief explanation should be in-

cluded as to the nature of the responsibilities undertaken by the individual in prior positions to provide adequate disclosure of his prior business experience.]

[*Item 12. Indemnification of directors and officers.*] [State the general effect of any charter provision, bylaw, contract, arrangement or statute under which any director or officer of the bank is insured or indemnified in any manner against any liability which he may incur in his capacity as such. See Section G of General Instructions.]

[*Item 13. Options granted to management to purchase securities.*] [Set forth the same information as to options granted to management to purchase securities as is required to be furnished by Item 7(d) of Form F-5. See Section G of General Instructions.]

[*Item 14. Interest of management and others in certain transactions.*] [Set forth the same information as to the interest of management and others in certain transactions as is required to be furnished by Item 7 (e), (f), and (g) of Form F-5. See Section G of General Instructions.]

Item 15. Financial statements and exhibits. List below all financial statements and exhibits filed as a part of the annual report:

(a) Financial statements.

(b) Exhibits. [*including those incorporated by reference.*]

[*Instruction. Where any financial statement or exhibit is incorporated by reference, the incorporation by reference shall be set forth in the list required by this item. See § 206.4(q).*]

SIGNATURES

Pursuant to the requirements of the Securities Exchange Act of 1934, the bank has duly caused this annual report to be signed on its behalf by the undersigned, thereunto duly authorized.

(Name of bank)

Date ..... By .....

(Name and title of signing officer)

INSTRUCTIONS AS TO FINANCIAL STATEMENTS

These instructions specify the balance sheets and statements of income required to be filed as a part of annual reports on this form. Section 206.7 of this Part governs the verification, form, and content of the balance sheets and statements of income required, including the basis of consolidation, and prescribes the statement of changes in capital accounts, [statement of changes in financial position,] and the schedules to be filed in support thereof.

1. Financial statements of the bank. (a) There shall be filed for the bank, in comparative columnar form, verified balance sheets as of the close of the last two fiscal years and verified statements of income for such fiscal years.

(b) Notwithstanding paragraph (a), the individual financial statements of the bank may be omitted if consolidated statements of the bank and one or more of its subsidiaries are filed.

2. Consolidated statements. There shall be filed for the bank and its majority-owned (i) bank premises subsidiaries, (ii) subsidiaries operating under the provisions of sections 25 or 25(a) of the Federal Reserve Act ("Agreement Corporations" and "Edge Act Corporations"), and (iii) significant subsidiaries, in comparative columnar form, verified consolidated balance sheets as of the close of the last two fiscal years of the bank and verified consolidated statements of income for such fiscal years.

3. Separate statements of unconsolidated subsidiaries and other persons. There shall be filed such other verified financial statements with respect to unconsolidated subsidiaries and other persons as are material to a proper understanding of the financial position and results of operations of the total enterprise. [For purposes of this item, "other persons" includes 50 percent owned persons and unconsolidated persons in which the bank takes up equity in undistributed earnings.]

4. Filing of other statements in certain cases. The Board may, upon the request of the bank and where consistent with the protection of investors, permit the omission of one or more of the statements herein required or the filing in substitution therefor of appropriate statements of comparable character. The Board may also require the filing of other statements in addition to, or in substitution for, the statements herein required in any case where such statements are necessary or appropriate for an adequate presentation of the financial condition of any person whose financial statements are required, or whose statements are otherwise necessary for the protection of investors.

INSTRUCTIONS AS TO EXHIBITS

Subject to provisions regarding incorporation by reference, the following exhibits shall be filed as part of the report:

1. Copies of all amendments or modifications, not previously filed, to all exhibits previously filed (or copies of such exhibits as amended or modified).

2. Copies of all documents of the character required to be filed as an exhibit to an original form for registration of securities of a bank which have been executed or otherwise put into effect during the fiscal year and not previously filed.

§ 206.43 Form for current report of a bank (Form F-3).

BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM

FORM F-3

CURRENT REPORT

Pursuant to Section 13 of the Securities Exchange Act of 1934. For the month of ----------, 19--

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(Exact name of bank as specified in charter)

(Address of principal office)

GENERAL INSTRUCTIONS

A. Preparation of report. This form is not to be used as a blank form to be filled in but only as a guide in the preparation of the report. The report shall contain the numbers and captions of all applicable items, but the text of such items may be omitted if the answers with respect thereto are prepared in the manner specified in § 206.4(u) of this Part. All items which are not required to be answered in a particular report may be omitted and no reference thereto need be made in the report. Particular attention should be given to the definitions in § 206.2 and the general requirements in § 206.4 of this Part.

B. Events to be reported. A report on this form is required to be filed upon the occurrence of any one or more of the events specified in the items of this form. Reports are to be filed within 10 days after the close of each month during which any of the specified events occurs. However, if substantially the same information as that required by this form has been previously reported by the bank, an additional report of the information on this form need not be made.

C. Incorporation by reference to proxy statement, statement where management does not solicit proxies, or annual report to security-holders. Information contained in any Statement previously filed with the Board pursuant to § 206.5(a) of this Part or in an annual report to security holders furnished to the Board pursuant to § 206.5(c) of this Part may be incorporated by reference in answer or partial answer to any item or items of this form. In addition, any financial statements contained in any such Statement or annual report may be incorporated by reference provided such financial statements substantially meet the requirements of this form.

INFORMATION TO BE INCLUDED IN REPORT

Item. 1. Changes in control of bank.

(a) If any person has become a parent of the bank, give the name of such person, the date and a brief description of the transaction or transactions by which the person became such a parent and the percentage of voting securities of the bank owned by the parent or other basis of control by the parent over the bank.

(b) If any person has ceased to be a parent of the bank, give the name of such person and the date and a brief description of the transaction or transactions by which the person ceased to be such a parent.

(c) If securities of a bank or any of its parents have been pledged under such circumstances that a default may result in a change of control of the bank, state the names of the pledgor and pledgee and the title and amount of securities pledged.

Instruction. Where, pursuant to a previously reported pledge agreement, additional securities are pledged on the same terms, no report is necessary unless there is a significant change in the percentage of voting securities pledged.

Item 2. Acquisition or disposition of assets.

If the bank or any of its [significant subsidiaries] has acquired or disposed of a significant amount of assets, otherwise than in the ordinary course of business, state the date and manner of acquisition or disposition and briefly describe the assets involved, the nature and amount of consideration given or received therefor, the principle followed in determining the amount of such consideration, the identity of the persons from whom the assets were acquired or to whom they were sold and the nature of any material relationship between such persons and the bank or any of its affiliates, any director or officer of the bank, or any associate of any such director or officer.

Instructions. 1. No information need be given as to (i) any transaction between any person and any wholly-owned subsidiary of such person; i.e., a subsidiary substantially all of whose outstanding voting securities are owned by such person and/or its other wholly-owned subsidiaries; (ii) any transaction between two or more wholly-owned subsidiaries of any person; or (iii) the redemption or other acquisition of securities from the public, or the sale or other disposition of securities to the public, by the bank of such securities.

2. The term "acquisition" includes every purchase, acquisition by lease, exchange, merger, consolidation, succession or other acquisition; provided that such term does not include the construction or development of property by or for the bank or its subsidiaries or the acquisition of materials for such purpose, and does not include the acquisition of assets acquired (i) in collecting a debt previously contracted in good faith or (ii) in a fiduciary capacity. The term "disposition" includes every sale, disposition by lease, exchange, merger, consolidation, mortgage, or hypothecation of assets, assignment, abandonment, destruction, or other disposition, but does not include disposition of assets acquired (i) in collecting a debt previously contracted in good faith or (ii) in a fiduciary capacity.

3. The information called for by this item is to be given as to each transaction or series of related transactions of the size indicated. The acquisition or disposition of securities shall be deemed the indirect acquisition or disposition of the assets represented by such securities if it results in the acquisition or disposition of control of such assets.

4. An acquisition or disposition shall be deemed to involve a significant amount of assets (i) if the net book value of such assets or the amount paid or received therefor upon such acquisition or disposition exceeded [5 percent] of the equity capital accounts of the bank, or (ii) if it involved the acquisition or disposition of a business whose gross operating revenues for its last fiscal year exceeded 5 percent of the gross operating revenues of the bank and its consolidated subsidiaries for the bank's latest fiscal year.

5. Where assets are acquired or disposed of through the acquisition or disposition of control of a person, the person from whom such control was acquired or to whom it was disposed of shall be deemed the person from whom the assets were acquired or to whom they were disposed of, for the purposes of this item. Where such control was acquired from or disposed of to not more than five persons, their names shall be given, otherwise it will suffice to indentify in an appropriate manner the class of such persons.

6. Attention is directed to the requirements at the end of the form with respect to the filing of financial statements for businesses acquired.

Item 3. Legal proceedings.

(a) Briefly describe any material legal proceedings, other than ordinary routine proceedings incidental to the business, to which the bank or any of its subsidiaries has become a party or of which any of their property has become the subject. Include the name of the court or agency in which the proceedings were instituted, the date instituted, [a description of the factual basis, the relief sought,] and the principal parties thereto.

(b) If any such proceeding previously reported has been terminated, identify the proceeding, state the date and nature of such termination and the general effect thereof with respect to the bank and its subsidiaries.

Instructions. 1. No information need be given with respect to any proceeding which involves primarily a claim for damages if the amount involved exclusive of interest and costs, does not exceed [10 per cent] of the equity capital accounts of the bank. However, if any proceeding presents in large degree the same issues as other proceedings pending or known to be contemplated, the amount involved in such other proceedings shall be included in computing such percentage.

2. Any material proceeding to which any director, officer, or affiliate of the bank, any holder of more than 10 per cent of any class of its equity securities, or any associate of any such director, officer, or security holder, is a party adverse to the bank or any of its subsidiaries, shall also be described.

[3. Any proceeding to which any director, officer or affiliates of the registrant, any principal holder of equity securities of the registrant or any associate of any such director, officer or security holder, is a party adverse to the registrant or any of its subsidiaries shall also be described.]

[4. Notwithstanding the foregoing administrative or judicial proceedings arising under any Federal, State or local provisions regulating the discharge of materials into the environment or otherwise relating to the protection of the environment, shall not be deemed "ordinary routine litigation incidental to the business" and shall be described if such proceeding is material to the business or financial condition of the registrant or if it involves primarily a claim for damages and the amount involved, exclusive of interest and costs, exceeds 10 per cent of the equity capital of the registrant and its subsidiaries on a consolidated basis. Any such proceedings by governmental authorities shall be deemed material and shall be described whether or not the amount of any claim for damages involved exceeds 10 per cent of equity capital on a consolidated basis and whether or not such proceedings are considered "ordinary routine litigation incidental to the business"; provided however, that such proceedings which are similar in nature may be grouped and described generically stating: the number of such proceedings in each group; a generic description of such proceedings; the issues generally involved; and, if such proceedings in the aggregate are material to the business or financial condition of the registrant, the effect of such proceedings on the business or financial condition of the registrant.]

Item 4.

Changes in securities. (a) If the instruments defining the rights of the holders of any class of registered securities have been materially modified, give the title of the class of securities involved and state briefly the general effect of such modification upon the rights of holders of such securities.

(b) If the rights evidenced by any class of registered securities have been materially limited or qualified by the issuance or modification of any other class of securities, state briefly the general effect of the issuance or modification of such other class of securities upon the rights of the holders of the registered securities.

Instruction. Working capital restrictions and other limitations upon the payment of dividends are to be reported hereunder.

Item 5. Defaults upon senior securities.

(a) If there has been any material default in the payment of principal, interest, a sinking or purchase fund installment, or any other material default not cured within 30 days, with respect to any indebtedness of the bank or any of its significant subsidiaries exceeding 5 percent of the equity capital accounts of the bank, identify the indebtedness and state the nature of the default. In the case of such a default in the payment of principal, interest, or a sinking or purchase fund installment, state the amount of the default and the total arrearage on the date of filing this report.

Instruction. This paragraph refers only to events which have become defaults under the governing instruments, i.e., after the expiration of any period of grace and compliance with any notice requirements.

(b) If any material arrearage in the payment of dividends has occurred or if there has been any other material delinquency not cured within 30 days, with respect to any class of preferred stock of the bank which is registered or which ranks prior to any class of registered securities, or with respect to any class of preferred stock of any significant subsidiary of the bank, give the title of the class and state the nature of the arrearage or delinquency. In the case of an arrearage in the payment of dividends, state the amount and total arrearage on the date of filing this report.

Item 6. Increase in amount of securities outstanding.

If the amount of securities of the bank outstanding has been increased through the issuance of any new class of securities or through the issuance or reissuance of any additional securities of a class outstanding and the aggregate amount of all such increases not previously reported exceeds 5 percent of the previously outstanding securities of the class, furnish the following information:

(a) Title of class, the amount outstanding as last previously reported, and the amount presently outstanding (as of a specified date).

(b) A brief description of the transaction or transactions resulting in the increase and a statement of the aggregate net cash proceeds or the nature and aggregate amount of any other consideration received or to be received by the bank.

(c) The names of the principal underwriters, if any, indicating any such underwriters which are affiliates of the bank.

(d) A reasonably itemized statement of the purposes, so far as determinable, for which the net proceeds have been or are to be used and the approximate amount used or to be used for each such purpose.

[(e) If the securities were capital shares, a statement of the amount of the proceeds credited or to be credited to any account other than the appropriate capital share account.]

Instructions. 1. This item does not apply to notes, drafts, bills of exchange, or bank acceptances which mature not later than *12 months* from the date of issuance. No report need be made where the amount not previously reported, although in excess of 5 percent of the amount previously outstanding, does not exceed [$50,000] face amount of indebtedness or 1,000 shares or other units.

2. This item includes the reissuance of treasury securities and securities held for the account of the issuer thereof. The extension of the maturity date of indebtedness shall be deemed to be the issuance of new indebtedness for the purpose of this item. In the case of such an extension, the percentage shall be computed upon the basis of the principal amount of the indebtedness extended.

Item 7. Decrease in amount of securities outstanding.

If the amount of any class of securities of the bank outstanding has been decreased through one or more transactions and the aggregate amount of all such decreases not previously reported exceeds 5 percent of the amount of securities of the class previously outstanding, furnish the following information:

(a) Title of the class, the amount outstanding as last previously reported, and the amount presently outstanding (as of a specified date).

(b) A brief description of the transaction or transactions involving the decrease and a statement of the aggregate amount of cash or the nature and aggregate amount of any other consideration paid or to be paid by the bank in connection with such transaction or transactions.

Instruction. Instruction 1 to 6 shall also apply to this item. This item need not be answered as to decreases resulting from ordinary sinking fund operations, similar periodic decreases made pursuant to the terms of the constituent instruments, or decreases resulting from the conversion of securities or from the payment of indebtedness at maturity.

Item 8. Options to purchase securities.

If any options to purchase securities of the bank or any of its subsidiaries from the bank or any of its subsidiaries have been granted or extended and the amount of securities called for by all such options the granting or extension of which has not been previously reported exceeds 5 percent of the outstanding securities of the class, furnish the following information:

(a) The dates on which the options were granted or extended;

(b) The total amount of securities called for by such options;

(c) The consideration for the granting or extension of the options;

(d) The exercise prices;

(e) The market value of the securities on the granting or extension dates;

(f) The expiration dates of the options; and

(g) Any other material conditions to which the options were subject.

[*Instructions. 1. The term "option" as used herein means any option, warrant or right to purchase securities. This item does not, however, refer to an issue of securities such as an issue of warrants or rights or an issue of convertible securities.*]

(2) This item need not be answered where the amount not previously reported, although in excess of 5 percent of the amount previously outstanding, does not exceed [$50,000] face amount of indebtedness or 1,000 shares or other units of other securities.

Item 9. Revaluation of assets or restatement of capital stock account.

(a) If there has been a material revaluation of the assets of the bank or any of its significant subsidiaries involving a write-up, write-down, write-off, or abandonment, state the date of the revaluation, the amount involved and the accounts affected, including all related entries. If any adjustment was made in any related reserve account in connection with the revaluation, state the account and amounts involved and explain the adjustment.

(b) If there has been a material restatement of the capital stock account of the bank resulting in a transfer from capital stock to surplus, undivided profits, or reserves, or vice versa, state the date, purpose, and amount of the restatement and give a brief explanation of all related entries in connection with the restatement.

[*Item 10. Extraordinary Item Charges and Credits, Other Material Charges and Credits to Income of an Unusual Nature, Material Provisions for Loss.*]

[(a) If there have been any extraordinary item charges or credits, any other material charges or credits to income of an unusual nature, or any material provisions for loss, the following shall be furnished for each such charge, credit, or provision:]

[(1) The date of the bank's determination to make the charge, credit, or provision:]

[(2) A statement of the reasons for making the charge, credit, or provision;]

[(3) An analysis of the components (in dollar amounts) of the charge, credit, or provision, which includes]

[(i) A description of the various categories of loans written down or off;]

[(ii) A description of any provision for losses on liquidation of assets or for other losses including a detailed schedule showing the components of any losses provided for, which schedule shows the amount of administrative and fixed costs, if any, allocated to the loss;]

[(iii) A description of any estimated recoveries or costs netted against the charge or credit;]

[(4) A statement setting forth the years in which costs being reflected in the charge (or net credit) being described were or are expected to be incurred and the amount of cost for each year by major category (e.g., fixed assets, research and development costs, operating losses);]

[(5) A statement setting forth the estimated amount of net cash outlays (or inflows) associated with the charge (or credit) in the year the charge (or credit) is made and in each subsequent year in which such estimate of the cash amount differs from the amount of total costs stated in part (4) for that year;]

[(6) A description of the accounting principles or practices followed and any changes therein or in the methods of applying such principles or practices which was made in connection with the transaction; and]

[(7) A report from the bank's independent accountants, if any, in which they state that they have read the description in the Form F-3 of the facts set forth therein and of the accounting principles applied and whether they believe that on the basis of the facts so set forth that such accounting principles are fairly applied in conformity with generally accepted accounting principles or, if not, the respects in which they believe the principles do not conform to generally accepted accounting principles.]

Item 11. Submission of matters to a vote of security holders.

If any matter has been submitted to a vote of security holders, through the solicitation of proxies or otherwise, furnish the following information:

(a) The date of the meeting and whether it was an annual or special meeting.

(b) If the meeting involved the election of directors, state the name of each director elected at the meeting and the name of each other director whose term of office as a director continued after the meeting.

(c) Briefly describe each other matter voted upon at the meeting and state the number of affirmative votes and the number of negative votes cast with respect to each such matter.

Instructions. 1. If any matter has been submitted to a vote of security holders otherwise than at a meeting of such security holders, corresponding information with respect to such submission shall be furnished. The solicitation of any authorization or consent (other than a proxy to vote at a security holders' meeting) with respect to any matter shall be deemed a submission of such matter to a vote of security holders within the meaning of this item.

2. Paragraph (a) need be answered only if paragraph (b) or (c) is required to be answered.

3. Paragraph (b) need not be answered if (i) a proxy statement, or statement where management does not solicit proxies, with respect to the meeting was filed with the Board pursuant to section 206.5(a), (ii) there was no solicitation in opposition to the management's nominees as listed in such Statement, and (iii) all of such nominees were elected.

4. Paragraph (c) need not be answered as to procedural matters or as to the selection or approval of auditors.

5. If the bank has published a report containing all of the information called for by this item, the item may be answered by a reference to the information contained in such report, provided copies of such report are filed as an exhibit to the report on this form.

[*Item 12. Changes in bank's certifying accountant.* If an independent accountant has been engaged as the principal accountant to audit the registrant's financial statements who was not the principal accountant for the registrant's most recently filed certified financial statements, state the date when such independent accountant was engaged. The bank shall also furnish the Board with a separate letter stating whether in the eighteen months preceding such engagement there were any disagreements with the former principal accountant on any matter of accounting principles or practices, financial statement disclosure, or auditing procedure, which disagreements if not resolved to the satisfaction of the former accountant would have caused him to make reference in connection with his opinion to the subject matter of the disagreement. The bank shall also request the former principal accountant to furnish the registrant with a letter addressed to the Board stating whether he agrees with the statements contained in the letter of the registrant and, if not, stating the respects in which he does not agree; and the registrant shall furnish such letter to the Board together with its own.]

Item 13. Other materially important events.

The bank should, report under this item any events that the bank deems of material importance to security holders, even though information as to such events is not otherwise called for by this form.

Item 14. Financial statements and exhibits.

List below the financial statements and exhibits, if any, filed as a part of this report;

(a) Financial statements.

(b) Exhibits.

SIGNATURES

Pursuant to the requirements of the Securities Exchange Act of 1934, the bank has duly caused this report to be signed on its behalf by the undersigned, thereunto duly authorized.

(Name of Bank)

Date ..... By .....

(Name and title of

FINANCIAL STATEMENTS OF BUSINESS ACQUIRED

1. *Business for which statements are required.*

The financial statements specified below shall be filed for any business the acquisition of which by the bank or any of its majority-owned subsidiaries is required to be described in answer to Item 2 above.

2. *Statements required.*

(a) There shall be filed a balance sheet of the business as of a date reasonably close to the date of acquisition. The balance sheet need not be verified but if it is not verified there shall also be filed a verified balance sheet as of the close of the preceding fiscal year.

(b) Statements of income of the business shall be filed for each of the last three full fiscal years and for the period, if any, between the close of the latest of such fiscal years and the date of the latest balance sheet filed. These statements of income shall be verified up to the date of the verified balance sheet.

(c) If the business was in insolvency proceedings immediately prior to its acquisition, the balance sheets required above need not be verified. In such case, the statements of income required shall be verified to the close of the latest full fiscal year.

(d) No supporting schedules need be filed.

(e) [Except as otherwise provided in this instruction, the principles applicable t oa registrant and its subsidiaries with respect to the filing of individual, consolidated and group statements in an original application or annual report shall be applicable to the statements required by this instructions.]

3. Filing of other statements in certain cases. The Board may, upon the informal written request of the bank, and where consistent with the protection of investors, permit the omission of one or more of the statements herein required or the filing in substitution therefor of appropriate statements of comparable character. The Board may also by informal written notice require the filing of other statements in addition to, or in substitution for, the statements herein required in any case where such statements are necessary or appropriate for an adequate presentation of the financial condition of any per-

son for which financial statements are required, or whose statements are otherwise necessary for the protection of investors.

EXHIBITS

Subject to provisions as to incorporation by reference, the following documents shall be filed as exhibits to this report:

1. Copies of any contract, plan, or arrangement for any acquisition or disposition described in answer to Item 2, including any plan of reorganization, readjustment, exchange, merger, consolidation, or succession in connection therewith.

2. Copies of any judgment or any document setting forth the terms of any settlement described in answer to Item 3.

3. Copies of the amendments to all constituent instruments and other documents described in answer to Item 4.

4. Copies of all constituent instruments defining the rights of the holders of any new class of securities referred to in answer to Item 6.

5. Copies of the plan pursuant to which the options referred to in answer to Item 8 were granted, or if there is no such plan, specimen copies of the options.

6. Copies of any material amendments to the bank's charter or by-laws, not otherwise required to be filed.

7. Letters from the registrant and the independent accountants furnished pursuant to Item 12.

8. Copies of any letters furnished pursuant to Item 10.

§ 206.44 Form for quarterly report of bank (Form F–4).

BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM

FORM F-4

QUARTERLY REPORT

PART A—SUMMARIZED FINANCIAL INFORMATION

_____
(Name of bank)

_____
(City and state)

	3 months ending _____		Fiscal year to date (___ months ending ___)	
	19— (current year)	19— (prior year)	19— (current year)	19— (prior year)
1. Operating income:				
(a) Interest fees on loans				
(b) Interest and dividends on securities				
U.S. Treasury securities				
Securities of other U.S. Government agencies and corporations				
Obligations of States and political subdivisions				
Other securities				
(c) Other operating income				
(d) Total operating income				
2. Operating expenses:				
(a) Salaries and other compensation				
(b) Interest expenses				
(c) Provision for loan losses				
(d) Other operating expenses				
(e) Total operating expenses				
3. Income before income taxes and securities gains (losses)				
4. Applicable income taxes				
5. Income before securities gains (losses)				
6. Net securities gains (losses), less related tax effect				
7. Net income				
Earnings per common share:				
Income before securities gains (losses)				
Net income				
Cash dividends declared per common share				

BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM

FORM F-4

QUARTERLY REPORT

PART B—BORROWINGS AND EQUITY CAPITAL

_____
(Date)

Furnish, insofar as practicable in the manner presented below, data as at the end of the latest fiscal quarter.

Borrowings

1. Federal funds purchased and securities sold under agreement to repurchase	$_____
2. Mortgages payable	$_____
3. Other liabilities for borrowed money	$_____
4. Subordinated notes and debentures (if more than one issue, list separately)	$_____

Equity Capital

5. Preferred stock:	
Convertible (____ shares outstanding)	$_____
Non-convertible (____ shares outstanding)	$_____
6. Common stock (____ shares outstanding)	$_____
7. Surplus	$_____
8. Undivided profits:	
(a) Balance at beginning of current fiscal year	$_____
(b) Net income to date	$_____
(c) Dividends declared:	
Common stock:	
Cash	$_____
Stock (percent)	$_____
Preferred stock:	
Cash ($___ per share)	$_____
(d) Prior period adjustments (list credits and (charges) separately)	$_____
(e) Other credits and (charges)	$_____
(f) Balance at end of interim period	$_____
9. Reserves for contingencies	$_____
Total equity capital	$_____

Pursuant to the requirements of the Securities Exchange Act of 1934, the bank has duly caused this quarterly report to be signed on its behalf by the undersigned, thereunto duly authorized.

_____
(Name of Bank)

Date_____ By_____
(Name and title of signing officer)

BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM

FORM F-4

GENERAL INSTRUCTIONS

(a) *Use of Form F–4.* (1) Form F–4 is a guide for use in preparation of quarterly reports to be filed with the Board. (2) The interim report shall be filed not later than 30 days after the end of each of the first three fiscal quarters of each fiscal year. No report need be filed for the fourth quarter of any fiscal year.

(b) *Persons for whom the information is to be given.* The required information is to be given as to the registrant bank or, if the bank files consolidated financial statements with the annual reports filed with the Board, it shall cover the bank and its consolidated subsidiaries. If the information is given as to the bank and its consolidated subsidiaries, it need not be given separately for the bank.

(c) *Presentation of information.* The form calls only for the items of information specified. It is not necessary to furnish a formal statement of income. The information is not required to be audited (see §206.7(b) of this Part). The report may carry a notation to that effect and any other qualification considered necessary or appropriate. Amounts may be stated in thousands of dollars if a notation to that effect is made.

(d) *Incorporation by reference to published statements.* If the bank makes available to its stockholders or otherwise publishes, within the period prescribed for filing the report, a financial statement containing the information required by this form, such information may be incorporated by reference to such published statement if copies thereof are filed as an exhibit to this report.

(e) *Extraordinary items.* If present with respect to any interim period reported herein, extraordinary items less applicable income tax effect shall be appropriately segregated and included in the determination of net income. (See Form F–9B, Statement of Income.)

(f) *Acquisitions.* (1) If the bank has entered into a business combination with another bank or other related business treated for accounting purposes as a pooling of interests, the results of operations reported in this report—for both the current year and the preceding year—should reflect the combined results of the pooled entities. Disclosure of the separate results of the combined entities for periods prior to the combination should be given in a footnote with appropriate explanation. (2) In case the bank has acquired a significant amount of assets in a transaction treated for accounting purposes as a purchase, during any of the periods covered by the report, the effect thereof on revenue and net income, in total and per share, should be disclosed in a footnote.

(g) The financial information to be included in this report should be prepared in conformity with the accounting principles and practices, reflected in the financial statements included in the annual report filed with the Board for the preceding fiscal year, except for any changes required to be reported by §206.7(c)(5) of this Part.

§ 206.45 Form for amendment to registration statement or periodic report of bank (Form F–20).

BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM

FORM F–20

AMENDMENT TO REGISTRATION STATEMENT OR PERIODIC REPORT OF BANK

GENERAL INSTRUCTIONS

The form set forth hereinafter is not to be used as a blank form to be filled in but is intended solely as a guide in the preparation of an amendment to a previously filed registration statement or report. Attention should be given to the general requirements government amendments, which are prescribed in section 206.4(w) of Regulation F.

The amendment shall contain the number and caption of each item being amended and each such item shall be rstated, as amended, in its entirely. Where a financial statement, or a note or schedule related thereto, is being amended, such statement, note, or schedule likewise shall be restated in its entirely.

BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM

Washington, D.C. 20551

AMENDMENT NUMBER ———

To

———[1]

On

FORM F———[2]

Pursuant to Section 12 or 13 of the Securities Exchange Act of 1934

———

(Exact name of bank as specified in charter)

———

(Address of principal office)

The undersigned bank hereby amends the following items, financial statements or exhibits, constituting part of the aforesaid statement report, as set forth in the pages attached hereto:

(List all such items, financial statements, exhibits, or other portions amended).

Pursuant to the requirement of the Securities Exchange Act of 1934, the bank has duly caused this amendment to be signed on its behalf by the undersigned, thereunto duly authorized.

Date ———

———

By ———

(Print name and title of signing office under signature)

[1] Indicate appropriate designation of statement or report being amended, such as "Registration Statement" or "Annual Report for year ended December 31, 19——."

[2] Indicate the number of the form on which the statement or report was filed, such as "Form F–1."

§ 206.46 Form for registration of additional class of securities of a bank pursuant to section 12(b) or section 12(g) of the Securities Exchange Act of 1934 (Form F–10).

BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM

Washington, D.C. 20551

FORM F–10

Registration Statement for Additional Classes of Securities of a Bank

Pursuant to Section 12(b) or Section 12(g) of the Securities Exchange Act of 1934.

———

(Exact name of bank as specified in charter)

———

(Address of principal office)

———

(State of incorporation or organization)

———

(I.R.S. Employer Identification No.)

Securities being registered pursuant to section 12(b) of the Act:

Title of class.

Name of each exchange on which class is being registered.

Title of each class of equity securities being registered pursuant to section 12(g) of the Act:

GENERAL INSTRUCTIONS

1. *Applicability of this form.*

This form may be used for registration of the following securities pursuant to the Securities Exchange Act of 1934:

(a) For registration pursuant to section 12(g) of the Act of any class of equity securities of a bank which has one or more other classes of securities registered pursuant to either section 12 (b) or (g) of the Act.

(b) For registration on a national securities exchange pursuant to section 12(b) of the Act of any class of securities of a bank which has one or more other classes of securities so registered on the same or another securities exchange.

2. *Preparation of registration statement.*

This form is not to be used as a blank form to be filled in but only as a guide in the preparation of a registration statement. Particular attention should be given to the general requirements in § 206.4 of Federal Reserve Regulation F. The statement shall contain the numbers and captions of all items, but the text of the items may be omitted if the answers with respect thereto are prepared in the manner specified in § 206.4(u).

INFORMATION REQUIRED IN REGISTRATION STATEMENT

Item 1. Stock to be registered.

If stock is being registered, state the title of the class and furnish the following information (See Instruction 1):

(a) Outline briefly (1) dividend rights; (2) voting rights; (3) liquidation rights; (4) preemptive rights; (5) conversion rights; (6) redemption provisions; (7) sinking fund provisions, and (8) liability to further calls or to assessment.

(b) If the rights of holders of such stock may be modified otherwise than by a vote of a majority or more of the shares outstanding, voting as a class, so state and explain briefly.

(c) Outline briefly any restriction on the repurchase or redemption of shares by the bank while there is any arrearage in the payment of dividends or sinking fund instalments. If there is no such restriction, so state.

Instructions. 1. If a description of the securities comparable to that required here is contained in any other document filed with the Board, such description may be incorporated by reference to such other filing in answer to this item. If the securities are to be registered on a national securities exchange and the description has not previously been filed with such exchange, copies of the description shall be filed with copies of the registration statement filed with the exchange.

2. This item requires only a brief summary of the provisions which are pertinent from an investment standpoint. A complete legal description of the provisions referred to is not required and should not be given. Do not set forth the provisions of the governing instruments verbatim; only a succinct resumé is required.

3. If the rights evidenced by the securities to be registered are materially limited or qualified by the rights evidenced by any other class of securities or by the provisions of any contract or other document, include such information regarding such limitation or qualification as will enable investors to understand the rights evidenced by the securities to be registered.

Item 2. Debt securities to be registered.

If the securities to be registered hereunder are bonds, debentures or other evidences of indebtedness, outline briefly such of the following as are relevant (see Instruction 2 below):

(a) Provisions with respect to interest, conversion, maturity, redemption, amortization, sinking fund or retirement.

(b) Provisions with respect to the kind and priority of any lien, securing the issue, together with a brief identification of the principal properties subject to such lien.

(c) Provisions restricting the declaration of dividends or requiring the maintenance of any ratio of assets, the creation or maintenance of reserves or the maintenance of properties.

(d) Provisions permitting or restricting the issuance of additional securities, the withdrawal of cash deposited against such issuance, the incurring of additional debt, the release or substitution of assets securing the issue, the modification of the terms of the security, and similar provisions.

Instruction 1. Provisions permitting the release of assets upon the deposit of equivalent funds or the pledge of equivalent property, the release of property no longer required in the business, obsolete property or property taken by eminent domain, the application of insurance moneys, and smiliar provisions, need not be described.

(e) The name of the trustee and the nature of any material relationship with the bank or any of its affiliates; the percentage of securities of the class necessary to require the trustee to take action, and what indemnification the trustee may require before proceeding to enforce the lien.

(f) The general type of event which constitutes a default and whether or not any periodic evidence is required to be furnished as to the absence of default or as to compliance with the terms of the indenture.

Instruction 2. In most cases, debt securities issued by banks need not be registered pursuant to section 12(g) of the Securities Exchange Act; the registration requirements of that section apply only to an "equity se-

curity". The term "equity security" is defined by section 3(a)(11) of the Act to mean "any stock or similar security; or any security convertible, with or without consideration, into such a security; or carrying any warrant or right to subscribe to or purchase such a security; or any such warrant or right; or any other security which the [Board] shall deem to be of similar nature and consider necessary or appropriate, by such rules and regulations as it may prescribe in the public interest or for the protection of investors, to treat as an equity security."

Instruction 3. The instructions to Item 1 also apply to this item.

Item 3. Other securities to be registered.

If securities other than those referred to in Items 1 and 2 are to be registered hereunder, outline briefly the rights evidenced thereby. If subscription warrants or rights are to be registered, state the title and amount of securities called for, and the period during which and the price at which the warrants or rights are exercisable.

Instruction. The instructions to Item 1 also apply to this item.

Item 4. Exhibits.

List all exhibits filed as a part of the registration statement.

SIGNATURE

Pursuant to the requirements to the securities Exchange Act of 1934, the bank has duly caused this registration statement to be signed on its behalf by the undersigned, thereunto duly authorized.

(Name of Bank)

Date_____ By ---
(Name and Title of Signing Officer)

INSTRUCTIONS AS TO EXHIBITS

[I. If the securities to be registered hereunder are to be registered on an exchange on which other securities of the bank are registered, or are to be registered pursuant to Section 12(g) of the Act, the following exhibits shall, subject to § 206.4(q) regarding incorporation of exhibits by reference, be filed with each copy of the registration statement filed with the Board or with an exchange:]

[1. Specimens or copies of each security to be registered hereunder.]

[2. Copies of all constituent instruments defining the rights of the holders of each class of such securities, including any contracts or other documents which limit or qualify the rights of such holders.]

[II. If the securities to be registered are to be registered on an exchange on which no other securities of the bank are registered, the following exhibits shall be filed with each copy of the registration statement filed with each such exchange, but need not be filed with, or incorporated by reference in, copies of the registration statement filed with the Board:]

[3. Copies of the last annual report filed pursuant to section 13 of the Act or, if no such report has yet been filed, copies of the latest registration statement filed pursuant to section 12(b) or (g) of the Act.]

[4. Copies of all current or quarterly reports filed pursuant to section 13 of the Act since the end of the fiscal year covered by the annual report filed pursuant to Instruction 3 above, or if none, since the effective date of the latest registration statement so filed.]

[5. Copies of the latest definitive proxy statement or information statement, if any, filed with the Board pursuant to section 14 of the Act.]

[6. Copies of the charter and bylaws, or instruments corresponding thereto, and copies of any other documents defining the rights of holders of the securities to be registered.]

[7. Specimens or copies of each security to be registered hereunder.]

[8. Copies of the last annual report submitted to stockholders by the bank or its predecessors. Such annual report shall not be deemed to be "filed" with the exchange or otherwise subject to the liabilities of section 18 of the Act, except to the extent it may already be subject thereto.]

§ 206.47 Form for statement to be filed pursuant to § 206.4(g)(2) or § 206.5(l) of Regulation F (Form F–11).

BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM

FORM F–11

[Statement filed Pursuant to §§ 206.4(h)(3) or 206.5(l) of Regulation F Relating to Securities of:] ---
(Name of Bank)

GENERAL INSTRUCTIONS

The item numbers and captions of the items shall be included but the text of the items may be omitted. The answers to the items shall be so prepared as to indicate clearly the coverage of the items without referring to the text of the items. Answer every item. If an item is inapplicable or the answer is in the negative, so state.

If the statement is filed by a partnership, limited partnership, syndicate, or other group, the information called for by Items 2 to 6, inclusive, shall be given with respect to (1) each partner or any partnership or limited partnership, (2) each member of such syndicate or group and (3) each person controlling such partner or member. If a person referred to in (1), (2), or (3) is a corporation or the statement is filed by a corporation, the information called for by the above-mentioned items shall be given with respect to each principal officer and director of such corporation and each person controlling such partner or member.

Item 1. Security and bank.

State the title of the class of equity securities to which this statement relates and the name and address of the bank which issued such securities.

Item 2. Identity and background.

State the following with respect to the person filing this statement:

(a) Name and business address;

(b) Residence address;

(c) Present principal occupation or employment and the name, principal business and address of any corporation or other organization in which such employment is carried on;

(d) Material occupations, positions, offices or employments during the last 10 years, giving the starting and ending dates of each and the name, principal business and address of any business corporation or other organization in which each such occupation, position, office or employment was carried on; and

(e) Whether or not, during the last 10 years, such person has been convicted in a criminal proceeding (excluding traffic violations or similar misdemeanors) and, if so, give the dates, nature of conviction, name and location of court, and penalty imposed, or other disposition of the case.

Item 3. Source and amount of funds or other consideration.

State the source and amount of funds or other consideration used or to be used in making the purchases, and if any part of the purchase price or proposed purchase price is represented or is to be represented by funds or other consideration borrowed or otherwise obtained for the purpose of acquiring, holding, or trading the securities, a description of the transaction and the names of the parties thereto.

Instruction: If the source of funds is a loan made in the ordinary course of business by a bank, the person filing the statement may, at his option, omit the name of the bank, provided it is furnished to the Board in a letter requesting confidential treatment as to such information. Pursuant to section 13(d)(1)(B) of the Act, such information shall not be made available to the public.

Item 4. Purpose of transaction.

[State the purpose or purposes of the purchase or proposed purchase of securities of the issuer.] If the purpose of the purchases or prospective purchases is to acquire control of the bank, describe any plans or proposals which such persons may have to liquidate such bank, to sell its assets to or merge it with any other persons, or to make any other major change in its business or corporate structure.

Item 5. Interest in securities in the bank.

State the number of shares of the security which are beneficially owned, and the number of shares concerning which there is a right to acquire, directly or indirectly, by (i) such person, and (ii) each associate of such person giving the name and address of each such associate. [Furnish information as to all transactions in the class of securities to which this statement relates which were effected during the past 60 days by the person filing this statement and by its subsidiaries and their officers, directors, and affiliated persons.]

Item 6. Contracts, arrangements, or understandings with respect to securities of the bank.

Furnish information as to any contracts, arrangements, or understandings with any person with respect to any securities of the bank, including but not limited to transfer of any of the securities, joint ventures, loan or option arrangements, puts or calls, guaranties of loans, guaranties against loss or guaranties of profits, division of losses or profits, or the giving or withholding of proxies, naming the persons with whom such contracts, arrangements, or understandings have been entered into, and giving the details thereof.

Item 7. Persons retained, employed, or to be compensated.

Where this statement relates to a tender offer, or request or invitation for tenders, identify all persons and classes of persons employed, retained, or to be compensated by the person filing this statement, or by any person on his behalf, to make solicitations or recommendations to security holders and describe briefly the terms of such employment, retainer, or arrangement for compensation.

Item 8. Material to be filed as exhibits.

Copies of all requests or invitations for tenders or advertisements making a tender offer or requesting or inviting tenders, additional material soliciting or requesting such tender offers, solicitations or recommendations to the holders of the security to accept or reject a tender offer or request or invitation for tenders shall be filed as an exhibit.

SIGNATURE

I certify that to the best of my knowledge and belief the information set forth in this statement is true, complete, and correct.

--- ---
(Date) (Signature)

If the statement is signed on behalf of a person by an authorized representative, evi-

dence of the representative's authority to sign on behalf of such person shall be filed with the statement.

§ 206.51 Form for proxy statement; statement where management does not solicit proxies (Form F–5).

BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM

FORM F–5

PROXY STATEMENT; STATEMENT WHERE MANAGEMENT DOES NOT SOLICIT PROXIES

GENERAL INSTRUCTIONS

Each Statement required under § 206.5(a) of this Part shall, to the extent applicable, include the information called for under each of the times below. In the preparation of the Statement, particular attention should be given to the definitions in § 206.2 of this Part.

This form is not to be used as a blank form to be filled in nor is it intended to prescribe a form for presentation of material in the Statement. Its purpose is solely to prescribe the information required to be set forth in the Statement; any additional information that management or the soliciting persons deem appropriate may be included.

[Except as otherwise specifically provided, where any item calls for information for a specified period in regard to directors, officers or other persons holding specified positions or relationships, the information shall be given in regard to any person who held any of the specified positions or relationships at any time during the period. However, information need not be included for any portion of the period during which such person did not hold any such position or relationship provided a statement to that effect is made.]

Item 1. Revocability of proxy.

State whether the person giving the proxy has the power to revoke it. If the right of revocation before the proxy is exercised is limited or is subject to compliance with any formal procedure, briefly describe such limitation or procedure.

Item 2. Dissenters' rights of appraisal or similar rights of dissenters with respect to any matter to be acted upon and indicate any statutory procedure required to be followed by dissenting security holders in order to perfect such rights.

Where such rights may be exercised only within a limited time after the date of the adoption of a proposal, the filing of a charter amendment or other similar act, state whether the person solicited will be notified of such date.

Instructions. Indicate whether a security holder's failure to vote against a proposal will constitute a waiver of his appraisal or similar rights and whether a vote against a proposal will be deemed to satisfy any notice requirements under State law with respect to appraisal rights. If the State law is unclear, state what position will be taken in regard to those matters.

Item 3. Persons making the solicitation.

(a) Solicitations not subject to § 206.5(i).

(1) If the solicitation is made by the management of the bank, so state. Give the name of any director of the bank who has informed the management in writing that he intends to oppose any action intended to be taken by the management and indicate the action which he intends to oppose.

(2) If the solicitation is made otherwise than by the management of the bank, so state and give the names of the persons by whom and the persons on whose behalf it is made.

(3) If the solicitation is to be made otherwise than by the use of the mails, describe the methods to be employed. If the solicitation is to be made by specially engaged employees or paid solicitors, state (i) the material features of any contract or arrangement for such solicitation and identify the parties, and (ii) the cost or anticipated cost thereof.

(4) State the names of the persons by whom the cost of solicitation has been or will be borne, directly or indirectly.

(b) Solicitations subject to § 206.5(f)

(1) State by whom the solicitation is made and describe the methods employed and to be employed.

(2) If regular employees of the bank or any other participants in a solicitation have been or are to be employed to solicit security holders, describe the class or classes of employees to be so employed, and the manner and nature of their employment for such purpose.

(3) If specially engaged employees, representatives, of other persons have been or are to be employed to solicit security holders, state (i) the material features of any contract or arrangement for such solicitation and identify the parties, (ii) the cost or anticipated cost thereof, and (iii) the approximate number of such employees or employees of any other person (naming such other person) who will solicit security holders.

(4) State the total amount estimated to be spent and the total expenditures to date for, in furtherance of, or in connection with, the solicitation of security holders.

(5) State by whom the cost of the solicitation will be borne initially by any person other than the bank, state whether reimbursement will be sought from the bank, and, if so, whether the question of such reimbursement will be submitted to a vote of security holders.

Instruction. With respect to solicitations subject to § 206.5(i), costs and expenditures within the meaning of this Item 3 shall include fees for attorneys, accountants, public relations or financial advisors, solicitors, advertising, printing, transportation, litigation, and other costs incidental to the solicitation, except that the bank may exclude the amounts of such costs represented by the amount normally expended for a solicitation for an election of directors in the absence of a contest, and costs represented by salaries and wages of regular employees and officers, provided a statement to that effect is included in the proxy statement.

Item 4. Interest of certain persons in matters to be acted upon. (a) Solicitations not subject to § 206.5(i). Describe briefly any substantial interest, direct or indirect, by security holdings or otherwise, of each of the following persons in any matter to be acted upon, other than elections to office:

(1) If the solicitation is made on behalf of management, each person who has been a director or officer of the bank at any time since the beginning of the last fiscal year.

(2) If the solicitation is made otherwise than on behalf of management, each person on whose behalf the solicitation is made. Any person who would be a participant in a solicitation for purposes of § 206.5(i), as defined in subparagraph 2(i)(c), (d), (e), and (f) thereof, shall be deemed a person on whose behalf the solicitation is made for purposes of this paragraph (a).

(3) Each nominee for election as a director of the bank.

(4) Each associate of the foregoing persons.

Instruction. Except in the case of a solicitation subject to § 206.5 of this Part made in opposition to another solicitation subject to § 206.5 of this Part, this sub-item (a) shall not apply to any interest arising from the ownership of securities of the bank where the security holder receives no extra or special benefit not shared on a pro rata basis by all other holders of the same class.

(b) Solicitations subject to § 206.5(i).

(1) Describe briefly any substantial interest, direct or indirect, by securing holdings or otherwise, of each participant, as defined in § 206.5(i)(2)(i), (b), (c), (d), and (e), in any matter to be acted upon at the meeting, and include with respect to each participant the information, or a fair and adequate summary thereof, required by Items 2(a), 2(d), 3, 4(b), and 4(c) of Form F–6.

With respect to any person named in answer to Item 6(b), describe any substantial interest, direct or indirect, by security holdings or otherwise, that he has in any matter to be acted upon at the meeting, and furnish the information called for by Item 4 (b) and (c) of Form F–6.

Item 5. Voting securities and principal holders thereof.

(a) State, as to each class of voting securities of the bank entitled to be voted at the meeting, the number of shares oustanding and the number of votes to which each class is entitled.

(b) Give the date as of which the record of security holders entitled to vote at the meeting will be determined. If the right to vote is not limited to security holders of record on that date, indicate the conditions under which other security holders may be entitled to vote.

(c) If action is to be taken with respect to the election of directors and if the persons solicited have cumulative voting rights, make a statement that they have such rights and state briefly the conditions precedent to the exercise thereof.

(d) If to the knowledge of the persons on whose behalf the solicitation is made, any person, individually, or together with his associates, owns of record or beneficially more than 10 per cent of the outstanding voting securities of the bank, name such person or persons, state the approximate amount of such securities owned of record but not owned beneficially, and the approximate amount owned beneficially, and the percentage of outstanding voting securities represented by the amount of securities so owned in each such manner.

(e) If to the knowledge of the persons on whose behalf the solicitation is made, a change in control of the bank has occurred since the beginning of its last fiscal year, state the name of the person or persons who acquired such control, the basis of such control, the date and a description of the transaction or transactions in which control was acquired and the percentage of voting securities of the bank owned by such person or persons.

(f) Describe any contractual arrangements, including any pledge of securities of the bank or any of its parents, known to the persons on whose behalf the solicitation is made, the operation of the terms of which may at a subsequent date result in a change in control of the bank.

Instruction. Paragraph (f) does not require a description of ordinary default provisions contained in the charter, trust indentures or other governing instruments relating to securities of the bank.

Item 6. Nominees and directors.

(a) If action is to be taken with respect to the election of directors, furnish the following information, in tabular form to the extent practicable, with respect to each person nominated for election as a director and each other person whose term of office as a director will continue after the meeting:

(1) Name each such person, state when his term of office or the term of office for which he is a nominee will expire, and all other positions and offices with the bank presently held by him, and indicate which persons are nominees for election as directors at that meeting.

(2) State his present principal occupation or employment and give the name and prin-

cipal business of any corporation or other organization in which such employment is carried on. Furnish similar information as to all of his principal occupations or employments during the last five years, unless he is now a director and was elected to his present term of office by a vote of security holders at a meeting with respect to which a proxy statement or statement where management does not solicit proxies was submitted to security holders pursuant to § 206.5(a) of this Part.

(3) If he is or has previously been a director of the bank state the period or periods during which he has served as such.

(4) State, as of the most recent practicable date, the approximate amount of each class of equity securities of the bank, or any of its parents or subsidiaries, "beneficially owned" (as defined in § 206.2(jj)) directly or indirectly by him. If he disclaims beneficial ownership of any such securities, make a statement to that effect.

(b) If any nominee for election as a director is proposed to be elected pursuant to any arrangement or understanding between the nominee and any other person or persons, except the directors and officers of the bank acting solely in that capacity, name such other person or persons and describe briefly such arrangement or understanding.

(c) If fewer nominees are named than the number fixed by or pursuant to the governing instruments, state (1) the reasons for this procedure, and (2) that the proxies cannot be voted for a greater number of persons than the number of nominees named.

Item 7. Remuneration and other transactions with management and others.

Furnish the information called for by this item if action is to be taken with respect to (i) the election of directors, (ii) any bonus, profit sharing or other remuneration plan, contract or arrangement in which any director, nominee for election as a director, or officer of the bank, will participate, (iii) any pension or retirement plan in which any such person will participate, or (iv) the granting or extension to any such person of any options, warrants, or rights to purchase any securities, other than warrants or rights issued to security holders, as such, on a pro rata basis. However, if the solicitation is made on behalf of persons other than the management; the information required need be furnished only as to nominees for election as directors and as to their associates.

(a) Furnish the following information in substantially the tabular form indicated below as to all direct remuneration paid by the bank and its subsidiaries during the bank's latest fiscal year to the following persons for services in all capacities:

[(1) Each director of the bank whose aggregate direct remuneration exceeded $40,000, and each of the three highest paid officers of the bank whose aggregate direct remuneration exceeded that amount, naming each such director and officer.]

(2) All directors and officers of the bank as a group, without naming them, but stating the number of persons included.

Name of individual or number of persons in group	Capacities in which remuneration was received	Aggregate direct remuneration
(A)	(B)	(C)

Instructions. 1. The information is to be given on accrual basis, if practicable. The tables required by this paragraph and paragraph (b) may be combined if the bank so desires.

2. Do not include renumeration paid to a partnership in which any director or officer was a partner. But see paragraph (f) below.

(b) Furnish the following information, in substantially the tabular form indicated, as to all annuities, pension or retirement benefits proposed to be paid under any existing plan in the event of retirement at normal retirement date, directly or indirectly, by the bank or any of its subsidiaries to (1) each director of officer named in answer to paragraph (a)(1) and, [(2) All directors and officers of the issuer who are eligible for such benefits, as a group, stating the number of persons in the group without naming them.]

Name of individual or number of persons in group	Amount set aside or accrued during bank's last fiscal year	Estimated annual benefits upon retirement
(A)	(B)	(C)

Instructions. 1. Column (B) need not be answered with respect to payments computed on an actuarial basis under any plan which provides for fixed benefits in the event of retirement at a specified age or after a specified number of years of service. [In such case, Columns (A) and (C) need not be answered with respect to directors and officers as a group.]

2. The information called for by Column (C) may be given in a table showing the annual benefits payable upon retirement to persons in specified salary classifications.

3. In the case of any plan (other than those specified in Instruction) where the amount set aside each year depends upon the amount of earnings of the bank or its subsidiaries for such year or a prior year (or where otherwise impracticable to state the estimated annual benefits upon retirement) there shall be set forth, in lieu of the information called for by Column (C), the aggregate amount set aside or accrued to date, unless impracticable to do so, in which case the method of computing such benefits shall be stated. In addition, furnish a brief description of the material terms of the plan, including the method used in computing the bank's contribution, and the amount set aside or accrued during the bank's last fiscal year for all officers and directors as a group, indicating the number of persons in such group without naming them.

(c) Describe briefly all remuneration payments (other than payments reported under paragraph (a) or (b) of this item) proposed to be made in the future, directly or indirectly, by the bank or any of its subsidiaries pursuant to any existing plan or arrangement to (i) each director or officer named in answer to paragraph (a)(1), naming each such person, and (ii) all directors and officers of the bank as a group, without naming them.

Instruction. Information need not be included as to payments to be made for, or benefits to be received from, group life or accident insurance, group hospitalization, or similar group payments or benefits. If it is impracticable to state the amount of remuneration payments proposed to be made, the aggregate amount set aside or accrued to date in respect of such payments shall be stated, together with an explanation of the basis for future payments.

(d) Furnish the following information as to all options to purchase securities, from the bank or any of its subsidiaries, which were granted to or exercised by the following persons since the beginning of the bank's last fiscal year and as to all options held by such persons as of the latest practicable date: (i) each director or officer named in answer to paragraph (a)(1), naming each such person; and (ii) to all directors and officers of the bank as a group, without naming them:

(1) As to options granted, state (i) the title and amount of securities called for; (ii) the prices, expiration dates, and other material provisions; and (iii) the market value of the securities called for on the granting date.

(2) As to options exercised, state (i) the title and amount of securities purchased; (ii) the aggregate purchase price; and (iii) the aggregate market value of the securities purchased on the date of purchase.

(3) As to all unexercised options held as of the latest practicable date, regardless of when such options were granted, state (i) the title and aggregate amount of securities called for; (ii) the range of option prices; and (iii) the per share market prices of the securities subject to option, as of the latest practicable date.

[*Instructions.* The term "options" as used in this paragraph (d) includes all options, warrants or rights, other than these issued to security holders as such on a pro rata basis. Where the average option price per share is called for, the weighted average price per share shall be given.

Instructions. 2. The extension, regranting, or material amendment of options shall be deemed the granting of options within the meaning of this paragraph.

3. This item need not be answered with respect to options granted, exercised, or outstanding, as may be specified therein, where the total market value (i) on the granting date of the securities called for by all options granted during the period specified, (ii) on the dates of purchase of all securities purchased through the exercise of options during the period specified, or (iii) as of the latest practicable date of the securities called for by all options held at such time, does not exceed $10,000 for any officer or director named in answer to paragraph (a)(1), or $40,000 for all officers and directors as a group.

4. The information for all directors and officers as a group regarding market value of the securities on the granting date of the options and on the purchase date may be given in the form of price ranges for each calendar quarter during which options were granted or exercised.

(e) State as to each of the following persons who was indebted to the bank at any time since the beginning of the bank's last fiscal year: (i) the maximum amount of the indebtedness outstanding at any time during such period; (ii) the maturity of such indebtedness; (iii) the amount thereof outstanding as of the latest practicable date; and (iv) the rate of interest paid or charged thereon, if the loan was made at other than prevailing interest rates for comparable transactions with unaffiliated persons:

(i) Any director or officer of the bank;

(ii) Any nominee for election as a director;

(iii) Any security holder named in answer to 5(d); or (iv) any associate of any of the foregoing persons.

Instructions. 1. See Instruction (1) to paragraph (a). Include the name of each person whose indebtedness is described and the nature of the relationship by which the information is required to be given.

2. No information need be given under this paragraph as to any indebtedness where: (i) the specified person is subject to this Item 7(e) solely as an officer of the bank and his interest in the transaction is solely that of a director of another corporation which is a party to the transaction; (ii) the specified person is subject to this Item 7(e) solely as a director of the bank (or associate of a

director) and his interest in the transaction is solely that of a director, officer of, and/or owner of less than a 10 percent interest in, another person that is a party to the transaction; or (iii) the transaction consists of extensions of credit by the bank in the ordinary course of its business that (A) are made on substantially the same terms, including interest rates and collateral, as those prevailing at the time for comparable transactions with other than specified persons, (B) at no time exceed 10 per cent of the equity capital accounts of the bank, or $10 million, whichever is less, and (C) do not involve more than the normal risk of collectibility or present other unfavorable features. Notwithstanding the foregoing, if aggregate extensions of credit to the specified persons, as a group, exceeded 20 per cent of the equity capital accounts of the bank at any time during the preceding year, (1) the aggregate amount of such extensions of credit shall be disclosed, and (2) a statement shall be included, to the extent applicable, that the bank has had, and expects to have in the future, banking transactions in the ordinary course of its business with directors, officers, principal stockholders, and their associates, on the same terms, including interest rates and collateral on loans, as those prevailing at the same time for comparable transactions with others. For the purpose of determining "aggregate extensions of credit" in this instruction, transactions which are exempted from disclosure pursuant to other instructions to this Item 7(e) may be excluded.

3. If to the knowledge of management any indebtedness to the bank has arisen since the beginning of the bank's last fiscal year under section 16(b) of the Securities Exchange Act of 1934, as a result of transactions in the bank's stock (or other equity securities) by any director, officer, or security holder named in answer to Item 5(d), which indebtedness has not been discharged by payment, state the amount of any profit realised and whether suit will be brought or other steps taken to recover such profit. If, in the opinion of counsel, a question reasonably exists as to the recoverability of such profit, only facts necessary to describe the transactions, including the prices and number of shares involved, need be stated.

(f) In addition to indebtedness required to be described in Item 7(e), describe briefly, and where practicable, state the approximate amount of, any material interest, direct or indirect, of any of the persons described in Item 7(e), in any other material transactions since the beginning of the bank's last fiscal year, or in any other material proposed transactions, to which the bank or any of its subsidiaries was or is to be a party.

Instructions. 1. No information need be given in response to this Item 7(f) as to any remuneration or other transaction reported in response to Item 7(a), (b), (c), (d), or (e), or as to any transaction with respect to which information may be omitted pursuant to Instruction (2) to Item 7(b), the Instruction to Item 7(c), Instruction (3) to Item 7(d), or Instruction (2) or the Instructions to Item 7(e).

2. No information need be given in answer to this Item 7(f) as to any transaction or any interest therein were: (i) the rates or charges involved in the transaction are fixed by law or determined by competitive bids; (ii) the transactions involve services as a bank depository of funds, transfer agent, registrar, trustee under a trust indenture or other similar services; (iii) the amount involved in the transaction or a series of similar transactions, including all periodic installments in the case of any lease or other agreement, providing the periodic installment does not exceed $40,000; (iv) the interest of the specified person in the transaction is (a) solely that of a director of another corporation which is a party to the transaction or (b) from the direct or indirect ownership by such person and his associates of less than a 10 per cent equity interest in such corporation or organization, or (c) from both such position and ownership.

3. The amount of the interest of any specified person shall be computed without regard to the amount of the profit or loss involved in the transaction. Where it is not practicable to state the approximate amount of interest, the approximate amount involved in the transaction shall be indicated.

4. In describing any transaction involving the purchase or sale of assets by or to the bank or any of its subsidiaries, otherwise than in the ordinary course of business, state the cost of the assets to the purchaser or, if acquired by the seller within two years prior to the transaction, the cost thereof to the seller.

(g) Describe briefly any transactions since the beginning of the issuer's last fiscal year or any presently proposed transactions to which any pension retirement savings or similar plan provided by the issuer, or any of its parents or subsidiaries, was or is to be a party in which any of the following persons had or is to have a direct or indirect material interest, naming such person and stating his relationship to the issuer, the nature of his interest in the transaction and, where practicable, the amount of such interest:

(1) Any director or officer of the issuer;

(2) Any nominee for election as a director;

(3) Any security holder named in answer to Item 5(d);

(4) Any relative or spouse of any of the foregoing persons, or any relative of such spouse, who has the same home as such person or who is a director or officer of any parent or subsidiary of the issuer; or

(5) The issuer or any of its subsidiaries.

Instructions. 1. Instructions 2, 3, 4, and 5 to Item 7(f) shall apply to this Item 7(g).

2. Without limiting the general meaning of the term "transaction" there shall be included in answer to this item any remuneration received or any loans received or outstanding during the period, or proposed to be received.

3. No information need be given in answer to paragraph (g) with respect to—

(a) payments to the plan or payments to beneficiaries, pursuant to the terms of the plan;

(b) payment of remuneration for services not in excess of 5 per cent of the aggregate remuneration received by the specified person during the issuer's last fiscal year from the issuer and its subsidiaries; or

(c) any interest of the issuer or any of its subsidiaries which arises solely from its general interest in the success of the plan.

Item 8. Selection of auditors.

If action is to be taken with respect to the selection or approval of auditors, or if it is proposed that particular auditors shall be recommended by any committee to select auditors for whom votes are to be cast, name the auditors and describe briefly any direct financial interest or any material indirect financial interest in the bank or any of its parents or subsidiaries, or any connection during the past three years with the bank or any of its parents or subsidiaries in the capacity of promoter, underwriter, voting trustee, director, officer, or employee. [If the auditors to be selected are other than those which were engaged as the principal auditors for the bank's most recently filed certified financial statements; briefly summarize the circumstances and conditions surrounding the proposed change of such auditors.]

Item 9. Bonus, profit-sharing, and other remuneration plans. If action is to be taken with respect to any bonus, profit-sharing, or other remuneration plan, furnish the following information:

(a) Describe briefly the material features of the plan, identify each class of persons who will participate therein, indicate the approximate number of persons in each such class and state the basis of such participation.

(b) State separately the amounts which would have been distributable under the plan during the last fiscal year of the bank (1) to directors and officers, and (2) to employees, if the plan had been in effect.

(c) State the name and position with the bank of each person specified in Item 7(a) who will participate in the plan and the amount which each such person would have received under the plan for the last fiscal year of the bank if the plan had been in effect.

(d) Furnish such information, in addition to that required by this item and Item 7, as may be necessary to describe adequately the provisions already made pursuant to all bonus, profit sharing, pension, retirement, stock option, stock purchase, deferred compensation, or other remuneration or incentive plans, now in effect or in effect within the past 5 years, for (i) each director or officer named in answer to Item 7(a) who may participate in the plan to be acted upon; (ii) all directors and officers of the bank as a group, if any director or officer may participate in the plan, and (iii) all employees, if employees may participate in the plan.

(e) If the plan to be acted upon can be amended otherwise than by a vote of stockholders to increase the cost thereof to the bank or to alter the allocation of the benefits as between the groups specified in (b), state the nature of the amendments which can be so made.

(f) If action is to be taken with respect to the amendment or modification of an existing plan, this item shall be answered with respect to the plan as proposed to be amended or modified and shall indicate any material differences from the existing plan. Instruction. If the plan is set forth in a formal plan, contract, or arrangement, three copies thereof shall be filed with the Board at the time preliminary copies thereof shall be filed with the Board at the time preliminary copies of the Statement are filed pursuant to § 206.5(f).

Item 10. Pension and retirement plans.

If action is to be taken with respect to any pension or retirement plan, furnish the following information:

(a) Describe briefly the material features of the plan, identify each class of persons who will be entitled to participate therein, indicate the approximate number of persons in each such class, and state the basis of such participation.

(b) State (1) the approximate total amount necessary to fund the plan with respect to past services, the period over which such amount is to be paid, and the estimated annual payments necessary to pay the total amount over such period, (2) the estimated annual payment to be made with respect to current services, and (3) the amount of such annual payments to be made for the benefit of (i) directors and officers, and (ii) employees.

(c) State (1) the name and position with the bank of each person specified in Item 7(a) who will be entitled to participate in the plan, (2) the amount which would have been paid or set aside by the bank and its subsidiaries for the benefit of such person for the last fiscal year of the bank if the plan had been in effect, and (3) the amount of the annual benefits estimated to be payable to such person in the event of retirement at normal retirement date.

(d) Furnish such information, in addition to that required by this item and Item 7, as may be necessary to describe adequately the provisions already made pursuant to all bonus, profit sharing, pension, retirement, stock option, stock purchase, deferred compensation, or other remuneration or incentive plans, now in effect or in effect within the past 5 years, for (i) each director or officer named in answer to Item 7(a) who may participate in the plan to be acted upon; (ii) all [present] directors and officers of the bank as a group, if any director or officer may participate in the plan, and (iii) all employees, if employees may participate in the plan.

(e) If the plan to be acted upon can be amended otherwise than by a vote of stockholders to increase the cost thereof to the bank or alter the allocation of the benefits as between the groups specified in (b)(3), state the nature of the amendments which can be so made.

(f) If action is to be taken with respect to the amendment or modification of an existing plan, this item shall be answered with respect to the plan as proposed to be amended or modified and shall indicate any material differences from the existing plan.

Instructions. 1. The information called for by paragraph (b)(3) or (c)(2) need not be given as to payments made on an actuarial basis pursuant to any group pension plan which provides for fixed benefits in the event of retirement at a specified age or after a specified number of years of service.

2. The instruction to Item 9 shall apply to this item.

Item 11. Options, warrants, or rights.

If action is to be taken with respect to the granting, extension or amendment of any options, warrants, or rights to purchase securities of the bank or any subsidiary, furnish the following information:

(a) State (i) the title and amount of securities called for or to be called for by such options, warrants, or rights; (ii) the prices, expiration dates, and any other material conditions upon which the options, warrants, or rights may be exercised; [(iii) the consideration received or to be received by the issuer or subsidiary for the granting extension of the options, warrants or rights; (iv) the market value of the securities called for or to be called for by the options, warrents or rights as of the latest practicable date,] and (v) in the case of options, the Federal income tax consequences of the issuance and exercise of such options to the recipient and to the bank.

(b) State separately the amount of options, warrants, or rights received or to be received by the following persons, naming each such person; (i) each director or officer named in answer to Item 7(a); (ii) each nominee for election as a director of the bank; (iii) each associate of such directors, officers, or nominees; and (iv) each other person who received or is to receive 5 percent or more of such options, warrants or rights. State also the total amount of such options, warrants, or rights received or to be received by all directors and officers of the bank as a group, without naming them.

(c) Furnish such information, in addition to that required by this item and Item 7, as may be necessary to describe adequately the provisions already made pursuant to all bonus, profit sharing, pension, retirement, stock option, stock purchase, deferred compensation, or other remuneration or incentive plans, now in effect or in effect within the past 5 years, for (i) each director or officer named in answer to Item 7(a) who may participate in the plan to be acted upon; (ii) all directors and officers of the bank as a group, if any director or officer may participate in the plan, and (iii) all employees, if employees may participate in the plan.

Instruction 1. Paragraphs (b) and (c) do not apply to warrants or rights to be issued to security holders as such on a pro rata basis.

2. The Instruction to Item 9 shall apply to paragraph (c) of this item.

3. Include in the answer to paragraph (c) as to each director or officer named in anser to Item 7(a) and as to all directors and officers as a group (1) the amount of securities acquired during the past two years through the exercise of such options, and (iii) the amount of securities subject to all unexercised options held as of the latest practicable date.

Item 12.

Authorization or issuance of securities otherwise than for exchange. If action is to be taken with respect to the authorization or issuance of any securities otherwise than in exchange for outstanding securities of the bank, furnish the following information:

(a) State the title and amount of securities to be authorized or issued.

(b) Furnish a description of the material provisions of the securities such as would be required in a registration statement filed pursuant to this Part. If the terms of the securities cannot be stated or estimated with respect to any or all of the securities to be authorized, because no offering thereof is contemplated in the proximate future, and if no further authorization by security holders for the issuance thereof is to be obtained, it should be stated that the terms of the securities to be authorized, including dividend or interest rates, conversion prices, voting rights, redemption prices, maturity dates, and similar matters will be determined by the board of directors of the bank. If the securities are additional shares of common stock of a class outstanding, the description may be omitted [except for a statement of the preemptive rights, if any. Where the statutory provisions with respect to preemptive rights are so indefinite or complex that they cannot be stated in summarized form, it will suffice to make a statement in the form of an opinion of counsel as to the existence and extent of such rights.]

(c) Describe briefly the transaction in which the securities are to be issued, including a statement as to (1) the nature and approximate amount of consideration received or to be received by the bank, and (2) the approximate amount devoted to each purpose so far as determinable, for which the net proceeds have been or are to be used. If it is impracticable to describe the transaction in which the securities are to be issued, indicate the purpose of the authorization of the securities, and state (i) whether further authorization for the issuance of the securities by a vote of security holders will be solicited prior to such issuance, and (ii) [whether present security holders will have preemptive rights to purchase such securities.]

[(d) If the securities are to be issued otherwise than in a general public offering for cash, state the reasons for the proposed authorization or issuance and the general effect thereof upon the rights of existing security holders.]

Item 13.

Modification or exchange of securities. If action is to be taken with respect to the modification of any class of securities of the bank, or the issuance or authorization for issuance of securities of the bank in exchange for outstanding securities of the bank, furnish the following information:

(a) If outstanding securities are to be modified, state the title and amount thereof. If securities are to be issued in exchange for outstanding securities, state the title and amount of securities to be so issued, the title and amount of outstanding securities to be exchanged therefore, and the basis of the exchange.

(b) Describe any material differences between the outstanding securities and the modified or new securities with respect to any of the matters concerning which information would be required in the description of the securities in a registration statement filed pursuant to this Part.

(c) State the reasons for the proposed modification or exchange and the general effect thereof upon the rights of existing security holders.

(d) Furnish a brief statement as to arrears in dividends or as to defaults in principal or interest with respect to the outstanding securities which are to be modified or exchanged and such other information as may be appropriate in the particular case to disclose adequately the nature and effect of the proposed action.

(e) Outline briefly any other material features of the proposed modification or exchange.

(f) The instruction to Item 9 shall apply to this item.

[*Instruction.* If the existing security is presently listed and registered on a national securities exchange, state whether it is intended to apply for listing and registration of the new or reclassified security on such exchange or any other exchange. If it is not intended to make such application, state the effect of the termination of such listing and registration.]

Item 14. Mergers, consolidations, acquisitions, and similar matters. If action is to be taken with respect to any plan for (i) the merger or consolidation of the bank into or with any other person, or of any other person into or with the bank, (ii) the acquisition by the bank or any of its subsidiaries of securities of another bank, (iii) the acquisition by the bank of any other going business or of the assets thereof, (iv) the sale or other transfer of all or any substantial part of the assets of the bank, or (v) the voluntary liquidation or dissolution of the bank:

(a) Outline briefly the material features of the plan. State the reasons therefore and the general effect thereof upon the interests of existing security holders. If the plan is set forth in a written document, file three copies thereof with the Board when preliminary copies of the Statement are filed pursuant to section 206.5(f).

(b) Furnish the following information as to the bank and each person (other than subsidiaries substantially all of the stock of which is owned by the bank) which is to be merged into the bank, or into or with which the bank is to be merged or consolidated, or the business or assets of which are to be acquired, or which is the issuer of securities to be acquired by the bank or any of its subsidiaries in exchange for all or a substantial part of its assets [be acquired by security holders of the or to bank.]

(1) A brief description of the business and property of each such person in substantially the manner required by Items 3 and 5.

(2) A brief statement as to defaults in principal or interest with respect to any securities of the bank or of such person, and as to the effect of the plan thereon and such other information as may be appropriate in the particular case to disclose adequately the nature and effect of the proposed action.

(3) Such information with respect to the proposed management of the surviving bank as would be required by Items 6 and 7 of this Form F-5. Information concerning remuneration of management may be projected for the current year based on remuneration actually paid or accrued by each of the constituent persons during the last calendar year. If significantly different, proposed compensation arrangements should be described.

(4) A tabular presentation of the existing and pro forma capitalization.

(5) In columnar form, for each of the last five fiscal years, a historical summary of earnings. Such summary is to be concluded by indicating per share amounts of income before securities gains (losses), net income, and dividends declared for each period reported. (Extraordinary items, if any, should be appropriately reported and per share amounts of securities gains (losses) should be included.)

(6) In columnar form, for each of the last five fiscal years, a combined pro forma summary of earnings, as appropriate in the circumstances, similar in structure to the historical summary of earnings. If the transaction established a new basis of accounting for assets of any of the persons included therein, the pro forma summary of earnings shall be furnished only for the most recent fiscal year and interim period and shall reflect appropriate pro forma adjustments resulting from such new basis of accounting.

(7) A tabular presentation of comparative per share data of the constituent banks or other persons pertaining to:

(A) (i) Income before securities gains (losses), (ii) net income, and (iii) dividends declared, for each of the last three fiscal years; and

(B) book value per share, at the date of the balance sheets included in the Statement.

The comparative per share data shall be presented on a historical and pro forma basis (except dividends which are to be furnished on historical basis only) and equated to a common basis in exchange transactions

(8) To the extent material for the exercise of prudent judgment, the historical and pro forma earnings data specified in (5), (6), and (7) above for the latest available interim period of the current and prior fiscal years.

Instructions. 1. Historical statements of income in their entirety, as required by Item 15, may be furnished in lieu of the summary of earnings specified in paragraph (5). If summary earnings information is presented, include, as a minimum, operating revenues, operating expenses, income before income taxes and security gains (losses), and net income. Th summary shall reflect retroactive adjustments of any material items affecting the comparability of the results.

2. In connection with any interim period or periods between the end of the last fiscal year and the balance sheet date, and any comparable prior period, a statement shall be made that all adjustments necessary to a fair statement of the results for such interim period or periods between the end of the last fiscal year and the balance sheet date, and any comparable prior period, a statement shall be made that all adjustments necessary to a fair statement of the results for such interim period or periods have been included, and results of the interim period for the current year are not necessarily indicative of results for the entire year. In addition, there shall be furnished in such cases, as supplemental information but not as a part of the proxy statement, a letter describing in detail the nature and amount of any adjustments, other than normal recurring accruals, entering into the determination of the results shown.

3. The information required by this Item 14(b) is required in a Statement of the "acquiring" or "surviving" bank only where a "significant" merger or acquisition is to be voted upon. For purposes of this item, the term "significant" merger or acquisition shall mean a transaction where either (1) the net book value of assets to be acquired or the amount to be paid therefor exceed 5 percent of the equity capital accounts of the acquiring bank, or (2) in an exchange transaction, the number of shares to be issued exceeds 5 percent of the outstanding shares of the acquiring bank, or (3) gross operating revenues for the last fiscal year of the person to be acquired exceeded 5 percent of the gross operating revenues for the last fiscal year of th acquiring bank, or (4) "income (loss) before income taxes and securities gains or losses" amounts to 5 percent or more of the "income (loss) before income taxes and securities gains or losses" of the acquiring bank. If less than a "significant" merger acquisition is to be voted upon, such information need only be included to the extent necessary for the exercise of prudent judgment with respect thereto.

(c) As to each class of securities of the bank, or of any person specified in paragraph (b), which is admitted to dealing on a national securities exchange or with respect to which a market otherwise exists, and which will be materially affected by the plan, state the high and low sale prices (or, in the absence of trading in a particular period, the range of the bid and asked prices) for each quarterly period within two years. This information may be omitted if the plan involves merely the voluntary liquidation or dissolution of the bank.

Item 15. Financial statements.

(a) If action is to be taken with respect to any matter specified in Items 12, 13, or 14 above, furnish verified financial statements of the bank and its subsidiaries such as would be required in a registration statement filed pursuant to this Part. In addition, the latest available interim date balance sheet and statement of income for the interim period between the end of the last fiscal year and the interim balance sheet date, and comparable prior period, shall be furnished. All schedules, except Schedules I, II, and VII may be omitted.

(b) If action is to be taken with respect to any matter specified in Item 14(b), furnish for each person specified therein, other than the bank, financial statements such as would be required in a registration statement filed pursuant to this Part. In addition, the latest available interim date balance sheet and statement of income for the interim period between the end of the last fiscal year and the interim balance sheet date, and comparable prior period, shall be furnished. However, the following may be omitted: (1) all schedules, except Schedules I, II, and VII; and (2) statements for subsidiary, all of the stock of which is owned by the bank, that is included in the consolidated statement of the bank and its subsidiaries. Such statements shall be verified, if practicable.

(c) Notwithstanding paragraphs (a) and (b) above, any or all of such financial statements which are not material for the exercise of prudent judgment in regard to the matter to be acted upon may be omitted. Such financial statements are deemed material to the exercise of prudent judgment in the usual case involving the authorization or issuance of any material amount of senior securities, but are not deemed material in cases involving the authorization or issuance of common stock, otherwise than in an exchange, merger, consolidation, acquisition, or similar transaction.

(d) The Statement may incorporate by reference any financial statements contained in an annual report sent to security holders pursuant to § 206.5(c) with respect to the same meeting as that to which the Statement relates, provided such financial statements substantially meet the requirements of this item.

Item 16. Acquisition or disposition of property.

[If action is to be taken with respect to the acquisition or disposition of any property furnish the following information:]

[(a) Describe briefly the general character and location of the property.]

[(b) State the nature and amount of consideration to be paid or received by the issuer or any subsidiary. To the extent practicable, outline briefly the facts bearing upon the question of the fairness of the consideration.]

[(c) State the name and address of the transferer or transferee, as the case may be, and the nature of any material relationship of such person to the issuer or any affiliate of the issuer.]

[(d) Outline briefly any other material features of the contract or transaction.]

[Item 17. Restatement of accounts. If action is to be taken with respect to the restatement of any asset, capital, or surplus account of the issuer, furnish the following information:]

[(a) State the nature of the restatement and the date as of which it is to be effective.]

[(b) Outline briefly the reasons for the restatement and for the selection of the particular effective date.]

[(c) State the nature and amount of each account (including any reserve accounts) affected by the restatement and the effect of the restatement thereof. Tabular presentation of the amounts shall be made when appropriate, particularly in the case of recapitalizations.]

[(d) To the extent practicable, state whether and the extent, if any, to which, the restatement will, as of the date thereof, alter the amount available for distribution to the holders of equity securities.]

Item 18. Action with respect to reports.

If action is to be taken with respect to any report of the bank or of its directors, officers, or committees or any minutes of a meeting of its security holders, furnish the following information:

(a) State whether or not such action is to constitute approval or disapproval of any of the matters referred to in such reports of minutes.

(b) Identify each of such matters which it is intended will be approved or disapproved, and furnish the information required by the appropriate item or items of this schedule with respect to each such matter.

Item 19. Matters not required to be submitted.

If action is to be taken with respect to any matter which is not required to be submitted to a vote of security holders, state the nature of such matter, the reasons for submitting it to a vote of security holders and what action is intended to be taken by the management in the event of a negative vote on the matter by the security holders.

Item 20. Amendment of charter, by-laws, or other documents.

If action is to be taken with respect to any amendment of the bank's charter, by-laws, or other documents as to which information is not required above, state briefly the reasons for and general effect of such amendment.

Instruction. Where the matter to be acted upon is the classification of directors, state whether vacancies which occur during the year may be filled by the board of directors to serve only until this next annual meeting or may be so filled for the remainder of the full term.

Item 21. Other proposed action.

If action is to be taken with respect to any matter not specifically referred to above, describe briefly the substance of each such matter in substantially the same degree of detail as is required by Items 5 to 18, inclusive, above.

Item 22. Vote required for approval.

As to each matter which is to be submitted to a vote of security holders, other than elections to office or the selection or approval of auditors, state the vote required for its approval.

§ 206.52 Form for statement in election contests (Form F–6).

BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM

FORM F–6

STATEMENT IN ELECTION CONTEST

GENERAL INSTRUCTIONS

The statement shall contain the number and captions of all items, but the text of the items may be omitted. If an item is inapplicable or the answer is in the negative, so state. The information called for by Items 2(a) and 3(a) or a fair summary thereof is required to be included in all preliminary soliciting material by § 206.5(1) of this Part.

Item 1. Bank.

State the name and address of the bank.

Item 2. Identity and background of participant.

(a) State the following: (1) Your name and business address. (2) Your present principal occupation or employment and the name, principal business, and address of any corporation or other organization in which such employment is carried on.

(b) State the following: (1) Your residence address. (2) Information as to all material occupations, positions, offices, or employments during the last ten years, giving starting and ending dates of each and the name, principal business, and address of any business corporation or other business organization in which each such occupation, position, office, or employment was carried on.

(c) State whether or not you are or have been a participant in any other proxy contest involving the bank or other corporations within the past ten years. If so, identify the principals, the subject matter and your relationship to the parties and the outcome.

(d) State whether or not, during the past 10 years, you have been convicted in a criminal proceeding (excluding traffic violations or similar misdemeanors) and, if so, give dates, nature of conviction, name and location of court, and penalty imposed or other disposition of the case. A negative answer to this sub-item need not be included in the Statement or other proxy soliciting material.

Item 3. Interests in securities of the bank.

(a) State the amount of each class of securities of the bank that you own beneficially, directly, or indirectly.

(b) State the amount of each class of securities of the bank that you own of record but not beneficially.

(c) State with respect to the securities specified in (a) and (b) the amounts acquired within the past two years, the dates of acquisition and the amounts acquired on each date.

(d) If any part of the purchase price or market value of any of the shares specified in paragraph (c) is represented by funds borrowed or otherwise obtained for the purpose of acquiring or holding such securities, so state and indicate the amount of the indebtedness as of the latest practicable date. If such funds were borrowed or obtained otherwise than pursuant to a margin account or bank loan in the regular course of business of a bank, broker, or dealer, briefly describe the transactions, and state the names of the parties.

(e) State whether or not you are a party to any contracts, arrangements or understandings with any person with respect to any securities of the bank, including but not limited to joint ventures, loan or option arrangements, puts or calls, guarantees against loss or guarantees of profits, division of losses or profits, or the giving or withholding of proxies. If so, name the persons with whom such contracts, arrangements, or understandings exist and give the details thereof.

(f) State the amount of securities of the bank owned beneficially, directly or indirectly, by each of your associates and the name and address of each such associate.

(g) State the amount of each class of securities of any parent or subsidiary of the bank which you own beneficially, directly or indirectly.

Item 4. Further matters.

(a) Describe the time and circumstances under which you became a participant in the solicitation and state the nature and extent of your activities or proposed activities as a participant.

(b) Furnish for your self and your associates the information required by Item 7(f) of Form F05.

(c) State whether or not you or any of your associates have any arrangement or understanding with any person (1) with respect to any future employment by the bank or its affiliates; or (2) with respect to any future transactions to which the bank or any of its affiliates will or may be a party. If so, describe such arrangement or understanding and state the names of the parties thereto.

[(d) State the total amount contributed and proposed to be contributed by you in furtherance of the solicitation, directly or indirectly, if such amount exceeds or will exceed $500 in the aggregate.]

Item 5. Signature.

The statement shall be dated and signed in the following manner:

I certify that the statements made in this statement are true, complete, and correct, to the best of my knowledge and belief.

(Date)

(Signature of participant or authorized representative)

Instruction. If the statement is signed on behalf of a participant by the latter's authorized representative, evidence of the representative's authority to sign on behalf of such participant shall be filed with the statement.

§ 206.53 Form for statement to be filed pursuant to § 206.5(m) of Regulation F (Form F–12).

BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM

FORM F–12

STATEMENT RELATING TO SOLICITATIONS OR RECOMMENDATIONS AS TO TENDER OFFER BY _____ FOR SECURITIES OF _____

GENERAL INSTRUCTIONS

The item numbers and captions of the items shall be included but the text of the items may be omitted. The answers to the items shall be so prepared as to indicate clearly the coverage of the items without referring to the text of the items. Answer every item. If an item is inapplicable or the answer is in the negative, so state.

Item 1. Security and bank.

(a) State the title of the class of equity securities to which this statement relates and the name and address of the bank which issued such securities.

(b) Identify the tender offer or request or invitation for tenders to which this statement relates and state the reasons for the solicitation or recommendation to security holders to accept or reject such tender offer, request, or invitation for tenders.

Item 2. Identity and background.

(a) State the name and business address of the person filing this statement.

(b) Describe any arrangement or understanding in regard to the solicitation with (i) the bank or the management of the bank or (ii) the maker of the tender offer or request or invitation for tender of securities of the class to which this statement relates.

Item 3. Persons retained, employed or to be compensated.

Identify any person or class of persons employed, retained or to be compensated, by the person filing this Form F–12, or by any person on his behalf, to make solicitations or recommendations to security holders and describe briefly the terms of such employment, retainer or arrangement for compensation.

Item 4. Material to be filed as exhibits.

Copies of all solicitations or recommendations to accept or to reject a tender offer or request or invitation for tenders of the securities specified in Item 1 shall be filed as an exhibit.

Item 5. Additional information to be furnished.

Furnish information as to all transactions in the class of securities to which this statement relates which were effected during the past 60 days by the bank and its subsidiaries and their officers, directors, and associates.

SIGNATURE

I certify that to the best of my knowledge and belief the information set forth in this statement is true, complete and correct.

_____ _____

(Date) (Signature)

If the statement is signed on behalf of a person by an authorized representative, evidence of the representative's authority to sign on behalf of such person shall be filed with the statement.

§ 206.61 Form for initial statement of beneficial ownership of equity securities (Form F–7).

BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM

FORM F–7

INITIAL STATEMENT OF BENEFICIAL OWNERSHIP OF SECURITIES

(Filed pursuant to section 16(a) of the Securities Exchange Act of 1934)

(1) Name of bank _____

(2) Name and Business Address of Reporting Person

_____

_____

(3) Relationship of Reporting Person to Company _____ (see Instruction 5)

(4) Nature of event necessitating this statement:

- ☐ Assumption of Directorship
- ☐ Appointed policy making officer
- ☐ Became 10 percent owner
- ☐ Newly Registered Bank

(5) Date of Event Requiring Filing of this statement _____ (see Instruction 6)

(6) If an Amendment give date of statement amended _____

TABLE I. *Securities beneficially owned*

Furnish the information required by the following table as to securities of the company beneficially owned directly or indirectly by the reporting person, including transferable warrants but excluding puts, calls, options and other rights or obligations required to be reported in Table II. (see Instruction 7)

Title of securities owned (Instruction 9)	Amount owned directly or indirectly (Instruction 10)	Nature of beneficial ownership (Instruction 11)
(1)	(2)	(3)

TABLE II. *Puts, calls, options and other rights or obligations*

Furnish the information required by the following table as to all puts, calls, options and other rights or obligations (all hereinafter referred to as "options") pursuant to which the reporting person may buy or sell, or be required to buy or sell, securities of the company. However, transferable warrants issued by the company which give the right to buy other securities of the company are to be reported in Table I. (see Instruction 7)

Title of securities subject to option (Instruction 9)	Nature of option held (Instruction 12)	Amount of securities subject to option (Instruction 11)	Purchase or sale price of securities subject to option (Instruction 13)	Date of expiration of option
(1)	(2)	(3)	(4)	(5)

Explanation of items in tables:

_____

Date of Statement

_____

Signature of person reporting

NOTE: If the space provided in either table is insufficient, use a continuation sheet which identifies the table and columns to which it relates.

BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM

FORM F–7

INSTRUCTIONS

1. *Person required to file statements.* A statement on this form is required to be filed by every person who, at the time any class of equity securities of a bank becomes registered pursuant to section 12 of the Securities Exchange Act of 1934 (the Act), (i) is directly or indirectly the beneficial owner of more than 10 percent of such class or (ii) is a director or officer of the bank which is the issuer of such securities, and by every person who thereafter becomes such a beneficial owner, director, or officer, the term "officer" means a Chairman of the Board of Directors, Vice Chairman of the Board, Chairman of the Executive Committee, President, Vice President (except as indicated in the next sentence), Cashier, Treasurer, Secretary, Comptroller, and any other person who participates in major policy-making functions of the bank. In some banks (particularly banks with officers bearing titles such as Executive Vice President, Senior Vice President, or First Vice President as well as a number of "Vice Presidents"), some or all "Vice Presidents" do not participate in major policy-making functions, and such persons are not officers for the purpose of this statement.

2. *When statements are to be filed.* Persons who hold any of the relationships specified in Instruction 1 when any class of equity securities of the bank becomes registered pursuant to section 12 of the Act are required to file a statement on this form within 10 days after the date such registration becomes effective. Persons who subsequently assume any of the relationships specified in Instruction 1 are required to file a statement within 10 days after assuming such relationship. Statements are not deemed to have been filed with the Board or an exchange until they have actually been received by the Board or such exchange.

3. *Where and how statements are to be filed.* One signed copy of each statement shall be filed with the Board of Governors of the Federal Reserve System, Washington, D.C. 20551. One signed copy thereof shall also be filed with each exchange on which any class of equity securities of the bank is listed. However, if such bank has, in accordance with § 206.6(a)(3) of Regulation F, designated a single exchange to receive statements, the statement need only be filed with the Board and the designated exchange.

4. *Separate statement for each bank.* A separate statement shall be filed with respect to the equity securities of each bank.

5. Relationship of reporting person. Indicate clearly the relationship of the reporting person to the bank; for example, "Director", "Director and Vice President", "Beneficial owner of more than 10 percent of the bank's common stock," etc.

6. *Date as of which beneficial ownership is to be given.* The information as to beneficial ownership of securities, [including those subject to puts, calls, options and warrants, etc.,] shall be given as of the date on which the event occurred which requires the filing of a statement on this form. For example, when registration of equity securities of the bank becomes effective pursuant to section 12 of the Act or when the person whose ownership is reported becomes a director or officer of the bank or becomes the beneficial

owner of more than 10 percent of a class of registered equity securities of the bank.

7. *Securities to be reported.* Persons specified in Instruction 1 above shall include information as to their beneficial ownership of all classes of equity securities of the bank, even though one or more of such classes may not be registered pursuant to section 12 of the Act. [If any person required to file a statement on this form does not own any securities required to be reported, a statement on this form shall be filed to report that fact.]

[*8. Reporting of Ownership in Certain Cases.* (a) When two or more securities are owned as a unit, such as debentures and transferable warrants to purchase common stock, report each security separately and describe the unit relationship in the space provided for explanation on page 2 of the form. If one or more of the securities comprising the unit is not required to be reported, the other security or securities shall be reported separately and the unit relationship described as indicated above.]

[(b) In reporting the ownership of a convertible security or a transferable warrant, the number of shares or units subject to the conversion privilege and the conversion or exercise price per share or unit shall be set forth in the explanation space on page 2. Transferable warrants issued by the issuer of the security subject to the warrants shall be reported in Table I (in which case the exercise price and date of expiration of the] warrant shall be reported in the explanation space on page 2).

[(c) Securities owned indirectly shall be reported on separate lines from those owned directly and also from those owned through a different type of indirect ownership.]

9. Title of equity security. The statement of the title of an equity security should clearly distinguish it from any securities of other classes issued by the bank.

[*10. Nature of ownership of securities—Table I.*] [(a) In reporting the nature of beneficial ownership of securities in Column 3 of Table I, if the securities are owned directly, so state. If they are owned indirectly, state the nature of such indirect ownership: for example, "By self as trustee for sons", "By wife", "By X Trust", "By Y Corporation", etc. If the securities are owned directly and other securities are owned indirectly, the required information shall be furnished separately for each type of ownership; see Instruction 8(c) above. Securities held as joint tenants, tenants in common, tenants by the entirety or as community property are to be reported as held directly.]

[(b) Beneficially owned securities held in the name of the reporting person or in the name of a bank, broker or nominee for the account of the reporting person shall be reported as directly owned by him. A person is regarded as the indirect beneficial owner of securities held in the name of another person if by reason of any contract, understanding, relationship, including a family relationship, or arrangement, such person obtains therefrom benefits substantially equivalent to those of ownership. For example, a person may be the indirect beneficial owner of securities held in the name of a spouse, relative or other person if such person may obtain therefrom benefits substantially equivalent to those of ownership. A person may also be the indirect beneficial owner of securities held in the name of a partnership, corporation, trust or other entity if such person or a spouse or relative of such person, individually or collectively, may exercise a controlling influence over the purchase, sale or voting of such securities.]

11. Statement of amount owned. In stating the amount of equity securities beneficially owned, give the face amount of convertible debt securities or the number of shares of stock or other units of other securities. In the case of equity securities owned indirectly, the entire amount of equity securities owned by the partnership, corporation, trust, or other entity shall be stated. The person whose ownership is reported may, if he so desires, also indicate in a footnote or other appropriate manner the extent of his interest in the partnership, corporation, trust, or other entity.

[*12. Puts, Calls, Options and Other Rights—Table II.* The terms "puts" and "calls" in Table II include, in addition to separate puts and calls, any combination of the two, such as spreads, straddles, strips and straps. In reporting the nature of the option in Column 3 of Table II, state whether it represents a right to buy, a right to sell, an obligation to buy or an obligation to sell, the securities subject to the option.]

[*13. Price at which options may be exercised.* If a warrant is not presently exercisable, state the price at which it will first become exercisable. If a warrant, put, call or option is exercisable at various increasing prices, state the price at which it is presently exercisable.]

14. Inclusion of additional information. A statement may include any additional information or explanation deemed relevant by the person filing the statement.

15. Signature. If the statement is filed for a corporation, partnership, trust, etc., the name of the organization shall appear over the signature of the officer or other person authorized to sign the statement. If the statement is filed for an individual, it shall be signed by him or specifically on his behalf by a person authorized to sign for him. [If signed on his behalf by another person, the authority of such person to sign the statement shall be confirmed to the Board in writing as soon as practicable by the individual for whom the statement is filed, unless such a confirmation which is still in effect is on file with the Board.]

§ 206.62 Form for statement of changes in beneficial ownership of equity securities (Form F–8).

BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM

FORM F–8

STATEMENT OF CHANGES IN BENEFICIAL OWNERSHIP OF SECURITIES

(Filed pursuant to section 16(a) of the Securities Exchange Act of 1934)

(1) Name of Bank_____

(2) Name and Business Address of Reporting Person

_____

_____ (Zip)

(3) Relationships of Report Person to Company (Inst. 4)_____

(4) Date of Last Previous Statement_____ _____ _____
(mo.) (day) (year)

(5) If an Amendment, Give Date of Statement Amended_____ _____ _____
(mo.) (day) (year)

(6) Statement for Calendar Month of_____ _____
(mo.) (year)

TABLE I. *Securities bought, sold or otherwise acquired or disposed of.*

Furnish the information required by the following table as to securities of the company brought or sold or otherwise acquired or disposed of by the reporting person during the month for which this statement is filed (See Instruction 6) and as to securities of the company beneficially owned, directly or indirectly, at the end of the month. However, transactions involving the acquisition of disposition of puts, calls, options or other rights or obligations to buy or sell securities of the company shall be reported in Table II.

Title of securities	3. Date of transaction	4. Amount of securities acquired or disposed of	5. Nature of ownership of securities acquired or disposed of	6. Character or transaction reported	7. Purchase or sale price per share or other unit	8. Amount owned at end of month	9. Nature of ownership of securities owned at end of month
(Instruction 8)	(Instruction 9)	(Instruction 10)	(Instruction 11)	(Instruction 12)	(Instruction 13)	(Instruction 10)	(Instruction 11)

TABLE II. *Puts, calls, options and other rights or obligations*

If during the month for which this statement is filed the reporting person acquired or disposed of any put, call, option or other right or obligation (all hereinafter referred to as "options") to buy or sell, or be required to buy or sell, securities of the company, furnish the information required by the following table. (See Instruction 5.) However, the acquisition or disposition of transferable warrants issued by the company which give the right to buy securities of the company are to be reported in Table I. Options exempted by Rule 16a-6 need not be reported.

Title of securities subject to option (Instruction 8)	3. Date of transaction (Instruction 9)	4. Nature of option (Instruction 14)	5. Amount of securities subject to option (Instruction 10)	6. Character of transaction, if any, reported (Instruction 12)	7. Purchase or sale price of securities subject to option (Instruction 13)	8. Date of expiration of option

BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM

FORM F-6

INSTRUCTIONS

1. Persons required to file statements. A statement on this form is required to be filed by every person who at any time during any calendar month was (1) directly or indirectly the beneficial owner of more than 10 percent of any class of equity securities of a bank registered pursuant to section 12 of the Securities Exchange Act of 1934 (the Act) or (ii) a director or officer of the bank which is the issuer of such securities, and who during such month had any change in the nature or amount of his beneficial ownership of any class of equity securities of such bank. The term "officer" means a Chairman of the Board of Directors, Vice Chairman of the Board, Chairman of the Executive Committee, President, Vice President (except as indicated in the next sentence), Cashier, Treasurer, Secretary, Comptroller, and any other person who participates in major policy-making functions of the bank. In same banks (particularly banks with officers bearing titles such as Executive Vice President, Senior Vice President, or First Vice President, as well as a number of "Vice Presidents"), some or all "Vice Presidents" do not participate in major policy-making functions, and such persons are not officers for the purpose of this statement.

2. When statements are to be filed. Statements are required to be filed on or before the 10th day after the end of each calendar month in which any change in the nature or amount of beneficial ownership has occurred. Statements are not deemed to have been filed with the Board or an exchange until they have actually been received by the Board or such exchange.

3. Where statements are to be filed. One signed copy of each statement shall be filed with the Board of Governors of the Federal Reserve System, Washington, D.C. 20551. One signed copy thereof shall also be filed with each exchange on which any class of equity securities of the bank is listed. However, if such bank has, in accordance with § 206.6 (a) (3) of Regulation F, designated a single exchange to receive statements, the statement need only be filed with the Board and the designated exchange.

4. Separate statement for each bank. A separate statement shall be filed with respect to the equity securities of each bank.

5. Relationship of reporting person to bank. Indicate clearly the relationship of the reporting person to the bank; for example, "Director", "Director and Vice President", "Beneficial owner of more than 10 percent of the bank's common stock", etc.

6. Transactions and holdings to be reported. Persons required to file statements on this form shall include in their statements all changes during the calendar month in their beneficial ownership, and their beneficial ownership at the end of the month, of all classes of equity securities of the bank, even though one or more of such classes may not be registered pursuant to section 12 of the Act.

Every change in beneficial ownership shall be reported even though purchases and sales during the month are equal or the change involves only the nature of beneficial ownership (for example, from direct to indirect ownership or from one type of indirect ownership to another). Beneficial ownership at the end of the month of classes of equity securities of the bank shall be shown even though there has been no reportable change during the month in the ownership of equity securities of a particular class.

[*7. Reporting of Transactions.* (a) When a transaction related to the acquisition or disposition of two or more securities as a unit; such as debentures and transferable warrants to purchase common stock report each security separately and describe the unit relationship in the space provided for explanation of page 2 of the form. If one or more of the securities comprising the unit is not required to be reported, the other security or securities shall be reported separately and the unit relationship described as indicated above.]

[(b) In reporting the acquisition or disposition of a convertible security or a transferable warrant, the number of shares or units subject to the conversion privilege or warrant and the conversion or exercise price per share or unit shall be set forth in the explanation space on page 2. When a convertible security is converted or a warrant is exercised, the amount of securities acquired as a result of such conversion or exercise shall be reported and, in addition, the disposition of the convertible security or warrant shall be reported as a separate transaction.]

[(c) Securities owned indirectly shall be reported on separate lines from those owned directly and also from those owned through a different type of indirect ownership.]

[(d) The acquisition, disposition, exercise, or expiration or cancellation of a put, call, option or other right or obligation to buy or sell securities (all hereinafter referred to as "options") is deemed to effect a change in beneficial ownership of the security to which the option relates and shall be reported in Table II. If the option is exercised, the transaction shall be reported in Table II and the acquisition or disposition of the security subject to the option shall be reported in Table I. Transferable warrants issued by the issuer of the security subject to the warrants shall be reported in Table I (in which case the exercise price and date of expiration of the warrant shall be reported in the explanation space on page 2).]

8. Title of equity security. The statement of the title of an equity security should clearly distinguish it from any securities of other classes issued by the bank.

9. Date of transaction. The exact date (month, date, and year) of each transaction shall be stated opposite the amount involved in the transaction. [In the case of market transactions, the trade date shall be given and in the case of stock splits, stock dividends, etc., the record date shall be given.]

10. Statement of amounts of equity securities. In stating the amount of equity securities acquired, disposed of, or beneficially owned, give the face amount of convertible debt securities or the number of shares of stock or other units of other securities. In the case of equity securities owned indirectly, the entire amount of equity securities involved in the transaction or owned by the partnership, corporation, trust, or other entity shall be stated. The person whose ownership is reported may, if he so desires, also indicate in a footnote or other appropriate manner, the extent of his interests in the transaction or holdings of the partnership, corporation, trust or other entity.

[*11. Nature of ownership of securities—Table I.* [(a) In reporting the nature of ownership of securities on Columns 5 and 9 of Table 1, if the securities are owned directly, so state. If they are owned indirectly, state the nature of such indirect ownership; for example, "By self as trustee for sons", "By wife", "By X Trust", "By Y Corporation" etc. If the securities are owned directly and other securities are owned indirectly, the required information shall be furnished separately for each type of ownership, see Instruction 7(c) above. Securities held as joint tenants, tenants in common, tenants by the entirety or as community property are to be reported as held directly.]

[(b) Beneficially owned securities held in the name of the reporting person or in the name of a bank, broker or nominee for the account of the reporting person shall be reported as directly owned by him. A person is regarded as the indirect beneficial owner of securities held in the name of another person if by reason of any contract, understand-

ing, relationship, including a family relationship, or arrangement, such person obtains therefrom benefits substantially equivalent to those of ownership. For example, a person may be the indirect beneficial owner of securities held in the name of a Spouse, a relative or other person if such person may obtain therefrom benefits substantially equivalent to those of ownership.]

[A person may also be the indirect beneficial owner of securities held in the name of a partnership, corporation, trust or other entity if such person or a spouse or relative of such person, individually or collectively, may exercise a controlling influence over the purchase, sale or voting of such securities.]

12. Character of transaction. If the transaction in equity securities was with the bank, so state. If it involved the purchase of equity securities through the exercise of warrants or options, so state, give the termination date of the option or warrant, and give the exercise price per share. If any other purchase or sale was effected otherwise than in the open market, that fact shall be indicated. If the transaction was not a purchase or sale, indicate its character; for example, gift or stock dividend, stock split, or other type of pro rata distribution, etc., as the case may be. The foregoing information may be appropriately set forth in the table or under "Remarks" below the table.

[*13. Purchase or sale price of securities.*] [(a) If any transaction reported in Table I involved a purchase or sale of securities for cash or obligation to pay cash, including the exercise of an option, state in Column 7 the purchase price per share or other unit, exclusive of brokerage commissions or other costs of execution. If the transaction was only partly for cash and partly for other consideration, state the amount of cash per share or other unit and the nature of the additional consideration. Column 7 need not be answered for transactions not involving cash.]

[(b) When two or more securities are purchased or sold as a unit (see Instruction 8(a) above), the purchase or sale, price of the unit shall be stated opposite one of the securities and cross-referred to opposite the other security or securities.]

[(c) If an option reported in Table II is exercisable at varying increasing prices, state in Column 7 of that table the price at which it is presently exercisable.]

[*14. Puts, calls, options and other Rights—Table II.*]

[The terms "put" and "call" on Table II include, in addition to separate puts and calls, any combination of the two, such as spreads, straddles, strips and straps. In reporting the nature of the option in Column 4 of Table II, state whether it represents a right to buy, a right to sell, an obligation to buy or an obligation to sell, the securities subject to the option.]

15. Inclusion of additional information. A statement may include an additional information or explanation deemed relevant by the person filing the statement.

16. Signature. If the statement is filed for a corporation, partnership, trust, etc., the name of the organization shall appear over the signature of the officer or other person authorized to sign the statement. If the statement is filed for an individual, it shall be signed by him or specifically on his behalf by a person authorized to sign for him. [If signed on his behalf by another person, the authority of such person to sign the statement shall be confirmed to the Commission in writing as soon as practicable by the individual for whom the statement is filed, unless such a confirmation which is still in effect is on file with the Commission.]

§ 206.65 Form for registration of certain successor issuers pursuant to section 12 (b) or (g) of the Securities Exchange Act of 1934.[1]

BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM
Washington, D.C. 20511

FORM F–1B

FOR REGISTRATION OF SECURITIES OF CERTAIN SUCCESSOR ISSUERS PURSUANT TO SECTION 12(b) OR (g) OF THE SECURITIES EXCHANGE ACT OF 1934

GENERAL INSTRUCTIONS

A. Rule as to Use of Form F–1B.

This form may be used for registration pursuant to section 12(b) or (g) of the Securities Exchange Act of 1934 ("Act") of securities of an issuer which has no securities so registered but which has succeeded to an issuer which at the time of the succession had securities so registered, or to such an issuer and one or more other persons, subject to the following conditions:

(a) The capital structure and balance sheet of the successor issuer immediately after the succession were substantially the same as those of the single predecessor or, if more than one predecessor, the combined capital structures and balance sheets of all of the predecessors; or

(b) Proxies were solicited pursuant to regulations promulgated by the Board, Federal Deposit Insurance Corporation or Comptroller of the Currency, or other government agency, under section 14 of the Act with respect to the succession from the security holders of the predecessor or, if more than one predecessor, from the security holders of at least one of such predecessors and copies of the proxy statement used in such solicitation are filed as an exhibit to the registration statement on this form;

Provided, however, (1) That this form may be used only if the registration statement is filed within 120 days after the date of the succession, and (2) that this form shall not be used for the registration on a national securities exchange pursuant to section 12 (b) of the Act of securities of a successor issuer unless its predecessor or, if more than one predecessor, at least one of its predecessors, had securities listed and registered on the same exchange at the time of the succession.

B. Application of Regulation F.

(a) The Board's Regulation F contains certain general requirements which are applicable to registration on any form. These general requirements should be carefully read and observed in the preparation and filing of registration statements on this form.

(b) Particular attention is directed to § 206.4 which contains general requirements regarding matters such as the kind and size of paper to be used, legibility, information to be given whenever the title of securities is required to be stated, incorporation by reference and the filing of the registration statement. The definitions contained in § 206.2 should be especially noted.

C. Preparation of Registration Statement.

This form is not to be used as a blank form to be filled in, but only as a guide in the preparation of the registration statement on paper meeting the requirements of § 206.4(t). The registration statement shall contain the item numbers and captions, but the text of the items may be omitted provided the answers thereto are prepared in the manner specified in § 206.4(u).

D. Signature and Filing of Registration Statement.

Eight complete copies of the registration statement, including exhibits and all papers and documents filed as a part thereof, shall be filed with the Board. At least one complete copy shall be filed with each exchange on which registration is applied for. At least one of the copies filed with the Board and one filed with each such exchange shall be manually signed. Unsigned copies shall be conformed.

E. Incorporation by Reference.

If the information called for by any item or items of this form is contained in a proxy statement filed as an exhibit pursuant to General Instruction A(b), such information may be incorporated by reference to such document in answer or partial answer to such item or items.

BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM

Washington, D.C. 20551

FORM F–1B

FOR REGISTRATION OF SECURITIES OF CERTAIN SUCCESSOR ISSUERS PURSUANT TO SECTION 12 (B) OR (G) OF THE SECURITIES EXCHANGE ACT OF 1934

(Exact name of bank as specified in its charter)

(State or other jurisdiction of incorporation or organization)

(I.R.S. Employer Identification No.)

(Address of principal executive offices) (Zip

Securities to be registered pursuant to section 12(b) of the Act:

Title of each class to be registered

Name of each exchange on which each class is to be registered

---

Securities to be registered pursuant to section 12(g) of the Act:

(Title of class)

(Title of class)

INFORMATION REQUIRED IN REGISTRATION STATEMENT

Item 1. General information.

(a) State the date on which the bank was organized, its form of organization, and the State or other jurisdiction under the laws of which it was organized.

(b) State the date on which the bank's fiscal year ends.

Item 2. Transaction of succession.

(a) Name each predecessor which had securities registered pursuant to Section 12(b) or (g) of the Act at the time of the succession.

(b) Describe briefly the transaction of succession and state the basis upon which se-

[1] Section 206.65 is proposed to be added in its entirety.

curities of the bank have been or are to be issued in exchange for or otherwise in respect of securities of any predecessor.

Item 3. Securities to be registered.

As to each class of securities to be registered, state the number of shares or the amounts of bonds (1) presently authorized, (2) presently issued and (3) presently issued which are held by bank for the account of others.

Item 4. Capital stock to be registered.

If capital stock is to be registered hereunder, state the title of the class and furnish the following information (See Instruction 1):

(a) Outline briefly (1) dividend rights; (2) voting rights; (3) liquidation rights; (4) pre-emptive rights; (5) conversion rights; (6) redemption provisions; (7) sinking fund provisions, and (8) liability to further calls or to assessment.

(b) If the rights of holders of such stock may be modified otherwise than by a vote of a majority or more of the shares outstanding, voting as a class, so state and explain briefly.

(c) Outline briefly any restriction on the repurchase or redemption of shares by the bank while there is any arrearage in the payment of dividends or sinking fund installments. If there is no such restriction, so state.

Instructions. 1. If a description of the securities comparable to that required here is contained in any other filing with the Board, such description may, subject to § 206.4(q) be incorporated by reference to such other filing in answer to this Item. If the securities are to be registered on a national securities exchange and the description has not previously been filed with such exchange, copies of the description shall be filed with copies of the application filed with the exchange.

2. This item requires only a brief summary of the provisions which are pertinent from an investment standpoint. A complete legal description of the provisions referred to is not required and should not be given. Do not set forth the provisions of the governing instruments verbatim; only a succinct resume is required.

3. If the rights evidenced by the securities to be registered are materially limited or qualified by the rights evidenced by any other class of securities or by the provisions of any contract or other document, include such information regarding such limitation or qualification as will enable investors to understand the rights evidenced by the securities to be registered.

Item 5. Debt securities to be registered.

If the securities to be registered hereunder are bonds, debentures or other evidences of indebtedness, outline briefly such of the following as are relevant:

(a) Provisions with respect to interest, conversion, maturity, redemption, amortization, sinking fund or retirement.

(b) Provisions with respect to the kind and priority of any lien, securing the issue, together with a brief identification of the principal properties subject to such lien.

(c) Provisions restricting the declaration of dividends or requiring the maintenance of any ratio of assets, the creation or maintenance of reserves or the maintenance of properties.

(d) Provisions permitting or restricting the issuance of additional securities, the withdrawal of cash deposited against such issuance, the incurring of additional debt, the release or substitution of assets securing the issue, the modification of the terms of the security, and similar provisions.

Instruction. Provisions permitting the release of assets upon the deposit of equivalent funds or the pledge of equivalent property, the release of property no longer required in the business, obsolete property or property taken by eminent domain, the application of insurance moneys, and similar provisions, need not be described.

(e) The name of the trustee and the nature of any material relationship with the bank or any of its affiliates; the percentage of securities of the class necessary to require the trustee to take action, and what indemnification the trustee may require before proceeding to enforce the lien.

(f) The general type of event which constitutes a default and whether or not any periodic evidence is required to be furnished as to the absence of default or as to compliance with the terms of the indenture.

Instruction: The instructions to Item 4 shall also apply to this Item.

Item 6. Other securities to be registered.

If securities other than those referred to in Items 4 and 5 are to be registered hereunder, outline briefly the rights evidenced thereby. If subscription warrants or rights are to be registered, state the title and amount of securities called for, the period during which and the price at which the warrants or rights are exercisable.

Instruction: The instructions to Item 4 shall also apply to this Item.

Item 7. Financial statements and exhibits.

List below all financial statements and exhibits, if any, required to be filed as a part of the application or statement:

(a) Financial Statements.

(b) Exhibits.

SIGNATURE

Pursuant to the requirements of Section 12 of the Securities Exchange Act of 1934, the bank has duly caused this registration statement to be signed on its behalf by the undersigned, thereunto duly authorized.

(Bank)

Date: ---- By ----
(Signature) *

*Print the name and title of the signing officer under his signature.

INSTRUCTIONS AS TO FINANCIAL STATEMENTS

(a) No financial statements need be filed if the capital structure and balance sheet of the bank immediately after the succession were substantially the same as those of the predecessor or, if more than one predecessor, the combined capital structures and balance sheets of all of the predecessors.

(b) If paragraph (a) above does not apply, the registration statement shall include any financial statements or schedules, not included in the proxy statement filed as an exhibit, which would be called for by Form F-1 if the securities were to be registered on that form.

INSTRUCTIONS AS TO EXHIBITS

Subject to section 206.4(q) regarding the incorporation of exhibits by reference, the following exhibits shall be filed as a part of the registration statement. Such exhibits shall be appropriately lettered or numbered for convenient reference. Exhibits incorporated by reference may be referred to by the designation given in the previous filing. Where exhibits are incorporated by reference, the reference shall be made in the list of exhibits called for under Item 7.

1. Copies of the plan or agreement, if any pursuant to which the bank's succession has taken place or is to take place, unless the terms of such plan or agreement are substantially contained in a proxy statement filed as an exhibit pursuant to Instruction 2, below.

2. Copies of any proxy statement required to be filed pursuant to General Instruction A(b).

3. Copies of all other exhibits which would be called for by Form F-1 if the securities to be registered hereunder were to be registered on that form.

§ 206.71 Forms for financial statements (Forms F-9, A, B, C, and D).

(Revised Dec. 31, 1969)

BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM

FORM F-9: FINANCIAL STATEMENTS

A. Balance Sheet (Form F-9A)

B. Statement of Income (Form F-9B)

C. Statment of Changes in Capital Accounts (Form F-9C)

D. Schedules (Form F-9D)

GENERAL INSTRUCTIONS

1. *Preparation of forms.* The forms for financial statements are not to be used as blank forms to be filled in but only as guides in the preparation of financial statements. The requirements with respect to the filing of balance sheets and statements of income are contained in the instructions as to certain other forms required by this Part. Particular attention should be given to the general requirements as to financial statements in § 206.7 of this Part, including paragraphs (e) and (f) thereof, which prescribe when statements of changes in capital accounts and schedules will be filed. Although inapplicable items specified in the forms for financial statements should be omitted, the detailed instructions that relate to applicable items shall be followed.

2. *Accrual accounting.* Financial statements shall generally be prepared on the basis of accrual accounting whereby all revenues and all expenses shall be recognized during the period earned or incurred regardless of the time received or paid, with certain exceptions: (a) where the results would be only insignificantly different on a cash basis, or (b) where accrual is not feasible. Statements with respect to the first fiscal year that a bank reports on the accrual basis shall indicate clearly, by footnote or otherwise, the beginning-of-year adjustments that were necessary and their effect on prior financial statements filed under this Part.

A. BALANCE SHEET

Assets

1. Cash and due from banks----
2. Investment securities:
   - (a) U.S. Treasury securities----
   - (b) Securities of other U.S. Government agencies and corporations ----
   - (c) Obligations of States and political subdivisions----
   - (d) Other securities----
3. Trading account securities----
4. Federal funds sold and securities purchased under agreements to resell ----
5. Other loans----
6. Bank premises and equipment----
7. Other real estate owned----
8. Investments in subsidiaries not consolidate ----
9. Customers' acceptance liability----
10. Other assets----
11. Total assets----

Liabilities

12. Deposits:
    - (a) Demand deposits in domestic offices ----
    - (b) Savings deposits in domestic offices ----
    - (c) Time deposits in domestic offices ----
    - (d) Deposits in foreign offices--

13. Federal funds purchased and securities sold under agreements to repurchase
14. Other liabilities for borrowed money
15. Bank's acceptances outstanding
16. Montgages payable
17. Other liabilities
18. Total liabilities
19. Minority interests in consolidated subsidiaries

Reserves

20. Allowance for possible loan losses

Capital Accounts

21. Capital notes and debentures
22. Equity capital:
    (a) Capital stock:
        Preferred stock
        Common stock
    (b) Surplus
    (c) Undivided Profits
    (d) Reserve for contingencies and other capital reserves
23. Total capital accounts
24. Total liabilities, reserves, and capital

Assets

1. *Cash and due from banks.* (a) State the total of (1) currency and coin (A) owned and held in the bank's vaults and (B) in transit to or from a Federal Reserve Bank; (2) the bank's total reserve balance with the Federal Reserve Bank as shown by the bank's books; (3) demand and time balances with other banks; and (4) cash items in process of collection.

(b) Reciprocal demand balances with banks in the United States, except those of private banks and American branches of foreign banks, shall be reported net.

(c) Do not include unavailable balances with closed or liquidating banks. Such balances should be reported in "other assets".

(d) Cash items in process of collection include: (1) checks in process of collection drawn on another bank, private bank, or any other banking institution that are payable immediately upon presentation (including checks with a Federal Reserve Bank in process of collection and checks on hand that will be presented for payment or forwarded for collection on the following business day); (2) Government checks and warrants drawn on the Treasurer of the United States that are in process of collection; and (3) such other items in process of collection, including redeemed United States savings bonds, payable immediately upon presentation in the United States, as are customarily cleared or collected by banks as cash items.

(e) Checks drawn on a bank other than the reporting bank that have been deposited in the reporting bank (or offices or branches of such bank) and have been forwarded for collection to other offices or branches of the reporting bank are cash items in the process of collection.

(f) Do not include commodity or bill-of lading drafts payable upon arrival of goods against which drawn, whether or not deposit credit therefor has been given to a customer. If deposit credit has been given, such drafts should be reported as "loans"; but if the drafts were received by the reporting bank on a collection basis they should not be included in the reporting bank's statement until such time as the funds have been actually collected.

(g) Unposted debits should preferably be deducted form the appropriate deposit liability caption. If such items are included hereunder, the amount shall be stated parenthetically.

2. *Investment securities.* (a) State separately book value of (1) U.S. Treasury securities; (2) Securities of other U.S. Government agencies and corporations; (3) Obligations of States and political subdivisions; and (4) Other securities owned by the bank; include securities pledged, loaned or sold under repurchase agreements and similar arrangements.

(b) Book value with respect to investment quality securities reported in paragraph (a) shall be cost adjusted for amortization of premium and, at the option of the bank, for accretion of discount. There shall be set forth in a note to financial statements (1) the basis of accounting for book value, and (2) if bond discount is systematically accrued and amounts to 5 per cent or more of interest and dividends or investments, the total of accretion income and deferred income taxes applied thereto.

(c) Include in category (3) of paragraph (a) obligations, including warrants and tax anticipation notes, of the States of the United States and their political subdivisions, agencies, and instrumentalities; also obligations of territorial and insular possessions of the United States. Do not include obligations of foreign states.

(d) Do not include borrowed securities or securities purchased under resale agreements or similar arrangements.

3. *Trading account securities.* State the aggregate value at the balance sheet date, of securities of all types carried by the bank in a dealer trading account (or accounts) that are held principally for resale to customers. Indicate parenthetically, or otherwise in a note to financial statements, whether the inventory is valued at (1) cost, (2) lower of cost or market, or (3) market. If cost basis of valuation is used, furnish aggregate market value of the trading account inventory at the current fiscal year balance sheet date.

4. *Federal funds sold and securities purchased under agreements to resell.* (a) State the aggregate value of Federal funds sold and securities purchased under resale agreement or similar arrangements. All securities purchased under transactions of this type should be included regardless of (1) whether they are called simultaneous purchases and sales, buy-backs, turnarounds, overnight transactions, delayed deliveries, etc., and (2) whether the transactions are with the same or different institutions if the purpose of the transactions is to resell identical or similar securities.

(b) Federal funds sold and purchases of securities under resale agreements should be reported gross and not netted against purchases of Federal funds and sales of securities under repurchased agreements.

5. *Other loans.* (a) State the aggregate gross value of all loans including (1) acceptances of other banks and commercial paper purchased in the open market; (2) acceptances executed by or for the account of the reporting bank and subsequently acquired by it through purchase or discount; (3) customers' liability to the reporting bank on drafts paid under letters of credit for which the bank has not been reimbursed; and (4) "cotton overdrafts" or "advances," and commodity or bill-of-lading drafts payable upon arrival of goods against which drawn, for which the reporting bank has given deposit credit to customers.

(b) Include (1) paper rediscounted with the Federal Reserve or other banks; and (2) paper pledged as collateral to secure bills payable, as marginal collateral to secure bills rediscounted, or for any other purpose.

(c) Do not include contracts of sale or other loans indirectly representing bank premises or other real estate; these should be included in "bank premises" or "other real estate".

(d) Do not deduct bona fide deposits accumulated by borrowers for the payment of loans.

6. *Bank premises and equipment.* (a) State the aggregate cost of (1) bank premises owned, (2) leasehold improvements, and (3) equipment less any accumulated depreciation or amortization with respect to such assets.

(b) All fixed assets acquired subsequent to December 31, 1959, shall be stated at cost less accumulated depreciation or amortization.

(c) All fixed assets acquired prior to January 1, 1960, that are not presently accounted for by the bank on the basis of cost less accumulated depreciation or amortization, may be stated at book value. Any such assets that are still in use and would not have been fully depreciated on an acceptable method of accounting for depreciation if the bank had recorded depreciation on such basis shall be described briefly in a footnote, together with an explanation of the accounting that was used with respect to such assets.

(d) The term "leasehold improvements" comprehends two types of situations: (1) where the bank erects a building on leased property; and (2) where a bank occupies leased quarters or uses leased parking lots and appropriately capitalizes disbursements for vaults, fixed machinery and equipment directly related to such leased quarters, or resurfacing or other improvements directly related to such parking lots that will become an integral part of the property and will revert to the lessor on expiration of the lease.

(e) Bank premises includes vaults, fixed machinery and equipment, parking lots owned adjoining or not adjoining the bank premises that are used by customers or employees, and potential building sites.

(f) Equipment includes all movable furniture and fixtures of the bank.

7. *Other real estate owned.* (a) State the aggregate cost of all real estate owned by the bank that is not a part of bank premises.

(b) With respect to real estate acquired through default of a loan, aggregate cost shall include the unpaid balance on the defaulted loan plus the bank's out-of-pocket costs in acquiring clear title to the property. Any adjustments from aggregate cost shall be explained in a footnote.

(c) The aggregate market value of all real estate owned by the bank that is not a part of bank premises shall be set forth in a footnote, together with an explanation of the method of determining such market value.

8. *Investments in subsidiaries not consolidated.* State the aggregate investment, including advances, in subsidiaries not consolidated.

9. *Customers' acceptance liability.* (a) State the liability to the reporting bank of its customers on drafts and bills of exchange that have been accepted by the reporting bank or by other banks for its account and that are outstanding—that is, not held by the bank, on the reporting date. (If held by the reporting bank, they should be reported as "loans".)

(b) In case a customer anticipates his liability to the bank on outstanding acceptances by paying the bank either the full amount of his liability or any part thereof in advance of the actual maturity of the acceptance, the bank should decrease the amount of the customer's liability on outstanding acceptances. If such funds are not received for immediate application to the reduction of the indebtedness to the bank or the receipt thereof does not immediately reduce or extinguish the indebtedness, then such funds held to meet acceptances must be reported in "demand deposits".

(c) Do not include customer's liability on unused commercial and travelers' letters of credit issued under guaranty or against the

deposit of security—that is, not issued for money or its equivalent.

10. *Other assets.* State separately, if material, (1) income earned but not collected; (2) prepaid expenses; (3) property acquired for the purpose of direct lease financing; and (4) any other asset not included in the preceding items.

11. *Total assets.* State the sum of all asset items.

LIABILITIES

12. *Deposits.* (a) State separately (1) demand deposits in domestic offices of the bank, (2) savings deposits in domestic offices of the bank, (3) time deposits in domestic offices of the bank, and (4) deposits in foreign offices. Related unposted debits, if any, should preferably be deducted from domestic deposits.

(b) The domestic deposit liability categories shall be segregated in accordance with the Rules and Regulations of the Federal Deposit Insurance Corporation, Part 327.2—Classification of Deposits.

(c) The term "unposted debit" means a cash item in the bank's possession drawn on itself that has been paid or credited and is chargeable against, but has not been charged against, deposit liabilities at the close of the reporting period. This term does not include items that have been reflected in deposit accounts on the general ledger, although they have not been debited to individual deposit accounts.

(d) Reciprocal demand deposit balances with banks in the United States, except those of private banks and American branches of foreign banks, shall be reported net.

(e) Include outstanding drafts (including advices or authorizations to charge the bank's balance in another bank) drawn in the regular course of business by the reporting bank on other banks pursuant to customer order.

(f) Do not include trust funds held in the bank's own trust department that the bank keeps segregated and apart from its general assets and does not use in the conduct of its business.

13. *Federal funds purchased and securities sold under agreements to repurchase.* (a) State the aggregate value of Federal funds purchased and securities sold under repurchase or similar arrangements. All securities sold under transactions of this type should be included regardless of (1) whether they are called simultaneous purchases and sales, buy-backs, turnarounds, overnight transactions, delayed deliveries, etc., and (2) whether the transactions are with the same or different institutions if the purpose of the transactions is to repurchase identical or similar securities.

(b) Federal funds purchased and sales of securities under repurchase agreements should be reported gross and not netted against sales of Federal funds and purchases of securities under resale agreements.

14. *Other liabilities for borrowed money.* State the aggregate amount borrowed by the reporting bank on its own promissory notes, on notes and bills rediscounted (including commodity drafts rediscounted), or on any other instruments given for the purpose of borrowing money.

15. *Bank's acceptances outstanding.* (a) State the aggregate of unmatured drafts and bills of exchange accepted by the reporting bank, or by some other bank as agent for the reporting bank (other than those reported in "demand deposits"), less the amount of such acceptances acquired by the reporting bank through discount or purchase and held on the reporting date.

(b) Include bills of exchange accepted by the reporting bank that were drawn by banks or bankers in foreign countries, or in dependencies or insular possessions of the United States, for the purpose of creating dollar exchange as required by usage of trade in the respective countries, dependencies, or insular possessions.

16. *Mortgages payable.* (a) State separately here, or in a note referred to herein, such information as will indicate (1) the general character of the debt including the rate of interest; (2) the date of maturity; (3) if the payment of principal or interest is contingent, an appropriate indication of such contingency; and (4) a brief indication of priority.

(b) If there are any liens on bank premises or other real estate owned by the bank or its consolidated subsidiaries which have not been assumed by the bank or its consolidated subsidiaries, report in a footnote the amount thereof together with an appropriate explanation.

17. *Other liabilities.* State separately, if material, (a) accrued payrolls; (b) accrued income tax liability (Federal and State combined); (c) accrued interest; (d) cash dividends declared but not paid; (e) income collected but not earned; and (f) any other liability not included in Items 12 through 16.

18. *Total liabilities.* State the sum of Items 12 through 17.

19. *Minority interests in consolidated subsidiaries.* State the aggregate amount of minority stockholders' interests in capital stock, surplus, and undivided profits of consolidated subsidiaries.

RESERVES

20. *Allowance for possible loan losses.* (a) State the balance of the loan losses allowance account at the end of the fiscal year. Include in this allowance only (1) any provision that the bank makes for possible loan losses pursuant to the Treasury tax formula and (2) any amount in excess of the provision taken under such formula that (A) represents management's judgment as to possible loss or value depreciation and (B) has been established through a charge against income.

(b) Any provision for possible loan losses that the bank establishes as a precautionary measure that is in excess of the amount reported in paragraph (a) shall not be included in this allowance but shall be reported as a contingency reserve—that is, as a segregation of undivided profits.

NOTE.—Any allowance that (1) represents management's judgment as to possible loss or value depreciation in investment securities and (2) has been established through an appropriate charge against income shall be separately stated. Any provision for possible security losses that the bank establishes as a precautionary measure only (such as to reflect normal fluctuations in market value of readily marketable securities) shall not be included in this allowance but shall be reported as a contingency reserve—that is, as a segregation of undivided profits.

CAPITAL ACCOUNTS

21. *Capital notes and debentures.* State separately here, or in a note referred to herein, each issue or type of obligation and such information as will indicate (a) the general character of each type of debt including the rate of interest; (b) the date of maturity (or dates if maturing serially) and call provisions; (c) the aggregate amount of maturities, and sinking fund requirements, each year for the 5 years following the date of the balance sheet; (d) if the payment of principal or interest is contingent, an appropriate indication of the nature of the contingency; (e) a brief indication of priority; and (f) if convertible, the basis.

22. *Equity capital.* (a) Capital stock. State for each class of shares the title of issue, the number of shares authorized, the number of shares outstanding and the capital share liability thereof, and, if convertible, the basis of conversion. Show also the dollar amount, if any, of capital shares subscribed but unissued, and of subscriptions receivable thereon.

(b) Surplus. State the net amount formally transferred to the surplus account on or before the reporting date.

(c) Undivided profits. State the amount of undivided profits shown by the bank's books.

(d) Reserve for contingencies and other capital reserves.

(1) State separately each such reserve and its purpose.

(2) These reserves constitute amounts set aside for possible decrease in the book value of assets, or for other unforeseen or indeterminable liabilities not otherwise reflected on the bank's books and not covered by insurance.

(3) As these reserves represent a segregation of undivided profits, do not include any element of known losses, or losses the amount of which can be estimated with reasonable accuracy.

(4) Reserves for possible security losses, reserves for possible loan losses, and other contingency reserves that are established as precautionary measures only shall be included in these reserves, as they represent segregations of "undivided profits".

23. *Total capital accounts.* State the total of Items 21 and 22.

24. *Total liabilities, reserves and capital.* State the total of Items 18, 19, 20 and 23.

(STATEMENT OF INCOME) FORM F-9B

B. STATEMENT OF INCOME

1. Operating Income:
   (a) Interest and fees on loans
   (b) Income on Federal funds sold and securities purchased under agreements to resell
   (c) Interest and dividends on investments:
      (1) U.S. Treasury securities
      (2) Securities of other U.S. Government agencies and corporations
      (3) Obligations of States and political subdivisions
      (4) Other securities
   (d) Trust department income
   (e) Service charges on deposit accounts
   (f) Other service charges, collection and exchange charges, commissions, and fees
   (g) Other operating income
   (h) Total operating income
2. Operating Expenses:
   (a) Salaries and wages
   (b) Pensions and other employee benefits
   (c) Interest on deposits
   (d) Expenses of Federal funds purchased and securities sold under agreements to repurchase
   (e) Interest on other borrowed money
   (f) Interest on capital notes and debentures
   (g) Occupancy expense of bank premises, net:
      Gross occupancy expense _____
      Less: Rental income _____
   (h) Furniture and equipment expense (including depreciation of $_____)
   (i) Provision for loan losses
   (j) Other operating expenses
   (k) Total operating expenses
3. Income before Income Taxes and Securities gains (losses)
4. Applicable Income Taxes
5. Income before securities gains (losses)
6. Net Security gains (losses), less related tax effect, $_____
7. Net income

or

7. Income before extraordinary items
8. Extraordinary items, less related tax effect, $_____
9. Net Income
10. Earnings per common share [1]:
   Income before securities gains (losses)
   Net Income

[1] Per share amount of securities gains (losses) may be stated separately. If extraordinary items are reported, per share amount of income before extraordinary items and per share amount of extraordinary items shall be stated separately.

1. *Operating income.* State separately:

(a) *Interest and fees on loans.*

(1) Include interest, fees and other charges on all assets that are reported on the balance sheet as other loans.

(2) Include interest on acceptances, commercial paper purchased in the open market, drafts for which the bank has given deposit credit to customers, etc. Also include interest on loan paper that has been rediscounted with Federal Reserve or other banks or pledged as collateral to secure bills payable or for any other purpose.

(3) Include service charges and other fees on loans.

(4) Include profits (or losses) resulting from the sale of acceptances and commercial paper at discount rates other than those at which such paper was purchased.

(5) Current amortization of premiums on mortgages or other loans shall be deducted from interest on loans and current accumulation of discount on such items shall be added to interest on loans.

(b) *Income on Federal funds sold and securities purchased under agreements to resell.* Include the total gross revenue from Federal funds sold and securities purchased under agreements to resell.

(c) *Interest and dividends on investments.*

(1) State separately interest and dividends from (A) U.S. Treasury securities, (B) securities and other U.S. Government agencies and corporations, (C) obligations of States and political subdivisions, and (D) other securities owned by the bank, including securities pledged, loaned, or sold under repurchase agreements and similar arrangements.

(2) Include accretion of discount on securities, if any; deduct amortization of premiums on securities. If the reporting bank accrues bond discount and such income amounts to 5 per cent or more of the total of interest and dividends on investments, state in a note to financial statements, the amount of accretion income and deferred income taxes applicable thereto.

(3) When securities are purchased, any payment for accrued interest shall not be charged to expenses, nor when collected be credited to earnings. Such interest shall be charged to a separate account that will be credited upon collection of the next interest payment. The balance in the account shall be shown as "Other assets" in the balance sheet.

(d) *Trust department income.*

(1) Include income from commissions and fees for services performed by the bank in any authorized fiduciary capacity.

(2) This item may be reported on the cash basis in those instances where the presentation of the item on the financial statements would not be materially affected thereby. The cash basis may also be used with respect to an individual trust or estate if accrual of income therefrom is not feasible. If any portion of trust department income is not reported on the accrual basis, there shall be a footnote explaining the method of reporting and the reason for departing from reporting on the accrual basis.

(e) *Service charges on deposit accounts.* Include amounts charged depositors that fail to maintain specified minimum deposit balances; charges based on the number of checks drawn on and deposits made in deposit accounts; charges for account maintenance and for checks drawn on "no minimum balance" deposit accounts; return check charges; etc.

(f) *Other service charges, collection and exchange charges, commissions, and fees.* State the aggregate of other service charges, collection and exchange charges, commissions, and fees. Exclude charges on loans and deposits and those related to the Trust Department. Do not include reimbursements for out-of-pocket expenditures made by the bank for the account of customers. If expense accounts were charged with the amount of such expenditures, the reimbursements should be credited to the same expense accounts.

(g) *Other operating income.*

(1) Include all operating income not reported in Items 1(a) through 1(f).

(2) Include (A) net trading account income consisting of profits and losses, interest, and other income and expense related to securities carried in a dealer trading account or accounts that are held principally for resale to customers, but exclude salaries, commissions, and other indirect expenses; (B) income from lease financing; (C) gross rentals from "other real estate" and safe deposit boxes; (D) net remittable profits (or losses) of foreign branches and consolidated subsidiaries less any minority interests (unless the reporting bank preferably combines or consolidates each item of income and expense); (E) interest on time balances with other banks; and (F) all other recurring credits (such as miscellaneous recoveries) and immaterial nonrecurring credit items.

(3) Do not include rentals from bank premises. Such rental income shall be reported in the inset to Item 2(g). In the event there is a net occupancy income, the income shall be shown in parenthesis in Item 2(g).

(4) Itemize (A) net trading account income, (B) net remittable profits (or losses) of foreign branches and consolidated subsidiaries (if included in this sub-Item), and (C) all other amounts that represent 25 percent or more of the total of this sub-Item, unless "other operating income" is less than 5 percent of "total operating income."

(h) *Total operating income.* State the sum of Items 1(a) through 1(g).

2. *Operating expenses.* State separately:

(a) *Salaries.*

(1) Include compensation for personal services of all officers and employees, including dining room and cafeteria employees but not building department employees.

(2) Include amounts withheld from salaries for Social Security taxes and contributions to the bank's pension fund. Do not include Social Security taxes paid by the bank for its own account and the bank's contribution to pension funds. Such amounts shall be included in Item 2(b).

(3) Include bonus and profit sharing paid directly or through a trustee. Such compensation that is deferred and not distributed to employees shall be reported in Item 2(b).

(4) Do not include compensation of officers and employees who spent the major portion of their working time on bank building and related functions. Such compensation shall be included in Item 2(g).

(5) Do not include amounts paid to legal, management, and investment counsel for professional services if such counsel are not salaried officers or employees of the bank. Such amounts shall be included in Item 2(j).

(b) *Pensions and other employee benefits.*

(1) Include all supplementary benefits, other than direct compensation included in

Item 2(a) accrued during the report period on behalf of all officers and employees except building department personnel (see Item 2(g)).

(2) Include the bank's own contribution to its pension fund; unemployment and Social Security taxes for the bank's own account; life insurance premiums (net of dividends received) and hospitalization insurance payable by the bank; and other employee benefits.

(3) Do not include expenses related to testing, training, or education of officers and employees; the cost of bank newspapers and magazines; premiums on insurance policies where the bank is beneficiary; and athletic activities where the principal purpose is for publicity or public relations and employee benefits are only incidental. Such amounts shall be included in Item 2(j).

(c) *Interest on deposits.* Include interest on all deposits.

(d) *Expense of Federal funds purchased and securities sold under agreements to repurchase.* Include the total gross expenses of Federal funds purchased and securities sold under agreements to repurchase.

(e) *Interest on other borrowed money.*

(1) Include all interest on bills payable, rediscounts, unsecured notes payable, and other instruments issued for the purpose of borrowing money other than Federal funds purchased and securities sold under agreements to repurchase.

(2) Do not include interest on mortgages on bank premises. Such interest shall be included in Item 2(g).

(f) *Interest on capital notes and debentures.*

(1) Include all interest on capital notes and debentures.

(2) Amortization of premium or discount shall be deducted from or included in the amount reported.

(3) Do not include premium or discount paid or realized on retirement of such securities. Such amounts shall be reported in Item 1(g) or 2(j).

(g) *Occupancy expense of bank premises, net.*

(1) Include in "gross occupancy expense" inset the aggregate amount of (A) salaries, wages, and supplementary compensation of bank personnel who devote the major portion of their time to the operation of bank premises or its consolidated premises subsidiaries; (B) depreciation of bank premises and amortization of leasehold improvements; (C) rent expense of bank premises; (D) real estate taxes; (E) interest on mortgages on bank premises owned; and (F) other bank premises operating and maintenance expenses.

(2) Include in "rental income" inset the aggregate amount of rentals from bank premises leased by the bank or its consolidated premises subsidiaries.

(3) Report the net occupancy expense (or net income) of bank premises. If net income is reported, the amount shall be shown in parenthesis.

(h) *Furniture and equipment expense.*

(1) Include normal and recurring depreciation charges; rental costs of office machines and tabulating and data processing equipment; and ordinary repairs to furniture and office machines, including servicing costs. The amount applicable to depreciation charges shall be shown in parenthesis.

(2) Include taxes on equipment.

(i) *Provision for loan losses.*

(1) Banks which provide for loan losses on a reserve basis shall include an estimated amount for credit losses. Such amount shall be determined by management in light of past loan loss experience and evaluation of potential loss in the current loan portfolio. The estimated loan loss factor allocable to operating expense shall not be less than the amount computed under one of the elective methods set forth in sub-Item (2).

(2) The bank may elect in 1969, and thereafter consistently use for financial reporting purposes, one of the following methods for allocating loan losses to operating expense:

(A) Average ratio of loss over the past five years applied to average loans outstanding during the current year. Ratio of loss shall be the single decimal quotient of total net charge-offs (losses less recoveries) and total average loans for the five most recent years, including the current year.

(B) Average ratio of loss on a forward moving average beginning with the year 1969 applied to average loans outstanding during the current year. Ratio of loss shall be the single decimal quotient of total net charge-offs and total average loans for the number of years beginning with 1969 and ending with the year of report. In 1973, banks which elect the forward moving average method will compute the minimum allocable credit loss expense on the same basis as banks which elect method (1).

NOTE. For purposes of Items 2(A) and (B), annual "average loans outstanding" (1) shall include Federal funds sold and securities purchased under agreements to resell, and (2) may be computed on any reasonable schedule of frequency. In the absence of other procedures, "Other loans", and "Federal funds sold and securities purchased under agreements to resell", as reported in the Statements of Condition called by the supervisory authorities, shall be averaged.

(C) Actual net charge-offs as experienced in the current year.

(3) An estimated amount for loan losses allocable to operating expense in excess of the minimum amount computed as instructed in sub-Item (2) should be provided when judged appropriate in the opinion of management.

(4) Furnish in a note to financial statements an explanation of the basis for allocating loan losses to operating expense including (A) the method followed, and (B) amount added at the discretion of management, if any.

(5) The amount may be expressed in even dollars or thousands of dollars.

NOTE.—The amount reported for loan losses in operating expense shall be adjusted, if necessary, to the amount transferred to the allowance for loan losses recorded on the books of the bank by an entry to the undivided profits account in the statement of changes in capital accounts. For example, if the estimated loan loss expense reported in the statement of income is less than the amount transferred to the allowance for loan losses, the amount of difference, less related tax effect, should be charged against the undivided profits account. If the estimated loan loss expense reported in the statement of income (1) is more than the amount transferred to the allowance for loan losses, and (2) represents the minimum amount the bank is required to allocate under its elected method, the amount of difference, less related tax effect, should be credited to the undivided profits account.

(6) Banks which do not provide for loan losses on a reserve basis shall include the amount of actual net charge-offs (losses less recoveries) for the current year.

(j) *Other operating expenses.*

(1) Include all operating expenses not reported in Items 2(a) through 2(i).

(2) Include advertising, business promotion, contributions, cost of examinations by supervisory authorities, deposit insurance assessment, fees paid to directors and members of committees, memberships, net cash shortages or overages, operating expenses (except salaries) of "Other real estate owned", postage, premium on fidelity insurance, publicity, retainer fees, stationery and office supplies, subscriptions, taxes not reported against other items, telegrams and cables, telephone, temporary agency help, travel, unreimbursed losses on counterfeits, forgeries, payments over stops, and all other recurring expenses and immaterial nonrecurring charges.

(3) Deposit insurance assessment expense shall be reported as a net figure—that is, all assessment credits during the period shall be applied against the assessment expense.

(4) Itemize all amounts that represent 25 per cent or more of this item.

(k) *Total operating expenses.* State the sum of Items 2(a) through 2(j).

3. *Income before income taxes and security gains (losses).* State the difference of Item 1(h) minus Item 2(k).

4. *Applicable income taxes.* (a) State the aggregate of Federal and State taxes applicable to the amount reported in Item (3).

(b) Do not include taxes applicable to net security gains (losses) and extraordinary items. Such taxes (or tax reductions) shall be reported in Items 6 and 8.

5. Income before securities gains (losses). State the difference of Item 3 minus Item 4.

6. *Net security gains (losses).* State the net result of security gains and losses realized. Related income taxes (or tax reductions) shall be shown parenthetically.

7. *Net income.* State the sum or difference of Items 5 and 6.

NOTE. If extraordinary items are reported (See Item 8) the caption to this Item shall read, "Income before extraordinary items."

8. *Extraordinary items.* State the material results of non-recurring transactions that have occurred during the current reporting period. Only the results of major events outside of the ordinary operating activity of the bank are to be reported herein. Such events would include, but not be limited to, material gain or loss from sale of bank premises, expropriation of properties, and major devaluation of foreign currency. Related income taxes (or tax reductions) shall be shown parenthetically. (Less than material results of non-recurring transactions are to be included in Items 1(g) or 2(j), as appropriate.)

9. *Net income.* State the sum or difference of Items 7 and 8.

10. *Earnings per common share.* State the per share amounts applicable to common stock (including common stock equivalents) and per share amounts on a fully diluted basis, if applicable. The basis of computation, including the number of shares used, shall be furnished in a note to financial statements.

C. STATEMENT OF CHANGES IN CAPITAL ACCOUNTS

Increase (decrease)	Capital notes and debentures	Preferred stock $—— par	Common stock $—— par	Surplus	Undivided profits	Reserve for contingencies and other capital reserves
1. Net income transferred to undivided profits						
2. Capital notes and debentures, preferred stock and common stock sold (par or face value)						
3. Stock issued incident to mergers and acquisitions						
4. Premium on capital stock sold						
5. Additions to, or reductions in, surplus, undivided profits, and reserves incident to mergers						
6. Transfer to allowance for loan loss, exclusive of portion charged against income, less related income tax effect $						
7. Cash dividends declared on preferred stock						
8. Cash dividends declared on common stock						
9. Stock issued in payment of stock dividend, ... shares at par value						
10. All other increases (decreases) [1]						
11. Net increase (decrease) for the year						
12. Balance at beginning of year [2]						
13. Balance at end of year						

[1] State separately any material amounts, indicating clearly the nature of the transaction out of which the item arose.
[2] If the statement is filed as part of an annual or other periodic report and the balances at the beginning of the period differ from the closing balances as filed for the previous fiscal period, state in a footnote the difference and explain.

D. SCHEDULES

SCHEDULE I—U.S. TREASURY SECURITIES, SECURITIES OF OTHER U.S. GOVERNMENT AGENCIES AND CORPORATIONS, AND OBLIGATIONS OF STATES AND POLITICAL SUBDIVISIONS

Type and maturity grouping	Book value [1]	Market value [2]
U.S. Treasury securities:		
Within 1 year		
After 1 but within 5 years		
After 5 but within 10 years		
After 10 years		
Total U.S. Treasury securities		
Securities of other U.S. Government agencies and corporations:		
Within 1 year		
After 1 but within 5 years		
After 5 but within 10 years		
After 10 years		
Total securities of other U.S. Government agencies and corporations		
Obligations of states and political subdivisions: [3]		
Within 1 year		
After 1 but within 5 years		
After 5 but within 10 years		
After 10 years		
Total obligation of states and political subdivisions		

[1] State briefly in a footnote the basis for determining the amounts in this column.
[2] Include obligations of the States of the United States and their political subdivisions, agencies, and instrumentalities; also obligations of territorial and insular possessions of the United States. Do not include obligations of foreign states.
[3] If market value is determined on any basis other than market quotations at balance sheet date, explain.

SCHEDULE II—OTHER SECURITIES

Type	Book value [1]	Market value [2]
Bonds, notes, and debentures [3]		
Stocks of the Federal Reserve Bank		
Other stocks [3]		
Total		

[1] State briefly in a footnote the basis for determining the amounts shown in this column.
[2] State in a footnote the aggregate amount and book value of foreign securities included.
[3] If market value is determined on any basis other than market quotations or balance sheet date, explain.

SCHEDULE III.—*Other loans* [1]

Type:	*Book value*
Real estate loans:	
Insured or guaranteed by the U.S. Government or its agencies	
Other	
Loans to financial institutions	
Loans for purchasing or carrying securities (secured or unsecured)	
Commercial and industrial loans	
Loans to individuals for household, family, and other consumer expenditures	
All other loans (including overdrafts)	
Total other loans reported in balance sheet	

[1] If impractical to classify foreign branch and foreign subsidiary loans in accordance with this schedule, a separate caption stating the total amount of such loans may be inserted. Such action should be explained in a footnote.

SCHEDULE IV—BANK PREMISES AND EQUIPMENT

Classification [1]	Gross book value [2]	Accumulated depreciation and amortization [3] [4]	Amount at which carried on balance sheet
Bank premises (including land $.....)			
Equipment			
Leasehold improvements			
Totals [5]			

[1] If impractical to consolidate foreign branch and foreign subsidiary bank premises and equipment in accordance with the breakdown required by this schedule, a separate caption stating the total amount of all such property may be inserted. Such action should be explained in a foot-note.
[2] State briefly in a footnote the basis of determining the amounts in this column.
[3] If provision for depreciation and amortization is credited in the books directly to the asset accounts, the amounts for the last fiscal year shall be stated in an explanatory footnote.
[4] The nature and amount of significant additions (other than provisions for depreciation and amortization) and deductions shall be stated in an explanatory footnote.
[5] Show in a footnote totals (corresponding to the first two columns) representing amounts reported for Federal income tax purposes.

SCHEDULE V—INVESTMENTS IN, DIVIDEND INCOME FROM, AND SHARE IN EARNINGS OR LOSSES OF UNCONSOLIDATED SUBSIDIARIES

Name of subsidiary	Per cent of voting stock owned	Total investment, including advances	Equity in underlying net assets at balance sheet date [1]	Amount of dividends [2]	Bank's proportionate part of earnings or loss for the period
Totals		$	$	$	$

[1] Equity shall include advances reported in preceding column to the extent recoverable.
[2] In a footnote state as to any dividends other than cash, the basis on which they have been reported as income. Also, if any such dividend received has been credited to income in an amount differing from that charged to surplus and/or undivided profits by the disbursing subsidiary, state the amount of such difference and explain.

SCHEDULE VI—
"Other" Liabilities for Borrowed Money

Item:	*Amount*
Borrowings from Federal Reserve Bank	
Unsecured notes payable within 1 year	
Unsecured notes payable after 1 year	
Other obligations	
Total	

SCHEDULE VII—ALLOWANCE FOR POSSIBLE LOAN LOSSES

Item	Amount set up pursuant to Treasury tax formula	Other amount [1]
Balances at beginning of period		
Recoveries credited to Allowance		
Additions due to mergers and absorptions [2]		
Transfers to Allowance:		
From income		
From undivided profits [3]		
Totals		
Losses charged to Allowance		
Balances at end of period [4]		

[1] Do not include any provision for possible loan losses that the bank establishes as a precautionary measure. Include only any provision that (1) has been established through a charge against income, (2) represents management's judgment as to possible loss or value depreciation, and (3) is in excess of the provision taken under the Treasury tax formula.
[2] Describe briefly in a footnote any such addition.
[3] Indicate by parentheses the gross amount of any credit adjustment to undivided profits.
[4] Describe briefly in a footnote the basis used in computing the amount accumulated in the Allowance at the end of the period. State the amount that could have been deducted for Federal income tax purposes if such amount is in excess of the amount provided by the bank pursuant to the Treasury tax formula.

NOTE.—The sum of the balances should equal the amount of "Allowance for possible loan losses" reported in the balance sheet.

By order of the Board of Governors, February 21, 1975.

[SEAL] THEODORE E. ALLISON,
Secretary of the Board.

[FR Doc.75-5136 Filed 2-21-75;4:09 pm]

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PART IV

FEDERAL DEPOSIT INSURANCE CORPORATION

■

SECURITIES OF INSURED STATE NONMEMBER BANKS

Proposed Correlation With Regulations Issued by the Securities and Exchange Commission

FEDERAL DEPOSIT INSURANCE CORPORATION

[12 CFR Part 335]

SECURITIES OF INSURED STATE NONMEMBER BANKS

Proposed Rule Making

Notice is hereby given that the Board of Directors of the Federal Deposit Insurance Corporation, pursuant to authority contained in section 12(i) of the Securities Exchange Act of 1934, as amended (15 U.S.C. 78*l*(i) (the "Act"), proposes to revise Part 335 of Title 12 of the Code of Federal Regulations.

The recently enacted Depository Institutions Act of 1974 (Pub. L. 93-495) amended, inter alia, section 12(i) of the Act. As amended, section 12(i) of the Act requires that the Federal Deposit Insurance Corporation:

> * * * issue substantially similar regulations to regulations and rules issued by the [Securities and Exchange] Commission under sections 12, 13, 14(a), 14(c), 14(d), 14(f) and 16, unless [it] find[s] that implementation of substantially similar regulations with respect to insured banks * * * [is] not necessary or appropriate in the public interest or for protection of investors, and publish[es] such findings, and the detailed reasons therefor, in the FEDERAL REGISTER. Such regulations of the [Federal Deposit Insurance Corporation], or the reasons for failure to publish such substantially similar regulations to those of the [Securities and Exchange] Commission, shall be published in the FEDERAL REGISTER within 120 days of the date of enactment of this subsection, and, thereafter, within 60 days of any changes made by the [Securities and Exchange] Commission in its relevant regulations and rules.

In accordance with section 12(i) of the Act, as amended, the Federal Deposit Insurance Corporation hereby publishes for comment the proposed revision of Part 335—Securities of Insured State Nonmember banks.

The proposed revision of Part 335 incorporates those amendments and modifications which in the opinion of the Federal Deposit Insurance Corporation will make its regulations "substantially similar" to the regulations issued by Securities Exchange Commission under sections 12, 13, 14(a), 14(c), 14(d), 14(f) and 16 of the Act, with the exception noted below. Also, nonsubstantive changes were made to the present Part 335 to correct prior typographical or grammatical errors, inaccurate cross-references, and internal inconsistencies. In addition, a large number of changes were made to add to or expand definitions; to add instructions which clarify the existing disclosure requirements, and to make a change required by new Part 337 of Federal Deposit Insurance Corporation Rules and Regulations relating to letters of credit.

The proposed regulation does not include a requirement for the certification of financial statements prepared and submitted by banks to the Federal Deposit Insurance Corporation pursuant to Part 335. The Corporation is, however, considering adding such a requirement and hereby requests comments relating to this issue.

Interested persons are invited to submit written data, views or arguments regarding the proposed revision to the Office of the Executive Secretary, Federal Deposit Insurance Corporation, Washington D.C. 20429, no later than May 27, 1975. For the convenience of all interested persons, copies of the proposed revision marked to indicate all proposed changes will be available upon request addressed to the Office of Information, Federal Deposit Insurance Corporation, Washington, D.C. 20429.

The proposed revision of Part 335 is set forth below:

PART 335—SECURITIES OF INSURED STATE NONMEMBER BANKS

REGULATIONS

Sec.
335.1 Scope of part.
335.2 Definitions.
335.3 Inspection and publication of information filed under the Act.
335.4 Registration Statements and reports.
335.5 Proxy Statements and other solicitations under Section 14 of the Act.
335.6 Reports of Directors, Officers, and Principal Stockholders.
335.7 Form and content of financial statements.

FORMS

335.41 Form for registration of securities of a bank pursuant to section 12(b) or section 12(g) of the Securities Exchange Act of 1934 (Form F-1).
335.42 Form for annual report of bank (Form F-2).
335.43 Form for current report of a bank (Form F-3).
335.44 Form for quarterly report of bank (Form F-4).
335.46 Form for registration of additional class of securities of a bank pursuant to section 12(b) or section 12(g) of the Securities Exchange Act of 1934 (Form F-10).
335.47 Form for statement to be filed pursuant to § 335.4(g)(2) or 355.5(1) of part 335 (Form F-11).
335.51 Form for proxy statement; statement where management does not solicit proxies (Form F-5).
335.52 Form for statement in election contests (Form F-6).
335.53 Form statement to be filed pursuant to § 335.5(m) of Part 335 (Form F-12).
335.61 Initial statement of beneficial ownership of equity securities (Form F-7).
335.62 Statement of changes in beneficial ownership of equity securities (Form F-8).
335.71 Forms for financial statements (Forms F-9A, B, C, D and E).

AUTHORITY: Sec. 12(i) of the Securities Exchange Act of 1934, as amended (15 U.S.C. 78*l*(i)).

REGULATIONS

§ 335.1 Scope of part.

This part is issued by the Federal Deposit Insurance Corporation (the "Corporation") pursuant to section 12(i) of the Securities Exchange Act of 1934, as amended (15 U.S.C. 78) (the "Act") and applies to all securities of a bank which is organized under State law, is insured by the Federal Deposit Insurance Corporation and is not a member of the Federal Reserve System ("bank") that are subject to the registration requirements of section 12(b) or section 12(g) of the Act.

§ 335.2 Definitions.

For the purposes of this Part, including all forms and instructions promulgated for use in connection herewith, unless the context otherwise requires:

(a) The terms "exchange", "director", "person", "security" and "equity security" have the meanings given them in section 3(a) of the Act.

(b) The term "affiliate" (whether referred to as an "affiliate" of, or a person "affiliated" with, a specified person) means a person that directly, or indirectly through one or more intermediaries, controls, or is controlled by, or is under common control with, the person specified.

(c) The term "amount", when used with respect to securities, means the principal amount if relating to evidences of indebtedness, the number of shares if relating to shares, and the number of units if relating to any other kind of security.

(d) The term "associate", when used to indicate a relationship with any person, means (1) any corporation or organization (other than the bank or a subsidiary of the bank) of which such person is an officer or partner or is, directly or indirectly, either alone or together with one or more members of his immediate family, the beneficial owner of 10 percent or more of any class of equity securities, (2) any trust or other estate in which such person has a substantial beneficial interest or as to which such person serves as a trustee or in a similar fiduciary capacity, and (3) any relative or spouse of such person or any relative of such spouse, who has the same home as such person or who is a director or officer of the bank or any of its parents or subsidiaries.

(e) The term "charter" includes articles of incorporation, declarations of trust, articles of association or partnership, or any similar instrument, as amended, effecting (either with or without filing with any governmental agency) the organization or creation of an incorporated or unincorporated person.

(f) The term "control" (including the terms "controlling", "controlled by", and "under common control with") means the possession, directly or indirectly, of the power to direct or cause the direction of the management and policies of a person, whether through the ownership of voting securities, by contract, or otherwise.

(g) The term "employee" does not include a director, trustee, officer.

(h) The term "equity capital accounts" means capital stock, surplus, undivided profits, and reserve for contingencies and other capital reserves.

(i) The term "50-percent-owned person", in relation to a specified person, means a person approximately 50 per-

cent of whose outstanding voting securities is owned by the specified person either directly, or indirectly through one or more intermediaries.

(j) The term "fiscal year" means the annual accounting period or, if no closing date has been adopted, the calendar year ending on December 31.

(k)(1) For the purpose of determining whether the registration requirements of section 12(g)(1) of the Act are applicable, securities shall be deemed to be "held of record" by each person who is identified the owner of such securities or records of security holders maintained by or on behalf of the bank, subject to the following:

(i) In any case where the records of security holders have not been maintained in accordance with accepted practice, any additional person who would be identified as such an owner on such records if they had been maintained in accordance with accepted practices shall be included as a holder of record.

(ii) Securities identified as held of record by a corporation, a partnership, a trust whether or not the trustees are names, or other organization shall be included as so held by one person.

(iii) Securities identified as held of record by one or more persons as trustees, executors, guardians, custodians, or in other fiduciary capacities with respect to a single trust, estate, or account shall be included as held of record by one person.

(iv) Securities held by two or more persons as co-owners shall be included as held by one person.

(v) Each outstanding unregistered or bearer certificate shall be included as held of record by a separate person, except to the extent that the bank can establish that, if such securities were registered, they would be held of record, under the provisions of this paragraph by a lesser number of persons.

(vi) Securities registered in substantially similar names, where the bank has reason to believe because of the address or other indications that such names represent the same person, may be included as held of record by one person.

(2) Notwithstanding paragraph (k)(1) of this section:

(i) Securities held subject to a voting trust, deposit agreement, or similar arrangement shall be included as held of record by the record holders of the voting trust certificates, certificates of deposit, receipts, or similar evidences of interest in such securities; provided, however that the bank may rely in good faith on such information as is received in response to its request from a nonaffiliated issuer of the certificates or interests.

(ii) If the bank knows or has reason to know that the form of holding securities of record is used principally to circumvent the provisions of section 12(g)(1) of the Act, the beneficial owners of such securities shall be deemed to be record owners thereof.

(l) The term "immediate family" includes a person's father, mother, spouse, brothers, sisters, sons and daughters, stepparents and stepchildren, and lineal ascendents and descendents. For the purpose of determining whether any of the foregoing relationships exist, a legally adopted child shall be considered a child by blood.

(m) The term "information statement" means the statement required by § 335.5(a), whether or not contained in a single document.

(n) The term "listed" means admitted to full trading privileges upon application by the bank and includes securities for which authority to add to the list on official notice of issuance has been granted.

(o) The term "majority-owned subsidiary" means a subsidiary more than 50 percent of whose outstanding securities representing the right, other than as affected by events of default, to vote for the election of directors, is owned by the subsidiary's parent and/or one or more of the parent's other majority-owned subsidiaries.

(p) The term "material", when used to qualify a requirement for furnishing of information as to any subject, limits the information required to those matters as to which an average prudent investor ought reasonably to be informed.

(q) The term "officer" or "principal officer" means a Chairman of the Board of Directors, Vice Chairman of the Board, Chairman of the Executive Committee, President, Vice President (except as indicated in the next sentence), Cashier, Treasurer, Secretary, Comptroller, and any other person who participates in major policy-making functions of the bank. In some banks (particularly banks with officers bearing titles such as Executive Vice President, Senior Vice President, or First Vice President as well as a number of "Vice Presidents"), some or all "Vice Presidents" do not participate in major policy-making functions, and such persons are not officers for the purpose of this Part.

(r) The term "option" means any option, warrant, or right other than those issued to security holders on a pro rata basis.

(s) The term "parent" of a specified person is a person controlling such person directly, or indirectly through one or more intermediaries.

(t) The term "plan" includes all plans, contracts, authorizations, or arrangements, whether or not set forth in any formal document.

(u) The term "predecessor" means a person the major portion of the business and assets of which another person acquired in a single succession or in a series of related successions.

(v) The terms "previously filed" and "previously reported" mean previously filed with, or reported in, a registration statement under section 12, a report under section 13, or a definitive proxy statement or similar statement under section 14 of the Act, which statement or report has been filed with the Corporation provided that information contained in any such document shall be deemed to have been previously filed with or reported to an exchange only if such document is filed with such exchange.

(w) The term "principal underwriter" means an underwriter in privity of contract with the issuer of the securities as to which he is underwriter.

(x) The term "promoter" includes: (1) any person who, acting alone or in conjunction with one or more other persons, directly or indirectly takes initiative in founding and organizing the bank; (2) any person who, in connection with the founding and organizing of the bank, directly or indirectly receives in consideration of services or property or both services and property ten percent or more of any class of securities of the bank or ten percent or more of the proceeds from the sale of any class of such securities. A person who receives such securities or proceeds either solely as underwriting commissions or solely in consideration of property shall not, however, be deemed a promoter within the meaning of this paragraph if such person does not otherwise take part in founding and organizing the bank.

(y) The term "proxy" includes every proxy, consent, or authorization within the meaning of section 14(a) of the Act. The consent or authorization may take the form of failure to object or to dissent.

(z) The terms "qualified stock option," "restricted stock option," and "employee stock purchase plan" have the meanings given them in sections 422 through 424 of the Internal Revenue Code of 1954, as amended. For the purposes of this regulation, an option which meets all of the conditions of section 424(b) of the Internal Revenue Code of 1954, as amended, other than the date of issuance shall be deemed to be a "restricted stock option."

(aa) The term "share" means a share of stock in a corporation or unit of interest in an unincorporated person.

(bb) The term "significant subsidiary" means (1) a subsidiary or (2) a subsidiary and its subsidiaries which meet any of the conditions described below based on (i) the most recent annual financial statements, including consolidated financial statements, of such subsidiary which would be required to be filed if such subsidiary were required to file and (ii) the most recent annual consolidated financial statements of the bank being filed:

(A) The parent's and its other subsidiaries' investments in and advances to, or their proportionate share (based on their equity interests) of the total assets (after intercompany eliminations) of, the subsidiary exceed five percent of the total assets of the parent and its consolidated subsidiaries.

(B) The parent's and its other subsidiaries' proportionate share (based on their equity interests) of the gross operating revenues (after intercompany eliminations) of the subsidiary exceeds five percent of the gross operating revenues of the parent and its consolidated subsidiaries.

(C) The parent's and its other subsidiaries' equity in the income before income taxes and extraordinary items of

the subsidiary exceeds five percent of such income of the parent and its consolidated subsidiaries, provided that if such income of the parent and its consolidated subsidiaries is at least five percent lower than the average of such income for the last five fiscal years such average income may be substituted in the determination.

(cc) The terms "solicit" and "solicitation" mean (1) any request for a proxy whether or not accompanied by or included in a form of proxy; (2) any request to execute or not to execute, or to revoke, a proxy; or (3) the furnishing of a form of proxy or other communication to security holders under circumstances reasonably calculated to result in the procurement, withholding, or revocation of a proxy. The terms do not apply, however, to the furnishing of a form of proxy to a security holder upon the unsolicited request of such security holder, the performance by the bank of acts required by § 335.5(h), or the performance by any person of ministerial acts on behalf of a person soliciting a proxy.

(dd) The term "subsidiary" means (1) any corporation, business trust, association, or similar organization of which the bank, either directly or through one or more intermediaries, (i) owns beneficially a majority of the voting securities, (ii) holds a majority of the voting securities as trustee for the benefit of the holders of a class of stock of the bank, pro rate, or (iii) has the power to elect a majority of the directors, trustees, or other persons exercising similar functions except where such power (A) exists by reason of ownership or control of voting securities by the bank in a fiduciary capacity, or (B) was obtained in the course of securing or collecting a debt previously contracted in good faith; or (2) any affiliate controlled by such person directly, or indirectly through one or more intermediaries.

(ee) The term "succession" means the direct acquisition of the shares or assets comprising a going business, whether by merger, consolidation, purchase, or other direct transfer. The term does not include the acquisition of control of a business unless followed by the direct acquisition of its shares or assets. The terms "succeed" and "successor" have meanings correlative to the foregoing.

(ff) The term "verified", when used with respect to financial statements, means either (1) certified by an independent public accountant, or (2) signed in accordance with § 335.7(b)(2) by the person principally responsible for the accounting records of the bank (the "principal accounting officer") and by the person principally responsible for the audit procedures of the bank (the "auditor"); except that the term "verified" shall mean certified by an independent public accountant in any case in which the Corporation so informs the bank concerned, in writing, at least 90 days prior to the end of the fiscal year to which the financial statements will relate.

(gg) The term "voting securities" means the sum of all rights, other than as affected by events of default, to vote for election of directors and/or the sum of all interests in an unincorporated person.

(hh) The terms "beneficial ownership", "beneficially owned", and the like, when used with respect to the reporting of ownership of the bank's equity securities in any statement or report required by this regulation, shall include, in addition to direct and indirect beneficial ownership by the reporting person, ownership of such securities (1) by the spouse (except where legally separated) and minor children of such reporting person, and (2) by any other relative of the reporting person who has the same home as such person.

§ 335.3 Inspection and publication of information filed under the act.

(a) *Filing of material with the Corporation.* All papers required to be filed with the Corporation pursuant to the Act or regulations thereunder shall be filed at its office in Washington, D.C. Material may be filed by delivery to the Corporation, through the mails, or otherwise. The date on which papers are actually received by the Corporation shall be the date of filing thereof if all of the requirements with respect to the filing have been complied with.

(b) *Inspection.* Except as provided in paragraph (c) of this section, all information filed regarding a security registered with the Corporation will be available for inspection at the Federal Deposit Insurance Corporation, 550 17th Street NW., Washington, D.C. In addition, copies of the registration statement and reports required by § 335.4 (exclusive of exhibits), the statements required by § 335.5(a), and the annual reports to security holders required by § 335.5(c) will be available for inspection at the New York, Chicago, and San Francisco Federal Reserve Banks and at the Reserve bank of the district in which the banks filing the statements or reports is located.

(c) *Nondisclosure of certain information filed.* Any person filing any statement, reports, or document under the Act may make written objection to the public disclosure of any information contained therein in accordance with the procedure set forth below:

(1) The person shall omit from the statement, report, or document, when it is filed, the portion thereof that it desires to keep undisclosed (hereinafter called the confidential portion). In lieu thereof, it shall indicate at the appropriate place in the statement, report, or document that the confidential portion has been so omitted and filed separately with the Corporation.

(2) The person shall file with the copies of the statement, report, or document filed with the Corporation:

(i) as many copies of the confidential portion, each clearly marked "Confidential Treatment", as there are copies of the statement, report, or document filed with the Corporation and with each exchange, if any. Each copy shall contain the complete text of the item and, notwithstanding that the confidential portion does not constitute the whole of the answer, the entire answer thereto; except that in case the confidential portion is part of a financial statement or schedule, only the particular financial statement or schedule need be included. All copies of the confidential portion shall be in the same form as the remainder of the statement, report, or document;

(ii) an application making objection to the disclosure of the confidential portion. Such application shall be on a sheet or sheets separate from the confidential portion, and shall contain (A) an identification of the portion of the statement, report, or document that has been omitted, (B) a statement of the grounds of objection, (C) consent that the Corporation may determine the question of public disclosure upon the basis of the application, subject to proper judicial reviews, (D) the name of each exchange, if any, with which the statement, report, or document is filed. The copies of the confidential portion and the application filed in accordance with this subparagraph shall be enclosed in a separate envelope marked "Confidential Treatment" and addressed to Executive Secretary, Federal Deposit Insurance Corporation, Washington, D.C. 20429.

(3) Pending the determination by the Corporation as to the objection filed in accordance with paragraph (c)(2) of this section, the confidential portion will not be disclosed by the Corporation.

(4) If the Corporation determines that the objection shall be sustained, a notation to that effect will be made at the appropriate place in the statement, report, or document.

(5) If the Corporation shall have determined that disclosure of the confidential portion is in the public interest, a finding and determination to that effect will be entered and notice of the finding and determination will be sent by registered or certified mail to the person.

(6) The confidential portion shall be made available to the public.

(i) Upon the lapse of 15 days after the dispatch of notice by registered or certified mail of the finding and determination of the Corporation described in paragraph (c)(5) of this section, if prior to the lapse of such 15 days the person shall not have filed a written statement that he intends in good faith to seek judicial review of the finding and determination:

(ii) Upon the lapse of 60 days after the dispatch of notice by registered or certified mail of the finding and determination of the Corporation, if the statement described in paragraph (c)(6)(i) of this section shall have been filed and if a petition for judicial review shall not have been filed within such 60 days; or

(iii) If such petition for judicial review shall have been filed within such 60 days upon final disposition adverse to the person, of the judicial proceedings.

(7) If the confidential portion is made available to the public, a copy thereof shall be attached to each copy of the statement, report, or document filed with

the Corporation and with each exchange concerned.

§ 335.4 Registration statements and reports.

(a) *Requirement of registration statement.* (1) Securities of a bank shall be registered under the provisions of either section 12(b) or section 12(g) of the Act by filing a statement in conformity with the requirements of Form F–1 (or Form F–10, in the case of registration of an additional class of securities). No registration shall be required under the provisions of section 12(b) or section 12(g) of the Act of any warrant or certificate evidencing a right to subscribe to or otherwise acquire a security of a bank if such warrant or certificate by its terms expires within 90 days after the issuance thereof.

(2) Registration of securities of successor bank. Where in connection with a succession by merger, consolidation, exchange of securities or acquisition of assets, equity securities of a bank, not previously registered pursuant to section 12 of the Act, are issued to the holders of any class of equity securities of another bank which is registered pursuant to section 12(g) of the Act, the class of securities so issued shall be deemed to be registered pursuant to section 12(g) of the Act unless upon consummation of the succession such class is exempt from such registration or all securities of such class are held of record by less than 300 persons.

(3) Where in connection with a succession by merger, consolidation, exchange of securities or acquisition of assets, equity securities of a bank, which are not registered pursuant to section 12 of the Act, are issued to the holders of any class of equity securities of another bank which is required to file a registration statement pursuant to section 12(g) of the Act but has not yet done so, the duty to file such statement shall be deemed to have been assumed by the bank whose class of securities is so issued and such bank shall file a registration statement pursuant to section 12(g) of the Act with respect to such class within the period of time the predecessor bank would have been required to file such a statement, or within such extended period of time as the Corporation may authorize upon application pursuant to § 335.4(p), unless upon consummation of the succession such class is exempt from such registration or all securities of the class are held of record by less than 300 persons.

(b) *Registration effective as to class or series.* Depending upon whether the security is to be listed on an exchange, registration shall become effective as provided in section 12(d) or section 12(g)(1) of the Act as to the entire class of such security, then or thereafter authorized. If, however, a class of security is issuable in two or more series with different terms, each such series shall be deemed a separate class for the purposes of this paragraph.

(c) *Acceleration of effectiveness of registration.* A request for acceleration of the effective date of registration shall be made in writing by either the bank, an exchange, or both and shall briefly describe the reasons therefor.

(d) *Exchange certification.* (1) Certification that a security has been approved by an exchange for listing and registration pursuant to section 12(d) of the Act shall be made by the governing committee or other corresponding authority of the exchange.

(2) The certification shall specify (i) the approval of the exchange for listing and registration; (ii) the title of the security so approved; (iii) the date of filing with the exchange of the registration statement and of any amendments thereto; and (iv) any conditions imposed on such certification. The exchange shall promptly notify the Corporation of the partial or complete satisfaction of any such conditions.

(3) The certification may be made by telegram but in such case shall be confirmed in writing. All certifications in writing and all amendments thereto shall be filed with the Corporation in duplicate and at least one copy shall be manually signed by the appropriate exchange authority.

(4) The date of receipt by the Corporation of the certification approving a security for listing and registration shall be the date on which the certification is actually received by the Corporation or the date on which the registration statement to which the certification is actually received by the Corporation, whichever date is later.

(5) If an amendment to the registration statement is filed with the exchange and with the Corporation after the receipt by the Corporation of the certification of the exchange approving the security for listing and registration, the certification, unless withdrawn, shall be deemed made with reference to the statement as amended.

(6) An exchange may, by notice to the Corporation, withdraw its certification prior to the time that the registration to which it relates first becomes effective pursuant to paragraph (b) of this section.

(7) An exchange may suspend from trading a security listed and registered thereon in accordance with its rules. Suspension of trading shall not terminate the registration of any security.

(e) *Requirement of annual reports.* (1) Every registrant bank shall file an annual report for each fiscal year after the last full fiscal year for which financial statements were filed with the registration statement. The report, which shall conform to the requirements of Form F–2, shall be filed within 90 days after the close of the fiscal year or within 30 days of the mailing of the bank's annual report to stockholders, whichever occurs first.

(2) Every bank which changes its fiscal closing date after the last fiscal year for which financial statements were filed in a Form F–1 or Form F–2 shall file a report on Form F–2 covering the resulting interim period not more than 120 days after the close of the interim period or after the date of the determination to change the fiscal closing date, whichever is later. A separate report, however, need not be filed for any period of less than three months if the Form F–2 filed for the succeeding full fiscal year covers the interim period as well as the fiscal year. In such case, balance sheets need be furnished only as of the close of the entire period but all other financial statements and schedules shall be filed separately for both periods.

(3) Every bank having securities registered pursuant to section 12 of the Act on Form F–1 (or Form F–10, in the case of registration of an additional class of securities) shall file an annual report pursuant to § 335.4(e) for each of its predecessors which had securities registered pursuant to section 12 of the Act covering the last full fiscal year of the predecessor prior to the registrant's succession, unless such report has been filed by the predecessor. Such annual report shall contain the information that would be required if filed by the predecessor.

(f) *Exception from requirement for annual report.* Notwithstanding paragraph (e) of this section, any bank that has filed, within the period prescribed for filing an annual report pursuant to that paragraph, a registration statement that has become effective and is not subject to any proceeding under section 15(c) or section 19(a) of the Act, or to an order thereunder, need not file an annual report if such statement covers the fiscal period that would be covered by such annual report and contains all of the information, including financial statements and exhibits, required for annual reports.

(g) *Current reports and/or statements.* (1) Every registrant bank shall file a current report in conformity with the requirements of Form F–3 within 10 days after the close of any month during which any of the events specified in that form occurs, unless substantially the same information as required by that form has been previously reported by the bank.

(2)(i) Any person who, after acquiring, directly or indirectly, the beneficial ownership of any equity security of a bank, of a class which is registered pursuant to section 12 of the Act is directly or indirectly the beneficial owner of more than five percent of such class shall, within 10 days after such acquisition, send to the bank at its principal executive office, by registered or certified mail, send to each exchange where the security is traded, and file with the Corporation a statement containing the information required by Form F–11. Six copies of the statement shall be filed with the Corporation, one of which shall be manually signed.

(ii) Acquisitions of securities by a security holder who, prior to such acquisition, was the beneficial owner of more than five percent of the outstanding securities of the same class as those acquired shall be exempt from the reporting requirements of subdivision (i) of this subparagraph if the following conditions are met: (A) The acquisition is made

pursuant to preemptive subscription rights in an offering made to all holders of securities of the class to which the preemptive subscription rights pertain; (B) the purchaser does not, through the exercise of such preemptive subscription rights, acquire more than his or its pro rata share of the securities offered; and (C) the acquisition is duly reported pursuant to section 16(a) of the Act and the provisions of § 335.6 promulgated thereunder.

(3) If any material change occurs in the facts set forth in the statement required by paragraph (g)(2) of this section, the person who filed such statement shall promptly file six copies with the Corporation and send to the bank and the exchange an amendment disclosing such change.

(4) When a person other than the issuing bank or any person described in section 13(e)(2) of the Act makes a tender offer for, or request or invitation for tenders of, any class of equity securities of a bank subject to section 13(e) of the Act, and such person has filed a statement with the Corporation pursuant to § 335.5(1) and the issuing bank has received notice thereof, such issuing bank or any person described in section 13(e)(2) of the Act shall not thereafter, during the period such tender offer, request or invitation continues, purchase any equity securities of the issuing bank unless:

(i) The issuing bank or any person described in section 13(e)(2) of the Act has filed with the Corporation a statement containing the information specified below with respect to proposed purchases:

(A) The title and amount of securities to be purchased, the names of the persons or classes of persons from whom, and the market in which, the securities are to be purchased, including the name of any exchange on which the purchase is to be made;

(B) The purpose for which the purchase is to be made any plan or proposal for the disposition of such securities; and

(C) The source and amount of funds or other consideration used or to be used in making the purchases, and if any part of the purchase price or proposed purchase price is represented by funds or other consideration borrowed or otherwise obtained for the purpose of acquiring, holding, or trading the securities, a description of the transaction and the names of the parties thereto.

(ii) The issuing bank or any person described in section 13(e)(2) of the Act has at any time within the past six months sent or given to the equity security holders of the issuing bank the substance of the information contained in the statement required by paragraph (g)(4)(i) of this section; provided, however, that any issuing bank or any person described in section 13(e)(2) of the Act making such purchases which commenced prior to August 8, 1968, shall, if such purchases continue after such date, comply with the provisions of this subparagraph on or before August 20, 1968.

(5) In determining, for the purposes of § 335.4(g) or § 335.5, whether a person is directly or indirectly the beneficial owner of securities of any class, such person shall be deemed to be the beneficial owner of securities of such class which such person has the right to acquire through the exercise of presently exercisable options, warrants or rights or through the conversion of presently convertible options, warrants, rights or conversion privileges held by a person shall be deemed to be outstanding for the purpose of computing the percentage of outstanding securities of the class owned by such person but shall not be deemed to be outstanding for the purpose of computing the percentage of the class owned by any other person.

(6) Each bank having securities registered pursuant to section 12(g) of the Act, upon being notified by a national securities association registered pursuant to section 15A of the Act, that a class of the bank's securities is to be quoted on an interdealer quotation system which is sponsored and governed by the rules of such association, shall thereafter notify such association promptly of (i) any increase or decrease in the amount of securities of such class outstanding which exceeds five percent of the amount of such class last reported to the association and (ii) and any change in the name of the bank. The obligation to report pursuant to this paragraph (g)(6) of this section shall continue until notification is received from the association that all classes of securities are no longer quoted on such interdealer quotation system.

(h) *Quarterly reports.* Every registrant bank shall file a quarterly report in conformity with the requirements of Form F-4 for each fiscal quarter ending after the close of the latest fiscal year for which financial statements were filed in a registration statement except that no report need be filed for the fiscal quarter which coincides with the end of the fiscal year of the bank. Such reports shall be filed not later than 30 days after the end of such quarterly period, except that the report for any period ending prior to the date on which a class of securities of the bank first becomes effectively registered may be filed not later than 30 days after the effective date of such registration.

(i) *Additional information.* In addition to the information expressly required to be included in a statement or report, there shall be added such further material information, if any, as may be necessary to make the required statements, in the light of the circumstances under which they are made, not misleading.

(j) *Information not available.* Information required need be given only insofar as it is known or reasonably available to the bank. If any required information is unknown and not reasonably available to the bank, either because the obtaining thereof would involve unreasonable effort or expense or because it rests peculiarly within the knowledge of another person not affiliated with the bank, the information may be omitted, subject to the following conditions:

(1) The bank shall give such information on the subject as it possesses or can acquire without unreasonable effort or expense together with the sources thereof, and

(2) The bank shall include a statement either showing that unreasonable effort or expense would be involved or indicating the absence of any affiliation with the person within whose knowledge the information rests and stating the result of a request made to such person for the information. No such request need be made, however, to any foreign government, or an agency or instrumentality thereof, if, in the opinion of the bank, such request would be harmful to existing relationships.

(k) *Disclaimer of control.* If the existence of control is open to reasonable doubt in any instance, the bank may disclaim the existence of control and any admission thereof; in such case, however, the bank shall state the material facts pertinent to the possible existence of control.

(l) Information contained in any part of a registration statement or report, other than exhibits, may be incorporated by reference in answer or partial answer to any item of the same statement or report. Information contained in an exhibit may be so incorporated to the extent permitted in paragraph (m) of this section.

(1) Any information, other than financial statements, contained in any of the following documents may be incorporated by reference in answer or partial answer to any item of a registration statement or report;

(i) A definitive proxy statement filed pursuant to section 14(a) of the Act or a definitive information statement filed pursuant to section 14(c) of the Act; or

(ii) Any financial statement contained in any document referred to in paragraph (l)(1) of this section or filed with the Corporation may be incorporated by reference in a registration statement or report if such financial statement substantially meets the requirements of the form on which the statement or report is filed. Financial statements or other financial data required to be given in comparative form for two or more fiscal years or periods shall not be incorporated by reference unless the material incorporated by reference includes the entire period for which the comparative data is required to be given.

(2) Copies of any information or financial statement incorporated by reference pursuant to paragraph (l)(1) or (1)(ii) of this section, or copies of the pertinent pages of the document containing such information or statement, shall be submitted with the statement or report and shall be deemed to be filed with the Corporation for all purposes of the Act.

(3) Matter incorporated by reference shall be clearly identified in the reference by page, paragraph, caption, or otherwise. Where only certain pages of a document are incorporated by reference and filed with the statement or report, the document from which the material is taken shall be clearly identified in the

reference. An express statement that the specified matter is incorporated by reference shall be made at the particular place in the statement or report where the information is required. Matter shall not be incorporated by reference in any case where such incorporation would render the statement or report incomplete, unclear, or confusing.

(m) *Summaries or outlines of documents.* Where an item requires a summary or outline of the provisions of any document, only a brief statement shall be made, in sufficient and condensed form as to the most important provisions. In addition to such statement, the summary or outline may incorporate by reference particular items, sections, or paragraphs of any exhibit and may be qualified in its entirety by such reference. Matter contained in an exhibit may be incorporated by reference in answer to an item only to the extent permitted by this paragraph.

(n) *Omission of substantially identical documents.* In any case where two or more indentures, contracts, franchises, or other documents required to be filed as exhibits are substantially identical in all material respects except as to the parties thereto, the dates of execution, or other details, the bank need file a copy of only one of such documents, with a schedule identifying the documents omitted and setting forth the material details in which such documents differ from the document of which a copy is filed. The Corporation may at any time in its discretion require the filing of copies of documents so omitted.

(o) *Additional exhibits.* The bank may file such exhibits as it may desire, in addition to those required by the appropriate form. Such exhibits shall be so marked as to indicate clearly the subject matters to which they refer.

(p) *Incorporation of exhibits by reference.* (1) Any document or part thereof previously filed with the Corporation pursuant to this Part may, subject to the following limitations, be incorporated by reference as an exhibit to any registration statement or report filed with the Corporation by the same or any other person. Any document or part thereof filed with an exchange pursuant to the Act may be incorporated by reference as an exhibit to any registration statement or report filed with the exchange by the same or any other person.

(2) Any document incorporated by reference pursuant to this paragraph (p) shall be so incorporated only by reference to the specific document and to the prior filing in which it was physically filed, not to another file which incorporates it by reference.

(3) If any modification has occurred in the text of any document incorporated by reference since the filing thereof, the registrant shall file with the reference a statement containing the text of any such modification and the date thereof.

(4) No document which has been on file with the Corporation pursuant to this part for a period of more than 10 years may be incorporated by reference. This limitation shall not, however, apply to a corporate charter or bylaws if such document has not been amended more than twice since such filing.

(q) *Extension of time for furnishing information.* Note: The disclosures required in reports filed with the Corporation are essential to the preservation of free, fair and informed securities markets. It is of critical importance that such reports be furnished within the time they are required to be filed under Corporation rules. Only the most compelling and unexpected circumstances justify a delay in the filing of a report and the dissemination to the public of the factual information called for therein.

(1) If any required information, document or report, other than an initial registration statement under section 12(g) of the Act, cannot, without unreasonable effort or expense, be furnished within the time it is required to be filed, the bank shall, as soon as possible, but no later than the last day of the specified period, file with the Corporation a letter application for an extension of time of not more than 30 days furnishing the information called for by all items of the Form. One additional extension of not more than 30 days also may be applied for in the same manner as the initial application.

(2) An application pursuant to paragraph (q)(1) of this section shall be deemed granted unless the Corporation within 15 days after the receipt thereof shall deny the application or shall notify the bank that the application does not meet the requirements of this section.

(3) An application for any further extension of time beyond that provided for in paragraph (q)(1) of this section shall be made in the same manner as set forth in paragraph (q)(1) of this section but shall be deemed to have been denied unless the Corporation shall grant such application within 15 days after its receipt.

(4) If the extension requested pursuant to paragraph (q)(1) or (q)(3) of this section is necessitated by the inability of any person other than the bank to furnish any required opinion, information, or report, the application shall have attached as an exhibit, a statement signed by such person stating the specific reasons why such person is unable to furnish the required opinion, information, report or certification.

(5) If the application pursuant to paragraph (q)(1) or (3) of this section, or the extension of time granted, relates only to a portion of the required information, document or report, the bank shall file the remaining portion and the portion filed shall prominently indicate the nature of the omitted portion.

(r) *Number of copies; signatures; binding.* (1) Except where otherwise provided in a particular form, six copies of each registration statement and report (including financial statements) and two copies of each exhibit and each other document filed as a part thereof, shall be filed with the Corporation. At least one complete copy of each statement shall be filed with each exchange, if any, on which the securities covered thereby are being registered. At least one copy of each report shall be filed with each exchange, if any, on which the bank has securities registered.

(2) At least one copy of each statement or report filed with the Corporation and one copy thereof filed with an exchange shall be manually signed. If the statement or report is typewritten, one of the signed copies filed with the Corporation shall be an original "ribbon" copy. Unsigned copies shall be conformed. If the signature of any person is affixed pursuant to a power of attorney or other similar authority, a copy of such power or other authority shall also be filed with the statement or report.

(3) Each copy of a statement or report filed with the Corporation or with an exchange shall be bound in one or more parts. Copies filed with the Corporation shall be bound without stiff covers. The statement or report shall be bound on the left side in such a manner as to leave the reading matter legible.

(s) *Requirements as to paper, printing, and language.* (1) Statements and reports shall be filed on good quality unglazed white paper 8½ x 13 inches in size, insofar as practicable. Tables, charts, maps, and financial statements may, however, be on larger paper if folded to that size.

(2) The statement or report and, insofar as practicable, all papers and documents filed as a part thereof, shall be printed, lithographed, mimeographed, xeroxcopied, or typewritten. The statement or report of any portion thereof may however, be prepared by any similar process that, in the opinion of the Corporation, produces copies suitable for a permanent record. Irrespective of the process used, all copies of any such material shall be clear, easily readable, and suitable for repeated photocopying. Debits in credit categories and credits in debit categories shall be designated so as to be clearly distinguishable as such on photocopies.

(3) The body of all printed statements and reports shall be in roman type at least as large as 10-point modern type. To the extent necessary for convenient presentation, however, financial statements and other statistical or tabular data and the notes thereto may be in type at least as large as 8-point modern type. All type shall be leaded at least 2 points.

(4) Statements and reports shall be in English. If any exhibit or other paper or document filed with a statement or report is in a foreign language, it shall be accompanied by a translation into English.

(t) *Preparation of statement or report.* Each statement and report shall contain the numbers and captions of all items of the appropriate form, but the text of the items may be omitted provided the answers thereto are so prepared as to indicate to the reader the coverage of the items without the necessity of his referring to the text of the

items or instructions thereto. Where any item requires information to be given in tabular form, however, it shall be given in substantially the tabular form specified in the item. All instructions, whether appearing under the items of the form or elsewhere therein, are to be omitted. Unless expressly provided otherwise, if any item is inapplicable or the answer thereto is in the negative, an appropriate statement to that effect shall be made.

(u) *Riders; inserts.* Riders shall not be used. If the statement or report is typed on a printed form, and the space provided for the answer to any given item is insufficient, reference shall be made in such space to a full insert page or pages on which the item number and caption and the complete answer are given.

(v) *Amendments.* All amendments shall comply with all pertinent requirements applicable to statements and reports. Amendments shall be filed separately for each separate statement or report amended. Amendments to a statement may be filed either before or after registration becomes effective.

(w) *Title of securities.* Wherever the title of securities is required to be stated, information shall be given that will indicate the type and general character of the securities, including:

(1) In the case of shares, the par or stated value, if any; the rate of dividends, if fixed, and whether cumulative or noncumulative; a brief indication of the preference, if any; and if convertible, a statement to that effect.

(2) In the case of funded debt, the rate of interest; the date of maturity, or if the issue matures serially, a brief indication of the serial maturities, such as "maturing serially from 1970 to 1980"; if payment of principal or interest is contingent, an appropriate indication of such contingency; a brief indication of the priority of the issue; and if convertible, a statement to that effect.

(3) In the case of any other kind of security, appropriate information of comparable character.

(x) *Interpretation of requirements.* Unless the context clearly shows otherwise,

(1) The forms require information only as to the bank.

(2) Whenever any fixed period of time in the past is indicated, such period shall be computed from the date of filing.

(3) Whenever words relate to the future, they have reference solely to present intention.

(4) Any words indicating the holder of a position or office include persons, by whatever titles designated, whose duties are those ordinarily performed by holders of such positions or offices.

(y) *When securities are deemed to be registered.* A class of securities with respect to which a registration statement has been filed pursuant to section 12 of the Act shall be deemed to be registered for the purposes of sections 13, 14 and 16 of the Act and the regulations in this Part only when such registration statement has become effective as provided in section 12, and securities of said class shall not be subject to sections 13, 14 and 16 of the Act until such registration statement has become effective as provided in section 12.

§ 335.5 Proxy statements and other solicitations under section 14 of the Act.

(a) *Requirement of statement.* No solicitation of a proxy with respect to a security of a bank registered pursuant to section 12 of the Act shall be made unless each person solicited is concurrently furnished or has previously been furnished with a written proxy statement containing the information required by Form F-5. If the management of any bank having such a security outstanding fails to solicit proxies from the holders of any such security in such a manner as to require the furnishing of such a proxy statement, such bank shall transmit to all holders of record of such security a statement containing the information required by Form F-5. The "information statement" required by the preceding sentence shall be transmitted (1) at least 20 calendar days prior to any annual or other meeting of the holders of such security at which such holders are entitled to vote or (2) in the case of corporate action taken with the written authorization or concent of security holders, at least 20 days prior to the earliest date on which the corporate action may be taken. A proxy statement or a statement where management does not solicit proxies required by this paragraph is hereinafter sometimes referred to as a "Statement".

(b) *Exceptions.* The requirements of the first sentence of paragraph (a) of this Section shall not apply to the following:

(1) Any solicitation made otherwise than on behalf of the management of the bank where the total number of persons solicited is not more than 10.

(2) Any solicitation by a person in respect to securities carried in his name or in the name of his nominee (otherwise than as voting trustee) or held in his custody, if such person

(i) Receives no commission or remuneration for such solicitation, directly or indirectly, other than reimbursement of reasonable expenses;

(ii) Furnishes promptly to the person solicited a copy of all soliciting material with respect to the same subject matter or meeting received from all persons who will furnish copies thereof for such purpose and who will, if requested, defray the reasonable expenses to be incurred in forwarding such material; and

(iii) In addition, does no more than (A) impartially instruct the person solicited to forward a proxy to the person, if any, to whom the person solicited desires to give a proxy, or (B) impartially request from the person solicited instructions as to the authority to be conferred by the proxy and state that a proxy will be given if no instructions are received by a certain date.

(3) Any solicitation by a person with respect to securities of which he is the beneficial owner.

(4) Any solicitation through the medium of a newspaper advertisement that informs security holders of a source from which they may obtain copies of a proxy statement, form of proxy, and any other soliciting material and does no more than (i) name the bank; (ii) state the reason for the advertisement; and (iii) identify the proposal or proposals to be acted upon by security holders.

(c) Annual report to security holders to accompany statements.

(1) Any statement furnished on behalf of the management of the bank that relates to an annual meeting of security holders at which directors are to be elected shall be accompanied or preceded by an annual report to such security holders containing, in comparative columnar form, such financial statements for the last two fiscal years, prepared on a consistent basis, as will, in the opinion of the management, adequately reflect the financial position of the bank at the end of each such year and the results of its operations for each such year. The financial statements included in the annual report may omit details or summarize information if such statements, considered as a whole in the light of other information contained in the report and in the light of the financial statements of the bank filed or to be filed with the Corporation, will not by such procedure omit any material information necessary to a fair presentation or to make the financial statements not misleading under the circumstances. Paragraph (c) of this section shall not apply, however, to solicitations made on behalf of management before the financial statements are available if solicitation is being made at the time in opposition to the management and if the management's statement includes an undertaking in bold-faced type to furnish such annual report to all persons being solicited at least 20 days before the date of the meeting.

NOTES.—1. To reflect adequately the financial position and results of operations of a bank in its annual report to security holders, the financial presentation shall include, but not necessarily be limited to, the following:

(a) Comparative statements of condition at the end of each of the last 2 fiscal years.

(b) Comparative statements of income in a form providing for the determination of "net income" for each fiscal year and per share earnings data.

(c) Comparative statements of changes in capital accounts for each fiscal year, similar in form to Form F-9C.

(d) Comparative statements of changes in financial position similar to Form F-9D.

(e) Comparative reconciliations of the "Allowance for Possible Loan Losses" account and of the "Reserve on Securities" account similar in form to Schedule VII and Schedule VIII, Form F-9E.

(f) Supplemental notes to financial statements to the extent necessary to furnish a fair financial presentation. Such notes should include the aggregate market value as at the balance sheet date for each category of investment securities reported or the balance sheet, and other information required to be furnished in notes to financial statements included in the bank's Form F-2 Annual Report.

2. The financial statements should be prepared on a consolidated basis to the extent required by § 335.7(d). Any difference from

the principles of consolidation or other accounting principles or practices, or methods of applying accounting principles or practices, filed with the Corporation, which have a material effect on the financial position or results of operations of the bank, shall be noted in the financial statements or the notes thereto and the effect thereof reconciled or explained in the annual report to security holders.

3. When financial statements included in the annual report (Form F-2) filed, or proposed to be filed, with the Corporation are accompanied by an opinion of an independent public accountant, the financial statements in the annual report to security holders should also be accompanied by an opinion of such independent public accountant.

4. The report shall include a summary of the bank's operations containing the information required by Item 2 of Form F-2 except for the reconciliations, exhibits and supplemental information required by the instructions thereto. The provisions of § 335.41, Item 3, Instruction 6 shall apply to reports to security holders.

5. The report shall contain a brief description of the business done by the bank and its subsidiaries during the most recent fiscal year which will, in the opinion of management, indicate the general nature and scope of the business of the bank and its subsidiaries. The report shall contain information as comprehensive as that required by Schedule III of Form F-9E.

6. The report shall contain information as comprehensive as that required by Item 1(c)(1) of Form F-2 regarding the issuer's lines of business.

7. The report shall identify each of the bank's directors and officers, and shall indicate the principle occupation or employment of each such person and the name and principal business of any organization by which such person is so employed. See the definition of "officers" at § 335.2(e) of Part 335.

8. The report shall identify the principal market in which securities of any class entitled to vote at the meeting are traded, and shall state the high and low sales prices for such securities (or, in the absence of such information, the range of bid and asked quotation and a description of the manner in which the securities are traded and the source of the price information) and the dividends paid on such securities for each quarterly period during the issuer's two most recent fiscal years.

9. Management's proxy statement, or the report, shall contain an undertaking in bold face or otherwise reasonably prominent type to provide without charge to each person solicited, on the written request of any such person, a copy of the bank's annual report on Form F-2, including the financial statements and the schedules thereto required to be filed with the Corporation pursuant to § 335.4(c) under the Act for the bank's most recent fiscal year, and shall indicate the name and address of the person to whom such a written request is to be directed. In the discretion of management, a bank need not undertake to furnish without charge copies of all exhibits to its Form F-2, provided that the copy of the annual report on Form F-2 furnished without charge to requesting security holders is accompanied by a list briefly describing all the exhibits not contained therein and indicating that the bank will furnish any exhibit upon the payment of a specified reasonable fee which fee shall be limited to the issuer's reasonable expenses in furnishing such exhibit.

Instructions. Pursuant to the undertaking required by the above subparagraph, a bank shall furnish a copy of its annual report on Form F-2 to a beneficial owner of its securities upon receipt of a written request from such person. Each request must set forth a good faith representation that, as of the record date for the annual meeting of the bank's security holders, the person making the request was a beneficial owner of securities entitled to vote at such meeting.

10. Subject to the foregoing requirements, the report may be in a form deemed suitable by management and the information required by subparagraphs 4 to 9 may be presented in an appendix or other separate section of the report, provided that the attention of security holders is called to such presentation.

Instruction. Banks are encouraged to utilize tables, schedules, charts, and graphic illustrations to present financial information in an understandable manner. Any presentation of financial information must be consistent with the data in the financial statements contained in the report and, if appropriate, should refer to relevant portions of the financial statements and notes thereto.

11. The requirement for sending an annual report to each person being solicited will be satisfied with respect to persons having the same address by sending at least one report to a holder of record at that address provided (i) that management has reasonable cause to believe that the record holder to whom the report is sent is the "beneficial owner" of securities registered in the name of such person in other capacities or in the name of other persons at such address or (ii) the security holders at such address consent thereto in writing. Nothing herein shall be deemed to relieve any person so consenting of any obligation to obtain or send such annual report to any other person.

(2) Six copies of each annual report sent to security holders pursuant to this paragraph (c) shall be sent to the Corporation not later than (i) the date on which such report is first sent or given to security holders or (ii) the date on which preliminary copies of the management statement are filed with the Corporation pursuant to paragraph (f) of this section, whichever date is later. Such annual report is not deemed to be "soliciting material" or to be "filed" with the Corporation or otherwise subject to this § 335.5 or the liabilities of section 13 of the Act, except to the extent that the bank specifically requests that it be treated as a part of the proxy soliciting material or incorporates it in the proxy statement by reference.

(3) If the bank knows that securities of any class entitled to vote at a meeting with respect to which the bank intends to solicit proxies, consents or authorizations are held of record by a broker, dealer, bank or voting trustee, or their nominees, the bank shall inquire of such record holder whether other persons are the beneficial owners of such securities and, if so, the number of copies of the proxy and other soliciting material and, in the case of an annual meeting at which directors are to be elected, the number of copies of the annual report to security holders, necessary to supply such material to such beneficial owners. The bank shall supply such record holder with additional copies in such quantities, assembled in such form and at such a place, as the record holder may reasonably request in order to address and send one copy of each to each beneficial owner of securities so held and shall, upon the request of such record holder, pay its reasonable expenses for completing the mailing of such material to security holders to whom the material is sent.

Instructions. 1. If the bank's list of security holders indicates that some of its securities are registered in the name of "Cede & Co.", a nominee for the Depository Trust Company, or in the name of a nominee for any central certificate depository system, a bank shall make appropriate inquiry of the central depository system and thereafter of the participants in such a system who may hold on behalf of a beneficial owner, and shall comply with the above paragraph with respect to any such participant.

2. The requirement for sending an annual report to security holders of record having the same address will be satisfied by sending at least one report to a holder of record at that address provided that those holders of record to whom a report is not sent agree thereto in writing. This procedure is not available where other banks, broker-dealers, and other persons hold securities in nominee accounts or "street names" on behalf of beneficial owners, and such persons are not relieved of any obligation to obtain or send such annual report to the beneficial owners.

3. The attention of banks is called to the fact that broker-dealers have an obligation pursuant to applicable self-regulatory requirements to obtain and forward annual reports and proxy soliciting materials in a timely manner to beneficial owners for whom such broker-dealers hold securities.

(d) *Requirements as to proxy.* (1) The form of proxy (i) shall indicate in boldface type whether or not the proxy is solicited on behalf of the management of the bank, (ii) shall provide a specifically designated blank space for dating proxy, and (iii) shall identify clearly and impartially each matter or group of related matters intended to be acted upon whether proposed by the management or by security holders. No reference need be made, however, to matters as to which discretionary authority is conferred pursuant to paragraph (d)(3) of this section.

(2)(i) Means shall be provided in the form of proxy whereby the person solicited is afforded an opportunity to specify by ballot a choice between approval or disapproval of each matter or group of related matters referred to therein as intended to be acted upon, other than elections to office. A proxy may confer discretionary authority with respect to matters as to which a choice is not so specified if the form of proxy states in bold-faced type how the shares represented by the proxy are intended to be voted in each such case.

(ii) A form of proxy which provides both for the election of directors and for action on other specified matters shall be prepared so as clearly to provide, by a box or otherwise, means by which the security holder may withhold authority to vote for the election of directors. Any such form of proxy which is executed by the security holder in such manner as not to withhold authority to vote for the election of directors shall be deemed to grant such authority, provided the form of proxy so states in bold-faced type.

Instruction. Paragraph (d)(2)(ii) of this section does not apply (a) in the case of a merger, consolidation or other plan if the

election of directors is an integral part of the plan and is not to be separately voted upon or (b) if the only matters to be acted upon are the election of directors and the election, selection or approval of other persons such as clerks or auditors.

(3) A proxy may confer discretionary authority to vote with respect to any of the following matters:

(i) Matters which the persons making the solicitation do not know, a reasonable time before the solicitation, are to be presented at the meeting, if a specific statement to that effect is made in the proxy statement or form of proxy;

(ii) Approval of the minutes of the prior meeting if such approval does not amount to ratification of the action taken at that meeting;

(iii) The election of any person to any office for which a bona fide nominee is named in the proxy statement and such nominee is subsequently unable to serve or for good cause refuses to serve;

(iv) Any proposal omitted from the proxy statement and form of proxy pursuant to paragraphs (h) or (k) of this section; and

(v) Matters incident to the conduct of the meeting.

(4) No poxy shall confer authority (i) to vote for the election of any person to any office for which a bona fide nominee is not named in the proxy statement, or (ii) to vote at any annual meeting other than the next annual meeting (or any adjournment thereof) to be held after the date on which the proxy statement and form of proxy are first sent or given to security holders. A person shall not be deemed to be a bona fide nominee and he shall not be named as such unless he has consented to being named in the proxy statement and to serve if elected.

(5) The proxy statement or form of proxy shall provide, subject to reasonable specified conditions, that the shares represented by the proxy will be voted and that where the person solicited specifies by means of a ballot provided pursuant to paragraph (d)(2) of this section a choice with respect to any matters to be acted upon, the shares will be voted in accordance with the specifications so made.

(e) *Presentation of information in Statement.* (1) The information included in the Statement shall be clearly presented and the statements made shall be divided into groups according to subject matter and the various groups of statement shall be preceded by appropriate headings. The order of items in the form need not be followed. Where practicable and appropriate, the information shall be presented in tabular form. All amounts shall be stated in figures. Information required by more than one applicable item need not be repeated. No statement need be made in response to any item that is inapplicable.

(2) Any information required to be included in the Statement as to terms of securities or other subject matter that from a standpoint of practical necessity must be determined in the future may be stated in terms of present knowledge and intention. To the extent practicable, the authority to be conferred concerning each such matter shall be confined within limits reasonably related to the need for discretionary authority. Subject to the foregoing, information that is not known to the persons on whose behalf the solicitation is to be made and is not reasonably within the power of such persons to ascertain or procure may be omitted, if a brief statement of the circumstances rendering such information unavailable is made.

(3) There may be omitted from a proxy statement any information contained in any other proxy soliciting material that has been furnished to each person solicited in connection with the same meeting or subject matter if a clear reference is made to the particular document containing such information.

(4) All printed Statements shall be set in roman type at least as large as 10-point modern type except that to the extent necessary for convenient presentation financial statements and other statistical or tabular matter may be set in roman type at least as large as 8-point modern type. All type shall be leaded at least 2 points.

(5) All proxy statements shall disclose on the first page thereof the complete mailing address, including zip code, of the principal executive offices of the bank and the approximate date on which the proxy statement and form of proxy are first sent or given to security holders.

(f) *Material required to be filed.* (1) Three preliminary copies of each Statement, form of proxy, and other item of soliciting material to be furnished to security holders concurrently therewith, shall be filed with the Corporation by management or any other person making a solicitation subject to this § 335.5 at least ten calendar days (or 15 calendar days in the case of other than routine meetings, as defined below) prior to the date such item is first sent or given to any security holders, or such shorter period prior to that date as may be authorized. For the purposes of this paragraph (f)(1) of this section, a routine meeting means a meeting with respect to which no one is soliciting proxies subject to this § 335.5 other than on behalf of management and at which management intends to present no matters other than the election of directors, election of inspectors of election, and other recurring matters. In the absence of actual knowledge to the contrary, management may assume that no other such solicitation of the bank's security holders is being made. In cases of annual meetings, one additional preliminary copy of the statement, the form of proxy, and any other soliciting material, marked to show changes from the material sent or given to security holders with respect to the preceding annual meeting, shall be filed with the Corporation. If the changes are material, the bank shall file with the Corporation any explanatory comments which may be of assistance in the expeditious processing of the statement.

(2) Three preliminary copies of any additional soliciting material relating to the same meeting or subject matter, furnished to security holders subsequent to the proxy statement shall be filed with the Corporation at least two days (exclusive of Saturdays, Sundays, and holidays) prior to the date copies of such material are first sent or given to security holders, or such shorter period prior to such date as may be authorized upon a showing of good cause therefor.

(3) Six copies of each Statement, form of proxy, and other item of soliciting material, in the form in which such material is furnished to security holders, shall be filed with, or mailed for filing to, the Corporation not later than the date such material is first sent or given to any security holders. Three copies of such material shall at the same time be filed with, or mailed for filing to, each exchange upon which any security of the bank is listed.

NOTE.—The definitive Statement filed with the Corporation should be accompanied by a letter indicating any material changes which have been made therein, other than those made in response to the staff's comments and should also be accompanied by a marked copy of the Definitive Statement indicating all changes made therein.

(4) If the solicitation is to be made in whole or in part by personal solicitation, three copies of all written instruction, or other material that discusses or reviews, or comments upon the merits of, any matter to be acted upon and is furnished to the individuals making the actual solicitation for their use directly or indirectly in connection with the solicitation shall be filed with the Corporation by the person on whose behalf the solicitation is made at least five days prior to the date copies of such material are first sent or given to such individual, or shorter period prior to that date as may be authorized upon a showing of good cause therefor.

(5) All copies of material filed pursuant to paragraphs (f) (1) and (2) of this section shall be clearly marked "Preliminary Copies" and shall be for the information of the Corporation only and shall not be deemed available for public inspection except that such material may be disclosed to any department or agency of the U.S. Government and the Corporation may make such inquiries or investigation with respect to the material as may be necessary for an adequate review thereof. All material filed pursuant to paragraphs (f) (1), (2) or (3) of this section shall be accompanied by a statement of the date upon which copies thereof are intended to be, or have been, sent or given to security holders. All material filed pursuant to paragraph (f) (4) of this section shall be accompanied by a statement of the date upon which copies thereof have been or are intended to be released to the individuals who make actual solicitation.

(6) Copies of replies to inquiries from security holders requesting further information and copies of communications that do no more than request that forms of proxy theretofore solicited be signed,

dated, and returned not need be filed pursuant to this paragraph.

(7) Notwithstanding the provisions of paragraphs (f)(1), (f)(2), and (f)(5) of this section, copies of soliciting material in the form of speeches, press releases, and radio or television scripts may, but need not, be filed with the Corporation prior to use or publication. Definitive copies, however, shall be filed with or mailed for filing to the Corporation as required by paragraph (f)(3) of this section not later than the date such material is used or published. The provision of paragraphs (f)(1), (f)(2), and (f)(5) of this section shall apply, however, to any reprints or reproductions of all, or any part of such material.

(8) Where any statement, form of proxy, or other material filed pursuant to this paragraph is revised, two of the copies of such revised material filed pursuant to paragraph (f)(3) of this section shall be marked to indicate clearly the changes. If the revision alters the text of the material, the changes in such text shall be indicated by means of underscoring or in some other appropriate manner.

(9) The date that proxy material is "filed" with the Corporation for purposes of paragraphs (f)(1), (2), and (4) of this section is the date of receipt by the Corporation, not the date of mailing to the Corporation. In computing the advance filing period for preliminary copies of proxy soliciting material of proxy soliciting material referred to in such subparagraphs, the date of the preliminary material is to be counted as the first day of the period and definitive material should not be planned to be mailed of distributed to security holders until after the expiration of such period. Where additional time is required for final printing after receipt of comments, the preliminary proxy material should be filed as early as possible prior to the intended mailing date.

(10) Where preliminary copies of material are filed with the Corporation pursuant to this paragraph, the printing of definitive copies for distribution to security holders should be deferred until the comments of the Corporation's staff have been received and considered.

(g) *Mailing communications for security holders.* If the management of the bank has made or intends to make any proxy solicitations subject to this section, the bank shall perform such of the following acts as may be requested in writing with respect to the same subject matter or meeting by any security holder who is entitled to vote on such matter or to vote at such meeting and who shall first defray the reasonable expenses to be incurred by the bank in the performance of the act or acts requested:

(1) The bank shall mail or otherwise furnish to such security holder the following information as promptly as practicable after the receipt of such request:

(i) A statement of the approximate number of holders of record of any class of securities, any of the holders of which have been or are to be solicited on behalf of the management, or any group of such holders that the security holder shall designate;

(ii) If the management of the bank has made or intends to make, through bankers, brokers, or other persons any solicitation of the beneficial owners of securities of any class, a statement of the approximate number of such beneficial owners, or any group of such owners that the security holder shall designate;

(iii) An estimate of the cost of mailing a specified proxy statement, form of proxy, or other communication to such holders, including insofar as known or reasonably available, the estimated handling and mailinng costs of the bankers, brokers, or other persons specified in subdivision (g)(1)(ii) of this section.

(2)(i) Copies of any proxy statement, form of proxy, or other communication furnished by the security holder shall be mailed by the bank to such of the holders of record specified in paragraph (g)(1)(i) of this section as the security holder shall designate. The bank shall also mail to each banker, broker, or other persons specified in paragraph (g)(1)(ii) of this section, a sufficient number of copies of such proxy statement, form of proxy, or other communication as will enable the banker, broker, or other person to furnish a copy thereof to each beneficial owner solicited or to be solicited through him.

(ii) Any such material that is furnished by the security holder shall be mailed with reasonable promptness by the bank after receipt of a tender of the material to be mailed, of envelopes or other containers therefor, of postage or payment for postage, and of evidence that such material has been filed with the Corporation pursuant to paragraph (f) of this section. The bank need not, however, mail any such material that relates to any matter to be acted upon at an annual meeting of security holders prior to the earlier of (A) a day corresponding to the first date on which management proxy soliciting material was released to security holders in connection with the last annual meeting of security holders, or (B) the first day on which solicitation is made on behalf of management. With respect to any such material that relates to any matter to be acted upon by security holders otherwise than at an annual meeting, such material need not be mailed prior to the first day on which solicitation is made on behalf of management.

(iii) Neither the management nor the bank shall be responsible for such proxy statement, form of proxy, or other communication.

(3) In lieu of performing the acts specified above, the bank may, at its option, furnish promptly to such security holder a reasonably current list of the names and addresses of such of the holders of record specified in (g)(1)(ii) of this section as the security holder shall designate, and a list of the names and addresses of the bankers, brokers, or other persons specified in paragraph (g)(1)(ii) of this section as the security holder shall designate together with a statement of the approximate number of beneficial owners solicited or to be solicited through each such banker, broker, or other person and a schedule of the handling and mailing costs of each such banker, broker, or other person, if such schedule has been supplied to the management of the bank. The foregoing information shall be furnished promptly upon the request of the security holder or at daily or other reasonable intervals as it becomes available to the management of the bank.

(h) *False or misleading statements.* (1) No solicitation or communication subject to this section shall be made by means of any statement, form of proxy, notice of meeting, or other communication, written or oral, containing any statement that, at the time and in the light of the circumstances under which it is made, is false or misleading with respect to any material fact, or that omits to state any material fact necessary in order to make the statement therein not false or misleading or necessary to correct any statement in any earlier communication with respect to the solicitation of a proxy for the same meeting or subject matter that has become false or misleading. Depending upon particular circumstances, the following may be misleading within the meaning of this paragraph: Predictions as to specific future market values, earnings, or dividends; material that directly or indirectly impugns character, integrity, or personal reputation, or directly or indirectly makes charges concerning improper, illegal, or immoral conduct or associations, without factual foundation; failure to so identify a statement, form of proxy, and other soliciting material as to clearly distinguish it from the soliciting material of any other person or persons soliciting for the same meeting or subject matter; claims made prior to a meeting regarding the results of a solicitation.

(2) The fact that a proxy statement, form of proxy, or other soliciting material has been filed with or reviewed by the Corporation or its staff shall not be deemed a finding by the Corporation that such material is accurate or complete or not false or misleading, or that the Corporation has passed upon the merits of or approved any statement therein or any matter to be acted upon by security holders. No representation contrary to the foregoing shall be made.

(i) *Special provisions applicable to election contests.* (1) Solicitations to which the paragraph applies. This paragraph applies to any solicitation subject to this section by any person or group of persons for the purpose of opposing a solicitation subject to this section by any other person or group of persons with respect to the election or removal of directors at any annual or special meeting of security holders.

(2) Participant defined. (i) For purposes of this paragraph the terms "participant" and "participant in a solicitation" include the following:

(A) The bank;

(B) Any director of the bank, and any nominee for whose election as a director proxies are solicited;

(C) Any committee or group that solicits proxies, any member of such committee or group, and any person whether or not named as a member who, acting alone or with one or more other persons, directly or indirectly, takes the initiative in organizing, directing, or financing any such committee or group;

(D) Any person who finances or joins with another to finance the solicitation of proxies, except persons who contribute not more than $500 and who are not otherwise participants;

(E) Any person who lends money or furnishes credit or enters into any other arrangements, pursuant to any contract or understanding with a participant, for the purpose of financing or otherwise including the purchase, sale, holding, or voting of securities of the bank by any participant or other person, in support of or in opposition to a participant, except a bank, broker, or dealer who, in the ordinary course of business, lends money or executes orders for the purchase or sale of securities and who is not otherwise a participant;

(F) Any other person who solicits proxies.

(ii) Such terms do not include—

(A) Any person or organization retained or employed by a participant to solicit security holders and whose activities are limited to the performance of his duties in the course of such employment, or any person who merely transmits proxy soliciting material or performs ministerial or clerical duties;

(B) Any person employed by a participant in the capacity of attorney, accountant, or advertising, public relations, or financial adviser, and whose activities are limited to the performance of his duties in the course of such employment;

(C) Any person regularly employed as an officer or employee of the bank or any of its subsidiaries who is not otherwise a participant; or

(D) Any officer or director of, or any person regularly employed by, any other participant, if such officer, director, or employee is not otherwise a participant.

(3) Filing of information required by Form F–6. (i) No solicitation subject to this paragraph shall be made by any person other than the management of the bank unless at least five business days prior thereto, or such shorter period as the Corporation may authorize upon a showing of good cause therefor, there shall be filed with the Corporation and with each exchange upon which any security of the bank is listed, by or on behalf of each participant in such solicitation, a statement in duplicate containing the information specified by Form F–6.

(ii) Within five business days after a solicitation subject to this paragraph is made by the management of the bank, or such longer period as the Corporation may authorize upon a showing of good cause therefor, there shall be filed with the Corporation and with each exchange upon which any security of the bank is listed, by or on behalf of each participant in such solicitation, other than the bank, a statement in duplicate containing the information specified by Form F–6.

(iii) If any solicitation on behalf of management or any other person has been made, or if proxy material is ready for distribution, prior to a solicitation subject to this paragraph in opposition thereto, a statement in duplicate containing the information specified in Form F–6 shall be filed by or on behalf of each participant in such prior solicitation, other than the bank, as soon as reasonably practicable after the commencement of the solicitation in opposition thereto, with the Corporation and with each exchange on which any security of the bank is listed.

(iv) If, subsequent to the filing of the statements required by paragraphs (i) (3) (i), (ii), and (iii) of this section, additional persons become participants in a solicitation subject to paragraph (i) (3) (iv) of this section there shall be filed, with the Corporation and each appropriate exchange, by or on behalf of each such person a statement in duplicate containing the information specified by Form F–6, within three business days after such person becomes a participant or such longer period as the Corporation may authorize upon a showing of good cause therefor.

(v) If any material change occurs the facts reported in any statement filed by or on behalf of any participant, an appropriate amendment to such statement shall be filed promptly with the Corporation and each appropriate exchange.

(vi) Each statement and amendment thereto filed pursuant to this paragraph shall be part of the official files of the Corporation and shall be deemed a communication subject to the provisions of paragraph (h) of this section.

(4) Solicitations prior to furnishing required statement. Notwithstanding the provisions of § 335.5(a), a solicitation subject to this paragraph (i) may be made prior to furnishing security holders a written statement containing the information specified in Form F–5 with respect to such solicitation if (i) the statement required by paragraph (i) (3) of this section is filed by or on behalf of each participant in such solicitation; (ii) no form of proxy is furnished to security holders prior to the time the statement is furnished to security holders, except that this subdivision shall not apply where a statement then meeting the requirement of Form F–5 has been furnished to security holders by or on behalf of the person making the solicitation; (iii) at least the information specified in Items 2(a) and 3(a) of the statement required by paragraph (i) (3) of this section to be filed by each participant, or an appropriate summary thereof, is included in each communication sent or given to security holders in connection with the solicitation; and (iv) a written statement containing the information specified in Form F–5 with respect to a solicitation is sent or given security holders at the earliest practicable date.

(5) Solicitations prior to furnishing required statement—filing requirements. Three copies of any solicitating material proposed to be sent or given to security holders prior to the furnishing of the proxy statement required by § 335.5(a) shall be filed with the Corporation in preliminary form, at least five business days prior to the date copies of such material are first sent or given to security holders, or such shorter period as the Corporation may authorize upon a showing of good cause therefor.

(6) Applications of this paragraph to annual report. Notwithstanding the provisions of § 335.5(c), three copies of any portion of the annual report referred to in that paragraph that comments upon or refers to any solicitation subject to this paragraph, or to any participant in any such solicitation, other than the solicitation by the management, shall be filed with the Corporation as proxy material subject to this section. Such portion of the annual report shall be filed with the Corporation in preliminary form at least five business days prior to the date copies of this report are first sent or given to security holders.

(7) Application of paragraph (f) of this section. The provisions of paragraph (f) (3)–(7) of this section shall apply, to the extent pertinent, to soliciting material subject to paragraphs (i) (5) and (6) of this section.

(8) Use of reprints or reproductions. In any solicitation subject to this paragraph, soliciting material that includes, in whole or part, any reprints or reproductions of any previously published material shall;

(i) State the name of the authority and publication, the date of prior publication, and identify any person who is quoted without being named in the previously published material.

(ii) Except in the case of a public official document or statement, state whether or not the consent of the author and publication has been obtained to the use of the previously published material as proxy soliciting material.

(iii) If any participant using the previously published material or anyone on his behalf, paid, directly or indirectly, for the preparation for prior publication of the previously published material, or has made or proposes to make any payments or give any other consideration in connection with the publication or republication of such material, state the circumstances.

(j) *Prohibition of certain solicitations.* No person making a solicitation that is subject to this section shall solicit—

(1) Any undated or postdated proxy; or

(2) Any proxy that provides that it shall be deemed to be dated as of any date subsequent to the date on which it is signed by the security holder.

(k) *Proposals of security holders.* (1) If any security holder entitled to vote at a meeting of security holders of the bank shall submit to the management of the bank, within the time hereinafter specified, a proposal which is accompanied by notice of his intention to present the proposal for action at the meeting, the management shall set forth the proposal

in its proxy statement or information statement. If management issues a proxy statement, it shall identify the proposal in its form of proxy and provide means by which security holders can make the specification provided for by § 335.5(d)(2). If management issues an information statement, it shall identify the proposal and indicate the disposition proposed to be made of the proposal by the management at the meeting.

The management of the bank shall not be required by this section to include the proposal in its proxy statement or form of proxy for an annual meeting unless the proposal is received by the management at the bank's principal executive offices not less than 70 days in advance of a date corresponding to the date set forth on the management's proxy statement which was released to security holders in connection with the last annual meeting of security holders, except that if the date of the annual meeting has been changed as a result of a change in the fiscal year, a proposal shall be received by the management of the bank a reasonable time before the solicitation is made. A proposal to be presented at any other meeting shall be received by the management of the bank a reasonable time before the solicitation is made. This paragraph (k) does not apply, however, to election to office or to counter proposals to matters to be submitted by the management.

NOTE: In order to curtail controversy as to the date that a security holder's proposal was received by the management, it is suggested that security holders submit their proposals by Certified Mail-Return Receipt Requested.

(2) If the management opposes any proposal received from a security holder, it shall also, at the request of the security holder, include in its proxy statement a statement of the security holder, in not more than 200 words, in support of the proposal, which statement shall not include the name and address of the security holder. Any statements in the text of a proposal, such as a preamble or "whereas" clauses, which are in effect arguments in support of the proposal, shall be deemed part of the supporting statement and subject to the 200-word limitation thereon. The proxy statement shall also include either the name and address of the security holder or a statement that such information will be furnished by the bank to any person, orally or in writing as requested, promptly upon the receipt of any oral or written request therefor. If the name and address of the security holder is omitted from the proxy statement it shall be furnished to the Corporation at the time of filing the management's preliminary proxy material pursuant to paragraph (f) of this section. The statement and request of the security holder shall be furnished to the management at the time that the proposal is furnished. Neither the management nor the bank shall be responsible for such statement.

(3) Notwithstanding paragraphs (k)(1) and (2) of this section, the management may omit a proposal and any statement in support thereof from its proxy statement and form of proxy under any of the following circumstances:

(i) If the proposal as submitted is, under applicable law not a proper subject for action by security holders; or

(ii) If the proposal:

(A) relates to the enforcement of a personal claim or the redress of a personal grievance against the bank, management, or any other person; or

(B) consists of a recommendation, request or mandate that action be taken with respect to any matter, including a general economic, political, racial, religious, social or similar cause, that is not significantly related to the business of the bank or is not within the control of the bank; or

(C) consists of a recommendation or request that the management take action with respect to a matter relating to the conduct of the ordinary business operations of the bank.

NOTE.—Proposals not within a bank's control are those which are beyond its power to effectuate.

(iii) If the management has at the security holder's request included in a proposal in its proxy statement and form of proxy relating to the last two annual meetings of security holders or any special meeting held subsequent to the earlier of such two annual meetings and such security holder has failed without good cause to present the proposal, in person or by proxy, for action at the meeting;

(iv) If substantially the same proposal has previously been submitted to security holders in the management's proxy statement and form of proxy relating to any annual or special meeting of security holders held within the preceding five calendar years, it may be omitted from the management's proxy material relating to any meeting of security holders held within the three calendar years after the latest such previous submission: *Provided*, That (A) If the proposal was submitted at only one meeting during such preceding period, it received less than three percent of the total number of votes cast in regard thereto; or (B) If the proposal was submitted at only two meetings during such preceding period, it received at the time of its second submission less than six percent of the total number of votes cast in regard thereto; or (C) If the proposal was submitted at three or more meetings during such preceding period, it received at the time of its latest submission less than 10 percent of the total number of votes cast in regard thereto; or

(v) If the proposal consists of a recommendation or request that the management take action with respect to a matter relating to the conduct of the ordinary business operations of the bank.

4. Whenever the management asserts that a proposal and any statement in support thereof received from a security holder may properly be omitted from its proxy statement and form of proxy, it shall file with the Corporation, not later than 20 days prior to the date the preliminary copies of the proxy statement and form of proxy are filed pursuant to paragraph (f)(1) of this section, or such shorter period prior to such date as the Corporation may permit, a copy of the proposal and any statement in support thereof as received from the security holder, together with a statement of the reasons why the management deems such omission to be proper in the particular case, and where such reasons are based on matters of law, a supporting opinion of counsel. The management shall at the same time, if it has not already done so, notify the security holder submitting the proposal of its intention to omit the proposal from its proxy statement and form of proxy and shall forward to him a copy of the statement of reasons why the management deems the omission of the proposal to be proper and a copy of such supporting opinion of counsel.

(l) *Invitations for tenders.* (1) No person, directly or indirectly, by use of the mails or by any means or instrumentality of interstate commerce or of any facility of a national securities exchange or otherwise, shall make a tender offer for, or a request or invitation for tenders of, any class of any equity security, which is registered pursuant to section 12 of the Act, of a bank if, after consummation thereof, such person would, directly or indirectly, be the beneficial owner of more than five percent of such class, unless, at the time copies of the offer or request or invitation are first published or sent or given to security holders, such person has filed with the Corporation a statement containing the information and exhibits required by Form F-11.

(2) If any material change occurs in the facts set forth in the statement required by paragraph (t)(1) of this section, the person who filed such statement shall promptly file with the Corporation an amendment disclosing such change.

(3) All requests or invitations for tenders or advertisements making a tender offer or requesting or inviting tenders shall contain the names of the persons making such requests, invitations, or advertisements and the information required by Items 2 (a), (c) and (e)(1), 3, 4, 5, and 6 of Form F-11, or a fair and adequate summary thereof, and shall be filed with the Corporation as part of the statement required by paragraph (t)(1) of this section.

(4) The exact dates prior to which, and after which, security holders who deposit their securities will have the right to withdraw their securities pursuant to section 14(d)(5) of the Act, or otherwise.

(5) If the tender offer or request or invitation for tenders is for less than all of the outstanding securities of the class and the person making the offer, request or invitation is not obligated to purchase all of the securities tendered, the date of expiration of the period during which the securities will be taken up pro rata pursuant to section 14(d)(6) of the Act, or otherwise.

(6) Any additional material soliciting or requesting such tender offers subsequent to the initial solicitation or request shall contain the names of the persons making such solicitation or request and the information required by Form F–11 as specified in paragraph (x)(3) of this section, or a fair and adequate summary thereof: Provided, however, that such material may omit any of such information previously furnished to the persons solicited or requested for tender offers. Copies of such additional material soliciting or requesting such tender offers shall be filed with the Corporation not later than the time copies of such material are first published or sent or given to security holders.

(7) If any securities to be offered in connection with the tender offer for, or request or invitation for tenders of, securities with respect to which a statement is required to be filed pursuant to paragraph (t)(1) of this paragraph, have been or are to be registered under the Securities Act of 1933, a copy of the prospectus containing the information required to be included therein under that Act shall be filed as an exhibit to such statement. Any information contained in the prospectus may be incorporated by reference in such statement.

(8) Six copies of the statement required by paragraph (t)(1) of this section, every amendment to such statement, and all other material required by this section shall be filed with the Corporation. One copy of such statement or amendment shall be manually signed.

(9) Sections 335.5 (*l*), (m) and (n) do not apply to the following communications:

(i) Offers to purchase securities made in connection with a distribution of securities permitted by Rules 10b–6, 10b–7, and 10b–8 as promulgated by the Securities and Exchange Commission under the Act.

(ii) The call or redemption of any security in accordance with the terms and conditions of the governing instruments.

(iii) Offers to purchase securities evidenced by a script certificate, order form or similar document which represents a fractional interest in a share of stock or similar security.

(iv) Offers to purchase securities pursuant to a statutory procedure for the purchase of dissenting shareholders' securities.

(v) The furnishing of information and advice regarding a tender offer to customers or clients by attorneys, banks, brokers, fiduciaries or investment advisers, who are not otherwise participating in the tender offer or solicitation, on the unsolicited request of a person or pursuant to a general contract for advice to the person to whom the information or advice is given.

(vi) A communication from a bank to its security holders which does no more than (A) identify a tender offer or request or invitation for tenders made by another person, (B) state that the management of the bank is studying the matter and will, on or before a specified date (which shall be not later than 10 days prior to the date specified in the offer, request or invitation, as the last date on which tenders will be accepted, or such shorter period as the Commission may authorize) advise security holders as to the management's recommendation to accept or reject the offer, request or invitation, and (C) request security holders to defer making a determination as to whether or not they should accept or reject the offer, request or invitation until they have received the management's recommendation with respect thereto.

(m) *Recommendations as to tender offers.* (1) No solicitation or recommendation to the holders of a security to accept or reject a tender offer or request or invitation for tenders subject to section 14(d) of the Act shall be made unless, at the time copies of the solicitation or recommendation are first published or sent or given to holders of the security, the person making such solicitation or recommendation has filed with the Corporation a statement containing the information specified by Form F–12; provided, however, that this paragraph shall not apply to a person required by § 335.5(1) to file a statement, or a person, other than the bank or the management of the bank, who makes no written solicitations or recommendations other than solicitations or recommendations copies of which have otherwise been filed with the Corporation.

(2) If any material change occurs in the facts set forth in the statement required by paragraph (m)(1) of this section, the person who filed such statement shall promptly filed with the Corporation an amendment disclosing such change.

(3) Any written solicitation or recommendation to the holders of a security to accept or reject a tender offer or request or invitation for tenders subject to section 14(d) of the Act shall include the name of the person making such solicitation or recommendation and the information required by Items 1(b), 2(b) of Form F–12, or a fair and adequate summary thereof; provided, however that such written solicitation or recommendation may omit any of such information previously furnished to the persons to whom the solicitation or recommendation is made.

(n) *Change in majority of directors.* If, pursuant to any arrangement or understanding with the person or persons acquiring securities in a transaction subject to section 13(d) or section 14(d) of the Act, any persons are to be elected or designated as directors of the bank, otherwise than at a meeting of security holders, and the persons so elected or designated will consitute a majority of the directors of the bank, then, not less than 10 days prior to the date any such person takes office as a director, or such shorter period prior to that date as the Corporation may authorize upon a showing of good cause therefor, the bank shall file with the Corporation and transmit to all holders of record of securities of the bank who would be entitled to vote at a meeting for election of directors, information substantially equivalent to the information which would be required by Items 5 (a), (d), (e), and (f), 6 and 7 of Form F–5 to be transmitted if such person or persons were nominees for election as directors at a meeting of such security holders.

(o) *Solicitation prior to furnishing required proxy statement.* (1) Notwithstanding the provisions of paragraph (a) of this section, a solicitation (other than one subject to paragraph (i) of this section) may be made prior to furnishing security holders a written proxy statement containing the information specified in Form F–5 with respect to such solicitation if—

(i) The solicitation is made in opposition to a prior solicitation or an invitation for tenders or other publicized activity, which if successful, could reasonably have the effect of defeating the action proposed to be taken at the meeting;

(ii) No form of proxy is furnished to security holders prior to the time the written proxy statement required by paragraph (a) of this section is furnished to security holders; provided, however that this paragraph (o)(ii) shall not apply where a proxy statement then meeting the requirements of Form F–5 has been furnished to security holders by or on behalf of the person making the solicitation;

(iii) The identity of the person or persons by or on whose behalf the solicitation is made and a description of their interests direct or indirect, by security holdings or otherwise, are set forth in each communication sent or given to security holders in connection with the solicitation; and

(iv) A written proxy statement meeting the requirements of this section is sent or given to security holders at the earliest practicable date.

(2) Three copies of any soliciting material proposed to be sent or given to security holders prior to the furnishing of the written proxy statement required by paragraph (a) of this section shall be filed with the Corporation in preliminary form at least five business days prior to the date definitive copies of such material are first sent or given to security holders, or such shorter period as the Corporation may authorize upon a showing of good cause therefor.

§ 335.6 Reports of directors, officers, and principal stockholders.

(a) *Filing of statements.* (1) Initial statements of beneficial ownership of equity securities required by Section 16(a) of the Act shall be filed on Form F–7 (§ 335.61. Statements of changes in such beneficial ownership shall be filed on Form F–8 (§ 335.62). All such statements shall be prepared and filed in accordance with the requirements of Form F–7 and F–8, respectively.

(2) A person who is already filing statements pursuant to section 16(a) of the Act need not file an additional statement on Form F–7 (§ 335.61). When an

additional class of equity securities of the same bank becomes registered, or when such person assumes another or an additional relationship to the bank for example, when an officer becomes a director.

(3) Any bank which has equity securities listed on more than one national securities exchange may designate one such exchange as the only exchange with which reports pursuant to section 16(a) of the Act need be filed. Such designation shall be made in writing and shall be filed with the Corporation and with each national securities exchange on which any equity security of the bank is listed. After the filing of such designation the securities of such shall be exempted with respect to the filing of statements pursuant to section 16(a) of the Act with any exchange other than the designated exchange.

(4) Any director or officer who is required to file a statement on Form F-8 with respect to any change in his beneficial ownership of equity securities which occurs within six months after he became a director or officer of the bank issuing such securities or within six months after equity securities of such bank first became registered pursuant to section 12 of the Act, shall include in the first such statement the information called for by Form F-8 with respect to all changes in his beneficial ownership of equity securities of such bank which occurred within six months prior to the date of the change which requires the filing of such statement.

(5) Any person who has ceased to be a director or officer of a bank which has equity securities registered pursuant to section 12 of the Act, or who is a director or officer of a bank at the time it ceased to have any equity securities so registered, shall file a statement on Form F-8 with respect to any change in his beneficial ownership of equity securities of such bank which shall occur on or after the date on which he ceased to be such director or officer, or the date on which the bank ceased to have any equity securities so registered, as the case may be, if such change shall occur within six months after any change in his beneficial ownership of such securities prior to such date. The statement on Form F-8 shall be filed within 10 days after the end of the month in which the reported change in beneficial ownership occurs.

(b) *Ownership of more than 10 percent of a class of equity securities.* (1) In determining, for the purpose of section 16(a) of the Act, whether a person is the beneficial owner, directly or indirectly, of more than 10 percent of any class of equity securities, such class shall be deemed to consist of the total amount of such class outstanding exclusive of any securities of such class held by or for the account of the issuer or a subsidiary of the issuer. However, for the purpose of determining percentage ownership of voting trust certificates or certificates of deposit for equity securities, the class of voting trust certificates or certificates of deposit shall be deemed to consist of the amount of voting trust certificates or certificates of deposit issuable with respect to the total amount of outstanding equity securities of the class which may be deposited under the voting trust agreement or deposit agreement in question, whether or not all of such outstanding securities have been so deposited. For the purpose of this section, a person acting in good faith may rely on the information contained in the latest consolidated financial statement in a registration statement or annual report filed with the Corporation under the Act with respect to the amount of securities of the class outstanding or in the case of voting trust certificates or certificates of deposit the amount thereof issuable.

(2) In determining for the purpose of section 16(a) of the Act whether a person is the beneficial owner, directly, or indirectly, of more than 10 percent of any class of equity securities, such person shall be deemed to be the beneficial owner of securities of such class which such person has the right to acquire through the exercise of presently exercisable options, warrants or rights or through the conversion of presently convertible securities. The securities subject to such options, warrants, rights, or conversion privileges held by a person shall be deemed to be outstanding for the purpose of computing, in accordance with paragraph (a)(1) of this section, the percentage of outstanding securities of the class owned by such person but shall not be deemed outstanding for the purpose of computing the percentage of the class owned by any other person. This paragraph shall not be construed to relieve any person of any duty to comply with section 16(a) of the Act with respect to any equity securities consisting of options, warrants, rights or convertible securities which are otherwise subject as a class to that section (of the Act).

(c) *Disclaimer of beneficial ownership.* Any person filing a statement may expressly declare therein that the filing of such statement shall not be construed as an admission that such person is, for the purpose of Section 16 of the Act, the beneficial owner of any equity securities covered by the statement.

(d) *Exemptions from sections 16(a) and 16(b) of the Act.*

(1) During the period of 12 months following their appointment and qualification, securities held by the following persons shall be exempt from sections 16(a) and 16(b) of the Act:

(i) Executors or administrators of the estate of a decedent;

(ii) Guardians or committees for an incompetent; and

(iii) Receivers, trustees in bankruptcy, assignees for benefit of creditors, conservators, liquidating agents, and other similar persons duly authorized by law to administer the estate or assets of other persons.

(2) After the 12-month period following their appointment or qualification, the foregoing persons shall be required to file reports under section 16(a) of the Act with respect to a bank's securities held by the estates which they administer and shall be liable for profits realized from trading in such securities pursuant to section 16(b) of the Act only when the estate being administered is a beneficial owner of more than 10 percent of any class of equity security of a bank.

(e) *Exemption from section 16 of the Act of securities purchased or sold by odd-lot dealers.* A bank's securities purchased or sold by an odd-lot dealer (1) in odd-lots so far as reasonably necessary to carry on odd-lot transactions or (2) in round-lots to offset odd-lot transactions previously or simultaneously executed or reasonably anticipated in the usual course of business, shall be exempt from the provisions of Section 16 of the Act, with respect to participation by such odd-lot dealer in such transactions.

(f) *Puts, calls, options, and other rights or obligations subject to section 16(a) of the Act.* (1) The granting, acquisition or disposition of any presently exercisable put, call, option, or other right or obligation to buy securities from, or sell securities to, another person, or any expiration or cancellation thereof, shall be deemed to effect such a change in the beneficial ownership of the securities to which the right or obligation relates as to require the filing of a statement pursuant to section 16(a) of the Act reflecting such change in beneficial ownership.

NOTES: 1. If any such right or obligation is not initially exercisable, the granting and acquisition thereof shall be reported in a statement filed for the month in which it became exercisable, unless the filing of such statement is otherwise not required.

2. The right of a pledgee or borrower of securities to sell the pledged or borrowed securities is not an option or right to sell securities within the meaning of this section. However, the sale of the pledged or borrowed securities by the pledgee or borrower shall be reported by the pledgor or lender.

3. The right to acquire securities, or the obligation to dispose of securities, in connection with a merger or consolidation involving the issuer of the securities is not a right or obligation to buy or sell securities within the meaning of this section.

(2) For the purpose of section 16(a) of the Act both the grantor and the holder of any presently exercisable put, call, option or other right or obligation to buy or sell securities shall be deemed to be beneficial owners of the securities subject to such right or obligation until it is exercised or canceled or expires.

(3) Notwithstanding the foregoing, a statement need not be filed pursuant to section 16(a) of the Act (i) by any person with respect to the acquisition, expiration or cancellation of any nontransferable qualified, restricted or other stock option granted by the bank for the securities to which the option relates pursuant to a plan provided for the benefit of its employees or the employees of its affiliates if such plan meets the conditions specified in section 335.6(*l*) of this chapter or (ii) by any bank with respect to any put, call, option or other right or obligation to buy or sell securities of which it is the issuer.

NOTE: An option, otherwise nontransferable, is deemed to be nontransferable even though it may be disposed of by will or by descent and distribution upon the death of the holder.

(4) Nothing in this section shall be deemed to exempt any person from the duty to file the statements required upon the exercise of any put, call, option, or other right or obligation to buy or sell securities.

(g) *Ownership of securities held in trust.* (1) Beneficial ownership of a bank's securities for the purpose of section 16(a) of the Act shall include: (i) the ownership of such securities as a trustee where either the trustee or members of his immediate family have a vested interest in the income or corpus of the trust, (ii) the ownership of a vested beneficial interest in a trust, and (iii) the ownership of such securities as a settlor of a trust in which the settlor has the power to revoke the trust without obtaining the consent of all beneficiaries.

(2) Except as provided in paragraph (g)(3) of this section, beneficial ownership of securities of registrant banks solely as a settlor or beneficiary of a trust shall be exempt from the provisions of section 16(a) of the Act where less than 20 percent in market value of the securities having a readily ascertainable market value held by such trust (determined as of the end of the preceding fiscal year of the trust) consists of equity securities with respect to which reports pursuant to section 16(a) of the Act would be required but for an exemption by the Securities and Exchange Commission, the Comptroller of the Currency, or the Board of Governors of the Federal Reserve System similar to the exemption provided for by this sentence. Exemption from section 16(a) of the Act is likewise accorded with respect to any obligation that would otherwise be imposed solely by reason of ownership as settlor or beneficiary of a bank's securities held in trust, where the ownership, acquisition, or disposition of such securities by the trust is made without prior approval by the settlor or beneficiary. No exemption pursuant to this subparagraph shall, however, be acquired or lost solely as a result of changes in the value of the trust assets during any fiscal year or during any time when there is no transaction by the trust in the securities otherwise subject to the reporting requirements of section 16(a) of the Act.

(3) In the event that 10 percent of any class of equity security of a bank is held in a trust, that trust and the trustees thereof as such shall be deemed a person required to file the reports specified in section 16(a) of the Act.

(4) Not more than one report need be filed to report any holdings of a bank's securities or with respect to any transaction in such securities held by a trust, regardless of the number of officers, directors, or 10-percent stockholders who are either trustees, settlors, or beneficiaries of a trust if the report filed discloses the names of all trustees, settlors, and beneficiaries who are officers, directors, or 10-percent stockholders. A person having an interest only as a beneficiary of a trust shall not be required to file any such report so long as he relies in good faith upon an understanding that the trustees of such trust will file whatever reports might otherwise be required of such beneficiary.

(5) In determining, for the purposes of paragraph (a) of this § 335.6, whether a person is the beneficial owner, directly or indirectly, of more than 10 percent of any class of equity security of a bank, the interest of such person in the remainder of a trust shall be excluded.

(6) No report shall be required by any person, whether or not otherwise subject to the requirements of filing reports under section 16(a) of the Act, with respect to his indirect interest in portfolio securities held by (i) any holding company registered under the Public Utility Holding Company Act, (ii) any investment company registered under the Investment Company Act, (iii) a pension or retirement plan holding securities of a bank whose employees generally are the beneficiaries of the plan, and (iv) a business trust with over 25 beneficiaries.

(h) *Exemption of small transactions from section 16(a) of the Act.* (1) Any acquisition of a bank's securities shall be exempt from section 16(a) of the Act where (i) the person effecting the acquisition does not within six months thereafter effect any disposition, otherwise than by way of gift, of securities of the same class, and (ii) the person effecting such acquisition does not participate in acquisitions or in dispositions of securities of the same class having a total market value in excess of $3,000 for any six-month period during which the acquisition occurs.

(2) Any acquisition or disposition of a bank's securities by way of gift, where the total amount of such gifts does not exceed $3,000 in market value for any six-month period, shall be exempt from section 16(a) of the Act and may be excluded from the computations prescribed in paragraph (i)(ii) of this section.

(3) Any person exempted by paragraph (h)(1) or (2) of this section shall include in the first report filed by him after a transaction within the exemption of a statement showing his acquisitions and dispositions for each six-month period or portion thereof that has elapsed since his last filing.

(i) *Exemption from section 16(b) of the Act of transactions that need not be reported under section 16(a) of the Act.* Any transaction that has been or shall be exempted by the Corporation from the requirements of section 16(a) of the Act shall, insofar as it is otherwise subject to the provisions of section 16(b) of the Act, be likewise exempted from section 16(b) of the Act.

(j) *Exemption from section 16(b) of the Act of certain transactions by registered investment companies.* Any transaction of purchase and sale, or sale and purchase, of any equity security of a bank shall be exempt from the operation of section 16(b) of the Act, as not comprehended within the purpose of that section, if the transaction is effected by an investment company registered under the Investment Company Act of 1940 and both the purchase and sale of such security have been exempted from the provisions of section 17(a) of the Investment Company Act of 1940 by an order of the Securities and Exchange Commission entered pursuant to section 17(b) of that Act.

(k) *Exemption from section 16(b) of the Act of certain transactions effected in connection with a distribution.* (1) Any transaction of purchase and sale, or sale and purchase, of an equity security of a bank that is effected in connection with the distribution of a substantial block of such securities shall be exempt from the provisions of section 16(b) of the Act, to the extent specified in this paragraph, as not comprehended within the purpose of said section, upon the following conditions:

(i) The person effecting the transaction is engaged in the business of distributing securities and is participating in good faith, in the ordinary course of such business, in the distribution of such block of securities;

(ii) The security involved in the transaction is (A) a part of such block of securities and is acquired by the person effecting the transaction, with a view to the distribution thereof, from the bank or other person on whose behalf such securities are being distributed or from a person who is participating in good faith in the distribution of such block of securities, or (B) a security purchased in good faith by or for the account of the person effecting the transaction for the purpose of stabilizing the market price of securities of the class being distributed or to cover an over-allotment or other short position created in connection with such distribution, and

(iii) Other persons not within the purview of section 16(b) of the Act are participating in the distribution of such block of securities on terms at least as favorable as those on which such person is participating and to an extent at least equal to the aggregate participation of all persons exempted from the provisions of section 16(b) of the Act by this paragraph. However, the performance of the functions of manager of a distributing group and the receipt of a bona fide payment for performing such functions shall not preclude an exemption that would otherwise be available under this paragraph.

(2) The exemption of a transaction pursuant to this paragraph with respect to the participation therein of one party thereto shall not render such transaction exempt with respect to participation of any other party therein unless such other party also meets the conditions of this paragraph.

(l) *Exemption from section 16(b) of the Act of acquisitions of shares of stock and stock options under certain stock bonus, stock option, or similar plans.* Any acquisition of shares of a bank's stock

(other than stock acquired upon the exercise of an option, warrant, or right) pursuant to a stock bonus, profit sharing, retirement, incentive, thrift, savings, or similar plan, or any acquisition of a qualified or restricted stock option pursuant to a qualified or restricted stock option plan, or a stock option pursuant to an employee stock purchase plan, by a director or officer of the bank issuing such stock or stock option shall be exempt from the operation of section 16(b) of the Act if the plan meets the following conditions:

(1) The plan has been duly approved, directly or indirectly, (i) by the holders of a majority of the securities of the bank present, or represented, and entitled to vote at the meeting at which it was approved, or by the written consent of the holders of a majority of the securities of the bank entitled to vote or (ii) by the holders of a majority of the securities of a predecessor so entitled to vote, if the plan or obligations to participate thereunder were assumed by the bank in connection with the succession; provided, however, that if such vote or written consent was not solicited substantially in accordance with the rules and regulations, if any, in effect under section 14(a) of the Act at the time of such vote or written consent, the bank shall furnish in writing to the holders of record of the securities entitled to vote for the plan substantially the same information concerning the plan which would be required by the rules and regulations in effect under section 14(a) of the Act at the time such information is furnished, if proxies to be voted with respect to the approval or disapproval of the plan were then being solicited, on or prior to the date of the first annual meeting of security holders held subsequent to the later of (A) the first registration of an equity security under Section 12 of the Act, or (B) the acquisition of an equity security for which exemption is claimed. Such written information may be furnished by mail to the last known address of the security holders of record within 30 days prior to the date of mailing. Four copies of such written information shall be filed with, or mailed for filing to, the Corporation not later than the date on which it is first sent or given to security holders of the bank. For the purposes of this paragraph, the term "issuer" includes a predecessor corporation if the plan or obligations to participate thereunder were assumed by the issuer in connection with the succession.

(2) If the selection of any director or officer of the bank to whom stock may be allocated (or to whom qualified, restricted or employee stock purchase plan stock options may be granted pursuant to the plan) or the determination of the number of maximum number of shares of stock that may be allocated to any such director or officer (or that may be covered by qualified, restricted, or employee stock purchase plan stock options granted to any director or officer) is subject to the discretion of any person, then such discretion shall be exercised only as follows:

(i) With respect to the participation of directors (A) by the board of directors of the bank, a majority of which board and a majority of the directors acting in the matter are disinterested persons; (B) by, or only in accordance with the recommendation of, a committee of three or more persons having full authority to act in the matter, all of the members of which committee are disinterested persons; or (C) otherwise in accordance with the plan, if the plan specifies the number or maximum number of shares of stock that directors may acquire (or that may be subject to qualified, restricted, or employee stock purchase plan stock options granted to directors) and the terms upon which and the times at which, or the periods within which, such stock may be acquired (or such options may be acquired and exercised); or sets forth, by formula or otherwise, effective and determinable limitations with respect to the foregoing based upon earnings of the bank, dividends paid, compensation received by participants, option prices, market value of shares, outstanding shares or percentages thereof outstanding from time to time, or similar factors.

(ii) With respect to the participation of officers who are not directors (A) by the board of directors of the bank or a committee of three or more directors; or (B) by, or only in accordance with the recommendations of, a committee of three or more persons having full authority to act in the matter, all of the members of which committee are disinterested persons.

For the purposes of this paragraph (?)(2), a director or committee member shall be deemed to be a disinterested person only if such person is not at the time such discretion is exercised eligible and has not at any time within one year prior thereto been eligible for selection as a person to whom stock may be allocated (or to whom qualified, restricted, or employee stock purchase plan stock options may be granted) pursuant to the plan or any other plan of the bank or any of its affiliates entitling the participants therein to acquire stock or qualified, restricted, or employee stock purchase plan stock options of the bank or any of its affiliates.

(3) As to each participant or as to all participants the plan effectively limits the aggregate dollar amount or the aggregate number of shares of stock that may be allocated (or may be subject to qualified, restricted, or employee stock purchase plan stock options granted) pursuant to the plan. The limitations may be established on an annual basis, or for the duration of the plan, whether or not the plan has a fixed termination date. Such limitations may be determined either by fixed or maximum dollar amounts, fixed or maximum numbers of shares, formulas based upon earnings of the bank, dividends paid, compensation received by participants, option prices, market value of shares, outstanding shares or percentages thereof outstanding from time to time, or similar factors that will result in an effective and determinable limitation. Such limitations may be subject to any provisions for adjustment of the plan or of stock allocable (or options outstanding thereunder) to prevent dilution or enlargement of rights.

(4) The term "exercise if an option, warrant or right" contained in the parenthetical clause of the first paragraph of this subsection shall not include (i) the making of an election to receive under any plan compensation in the form of stock or credits therefor provided that such election is made either prior to the fulfillment of all conditions to the receipt of the compensation and, provided further, that such election is irrevocable until at least six months after termination of employment; (ii) the subsequent crediting of such stock; (iii) the making of any election as to the time for delivery of such stock after termination of employment, provided that such election is made at least six months prior to any such delivery; (iv) the fulfillment of any condition to the absolute right to receive such stock; or (v) the acceptance of certificates for shares of such stock.

(m) *Exemption from section 16(b) of the Act of long-term profits incident to sales within six months of the exercise of an option.* (1) To the extent specified in paragraph (m)(2) of this section, transactions involving the purchase and sale, or sale and purchase, of any equity security of a bank shall be exempt from the operation of section 16(b) of the Act, as not comprehended within the purpose of that section, if such purchase is pursuant to the exercise of an option, warrant, or right either (i) acquired more than six months before its exercise, or (ii) acquired pursuant to the terms of an employment contract entered into more than six months before its exercise.

(2) With respect to transactions specified in paragraph (m)(1) of this section, the profits incuring to the bank pursuant to section 16(b) of the Act shall not exceed the difference between the proceeds of sale and the lowest market price of any security of the same class within six months before or after the date of sale. Nothing in this paragraph shall be deemed to enlarge the amount of profit that would inure to the bank in the absence of this paragraph.

(3) The disposition of any equity security of a bank shall also be exempt from the operation of section 16(b) of the Act, as not comprehended within the purpose of that section, if purchased in a transaction specified in paragraph (m)(1) of this section, pursuant to a plan or agreement for merger or consolidation, or reclassification of the bank's securities or for the exchange of its securities for the securities of another person that has acquired its assets, where the terms of such plan or agreement are binding upon all stockholders of the bank except to the extent that dissenting stockholders may be entitled, under statutory provisions or provisions contained in the bank's charter, to receive the appraised or fair value of their holdings.

(4) The exemptions provided by this paragraph (m) shall not apply to any transaction made unlawful by section 16(c) of the Act or by any regulations thereunder.

(5) The burden of establishing market price of a security for the purpose of this subsection shall rest upon the person claiming the exemption.

(n) *Exemptions from section 16(b) of the Act of dispositions of equity securities pursuant to certain mergers or consolidations incident to formation of a bank holding company.* (1) There shall be exempt from the provisions of section 16(b) of the Act, as not comprehended within the purpose of that section, the disposition of any equity security, pursuant to a merger or consolidation, of a bank which, prior to said merger or consolidation, held over 85 percent of the combined assets of all the companies undergoing merger or consolidation, as determined by reference to their most recent available financial statements for a 12-month period prior to the merger or consolidation, if, in such merger or consolidation, there are issued, in exchange for such equity securities of such bank, equity securities of a bank holding company as defined in the Bank Holding Company Act of 1956, as amended.

(2) Notwithstanding the foregoing, if an officer, director, or stockholder shall make any purchase (other than a purchase exempted by this rule or any other rule under section 16(b) of the Act) of an equity security of any company involved in the merger or consolidation and any sale (other than a sale exempted by this rule or any other rule under section 16(b) of the Act) of an equity security in any other company involved in the merger or consolidation within any period of less than six months during which the merger or consolidation took place, the exemption provided by this rule shall be unavailable to such officer, director, or stockholder to the extent of such purchase and sale.

(o) *Exemption from section 16(b) of the Act of transactions involving the deposit or withdrawal of equity securities under a voting trust or deposit agreement.* Any acquisition or disposition of an equity security involved in the deposit of such security under, or the withdrawal of such security from, a voting trust or deposit agreement, and the acquisition or disposition in connection therewith of the certificate representing such security, shall be exempt from the operation of section 16(b) of the Act if substantially all of the assets held under the voting trust or deposit agreement, immediately after the deposit or immediately prior to the withdrawal as the case may be, consisted of equity securities of the same class as the security deposited or withdrawn; provided, however, that this subsection shall not apply to the extent that there shall have been either (1) a purchase of an equity security of the class deposited and a sale of any certificate representing an equity security of such class, or (2) a sale of an equity security of the class deposited and a purchase of any certificate representing an equity security of such class (otherwise than in a transaction involved in such deposit or withdrawal or in a transaction exempted by any other provision under § 335.6 within a period of less than six months which includes the date of the deposit or withdrawal.

(p) *Exemption from section 16(b) of the Act of transactions involving the conversion of equity securities.* (1) Any acquisition or disposition of an equity security involved in the conversion of an equity security which, by its terms or pursuant to the terms of the corporate charter or other governing instruments, is convertible immediately or after a stated period of time into another equity security of the same bank shall be exempt from the operation of section 16(b) of the Act; provided, however, that this subsection shall not apply to the extent that there shall have been either (i) a purchase of any equity security of the class convertible (including any acquisition of or change in a conversion privilege) and a sale of any equity security of the class issuable upon conversion, or (ii) a sale of any equity security of the class convertible and any purchase of any equity security issuable upon conversion (otherwise than in a transaction involved in such conversion or in a transaction exempted by any other provision under this § 335.6) within a period of less than six months which includes the date of conversion.

(2) For the purpose of this subsection, an equity security shall not be deemed to be acquired or disposed of upon conversion of an equity security if the terms of the equity security converted require the payment or entail the receipt, in connection with such conversion, of cash or other property (other than equity securities involved in the conversion) equal in value at the time of conversion to more than 15 percent of the value of the equity security issued upon conversion.

(3) For the purpose of this subsection, an equity security shall be deemed convertible if it is convertible at the option of the holder or of some other person or by operation of the terms of the security or the governing instruments.

(q) *Exemption from section 16(b) of the Act of certain transactions involving the sale of subscription rights.* (1) Any sale of a subscription right to acquire any subject security of the same bank shall be exempt from the provisions of section 16(b) of the Act to the extent prescribed in this section, as not comprehended within the purpose of said section of the Act, if:

(i) Such subscription right is acquired, directly or indirectly, from the bank without the payment of consideration;

(ii) Such subscription right by its terms expires within 45 days after the issuance thereof; and

(iii) Such subscription right by its term is issued on a pro rata basis to all holders of the beneficiary security of the bank.

(2) When used within this paragraph (q), the following terms shall have the meaning indicated.

(i) The term "subscription right" means any warrant or certificate evidencing a right to subscribe to or otherwise acquire an equity security.

(ii) The term "beneficiary security" means a security registered pursuant to Section 12 of the Act to the holders of which a subscription right is granted.

(iii) The term "subject security" means a security which is the subject of a subscription right.

(3) Notwithstanding anything contained herein to the contrary, if a person purchases subscription rights for cash or other consideration, then a sale by such person of subscription rights otherwise exempted by this rule will not be so exempted to the extent of such purchases within the 6-month period preceding or following such sale.

(r) *Exemption of certain securities from section 16(c) of the Act.* Any equity security of a bank shall be exempt from the operation of section 16(c) of the Act to the extent necessary to render lawful under such section the execution by a broker of an order for an account in which he had no direct or indirect interest.

(s) *Exemption from section 16(c) of the Act of certain transactions effected in connection with a distribution.* Any equity security of a bank shall be exempt from the operation of section 16(c) of the Act to the extent necessary to render lawful under such section any sale made by or on behalf of a dealer in connection with a distribution of a substantial block of the bank's securities, upon the following conditions:

(1) The sale is made with respect to an overallotment in which the dealer is participating as a member of an underwriting group, or the dealer or a person acting on his behalf intends in good faith to offset such sale with a security to be acquired by or on behalf of the dealer as a participant in an underwriting, selling or soliciting-dealer group of which the dealer is a member at the time of the sale, whether or not the security to be so acquired is subject to a prior offering to existing security holders or some other class of persons; and

(2) Other persons not within the purview of section 16(c) of the Act are participating in the distribution of such block of securities on terms at least as favorable as those on which such dealer is participating and to an extent at least equal to the aggregate participation of all persons exempted from the provisions of section 16(c) of the Act by this paragraph. The performance of the functions of manager of a distributing group and the receipt of a bona fide payment for performing such functions shall not, however, preclude an exemption that would otherwise be available under this paragraph.

(t) *Exemption of sales of securities to be acquired.* (1) Whenever any person is entitled, as an incident to his ownership of an issued equity security of a bank and without the payment of consideration, to receive another security of the bank "when issued" or "when distributed", the security to be acquired

shall be exempt from the operation of section 16(c) of the Act if (i) the sale is made subject to the same conditions as those attaching to the right of acquisition, (ii) such person exercises reasonable diligence to deliver such security to the purchaser promptly after his right of acquisition matures, and (iii) such person reports the sale on the appropriate form for reporting transactions by persons subject to section 16(a) of the Act.

(2) This paragraph (t) shall not be construed as exempting transactions involving both a sale of a security "when issued" or "when distributed" and a sale of the security by virtue of which the seller expects to receive the "when issued" or "when distributed" security, if the two transactions combined result in a sale of more units than the aggregate of those owned by the seller plus those to be received by him pursuant to his right of acquisition.

(u) *Arbitrage transactions under section 16 of the Act.* It shall be unlawful for any director or officer of a bank to effect any foreign or domestic arbitrage transaction in any equity security of the bank unless he shall include such transaction in the statements required by section 16(a) of the Act and paragraph (a) of this section and shall account to such bank for the profits arising from such transaction, as provided in section 16(b) of the Act. The provisions of section 16 (c) of the Act shall not apply to such arbitrage transactions. The provisions of paragraph (a) of this section and of section 16 of the Act shall not apply to any bona fide foreign or domestic arbitrage transaction insofar as it is effected by any person other than such director or officer of the bank issuing such security.

§ 335.7 Form and content of financial statements.

(a) *Application.* This section, together with such releases on accounting principles and practices as the Corporation may from time to time issue with respect to specific areas, states the requirements applicable to the form and content of all financial statements required to be filed as a part of registration statements under section 12, annual or other reports under section 13, and proxy and information statements under section 14 of the Act, except as otherwise specifically provided in forms which are to be used for registration and reporting under these sections of the Act.

(b) The term "financial statements", as used in this section, shall be deemed to include all notes to the statements and all related schedules.

(c) *Principles of financial reporting.* Financial statements filed with the Corporation pursuant to this Part shall be prepared in accordance with generally accepted accounting principles and practices applicable to banks.

(d) *Verification*—(1) *General.* (i) Every verification with respect to financial statements filed pursuant to this Part shall be dated, shall be signed manually, and shall identify without detailed enumeration the financial statements covered by the verification.

(ii) If the person or persons making a verification considers that he must take exceptions or express qualifications with respect thereto, each such exception or qualification shall be stated specifically and clearly and, to the extent practicable, shall indicate the effect of the matter on the financial statements to which it relates.

(2) *Opinions to be expressed by principal accounting officer and auditor.* Every verification by a bank's principal accounting officer and auditor shall state:

(i) The opinions of such persons with respect to the financial statements covered by the verification and the accounting principles and practices reflected therein; and

(ii) The opinions of such persons as to any material changes in accounting principles or practices or in the method of applying the accounting principles or practices, or adjustments of the accounts, required to be set forth by paragraph (c) (5) of this section.

(3) *Certification by independent public accountants*—(i) *Qualifications of independent public accountants.* (A) The Corporation will not recognize any person as an independent public accountant who is not registered or licensed to practice as a public accountant by a regulatory authority of a State and in good standing with such authority as such an accountant.

(B) The Corporation will not recognize as independent a public accountant who is not in fact independent. For example, an accountant will be considered not independent with respect to any person or any of its parents, its subsidiaries, or other affiliates (*1*) in which, during the period of his professional engagements to examine the financial statements being reported on or at the date of his report, he or his firm or a member thereof had, or was committed to acquire, any direct financial interest or any material indirect financial interest; (2) with which, during the period of his professional engagement to examine the financial statements being reported on, at the date of his report or during the period covered by the financial statements, he or his firm or a member thereof was connected as a promoter, underwriter, voting trustee, director, officer, or employee except that a firm will not be deemed not independent in regard to a particular person if a former officer or employee of such person is employed by the firm and such individual has completely dissociated himself from the person and its affiliates and does not participate in auditing financial statements of the person or its affiliates covering any period of his employment by the person. For the purposes of this § 335.7 the term "member" means all partners in the firm and all professional employees participating in the audit or located in an office of the firm participating in a significant portion of the audit.

(C) In determining whether a public accountant may be, in fact, not independent with respect to a particular person, the Corporation will give appropriate consideration to all relevant circumstances, including evidence bearing on all relationships between the accountant and that person or any affiliate thereof, and will not confine itself to the relationships existing in connection with the filing of reports with the Corporation.

(ii) *General requirements of accounts' reports.* Every accountant's report with respect to financial statements filed pursuant to this Part shall be dated, shall be signed manually, shall indicate the city and state where issued, and shall identify without detailed enumeration the financial statements covered by the accountant's report.

(iii) *Representation as to the audit.* The independent public accountant's certificate—(A) shall state whether the audit was made in accordance with generally accepted auditing standards; and

(B) Shall designate any auditing procedures deemed necessary by the accountant in the circumstances of the particular case that have been omitted and the reasons for their omission, but the procedure that independent accountants ordinarily employ in the course of an audit made for the purpose of expressing the opinions required by paragraph (d) (3) (iv) of this section shall be omitted.

(iv) *Opinions to be expressed.* The independent public accountant's certificate shall state:

(A) The opinion of the accountant with respect to the financial statements covered by the certificate and the accounting principles and practices reflected therein;

(B) The opinion of the accountant as to the consistency of the application of the accounting principles, or as to any changes in such principles which have a material effect on the financial statements as required to be set forth by paragraph (c) (5) of this section; and

(C) The nature of, and the opinion of the accountant as to any material differences between the accounting principles and practices reflected in the financial statements and those reflected in the accounts after the entry of adjustments for the period under review.

(v) *Exceptions.* If the accountant making the report considers that he must take exceptions or express qualifications with respect thereto, each such exception or qualification shall be stated specifically and clearly and, to the extent practicable, shall indicate the effect of the matter on the financial statements to which it relates.

(vi) *Examination of financial statements by more than one independent public accountant.* If, with respect to the certification of the financial statements of any bank, the principal independent public accountant relies on an examination made by another independent public accountant of certain of the accounts of such bank or its affiliates, the certificate of such other accountant shall be filed (and the provisions of this subparagraph shall be applicable thereto); however, the certificate of such other accountant need not be filed (A) if no reference is made directly or indirectly to such other

accountant's examination in the principal accountant's certificate, or (B) if, having referred to such other accountant's examination, the principal accountant states in his certificate that he assumes responsibility for such other accountant's examination in the same manner as if it had been made by him.

(e) *Provisions of general application*—(1) *Requirements as to form.* Financial statements shall be prepared in accordance with the applicable requirements of Forms 9 A, B, C, D and E. All money amounts required to be shown in financial statements may be expressed in even dollars, thousands of dollars, or hundred thousands of dollars as appropriate. If shown in even thousands, or in even hundred of thousands of dollars, an indication to that affect shall be inserted immediately beneath the caption of the statement or schedule, or at the top of each money column. The individual amounts shown need not be adjusted to the nearest dollar, thousand or hundred of thousands if the failure of the items to add to the totals shown is stated in a note as due to the dropping of amounts of less than $1, $1,000 or $100,000, as appropriate.

(2) *Negative amounts*—(red figures) shall be shown in brackets or parenthesis and so described in the related caption, columnar heading or a note to the statement or schedule, as appropriate.

(3) *Items not material.* If the amount that would otherwise be required to be shown with respect to any items is not material, it need not be separately set forth.

(4) *Inapplicable captions and omission of unrequired or inapplicable financial statements.* No caption need be shown in any financial statement required by the forms set forth in this Part as to which the items and conditions are not present. Financial statements not required or inapplicable because the required matter is not present need not be filed, but the statements omitted and the reasons for their omission shall be indicated in the list of financial statements required by the applicable form.

(5) *Omission of substantially identical notes.* If a note covering substantially the same subject matter is required with respect to two or more financial statements relating to the same or affiliated persons, for which separate sets of notes are presented, the required information may be shown in a note to only one of such statements provided, however, that a clear and specific reference thereto is made in each of the other statements with respect to which the note is required.

(6) *Omission of names of certain subsidiaries.* Notwithstanding the requirements as to particular statements, subsidiaries, the names of which are permitted to be omitted from the list of affiliates required by the applicable form, need not be named in any financial statement. Reasonable grouping of such subsidiaries may be made, with an explanatory group caption which shall state the number of subsidiaries included in the group.

(7) *Additional information.* In addition to the information required with respect to any financial statement, such further information shall be furnished as is necessary to make the required statements, in the light of the circumstances under which they are made, not misleading.

(8) *Changes in accounting principles and practices and retroactive adjustments of accounts.* Any change in accounting principle or practice, or in the method of applying any accounting principle or practice, made during any period for which financial statements are filed that affects comparability of such financial statements with those of prior or future periods, and the effect thereof upon the net income for each period for which financial statements are filed, shall be disclosed in a note to the appropriate financial statement. Any material retroactive adjustment made during any period for which financial statements are filed, and the effect thereof upon net income of prior periods, shall be disclosed in a note to the appropriate financial statement.

(9) *Summary of accounting principles and practices.* Information required in notes as to accounting principles and practices reflected in the financial statements may be presented in the form of a single statement. In such a case specific references shall be made in the appropriate financial statements to the applicable portion of such single statement.

(10) *Foreign currencies.* The basis of conversion of all items in foreign currencies shall be stated, and the amount and disposition of the resulting unrealized profit or loss shown. Disclosure should be made as to the effect, insofar as this can be reasonably determined, of foreign exchange restrictions upon the consolidated financial position and operating results of the bank and its subsidiaries.

(11) *Commitments.* If material in amount, the pertinent facts relative to firm commitments for the acquisition, directly or indirectly, of fixed assets and for the purchase, repurchase, construction, or rental of assets under long-term leases shall be stated briefly in the balance sheet or in footnotes referred to therein.

(12) *General notes to balance sheets.* If present with respect to the person for which the statement is filed, the following shall be set forth in the balance sheet or in referenced notes thereto:

(i) *Assets subject to lien.* The amounts of assets mortgaged, pledged, or otherwise subject to a lien or security interest shall be designated and the obligation secured thereby, if any, shall be identified briefly.

(ii) *Intercompany profits and losses.* The effect upon any balance sheet item of profits or losses resulting from transactions with affiliated companies not consolidated shall be stated. If impracticable of accurate determination without unreasonable effort or expense, an estimate or explanation shall be given.

(iii) *Preferred shares.* (A) If callable, the date or dates and the amount per share at which such shares are callable shall be stated, if convertible, the terms of the conversion shall be stated briefly; (B) arrears in cumulative dividends per share and in total for each class of shares shall be stated; and (C) preferences on involuntary liquidation, if other than the par or stated value, shall be shown. When the excess involved is material, there shall be shown the difference between the aggregate preference on involuntary liquidation and the aggregate par or stated value, a statement that this difference (plus any arrears in dividends) exceeds the sum of the par or stated value of the junior capital shares, surplus, and undivided profits if such is the case, and a statement as to the existence (or absence) of any restrictions upon surplus and/or undivided profits growing out of the fact that upon involuntary liquidation the preference of the preferred stock exceed its par or stated value.

(iv) *Pension and retirement plans.* (A) A brief description of the essential provisions of any employee pension or retirement plan shall be given; (B) the estimated annual cost of the plan shall be stated; (C) the excess, if any, of the actuarially computed value of vested benefits over the total of the pension fund and any balance sheet pension accruals, less deferred charges, shall be given as of the most recent practicable date; (D) if a plan has not been funded or otherwise provided for, the estimated amount that would be necessary to fund or otherwise provide for the past-service cost of the plan shall be disclosed; and (E) a statement shall be given of the nature and effect of significant matters affecting comparability of pension costs for any periods for which income statements are presented.

(v) *Capital stock optioned to officers and employees.* (A) A brief description of the terms of each option arrangement shall be given, including the title and amount of securities subject to the option, the year or years during which the options were granted, and the year or years during which the optionees became, or will become, entitled to exercise the options.

(B) There shall be stated the number of shares under option at the balance sheet date, and the option price and the fair value thereof (per share and in total) at the dates the options were granted; the number of shares with respect to which options became exercisable during the period, and the option price and the fair value thereof (per share and in total) at the dates the options became exercisable; and the number of shares with respect to which options were exercised during the period, and the option price and the fair value thereof (per share and in total) at the dates the options were exercised; and the number of unoptioned shares available, at the beginning and at the close of the latest period presented, for the granting of options under an option plan. A brief description of the terms of each other arrangement covering shares sold or offered for sale to only directors, officers and key employees shall be given,

including the number of shares, and the offered price and the fair value thereof (per share and in total) at the dates of sale of offer to sell, as appropriate. The required information may be summarized as appropriate with respect to each of the categories referred to in this subclause.

(C) The basis of accounting for such option arrangements and the amount of charges, if any, reflected in income with respect thereto shall be stated.

(vi) *Restrictions that limit the availability of surplus and/or undivided profits for dividend purposes.* Any such restriction, other than as reported in (e)(12)(iii) of this section shall be described, indicating briefly its source, its pertinent provisions, and, where appropriate and determinable, the amount of the surplus and/or undivided profits so restricted.

(vii) *Contingent liabilities.* A brief statement as to contingent liabilities not reflected in the balance sheet shall be made.

(viii) *Standby letters of credit.* State the amount of outstanding "standby letters of credit." For the purpose of this paragraph, "standby letters of credit" include every letter of credit (or similar arrangement however named or designated) which represents an obligation to the beneficiary on the part of the issuer (A) to repay money borrowed by or advanced to or for the account of the account party, or (B) to make payment on account of any evidence of indebtedness undertaken by the account party, or (C) to make payment on account of any default by the account party in the performance of an obligation,[1] except that, if prior to or at the time of issuance of a standby letter of credit, the issuing bank (*1*) is paid an amount equal to the bank's maximum liability under the standby letter of credit, or (2) has set aside sufficient funds in a segregated, clearly earmarked deposit account to cover the bank's maximum liability under the standby letter of credit, then the amount of that standby letter of credit need not be stated.

(ix) *Defaults.* The facts and amounts concerning any default in principal interest, sinking fund, or redemption provisions with respect to any issue of securities or credit agreements, or any breach of covenant of a related indenture or agreement, which default or breach existed at the date of the most recent balance sheet being filed and which has not been subsequently cured, shall be stated. Notation of such default or breach of covenant shall be made in the financial statements and the entire amount of obligations to which the default or breach relates shall be classified as a current liability if said default or breach accelerates the maturity of the obligations and makes it current under the terms of the related indenture or agreement. Classification as a current obligation is not required if the lender has waived the accelerated due date or otherwise agreed to a due date more than one year from the balance sheet date. If a default or breach exists, but acceleration of the obligation has been waived for a stated period of time beyond the date of the most recent balance sheet being filed, state the amount of the obligation and the period of the waiver.

(x) *Bonus, profit sharing, and other similar plans.* Describe the essential provisions of any such plans in which only directors, officers or key employees may participate, and state, for each of the fiscal periods for which income statements are required to be filed, the aggregate amount provided for all plans by charges to expense.

(xi) *Significant changes in bonds, mortgages, and similar debt.* Any significant changes in the authorized or issued amounts of bonds, mortgages, and similar debt since the date of the latest balance sheet being filed for a particular person or group shall be stated.

(13) *General notes to statements of income.* If present with respect to the person for which the statement is filed, the following shall be set forth in statement of income or in referencing notes thereto:

(i) *Intercompany profits and losses.* The amount of any profits or losses resulting from transactions between unconsolidated affiliated companies shall be stated. If impracticable of determination without unreasonable effort and expense, an estimate or explanation shall be given.

(ii) *Depreciation and amortization.* For the period for which statements of income are filed, there shall be stated the policy followed with respect to: (A) The provision for depreciation of physical properties or valuation allowances created in lieu thereof, including the methods and, if practicable, the rates used in computing the annual amounts; (B) the provision for depreciation and amortization of intangibles or valuation allowances created to lieu thereof, including the methods and, if practicable, the rates used in computing the annual amounts; (C) the accounting treatment for maintenance, repairs, renewals, and improvements; and (D) the adjustment of the accumulated valuation allowances for depreciation and amortization at the time the properties were retired or otherwise disposed of including the disposition made of any profit or loss on sale of such properties.

(iii) *Income tax expense*—(A) Disclosure shall be made, in the income statement or a note thereto, of the components of income tax expense, including: (*1*) taxes currently payable; (2) the net tax effects, as applicable, of (*i*) timing differences (indicate separately the amount of the estimated tax effect of each of the various types of timing differences. Types of timing differences that are individually less than 15 percent of the deferred tax amount in the income statement may be combined. If no individual type of difference is more than five percent of the amount computed by multiplying the income before tax by the applicable statutory Federal income tax rate and the aggregate amount of timing differences is less than five percent of such computed amount, disclosure of each of the separate types of timing differences may be omitted.) and (*ii*) operating losses; and (3) the net deferred investment tax credit. Amounts applicable to United States Federal income taxes, to foreign income taxes and to other income taxes shall be stated separately for each major component, unless the amounts applicable to foreign and other income taxes do not exceed five percent of the total for the component.

(B) If it is expected that the cost outlay for income taxes with respect to any of the succeeding three years will substantially exceed income tax expense for such year, that fact should be disclosed together with the approximate amount of the excess, the year (or years) of occurrence and the reasons therefor.

(C) Provide a reconciliation between the amount of reported total income tax expense and the amount computed by multiplying the income before tax by the applicable statutory Federal income tax rate, showing the estimated dollar amount of each of the underlying causes for the difference. If no individual reconciling item amounts to more than five percent of the amount computed by multiplying the income before tax by the applicable statuory Federal income tax rate, and the total difference to be reconciled is less than five percent of such computed amount no reconciliation need be provided unless it would be significant in appraising the trend of earnings. Reconciling items that are individually less than five percent of the computed amount may be aggregated in the reconciliation. The reconciliation may be presented in percentages rather than in dollar amounts.

(iv) *Leased assets and lease commitments.* Any contractual arrangement which has the economic characteristics of a lease shall be considered a lease for purposes of this rule. For purposes of this rule, a financing lease is defined as a lease which during the noncancelable lease period, either (A) covers 75 percent or more of the economic life of the property or (B) has terms which assure the lessor a full recovery of the fair market value (which would normally be represented by his investment) of the property at the inception of the lease plus a reasonable return on the use of the assets invested subject only to limited risk in the realization of the residual interest in the property and the credit risks generally associated with secured loans. The disclosures set forth under paragraph (e)(13)(iv) (*1*) and (2) below are only required if gross rental expense in the

[1] As defined, "standby letter of credit" would not include (1) commercial letters of credit and similar instruments where the issuing bank expects the beneficiary to draw upon the issuer and which do not "guaranty" payment of a money obligation or (2) a guaranty or similar obligation issued by a foreign branch in accordance with and subject to the limitations of Regulation M of the Board of Governors of the Federal Reserve System.

most recent fiscal year exceeds one percent of consolidated revenues.

(*i*) Total rental expense (reduced by rentals from subleases, with disclosure of such amounts) entering into the determination of results of operations for each period for which an income statement is presented shall be disclosed. Rental payments under short-term leases for a month or less which are not expected to be renewed need not be included. Contingent rentals, such as those based upon usage or sales, shall be reported separately from the basic or minimum rentals. Rentals on noncapitalized financing leases shall be shown separately for both categories of rentals reported.

(2) The minimum rental commitments under all noncancelable leases shall be disclosed, as of the date of the latest balance sheet presented, in the aggregate (with disclosure of the amounts applicable to noncapitalized financing leases) for (*i*) each of the five succeeding fiscal years; (*ii*) each of the next three five year periods; and (*iii*) the remainder as a single amount. The amounts so determined should be reduced by rentals to be received from existing noncancelable subleases (with disclosure of the amounts of such rentals). For purposes of this rule, a noncancelable lease is defined as one that has an initial or remaining term of more than one year and is noncancelable, or is cancelable only upon the occurrence of some remote contingency or upon the payment of a substantial penalty.

(3) Additional disclosures shall be made to report in general terms: (*i*) the basis for calculating rental payments if dependent upon factors other than the lapse of time; (*ii*) existence and terms of renewal or purchase options, escalation clauses, etc.; (*iii*) the nature and amount of related guarantees made or obligations assumed; (*iv*) restrictions on paying dividends, incurring additional debt, further leasing, etc.; and (*v*) any other information necessary to assess the effect of lease commitments upon the financial position, results of operations, and changes in financial position of the lessee.

(*4*) For all noncapitalized financing leases there shall be disclosed: (*i*) The present values of the minimum lease commitments in the aggregate and by major categories of properties, such as real estate, and equipment. Present values shall be computed by discounting net lease payments (after subtracting, if practicable, estimated, or actual amounts, if any, applicable to taxes, insurance, maintenance, and other operating expenses, at the interest rate implicit in the terms of each lease at the time of entering into the lease. Such disclosure shall be made as of the date of any balance sheet presented. If the present value of the minimum lease commitments is less than five percent of the sum of long-term debt, stockholders' equity and the present value of the minimum lease commitments, and if the impact on net income required to be disclosed under (*iv*) below is less than three percent of the average net income for the most recent three years, this disclosure is not required.

(*ii*) Either the weighted average interest rate (based on present value) and range or rates or specific interest rates for all lease commitments included in the amount disclosed under (e) (13) (B) (*4*) (*i*) above.

(*iii*) The present value of rentals to be received from existing noncancelable subleases of property included under (e) (13) (B) (*4*) (*i*) above based on the interest rates implicit in the terms of the subleases at the times of entering into the subleases.

(*iv*) The impact upon net income for each period for which an income statement is presented if all noncapitalized financing leases were capitalized, related assets were amortized on a straightline basis and interest cost was accrued on the basis of the outstanding lease liability. The amount of amortization and interest cost included in the computation shall be separately identified. If the impact on net income is less than three percent of the average net income for the most recent three years, that fact may be stated in lieu of this disclosure.

(v) *Interest capitalized*—(*a*) The amount of interest cost capitalized in each period for which an income statement is presented shall be shown within the income statement. Banks which follow a policy of capitalizing interest cost shall make the following additional disclosures required by items (e) (13) (v) (*b*) and (*c*) below.

(*b*) The reason for the policy of interest capitalization and they way in which the amount to be capitalized is determined.

(*c*) The effect on net income for each period for which an income statement is presented of following a policy of capitalizing interest as compared to a policy of charging interest to expense as incurred.

(vi) *Disagreements on accounting and financial disclosure matters.* If, within the twenty-four months prior to the date of the most recent financial statements, a Form F-3 has been filed reporting a change of accountants and included in such filing there is a reported disagreement on any matter of accounting principles or practices or financial statement disclosure, and if such disagreement, if differently resolved, would have caused the financial statements to differ materially from those filed, state the existence and nature of the disagreement. In addition, if during the fiscal year in which the change in accountants took place or during the subsequent fiscal year there have been any transactions or events similar to those which involved a reported disagreement and if such transactions are material and were accounted for or disclosed in a manner different from that which the former accountants apparently concluded was required, state the effect on the financial statements if the method which the former accountant apparently concluded was required had been followed. The effects on the financial statements need not be disclosed if the method asserted by the former accountant ceases to be generally accepted because of authoritative standards or interpretations subsequently issued.

(vii) *Disclosure of selected quarterly financial data in notes to annual financial statements.* (A) Disclosure shall be made in a note to the annual financial statements of total operating income, income before income taxes and security gains (losses), net security gains (losses) less related tax effect, income before extraordinary items and cumulative effect of a change in accounting per share data based upon such income, and net income for each quarter of the year for the two most recent years for which income statements are presented.

(B) When the data supplied in (b) (13) (vii) (A) above vary from the amounts previously reported on the Form F-4 filed for any quarter, reconcile the amounts given with those previously reported describing the reason for the difference.

(C) Describe the effect of any disposals of segments of a business, and extraordinary, unusual or infrequently occuring items recognized in each quarter of the two most recent years for which income statements are presented, as well as the aggregate effect and the nature of year-end or other adjustments which are material to the results of that quarter.

(f) *Consolidated financial statements.* (1) Consolidated statements generally present more meaningful information to the investor than unconsolidated statements. Except where good reason exists, consolidated statements of the bank and its majority-owned significant subsidiaries should be filed.

(2) Every majority-owned bank-premises subsidiary and every majority-owned subsidiary doing a foreign banking business shall be consolidated with that of the reporting bank irrespective of whether such subsidiary is a significant subsidiary.

(3) If the financial statements of a subsidiary are as of a date or for periods different from those of the bank, such statements may be used as the basis for consolidation of the subsidiary only if the date of such statements is not more than 93 days from the date of the close of the bank's fiscal year; the closing date of the subsidiary is specified; the necessity for the use of different closing dates is explained briefly, and any changes in the respectively fiscal periods of the bank and the subsidiary made during the period of report are indicated clearly.

(4) Notwithstanding the 93-day requirement specified in paragraph (f) (3) of this section, in connection with the retroactive combination of the financial statements of entities following a "pooling of interests" the financial statements of the constituents may be combined even if their respective fiscal periods do not end within 93 days, except that the financial statements for the latest fiscal year shall be recast to dates which do not differ by more than 93 days, if practicable. Disclosure shall be made of the periods combined and of the revenues, net

income before extraordinary items and net income of any interim periods excluded from or included more than once in results of operations as a result of such recasting.

(5) The 93-day requirement specified in paragraph (f)(3) of this section is not applicable to the recognition of earnings or losses of 50 percent of less owned persons, the investments in which are accounted for by the equity method of accounting.

(6) Due consideration shall be given to the propriety of consolidating with domestic corporations foreign subsidiaries which are operated under political, economic or currency restrictions. If consolidated, disclosure should be made as to the effect, insofar as this can reasonably be determined, of foreign exchange restrictions upon the consolidated financial position and operating results of the bank and its subsidiaries.

(7) There shall be set forth in a note to each consolidated balance sheet filed a statement of any difference between the investment in consolidated subsidiaries, as shown by the bank's books, and the bank's equity in the net assets of such subsidiaries as shown by the subsidiaries books. If any such difference exists, there shall be set forth the amount of the difference and the disposition made thereof in preparing the consolidated statements, naming the balance sheet captions and stating the amount included in each.

(8) There may be filed financial statements in which majority-owned subsidiaries not consolidated with the parent are consolidated or combined in one or more groups, and 50 percent or less owned persons, the investments in which are accounted for by the equity method are consolidated or combined in one or more groups, pursuant to principles of inclusion or exclusion which will clearly exhibit the financial position and results of operations of the group or groups.

(9) A brief description of the principles followed in consolidating or combining the separate financial statements, including the principles followed in determining the inclusion or exclusion of (i) subsidiaries in consolidated or combined financial statements and (ii) companies in consolidated or combined financial statements, shall be stated in the notes to the respective financial statements.

(10) As to each consolidated financial statement and as to each combined financial statement, if there has been a change in the persons included or excluded in the corresponding statement for the preceding fiscal period filed with the Corporation which has a material effect on the financial statements, the persons included and the person excluded shall be disclosed. If there have been any changes in the respective fiscal periods of the persons included made during the periods of the report which have a material effect on the financial statements, indicate clearly such changes and the manner of treatment.

(11) Minority interests in the net assets of subsidiaries consolidated shall be shown in each consolidated balance sheet. The minority interest in the capital stock and in the surplus and undivided profits shall be stated separately. The aggregate amount of profit or loss accruing to minority interests shall be stated separately in each consolidated statement of income.

(12) In general, intercompany items and transactions shall be eliminated. If not eliminated, a statement of the reasons for inclusion and the methods of treatment shall be made.

(g) *Statement of changes in capital accounts.* A statement of changes in capital accounts shall be filed with each statement of income filed pursuant to this Part.

(h) *Statement of changes in financial position.* A statement of changes in financial position shall be filed with each statement of income filed pursuant to this Part.

(i) *Schedules to be filed.* (1) The following schedules shall be filed with each balance sheet filed pursuant to this part: Schedule I—U.S. Treasury Securities, Securities of Other U.S. Government Agencies and Corporations, and Obligations of State and Political Subdivisions; Schedule II—Other Securities: Schedule; Schedule III—Other Loans; Schedule IV—Bank Premises and Equipment; Schedule V—Investments in Income from Dividends, and Equity in Earnings and Loss of Unconsolidated Subsidiaries; and Schedule VI—Other Liabilities for Borrowed Money.

(2) The following schedules shall be filed with each statement of income filed pursuant to this Part: Schedule VII—Allowance for Possible Loan Losses, Schedule VIII—Reserves on Securities, and Schedule IX—Amounts Receivable from Directors, Officers, and Principal Holders (Other than Affiliates) of Equity Securities of the Registrant and its Affiliates.

(3) Reference to the schedules referred to in paragraph (f)(1) and (2) of this section shall be made against the appropriate captions of the balance sheet or statement of income.

FORMS

§ 335.41 Form for registration of securities of a bank pursuant to section 12(b) or section 12(g) of the Securities Exchange Act of 1934 (Form F–1).

FORM F–1

FORM FOR REGISTRATION OF SECURITIES OF A BANK

PURSUANT TO SECTION 12(b) OR SECTION 12(g) OF THE SECURITIES EXCHANGE ACT OF 1934

(Exact name of bank as specified in charter)

(Address of principal office)

I.R.S. Employer Identification No.

Bank's telephone number, including area code

Title of each class of securities being registered pursuant to Section 12(b) of the Act:[1]

*Title of class*_____

*Name of each exchange on which class is being registered*_____

Title of each class of securities being registered pursuant to Section 12(g) of the Act:[1]

GENERAL INSTRUCTIONS

Form F-1 shall be used for registration pursuant to section 12(b) or (g) of the Securities Exchange Act of 1934 of classes of securities of issuers that are State nonmember banks. This form is not to be used as a blank form to be filled in but only as a guide in the preparation of a registration statement. Particular attention should be given to the definitions in § 335.2 and the general requirements in § 335.4 of this Part. Unless otherwise stated, the information required shall be given as of a date reasonably close to the date of filing the statement. The statement shall contain the numbers and captions of all items, but the text of the items may be omitted if the answers with respect thereto are prepared in the manner specified in § 335.4(s). Attention is directed to § 335.4(i) which states: "In addition to the information expressly required to be included in a statement or report, there shall be added such further material information, if any, as may be necessary to make the required statements, in light of the circumstances under which they are made, not misleading."

§ 335.4(r) requires that six complete copies of the registration statement, including financial statements, exhibits and all other papers and documents filed as a part thereof, and two additional copies which need not include exhibits, shall be filed with the Corporation. At least one complete copy of the registration statement, including financial statements, exhibits and all other papers and documents filed as a part thereof, shall be filed with each exchange on which any class of securities is to be registered. At least one complete copy of the registration statement filed with the Corporation and one such copy filed with each exchange shall be manually signed. Copies not manually signed shall bear typed or printed signatures.

Attention is directed to § 335.4(*l*) which provides for the incorporation by reference of information contained in certain documents in answer or partial answer to any item of a registration statement.

INFORMATION REQUIRED IN REGISTRATION STATEMENT

Item 1—Business.

(a) State the year in which the bank was organized. If organized as a national bank, state the year of conversion into a State bank. Indicate the approximate number of holders of record of each class of equity securities of the bank.

(b) Describe briefly the business done by the bank and any significant developments or trends in such business occurring over the preceding five years, or such shorter period as the bank may have been engaged in business. Information should be furnished as to any mergers, consolidations, or other acquisitions of assets of any other person that were consummated during such period. State the number of banking offices in each city (county) in the United States in which the bank has offices and the number of banking offices located in each foreign country or jurisdiction. In describing the business done by the bank, the business of its subsidiaries should be included only insofar as the same is important to an understanding of the character and development of the business conducted by the total enterprise. The description shall include information as to matters such as the following:

(1) Competitive conditions in the industry and the competitive position of the bank if known or reasonably available to the

[1] If none, so state.

bank. If several services are involved, separate consideration shall be given to the principal services or classes of services.

(2) If a material part of the business is dependent upon a single customer or a few customers, the loss of any one or more of whom would have a materially adverse effect on the business of the bank, the name of the customer or customers, their relationship, if any, to the bank and material facts regarding their importance to the business of the bank.

(3) The principal services rendered by the bank, the principal markets for, and methods of distribution of, such services, including any significant changes in the kinds of services rendered, or in the market or methods of distribution, during the past three fiscal years.

(4) The importance to the bank and the duration and effect of, all material patents, trademarks, licenses, franchise and concessions held.

(5) (a) The estimated dollar amount spent during each of the last two fiscal years on material research activities relating to the development of new services or the improvement of existing bank services.

(b) In addition to the description of the business done and intended to be done required by paragraph 1(b) and without limiting that requirement, if there has been a public announcement of, or if information otherwise has become public about, a new line of business requiring the investment of a material amount of total assets, a description of the status of such product or line (*e.g.*, whether in the planning stage).

(c) Where material, state the approximate number of employees engaged full-time in each of the activities described in (a) above during each fiscal year and in (b) above.

NOTE: Item 1(b)(5)(b) requires a description of the status of service development in addition to the description of the business done and intended to be done required by paragraph 1(a). Item 1(b)(5)(b) is not intended to require disclosure of otherwise non-public corporate information the disclosure of which would adversely effect the bank's competitive position. Subparagraph (a) requires disclosure of financial information relating to research and development activities. Subparagraph (b) is intended to elicit additional specific information only where there has been a public announcement or where information has otherwise become public concerning a new product or line of business requiring the investment of a material amount of total assets.

(6) The number of persons employed by the bank.

(7) The extent to which the business of the bank or a material portion thereof is or may be seasonal.

(8) Present in tabular form, for each of the three years for which a statement of income is being furnished, ratios of the bank's net income to the following items: (a) average equity capital accounts, and (b) average daily total deposits. Ratios for such periods of average daily loans to average daily deposits should also be included.

Instructions: 1. If the bank proposes to enter, or has recently entered or introduced a new line of business requiring the investment of a material amount of its total assets, provide as supplemental information at the time of filing of the registration statement, but not as a part thereof, a copy of any studies conducted or performed by or for the bank relating to such business, and a statement as to the actual or proposed use of such study. Where material, disclosure of the absence of such a study is required.

2. Positive and negative factors pertaining to the competitive position of the bank, to the extent that they exist, should be explained, if known or reasonably available to the bank. An estimate of the number of competitors should be included, and, where material, the particular markets in which the bank competes should be identified. Where one or a small number of competitors are dominant, they should be identified.

3. Where material to understanding the bank's business, the bank's and industry practices and conditions as they relate to liquidity should be explained (*e.g.*, where the bank's business is highly seasonal).

4. The description shall not relate to the powers and objects specified in the charter, but to the actual business done and intended to be done. Include the business of subsidiaries and affiliates of the bank insofar as is necessary to understand the character and development of the business conducted by the bank.

5. In describing developments, information shall be given as to matters such as the following: The nature and results of any other material reorganization, readjustment, or succession of any of the bank's significant subsidiaries; the acquisition or disposition of any material amount of assets otherwise than in the ordinary course of business; and any material changes in the mode of conducting the business.

6. Appropriate disclosure shall also be made as to the material effects that compliance with Federal, State and local provisions which have been enacted or adopted regulating the discharge of materials into the environment, or otherwise relating to the protection of the environment, may have upon the capital expenditures, earnings and competitive position of the bank.

7. The business of a predecessor or predecessors shall be deemed to be the business of the bank for the purpose of this item.

8. Appropriate disclosure shall be made with respect to any material portion of the business which may be subject to termination at the election of any person (*e.g.*, depositors).

NOTE: The following Instruction (9) applies only to banks filing a registration statement on Form F-1 for the first time, who (including predecessors) have not received revenues from operations for each of the three fiscal years immediately prior to the filing of the registration statement.

9. Describe, if formulated, the bank's plan of operation for the remainder of the fiscal year, if the registration statement is filed prior to the end of the bank's second fiscal quarter. Describe, if formulated, the bank's plan of operation for the remainder of the fiscal year and for the first six months of the next fiscal year, if the registration statement is filed subsequent to the end of the second fiscal quarter. If such information is not available, the reasons for its not being available shall be stated. Disclosure relating to any plan must include such matters as:

(a) The bank's opinion as to whether it will have to raise additional funds within the next year in order to meet its capital requirements. The basis of such opinion must be stated. Where such statement is based on a cash budget, such budget will be furnished to the Corporation as supplemental information, but need not be filed as a part of the Form F-1.

(b) Any anticipated material acquisition of property and equipment and the capacity thereof.

(c) Any anticipated material changes in number of employees.

(d) Other material areas which may be peculiar to the bank's business.

(c)(1) *Information as to lines of business.* If the bank and its subsidiaries are engaged in any line of business in addition to normal commercial or mutual savings bank activities, state, for each of the bank's last five fiscal years, or for each fiscal year the bank has been engaged in business, whichever period is less, the approximate amount or percentage of (I) total revenues, and (II) income (or loss) before income taxes and extraordinary items, attributable to each line of business which during either of the last two fiscal years accounted for—

(A) 10 percent or more of the total revenues,

(B) 10 percent or more of income before taxes and extraordinary items computed without deduction of loss resulting from operations of any line of business, or

(C) a loss which equalled or exceeded 10 percent of the amount of income specified in (b) above; provided, that if total revenues did not exceed $50,000,000 during either of the past two fiscal years, the percentages specified in (A), (B) and (C) above shall be 15 percent, instead of 10 percent.

If it is impracticable to state the contribution to income (or loss) before income taxes and extraordinary items for any line of business, state the contribution thereof to the results of operations most closely approaching such income, together with a brief explanation of the reasons why it is not practicable to state the contribution to such income or loss.

(d) If the bank and its subsidiaries engage in material operation in foreign countries, or if a material portion of revenues is derived from customers in foreign countries, appropriate disclosure shall be made with respect to the importance of that part of the business to the bank and the risks attendant thereto. Insofar as practicable, furnish information with respect to volume and profitability of such operations.

(e) The Corporation may, upon written request of the bank, and where consistent with the protection of investors, permit the omission of any of the information herein required or the furnishing in substitution therefor of appropriate information of comparable character. The Corporation may also require the furnishing of other information in addition to, or in substitution for, the information herein required in any case where such information is necessary or appropriate for an adequate description of the business done or intended to be done.

Item 2—Summary of Operations.

Furnish in comparative columnar form a summary of operations for the bank or for the bank and its subsidiaries consolidated, or both, as appropriate, for—

(a) each of the last five fiscal years of the bank (or for the life of the bank and its predecessors, if less) and

(b) any additional fiscal years necessary to keep the summary from being misleading.

Where necessary, include information or explanation of material significance to investors in appraising the results shown, or refer to such information or explanation set forth elsewhere in the registration statement.

Instructions. 1. As a minimum, the following items shall be included: Operating revenues, operating expenses, income before income taxes and security gains (losses), applicable income taxes, income before security gains (losses), security gains (losses), extraordinary items less applicable tax, cumulative effects of changes in accounting principles, and net income.

2. If a period or periods reported on included operations of a business prior to the date of acquisition, or for other causes differ from reports previously issued for any period, the summary shall be reconciled, as to revenues and net income in the summary or in a note thereto with the amounts previously reported, provided, however, that

such reconciliations need not be made (1) if they have been made in filings with the Corporation in prior years or (2) the financial statements which are being retroactively adjusted have not previously been filed with the Corporation or otherwise made public.

3. The summary shall be prepared to show earnings applicable to common stock. Per share earnings and dividends declared for each period of the summary shall be also shown. The basis of the computation of per share earnings shall be stated, together with the number of shares used in the computation. The bank shall file as an exhibit a statement setting forth in reasonable detail the computation of per share earnings, unless the computation can be clearly determined from the answer to this item.

4. (a) If debt securities are being registered, the bank may, as its option, show in tabular form for each fiscal year the ratio of earnings to fixed charges. Such ratio shall be calculated both on the basis of excluding interest on deposits and including interest on deposits as part of "fixed charges".

(b) Earnings shall be computed after all operating and income deductions except fixed charges and taxes based on income or profits and after eliminating undistributed income of unconsolidated subsidiaries and 50 percent or less owned persons.

(c) The term "fixed charges" shall mean (i) interest and amortization of debt discount and expense and premium on all indebtedness; (ii) such portion of rentals as can be demonstrated to be representative of the interest factor in the particular case.

(d) Any bank electing to show the ratios of earnings to fixed charges, in accordance with this instruction, shall file as an exhibit a statement setting forth in reasonable detail the computations of the ratios shown.

5. For any event which was required to be reported pursuant to Item 10(a) of Form F-3 in which an amount of cost was estimated to be applicable to any of the fiscal years being reported on, summarize such transaction and state the amounts of such estimated cost and the amounts of the actual cost incurred in such periods, the reasons for differences between estimated and actual amounts, if any, and provide a detailed reconciliation showing all charges and credits to any reserve provided. If the bank was not a registrant prior to the filing of this registration statement, the instruction shall apply to any transaction subsequent to the effective date of this Part which would have been required to be reported pursuant to Item 10(a) of Form F-3 had the bank been a registrant and in which an amount of cost was estimated to be applicable to the fiscal years being reported on.

6. (a) To enable investors to understand and evaluate material periodic changes in the various items of the summary of operations, a separately captioned section (entitled "Management's Discussion and Analysis of The Summary of Operations") immediately following such summary should include a statement explaining (1) material changes from period to period in the amounts of the items of revenues and expenses, and (2) changes in accounting principles or practices or in the method of their application that have a material effect on net income as reported.

(b) In general, the discussion of material periodic changes should be limited to: (1) the latest interim period presented and the comparable interim period in the immediately preceding fiscal year; (2) the most recent fiscal year presented and the fiscal year immediately preceding it; and (3) the second most recent fiscal year presented and the fiscal year immediately preceding it. There may be circumstances, however, under which an explanation of revenue or expense item changes between two or more of the earlier periods of the five-year summary may be material to an understanding of the summary. Further, to better explain revenue and expense item changes for interim periods it may be necessary to give an analysis of changes between consecutive fiscal quarters.

(c) The following are examples which banks should consider in making disclosure:

1. Material changes in the relative profitability of lines of business;

2. Material changes in advertising, research, development, or other discretionary costs;

3. The acquisition or disposition of a material asset other than in the ordinary course of business;

4. Material and unusual charges or gains, including credits or charges associated with discontinuation of operations;

5. Material changes in assumptions underlying deferred costs and the plan for amortization of such costs;

6. Material changes in assumed investment return and in actuarial assumptions used to calculate contributions to pension funds; and

7. The closing of a material facility or material interruption of business or completion of a material contract.

(d) The textual analysis should be presented in a manner that will best communicate the significant elements necessary to a clear understanding by the investor of the financial results. Favorable as well as unfavorable trends and changes should be discussed. Tables and charts may be used where appropriate.

(e) In calculating average net income, loss years should be excluded. If losses were incurred in each of the most recent years, the average loss shall be used for purposes of this test. Should the bank be of the opinion that an explanation of a change is not necessary to an understanding of the summary even though the change meets the foregoing standards, the bank shall furnish the Corporation, as supplemental information, a written statement of the reasons for the omission.

NOTE: If an income statement in the form prescribed by § 335.71(B) is used in lieu of the summary, then the discussion should cover the period to period changes in revenue and expense items required by such Form.

(f) Notwithstanding the fact that a change in an item of revenue or expense does not meet the standards set forth in paragraph (e) it should be discussed if the bank believes an explanation of such a change is necessary to an understanding of the summary.

(g) When the text of the registration statement or report contains a discussion of factors indicating a material change in operating results, whether favorable or unfavorable, subsequent to the latest period included in the summary of operations, the management discussion and analysis should call attention to the change and refer to the place in the registration statement or report where it is discussed.

Item 3—Properties.

Describe briefly, individually or by categories, (a) properties held in fee, or leased, (and if leased, the expiration dates of material leases), by the bank and its subsidiaries, in which the banking offices are located, indicating any major encumbrances with respect thereto, and (b) other real estate of material value that is owned by the bank. In the event aggregate annual rentals paid during the bank's last fiscal year exceeded five percent of its operating expenses, state the amount of such rentals and the average term of the leases pursuant to which such rentals were paid.

Instructions. 1. What is required is information essential to an investor's appraisal of the securities to be registered. Such information should be furnished as will reasonably inform investors as to the suitability, adequacy and extent of utilization of the facilities used in the bank. Detailed descriptions of the physical characteristics by metes and bounds are not required and should not be given.

2. Where individual properties are of major significance to the enterprise (i) more detailed information concerning these matters shall be furnished, and (ii) appropriate maps shall be used to disclose location data of significant properties, except where numerous maps would be required.

Item 4—Parents and Subsidiaries.

(a) Furnish a list or diagram of all parents and subsidiaries of the bank and as to each person named indicate the percentage of voting securities owned, or other basis of control, by its immediate parent, if any.

Instructions. 1. The list or diagram shall include the bank and shall be so prepared as to show clearly the relationship of each person named to the bank and to the other persons named. If any person is controlled by means of the direct ownership of its securities by two or more persons, so indicate by appropriate cross reference.

2. Designate by appropriate symbols (a) subsidiaries for which separate financial statements are filed; (b) subsidiaries included in consolidated financial statements; (c) subsidiaries included in group financial statements filed for unconsolidated subsidiaries; and (d) other subsidiaries, including briefly why financial statements of such subsidiaries are not filed.

3. Indicate the name of the State or other jurisdiction in which each subsidiary was incorporated or organized.

4. The names of particular subsidiaries may be omitted if the unnamed subsidiaries, considered in the aggregate as a single subsidiary, would not constitute a significant subsidiary.

5. If the bank owns directly or indirectly approximately 50 percent of the voting securities of any person and approximately 50 percent of the voting securities of such person are owned directly or indirectly by another single interest, or if the bank takes up the equity in undistributed earnings of any other unconsolidated person, such person shall be deemed to be a subsidiary for the purpose of this item.

NOTE: If any person is controlled by means of the direct ownership of its securities by two or more persons listed in response to this item, so indicate by appropriate cross reference.

(b) Describe any contractual arrangement known to the bank, including any pledge of securities of the bank or any of its parents the operation of the terms of which may at a subsequent date result in a change of control of the bank.

Instruction. This paragraph does not require a description of ordinary default provisions contained in the charter, trust indentures or other governing instruments relating to securities of the bank.

Item 5—Principal Security Holders and Security Holdings of Management.

Furnish the following information as of a specified date within 90 days prior to the date of filing in substantially the tabular form indicated:

(a) As to the voting securities of the bank owned of record or beneficially by each person who owns of record, or is known by the bank to own beneficially, more than 10 percent of any class of such securities. Show in Column (C) whether the securities are owned only, or beneficially only, and show in Columns (D) and (E) the respective amounts and percentages owned in each such manner:

Name and address	Title of class	Title of ownership	Amount owned	Percent of class
(A)	(B)	(C)	(D)	(E)

(b) As to each class of equity securities of the bank or any of its parents or subsidiaries, other than directors' qualifying shares, beneficially owned directly or indirectly by all directors and officers of the bank, as a group, without naming them.

Title of class	Amount beneficially owned	Percent of class
(A)	(B)	(C)

Instructions. 1. The percentages are to be calculated on the basis of the amount of securities outstanding, excluding securities held by or for the account of the bank. In any case where the amount owned by directors and officers as a group is less than one percent of the class, the percent of the class owned by them may be omitted.

2. For the purpose of this item a person shall be deemed to be the beneficial owner of securities which he has the right to acquire through the exercise of presently exercisable options, warrants or rights or through the conversion of presently convertible securities. In computing the percentage of the class owned, securities which such person has a right to acquire shall be deemed to be outstanding.

3. If, to the knowledge of the bank, more than 10 percent of any class of voting securities of the bank are held or to be held subject to any voting trust or other similar agreement, state the title of such securities, the amount held or to be held, and the duration of the agreement. Give the names and addresses of the voting trustees and outline briefly their voting rights and other powers under the agreement.

Item 6—Directors and Principal Officers.

(a) List the names and ages of all directors of the bank and all persons chosen to become directors; indicate all positions and offices with the bank held by each such person; state his term of office as director and the period during which he has served as such and briefly describe any arrangement or understanding between him and any other person pursuant to which he was selected as a director.

Instruction. Do not include arrangements or understandings with directors or officers of the bank acting solely in their capacities as such.

(b) List the names and ages of all principal officers of the bank and all persons chosen to become officers; indicate all positions and offices with the bank held by each such person; state his term of office as officer and the period during which he has served as such and briefly describe any arrangements or understanding between him and any other person pursuant to which he was selected as an officer.

Instruction. Do not include arrangements or understandings with directors or principal officers of the bank acting solely in their capacities as such. For purposes of this item the term "principal officer" shall be defined as provided by § 335.2(q).

(c) State the nature of any family relationship between any director or officer and any other director or officer.

Instruction. The term "family relationship" means any relationship by blood, marriage or adoption, not more remote than first cousin.

(d) Give a brief account of the business experience during the past five years of each director and each principal officer, including his principal occupations and employment during that period and the name and principal business of any corporation or other organization in which such occupations and employment were carried on. Where an executive officer has been employed by the bank or a subsidiary of the bank for less than five years, a brief explanation should be included as to the nature of the responsibilities undertaken by the individual in prior positions to provide adequate disclosure of his prior business experience.

Instruction. What is required is information relating to the level of his professional competence which may include, depending upon the circumstances, such specific information as the size of the operation supervised.

(e) Describe any of the following events which occurred during the past 10 years and which are material to an evaluation of ability and integrity of any director or executive officer of the bank.

(1) A petition under the Bankruptcy Act or any State insolvency law was filed by or against, or a receiver, fiscal agent or similar officer was appointed by a court for the business or property of, such person, or any partnership in which he was a general partner at or within two years before the time of such filing, or any corporation or business association of which he was an officer at or within two years before the time of such filing;

(2) Such person was convicted in a criminal proceeding (excluding traffic violations and other minor offenses) or is the subject of a criminal proceeding which is presently pending; or

(3) Such person was the subject of any order, judgment or decree of any court of competent jurisdiction permanently or temporarily enjoining him from acting as an investment adviser, underwriter, broker or dealer in securities, or as an affiliated person, director or employee of any investment company, bank, savings and loan association or insurance company, or from engaging in or continuing any conduct or practice in connection with the purchase or sale of any security, or was the subject of any order of a Federal or State authority barring or suspending, for more than 60 days, the right of such person to be engaged in any such activity or to be associated with persons engaged in any such activity, which order has not been reversed or suspended.

Instruction. If any event specified in paragraph (d) has occurred but information in regard thereto is omitted on the ground that it is not material, the bank shall furnish, as supplemental information and not as a part of the registration statement, a description of the event and a statement of the reasons for the omission of information in regard thereto.

Item 7—Remuneration of Directors and Officers.

(a) Furnish the following information in substantially the tabular form indicated below as to all direct remuneration paid by the bank and its subsidiaries during the bank's latest fiscal year to the following persons for services in all capacities:

(1) Each director and each of the three highest paid officers of the bank whose annual total direct remuneration exceeded $40,000, naming each such person.

(2) All directors and officers of the bank as a group, without naming them, but stating the number of persons included.

Name of individual or number of persons in group	Capacities in which remuneration was received	Aggregate remuneration
(A)	(B)	(C)

Instructions. 1. This item applies to any person who was a director or officer of the bank at any time during said fiscal year. Information need not, however, be given for any portion of that period during which such person was not a director or officer.

2. The information is to be given on an accrual basis, if practicable. The tables required by this paragraph and paragraph (b) may be combined if the bank so desires.

3. Do not include remuneration paid to a partnership in which any director or officer was a partner. But see Item 12, below.

4. If the bank has not completed a full fiscal year since its organization or if it acquired or is to acquire the majority of its assets from a predecessor within the current fiscal year, the information shall be given for the current fiscal year, estimating future payments if necessary. To the extent that such remuneration is to be computed upon the basis of a percentage of earnings or profits, the percentage may be stated without estimating the amount of such profits to be paid.

5. If any part of the remuneration shown in response to this item was paid pursuant to a material bonus or profit-sharing plan, describe briefly the plan and the basis upon which directors or officers participate therein.

(b) Furnish the following information, in substantially the tabular form indicated below, as to all annuity, pension or retirement benefits proposed to be paid under any existing plan in the event of retirement at normal retirement date, directly or indirectly, by the bank or any of its subsidiaries to (1) each director or officer named in answer to paragraph (a)(1), and (2) all directors and officers of the bank who are eligible for such benefits, as a group, stating the number of persons in the group without naming them.

Name of individual	Amounts set aside or accrued during bank's last fiscal year	Estimated annual benefits upon retirement
(A)	(B)	(C)

Instructions. 1. The term "plan" in this paragraph and in paragraph (c) includes all plans, contracts, authorizations or arrangements, whether or not set forth in any formal document.

2. Column (B) need not be answered with respect to amounts computed on an actuarial basis under any plan that provides for fixed benefits in the event of retirement at a specified age or after a specified number of years of service. In such case, Columns (A) and (C) need not be answered with respect to directors and officers as a group.

3. In the case of any plan (other than those specified in Instruction 2) where the amount set aside each year depends upon the amount of earnings or profits of the bank or its subsidiaries for such year or a prior year (or whether otherwise impracticable to state the estimated annual benefits upon retire-

ment) there shall be set forth, in lieu of the information called for by Column (C), the aggregate amount set aside or accrued to date, unless impracticable to do so, in which case the method of computing such benefits shall be stated.

(c) Describe briefly all remuneration payments (other than payments reported under paragraph (a) or (b) of this item) proposed to be made in the future, directly or indirectly, by the bank or any of its subsidiaries pursuant to any existing plan to (i) each director or officer named in answer to paragraph (a)(1), naming each such persons and (ii) all directors and officers of the bank as a group, without naming them.

Instruction. Information need not be included as to payments to be made for, or benefits to be received from, group life or accident insurance, group hospitalization, or similar group payments or benefits. If impracticable to state the amount of remuneration payments proposed to be made, the aggregate amount set aside or accrued to date in respect of such payments should be stated, together with an explanation of the basis for future payments.

Item 8—Management Options to Purchase Securities.

Furnish the following information as to all options to purchase securities from the bank or any of its subsidiaries held by any of the following persons: (i) each director or officer named in answer to paragraph (a) and (b) of Item 6, naming each such person; and (ii) all directors and officers of the bank as a group, without naming them.

(a) the title and amount of securities called for;

(b) the option prices, expiration dates, and other material provisions;

(c) any consideration received for the granting thereof;

(d) the market value of the security on the date of grant.

Instructions. 1. The term "options" as used in this item includes all options, warrants or rights, other than those issued to security holders as such on a pro rata basis.

2. The extension, regranting or material amendment of options shall be deemed the granting of options within the meaning of this item.

3. Where the total market value of securities called for by all outstanding options does not exceed $10,000 for any person required to be named, or $40,000 for all directors and officers as a group, or for all option holders as a group, this item need not be answered with respect to such person or group.

4. In case a number of options are outstanding having different prices and expiration dates, the option may be grouped by prices and dates. If this produces more than five separate groups then there may be shown only the range of the expiration dates and prices.

Item 9—Interest of Management and Others in Certain Transactions.

(a) Describe briefly any transactions during the last three years or any presently proposed transactions, to which the bank or any of its subsidiaries was or is to be a party, in which any of the following persons had or is to have a direct or indirect material interest, naming such person and stating his relationship to the bank, the nature of his interest in the transaction and, where practicable, the amount of such interest:

(1) Any director or officer of the bank.

(2) Any security holder named in answer to Item 5(a).

(3) Any associate of any of the foregoing persons.

Instructions. 1. This Item 9(a) applies to any person who held any of the positions or relationships specified at any time during the period specified. However, information need not be given for any portion of the period during which such person did not hold any such position or relationship.

2. No information need be given in response to this Item 9(a) as to any remuneration or other transaction reported in response to Item 7 or 17, or as to any transaction with respect to which information may be omitted pursuant to Instruction 2 to Item 7(b), the Instruction to Item 7(c), or Instruction 2 or 3 to Item 9(b).

3. No information need be given in answer to this Item 9(a) as to any transaction where—

(a) The rates or charges involved in the transaction are determined by competitive bids, or the transaction involves the rendering of services fixed in conformity with law or governmental authority.

(b) The transaction involves services as a bank depository of funds, transfer agent, registrar, trustee under a trust indenture or similar services;

(c) The amount involved in the transaction or a series of similar transactions, including all periodic installments in the case of any lease or other agreement providing for periodic payments or installments, does not exceed $40,000; or

(d) The interest of the specified person arises solely from the ownership of securities of the bank and the specified person receives no extra or special benefit not shared on a pro rata basis by all holders of securities of the class.

4. It should be noted that this item calls for disclosure of indirect, as well as direct, material interests in transactions. A person who has a position or relationship with a firm, corporation, or other entity, which engages in a transaction with the bank or its subsidiaries may have an indirect interest in such transaction by reason of such position or relationship. However, a person shall be deemed not to have a material indirect interest in a transaction within the meaning of this Item 9(a) where—

(a) The interest arises only (i) from such person's position as a director of another corporation or organization (other than a partnership) which is a party to the transaction, or (ii) from the direct or indirect ownership by such person and all other persons specified in subparagraphs (1) through (3) above, in the aggregate, of less than a 10 percent equity interest in another person (other than a partnership) which is a party to the transaction, or (iii) from both such position and ownership;

(b) The interest arises only from such person's position as a limited partner in a partnership in which he and all other persons specified in subparagraphs (1) through (3) above had an interest of less than 10 percent; or

(c) The interest of such person arises solely from the holding of an equity interest (including a limited partnership interest but excluding a general partnership interest) or a creditor interest in another person which is a party to the transaction with the bank or any of its subsidiaries and the transaction is not material to such other person.

5. The amount of the interest of any specified person shall be computed without regard to the amount of the profit or loss involved in the transaction. Where it is not practicable to state the approximate amount of the interest, the approximate amount involved in the transaction shall be indicated.

6. In describing any transaction involving the purchase or sale of assets by or to the bank or any of its subsidiaries, otherwise than in the ordinary course of business, state the cost of the assets to the purchaser and, if acquired by the seller within two years prior to the transaction, the cost thereof to the seller.

7. The foregoing instructions specify certain transactions and interests as to which information may be omitted in answering this item. There may be situations where, although the foregoing instructions do not expressly authorize non-disclosure, the interest of a specified person in the particular transaction or series of transactions is not a material interest. In that case, information regarding such interest and transaction is not required to be disclosed in response to this item.

8. Information should be included as to any material underwriting discounts and commissions upon the sale of securities by the bank where any of the specified persons was or is to be a principal underwriter or is a controlling person or a member of a firm that was or is to be a principal underwriter. Information need not be given concerning ordinary management fees paid by underwriters to a managing underwriter pursuant to an agreement among underwriters the parties to which do not include the bank or its subsidiaries.

(b) State as to each of the following persons who was indebted to the bank or its subsidiaries at any time during the last three years (i) the largest aggregate amount of indebtedness outstanding at any time during such period, (ii) the nature of the indebtedness and of the transaction in which it was incurred, (iii) the amount thereof outstanding as of the latest practicable date, and (iv) the rate of interest paid or charged thereon:

(1) Each director or officer of the bank;

(2) Any security holder named in answer to Item 5(a); and

(3) Each associate of any of the foregoing persons.

Instructions. 1. Include the name of each person whose indebtedness is described and the nature of the relationship by reason of which the information is required to be given.

2. No disclosure need be made under this paragraph (b) where the transaction consists of extensions of credit by the bank in the ordinary course of its business that (i) are made on substantially the same terms, including interest rates and collateral, as those prevailing at the time for comparable transactions with other than specified persons, (ii) at no time exceed 10 percent of the equity capital accounts of the bank, or $10 million, whichever is less, and (iii) do not involve more than the normal risk of collectibility or present other unfavorable features. Notwithstanding the foregoing, if aggregate extensions of credit to the specified persons, as a group, exceeded 20 percent of the equity capital accounts of the bank at any time during the preceding year, (1) the aggregate amount of such extensions of credit shall be disclosed, and (2) a statement shall be included, to the extent applicable, that the bank has had, and expects to have in the future, banking transactions in the ordinary course of its business with directors, officers, principal stockholders, and their associates, on the same terms, including interest rates and collateral on loans, as those prevailing at the same time for comparable transactions with others and do not involve more than the normal risk of collectibility or present other unfavorable features. For the purpose of determining "aggregate extensions of credit" in this instruction, transactions which are exempted from disclosure pursuant to other instructions to this item may be excluded.

(c) Describe briefly any transactions during the last three years or any presently proposed transactions, to which any pension, retirement, savings or similar plan provided by the bank, or any of its parents or subsidiaries, was or is to be a party, in which any of the following persons had or is to have

a direct or indirect material interest, naming such person and stating his relationship to the bank, the nature of his interest in the transaction and, where practicable, the amount of such interest:

(1) Any director or officer of the bank.

(2) Any security holder named in answer to Item 5(a).

(3) Any associate of any of the foregoing persons.

(4) The bank or any of its subsidiaries.

Instructions. 1. Instructions 2, 3, 4 and 5 to Item 9(a) shall apply to this Item 9(c).

2. Without limiting the general meaning of the term "transaction" there shall be included in answer to this item any remuneration received or any loans received or outstanding during the period, or proposed to be received.

3. No information need be given in answer to paragraph (c) with respect to—

(a) payments to the plan, or payments to beneficiaries, pursuant to the terms of the plan;

(b) payment of remuneration for services not in excess of five percent of the aggregate remuneration received by the specified person during the bank's last fiscal year from the bank and its subsidiaries; or

(c) any interest of the bank or any of its subsidiaries which arises solely from its general interest in the success of the plan.

(d) If the bank was organized within the past five years, furnish the following information:

(1) State the names of the promoters, the nature and amount of anything of value (including money, property, contracts, options or rights of any kind) received or to be received by each promoter directly or indirectly from the bank, and the nature and amount of any assets, services or other consideration therefor received or to be received by the bank.

(2) As to any assets acquired or to be acquired by the bank from a promoter, state the amount at which acquired or to be acquired and the principle followed or to be followed in determining the amount. Identify the persons making the determination and state their relationship, if any, with the bank or any promoter. If the assets were acquired by the promoter within two years prior to their transfer to the bank, state the cost thereof to the promoter.

Item 10—Pending Legal Proceedings.

Briefly describe any material pending legal proceedings, other than ordinary routine litigation incidental to the business, to which the bank or any of its subsidiaries is a party or of which any of their property is the subject. Include the name of the court or agency in which the proceedings are pending, the date instituted, the principal parties thereto, a description of the factual basis alleged to underlie the proceeding and the relief sought. Include similar information as to any such proceedings known to be contemplated by governmental authorities.

Civil Rights. When legal proceedings arising under civil rights statutes are pending or known to be contemplated by government agencies, the proceedings must be disclosed if they are material.

Instructions. 1. No information need be given with respect to any proceeding which involves primarily a claim for damages if the aggregate amount involved does not exceed 10 percent of the equity capital accounts of the bank and its subsidiaries on a consolidated basis. However, if any proceeding presents in large degree the same issues as other proceedings pending or known to be contemplated, the amount involved in such other proceedings, shall be included in computing such percentage.

2. Any material proceedings to which any director, officer, or affiliate of the bank, any security holder named in answer to Item 5 (a), or any associate of any such director, officer or security holder, is a party, or has a material interest, adverse to the bank or any of its subsidiaries shall also be described.

3. Notwithstanding the foregoing, administrative or judicial proceedings arising under any Federal, State or local provisions which have been enacted or adopted regulating the discharge of materials into the environment or otherwise relating to the protection of the environment, shall not be deemed "ordinary routine litigation incidental to the business" and shall be described if such proceeding is material to the business or financial condition of the bank or if it involves primarily a claim for damages and the amount involved, exclusive of interest and costs, exceeds 10 percent of the current assets of the bank and its subsidiaries on a consolidated basis. Any such proceedings by governmental authorities shall be deemed material and shall be described whether or not the amount of any claim for damages involved exceeds 10 percent of equity capital accounts on a consolidated basis and whether or not such proceedings are considered "ordinary routine litigation incidental to the business"; provided, however that such proceedings which are similar in nature may be grouped and described generically stating: the number of such proceedings in each group; a generic description of such proceedings; the issues generally involved; and, if such proceedings in the aggregate are material to the business or financial condition of the bank, the effect of such proceedings on the business or financial condition of the bank.

Item 11—Number of Equity Security Holders.

State in the tabular form indicated below, the approximate number of holders of record of each class of equity securities of the bank as of the end of the last fiscal year.

(1)	(2)
Title of class	Number of record holders

Instructions. 1. Attention is directed to the definitions of the term "equity security" in Section 3(a)(11) of the Act and to the § 335.2(k)(1) defintion of "held of record."

2. Information need not be given with respect to the number of holders of "restricted stock options", "qualified stock options", or options granted pursuant to a plan qualified as an "employee stock purchase plan", as those terms are defined in Sections 422 through 424 of the Internal Revenue Code of 1954, as amended.

Item 12—Nature of Trading Market.

As to each class of securities to be registered pursuant to Section 12(g) of the Act, state briefly the nature of the trading market, if any, in such securities, including the names of the principal market makers and the reported high and low bid prices for each quarterly period during the past three years.

Instruction. In furnishing high and low bid prices the bank may rely on quotations published in publications of national circulation, provided the source of the information is identified. If the principal market makers are not known, it will suffice to name three market makers which are believed to be actively engaged in making a market in the securities.

Item 13—Recent Sales of Securities.

Furnish the following information as to all securities of the bank sold by the bank within the past three years, or presently proposed to be sold. Include reacquired securities, securities issued in exchange for property, services, or other securities, and new securities resulting from the modification of outstanding securities.

(a) Give the date of sale, title, and amount of securities sold.

(b) Give the names of the principal underwriters, if any. As to any securities sold privately, name the persons or identify the class of persons to whom the securities were sold.

(c) As to securities sold for cash, state the aggregate offering price and the aggregate underwriting discounts or commissions. As to any securities sold otherwise than for cash, state the nature of the transaction and the nature and aggregate amount of consideration received by the bank.

(d) Give a reasonably itemized statement of the purposes, so far as determinable, for which the net proceeds have been or are to be used and the approximate amount to be used for each purpose.

Instructions. 1. Information need not be set forth as to notes, drafts, bills of exchange, or bank acceptances that mature not later than 12 months from the date of issuance.

2. If the sales were made in a series of transactions, the information may be given by such totals and periods as will reasonably convey the information required.

Item 14—Capital Stock Being Registered.

If capital stock is being registered, state the title of the class and furnish the following information:

(a) Outline briefly (1) dividend rights; (2) voting rights; (3) liquidation rights; (4) preemptive rights; (5) conversion rights; (6) redemption provisions; (7) sinking fund provisions; and (8) liability to further calls or to assessment by the bank.

(b) If the rights of holders of such stock may be modified otherwise than by a vote of a majority or more of the shares outstanding, voting as a class, so state and explain briefly.

(c) Outline briefly any restriction on the repurchase of redemption of shares by the bank while there is any arrearage in the payment of dividends or sinking fund installments. If there is no such restriction so state.

Instructions. 1. This item requires only a brief summary of the provisions that are pertinent from an investment standpoint. A complete legal description of the provisions referred to is not required and should not be given. Do not set forth the provisions of the governing instruments verbatim; only a succinct résumé is required.

2. If the rights evidenced by the securities being registered are materially limited or qualified by the rights of any other class of securities, include such information regarding such other securities as will enable investors to understand the rights evidenced by securities being registered. If any securities being registered are to be offered in exchange for other securities, an appropriate description of such other securities shall be given. No information need be given, however, as to any class of securities all of which will be redeemed and retired if appropriate steps to assure such redemption and retirement will be taken prior to registration of the securities being registered.

Item 15—Long-Term Debt Being Registered.

If long-term debt is being registered, outline briefly such of the following as are relevant:

(a) Provisions with respect to interest, conversion, maturity, redemption, amortization, sinking fund, or retirement.

(b) Provisions restricting the declaration of dividends or requiring the maintenance of any ratio of assets or the creation or maintenance of reserves or the maintenance of properties.

(c) Provisions with respect to the kind and priority of any lien, securing the issue, together with a brief identification of the principal properties subject to each lien.

(d) Provisions permitting or restricting the issuance of additional securities, the withdrawal of cash deposited against such issuance, the incurring of additional debt, the release or substitution of assets securing the issue, the modification of the terms of the security and similar provisions.

(e) The name of the trustee and the nature of any material relationship with the bank or any of its affiliates; the percentage of securities of the class necessary to require the trustee to take action, and what indemnification the trustee may require before proceeding to enforce the lien.

Instructions. 1. The instructions to Item 14 shall also apply to this item.

2. Provisions permitting the release of assets upon the deposit of equivalent funds or the pledge of equivalent property, the release of property no longer required in the business, obsolete property or property taken by eminent domain, the application of insurance moneys, and similar provisions, need not be described in answer to paragraph (d).

Item 16—Other Securities Being Registered.

If securities other than capital stock or long-term debt are being registered, outline briefly the rights evidenced thereby. If subscription warrants or rights are being registered, state the title and amount of securities called for, the period during which and the price at which the warrants or rights are exercisable.

Instructions. The instruction to Item 12 shall also apply to this item.

Item 17—Indemnification of Directors and Officers.

State the general effect of any charter provision, bylaw, contract, arrangement, or statute under which any director or officer of the bank is insured or indemnified in any manner against any liability that he may incur in his capacity as such.

Item 18—Financial Statements and Exhibits.

List all financial statements and exhibits filed as part of the registration statement.

(a) Financial statements.

(b) Exhibits.

SIGNATURES

Pursuant to the requirements of the Securities Exchange Act of 1934, the bank has duly caused this registration statement to be signed on its behalf by the undersigned thereunto duly authorized.

(Name of bank)

Date ---- By ----
(Name and title of signing officer)

INSTRUCTIONS AS TO FINANCIAL STATEMENTS

These instructions specify the balance sheets and statements of income required to be filed as a part of a registration statement on this form. Section 335.7 governs the verification, form, and content of the balance sheets and statements of income required, including the basis of consolidation, and prescribes the statement of changes in capital accounts, statement of changes in financial position, and the schedules to be filed in support thereof.

A. FINANCIAL STATEMENTS OF THE BANK

1. *Balance Sheets.*

(a) The bank shall file a verified balance sheet as of the close of its latest fiscal year unless such fiscal year has ended within 90 days prior to the date of filing the registration statement, in which case the balance sheet may be as of the close of the preceding fiscal year.

(b) If the latest fiscal year of the bank has ended within 90 days prior to the date of filing the registration statement and the balance sheet required by paragraph (a) is filed as of the end of the preceding fiscal year, there shall be filed as an amendment to the registration statement, within 120 days after the date of filing, a verified balance sheet of the bank as of the end of the latest fiscal year.

2. *Statements of Income.*

(a) The bank shall file verified statements of income for each of the three fiscal years preceding the date of the balance sheet required by Instruction 1(a).

(b) There shall be filed with each balance sheet filed pursuant to Instruction 1(b) a verified statement of income of the bank for the fiscal year immediately preceding the date of the balance sheet.

3. *Omission of Bank's Financial Statements in Certain Cases.*

Notwithstanding Instructions 1 and 2, the individual financial statements of the bank may be omitted if consolidated statements of the bank and one or more of its subsidiaries are filed.

B. CONSOLIDATED STATEMENTS

4. *Consolidated Balance Sheets.*

(a) There shall be filed a verified consolidated balance sheet of the bank and its majority-owned (i) bank premises subsidiaries, (ii) subsidiaries doing a foreign banking business, and (iii) significant subsidiaries, as of the close of the latest fiscal year of the bank unless such fiscal year has ended within 90 days prior to the date of filing the registration statement, in which case this balance sheet may be as of the close of the preceding fiscal year.

(b) If the latest fiscal year of the bank has ended within 90 days prior to the date of filing the registration statement, and the balance sheet required by paragraph (a) is filed as of the end of the preceding fiscal year, there shall be filed as an amendment to the registration statement, within 120 days after the date of filing, a verified consolidated balance sheet of the bank and such subsidiaries as of the end of the latest fiscal year.

5. *Consolidated Statement of Income.*

(a) There shall be filed verified statements of income of the bank and its majority-owned (i) bank premises subsidiaries, (ii) subsidiaries doing a foreign banking business, and (iii) significant subsidiaries, for each of the three fiscal years preceding the date of the consolidated balance sheet required by Instruction 4(a).

(b) There shall be filed with each balance sheet filed pursuant to Instruction 4(b), a verified consolidated statement of income of the bank and such subsidiaries for the fiscal year immediately preceding the date of the balance sheet.

C. UNCONSOLIDATED SUBSIDIARIES AND OTHER PERSONS

6. *Separate Statements of Unconsolidated Subsidiaries and Other Persons.*

There shall be filed such other verified financial statements with respect to unconsolidated subsidiaries and other persons as are material to a proper understanding of the financial position and results of operations of the total enterprise. For purposes of this item, "other persons" include 50 percent owned persons and unconsolidated persons in which the bank takes up equity in undistributed earnings.

D. SPECIAL PROVISIONS

7. *Succession to Other Businesses.*

(a) If during the period for which its statements of income are required, the bank has by merger, consolidation, or otherwise succeeded to one or more businesses, the additions, eliminations, and other changes effected in the succession shall be appropriately set forth in a note or supporting schedule to the balance sheets filed. In addition, statements of income for each constituent business, or combined statements, if appropriate, shall be filed for such period prior to the succession as may be necessary when added to the time, if any, for which statements of income after the succession are filed to cover the equivalent of the period as specified in Instructions 2 and 5 above.

(b) If the bank by merger, consolidation, or otherwise is about to succeed to one or more businesses, there shall be filed for the constituent businesses financial statements, combined if appropriate, that would be required if they were registering securities under the Act. In addition, there shall be filed a balance sheet of the bank giving effect to the plan of succession. These balance sheets shall be set forth in such form, preferably columnar, as will show in related manner the balance sheets of the constituent businesses, the changes to be effected in the succession and the balance sheet of the bank after giving effect to the plan of succession. By a footnote or otherwise, a brief explanation of the changes shall be given.

(c) This instruction shall not apply with respect to the bank's succession to the business of any majority-owned subsidiary or to any acquisition of a business by purchase.

8. *Acquisition of Other Businesses.*

(a) There shall be filed for any business directly or indirectly acquired by the bank after the date of the balance sheet filed pursuant to Part A or B above and for any business to be directly or indirectly acquired by the bank, the financial statements that would be required if such business were a bank.

(b) The acquisition of securities shall be deemed to be the acquisition of a business if such securities give control of the business or combined with securities already held give such control. In addition, the acquisition of securities that will extend the bank's control of a business shall be deemed the acquisition of the business if any of the securities being registered hereunder are to be offered in exchange for the securities to be acquired.

(c) No financial statements need be filed, however, for any business acquired or to be acquired from a majority-owned subsidiary. In addition, the statements of any one or more businesses may be omitted if such businesses, considered in the aggregate as a single subsidiary, would not constitute a significant subsidiary.

9. *Filing of Other Statements in Certain Cases.*

The Corporation may, upon the request of the bank, and where consistent with the protection of investors, permit the omission of one or more of the statements herein required or the filing in substitution therefor of appropriate statements of comparable character. The Corporation may also require the filing of other statements in addition to, or in substitution for, the statements herein required in any case where such statements are necessary or appropriate for an adequate presentation of the financial condition of any person whose financial statements are required, or whose statements are otherwise necessary for the protection of investors.

E. HISTORICAL FINANCIAL INFORMATION

10. *Scope of Part E.*

The information required by Part E shall be furnished for the seven-year period preceding the period for which statements of income are filed, as to the accounts of each person whose balance sheet is filed. The information is to be given as to all of the accounts specified whether they are presently carried on the books or not. Part E does not call for verification, but only for a survey

or review of the accounts specified. It should not be detailed beyond a point material to an investor.

11. *Revaluation of Assets.*

(a) If there were any material increases or decreases resulting from revaluing of assets, state (1) in what year or years such revaluations were made; (2) the amounts of such increases or decreases, and the accounts affected, including all related entries; and (3) if in connection with such revaluations any related adjustments were made in reserve accounts and amounts with explanations.

(b) Information is not required as to adjustments made in the ordinary course of business, but only as to major revaluations made for the purpose of entering on the books current values, reproduction cost, or any values other than original cost.

(c) No information need be furnished with respect to any revaluation entry that was subsequently reversed or with respect to the reversal of a revaluation entry recorded prior to the period if a statement as to the reversal is made.

12. *Capital Shares.*

(a) If there were any material restatements of capital shares that resulted in transfers from capital share liability to surplus, undivided profits, or reserves, state the amount of each such restatement and all related entries. No statement need be made as to restatements resulting from the declaration of share dividends.

(b) If there was an original issue of capital shares, any part of the proceeds of which was credited to accounts other than capital stock accounts, state the title of the class, the accounts, and the respective amounts credited thereto.

13. *Debt Discount and Expense Written Off.*

If any material amount of debt discount and expense, on long-term debt still outstanding, was written off earlier than as required under any periodic amortization plan, give the following information: (1) title of the securities, (2) date of the write-off, (3) amount written off, and (4) to what account charged.

14. *Premiums and Discount and Expense on Securities Retired.*

If any material amount of long-term debt or preferred shares was retired, and if either the retirement was made at a premium or there remained, at the time of retirement, a material amount of unamortized discount and expense applicable to the securities retired, state for each class (1) title of the securities retired, (2) date of retirement, (3) amount of premium paid and of unamortized discount and expense, (4) to what account charged, and (5) whether being amortized and, if so, the plan of amortization.

15. *Other Changes in Surplus or Undivided Profits.*

If there were any material increases or decreases in surplus or undivided profits, other than those resulting from transactions specified above, the closing of the income account, or the declaration or payment of dividends, state (1) the year or years in which such increases or decreases were made; (2) the nature and amounts thereof; and (3) the accounts affected, including all material related entire. Instruction 10(c) above also applies here.

16. *Predecessors.*

The information shall be furnished, to the extent material, as to any predecessor of the bank from the beginning of the period to the date of succession, not only as to the entries made respectively in the books of the predecessor or the successor, but also as to the changes effected in the transfer of the assets from the precessor. No information need be furnished, however, as to any one or more predecessors that, considered in the aggregate, would not constitute a significant predecessor.

17. *Omission of Certain Information.*

(a) No information need be furnished as to any subsidiary, whether consolidated or unconsolidated, for the period prior to the date on which the subsidiary became a majority-owned subsidiary of the bank or of a predecessor for which information is required above.

(b) No information need be furnished hereunder as to any one or more unconsolidated subsidiaries for which separate financial statements are filed it all subsidaries for which the information is so omitted, considered in the aggregate, would not constitute a significant subsidiary.

(c) Only the information specified in Instruction 10 need be given as to any predecessor or any subsidiary thereof if immediately prior to the date of succession thereto by a person for which information is required, the predecessor or subsidiary was in insolvency proceedings.

INSTRUCTIONS AS TO EXHIBIT

Subject to the rules regarding incorporation by reference, the following exhibits shall be filed as a part of the registration statement. Exhibits shall be appropriately lettered or numbered for convenient reference. Exhibits incorporated by reference may bear the designation given in the previous filing. Where exhibits are incorporated by reference, the reference shall be made in the list of exhibits in Item 18.

1. Copies of the charter (or a composite or restatement thereof) and the bylaws (or instruments corresponding thereto) as presently in effect.

2. Copies of any plan of acquisition, reorganization, readjustment, or succession described in answer to Items 1 and 13.

3. (a) Specimens or copies of all securities being registered hereunder, and copies of all constituent instruments defining the rights of holders of long-term debt of the bank and of all subsidiaries for which consolidated or unconsolidated financial statements are required to be filed.

(b) There need not be filed, however, (1) any instrument with respect to long-term debt not being registered hereunder if the total amount of securities authorized thereunder does not exceed 25 percent of the equity capital accounts of the bank and its subsidiaries on a consolidated basis and if there is filed an agreement to furnish a copy of such instrument to the Corporation upon request, (2) any instrument with respect to any class of securities if appropriate steps to assure the redemption or retirement of such class will be taken prior to or upon delivery by the bank of the securities being registered, or (3) copies of instruments evidencing scrip certificates for fractions of shares.

4. Copies of all pension, retirement, or other deferred compensation plans, contracts, or arrangements. If any such plan, contract, or arrangement is not set forth in a formal document, furnish a reasonably detailed description thereof. Copies of any booklet or other description of any such plan, contract, or arrangement shall also be filed.

5. Copies of any plan setting forth the terms and conditions upon which outstanding options, warrants, or rights to purchase securities of the bank or its subsidiaries from the bank or its affiliates have been issued, together with specimen copies of such options, warrants, or rights; or, if they were not issued pursuant to such a plan, copies of each such option, warrant, or right.

6. Copies of any voting trust agreement referred to in answer to Item 5.

7. (a) Copies of every material contract not made in the ordinary course of business that is to be performed in whole or in part at or after the filing of the registration statement or that was made not more than two years before such filing and performance of which has not been completed. Only contracts need be filed as to which the bank or a subsidiary is a party or has succeeded to a party by assumption or assignment, or in which the bank or such subsidiary has a beneficial interest.

(b) If the contract is such as ordinarily accompanies the kind of business conducted by the bank and its subsidiaries, it is made in the ordinary course of business and need not be filed, unless it falls within one or more of the following categories, in which case it should be filed except where immaterial in amount or significance:

(1) Directors, officers, promoters, voting trustee, or security holders named in answer to Item 5(a) are parties thereto except where the contract merely involves purchase or sale of current assets having a determinable market price, at such price.

(2) It calls for the acquisition or sale of fixed assets for a consideration exceeding 10 percent of the value of all fixed assets of the bank and its subsidiaries.

(3) It is a lease under which a significant part of the property described under Item 3 is held by the bank, or

(4) The amount of the contract, or its importance to business of the bank and its subsidiaries, is material, and the terms and conditions are of a nature of which investors reasonably should be informed.

(c) Any bonus or profit-sharing plan, contract, or arrangement shall be deemed material and shall be filed.

§ 335.42 Form for annual report of bank (Form F–2).

FORM F-2

ANNUAL REPORT PURSUANT TO SECTION 13 OF THE SECURITIES EXCHANGE ACT OF 1934

For the fiscal year ended _____. Corporation file number _____

_____

(Exact name of bank as specified in its charter)

_____

(State or other jurisdiction of incorporation or organization)

_____

(I.R.S. Employer Identification No.)

_____ _____

(Address of principal office) (ZIP Code)

Bank's telephone number, including area code _____

_____

Securities registered pursuant to Section 12(b) of the Act:

Title of each class

_____

_____

Name of each exchange on which registered

_____

_____

Securities registered pursuant to Section 12(g) of the Act:

_____

(Title of class)

_____

(Title of class)

Indicate by check mark whether the bank (1) has filed all reports required to be filed by Section 13 of the Securities Exchange Act of 1934 during the preceding 12 months (or for such shorter period that the bank was required to file such reports), and (2) has been subject to such filing requirements for the past 90 days. YES ____ NO ____

GENERAL INSTRUCTIONS

A. *Preparation of Report.*

This form is not to be used as a blank form to be filled in but only as a guide in the preparation of an annual report. The report shall contain the numbers and captions of all items required to be answered, but the text of such items may be omitted if the answers with respect thereto are prepared in the manner specified in § 335.4(s). Particular attention should be given to the definitions in § 335.2 and the general requirements in § 335.4. Except as otherwise stated, the information required shall be given as of the end of the bank's fiscal year, or as of the latest practicable date subsequent thereto.

B. *Incorporation by Reference.*

Any financial statement contained in a proxy statement, in a statement where management does not solicit proxies, or in an annual report to security holders furnished to the Corporation pursuant to § 335.5(c) may be incorporated by reference if such financial statements substantially meet the requirements of this form. When filing a Form F-2 which incorporates by reference an annual report to shareholders, schedules to Form F-2 may be omitted if the required schedule data is included in financial statements' notes. If schedules are omitted, the Item 10 index to Form F-2 should refer to a specific note number opposite the caption of the omitted schedule and state that the schedule is omitted because required information appears in the notes.

C. *Reports by Banks Not Filing Proxy Statements or Statements Where Management Does Not Solicit Proxies.*

Information contained in an annual report to security holders furnished to the Corporation pursuant to the Corporation pursuant to Instruction D below, by any bank not subject to Instruction B, may be incorporated by reference in answer or partial answer to any item of this form. In addition, any financial statements contained in any such annual report may be incorporated by reference if such financial statements substantially meet the requirements of this form.

D. *Annual Reports to Stockholders.*

Every bank that files an annual report on this form shall furnish to the Corporation for its information four copies of any annual report to security holders covering such registrant bank's latest fiscal year, unless copies thereof are furnished to the Corporation pursuant to § 335.5. Such report shall be mailed to the Corporation not later than the date on which it is first sent or given to security holders, but shall not be deemed to be "filed" with the Corporation or otherwise subject to the liabilities of Section 18 of the Act, except to the extent that the bank specifically requests that it be treated as a part of its annual report on this form or incorporates it herein by reference. If no annual report is submitted to security holders for the bank's latest fiscal year, the Corporation shall be so advised.

E. *Omission of Information Previously Filed.*

(a) Except as provided in paragraph (b) below, the information called for by Part I of this form (Items 1 through 10) is to be furnished by all banks required to file a report on this form. Part II (Items 11 through 15) may be omitted from the report by any bank which, since the close of the fiscal year, has filed with the Corporation a definitive proxy statement pursuant to § 335.5(a), or a definitive statement where management does but solicit proxies pursuant to this Part, which involved the election of directors, or which files such a proxy or information statement not later than 120 days after the close of the fiscal year.

(b) If the information called for by Item 4 or 9 would be unchanged from that given in a previous report, a reference to the previous report which includes the required information will be sufficient. Copies of such previous report need not be filed with the reports currently being filed on this form.

PART I (SEE INSTRUCTION E)

Item 1—Business.

(a) Briefly describe the business done and intended to be done by the bank and its subsidiaries. If material is necessary for an understanding of the business, briefly describe the information specified in Item 1(b)(1) to 7 below.

(b) Describe any material changes and developments since the beginning of the fiscal year in the business done and intended to be done by the bank and its subsidiaries. The description shall include information as to matters such as the following:

(1) Competitive conditions in the industry involved and the competitive position of the bank if known or reasonably available to the bank. If several services are involved, separate consideration shall be given to the principal services or classes of services.

(2) If a material part of the business is dependent upon a single customer or a few customers, the loss of any one or more of whom would have a materially adverse effect on the business of the bank, the name of the customer or customers, their relationship, if any, to the bank and material facts regarding their importance to the business of the bank.

(3) The importance to the business and the duration and effect of, all material patents, trademarks, licenses, franchises, and concessions held.

(4)(a) The estimated dollar amount spent during each of the last two fiscal years on material research activites relating to the developments of services or the improvement of existing services.

(b) If there has been a public announcement of, or if information otherwise has become public about, a new product or line of business requiring the investment of a material amount of total assets, a description of the status of such line (*e.g.*, whether in the planning state).

(c) Where material state the approximate number of employees engaged full time in each of activities described in (a) above during each fiscal year and in (b).

NOTE: Item 1(b)(4)(b) is not intended to require disclosure of otherwise non-public corporate information the disclosure of which would adversely affect the bank's competitive position. Subparagraph (a) requires disclosure of financial information relating to research and development activities. Subparagraph (b) is intended to elicit additional specific information only where there has been a public announcement or where information has otherwise become public about a new line of business requiring the investment of a material amount of total assets.

(5) The material effects that compliance with Federal, State, and local provisions which have been enacted or adopted regulating the discharge of materials into the environment, or otherwise relating the discharge of materials into the environment, may have upon the capital expenditures, earnings, and competitive position of the bank and its subsidiaries.

(7) The extent to which the business of the bank or material portion thereof is or may be seasonal.

Instructions. 1. If the bank proposes to enter, or has recently entered or introduced a new line of business requiring the investment of a material amount of its total assets, provide as supplemental information, but not as a part of the report, a copy of any market studies conducted or performed by or for the bank relating to such business and a statement as to the actual or proposed use of such study. Where material, disclosure in the report of the absence of such a study is required.

2. Positive and negative factors pertaining to the competitive position of the bank, to the extent that they exist, should be explained, if known or reasonably available to the bank. An estimate of the number of competitors should be included, and, where material, the particular markets in which the bank competes should be identified. Where one or a small number of competitors are dominant, they should be identified.

3. Where material to understanding the bank's business, the bank's and industry practices and conditions as they relate to liquidity items should be explained (*e.g.*, where the bank's business is highly seasonal).

4. The description shall not relate to the powers and objects specified in the charter, but to the actual business done and tended to be done. Include the business of subsidiaries and affiliates of the bank insofar as is necessary to understand the character and development of the business conducted by the bank.

5. In describing development, information shall be given as to matters such as the following: The nature and results of any material reorganization, readjustment, or succession of the bank or any of its significant subsidiaries; in the acquisition or disposition of any material amount of assets otherwise than in the ordinary course of business; and any material changes in the mode of conducting the business.

6. The business of a predecessor or predecessors shall be deemed to be the business of the bank for the purpose of this item.

7. Appropriate disclosure shall be made with respect to any material portion of the business which may be subject to termination at the election of any person (*e.g.*, depositor).

(c)(1) Information as to lines of business. If the bank and its subsidiaries are engaged in any business, in addition to normal commercial or mutual savings bank activities, state, for each of the bank's last five fiscal years, or for each fiscal year the bank has been engaged in business, whichever period is less, the approximate amount or percentage of (i) total revenues, and (ii) income (or loss) before income taxes and extraordinary items, attributable to each line of business which during either of the last two fiscal years accounted for—

(A) 10 percent or more of the total of revenues.

(B) 10 percent or more of income before income taxes and extraordinary items computed without deduction of loss resulting from operations of any line of business, or

(C) a loss which equalled or exceeded 10 percent of the amount of income specified in (B) above; provided, however, that if total revenues did not exceed $50,000,000 during either of the last two fiscal years, the percentages specified in (A), (B), and (C) above shall be 15 percent, instead of 10 percent.

If it is impracticable to state the contribution to income (or loss) before income taxes and extraordinary items for any line of business, state the contribution thereof to the results of operations most closely approaching such income, together with a brief ex-

planation of the reasons why it is not practicable to state the contribution to such income or loss.

(d) If the bank and its subsidiaries engage in material operations in foreign countries, or if a material portion of revenues is derived from customers in foreign countries, appropriate disclosure shall be made with respect to the importance of that part of the business to the bank and the risks attendant thereto. Insofar as practicable, furnish information with respect to volume and relative profitability of such operations.

(e) The Corporation may, upon written request of the bank and where consistent with the protection of investors, permit the omission of any of the information herein required or the furnishing in substitution therefor of appropriate information of comparable character. The Corporation may also require the furnishing of other information in addition to, or in substitution for, the information herein required in any case where such information is necessary or appropriate for an adequate description of the business done or intended to be done.

Item 2—Summary of Operations.

Furnish in comparative columnar form a summary of operations for the bank, or for the bank and its subsidiaries consolidated, or both, as appropriate for—

(a) each of the last five fiscal years of the bank (or for the life of the bank and its predecessors, if less), and

(b) any additional fiscal years necessary to keep the summary from being misleading.

Where necessary, include information or explanation of material significance of investors in appraising the results shown, or refer to such information or explanation set forth elsewhere in the report.

Instructions. 1. As a minimum, the following items shall be included: Operating revenues, operating expenses, income before income taxes and security gains (losses), extraordinary items less applicable tax, cumulative effects of changes in accounting principles, and net income.

2. If a period or periods reported on include operations of a business prior to the date of acquisition, or for other causes differ from reports previously issued for any period, the summary shall be reconciled as to sales or revenues and net income in the summary or in a note thereto with the amounts previously reported; provided, however, that such reconciliations need not be made (1) if they have been made in filings with the Corporation in prior years or (2) the financial statements which are being retroactively adjusted have not previously been filed with the Corporation or otherwise made public.

(3) The summary shall be prepared to show earnings applicable to common stock. Per share earnings and dividends declared for each period of the summary shall also be shown. The basis of the computation of per share earnings shall be stated, together with the number of shares used in the computation. The bank shall file as an exhibit a statement setting forth in reasonable detail the computation of per share earnings, unless the computation can be clearly determined from the answer to this item.

4. (a) If debt securities are registered under Section 12 of the Act, the bank may, at its option, show in tabular form for each fiscal year the ratio of earnings to fixed charges. Such ratio shall be calculated both on the basis of excluding interest on deposits and including interest on deposits as part of "fixed charges".

(b) Earnings shall be computed after all operating and income deductions except fixed charges and taxes based on income or profits and after eliminating undistributed income of unconsolidated subsidiaries and 50 percent or less owned persons.

(c) The term "fixed charges" shall mean (i) interest and amortization of debt discount and expense and premium on all indebtedness; (ii) such portion of rentals as can be demonstrated to be representative of the interest factor in the particular case.

(d) Any bank electing to show the ratio of earnings to fixed charges, in accordance with this instruction, shall file as an exhibit a statement setting forth in reasonable detail the computations of the ratios shown.

(5) Describe any change in accounting principles or practices followed by the bank, or any change in the method of applying any such accounting principles or practices, which materially affected the financial statements being filed with the Corporation for the fiscal year covered by the report or which is reasonably certain to affect the financial statements of future fiscal years. State the date of the change and the reasons therefor. A letter from the bank's independent accountants, if any, approving or otherwise commenting on the change, shall be filed as an exhibit unless previously filed.

(6) For any event which was required to be reported pursuant to Item 10(a) of Form F-3 in which an amount of cost was estimated to be incurred in the fiscal year being reported on or the prior fiscal year, summarize such transaction and state the amounts of the actual amounts, if any, and provide a detailed reconciliation showing all charges and credits to any reserve provided.

(7) The provisions of Instruction 6 to Item 2 of § 335.41 shall be applicable to filings pursuant to this Item 2.

Item 3—Properties.

State briefly the location and general character of the principal offices and other materially important physical properties of the bank and its subsidiaries, whether held in fee or leased, and if leased, the expiration dates of material leases.

Instruction. What is required is such information as will reasonably inform investors as to the suitability, adequacy and extent of utilization of the facilities used by the bank. Detailed descriptions of the physical characteristics of individual properties or legal descriptions by metes and bounds are not required and should not be given.

Item 4—Parents and Subsidiaries.

(a) Furnish a list or diagram of all parents and subsidiaries of the bank and as to each person named indicate the percentage of voting securities owned, or other basis of control, by its immediate parent, if any.

Instructions. 1. The list or diagram shall include the bank and shall be so prepared as to show clearly the relationship of each person named to the bank and to the other persons named. If any person is controlled by means of the direct ownership of its securities by two or more persons, so indicate by appropriate cross reference.

2. Designate by appropriate symbols (a) subsidiaries for which separate financial statements are filed; (b) subsidiaries included in consolidated financial statements; (c) subsidiaries included in group financial statements filed for unconsolidated subsidiaries; and (d) other subsidiaries, indicating briefly why financial statements of such subsidiaries are not filed.

3. Include the name of the State or other jurisdiction in which each subsidiary was incorporated or organized.

4. The names of the particular subsidiaries may be omitted if the unnamed subsidiaries, considered in the aggregate as a single subsidiary, would not constitute a significant subsidiary.

5. If the bank owns directly or indirectly approximately 50 percent of the voting securities of any person and approximately 50 percent of the voting securities of such person is owned directly or indirectly by another single interest, or if the bank takes up the equity in undistributed earnings of any other unconsolidated person, such person shall be deemed to be a subsidiary for the purpose of this item.

NOTE: If any person is controlled by the means of the direct ownership of its securities by two or more persons listed in response to this item, so indicate by appropriate cross reference.

Item 5—Legal Proceedings.

Briefly describe any material pending legal proceedings, other than ordinary routine litigation incidental to the business, to which the bank or any of its subsidiaries is a party or of which any of their property is the subject. Include the name of the court or agency in which the proceedings are pending, the date instituted, the principal parties thereto, a description of the factual basis alleged to underlie the proceeding and the relief sought. Include similar information as to any such proceedings known to be contemplated by governmental authorities.

Civil Rights—When legal proceedings arising under civil rights statutes are pending or known to be contemplated by government agencies, the proceedings must be disclosed if they are material.

Instructions. 1. No information need be given with respect to any proceeding which involves primarily a claim for damages if the aggregate amount involved does not exceed 10 percent of the equity capital accounts of the bank and its subsidiaries on a consolidated basis. However, if any proceedings present in large degree the same issues as other proceedings pending or known to be contemplated, the amount involved in such other proceedings shall be included in computing such percentage.

2. Any material proceedings to which any director, officer, or affiliate of the bank, any security holder named in answer to Item 11(a) or any associate of any such director, officer or security holder, is a party, or has a material interest, adverse to the bank or any of its subsidiaries shall also be described.

3. Notwithstanding the foregoing, administrative or judicial proceedings arising under any Federal, State, or local provisions regulating the discharge of materials into the environment or otherwise relating to the protection of the environment, shall not be deemed "ordinary routine litigation incidental to the business" and shall be described if such proceeding is material to the business or financial condition of the bank or if it involves primarily a claim for damages and the amount involved, exclusive of interest and costs, exceeds 10 percent of the equity capital accounts of the bank and its subsidiaries on a consolidated basis. Any such proceedings by governmental authorities shall be deemed material and shall be described whether or not the amount of any claim for damages involved exceeds 10 percent of equity capital accounts on a consolidated basis and whether or not such proceedings are considered "ordinary routine litigation incidental to the business"; provided, however, that such proceedings which are similar in nature may be grouped and described generically stating: The number of such proceedings in each group; a generic description of such proceedings; the issues generally involved; and, if such proceedings in the aggregate are material to the business or financial condition of the bank, the effect of such proceedings on the business or financial condition of the bank.

Item 6—Increases and Decreases in Outstanding Securities.

Instruction. The information called for herein shall be given as to each security. If the information called for has been previously reported on Form F-4 or some other form, it may be incorporated by a specific reference to the previous filing.

(a) Give the following information as to all increases and decreases during the fiscal year in the amount of equity securities of the bank outstanding:

(1) The title of the class of securities involved;

(2) The date of the transaction;

(3) The amount of securities involved and whether an increase or a decrease;

(4) A brief description of the transaction in which the increase or decrease occurred. If previously reported, the description may be incorporated by a specfic reference to the previous filing.

Instruction. The information shall be prepared in the form of a reconciliation between the amounts shown to be outstanding on the balance sheet to be filed with this report and the amounts shown on the bank's balance sheet for the previous year. The exercise of outstanding options or warrants (separately by class or type of option or warrant), conversions of previously issued convertible securities (separately by class of security) and the issuance of options may be grouped together showing the dates between which all such transactions occurred.

(b) Give the following information as to all securities of the bank sold by the bank during the fiscal year. Include sales of the bank's reacquired securities as well as new issues, securities issued in exchange for property, services or other securities, and new securities resulting from the modificaiton of outstanding securities:

(1) Give the date of sale, and the title and amount of the bank's securities sold;

(2) Give the market price on the date of sale, if applicable;

(3) Give the names of the brokers, underwriters or finders, if any. As to any securities sold but which were not the subject of a public offering, name the persons or identify the class of persons to whom the securities were sold;

(4) As to securities sold for cash, state the aggregate offering price and the aggregate underwriting discounts, brokerage commissions, or finder's fees. As to any securities sold otherwise than for cash, state the nature of the transaction and the nature and aggregate amount of consideration received by the bank;

(5) State whether the securities have been legended and stop-transfer instructions given in connection therewith, and if not, state the reasons why not.

Item 7—Approximate Number of Equity Security Holders.

State in the tabular form indicated below the approximate number of holders of record of each class of equity securities of the bank as of the end of the fiscal year:

(1) Title of class	(2) Number of record holders

Instructions. 1. Attention is directed to the definition of the term "equity security" in Section 3(a)(11) of the Act and the definition of the term "held of record" at § 335.2(k)(1).

2. The information shall be given as of the end of the last fiscal year or as of any subsequent date, except that if the latest determination of the number of record holders of any class of equity securities was made for some other purpose within 90 days prior to the end of the last fiscal year, the information may be given as of the date of such determination.

3. Information need not be given with respect to the number of holders of outstanding nontransferable options to purchase securities of the bank.

Item 8—Principal Officers of the Bank.

(a) List the names and ages of all principal officers of the bank and all persons chosen to become principal officers; state the nature of any family relationship between them; indicate all positions and offices with the bank held by each such person; state his term of office as officer and the period during which he has served as such and briefly describe any arrangement or understanding between him and any other person pursuant to which he was selected as an officer.

Instructions. 1. Do not include arrangements or understandings with directors or officers of the bank acting solely in their capacities as such.

2. For purposes of this item, the term "principal officer" should be defined as provided by § 335.2(q).

3. The term "family relationship" means any relationship by blood, marriage or adoption, not more remote than first cousin.

(b) Give a brief account of the business experience during the past five years of each principal officer, including his principal occupations and employment during that period and the name and principal business of any corporation or other organization in which such occupations and employment were carried on. Where a principal officer has been employed by the bank or a subsidiary of the bank for less than five years, a brief explanation should be included as to the nature of the responsibilities undertaken by the individual in prior positions to provide adequate disclosure of his prior business experience. What is required is information relating to the level of his professional competence, which may include, depending upon the circumstances, such specific information as the size of the operation supervised.

Item 9—Indemnification of Directors and Officers.

State the general effect of any charter provisions, bylaw, contract, arrangement or statute under which any director or officer of the bank is insured or indemnified in any manner against any liability which he may incur in his capacity as such.

Item 10—Financial Statements and Exhibits.

List below all financial statements and exhibits filed as a part of the annual report:

(A) Financial statements.

(B) Exhibits, including those incorporated by reference.

PART II (SEE INSTRUCTION E)

Item 11—Principal Security Holders and Security Holdings of Management.

(a) Furnish the following information, in substantially the tabular form indicated, as to the voting securities of the bank owned of record or beneficially by each person who owns of record, or is known by the bank to own beneficially, more than 10 percent of any class of such securities. Show in Column (3) whether the securities are owned both of record and beneficially, of record only, or beneficially only, and show in Columns (4) and (5) the respective amounts and percentages owned in each such manner.

Name and address	Title of class	Type of ownership	Amount owned	Percent of class

(b) Furnish the following information in substantially the tabular form indicated as to each class of equity securities of the bank or any of its parents or subsidiaries, other than directors' qualifying shares, beneficially owned directly or indirectly by all directors and officers of the bank as a group, without naming them.

(1) Title of class	(2) Amount beneficially owned	(3) Percent of class

Instructions. 1. The percentages are to be calculated on the basis of the amount of outstanding securities, excluding securities held by or for the account of the bank. In any case where the amount owned by directors and officers as a group is less than one percent of the class, the percent of the class owned by them may be omitted.

2. For the purpose of this section, a person shall be deemed to be the beneficial owner of securities which he has the right to require through the exercise of presently exercisable options, warrants or rights or through the conversion of presently convertible securities. In computing the percentage of the class owned, securities which such person has a right to acquire shall be deemed to be outstanding.

3. If, to the knowledge of the bank more than 10 percent of any class of voting securities of the bank is held or to be held subject to any voting trust or other similar agreement, state the title of such securities, the amount held or to be held and the duration of the agreement. Give the names and addresses of the voting trustees and outline briefly their voting rights and other powers under the agreement.

(c) Describe any contractual arrangements, known to the bank, including any pledge of securities of the bank or any of its parents, the operation of the terms which may at a subsequent date result in a change in control of the bank.

Instruction. This paragraph does not require a description of ordinary default provisions contained in the charter, trust indentures or other governing instruments relating to securities of the bank.

Item 12—Directors of the Bank.

NOTE: Paragraph (c) of Item 12 also applies to principal officers of the bank.

(a) List the name and age of each director of the bank, the date on which his present term of office will expire and the nature of all other positions and offices with the bank presently held by him. The same information shall be provided with respect to each person chosen to become a director.

(b) If not previously reported, state the nature of any family relationship between each such director and any other director or any principal officer of the bank and give a brief account of his business experience during the past five years, including his principal occupations and employment during that period and the name and principal business of any corporation or other organization in which such occupation or employment was carried on. Where a person has been on the bank's board for less than five years, a brief explanation should be included as to the nature of the responsibilities undertaken by the individual in prior positions to provide adequate disclosure of his prior business experience. What is required is information relating to the level of his professional competence and experience.

(c) Describe any of the following events which have occurred during the past 10 years and which are material to an evaluation of the ability and integrity of any director or principal officer of the bank:

(1) A petition under the Bankruptcy Act or any State insolvency law was filed by or against, or a receiver, fiscal agent or similar officer was appointed by a court for business or property of, such person, or any partnership in which he was a general partner at or within two years before the time of such filing, or any corporation or business association of which he was an executive officer at or within two years before the time of such filing.

(2) Such person was convicted in a criminal proceeding (excluding traffic violations and other minor offenses) or is the subject of a criminal proceeding which is presently pending; or

(3) Such person was the subject of any order, judgment or decree of any court of competent jurisdiction permanently or temporarily enjoining him from acting as an invetment adviser, underwriter, broker or dealer in securities, or as an affiliated person, director or employee of any investment company, bank, savings and loan association or insurance company, or from engaging in or continuing any conduct or practice in connection with the purchase or sale of any security, or was the subject of any order of a Federal or state authority barring or suspending for more than 60 days the right of such person to be engaged in any such activity or to be associated with persons to be engaged in any such activity or to be associated with persons engaged in any such activity, which order has not been reversed or suspended.

Instructions. 1. Instruction 2 to Item 8 shall also apply to this item.

2. If any event specified in paragraph (c) has occurred but information in regard thereto is omitted on the ground that it is not material, the bank shall furnish, as supplemental information and not as a part of this report, a description of the event, and a statement of the reasons for the omission of information in regard thereto.

Item 13—Remuneration of Directors and Officers.

Set forth the same information as to remuneration of officers and directors and their transactions with management and others as is required to be furnished by Items 7(a), (b) and (c) of Form F-5.

Item 14—Options Granted to Management to Purchase Securities.

Furnish the following information, in substantially the tabular form indicated, as to all options to purchase any securities from the bank or any of its subsidiaries which were granted to or exercised by the following persons since the beginning of the fiscal year, and as to all options held by such persons as of the latest practicable date regardless of when such options were granted: (i) each director and officer named in answer to Item 7(a)(1) of Form F-5, naming each such person; and (ii) all directors and officers of the bank as a group, without naming them:

	(Insert name)	(Insert name)	(Insert name)	All directors and officers as a group
Options granted:				
Number of shares				
Average option price per share	$			
Options exercised:				
Number of shares				
Aggregate option price of shares purchased	$			
Aggregate market value of shares on date options were exercised	$			
Unexercised options held at (insert date):				
Number of shares				
Average option price per share	$			

Instructions. 1. The term "options" as used in this item includes all options, warrants or rights, other than those issued to security holders as such on a pro rata basis. Where the average option price per share is called for, the weighted average price per share shall be given.

2. The extension, regranting or material amendment of options shall be deemed the granting of options within the meaning of this item.

3. (i) Where the total market value on the granting dates of the securities called for by all options granted during the period specified does not exceed $10,000 for any officer or director named in answer to Item 7(a)(1) of Form F-5 or $40,000 for all officers or directors as a group, this item need not be answered with respect to options granted to such person or group. (ii) Where the total market value on the dates of purchase of all securities purchased through the exercise of options during the period specified does not exceed $10,000 for any such person or $40,000 for such group, this ietm need not be answered with respect to options exercised by such person or group. (iii) Where the total market value as of the latest practicable date of the securities called for by all options held at such time does not exceed $10,000 for any such person or $40,000 for such group, this item need not be answered with respect to options held as of the specified date by such person or group.

4. If the options relate to more than one class of securities, the information shall be given separately for each such class.

Item 15—Interest of Management and Others in Certain Transactions.

(a) Describe briefly any transactions since the beginning of the last fiscal year or any presently proposed transactions, to which the bank or any of its subsidiaries was or is to be a party, in which any of the following persons had or is to have a direct or indirect material interest, naming such person and stating his relationship to the bank, the nature of his interest in the transaction and, where practicable, the amount of such interest:

(1) Any director or officer of the bank;

(2) Any security holder named in answer to Item 11(a); and

(3) Any associate of any of the foregoing persons.

Instructions. 1. This item applies to any person who held any of the positions or relationships specified at any time during the period specified. However, information need not be given for any portion of the period during which such person did not hold any such position or relationship.

2. No information need be given in response to this item as to any remuneration or other transaction reported in response to Item 13 or 14, or as to any transaction, reported in response to Item 13 or 14, or as to any transaction with respect to which information may be omitted pursuant to Instruction 2 to Item 13(b), the instruction to Item 13(c), or Instruction 2 or 3 or paragraph (b) of this item.

3. No information need be given in answer to this item as to any transaction where—

(a) the rates or charges involved in the transaction are determined by competitive bids, or the transaction involves the rendering of services at rates or charges fixed in conformity with law or governmental authority;

(b) the transaction involves services as a bank depository of funds, transfer agent, registrar, trustee under a trust indenture, or similar services;

(c) the amount involved in the transaction or a series of similar transactions, including all periodic installments in the case of any lease or other agreement providing for periodic payments or installments, does not exceed $40,000; or

(d) the interest of the specified person arises solely from the ownership of securities of the bank and the specified person receives no extra or special benefit not shared on a pro rata basis by all holders of securities of the class.

4. It should be noted that this item calls for disclosure of indirect, as well as direct, material interests in transactions. A person who has a position or relationship with a firm, corporation, or other entity, which engages in a transaction with the bank or its subsidiaries may have an indirect interest in such transaction with the bank or its subsidiaries may have an indirect interest in such transaction by reason of such position or relationship. However, a person shall be deemed not to have a material indirect interest in a transaction within the meaning of this item where—

(a) the interest arises only (i) from such person's position as a director of another corporation or organization (other than a partnership) which is a party to the transaction, or (ii) from the direct or indirect ownership by such person and all other persons specified in subparagraphs (1) and (3) above, in the aggregate, of less than a 10 percent equity interest in another person (other than a partnership) which is a party to the transaction, or (iii) from both such position and ownership;

(b) the interest arises only from such person's position as a limited partner in a partnership in which he and all other persons specified in (1) through (3) above had an interest of less than 10 percent; or

(c) the interest of such person arises solely from the holding of an equity interest (including a limited partnership interest, but excluding a general partnership interest) of a creditor interest in another person which is a party to the transaction with the issuer of any of its subsidiaries and the transaction is not material to such other person.

5. The amount of the interest of any specified person shall be computed without regard to the amount of the profit or loss involved in the transaction. Where it is not practicable to state the approximate amount of the interest, the approximate amount involved in the transaction shall be indicated.

6. In describing any transaction involving the purchase or sale of assets by or to the bank or any of its subsidiaries, otherwise than in the ordinary course of business, state the cost of the assets to the purchaser and, if acquired by the seller within two years prior to the transaction, the cost thereof to the seller.

7. The foregoing instructions specify certain transactions and interests as to which information may be omitted in answering this item. There may be situations where,

although the foregoing instructions do not expressly authorize nondisclosure the interest of a specified person in the particular transaction or series of transactions is not a material interest. In that case, information regarding such interest and transaction is not required to be disclosed in response to this item.

8. Information should be included as to any material underwriting discounts and commissions upon the sale of securities by the bank where any of the specified persons was or is to be a principal underwriter or is a controlling person or a member of a firm that was or is to be a principal underwriter. Information need not be given concerning ordinary management fees paid by underwriters to a managing underwriter pursuant to an agreement among underwriters the parties to which do not include the bank or its subsidiaries.

(b) State as to each of the following persons who was indebted to the bank or its subsidiaries at any time since the beginning of the last fiscal year of the bank: (i) the largest aggregate amount of indebtedness outstanding at any time during such period, (ii) the nature of the indebtedness and of the transaction in which it was incurred, (iii) the amount thereof outstanding as of the latest practicable date, and (iv) the rate of interest paid or charged thereon:

(1) Each director or officer of the bank;

(2) Any security holder named in answer to Item 11(a); and

(3) Each associate of any of the following persons.

Instructions. 1. Include the name of each person whose indebtedness is described and the nature of the relationship by reason of which the information is required to be given.

2. Disclosure under this paragraph (b) is not required where the transaction consists of extensions of credit by the bank in the ordinary course of its business that (A) are made on substantially the same terms, including interest rates and collateral, as those prevailing at the time for comparable transactions with other than specified persons, (B) at no time exceed 10 percent of the equity capital accounts of the bank, of $10,000,000, whichever is less, and (C) do not involve more than the normal risk of collectibility or present other unfavorable features. Notwithstanding the foregoing, if aggregate extensions of credit to the specified persons, as a group exceeded 20 percent of the equity capital accounts of the bank at any time during the preceding year, (1) the aggregate amount of such extensions of credit shall be disclosed, and (2) a statement shall be included to the extent applicable, that the bank has had, and expects to have in the future, banking transactions in the ordinary course of its business with directors, officers, principal stockholders, and their associates, on the same terms, including interest rates and collateral on loans, as those prevailing at the same time for comparable transactions with others, and do not involve more than the normal risk of collectibility or present other unfavorable features. For the purpose of determining "aggregate extensions of credit" in this instruction, transactions which are exempted from disclosure pursuant to other instructions to this item may be excluded.

3. If to the knowledge of the bank any indebtedness required to be described arose under Section 16(b) of the Act and has not been discharged by payment, state the amount of the profit realized, that such profit will inure to the benefit of the bank or its subsidiaries and whether suit will be brought or other steps taken to recover such profit. If in the opinion of counsel a question reasonably exists as to the recoverability of such profit, it will suffice to state all facts necessary to describe the transaction, including the prices and numbers of shares involved.

(c) Describe briefly any transactions since the beginning of the bank's last fiscal year or any presently proposed transaction, to which any pension, retirement, savings or similar plan provided by the bank or any of its parents or subsidiaries, was or is to be a party, in which any of the following persons had or is to have a direct or indirect material interest, naming such person and stating his relationship to the bank, the nature of his interest in the transaction and, where practicable, the amount of such interest:

(1) Any director or officer of the bank;

(2) Any security holder named in answer to Item 11(a);

(3) Any associate of any of the foregoing persons; or

(4) The bank or any of its subsidiaries.

Instructions. 1. Instruction 2, 3, 4 and 5 to paragraph (a) of this item shall apply to paragraph (c) of this item.

2. Without limiting the general meaning of the term "transaction" there shall be included in answer to this item any remuneration received or any loans received or outstanding during the period, or proposed to be received.

3. No information need be given in answer to paragraph (c) with respect to—

(a) payments to the plan, or payments to beneficiaries, pursuant to the terms of the plan;

(b) payment of remuneration for services not in excess of five percent of the aggregate remuneration received by the specified person during the bank's last fiscal year from the bank and its subsidiaries; or

(c) any interest of the bank or any of its subsidiaries which arises solely from its general interest in the success of the plan.

SIGNATURES

Pursuant to the requirements of the Securities Exchange Act of 1934, the bank has duly caused this annual report to be signed on its behalf by the undersigned, thereunto duly authorized.

(Name of bank)

Date_____ By_____

(Name and title of signing officer)

INSTRUCTIONS AS TO FINANCIAL STATEMENTS

These instructions specify the balance sheets and statements of income required to be filed as a part of annual reports on this form. Section 335.7 governs the verification, form, and content of the balance sheets and statements of income required, including the basis of consolidation, and prescribes the statement of changes in capital accounts, statement of changes in financial position and the schedules to be filed in support thereof.

1. *Financial Statements of the Bank.*

(a) There shall be filed for the bank, in comparative columnar form, verified balance sheets as of the close of the last 2 fiscal years and verified statements of income for such fiscal years.

(b) Notwithstanding paragraph (a), the individual financial statements of the bank may be omitted if consolidated statements of the bank and one or more of its subsidiaries are filed.

2. *Consolidated Statements.*

There shall be filed for the bank and its majority-owned (i) bank premises subsidiaries, (ii) subsidiaries doing a foreign banking business, and (iii) significant subsidiaries, in comparative columnar form, verified consolidated balance sheets as of the close of the last two fiscal years of the bank and verified consolidated statements of income for such fiscal years.

3. *Separate Statements of Unconsolidated Subsidiaries and Other Persons.*

There shall be filed such other verified financial statements with respect to unconsolidated subsidiaries and other persons as are material to a proper understanding of the financial position and results of operations of the total enterprise. For purposes of this item, "other persons" includes 50 per cent owned persons and unconsolidated persons in which the bank takes up equity in undistributed earnings.

4. *Filing of Other Statements in Certain Cases.*

The Corporation may, upon the informal written request of the bank and where consistent with the protection of investors, permit the omission of one or more of the statements herein required or the filing in substitution therefor of appropriate statements of comparable character. The Corporation may also by informal written notice require the filing of other statements in addition to, or in substitution for, the statements herein required in any case where such statements are necessary or appropriate for an adequate presentation of the financial condition of any person whose financial statements are required, or whose statements are othewise necessary for the protection of investors.

INSTRUCTION AS TO EXHIBITS

Subject to the provisions regarding incorporation by reference, the following exhibits shall be filed as a part of the report:

(A) Copies of all amendments or modifications, not previously filed, to all exhibits previously filed (or copies of such exhibits as amended or modified).

(B) Copies of all documents of the character required to be filed as an exhibit to an original form for registration of securities of a bank which have been executed or enterprise put into effect during the fiscal year and not previously filed.

§ 335.43 Form for current report of a bank (Form F–3).

FORM F–3

CURRENT REPORT

PURSUANT TO SECTION 13 OF THE SECURITIES EXCHANGE ACT OF 1934

For the month of _____, 19__

(Exact name of bank as specified in charter)

(Address of principal office)

GENERAL INSTRUCTIONS

A. *Preparation of Report.*

This form is not to be used as a blank form to be filled in but only as a guide in the preparation of the report. The report shall contain the numbers and captions of all applicable items, but the text of such items may be omitted if the answers with respect thereto are prepared in the manner specified in § 335.4(s). All items which are not required to be answered in a particular report may be omitted and no reference thereto need be made in the report. Particular attention should be given to the definitions in § 335.2 and the general requirements in § 335.4.

B. *Events To Be Reported.*

A report on this form is required to be filed upon the occurrence of any one or more of the events specified in the items of this form. Reports are to be filed within 10 days after the close of each month during which any of the specified events occurs. However, if substantially the same information as that required by this form has been previously

reported by the bank, an additional report of the information on this form need not be made.

C. *Incorporation by Reference to Proxy Statement, Statement Where Management Does Not Solicit Proxies, or Annual Report to Security Holders.*

Information contained in any Statement previously filed with the Corporation pursuant to § 335.5(a) or in an annual report to security holders furnished to the Corporation pursuant to § 335.5(c) may be incorporated by reference in answer or partial answer to any item or items of this form. In addition, any financial statements contained in any such statement or annual report may be incorporated by reference provided such financial statements substantially meet the requirements of this form.

INFORMATION TO BE INCLUDED IN REPORT

Item 1—Changes in Control of Bank.

(a) If any person has become a parent of the bank, give the name of such person, the date and a brief description of the transaction or transactions by which the person became such a parent and the percentage of voting securities of the bank owned by the parent or other basis of control by the parent over the bank.

(b) If any person has ceased to be a parent of the bank, give the name of such person and the date and a brief description of the transaction or transactions by which the person ceased to be such a parent.

(c) If securities of a bank or any of its parents have been pledged under such circumstances that a default may result in a change of control of the bank, state the names of the pledgor and pledgee and the title and amount of securities pledged.

Instruction. Where, pursuant to a previously reported pledge agreement, additional securities are pledged on the same terms, no report is necessary unless there is a significant change in the percentage of voting securities pledged.

Item 2—Acquisition or Disposition of Assets.

If the bank or any of its significant subsidiaries has acquired or disposed of a significant amount of assets, otherwise than in the ordinary course of business, state the date and manner of acquisition or disposition and briefly describe the assets involved, the nature and amount of consideration given or received therefor, the principle followed in determining the amount of such consideration, the identity of the persons from whom the assets were acquired or to whom they were sold and the nature of any material relationship between such persons and the bank or any of its affiliates, any director or officer of the bank, or any associate of any such director or officer. In any assets so acquired by the bank or its subsidiaries constituted plant, equipment or other physical property, state the nature of the business in which the assets were used by the persons from whom acquired and whether the bank intends to continue such use or intends to devote the assets to other purposes, indicating such other purposes.

Instructions. 1. No information need be given as to (i) any transaction between any person and any wholly owned subsidiary of such person; *i.e.*, a subsidiary substantially all of whose outstanding voting securities are owned by such person and/or its other wholly owned subsidiaries; (ii) any transaction between two or more wholly owned subsidiaries of any person; or (iii) the redemption or other acquisition of securities from the public, or the sale or other disposition of securities to the public, by the bank of such securities.

2. The term "acquisition" includes every purchase, acquisition by lease, exchange, merger, consolidation, succession or other acquisition; provided that such term does not include the construction or development of property by or for the bank or its subsidiaries or the acquisition of materials for such purpose, and does not include the acquisition of assets acquired (i) in collecting a debt previously contracted in good faith or (ii) in a fiduciary capacity. The term "deposition" includes every sale, disposition by lease, exchange, merger, consolidation, mortgage, or hypothecation of assets, assignment, abandonment, destruction, or other disposition, but does not include disposition of assets acquired (i) in collecting a debt previously contracted in good faith or (ii) in a fiduciary capacity.

3. The information called for by this item is to be given as to each transaction or series of related transactions of the size indicated. The acquisition or disposition of securities shall be deemed the indirect acquisition or disposition of the assets represented by such securities if it results in the acquisition or disposition of control of such assets.

4. An acquisition or disposition shall be deemed to involve a significant amount of assets (i) if the net book value of such assets or the amount paid or received therefor upon such acquisition or disposition exceeded five percent of the equity capital accounts of the bank, or (ii) if it involved the acquisition or disposition of a business whose gross operating revenues for its last fiscal year exceeded five percent of the gross operating revenues of the bank and its consolidated subsidiaries for the bank's latest fiscal year.

5. Where assets are acquired or disposed of through the acquisition or disposition of control of a person, the person from whom such control was acquired or to whom it was disposed of shall be deemed the person from whom the assets were acquired or to whom they were disposed of, for the purposes of this item. Where such control was acquired from or disposed of to not more than five persons, their names shall be given, otherwise it will suffice to identify in an appropriate manner the class of such persons.

6. Attention is directed to the requirements at the end of the form with respect to the filing of financial statements for businesses acquired.

Item 3—Legal Proceedings.

(a) Briefly described any material legal proceedings, other than ordinary routine proceedings incidental to the business, to which the bank or any of its subsidiaries has become a party or of which any of their property has become the subject. Include the name of the court or agency in which the proceedings were instituted, the dated instituted, and the principal parties thereto, a description of the factual basis alleged to under the proceedings and the relief sought. When legal proceedings arising under civil rights statutes are pending or known to be contemplated by government agencies, the proceedings must be disclosed if they are material.

(b) If any such proceeding previously reported has been terminated, identify the proceeding, state the date and nature of such termination and the general effect thereof with respect to the bank and its subsidiaries.

Instructions. 1. No information need be given with respect to any proceeding which involves primarily a claim for damages if the amount involved, exclusive of interest and costs, does not exceed 10 percent of the equity capital accounts of the bank. However, if any proceeding presents in large degree the same issues as other proceedings pending or known to be contemplated, the amount involved in such other proceedings shall be included in computing such percentage.

2. Any material proceeding to which any director, officer, or affiliate of the bank, any holder of more than 10 percent of any class of its equity securities, or any associate of any such director, officer, or security holder, is a party adverse to the bank or any of its subsidiaries, shall also be described.

3. Any proceeding to which any director, officer or affiliate of the bank any principle holder of equity securities of the bank or any associate of any such director, officer or security holder, is a party adverse to the bank or any of its subsidiaries shall also be described.

4. Notwithstanding the foregoing, administrative or judicial proceedings arising under any Federal, State or local provisions regulating the discharge of materials into the environment or otherwise relating to the protection of the environment, shall not be deemed "ordinary routine litigation incidental to the business" and shall be described if such proceeding is material to the business or financial condition of the bank or if it involves primarily a claim for damages and the amount involved exceeds 10 percent of the equity capital accounts of the bank and its subsidiaries on a consolidated basis. Any such proceedings by governmental authorities shall be deemed material and shall be described whether or not the amount of any claim for damages involved exceeds 10 percent of the equity capital accounts on a consolidated basis and whether or not such proceedings are considered "ordinary routine litigation incidental to the business"; *provided, however,* That such proceedings which are similar in nature may be grouped and described generically stating: The number of such proceedings in each group; a generic description of such proceedings; the issues generally involved; and, if such proceedings in the aggregate are material to the business or financial condition of the bank, the effect of such proceedings on the business or financial condition of the bank.

Item 4—Changes in Securities.

(a) If the instruments defining the rights of the holders of any class of registered securities have been materially modified, give the title of the class of securities involved and state briefly the general effect of such modification upon the rights of holders of such securities.

(b) If the rights evidenced by any class of registered securities have been materially limited or qualified by the issuance or modification of any other class of securities, state briefly the general effect of the issuance or modification of such other class of securities upon the rights of the holders of the registered securities.

Instruction. Working capital restrictions and other limitations upon the payment of dividends are to be reported hereunder.

Item 5—Changes in Security for Registered Securities.

If there has been a material withdrawal or substitution of assets securing any class of registered securities of the bank, furnish the following informaiton:

(a) Give the title of the securities.

(b) Identify and describe briefly the assets involved in the withdrawal or substitutions.

(c) Indicate the provision in the underlying indenture, if any, authorizing the withdrawal or substitution.

Item 6—Defaults Upon Senior Securities.

(a) If there has been any material default in the payment of principal, interest, a sinking or purchase fund installment, or any other material default not cured within 30 days, with respect to any indebtedness of the bank or any of its significant subsidiaries exceeding five percent of the equity capital accounts of the bank, identify the indebtedness and state the nature of the default. In the case of such a default in the payment of

principal, interest, or a sinking or purchase fund installment, state the amount of the default and the total arrearage on the date of filing this report.

Instruction. This paragraph refers only to events which have become defaults under the governing instruments, *i.e.*, after the expiration of any period of grace and compliance with any notice requirements.

(b) If any material arrearage in the payment of dividends has occurred or if there has been any other material delinquency not cured within 30 days, with respect to any class of preferred stock of the bank which is registered or which ranks prior to any class of registered securities, or with respect to any class of preferred stock of any significant subsidiary of the bank, give the title of the class and state the nature of the arrearage or delinquency. In the case of an arrearage in the payment of dividends, state the amount and the total arrearage on the date of filing this report.

Item 7—Increase in Amount of Securities Outstanding.

If the amount of securities of the bank outstanding has been increased through the issuance of any new class of securities or through the issuance or reissuance of any additional securities of a class outstanding and the aggregate amount of all such increases not previously reported exceeds five percent of the previously outstanding securities of the class, furnish the following information:

(a) Title of class, the amount outstanding as last previously reported, and the amount presently outstanding (as of a specified date).

(b) A brief description of the transaction or transactions resulting in the increase and a statement of the net cash proceeds or the nature and aggregate amount of any other consideration received or to be received by the bank.

(c) The names of the principal underwriters, if any, indicating any such underwriters which are affiliates of the bank.

(d) A reasonably itemized statement of the purposes, so far as determinable, for which the net proceeds have been or are to be used and the approximate amount used or to be used for each such purpose.

(e) If the securities were capital shares, a statement of the amount of the proceeds credited or to be credited to any account other than the appropriate capital share account.

Instructions. 1 This item does not apply to notes, drafts, bills of exchange, or bank acceptances which mature not later than 12 months from the date of issuance. No report need be made where the amount not previously reported, although in excess of five percent of the amount previously outstanding, does not exceed $50,000 face amount of indebtedness or 1,000 shares or other units.

2. This item includes the reissurance of Treasury securities and securities held for the account of the issuer thereof. The extension of the maturity date of indebtedness shall be deemed to be the issuance of new indebtedness for the purpose of this item. In the case of such an extension, the percentage shall be computed upon the basis of the principal amount of the indebtedness extended.

Item 8—Decrease in Amount of Securities Outstanding.

If the amount of any class of securities of the bank outstanding has been decreased through one or more transactions and the aggregate amount of all such decreases not previously reported exceeds five percent of the amount of securities of the class previously outstanding, furnish the following information:

(a) Title of the class, the amount outstanding as last previously reported, and the amount presently outstanding (as of a specified date).

(b) A brief description of the transaction or transactions involving the decrease and a statement of the aggregate amount of cash or the nature and aggregate amount of any other consideration paid or to be paid by the bank in connection with such transaction or transactions.

Instruction. Instruction 1 to Item 7 shall also apply to this item. This item need not be answered as to decreases resulting from ordinary sinking fund operations, similar periodic decreases made pursuant to the terms of the constituent instruments, decreases resulting from the conversion of securities or decreases resulting from the payment of indebtedness at maturity.

Item 9—Options To Purchase Securities.

If any options to purchase securities of the bank or any of its subsidiaries from the bank or any of its subsidiaries from the bank or any of its subsidiaries have been granted or extended and the amount of securities called for by all such options the granting or extension of which has not been previously reported exceeds five percent of the outstanding securities of the class, furnish the following information:

(a) The dates on which the options were granted or extended;

(b) The total amount of securities called for by such options;

(c) The consideration for the granting or extension of the options;

(d) The exercise prices;

(e) The market value of the securities on the granting or extension dates;

(f) The expiration dates of the options; and

(g) Any other material conditions to which the options were subject.

Instructions. 1. The term "option" as used herein means any option, warrant or right to purchase securities. This item does not, however, refer to an issue of securities such as an issue of warrants or rights or an issue of convertible securities.

2. This item need not be answered where the amount not previously reported, although in excess of five per cent of the amount previously outstanding, does not exceed $50,000 face amount of indebtedness or 1,000 shares or other units of other securities.

Item 10—Extraordinary Item Charges and Credits, Other Material Charges and Credits to Income of an Unusual Nature, Material Provisions for Loss, and Restatements of Capital Share Account.

(a) If there have been any extraordinary item charges or credits, any other material charges or credits to income of an unusual nature, or any material provisions for loss, the following shall be furnished for each such charge, credit, or provision:

(1) The date of the bank's determination to make the charge, credit, or provision;

(2) A statement of the reasons for making the charge, credit, or provision;

(3) An analysis of the components (in dollar amounts) of the charge, credit, or provision, which includes

(i) A description of the various types of items written down or off;

(ii) A description of any provision for losses on liquidation of assets or for other losses including a detailed schedule showing the components of any losses provided for, which schedule shows the amount of administrative and fixed costs, if any, allocated to the loss;

(iii) A description of any estimated recoveries or costs netted against the charge or credit;

(4) A statement setting forth the years in which costs being reflected in the charge (or net credit) being described were or are expected to be incurred and the amount of cost for each year by major category (*e.g.*, fixed assets, research and development costs, operating losses);

(5) A statement setting forth the estimated amount of net cash outlays (or inflows) associated with the charge (or credit) in the year the charge (or credit) is made and in each subsequent year in which such estimate of the cash amount differs from the amount of total costs stated in part (4) for that year;

(6) A description of the accounting principles or practices followed and any changes therein or in the methods of applying such principles or practices which was made in connection with the transaction; and

(7) A report from the bank's independent accountants in which they state that they have read the description in the Form F-4 of the facts set forth therein and of the accounting principles applied and whether they believe that on the basis of the facts so set forth that such accounting principles are fairly applied in conformity with generally accepted accounting principles, or, if not, the respects in which they believe the principles do not conform to generally accepted accounting principles.

(b) If there has been a material restatement of the capital share account of the bank resulting in a transfer from capital share liability to surplus or reserves, or vice versa, state the date, purpose and amount of the restatement and give a brief explanation of all related entries in connection with the restatement.

Item 11—Submission of Matters to a Vote of Security Holders.

If any matter has been submitted to a vote of security holders, through the solicitation of proxies or otherwise, furnish the following information:

(a) The date of the meeting and whether it was an annual or special meeting.

(b) If the meeting involved the election of directors, state the name of each director elected at the meeting and the name of each other director whose term of office as a director continued after the meeting.

(c) Briefly describe each other matter voted upon at the meeting and state the number of affirmative votes and the number of negative votes cast with respect to each such matter.

Instructions. 1. If any matter has been submitted to a vote of security holders otherwise than at a meeting of such security holders, corresponding information with respect to such submission shall be furnished. The solicitation of any authorization or consent (other than a proxy to vote at a security holders' meeting) with respect to any matter shall be deemed a submission of such matter to a vote of security holders within the meaning of this item.

2. Paragraph (a) need be answered only if paragraph (b) or (c) is required to be answered.

3. Paragraph (b) need not be answered if (i) a proxy statement, or statement where management does not solicit proxies, with respect to the meeting was filed with the Corporation pursuant to § 335.5(a), (ii) there was no solicitation in opposition to the management's nominees as listed in such statement, and (iii) all of such nominees were elected.

4. Paragraph (c) need not be answered as to procedural matters or as to the selection or approval of auditors.

5. If the bank has published a report containing all of the information called for by this item, the item may be answered by a reference to the information contained in such report, provided copies of such report are filed as an exhibit to the report on this form.

Item 12—Changes in Bank's Certifying Accountant.

If an independent accountant who was previously engaged as the principal accountant to audit the bank's financial statements resigns (or indicates he declines to stand for re-election after the completion of the current audit) or is dismissed as the bank's principal accountant, or another independent accountant is engaged as principal accountant or if an independent accountant on whom the principal accountant expressed reliance in his report regarding a significant subsidiary resigns (or formally indicates he declines to stand for re-election after the completion of the current audit) or is dismissed or another independent accountant is engaged to audit that subsidiary:

(a) State the date of such resignation (or declination to stand for re-election) dismissal or engagement.

(b) State whether in connection with the audits of the two most recent fiscal years and any subsequent interim period preceding such resignation, dismissal or engagement there were any disagreements with the former accountant on any matter of accounting principles or practices, financial statement disclosure, or auditing scope or procedure, which disagreements if not resolved to the satisfaction of the former accountant would have caused him to make reference in connection with his report to the subject matter of the disagreement(s); also, describe each such disagreement. The disagreements required to be reported in response to the preceding sentence include both those resolved to the former accountant's satisfaction and those not resolved to the former accountant's satisfaction. Disagreements contemplated by this rule are those which occur at the decision-making level; *i.e.*, between personnel of the bank responsible for presentation of its financial statements and personnel of the accounting firm responsible for rendering its report.

(c) State whether the principal accountant's report on the financial statements for any of the past two years contained an adverse opinion or a disclaimer of opinion or was qualified as to uncertainty, audit scope, or accounting principles; also describe the nature of each such adverse opinion, disclaimer of opinion, or qualification.

(d) The bank shall request the former accountant to furnish the bank with a letter addressed to the Corporation stating whether he agrees with the statements made by the bank in response to this item and, if not, stating the respects in which he does not agree. The bank shall file a copy of the former accountant's letter as an exhibit with all copies of the Form F-3 required to be filed pursuant to General Instructions F.

Item 13—Other Materially Important Events.

The bank shall, at its option, report under this item any events that the bank deems of material importance to security holders, even though information as to such events is not otherwise called for by this form.

Item 14—Financial Statements and Exhibits.

List below the financial statements and exhibits, if any, filed as a part of this report:

(a) Financial statements.

(b) Exhibits.

SIGNATURES

Pursuant to the requirements of the Securities Exchange Act of 1934, the bank has duly caused this report to be signed on its behalf by the undersigned, thereunto duly authorized.

(Name of bank)

Date ——— By ———

(Name and title of signing officer)

FINANCIAL STATEMENTS OF BUSINESSES ACQUIRED

1. *Business for which statements are required.*

The financial statements specified below shall be filed for any business the acquisition of which by the bank or any of its majority-owned subsidiaries is required to be described in answer to Item 2 above.

2. *Statements required.*

(a) There shall be filed a balance sheet of the business as of a date reasonably close to the date of acquisition. The balance sheet need not be verified, but if it is not verified there shall also be filed a verified balance sheet as of the close of the preceding fiscal year.

(b) Statements of income of the business shall be filed for each of the last three full fiscal years and for the period, if any, between the close of the latest of such fiscal years and the date of the latest balance sheet filed. These statements of income shall be verified up to the date of the verified balance sheet.

(c) If the business was in insolvency proceedings immediately prior to its acquisition the balance sheets required above need not be verified. In such case, the statements of income required shall be verified to the close of the latest full fiscal year.

(d) No supporting schedules need be filed.

(e) Except as otherwise provided in this instruction, the principles applicable to a bank and its subsidiaries with respect to the filing of individual, consolidated and group statements in an original application or annual report shall be applicable to the statements required by this instruction.

3. *Filing of other statements in certain cases.*

The corporation may, upon the informal written request of the bank, and where consistent with the protection of investors, permit the omission of one or more of the statements herein required or the filing in substitution therefor of appropriate statements of comparable character. The corporation may also by informal written notice require the filing of other statements in addition to or in substitution for, the statements herein required in any case where such statements are necessary or appropriate for an adequate presentation of the financial condition of any person for which financial statements are required, or whose statements are otherwise necessary for the protection of investors.

EXHIBITS

Subject to the rules as to incorporation by reference, the following documents shall be filed as exhibits to this report:

1. Copies of any contract, plan, or arrangement for any acquisition or disposition described in answer to Item 2, including a plan of reorganization, readjustment, or exchange merger, consolidation, or succession in connection therewith.

2. Copies of any judgment or any document setting forth the terms of any settlement described in answer to Item 3.

3. Copies of the amendments to all constituent instruments and other documents described in answer to Item 4.

4. Copies of all constituent instruments defining the rights of the holders of any class of securities referred to in answer to Item 8.

5. Copies of the plan pursuant to which the options referred to in answer to Item 9 were granted, or if there is no such plan, specimen copies of the options.

6. Copies of any material amendments to the bank's charter or bylaws, not otherwise required to be filed.

7. Letters from the bank and the independent accountants furnished pursuant to Item 12.

8. Reports from the independent accountants furnished pursuant to Item 12.

§ 335.44 Form for quarterly report of bank (Form F-4).

FORM F-4—QUARTERLY REPORT OF

.....

(Name of bank)

.....

(City and State)

Item	3 months ending.....		Fiscal year to date (... months ending.....)	
	19.. (Current year)	19.. (Prior year)	19.. (Current year)	19.. (Prior year)
A. 1. Operating income:				
(a) Interest and fees on loans				
(b) Interest and dividends on securities				
(c) Other operating income				
(d) Total operating income				
2. Operating expenses:				
(a) Salaries and other compensation				
(b) Interest expenses				
(c) Provision for loan losses				
(d) Other operating expenses				
(e) Total operating expenses				
3. Income before income taxes and extraordinary items securities gains (losses)				
4. Applicable income taxes:				
(a) Currently payable				
(b) Deferred				
5. Income before securities gains (losses) and extraordinary items				
6. Net securities gains (losses), less related tax effect				
7. Extraordinary items, less related tax				
8. Net income				
9. Earnings per common share:[1]				
(a) Income before securities gains (losses)				
(b) Extraordinary items				
(c) Net income				
10. Cash dividends declared per common share[1]				

B. Capitalization and Stockholders' Equity

Debt	(Date) Shares issued or outstanding	Amount
Federal funds purchased and securities sold under agreements to repurchase		$
Other liabilities for borrowed money		
Bank acceptances outstanding		
Mortgages payable		
Total debt		
Deferred credits		
Minority interest		
Capital notes and debentures		
Stockholders' equity:		
Preferred stock (list separately convertible and nonconvertible preferred stock)		
Common stock		
Surplus		
Undivided profits:		
Balance at beginning of current fiscal year		
Prior period adjustments, if any (show credits and charges) separately		
Net income (caption 8, above)		
Dividends (state cash and stock dividends on common stock separately, indicating amount per share—dividends on preferred stocks may be shown in one amount)		( )
Other credits (charges) (explain nature and amounts)		
Balance at end of interim period		
Reserve for contingencies and other capital reserves		
Treasury stock (identify class of security, number of shares and basis at which stated)		( )
Total stockholders' equity		

Instructions.

1. The form and content shall conform generally with that in the balance sheet and notes thereto appearing in the annual report filed with the Corporation.
2. The number of shares of each class of securities reserved for conversion, warrants, options and other rights shall be separately disclosed.

[1] See General Instructions G(j) below

Pursuant to the requirements of the Securities Exchange Act of 1934, the bank has duly caused this quarterly report to be signed on its behalf by the undersigned, thereunto duly authorized.

.....
(Name of Bank)

Date..... By.....
(Name and title of signing officer)

A. *Use of Form F-4.*

Form F-4 is a guide for use in preparation of the quarterly report to be filed with the Corporation.

B. *Persons for Whom the Information is To Be Given.*

(a) The required information is to be given as to the registrant bank or, if the bank filed consolidated financial statements with the annual reports filed with the Corporation. It shall cover the bank and its consolidated subsidiaries. If the information is given as the bank and its consolidated subsidiaries, it need not be given separately for the bank. (b) The required information shall also be given separately as to each unconsolidated subsidiary or 50 percent owned person or other person, or group of such subsidiaries, 50 percent owned persons or other persons, for which separate individual or group statements are required to be included in the bank's annual reports filed with the Corporation. It need not be furnished, however, for any such unconsolidated subsidiary or person which would not be required pursuant to § 335.4(h) file quarterly financial information if it were a bank.

C. *Presentation of Information.*

The form calls only for the items of information specified. It is not necessary to furnish a formal statement of income. The information is not required to be verified (see § 335.7(b)). The report may carry a notation to that effect and any other qualification considered necessary or appropriate. Amounts may be stated in thousands of dollars if a notation to that effect is made.

D. *Incorporation by Reference to Published Statements.*

If the bank makes available to its stockholders or otherwise publishes, within the period prescribed for filing the report, a financial statement containing the information required by this form, such information may be incorporated by reference to such published statement if copies thereof are filed as an exhibit to this report.

E. *Minority Interest.*

If present with respect to any interim period reported herein, minority interest shall be appropriately segregated and included in the determination of net income.

(See Form F-9B, Statement of Income.)

F. *Delay in Filing Information.*

The information required may be omitted with respect to foreign subsidiaries not consolidated or other foreign persons if it is impracticable to furnish it within the time specified for filing the report, provided it is indicated that such information has been omitted and the omitted information is furnished by amendment when available. Apart from the foregoing, any request for extension of time for the filing of the report or the furnishing of any of the required information shall be made pursuant to the requirements of this Part.

G. *Presentation of Financial Information.*

(a) The bank shall furnish an income statement, balance sheet and statement of changes in financial position following the general form of presentation set forth in § 335.7 and § 335.71, except that requirements which call for detailed footnote disclosure and the presentation of schedules shall not apply other than as required by (f) below. In addition, the bank shall provide a narrative analysis of the results of operations following the guidelines set forth in Instruction 6 to Item 2 of § 335.41.

(b) The financial statements and narrative explanations shall be provided for periods set forth below:

(1) The income statement shall be presented for the most recent fiscal quarter, for the period between the end of the last fiscal year and the end of the most recent fiscal quarter, and for corresponding periods of the preceding fiscal year.

(2) The balance sheet shall be presented as of the end of the most recent fiscal quarter and for the end of the corresponding period of the preceding fiscal year.

(3) The statement of changes in financial position shall be presented for the period between the end of the last fiscal year and the end of the most recent fiscal quarter, and for the corresponding period of the preceding fiscal year.

(c) If, during the current period specified in (b) above, the bank or any of its consolidated subsidiaries entered into a business combination treated for accounting purposes as a pooling of interests, the interim financial statements for both the current year and the preceding year shall reflect the combined results of the pooled businesses. Supplemental disclosure of the separate results of the combined entities for periods prior to the combination shall be given, with appropriate explanations.

(d) In case the bank has disposed of any significant portion of its business or has acquired a significant amount of assets in a transaction treated for accounting purposes as a purchase, during any of the periods covered by the report, the effect thereof on revenues and net income—total and per share—for all periods shall be disclosed. In addition, where a material business combination accounted for as a purchase has occurred during the current fiscal year, disclosure shall be made of the results of operations for the current year up to the date of the end of the most recent fiscal quarter (and for the comparable period in the preceding year) on a pro forma basis as though the companies had combined at the beginning of the period being reported on. This pro forma information should as a minimum show revenue, income before extraordinary items and the cumulative effect of accounting changes, such income on a per share basis and net income.

(e) The financial statements to be included in this report shall be prepared in conformity with the standards of accounting measurement set forth in Accounting Principles Board Opinion No. 28 and any amendments thereto adopted by the Financial Accounting Standards Board. In addition to meeting the reporting requirements for accounting changes specified therein, the bank shall state the date of any change and the reasons for making it. In addition, a letter from the bank's independent accountants, or if none, from management shall be filed as an exhibit indicating whether or not the change is to an alternative principle which in his judgment is preferable under the circumstances; except that no letter from the accountant need be filed when the change is made in response to a standard adopted by the Financial Accounting Standards Board which requires such change.

(f) Furnish any material information necessary to make the information called for not misleading. Such information might include statements calling attention to such items as major uncertainties currently facing the bank, significant events occurring during or subsequent to the interim period being reported on, significant accounting changes under consideration, or new arrangements with creditors.

(g) The information furnished shall reflect all adjustments which are, in the opinion of management, necessary to a fair statement of the results for the interim periods. A statement to that effect shall be included. Such adjustments shall include, for example, appropriate estimated provisions for bonus and profit sharing arrangements normally determined or settled at year-end.

(h) Any material retroactive prior period adjustment made during any period included in this report shall be disclosed, together with the effect thereof upon net income—total and per share—of any prior period included herein and upon the balance of retained earnings. If results of operations for any period reported herein have been adjusted retroactively by such an item subsequent to the initial reporting of such period,

similar disclosure of the effect of the change shall be made.

(i) The bank may furnish any additional information related to the periods being reported on which, in the opinion of management, is of significance to investors and an explanation of commitments and contingent liabilities. In addition, the bank shall indicate whether any Form F-3 was filed reporting any material unusual charges or credits to income during the most recently completed fiscal quarter or whether any Form F-3 was filed during that period reporting a change in independent accountants.

(j) If appropriate, the income statement shall show earnings per share and dividends per share applicable to common stock and the basis of the earnings per share computation shall be stated together with the number of shares used in the computation. The bank shall file as an exhibit as statement setting forth in reasonable detail the computation of pershare earnings, unless the computation is otherwise clearly set forth in the report.

H. Filing of Other Statements in Certain Cases.

The Corporation may upon the informal written request of the bank and where consistent with the protection of investors, permit the omission of any information of comparable character. The Corporation may also by informal written notice require the filing of other statements in addition to, or in substitution for the statements herein required in any case where such statements are necessary or appropriate for an adequate presentation of the financial condition of any person for which financial statements are required, or whose statements are otherwise necessary for the protection of investors.

§ 335.46 Form for registration of additional class of securities of a bank pursuant to section 12(b) or section 12(g) of the Securities Exchange Act of 1934 (Form F-10).

FORM F-10—REGISTRATION STATEMENT FOR ADDITIONAL CLASSES OF SECURITIES OF A BANK PURSUANT TO SECTION 12(b) OR SECTION 12(g) OF THE SECURITIES EXCHANGE ACT OF 1934

(Exact name of bank as specified in charter)

(Address of principal office)

Securities being registered pursuant to section 12(b) of the Act:

Title of class

Name of each exchange on which class is being registered

Title of each class of equity securities being registered pursuant to Section 12(g) of the Act:

GENERAL INSTRUCTIONS

1. *Applicability of This Form.*

This form may be used for registration of the following securities pursuant to the Securities Exchange Act of 1934:

(a) For registration pursuant to Section 12(g) of the Act of any class of equity securities of a bank which has one or more other classes of securities registered pursuant to either Section 12 (b) or (g) of the Act.

(b) For registration on a national securities exchange pursuant to Section 12(b) of the Act of any class of securities of a bank which has one or more other classes of securities so registered on the same or another securities exchange.

2. *Preparation of Registration Statement.*

This form is not to be used as a blank form to be filled in but only as a guide in the preparation of a registration statement. Particular attention should be given to the general requirements in § 335.4. The statement shall contain the numbers and captions of all items, but the text of the items may be omitted if the answer with respect thereto are prepared in the manner specified in § 335.4(t).

INFORMATION REQUIRED IN REGISTRATION STATEMENT

Item 1—*Stock To Be Registered.*

If stock is being registered, state the title of the class and furnish the following information (see Instruction 1):

(a) Outline briefly (1) dividend rights; (2) voting rights; (3) liquidation rights; (4) preemptive rights; (5) conversion rights; (6) redemption provisions; (7) sinking fund provisions; and (8) liability to further calls or to assessment.

(b) If the rights of holders of such stock may be modified otherwise than by a vote of a majority or more of the shares outstanding, voting as a class, so state and explain briefly.

(c) Outline briefly any restriction on the repurchase or redemption of shares by the bank while there is any arrearage in the payment of dividends or sinking fund installments. If there is no such restriction, so state.

Instructions. 1. If a description of the securities comparable to that required here is contained in any other document filed with the Corporation, such description may be incorporated by reference to such other filing in answer to this item. If the securities are to be registered on a national securities exchange and the description has not previously been filed with such exchange, copies of the description shall be filed with copies of the registration statement filed with the exchange.

2. This item requires only a brief summary of the provisions which are pertinent from an investment standpoint. A complete legal description of the provisions referred to is not required and should not be given. Do not set forth the provisions of the governing instrument verbatim; only a succinct resume is required.

3. If the rights evidenced by the securities to be registered are materially limited or qualified by the rights evidenced by any other class of securities or by the provisions of any contract or other document, include such information regarding such limitation or qualification as will enable investors to understand the rights evidenced by the securities to be registered.

Item 2—*Debt Securities To Be Registered.*

If the securities to be registered hereunder are bonds, debentures or other evidences of indebtedness, outline briefly such of the following as are relevant (see Instruction 2 below):

(a) Provisions with respect to interest, conversion, maturity, redemption, amortization, sinking fund, or retirement.

(b) Provisions with respect to the kind and priority of any lien, securing the issue, together with a brief identification of the principal properties subject to such lien.

(c) Provisions restricting the declaration of dividends or requiring the maintenance of any ratio of assets, the creation or maintenance of reserves or the maintenance of properties.

(d) Provisions permitting or restricting the issuance of additional securities, the withdrawal of cash deposited against such issuance, the incurring of additional debt, the release or substitution of assets securing the issue, the modification of the terms of the security, and similar provisions.

Instruction. 1. Provisions permitting the release of assets upon the deposit of equivalent funds or the pledge of equivalent property, the release of property no longer required in the business, obsolete property or property taken by eminent domain, the application of insurance moneys, and similar provisions, need not be described.

(e) The name of the trustee and the nature of any material relationship with the bank or any of its affiliates; the percentage of securities of the class necessary to require the trustee to take action; and what indemnification the trustee may require before proceeding to enforce the lien.

(f) The general type of event which constitutes a default and whether or not any periodic evidence is required to be furnished as to the absence of default or as to compliance with the terms of the indenture.

Instruction. In most cases, debt securities issued by banks need not be registered pursuant to Section 12(g) of the Securities Exchange Act; the registration requirement; of that section apply only to an "equity security". The term "equity security" is defined by Section 3(a)(11) of the Act to mean "any stock or similar security; or any security convertible, with or without consideration, into such a security; or carrying any warrant or right to subscribe to or purchase such a security; or any such warrant or right; or any other security which the Corporation shall deem to be of similar nature and consider necessary or appropriate, by such rules and regulations as it may prescribe in the public interest or for the protection of investors, to treat as an "equity security."

Instruction. The instructions to Item 1 also apply to this item.

Item 3—Other Securities To Be Registered. If securities other than those referred to in Items 1 and 2 are to be registered hereunder, outline briefly the rights evidenced thereby. If subscription warrants or rights are to be registered, state the title and amount of securities called for, and the period during which and the price at which the warrants or rights are exercisable.

Instruction. The instructions to Item 1 also apply to this item.

Item 4—Exhibits.

List all exhibits filed as a part of the registration statement.

SIGNATURE

Pursuant to the requirements of the Securities Exchange Act of 1934, the bank has duly caused this registration statement to be signed on its behalf by the undersigned, thereunto duly authorized.

(Name of Bank)

Date ---------- By----------

(Name and title of signing officer)

INSTRUCTIONS AS TO EXHIBITS

I. If the securities to be registered hereunder are to be registered on an exchange on which other securities of the bank are registered, or are to be registered pursuant to Section 12(g) of the Act, the following exhibits shall, subject to § 335.4(p) regarding incorporation of exhibits by reference, be filed with each copy of the registration statement filed with the Corporation with an exchange:

1. Specimens or copies of each security to be registered hereunder.

2. Copies of all constituent instruments defining the rights of the holders of each class of such securities, including any contracts or other documents which limit or qualify the rights of such holders.

11. If the securities to be registered are to be registered on an exchange on which no other securities of the bank are registered the following exhibits shall be filed with each copy of the registration statement filed with each such exchange, but need not be filed with, or incorporated by reference in, copies of the registration statement filed with the Corporation.

3. Copies of the last annual report filed pursuant to Section 13 of the Act or, if no such report has yet been filed, copies of the latest registration statement filed pursuant to Section 12 (b) or (g) of the Act.

4. Copies of all current or quarterly reports filed pursuant to Section 13 of the Act since the end of the fiscal year covered by the annual report filed pursuant to Instruction 3 above, or if none, since the effective date of the latest registration statement so filed.

5. Copies of the latest definitive proxy statement or information statement, if any, filed with the Corporation pursuant to Section 14 of the Act.

6. Copies of the charter and bylaws, or instruments corresponding thereto, and copies of any other documents defining the rights of holders of the securities to be registered.

7. Specimens or copies of each security to be registered hereunder.

8. Copies of the last annual report submitted to stockholders by the bank or its predecessors. Such annual report shall not be deemed to be "filed" with the exchange or otherwise subject to the liabilities of Section 18 of the Act, except to the extent it may already be subject thereto.

§ 335.47 Form for statement to be filed pursuant to § 335.4(g)(2) or § 335.5(1) of part 335 (Form F–11).

FORM F–11

STATEMENT TO BE FILED PURSUANT TO § 335.4(g)(2) OR § 335.5(1) OF PART 335 BY _____ _____ RELATING TO THE SECURITIES OF _____

(Name and Address of Bank)

GENERAL INSTRUCTIONS

The item numbers and captions of the items shall be included but the text of the items may be omitted. The answers to the items shall be so prepared as to indicate clearly the coverage of the items without referring to the text of the items. Answer every item. If an item is inapplicable or the answer is in the negative, so state.

If the statement is filed by a partnership, limited partnership, syndicate, or other group, the information called for by Item 2 to 6, inclusive, shall be given with respect to (1) each partner or any partnership or limited partnership; (2) each member of such syndicate or group; and (3) each person controlling such partner or member. If a person referred to in (1), (2) or (3) is a corporation or the statement is filed by a corporation, the information called for by the above-mentioned items shall be given with respect to each principal officer and director of such corporation and each person controlling such corporation.

Item 1. *Security and Bank.*

State the title of the class of equity securities to which this statement relates and the name and address of the bank which issued such securities.

Item 2. *Identity and Background.*

State the following with respect to the person filing this statement:

(a) Name and business address.

(b) Residence address.

(c) Present principal occupation or employment and the name, principal business and address of any corporation or other organization in which such employment is carried on.

(d) Material occupations, positions, offices or employments during the last 10 years, giving the starting and ending date of each and the name, principal business and address of any business corporation or other organization in which each such occupation, position, office or employment was carried on.

(e)(1) Whether or not such person has been convicted in a criminal proceeding (excluding traffic violations or similar misdemeanors) and, if so, give the dates, nature of conviction, name and location of the court, and penalty imposed, or other disposition of the case; and

(2) Whether or not such person has ever been adjudicated a bankrupt and, if so, give the dates and names and locations of the courts.

Item 3. Source and Amount of Funds or Other Consideration.

State the source and amount of funds or other consideration used or to be used in making the purchases, and if any part of the purchase price or proposed purchase price is represented or is to be represented by funds or other consideration borrowed or otherwise obtained for the purpose of acquiring, holding, or trading the securities, a description of the transaction and the names of the parties thereto.

Instruction. If the source of funds is a loan made in the ordinary course of business by a bank, the person filing the statement may, at his option, omit the name of the bank, provided it is furnished to the Corporation in a letter requesting confidential treatment as to such information. Pursuant to Section 13(d)(1)(B) of the Act, such information shall not be made available to the public.

Item 4. Purpose of Transaction.

State the purpose or purposes of the purchase or proposed purchase of securities of the bank. If the purpose of the purchases or prospective purchases is to acquire control of the bank, describe any plans or proposals which such persons may have to sell its assets to or merge it with any other persons, or to make any other major change in its business or corporate structure.

Item 5. Interest in Securities of the Bank.

State the number of shares of the security which are beneficially owned, and the number of shares concerning which there is a right to acquire, directly or indirectly, by (i) such person, and (ii) each associate of such person giving the name and address of each such associate. Furnish information as to all transactions in the class of securities to which this statement relates which were effected during the past 60 days by the person filing this statement and by its subsidiaries and their officers, directors, and affiliated persons.

Instruction. The number of shares reported under this item should be reconciled with the number of shares reported at Item 3 as purchased or proposed to be purchased.

Item 6. Contracts, Arrangements, or Understandings With Respect to Securities of the Bank.

Furnish information as to any contracts, arrangements, or understandings with any person with respect to any securities of the bank, including but not limited to transfer of any of the securities, joint ventures, loan or option arrangements, puts or calls, guaranties, joint ventures, loan against loss or guaranties of profits, division of losses or profits, or the giving or withholding of proxies, naming the persons with whom such contracts, arrangements, or understandings have been entered into, and giving the details thereof.

Item 7. Persons Retained, Employed or To Be Compensated.

Where this statement relates to a tender offer, or request or invitation for tenders, identify all persons and classes of persons employed, retained or to be compensated by the person filing this statement, or by any person on his behalf, to make solicitations or recommendations to security holders and describe briefly the terms of such employment, retrainer or arrangement for compensation.

Item 8. Material To Be Filed as Exhibits.

Copies of all requests or invitations for tenders or advertisements making a tender offer or requesting or inviting tenders, additional material soliciting or requesting such tender offers, solicitations or recommendations to the holders of the security to accept or reject a tender offer or request or invitation for tenders shall be filed as an exhibit.

SIGNATURE

I certify that to the best of my knowledge and belief the information set forth in this statement is true, complete and correct.

_____ _____
(Date) (Signature)

If the statement is signed on behalf of a person by an authorized representative, evidence of the representative's authority to sign on behalf of such person shall be filed with the statement.

§ 335.51 Form for proxy statement; statement where management does not solicit proxies (Form F–5).

FORM F–5

PROXY STATEMENT: STATEMENT WHERE MANAGEMENT DOES NOT SOLICIT PROXIES

GENERAL INSTRUCTIONS

Each statement required under § 335.5(a) shall, to the extent applicable, include the information called for under each of the items below. In the preparation of the statement, particular attention should be given to the definitions in § 335.2.

This form is not to be used as a blank form to be filled in nor is it intended to prescribe a form for presentation of material in the statement. Its purpose is solely to prescribe the information required to be set forth in the statement; any additional information that management or the soliciting persons deem appropriate may be included.

Except as otherwise specifically provided, where any item calls for information for a specified period in regard to directors, officers or other persons holding specified positions or relationships, the information shall be given in regard to any person who held any of the specified positions or relationships at any time during the period. However, information need not be included for any portion of the period during which such person did not hold any such position or relationship provided a statement to that effect is made.

INFORMATION REQUIRED IN STATEMENT

Item 1—Revocability of Proxy.

State whether the person giving the proxy has the power to revoke it. If the right of revocation before the proxy is exercised, is limited or is subject to compliance with any formal procedure, briefly describe such limitation or procedure.

Item 2—Dissenters' Rights of Appraisal.

Outline briefly the rights of appraisal or similar rights of dissenters with respect to any matter to be acted upon and indicate any statutory procedure required to be followed by dissenting security holders in order to perfect such rights. Where such rights may be

exercised only within a limited time after the date of the adoption of a proposal, the filing of a charter amendment or other similar act, state whether the person solicited will be notified of such date.

Instruction. Indicate whether a security holder's failure to vote against a proposal will constitute a waiver of his appraisal or similar rights and whether a vote against a proposal will be deemed to satisfy any notice requirements under State law with respect to appraisal rights. If the State law is unclear, state what position will be taken in regard to those matters.

Item 3—Persons Making the Solicitation.

(a) Solicitations not subject to § 335.5(i).

(1) If the solicitation is made by the management of the bank, so state. Give the name of any director of the bank who has informed the management in writing that he intends to oppose any action intended to be taken by the management in writing that he intends which he intends to oppose.

(2) If the solicitation is made otherwise than by the management of the bank, so state and give the names of the persons by whom and the person on whose behalf it is made.

(3) If the solicitation is to be made otherwise than by the use of the mails, describe the methods to be employed. If the solicitation is to be made by specially engaged employees or paid solicitors, state (i) the material features of any contract or arrangement for such solicitation and identify the parties, and (ii) the cost or anticipated cost thereof.

(4) State the names of the persons by whom the cost of solicitation has been or will be borne, directly or indirectly.

(b) Solicitations subject to § 335.5(i).

(1) State by whom the solicitation is made and describe the methods employed and to be employed.

(2) If regular employees of the bank or any other participants in a solicitation have been or are to be employed to solicit security holders, describe the class or classes of employees to be so employed, and the manner and nature of their employment for such purpose.

(3) If specially engaged employees, representatives, or other persons have been or are to be employed to solicit security holders, state (i) the material features of any contract or arrangement for such solicitation and identify the parties, (ii) the cost or anticipated cost thereof, and (iii) the approximate number of such employees or employees of any other person (naming such other person) who will solicit security holders.

(4) State the total amount estimated to be spent and the total expenditures to date for, in furtherance of, or in connection with the solicitation of security holders.

(5) State by whom the cost of the solicitation will be borne. If such cost is to be borne initially by any person other than the bank, state whether reimbursement will be sought from the bank, and if so, whether the question of such reimbursement will be submitted to a vote of security holders.

Instruction. With respect to solicitations subject to § 335.5(i), costs and expenditures within the meaning of this Item 3 shall include fees for attorneys, accountants, public relations or financial advisors, solicitors, advertising, printing, transportaion, litigation, and other costs incidental to the solicitation, except that the bank may exclude the amounts of such costs represented by the amount normally expended for a solicitation for an election of directors in the absence of a contest, and costs represented by salaries and wages of regular employees and officers, provided a statement to that effect is included in the proxy statement.

Item 4—Interest of Certain Persons in Matters To Be Acted Upon.

(a) Solicitations not subject to § 335.5(i). Describe briefly any substantial interest, direct or indirect, by security holdings or otherwise, of each of the following persons in any matter to be acted upon, other than elections to office:

(1) If the solicitation is made on behalf of management, each person who has been a director or officer of the bank at any time since the beginning of the last fiscal year.

(2) If the solicitation is made otherwise than on behalf of management, each person on whose behalf the solicitation is made. Any person who would be a participant in a solicitation for purposes of § 335.5(i) as defined in subparagraph (2)(i), (c), (d), (e), and (f) thereof shall be deemed a person on whose behalf the solicitation is made for purposes of this paragraph (a).

(3) Each nominee for election as a director of the bank.

(4) Each associate of the foregoing persons.

Instruction. Except in the case of a solicitation subject to § 335.5 made in opposition to another solicitation subject to § 335.5, this subitem (a) shall not apply to any interest arising from the ownership of securities of the bank where the security holder receives no extra or special benefit not shared on a pro rata basis by all other holders of the same class.

(b) Solicitations subject to § 335.5(i).

(1) Describe briefly any substantial interest, direct or indirect, by security holdings or otherwise, of each participant as defined in § 335.5(i)(2)(i), (b), (c), (d), (e), and (f), in any matter to be acted upon at the meeting, and include with respect to each participant the information, or a fair and adequate summary thereof, required by Items 2(a), 2(d), 3, 4(b), and 4(c) of Form F–6.

(2) With respect to any person named in answer to Item 6(b), describe any substantial interest, direct or indirect, by security holdings or otherwise, that he has in any matter to be acted upon at the meeting, and furnish the information called for by Item 4 (b) and (c) of Form 4–6.

Item 5—Voting Securities and Principal Holders Thereof.

(a) State as to each class of voting securities of the bank entitled to be voted at the meeting, the number of shares outstanding and the number of votes to which each class is entitled.

(b) Give the date as of which the record of security holders entitled to vote at the meeting will be determined. If the right to vote is not limited to security holders of record on that date, indicate the conditions under which other security holders may be entitled to vote.

(c) If action is to be taken with respect to the election of directors and if the persons solicited have cumulative voting rights, make a statement that they have such rights and state briefly the conditions precedent to the exercise thereof.

(d) If to the knowledge of the persons on whose behalf the solicitation is made, any person and his associates owns of record or beneficially more than 10 percent of the outstanding voting securities of the bank, name such person or persons, state the approximate amount of such securities owned of record but not owned beneficially, and the approximate amount owned beneficially, and the percentage of outstanding voting securities represented by the amount of securities so owned in each such manner.

(e) If to the knowledge of the persons on whose behalf the solicitation is made, a change in control of the bank has occurred since the beginning of its last fiscal year, state the name of the person or persons who acquired such control, the basis of such control, the date and a description of the transaction or transactions in which control was acquired and the percentage of voting securities of the bank now owned by such person or persons.

(f) Describe any contractural arrangements, including any pledge of securities of the bank or any of its parents, known to the persons on whose behalf the solicitation is made, the operation of the terms of which may at a subsequent date result in a change in control of the bank.

Instruction. Paragraph (f) does not require a description of ordinary default provisions contained in the charter, trust indentures or other governing instruments relating to securities of the bank.

Item 6—Nominees and Directors.

(a) If action is to be taken with respect to the election of directors, furnish the following information, in tabular form to the extent practicable, with respect to each person nominated for election as a director and each other person whose term of office as a director will continue after the meeting:

(1) Name each such person, state when this term of office or the term of office for which he is a nominee will expire, and all other positions and offices with the bank presently held by him, and indicate which persons are nominees for election as directors at that meeting.

(2) State his present principal occupation or employment and give the name and principal business of any corporation or other organization in which such employment is carried on. Furnish similar information as to all of his principal occupations or employments during the last five years, unless he is now a director and was elected to his present term of office by a vote of security holders at a meeting for which proxies were solicited under § 335.5.

(3) If he is or has previously been a director of the bank state the period or periods during which he has served as such.

(4) State, as of the most recent practicable date, the approximate amount of each class of equity securities of the bank, or any of its parents or subsidiaries, other than directors' qualifying shares, beneficially owned directly or indirectly by him. If he disclaims beneficial ownership of any such securities, make a statement to that effect.

(5) If more than 10 percent of any class of securities of the issuer or any of its parents or subsidiaries are beneficially owned by him and his associates, state the approximate amount of each class of such securities beneficially owned by such associates, naming each associate whose holdings are substantial.

(b) If any nominee for election as a director is proposed to be elected pursuant to any arrangement or understanding between the nominee and any other person or persons, except the directors and officers of the bank acting solely in that capacity, name such other person or persons and describe briefly such arrangement or understanding.

(c) If fewer nominees are named than the number fixed by or pursuant to the governing instruments, state the reasons for this procedure and that the proxies cannot be voted for a greater number of persons than the number of nominees named.

Item 7—Remuneration and Other Transactions With Management and Others.

Furnish the information called for by this item if action is to be taken with respect to (i) the election of directors, (ii) any bonus, profit sharing or other remuneration plan, contract or arrangement in which any director, nominee for election as a director, or officer of the bank will participate, (iii) any pension or retirement plan in which any such person will participate, or (iv) the granting

or extension to any such person of any options, warrants or rights to purchase any securities, other than warrants or rights issued to security holders, as such, on a pro rata basis. However, if the solicitation is made on behalf of persons other than the management, the information required need be furnished only as to nominees for election as directors and as to their associates.

(a) Furnish the following information in substantially the tabular form indicated below as to all direct remuneration paid by the bank and its subsidiaries during the bank's latest fiscal year to the following persons for services in all capacities:

(1) Each director of the bank whose aggregate direct remuneration exceeded $40,000, and each of the three highest paid officers of the bank whose aggregate direct remuneration exceeded that amount, naming each director and officer.

(2) All directors and officers of the bank as a group without naming them, but stating the number of persons included.

Name of individual or number of persons in group	Capacities in which remuneration was received	Aggregate direct remuneration
(A)	(B)	(C)

Instructions. 1. This item applies to any person who was a director or officer of the bank at any time during the period specified. However, information need not be given for any portion of the period during which such person was not a director or officer.

2. The information is to be given on an accrual basis, if practicable. The tables required by this paragraph and paragraph (b) may be combined if the bank so desires.

3. Do not include remuneration paid to a partnership in which any director or officer was a partner. But see paragraph (f) below.

(b) Furnish the following information, in substantially the tabular form indicated, as to all annuity, pension or retirement benefits proposed to be paid under any existing plan in the event of retirement at normal retirement date, directly or indirectly, by the bank or any of its subsidiaries to each director or officer named in answer to paragraph (a)(1) and to all directors and officers of the issuer who are eligible for such benefits, as a group, stating the number of persons in the group without naming them:

Name of individual	Amount set aside or accrued during bank's last fiscal year	Estimated annual benefits upon retirement
(A)	(B)	(C)

Instructions. 1. The term "plan" in this paragraph and in paragraph (c) includes all plans, contracts, authorizations or arrangements, whether or not set forth in any formal document.

2. Column (B) need not be answered with respect to payments computed on an actuarial basis under any plan which provides for fixed benefits in the event of retirement at a specified age or after a specified number of years of service. In such case, Columbus (A) and (C) need not be answered with respect to directors and officers as a group.

3. The information called for by Column (C) may be given in a table showing the annual benefits payable upon retirement to persons in specified salary classifications.

4. In the case of any plan (other than those specified in Instruction 1) where the amount set aside each year depends upon the amount of earnings or profits of the bank or its subsidiaries for such year or a prior year (or whether otherwise impracticable to state the estimated annual benefits upon retirement) there shall be set forth, in lieu of the information called by Column (C), the aggregate amount set aside or accrued to date, unless impracticable to do so, in which case the method of computing such benefits shall be stated. In addition, furnish a brief description of the material terms of the plan, including the method used in computing the bank's contribution, and the amount set aside or accrued during the bank's last fiscal year for all officers and directors as a group, indicating the number of persons in such group without naming them.

(c) Describe briefly all remuneration payments (other than payments reported under paragraph (a) or (b) of this item) proposed to be made in the future, directly or indirectly, by the bank or any of its subsidiaries pursuant to any existing plan or arrangement to (i) each director or officer named in answer to paragraph (a)(1), naming each such person, and (ii) all directors and officers of the bank as a group, without naming them.

Instruction. Information need not be included as to payments to be made for, or benefits to be received from, group life or accident insurance, group hospitalization or similar group payments or benefits. If it is impracticable to state the amount of remuneration payments proposed to be made, the aggregate amount set aside or accrued to date in respect of such payments shall be stated, together with an explanation of the basis for future payments.

(d) Furnish the following information as to all options to purchase securities, from the bank or any of its subsidiaries, which were granted to or exercised by the following persons since the beginning of the bank's last fiscal year and as to all options held by such persons as of the latest practicable date: (i) Each director or officer named in answer to paragraph (a)(1), naming each such person; and (ii) all directors and officers of the bank as a group, without naming them:

(1) As to options granted, state (i) the title and amount of securities called for; (ii) the prices, expiration dates, and other material provisions; and (iii) the market value of the securities called for on the granting date.

(2) As to options exercised, state (i) the title and amount of securities purchased; (ii) the aggregate purchase price; and (iii) the aggregate market value of the securities purchased on the date of purchase.

(3) As to all unexercised options held as of the latest practicable date, regardless of when such options were granted, state (i) the title and aggregate amount of securities called for; (ii) the average option price per share; and (iii) the per share market price of the securities subject to the option, as of the latest practicable date.

Instructions. 1. The term "options" as used in this paragraph (d) includes all options, warrants or rights, other than those issued to security holders as such on a pro rata basis. Where the average option price per share is called for, the weighted average price per share shall be given.

2. The extension, regranting, or material amendment of options shall be deemed the granting of options within the meaning of this paragraph.

3. This item need not be answered with respect to options granted, exercised, or outstanding, as may be specified therein, where the total market value (i) on the granting date of the securities called for by all options granted during the period specified; (ii) on the dates of purchase of all securities purchased through the exercise of options during the period specified; or (iii) as of the latest practicable date of the securities called for by all options held at such time, does not exceed $10,000 for any officer or director named in answer to paragraph (a)(1), or $40,000 for all officers and directors as a group.

4. The information called for by this paragraph may be furnished in the form of the table set forth in Option Disclosure Instruction to this Form. In such case, the information need be furnished only for the period specified in this paragraph and information need not be included as to shares sold during the period. However, if Item 9, 10, or 11 is required to be answered, all of the information specified in Option Disclosure Instruction to this Form must be furnished for the five-year period referred to therein and need not be separately furnished for the period specified in this paragraph.

(e) If to the knowledge of the persons on whose behalf the solicitation is made, any indebtedness to the bank has arisen since the beginning of the bank's last fiscal year under Section 16(b) of the Act, as a result of transactions in the bank's stock, or other equity securities) by any director, officer, or security holder named in answer to Item 5(d), which indebtedness has not been discharged by payment, state the amount of any profit realized and whether suit will be brought or other steps taken to recover such profit. If, in the opinion of counsel, a question reasonably exists as to the recoverability of such profit, only facts necessary to describe the transactions, including the prices and number of shares involved, need be stated.

(f) Describe briefly any transactions since the beginning of the last fiscal year or any presently proposed transactions, to which the bank or any of its subsidiaries was or is to be a party, in which any of the following persons had or is to have a direct or indirect material interest, naming such person and stating his relationship to the bank, the nature of his interest in the transaction and, where practicable, the amount of such interest:

(1) Any director or officer of the bank;

(2) Any nominee for election as a director;

(3) Any security holder named in answer to Item 5(d); and

(4) Any associate of any of the foregoing persons.

Instructions. 1. This item applies to any person who held any of the positions or relationships specified at any time during the period specified. However, information need not be given for any portion of the period during which such person did not hold any such position or relationship.

2. No information need be given in response to this item as to any remuneration or other transaction reported in response to Item 13 or 14, or as to any transaction with respect to which information may be omitted pursuant to Instruction 2 to Item 13(b), the Instruction to Item 13(c), or Instruction 2 or 3 to paragraph (b) of this item.

3. No information need be given in answer to this item as to any transaction where—

(a) the rates or charges involved in the transaction are determined by competitive bids, or the transaction involves the rendering of services at rates or charges fixed in conformity with law or governmental authority;

(b) the transaction involves services as a bank depository of funds, transfer agent, registrar, trustee under a trust indenture, or similar services;

(c) the amount involved in the transaction or a series of similar transactions, including all periodic installments in the case of any lease or other agreement providing for

periodic payments or installments, does not exceed $40,000; or

(d) the interest of the specified person arises solely from the ownership of securities of the bank and the specified person receives no extra or special benefit not shared on a pro rata basis by all holders of securities of the class.

4. It should be noted that this item calls for disclosure of indirect, as well as direct, material interest in transactions. A person who has a position or relationship with a firm, corporation, or other entity, which engages in a transaction with the bank or its subsidiaries may have an indirect interest in such transaction by reason of such position or relationship. However, a person shall be deemed not to have a material indirect interest in a transaction within the meaning of this item where—

(a) the interest arises only (i) from such person's position as a director of another corporation or organization (other than a partnership) which is a party to the transaction, or (ii) from the direct or indirect ownership by such person and all other persons specified in subparagraphs (1) through (3) above, in the aggregate, of less than a 10 per cent equity interest in another person (other than a partnership) which is a party to the transaction, or (iii) from both such position and ownership;

(b) the interest arises only from such person's position as a limited partner in a partnership in which he and all other persons specified in (1) through (3) above had an interest of less than 10 percent; or

(c) the interest of such person arises solely from the holding of an equity interest (including a limited partnership interest, but excluding a general partnership interest) or a creditor interest in another person which is a party to the transaction with the issuer or any of its subsidiaries and the transaction is not material to such other person.

5. The amount of the interest of any specified person shall be computed without regard to the amount of the profit or loss involved in the transaction. Where it is not practicable to state the approximate amount of the interest, the approximate amount involved in the transaction shall be indicated.

6. In describing any transaction involving the purchase or sale of assets by or to the bank or any of its subsidiaries, otherwise than in the ordinary course of business, state the cost of the assets to the purchaser and, if acquired by the seller within two years prior to the transaction, the cost thereof to the seller.

7. The foregoing instructions specify certain transactions and interests as to which information may be omitted in answering this item. There may be situations where, although the foregoing instructions do not expressly authorize nondisclosure, the interest of a specified person in the particular transaction or series of transactions is not a material interest. In that case, information regarding such interest and transaction is not required to be disclosed in response to this item.

8. Information should be included as to any material underwriting discounts and commissions upon the sale of securities by the bank where any of the specified persons were or are to be a principal underwriter or is a controlling person or a member of a firm that was or is to be a principal underwriter. Information need not be given concerning ordinary management fees paid by underwriters to a managing underwriter pursuant to an agreement among underwriters the parties to which do not include the bank or its subsidiaries.

(g) State as to each of the following persons who was indebted to the bank or its subsidiaries at any time since the beginning of the last fiscal year of the bank, (i) the largest aggregate amount of indebtedness outstanding at any time during such period, (ii) the nature of the indebtedness and of the transaction in which it was incurred, (iii) the amount thereof outstanding as of the latest practicable date, and (iv) the rate of interest paid or charged thereon:

(1) Each director or officer of the bank;

(2) Any nominee for election as a director;

(3) Any security holder named in answer to Item 5(d);

(4) Any associate of any of the foreging persons.

Instructions. 1. Include the name of each person whose indebtedness is described and the nature of the relationship by reason of which the information is required to be given.

2. Disclosure under this paragraph (g) shall not be required where the transaction consists of extensions of credit by the bank in the ordinary course of its business that (A) are made on substantially the same terms, including interest rates and collateral, as those prevailing at the time for comparable transactions with other than specified persons, (B) at no time exceed 10 per cent of the equity capital accounts of the bank, or $10 million, whichever is less, and (C) do not involve more than the normal risk of collectibility or present other unfavorable features. Notwithstanding the foregoing, if aggregate extensions of credit to the specified persons, as a group exceeded 20 percent of the equity capital accounts of the bank at any time during the preceding year, (1) the aggregate amount of such extensions of credit shall be disclosed, and (2) a statement shall be included, to the extent applicable, that the bank had had and expects to have in the future, banking transactions in the ordinary course of its business with directors, officers, principal stockholders, and their associates, on the same terms, including interest rates and collateral on loans, as those prevailing at the same time for comparable transactions with others, and do not involve more than the normal risk of collectibility or present other unfavorable features. For the purpose of determining "aggregate extensions of credit" in this instruction, transactions which are exempted from disclosure pursuant to other instructions to this item may be excluded.

3. If to the knowledge of the registrant any indebtedness required to be described arose under Section 16(b) of the Act and has not been discharged by payment, state the amount of the profit realized, that such profit will inure to the benefit of the bank or its subsidiaries and whether suit will be brought or other steps taken to recover such profit. If in the opinion of counsel a question reasonably exists as to the recoverability of such profit, it will suffice to state all facts necessary to describe the transaction, including the prices and number of shares involved.

(h) Describe briefly any transactions since the beginning of the bank's last fiscal year or any presently proposed transaction, to which any pension, retirement, savings or similar plan provided by the registrant or any of its parents or subsidiaries, was or is to be a party, in which any of the following persons had or is to have a direct or indirect material interest, naming such person and stating his relations to the bank, the nature of his interest in the transaction, and, where practicable, the amount of such interest:

(1) Any director or officer of the bank;

(2) Any security holder named in answer to Item 5(d);

(3) Any associate of any of the foregoing persons;

(4) The bank or any of its subsidiaries.

Instructions. 1. Instructions 2, 3, 4, and 5 to paragraph (a) of this item shall apply to paragraph (c) of this item.

2. Without limiting the general meaning of the term "transaction" there shall be included in answer to this item any remuneration received or any loans received or outstanding during the period, or proposed to be received.

3. No information need be given in answer to paragraph (c) with respect to—

(a) payments to the plan, or payments to beneficiaries, pursuant to the terms of the plan;

(b) payments of remuneration for services not in excess of five percent of the aggregate remuneration received by the specified person during the bank's last fiscal year from the bank and its subsidiaries; or

(c) an interest of the bank or any of its subsidiaries which arises solely from its general interest in the success of the plan.

Item 8—Relationship with Independent Public Accountants.

If the solicitation is made on behalf of management of the bank and relates to an annual meeting of security holders at which directors are to be elected, or financial statements are included pursuant to Item 15, furnish the following information describing the bank's relationship with its independent public accountants:

(a) The name of the principal accountant selected or being recommended to shareholders for election, approval or ratification for the current year. If no accountant has been selected or recommended, so state and briefly describe the reasons therefor.

(b) The name of the principal accountant for the fiscal year most recently completed if different from the accountant selected or recommended for the current year or if no accountant has yet been selected or recommended for the current year.

(c) If a change or changes in accountants have taken place since the date of the proxy statement for the most recent annual meeting of shareholders, and if in connection with such change(s) a disagreement between the accountant and bank has been reported on Form F-3 or in the accountant's letter filed as an exhibit thereto, the disagreement shall be described. Prior to submitting the preliminary proxy material to the Corporation which contains or amends such description, the bank shall furnish the description of the disagreement to any accountant with whom a disagreement has been reported. If that accountant believes that the description of the disagreement is incorrect or incomplete, he may include a brief statement, ordinarily expected not to exceed 200 words, in the proxy statement presenting his view of the disagreement. This statement shall be submitted to the bank within 10 business days of the date the accountant received the bank's description.

(d) The proxy statement shall indicate whether or not representatives of the principal accountants for the current year and for the most recently completed fiscal year are expected to be present at the stockholders' meeting with the opportunity to make a statement if they desire to do so and whether or not such representatives are expected to be available to respond to appropriate questions.

(e) If the bank has an audit or similar committee of the Board of Directors, state the names of the members of the committee. If the Board of Directors has no audit or similar committee, so state.

Item 9—Bonus; Profit Sharing; and Other Remuneration Plans.

If action is to be taken with respect to any bonus, profit sharing, or other remuneration plan, furnish the following information.

(a) Describe briefly the material features of the plan. Identify each class of person who will participate therein, indicate the approximate number of persons in each such class and state the basis of such participation.

(b) State separately the amounts which would have been distributable under the plan during the last fiscal year of the bank (1) to directors and officers and (2) to employees if the plan had been in effect.

(c) State the name and position with the bank of each person specified in Item 7(a), who will participate in the plan and the amount which each such person would have received under the plan for the last fiscal year of the bank if the plan had been in effect.

(d) Furnish such information, in addition to that required by this item and Item 7, as may be necessary to describe adequately the provisions already made pursuant to all bonus, profit sharing, pension, retirement, stock option, stock purchase, deferred compensation, or other remuneration or incentive plans, now in effect or in effect within the past five years, for (i) each director or officer named in answer to Item 7(a) who may participate in the plan to be acted upon; (ii) all present directors and officers of the bank as a group, if any director or officer may participate in the plan; and (iii) all employees, if employees may participate in the plan.

(e) If the plan to be acted upon can be amended otherwise than by a vote of stockholders, to increase the cost thereof to the bank or to alter the allocation of the benefits as between the groups specified in (b), state the nature of the amendments which can be so made.

(f) If action is to be taken with respect to the amendment or modification of an existing plan, the item shall be answered with respect to the plan as proposed to be amended or modified and shall indicate any material differences from the existing plan.

Instructions. 1. The term "plan" as used in this item means any plan as defined in Instruction 1 to Item 7(b).

2. If the plan to be acted upon is set forth in a written document, three copies thereof shall be filed with the Corporation at the time preliminary copies of the statement are filed pursuant to § 335.5(f).

3. The following instructions shall apply to paragraph (d):

(a) Information need only be given with respect to benefits received or set aside within the past five years.

(b) Information need not be included as to payments made for, or benefits to be received from group life or accident insurance, group hospitalization or similar group payments or benefits.

(c) If action is to be taken with respect to any plan in which directors or officers may participate, the information called for by Item 7(d) (1) and (2) shall be furnished for the last five fiscal years of the issuer and any period subsequent to the end of the latest such fiscal year, in aggregate amounts for the entire period for each such person and group. If any named person, or any other director or officer, purchased securities through the exercise of options during such period, state the aggregate amount of securities of that class sold during the period by such named person and such other directors and officers as a group. The information called for by this Instruction 3(c) is in lieu of the information since the beginning of the issuer's last fiscal year called for by Item 7(d) (1) and (2). If employees may participate in the plan to be acted upon, state the aggregate amount of securities called for by all options granted to employees during the five-year period and, if the options were other than "restricted" or "qualified" stock options or options granted pursuant to an "employee stock purchase plan", as the quoted terms are defined in Sections 422 through 424 of the Internal Revenue Code, state that fact and the weighted average option price per share. The information called for by this instruction may be furnished in the form of the table illustrated in the Option disclosure instruction to this form.

Item 10—Pension and Retirement Plans.

If action is to be taken with respect to any pension or retirement plan, furnish the following information:

(a) Describe briefly the material features of the plan, identify each class of persons who will be entitled to participate therein, indicate the approximate number of persons in each such class, and state the basis of such participation.

(b) State (1) the approximate total amount necessary to fund the plan with respect to past services, the period over which such amount is to be paid, and the estimated annual payments necessary to pay the total amount over such period; (2) the estimated annual payment to be made with respect to current services, and (3) the amount of such annual payments to be made for the benefit of (i) directors and officers, and (ii) employees.

(c) State (1) the name and position with the bank of each person specified in Item 7(a) who will be entitled to participate in the plan, (2) the amount which would have been paid or set aside by the bank and its subsidiaries for the benefit of such person for the last fiscal year of the bank if the plan had been in effect, and (3) the amount of the annual benefits estimated to be payable to such person in the event of retirement at normal retirement date.

(d) Furnish such information, in addition to that required by this item and Item 7, as may be necessary to describe adequately the provisions already made pursuant to all bonus, profit sharing, pension, retirement, stock option, stock purchase, deferred compensation, or other remuneration or incentive plans, now in effect or in effect within the past five years, for (i) each director or officer named in answer to Item 7(a) who may participate in the plan to be acted upon; (ii) all present directors and officers of the bank as a group, if any director or officer may participate in the plan; and (iii) all employees, if employees may participate in the plan.

(e) If the plan to be acted upon can be amended otherwise than by a vote of stockholders to increase the cost thereof to the bank or alter the allocation of the benefits as between the groups specified in (b)(3), state the nature of the amendments which can be so made.

(f) If action is to be taken with respect to the amendment or modification of an existing plan, the item shall be answered with respect to the plan as proposed to be amended or modified and shall indicate any material differences from the existing plan.

Instructions. 1. The information called for by paragraph (b)(3) or (c)(2) need not be given as to payments made on an actuarial basis pursuant to any group pension plan which provides for fixed benefits in the event of retirement at a specified age or after a specified number of years of service.

2. Instructions 1, 2, and 3 to Item 9 shall apply to this item.

Item 11—Options; Warrants; or Rights.

If action is to be taken with respect to the granting of extension of any options, warrants, or rights to purchase securities of the bank or any subsidiary, furnish the following information:

(a) State (i) the title and amount of securities called for or to be called for by such options, warrants, or rights; (ii) the prices, expiration dates and other material conditions upon which the options, warrants, or rights may be exercised; (iii) the consideration received or to be received by the issuer or subsidiary for the granting or extension of the options, warrants, or rights; (iv) the market value of the securities called for or to be called for by the options, warrants, or rights as of the latest practicable date, and (v) in the case of options, the Federal income tax consequences of the issuance and exercise of such options to the recipient and to the bank.

(b) State separately the amount of options, warrants, or rights received or to be received by the following persons, naming each such person: (i) each director or officer named in answer to Item 7(a); (ii) each nominee for election as a director of the bank; (iii) each associate of such directors, officers, or nominees; and (iv) each other person who received or is to receive five percent or more of such options, warrants, or rights. State also the total amount of such options, warrants, or rights received or to be received by all directors and officers of the bank as a group, without naming them.

(c) Furnish such information, in addition to that required by this item and Item 7 as may be necessary to describe adequately the provisions already made pursuant to all bonus, profit sharing, pension, retirement, stock option, stock purchase, deferred compensation, or other remuneration on incentive plans, now in effect or in effect within the past five years, for (i) each director or officer named in answer to Item 7(a) who may participate in the plan to be acted upon; (ii) all directors and officers of the bank as a group, if any director or officer may participate in the plan; and (iii) all employees, if employees may participate in the plan.

Instructions. 1. Paragraphs (b) and (c) do not apply to warrants or rights to be issued to security holders as such on a pro rata basis.

2. The instruction to Item 9 shall apply to paragraph (c) of this item.

3. Include in the answer to paragraph (c) as to each director or officer named in answer to Item 7(a) and as to all directors and officers as a group (i) the amount of securities acquired during the past two years through the exercise of options granted during the period or prior thereto; (ii) the amount of securities sold during such period of the same class as those acquired through the exercise of such options; and (iii) the amount of securities subject to all unexercised options held as of the latest practicable date.

Item 12—Authorization or Issuance of Securities Otherwise than for Exchange.

If action is to be taken with respect to the authorization or issuance of any securities otherwise than in exchange for outstanding securities of the bank, furnish the following information:

(a) State the title and amount of securities to be authorized or issued.

(b) Furnish a description of the material provisions of the securities such as would be required in a registration statement filed pursuant to this Part. If the terms of the securities cannot be stated or estimated with respect to any or all of the securities to be authorized, because no offering thereof is contemplated in the proximate future, and if no further authorization by security holders for the issuance thereof is to be obtained, it should be stated that the terms of the securities to be authorized, including dividend or interest rates, conversion prices, voting rights, redemption prices, maturity dates, and similar matters will be determined by the board of directors. If the

securities are additional shares of common stock of a class outstanding, the description may be ommitted except for a statement of the preemptive rights, if any. Where the statutory provisions with respect to preemptive rights are so indefinite or complex that they cannot be stated in summarized form, it will suffice to make a statement in the form of an opinion of counsel as to the existence and extent of such rights.

(c) Describe briefly the transaction in which the securities are to be issued, including a statement as to (1) the nature and approximate amount of consideration received or to be received by the bank, and (2) the approximate amount devoted to each purpose so far as determinable, for which the net proceeds have been or are to be used. If it is impracticable to describe the transaction in which the securities are to be issued, state the reason, indicate the purpose of the authorization of the securities, and state whether further authorization for the issuance of the securities by a vote of security holders will be solicited prior to such issuance.

(d) If the securities are to be issued otherwise than in a general public offering for cash, state the reasons for the proposed authorization or issuance and the general effect thereof upon the rights of existing security holders.

Item 13—Modification or Exchange of Securities.

If action is to be taken with respect to the modification of any class of securities of the bank, or the issuance or authorization for issuance of securities of the bank in exchange for outstanding securities of the bank, furnish the following information:

(a) If outstanding securities are to be modified, state the title and amount thereof. If securities are to be issued in exchange for outstanding securities, state the title and amount of securities to be so issued, the title and amount of outstanding securities to be exchanged therefor, and the basis of the exchange.

(b) Describe any material differences between the outstanding securities and the modified or new securities in respect of any of the matters concerning which information would be required in the description of the securities in a registration statement filed pursuant to this Part.

(c) State the reasons for the proposed modification or exchange, and the general effect thereof upon the rights of existing security holders.

(d) Furnish a brief statement as to arrears in dividends or as to defaults in principal or interest in respect to the outstanding securities which are to be modified or exchanged and such other information as may be appropriate in the particular case to disclose adequately the nature and effect of the proposed action.

(e) Outline briefly any other material features of the proposed modification or exchange.

(f) Instruction 1 to Item 9 shall apply to this item.

Instruction. If the existing security is presently listed and registered on a national securities exchange, state whether it is intended to apply for listing and registration of the new or reclassified security on such exchange or any other exchange. If it is not intended to make such application, state the effect of the termination of such listing and registration.

Item 14—Mergers; Consolidations; Acquisitions; and Similar Matters.

If action is to be taken with respect to any plan for (i) the merger or consolidation of the bank into or with any other person or of any other person into or with the bank; (ii) the acquisition by the bank or any of its subsidiaries of securities of another bank; (iii) the acquisition by the bank of any other going business or of the assets thereof; (iv) the sale or other transfer of all or any substantial part of the assets of the bank; or (v) the voluntary liquidation or dissolution of the bank:

(a) Outline briefly the material features of the plan. State the reasons therefor and the general effect thereof upon the interests of existing security holders. If the plan is set forth in a written document, file three copies thereof with the Corporation when preliminary copies of the Statement are filed pursuant to § 335.5(f).

(b) Furnish the following information as to the bank and each person which is to be merged into the bank or into or with which the bank is to be merged or consolidated or the business or assets of which are to be acquired or which is the issuer of securities to be acquired by the bank or any of its subsidiaries in exchange for all or a substantial part of its assets. What is required is information essential to an investor's appraisal of the action proposed to be taken:

(1) A brief description of the business and property of each such person in substantially the manner described in Items 3 and 4 of Form F–1.

(2) A brief statement as to dividends in arrear, defaults in principal or interest in respect to any securities of the bank or of such person, and as to the effect of the plan thereon and such other information as may be appropriate in the particular case to disclose adequately the nature and effect of the proposed action.

(3) Such information with respect to the proposed management of the surviving bank as would be required by Items 6 and 7 of this Form F–5. Information concerning remuneration of management may be projected for the current year based on remuneration actually paid or accrued by each of the constituent persons during the last calendar year. If significantly different, proposed compensation arrangements should also be described.

(4) A tabular presentation of the existing and pro forma capitalization.

(5) In columnar form, for each of the last five fiscal years, a historical summary of earnings. Such summary to be concluded by indicating per share amounts of income before securities gains (losses), net income, and dividends declared for each period reported. (Extraordinary items, if any, should be appropriately reported and per share amounts of securities gains (losses) may be included.)

(6) In columnar form, for each of the last five fiscal years, a combined pro forma summary of earnings, as appropriate in the circumstances, similar in structure to the historical summary of earnings. If the transaction establishes a new basis of accounting for assets of any of the persons included therein, the pro forma summary of earnings shall be furnished only for the most recent fiscal year and interim period and shall reflect appropriate pro forma adjustments resulting from such new basis of accounting.

(7) A tabular presentation of comparative per share data of the constituent banks or other persons pertaining to:

(A) (i) Income before securities gains (losses); (ii) net income; and (iii) dividends declared, for each of the last five fiscal years; and

(B) Book value per share, at the date of the balance sheets included in the Statement.

The comparative per share data shall be presented on a historical and pro forma basis (except dividends which are to be furnished on historical basis only) and equated to a common basis in exchange transactions.

(8) To the extent material for the exercise of prudent judgment, the historical and pro forma earnings data specified in (5), (6), and (7) above for the latest available interim period of the current and prior fiscal years.

Instructions. 1. Historical statements of income in their entirety, as required by Item 15, may be furnished in lieu of the summary of earnings specified in paragraph 5. If summary earnings information is presented, show, as a minimum, operating revenues, operating expenses, income before income taxes and securities gains (losses), applicable income taxes, income before securities gains (losses), securities gain (losses), extraordinary items less applicable tax, cumulative effect of changes in accounting principles, and net income. The summary shall reflect retroactive adjustments or any material items affecting the comparability of the results.

2. In connection with any interim period or periods between the end of the last fiscal year and the balance sheet date, and any comparable prior period, a statement shall be made that all adjustments necessary to a fair statement of the results for such interim period or periods have been included, and results of the interim period for the current year are not necessarily indicative of results for the entire year. In addition, there shall be furnished in such cases, as supplemental information but not as a part of the proxy statement, a letter describing in detail the nature and amount of any adjustments, other than normal recurring accruals, entering into the determination of the results shown.

3. The information required by this Item 14(b) is required in a Statement of the "acquiring" or "surviving" bank only where a "significant" merger or acquisition is to be voted upon. For purposes of this item, the term "significant" merger or acquisition shall mean a transaction where either (1) the net book value of assets to be acquired or the amount to be paid therefor exceeds five percent of the equity capital accounts of the acquiring bank, or (2) in an exchange transaction, the number of shares to be issued exceeds five percent of the outstanding shares of the acquiring bank, or (3) gross operating revenues for the last fiscal year of the person to be acquired exceeded five percent of the gross operating revenues for the last fiscal year of the acquiring bank. If less than a "significant" merger or acquisition is to be voted upon, such information need only be included to the extent necessary for the exercise of prudent judgment with respect thereto.

(c) As to each class of securities of the bank, or of any person specified in paragraph (b), which is admitted to dealing on a national securities exchange or with respect to which a market otherwise exists, and which will be materially affected by the plan, state the high and low sale prices (or, in the absence of trading in a particular period, the range of the bid and asked prices) for each quarterly period within two years. This information may be omitted if the plan involves merely the voluntary liquidation or dissolution of the bank.

Item 15—Financial Statements.

(a) If action is to be taken with respect to any matter specified in Items 12, 13, or 14 above, furnish verified financial statements of the bank and its subsidiaries such as would be required in a registration statement filed pursuant to this Part. In addition, the latest available interim date balance sheet and statement of income for the interim period between the end of the last fiscal year and the interim balance sheet date, and comparable prior period, shall be furnished. All schedules, except Schedule VII—

"Allowance for Possible Loan Losses" and Schedule VIII—"Reserve on Securities", may be omitted.

(b) If action is to be taken with respect to any matter specified in Item 14(b), furnish for each person specified therein, other than the bank, financial statements such as would be required in a registration statement filed pursuant to this Part. In addition, the latest available interim date balance sheet and statement of income for the interim period between the end of the last fiscal year and the interim balance sheet date, and comparable prior period, shall be furnished. However, the following may be omitted: (1) All schedules, except Schedule VII—"Allowance for Possible Loan Losses"; and (2) statements for a subsidiary, all of the stock of which is owned by the bank, that is included in the consolidated statement of the bank and its subsidiaries. Such statements shall be verified, if practicable.

(c) Notwithstanding paragraphs (a) and (b) above, any or all of such financial statements which are not material for the exercise of prudent judgment in regard to the matter to be acted upon may be omitted. Such financial statements are deemed material to the exercise of prudent judgment in the usual case involving the authorization or issuance of any material amount of senior securities, but are not deemed material in cases involving the authorization or issuance of common stock, otherwise than in an exchange, merger, consolidation, acquisition, or similar transaction.

(d) The statement may incorporate by reference any financial statements contained in an annual report sent to security holders pursuant to § 335.5(c) with respect to the same meeting as that to which the statements relate, provided such financial statements substantially meet the requirements of this item.

Item 16—Action With Respect to Reports.

If action is to be taken with respect to any report of the bank or of its directors, officers, or committees or any minutes of meetings of its security holders, furnish the following information:

(a) State whether or not such action is to constitute approval or disapproval of any of the matters referred to in such reports or minutes.

(b) Identify each of such matters which it is intended will be approved or disapproved, and furnish the information required by the appropriate item or items of this schedule with respect to each such matter.

Item 17—Matters Not Required To Be Submitted.

If action is to be taken with respect to any matter which is not required to be submitted to a vote of security holders, state the nature of such matter, the reasons for submitting it to a vote of security holders and what action is intended to be taken by the management in the event of a negative vote on the matter by the security holders.

Item 18—Amendment of Charter; Bylaws; or Other Documents.

If action is to be taken with respect to any amendment of the bank's charter, bylaws, or other documents as to which information is not required above, state briefly the reasons for and general effect of such amendment.

Instruction. Where the matter to be acted upon is the classification of directors state whether vacancies which occur during the year may be filled by the board of directors to serve only until the next annual meeting or may be so filled for the remainder for the full term.

Item 19—Other Proposed Action.

If action is to be taken with respect to any matter not specifically referred to above, describe briefly the substance of each such matter in substantially the same degree of detail as is required by Items 5 to 18, inclusive, above.

Item 20—Vote Required for Approval.

As to each matter which is to be submitted to a vote of security holders, other than elections to office or the selection or approval of auditors, state the vote required for its approval.

Item 21—Acquisition or Disposition of Property.

If action is to be taken with respect to the acquisition or disposition of any property, furnish the following information:

(a) Describe briefly the general character and location of the property.

(b) State the nature and amount of consideration to be paid or received by the issuer or any subsidiary. To the extent practicable, outline briefly the facts bearing upon the question of the fairness of the consideration.

(c) State the name and address of the transferer or transferee, as the case may be, and the nature of any material relationship of such person to the issuer or any affiliate of the issuer.

(d) Outline briefly any other material features of the contract or transaction.

Item 22—Restatement of Accounts.

If action is to be taken with respect to the restatement of any asset, capital, or surplus account of the bank, furnish the following information:

(a) State the nature of the restatement and the date as of which it is to be effective.

(b) Outline briefly the reasons for the restatement and for the selection of the particular effective date.

(c) State the name and amount of each account (including any reserve accounts) affected by the restatement and the effect of the restatement thereon. Tabular presentation of the amounts shall be made when appropriate, particularly in the case of recapitalizations.

(d) To the extent practicable, state whether and the extent, if any, to which the restatement will, as of the date thereof, alter the amount available for distribution to the holders of equity securities.

OPTION DISCLOSURE INSTRUCTION

The table set forth below is an illustration of the presentation in tabular form of the information required by Item 7(d) and Instruction 3(c) to Item 9(d), which also applies to Items 10(d) and 11(c). If only Item 7(d) applies and Items 9, 10, and 11 are inappropriate, information need only be furnished for the period specified in Item 7(d), information as to shares sold may be omitted and the reference at the foot of the table to options granted to employees may be omitted, and the reference at the foot of the table to options granted to employees may be omitted. See Instruction 4 to Item 7(d). Other tabular presentations are, of course, acceptable if they include the necessary data. Tabular presentations may not be needed if only a very few options have been granted.

"The following tabulation shows as to certain directors and officers and as to all directors and officers as a group (i) the amount of options granted since the beginning of the fifth previous full fiscal year, (ii) the amount of shares acquired since that date through the exercise of options granted since that date or prior thereto, (iii) the amount of shares sold during such period of the same class as those so acquired, and (iv) the amount of shares subject to all unexercised options held as of _____".
(Insert date)

Common shares [1]	John Jones	James Smith	Richard Roe	All directors and officers as a group
Granted—196.. to date:				
Number of shares				
Average per share option price	$	$	$	$
Exercise—196.. to date: Number of shares				
Aggregate option price of options exercised	$	$	$	$
Aggregate market value of shares on date options exercised	$	$	$	(2)
Sales—196.. to date: Number of shares				
Unexercised at ..... 196..: Number of shares				
Average per share option price	$	$	$	$

[1] All common share figures have been adjusted in accordance with the terms of the options to reflect the stock split in 19.., and, where applicable, to give effect to share dividends.
[2] Sales by directors and officers who exercised options during the period 19.. to date.

NOTE.—In addition, during the period employees were granted options for ..... share at an average option price per share of $.....

§ 335.52 Form for statement in election contests (Form F–6).

FORM F–6

STATEMENT IN ELECTION CONTEST

GENERAL INSTRUCTIONS

All items shall be answered but the text of any item may be omitted provided the answers thereto are prepared in the manner specified in § 335.4(t). If an item is inapplicable or the answer is in the negative, so state. The information called for by Items 2(a) and 3(a) or a fair summary thereof is required to be included in all preliminary soliciting material by § 335.5(l).

Item 1—Bank, State the name and address of the bank.

Item 2—Identity and Background of Participant.

(a) State the following:

(1) Your name and business address.

(2) Your present principal occupation or employment and the name, principal business, and address of any corporation or other organization which such employment is carried on.

(b) State the following:

(1) Your residence address.

(2) Information as to all material occupations, position, offices, or employments during the last ten years, giving starting and ending dates of each and the name, principal business, and address of any business corporation or other business organization in which each such occupation, position, office, or employment was carried on.

(c) State whether or not you are or have been a participant in any other proxy contest involving the bank or other corporations within the past ten years. If so, identify the principals, the subject matter and your relationship to the parties and the outcome.

(d) State whether or not, during the past ten years, you have been convicted in a criminal proceeding (excluding traffic violations or similar misdemeanors) and, if so, give dates, nature of conviction, name and location of court, and penalty imposed or other disposition of the case. A negative answer to this subitem need not be included in the Statement or other proxy soliciting material.

Item 3—Interests in Securities of the Bank.

(a) State the amount of each class of secu-

rities of the bank that you own beneficially, directly, or indirectly.

(b) State the amount of each class of securities of the bank that you own of record but not beneficially.

(c) State with respect to the securities specified in (a) and (b) the amounts acquired within the past two years, the dates of acquisition and the amounts acquired on each date.

(d) If any part of the purchase price or market value of any of the shares specified in paragraph (c) is represented by funds borrowed or otherwise obtained for the purpose of acquiring or holding such securities, to state and indicate the amount of the indebtedness as of the latest practicable date. If such funds were borrowed or obtained otherwise than pursuant to a margin account or bank loan in the regular course of business of a bank, broker, or dealer, briefly describe the transaction, and state the names of the parties.

(e) State whether or not you are a party to any contracts, arrangements or understandings with any person with respect to any securities of the bank, including but not limited to joint ventures, loan or option arrangements, puts or calls, guarantees against loss or guarantees of profits, division of losses or profits, or the giving or withholding of proxies. If so, name the persons with whom such contracts, arrangements, or understandings exist and give the details thereof.

(f) State the amount of securities of the bank owned beneficially, directly, or indirectly by each of your associates and the name and address of each such associate.

(g) State the amount of each class of securities of any parent or subsidiary of the bank which you own beneficially, directly, or indirectly.

Item 4—Further Matters.

(a) Describe the time and circumstances under which you became a participant in the solicitation and state the nature and extent of your activities or proposed activities as a participant.

(b) Furnish for yourself and your associates the information required by Item 7(f) of Form F–5.

(c) State whether or not you or any of your associates have any arrangement or understanding with any person.

(1) with respect to any future employment by the bank or its affiliates; or

(2) with respect to any future transactions to which the bank or any of its affiliates will or may be a party. If so, describe such arrangement or understanding and state the names of the parties thereto.

(d) State the total amount contributed and proposed to be contributed by you in furtherance of the solicitation, directly or indirectly, if such amount exceeds or will exceed $500 in the aggregate.

Item 5—Signature.

The statement shall be dated and signed in the following manner:

I certify that the statements made in this statement are true, complete, and correct, to the best of my knowledge and belief.

(Signature of participant or authorized representative)

Date

Instruction. If the statement is signed on behalf of a participant by the latter's authorized representative, evidence of the representative's authority to sign on behalf of such participant shall be filed with the statement.

§ 335.53 Form for statement to be filed pursuant to § 335.5(m) of part 335 (Form F–12).

FORM F–12

STATEMENT TO BE FILED PURSUANT TO § 335.5(m) OF PART 335

GENERAL INSTRUCTIONS

The item numbers and captions of the items shall be included but the text of the items may be omitted. The answers to the items shall be so prepared as to indicate clearly the coverage of the items without referring to the text of the items. Answer every item. If an item is inapplicable or the answer is in the negative, so state.

Item 1—Security and Bank.

(a) State the title of the class of equity securities to which this statement relates and the name and address of the bank which issued such securities.

(b) Identify the tender offer or request of invitation for tenders to which this statement relates and state the reasons for the solicitation or recommendation to security holders to accept or reject such tender offer, request, or invitation for tenders.

Item 2—Identity and Background.

(a) State the name and business address of the person filing this statement.

(b) Describe any arrangement or understanding in regard to the solicitation with (i) the bank or the management of the bank or (ii) the maker of the tender offer or request or invitation for tender of securities of the class to which this statement relates.

Item 3—Persons Retained; Employed or To Be Compensated.

Identify any person or class or persons employed, retained or to be compensated, by the person filing this Form F–12, or by any person on his behalf, to make solicitations or recommendations to security holders and describe briefly the terms of such employment, retainer or arrangement for compensation.

Item 4—Material To Be Filed as Exhibits.

Copies of all solicitations or recommendations to accept or to reject a tender offer or request or invitation for tenders of the securities specified in Item 1 shall be filed as an exhibit.

Item 5—Additional Information to be Furnished.

Furnish information as to all transactions in the class of securities to which this statement relates which were effected during the past 60 days by the bank and its subsidiaries and their officers, directors and affiliated persons.

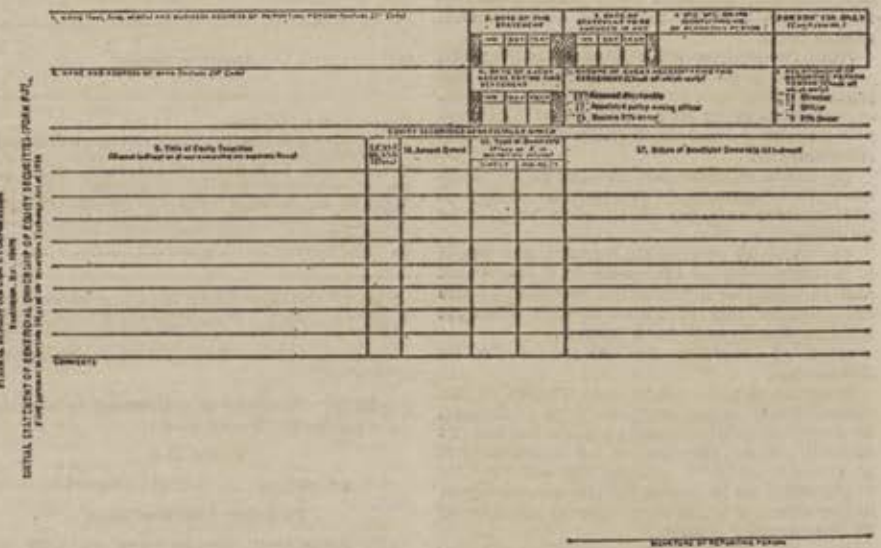
SIGNATURE

I certify that to the best of my knowledge and belief the information set forth in this statement is true, complete and correct.

(Date) (Signature)

If the statement is signed on behalf of a person by an authorized representative, evidence of the representative's authority to sign on behalf of such person shall be filed with the statement.

§ 335.61 Initial statement of beneficial ownership of equity securities (Form F–7).



GENERAL INSTRUCTIONS

1. *Persons Required To File Statements.*

A statement on Form F–7 must be filed (a) within 10 days of the effective date of the registration of any class of equity securities of a bank pursuant to Section 12 of the Act by every person, whether or not he owns any equity securities of the bank, who: (1) is a director (including honorary directors) or officer of the bank which is the issuer of such securities or (ii) is directly or indirectly the beneficial owner of more than 10 percent of such class, and (b) within 10 days of becoming so, by every person who thereafter becomes such a beneficial owner, director or officer. The term "officer" refers to individuals occupying major policy-making roles, including: Chairman of the Board of Directors, Vice Chairman of the Board, Chairman of the Executive Commitee, President, Vice President (except as indicated below), Cashier, Treasurer, Secretary, Comptroller, and any other person who participates in major policy-making functions. In some banks (particularly banks with officers bearing such titles as "Executive Vice President", "Senior Vice President", "First Vice President", or

a number of other Vice Presidents), some or all Vice Presidents do not participate in major policy-making functions. Such persons are not officers for the purposes of this statement.

2. *Where Statements Are To Be Filed.*

(a) One manually signed copy of each statement shall be filed with the Federal Deposit Insurance Corporation, Washington, D.C. 20429. One manually signed copy thereof shall also be filed with each exchange on which any class of equity securities of the bank is listed and registered unless the bank has, in accordance with § 335.6(a)(3), designated a single exchange to receive such statements.

(b) Statements are not deemed to be filed with the Corporation or an exchange until they are actually received by the Corporation or exchange.

3. *Separate Statement for Each Bank.*

A separate statement shall be filed with respect to the equity securities of each bank.

4. *Date as of Which Information Is To Be Given.*

Information as to the amount of securities beneficially owned, including those subject to puts, calls, options, warrants, etc., shall be given as of the date on which the event occurred which requires the filing of the statement on this form.

5. *Relationships of Reporting Person to Bank.*

Indicate clearly the relationships of the reporting person to the bank by checking the appropriate box(es), i.e., Director, Officer, 10 percent Owner in Item 8 of the statement.

6. *Title of Equity Securities and Classes of Securities To Be Reported.*

The statement of the title of an equity security should clearly distinguish it from any securities of other classes issued by the bank. Persons specified in Instruction 1, above, shall include information as to their beneficial ownership of all classes of equity securities of the bank, even though one or more of such classes may not be registered pursuant to Section 12 of the Act.

7. *Statement Required Although No Securities are Owned.*

If any person required to file a statement on this form does not own any securities required to be reported, a statement on this form shall be filed to report that fact.

8. *Reporting of Conversion Feature Cases.*

(a) When two or more securities are owned as a unit, such as debentures and transferable warrants to purchase common stock, report each security separately and describe the unit relationship in the "Comments" space of the statement. If one or more of the securities comprising the unit is not required to be reported, the other security or securities shall be reported separately and the unit relationship described as indicated above.

(b) In reporting the ownership of a convertible security or a transferable warrant, the number of shares or units subject to the conversion privilege and the conversion or exercise price per share or unit shall be set forth in the "Comments" space. Transferable warrants issued by the issuer of the security subject to the warrants shall be reported in the body of the statement (in which case the exercise price and date of expiration of the warrant shall be reported in the "Comments" space).

(c) Securities owned indirectly shall be reported on separate lines from those owned directly and also from those owned through a different type of indirect ownership.

9. *Statement of Amounts of Securities.*

In stating amounts of securities in Item 10 of the statement, give the face amount of debt securities or the number of shares or other units of other securities. In the case of securities owned beneficially through a spouse, relative or other natural person, or through a partnership, corporation, trust or other entity, the entire amount of securities owned by such natural person, partnership, corporation, trust or other entity shall be stated. The person whose ownership is reported may, if he so desires, also indicate in a footnote or other appropriate manner, the extent of his interest in the holdings of the partnership, corporation, trust or other entity through which securities are beneficially owned.

10. *Nature of Ownership of Securities.*

(a) In reporting the nature of beneficial ownership of securities, check the appropriate column in Item 11 of the statement. If they are owned indirectly, state the nature of such indirect ownership in Item 12 of the statement; for example, "By self as trustee for sons", "By Wife", "By X Trust", "By Y Corporation", etc. If the securities are owned directly and other securities are owned indirectly, the required information shall be furnished separately for each type of ownership. Each type of indirect ownership is to be reported on a separate line. Securities held as joint tenants, tenants in common, tenants by the entirety or as community property are to be reported as held directly.

(b) Beneficially owned securities held in the name of the reporting person or in the name of a bank, broker or nominee for the account of the reporting person shall be reported as directly owned by him. A person is regarded as the indirect beneficial owner of securities held in the name of another person if, by reason of any contract, understanding, relationship, including a family relationship, or arrangement, such person obtains therefrom benefits substantially equivalent to those of ownership. For example, a person may be the indirect beneficial owner of securities held in the name of a spouse, relative or other person if such person may obtain therefrom benefits substantially equivalent to those of ownership. A person may also be the indirect beneficial owner of securities held in the name of a partnership, corporation, trust or other entity if such person or a spouse or relative of such person, individually or collectively, may exercise a controlling influence over the purchase, sale or voting of such securities.

11. *Transferable Warrants, Puts, Calls, Options and Other Rights.*

Transferable warrants, options, puts, and calls, any combination of puts and calls, such as spreads, straddles, strips and straps (all hereinafter referred to as options), should be reported in the "Comments" space. Title of securities subject to the option, the nature of the option, the amount of securities subject to the option (see Instruction 9), the purchase or sale price of the securities subject to the options and the date of expiration of the option shall be stated. In reporting the nature of the option, state whether it represents a right to buy, a right to sell, an obligation to buy or an obligation to sell, the securities subject to the option. If a warrant is not presently exercisable, state the price at which it will first become exercisable. If a warrant, put, call or option is exercisable at various increasing prices, state the price at which it is presently exercisable.

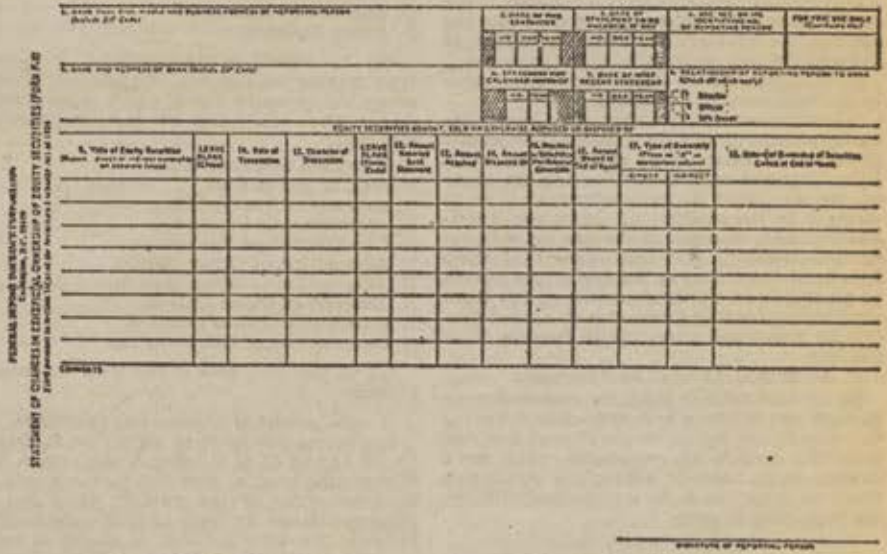
12. *Inclusion of Additional Information.*

A statement may include any additional information or explanation deemed relevant by the person filing the statement. If additional space is necessary for explanation, attach a separate sheet to the form.

13. *Signature.*

If the statement is filed for a corporation, partnership, trust or other entity, the name of the organization shall appear over the signature of the officer or other person authorized to sign the statement. If the statement is filed for an individual, it shall be signed by him or specifically on his behalf by a person authorized to sign for him. If signed on his behalf by another person, the authority of such person to sign the statement shall be confirmed to the Corporation in writing as soon as practicable by the individual for whom the statement is filed, unless such a confirmation which is still in effect is on file with the Corporation.

§ 335.62 Statement of changes in beneficial ownership of equity securities (Form F–8).



GENERAL INSTRUCTIONS

1. *Persons Required to File Statements.*

(a) A statement on Form F–8 is to be filed on or before the 10th day after the end of each month in which any change in beneficial ownership has occurred, by every person (1) who at any time during any calendar month was: (i) directly or indirectly the beneficial owner of more than 10 percent of any class of equity securities of a bank registered pursuant to Section 12 of the Act or (ii) a director (including honorary directors) or officer of the bank which is the issuer of such securities, and (2) who during such month had any change in the nature or amount of his beneficial ownership of any class of equity

securities of such bank. The term "officer" means a Chairman of the Board of Directors, Vice Chairman of the Board, Chairman of the Executive Committee, President, Vice President (except as indicated in the next sentence), Cashier, Treasurer, Secretary, Comptroller, and any other person who participates in major policy-making functions of the bank. In some banks (particularly banks with officers bearing titles such as Executive Vice President, Senior Vice President, or First Vice President, as well as a number of "Vice Presidents"), some or all "Vice Presidents" do not participate in major policy-making functions. Such persons are not officers for the purposes of this statement.

(b) Not more than one report need be filed to report any holdings of a bank's securities or with respect to any transaction in such securities held by a trust, regardless of the number of officers, directors, or 10 percent stockholders who are either trustees, settlers, or beneficiaries of a trust if the report filed discloses the names of all trustees, settlers, and beneficiaries who are officers, directors, or 10 percent stockholders. A person having an interest only as a beneficiary of a trust shall not be required to file any such report so long as he relies in good faith upon an understanding that the trustees of such trust will file whatever reports might otherwise be required of such beneficiary.

2. *Where Statements Are To Be Filed.* (a) One manually signed copy of each statement, shall be filed with the Federal Deposit Insurance Corporation, Washington, D.C. 20429. One manually signed copy thereof shall also be filed with each exchange on which any class of equity securities of the company is listed and registered unless the bank has, in accordance with § 335.6(a)(3), designated a single exchange to receive statements.

(b) Statements are not deemed to be filed with the Corporation or an exchange until they are actually received by the Corporation or exchange.

3. *Separate Statement for Each Bank.* A separate statement shall be filed with respect to the equity securities of each bank.

4. *Relationships of Reporting Person to Bank.* Indicate clearly the relationship of the reporting person to the bank by checking the appropriate box(es), i.e., Director, Officer, 10 percent Owner, in Item 8 of the statement.

5. *Title of Equity Securities and Classes of Securities to be Reported.*

The statement of the title of an equity security should clearly distinguish it from any securities of other classes issued by the bank. Persons reporting pursuant to Section 16(a) of the Act shall include information as to changes in the amount of securities beneficially owned, changes in the nature of beneficial ownership, and the amount of their beneficial ownership at the end of the month of all classes of equity securities of the bank even though one or more of such classes may not be registered pursuant to Section 12 of the Act.

6. *All Transactions to be Reported.*

Every transaction shall be reported even though acquisitions and dispositions during the month are equal, or the change involves only the nature of ownership, such as a change from indirect ownership through a trust or corporation to direct ownership by the reporting person.

7. *Reporting of Transactions.*

(a) In reporting the acquisition or disposition of a convertible security or a transferable warrant, the number of shares subject to the conversion privilege or warrant and the conversion or exercise price per share shall be set forth in the "Comments" space. When a convertible security is converted or a warrant is exercised, the amount of securities acquired as a result of such conversion or exercise shall be reported and, in addition, the disposition of the convertible security or warrant shall be reported as a separate transaction.

(b) The acquisition, disposition, exercise, or expiration or cancellation of a put, call, option or other right or obligation to buy or sell securities (all hereinafter referred to as options) is deemed to effect a change in beneficial ownership of the securities to which the option relates and shall be reported in the "Comments" space. If the option is exercised, the transaction shall be reported in the "Comments" space and the acquisition or disposition of the security subject to the warrants shall be reported in the body of the statement (in which case the exercise price and date of expiration of the warrant shall be reported in the "Comments" space).

8. *Date of Transaction.*

In giving the dates required, the month, day and year shall be given. Dates may be abbreviated; for example, January 9, 1975, may be expressed as 1/9/75. The date shall be set forth opposite the transaction to which it relates. In the case of market transactions, the date shall be given and in the case of stock splits, stock dividends, etc., the record date shall be given.

9. *Character of Transaction.*

(a) In reporting the character of a transaction in Item 11 of the statement, select the category below which most clearly states the character of the transaction reported:

A. Open Market Purchase
B. Open Market Sale
C. Private Purchase
D. Private Sale
E. Acquired by Inheritance
F. Disposed of by Bequest
G. Stock Split
H. Exercise of Options
I. Exchange or Conversion
J. Exercise of Rights
K. Acquired by Gift
L. Disposed of by Gift
M. Redeemed (called, matured, retired)
N. Stock Dividend
O. Exercise of Warrants
P. Other (specify)

(b) In reporting the character of option type transactions in the "Comments" space, select the category below which most closely states the character of the transaction reported:

A. Purchase of Put or Call
B. Sale of Put or Call
C. Exercise of Put or Call
D. Expiration of Put or Call
E. Cancellation of Put or Call
F. Acquisition of Other Option
G. Disposition of Other Option
H. Exercise of Other Option
I. Experation of Other Option
J. Cancellation of Other Option

(c) If the transaction was with the bank, so state.

10. *Statement of Amounts of Securities.*

In stating amounts of securities in Items 12, 13, 14 and 16 of the statement, and in the "Comments" space, give the face amount of debt securities or the number of shares of other securities. In Item 12 of the statement, indicate the total number of shares of each security reported on the last statement at the beginning of the month. In the case of securities owned beneficially through a spouse, relative or other natural person, or through a partnership, corporation, trust or other entity, the entire amount of securities involved in the transaction or owned by such natural person, partnership, corporation, trust or other entity shall be stated. The person whose ownership is reported may, if he so desires, also indicate in a footnote or other appropriate manner, the extent of his interest in the transaction or holdings of the partnership, corporation, trust or other entity through which securities are beneficially owned.

11. *Nature of Ownership of Securities.*

(a) In reporting the nature of ownership of securities, check the appropriate column in Item 17 of the statement. If they are owned indirectly, state the nature of such indirect ownership in Item 18 of the statement; for example, "By self as trustee for sons", "By wife", "By X Trust", "By Y Corporation", etc. If the securities are owned directly and other securities are owned indirectly, the required information shall be furnished separately for each type of ownership. Each type of indirect ownership is to be reported on a separate line. Securities held as joint tenants, tenants in common, tenants by the entirety or as community property are to be reported as held directly.

(b) Beneficially owned securities held in the name of the reporting person or in the name of a bank, broker or nominee for the account of the reporting person shall be reported as directly owned by him. A person is regarded as the indirect beneficial owner of securities held in the name of another person if by reason of any contract, understanding, relationship, including a family relationship, or arrangement, such person obtains therefrom benefits substantially equivalent to those of ownership. For example, a person may be the indirect beneficial owner of securities held in the name of a spouse, a relative or other person if such person may obtain therefrom benefits substantially equivalent to those of ownership. A person may also be the indirect beneficial owner of securities held in the name of a partnership, corporation, trust or other entity if such person or a spouse or relative of such person, individually or collectively, may exercise a controlling influence over the purchase, sale or voting of such securities.

(12) *Purchase or Sale Price of Securities.*

(a) If any transaction reported involved a purchase or sale of securities for cash or an obligation to pay cash, including the exercise of an option state in Item 15 the purchase price per share exclusive of brokerage commissions or other costs of execution. If the transaction was only partly for cash and partly for other consideration, state the amount of cash per share or other unit and the nature of the additional consideration. If the transaction does not involve cash, describe the nature of the consideration given.

(b) If an option reported in the "Comments" space is exercisable at varying increasing prices, state in Item 15 the price at which it is presently exercisable.

13. *Beneficial Ownership at End of Month.*

Beneficial ownership at the end of the month of all accounts required to be reported shall be shown even though there has been no change during the month in the ownership of securities of one or more classes or accounts. For example, a person reporting a transaction relating to common stock shall, in addition to providing all the required information relating to such transaction, report the amount of preferred stock, convertible debentures, etc., owned at the end of the month. In addition, any options owned at the end of the month should be reported in the "Comments" space.

14. *Transferable Warrants, Puts, Calls, Options and Other Rights—"Comments" Space.*

Transferable warrants, options, "puts" and "calls", any combination of "puts" and "calls", such as spreads, straddles, strips and straps (all hereinafter referred to as options), should be reported in the "Comments" space of the form. Title of securities subject to the option, the nature of the option, the date of the transaction (see Instruction 8), the amount of securities subject to the option (see Instruction 10), the purchase or sale price of the securities subject to the option, the character of the transaction (see Instruction 9), and the date of expiration of the option shall be stated. In reporting the nature of the option state whether it represents a right to buy, a right to sell, an obligation to buy or an obligation to sell, the securities subject to the option. If the warrant is not presently exercisable, state the price at which it will first become exercisable. If a warrant, put, call or option is exercisable at various increasing prices, state the price at which it is presently exercisable.

15. *Inclusion of Additional Information.*

A statement may include any additional information or explanation deemed relevant by the person filling the statement. If additional space is needed, attach a separate sheet to the form.

16. *Signature.*

If the statement is filed for a corporation, partnership, trust, etc., the name of the organization shall appear over the signature of the officer or other person authorized to sign the statement. If the statement is filed for an individual, it shall be signed by him or specifically on his behalf by another person, the authority of such person to sign the statement shall be confirmed to the Corporation in writing as soon as practicable by the individual for whom the statement is filed, unless such a confirmation which is still in effect is on file with the Corporation.

§ 335.71 Forms for financial statements (Forms F-9 A, B, C, D and E).

FORM F-9—FINANCIAL STATEMENTS

A. Balance Sheet (Form F-9A).
B. Statement of Income (Form F-9B).
C. Statement of Changes in Capital Accounts (Form F-9C).
D. Schedules (Form F-9D).
E. Schedules (Form F-9E).

GENERAL INSTRUCTIONS

1. *Preparation of Forms.*

The forms for financial statements are not to be used as blank forms to be filled in but only as guides in the preparation of financial statements. The requirements with respect to the filing of balance sheets and statements of income are contained in the instructions as to certain other forms required by this Part. Particular attention should be given to the general requirements as to financial statements in § 335.7, including paragraphs (e) and (f) thereof, which prescribe when statements of changes in capital accounts and schedules will be filed. Although inapplicable items specified in the forms for financial statements should be omitted, the detailed instructions that relate to applicable items shall be followed.

2. *Accrual Accounting.*

Financial statements shall generally be prepared on the basis of accrual accounting whereby all revenues and all expenses shall be recognized during the period earned or incurred regardless of the time received or paid, with certain exceptions: (a) Where the results would be only insignificantly different on a cash basis, or (b) where accrual is not feasible. Statements with respect to the first fiscal year that a bank reports on the accrual basis shall indicate clearly, by footnote or otherwise, the beginning of year adjustments that were necessary and their effect on prior financial statements filed under this Part.

(Name of Bank)

A. BALANCE SHEET

Assets

1. Cash and due from banks.....
2. Investment securities:
   (a) U.S. Treasury securities.....
   (b) Securities of other U.S. Government agencies and corporations .....
   (c) Obligations of States and political subdivisions.....
   (d) Other securities.....
3. Trading account securities.....
4. Federal funds sold and securities purchased under agreements to resell .....
5. Other loans.....
6. Bank premises and equipment.....
7. Other real estate owned.....
8. Investments in subsidiaries not consolidated .....
9. Customers' acceptance liability...
10. Other assets.....
11. Total assets.....

Liabilities

12. Deposits:
    (a) Demand deposits in domestic offices.....
    (b) Savings deposits in domestic offices.....
    (c) Time deposits in domestic offices .....
    (d) Deposits in foreign offices...
13. Federal funds purchased and securities sold under agreements to repurchase .....
14. Other liabilities for borrowed money .....
15. Bank's acceptances outstanding...
16. Mortgages payable.....
17. Other liabilities.....
18. Total liabilities.....
19. Minority interests in consolidated subsidiaries .....

Reserves on Loans and Securities

20. Allowance for possible loan losses..
21. Reserves on securities.....

Capital accounts

22. Capital notes and debentures.....
23. Equity capital:
    (a) Capital stock:
        Preferred stock.....
        Common stock.....
    (b) Surplus .....
    (c) Undivided Profits.....
    (d) Reserve for contingencies and other capital reserves .....
24. Total capital accounts.....
25. Total liabilities, reserves, and capital .....

ASSETS

1. *Cash and due from banks.* (a) State the total of (1) currency and coin (A) owned and held in the bank's vaults and (B) in transit to or from a Federal Reserve Bank; (2) the bank's total reserve balance with the Federal Reserve Bank as shown by the bank's books; (3) demand and time balances with other banks; and (4) cash items in process of collection.

(b) Reciprocal demand balances with banks in the United States, except those of private banks and American branches of foreign banks, shall be reported net.

(c) Do not include unavailable balances with closed or liquidating banks. Such balances should be reported in "other assets".

(d) Cash items in process of collection include: (1) checks in process of collection drawn on another bank, private bank, or any other banking institution that are payable immediately upon presentation (including checks with a Federal Reserve Bank in process of collection and checks on hand that will be presented for payment or forwarded for collection on the following business day); (2) Government checks and warrants drawn on the Treasurer of the United States that are in process of collection; and (3) such other items in process of collection, including redeemed U.S. savings bonds, payable immediately upon presentation in the United States, as are customarily cleared or collected by banks as cash items.

(e) Checks drawn on a bank other than the reporting bank that have been deposited in the reporting bank (or offices or branches of such bank) and have been forwarded for collection to other offices or branches of the reporting bank are cash items in the process of collection.

(f) Do not include commodity or bill-of-lading drafts payable upon arrival of goods against which drawn, whether or not deposit credit therefor has been given to a customer. If deposit credit has been given, such drafts should be reported as "loans"; but if the drafts were received by the reporting bank on a collection basis they should not be included in the reporting bank's statement until such time as the funds have been actually collected.

(g) Unposted debits should preferably be deducted from the appropriate deposit liability caption. If such items are included hereunder, the amount shall be stated parenthetically.

2. *Investment securities.* (a) State separately book value of (1) U.S. Treasury securities; (2) securities of other U.S. Government agencies and corporations; (3) obligations of States and political subdivisions; and (4) other securities owned by the bank; include securities pledged, loaned or sold under repurchase agreements and similar arrangements.

(b) The aggregate amount on the basis of fair market value at the balance sheet date shall be shown either parenthetically on the balance sheet or a reference note for each category of investment securities reported under Caption 2 of each balance sheet required to be filed.

(c) Book value with respect to investment quality securities reported in paragraph (a) shall be cost adjusted for amortization of premium and, at the option of the bank, for accretion of discount. There shall be set forth in a note to financial statements (1) the basis of accounting for book value, and (2) if bond discount is systematically accrued and amounts to five percent or more of interest and dividends on investments, the total of accretion income and deferred income taxes applied thereto.

(d) Include in category (3) of paragraph (a) obligations, including warrants and tax anticipation notes, of the States of the United States and their political subdivisions, agencies, and instrumentalities; also obligations of territorial and insular possessions of the United States. Do not include obligations of foreign states.

(e) Do not include borrowed securities, or securities purchased under resale agreements or similar arrangements.

3. *Trading account securities.* State the aggregate value at the balance sheet date of securities of all types carried by the bank in a dealer trading account (or accounts) that are held principally for resale to customers. Indicate parenthetically, or otherwise in a note to financial statements, whether the inventory is valued at (1) cost, (2) lower of cost or market, or (3) market. If cost basis of valuation is used, furnish aggregate market value of the trading account inven-

tory at the current fiscal year balance sheet date.

4. *Federal funds sold and securities purchased under agreements to resell.* (a) State the aggregate value of Federal funds sold and securities purchased under resale agreement or similar arrangements. All securities purchased under transactions of this type should be included regardless of (1) whether they are called simultaneous purchases and sales, buybacks, turnarounds, overnight transactions, delayed deliveries, etc., and (2) whether the transactions are with the same or different institutions if the purpose of the transactions is to resell identical or similar securities.

(b) Federal funds sold and purchases of securities under resale agreements should be reported gross and not netted against purchases of Federal funds and sales of securities under repurchase agreements.

5. *Other Loans.* (a) State the aggregate gross value of all loans including (1) acceptances of other banks and commercial paper purchased in the open market; (2) acceptances executed by or for the account of the reporting bank and subsequently acquired by it through purchase or discount; (3) customers' liability to the reporting bank on drafts paid under letters of credit for which the bank has not been reimbursed; and (4) "cotton overdrafts" or "advances", and commodity or bill-of-lading drafts payable upon arrival of goods against which drawn, for which the reporting bank has given deposit credit to customers.

(b) Include (1) paper rediscounted with the Federal Reserve or other banks; and (2) paper pledged as collateral to secure bills payable, as marginal collateral to secure bills rediscounted, or for any other purpose.

(c) Do not include contracts of sale or other loans indirectly representing bank premises or other real estate; these should be included in "bank premises" or "other real estate".

(d) Do not deduct bona fide deposits accumulated by borrowers for the payment of loans.

6. *Bank premises and equipment.* (a) State the aggregate cost of (1) bank premises owned, (2) leasehold improvements, and (3) equipment less any accumulated depreciation or amortization with respect to such assets.

(b) All fixed assets acquired subsequent to December 31, 1959, shall be stated at cost less accumulated depreciation or amortization.

(c) All fixed assets acquired prior to January 1, 1960, that are not presently accounted for by the bank on the basis of cost less accumulated depreciation or amortization, may be stated at book value. Any such assets that are still in use and would not have been fully depreciated on an acceptable method of accounting for depreciation if the bank had recorded depreciation on such basis shall be described briefly in a footnote, together with an explanation of the accounting that was used with respect to such assets.

(d) The term "leasehold improvements" comprehends two types of situations: (1) Where the bank erects a building on leased property; and (2) where a bank occupies leased quarters or uses leased parking lots and appropriately capitalizes disbursements for vaults, fixed machinery and equipment directly related to such leased quarters, or resurfacing or other improvements directly related to such parking lots that will become an integral part of the property and will revert to the lessor on expiration of the lease.

(e) Bank premises includes vaults, fixed machinery and equipment, parking lots owned adjoining or not adjoining the bank premises that are used by customers or employers, and potential building sites.

(f) Equipment includes all movable furniture and fixtures of the bank.

7. *Other real estate owned.* (a) State the aggregate cost of all real estate owned by the bank that is not a part of bank premises.

(b) With respect to real estate acquired through default of a loan, aggregate cost shall include the unpaid balance on the defaulted loan plus the bank's out-of-pocket costs in acquiring clear title to the property. Any adjustments from aggregate cost shall be explained in a footnote.

(c) The aggregate market value of all real estate owned by the bank that is not a part of bank premises shall be set forth in a footnote, together with an explanation of the method of determining such market value.

8. *Investments in subsidiaries not consolidated.* State the aggregate investment, including advances, in subsidiaries not consolidated.

9. *Customers' acceptance liability.* (a) State the liability to the reporting bank of its customers on drafts and bills of exchange that have been accepted by the reporting bank or by other banks for its account and that are outstanding—that is, not held by the bank, on the reporting date. (If held by the reporting bank, they should be reported as "loans".)

(b) In case a customer anticipates his liability to the bank on outstanding acceptances by paying the bank either the full amount of his liability of any part thereof in advance of the actual maturity of the acceptance, the bank should decrease the amount of the customer's liability on outstanding acceptances. If such funds are not received for immediate application to the reduction of the indebtedness to the bank or the receipt thereof does not immediately reduce or extinguish the indebtedness, then such funds held to meet acceptances must be reported in "demand deposits".

(c) Do not include customer's liability on unused commercial and travelers' letters of credit issued under guaranty or against the deposit of security—that is, not issued for money or its equivalent.

10. *Other assets.* State separately, if material, (1) income earned but not collected; (2) prepaid expenses; (3) property acquired for the purpose of direct lease financing; and (4) any other asset not included in the preceding items.

11. *Total assets.* State the sum of all asset items.

LIABILITIES

12. *Deposits.* (a) State separately (1) demand deposits in domestic offices of the bank, (2) savings deposits in domestic offices of the bank, (3) time deposits in domestic offices of the bank, and (4) deposits in foreign offices. Related unposted debits, if any, should preferably be deducted from domestic deposits.

(b) The domestic deposit liability categories shall be segregated in accordance with the Rules and Regulations of the Federal Deposit Insurance Corporation, Part 327.2 Classification of Deposits.

(c) The term "unposted debit" means a cash item in the bank's possession drawn on itself that has been paid or credited and is chargeable against, but has not been charged against, deposit liabilities at the close of the reporting period. This term does not include items that have been reflected in deposit accounts on the general ledger, although they have not been debited to individual deposit accounts.

(d) Reciprocal demand deposit balances with banks in the United States, except those of private banks and American branches of foreign banks, shall be reported net.

(e) Include outstanding drafts (including advices or authorizations to charge the bank's balance in another bank) drawn in the regular course of business by the reporting bank on other banks pursuant to customer order.

(f) Do not include trust funds held in the bank's own trust department that the bank keeps segregated and apart from its general assets and does not use in the conduct of its business.

13. *Federal funds purchased and securities sold under agreements to repurchase.* (a) State the aggregate value of Federal funds purchased and securities sold under repurchase agreements or similar arrangements. All securities sold under transactions of this type should be included regardless of (1) whether they are called simultaneous purchases and sales, buybacks, turnarounds, overnight transactions, delayed deliveries, etc., and (2) whether the transactions are with the same or different institutions if the purpose of the transactions is to repurchase identical or similar securities.

(b) Federal funds purchased and sales of securities under repurchase agreements should be reported gross and not netted against sales of Federal funds and purchases of securities under resale agreements.

14. *Other liabilities for borrowed money.* State the aggregate amount borrowed by the reporting bank on its own promissory notes, on notes and bills rediscounted (including commodity drafts rediscounted), or on any other instruments given for the purpose of borrowing money.

15. *Bank's acceptances outstanding.* (a) State the aggregate of unmatured drafts and bills of exchange accepted by the reporting bank, or by some other bank as agent for the reporting bank (other than those reported in "demand deposits"), less the amount of such acceptances acquired by the reporting bank through discount or purchase and held on the reporting date.

(b) Include bills of exchange accepted by the reporting bank that were drawn by banks or bankers in foreign countries, or in the pendencies or insular possessions of the United States, for the purpose of creating dollar exchange as required by usage of trade in the respective countries, dependencies, or insular possessions.

16. *Mortgages payable.* (a) State separately here, or in a note referred to herein, such information as will indicate (1) the general character of the debt including the rate of interest; (2) the date of maturity; (3) if the payment of principal or interest is contingent, an appropriate indication of such contingency; and (4) a brief indication of priority.

(b) If there are any liens on bank premises or other real estate owned by the bank or its consolidated subsidiaries which have not been assumed by the bank or its consolidated subsidiaries, report in a footnote the amount thereof together with an appropriate explanation.

17. *Other liabilities.* State separately, if material, (a) accrued payrolls; (b) accrued income tax liability (Federal and State combined); (c) accrued interest; (d) cash dividends declared but not paid; (e) income collected but not earned; and (f) any other liability not included in Items 12 through 16.

18. *Total liabilities.* State the sum of Items 12 through 17.

19. *Minority interest in consolidated subsidiaries.* State the aggregate amount of minority stockholders' interests in capital stock, surplus, and undivided profits of consolidated subsidiaries.

RESERVES

20. *Allowance for possible loan losses.* (a) State the balance of the loan loss allowance account at the end of the fiscal year. Include

in this allowance only (1) any provision that the bank makes for possible loan losses pursuant to the Treasury tax formula and (2) any amount in excess of the provision taken under such formula that (A) represents management's judgment as to possible loss or value depreciation and (B) has been established through a charge against income.

(b) Any provision for possible loan losses that the bank establishes as a precautionary measure that is in excess of the amount reported in paragraph (a) shall not be included in this allowance but shall be reported as a contingency reserve—that is, as a segregation of undivided profits.

(c) A referenced note should disclose the valuation portion of the loan loss reserve which arose from operating changes and is therefore immediately available to absorb charge-offs. The note should also disclose the breakdown of any remaining balance of the reserve between contingency portion not immediately available to absorb charge-offs and the deferred tax portion.

21. *Reserves on securities.* State the balance of the reserves on securities at the end of the fiscal year of any allowance that (1) represents management's judgment as to possible loss or value depreciation in investment securities and (2) has been established through an appropriate charge against income shall be separately stated. Any provision for possible security losses that the bank establishes as a precautionary measure only (such as to reflect normal fluctuations in market value of readily marketable securities) shall not be included in this allowance but shall be reported as a contingency reserve—that is, as a segregation of undivided profits.

CAPITAL ACCOUNTS

22. *Capital notes and debentures.* State separately here, or in a note referred to herein, each issue or type of obligation and such information as will indicate (a) the general character of each type of debt including, the rate of interest; (b) the date of maturity (or dates if maturing serially) and call provisions; (c) the aggregate amount of maturities, and sinking fund requirements, each year for the five years following the date of the balance sheet; (d) if the payment of principal or interest is contingent, an appropriate indication of the nature of the contingency; (e) a brief indication of priority; and (f) if convertible, the basis.

23. *Equity capital.* (a) *Capital stock.* State for each class of shares the title of issue, the number of shares authorized, the number of shares outstanding and the capital share liability thereof, and, if convertible, the basis of conversion. Show also the dollar amount, if any, of capital shares subscribed but unissued, and of subscriptions receivable thereon.

(b) *Surplus.* State the net amount formally transferred to the surplus account on or before the reporting date, subject to the conditions set forth in the instruction relating to "undivided profits".

(c) *Undivided profits.* State the amount of undivided profits shown by the bank's books.

(d) *Reserve for contingencies and other capital reserves.*

(1) State separately each such reserve and its purpose.

(2) These reserves constitute amounts set aside for possible decrease in the book value of assets, or for other unforeseen indeterminable liabilities not otherwise reflected on the bank's books and not covered by insurance.

(3) As these reserves represent a segregation of undivided profits, do not include any element of known losses, or losses the amout of which can be estimated with reasonable accuracy.

(4) Reserves for possible security losses, reserves for possible loan losses, and other contingency reserves that are established as precautionary measures only shall be included in these reserves, as they represent segregations of "undivided profits".

24. *Total capital accounts.* State the total of Items 22 and 23.

25. *Total liabilities; minority interests; reserves and capital.* State the total of Items 18, 19, 20, 21, and 24.

(Name of Bank)

B. STATEMENT OF INCOME

1. Operating Income:
   - (a) Interest and fees on loans
   - (b) Income on Federal funds sold and securities purchased under agreements to resell
   - (c) Interest and dividends on investments:
     1. U.S. Treasury securities
     2. Securities of other U.S. Government agencies and corporations
     3. Obligations of States and political subdivisions
     4. Other securities
   - (d) Trust department income
   - (e) Service charges on deposit accounts
   - (f) Other service charges, collections and exchange charges, commissions, and fees
   - (g) Other operating income
   - (h) Total operating income
2. Operating expenses:
   - (a) Salaries and wages
   - (b) Pensions and other employee benefits
   - (c) Interest on deposits
   - (d) Expense of Federal funds purchased and securities sold under agreements to repurchase
   - (e) Interest on other borrowed money
   - (f) Interest on capital notes and debentures
   - (g) Occupancy expense of bank premises, net:
     - Gross occupancy expense _____
     - Less: Rental Income _____
   - (h) Furniture and equipment expense (including depreciation of $ _____)
   - (i) Provision for loan losses
   - (j) Other operating expenses
   - (k) Total operating expenses
3. Income before income taxes and securities gains (losses)
4. Applicable Income Tax
   - (a) currently payable
   - (b) deferred
5. Income Before Securities Gains (losses)
6. Net Security Gains (losses), less related tax effect, $ _____
7. Income before equity in earnings of unconsolidated subsidiaries and 50-percent-owned persons
8. Equity in earnings of unconsolidated subsidiaries and fifty-percent-owned persons
9. Income (before Extraordinary Items, if any)
10. Extraordinary Items, less related tax effect, $ _____)
11. Cumulative effects of changes in accounting principles
12. Less minority interest in consolidated subsidiaries
13. Net Income
    - Earnings per common share $ _____)[1]
    - Income before securities gains (losses)
    - Net Income

[1] The per share amount of securities gains (losses) may be stated separately, if extraordinary items are reported, per share amount of income before extraordinary items and per share amount of extraordinary items shall be stated separately.

1. *Operating income.* State separately:

(a) *Interest and fees on loans.*

(1) Include interest, fees and other charges on all assets that are reported on the balance sheet as other loans.

(2) Include interest on acceptances, commercial paper purchased in the open market, drafts for which the bank has given deposits credit to customers, etc. Also include interest on loan paper that has been rediscounted with Federal Reserve or other banks or pledged as collateral to secure bills payable or for any other purpose.

(3) Include service charges and other fees on loans.

(4) Include profits (or losses) resulting from the sale of acceptances and commercial paper at discount rates other than those at which such paper was purchased.

(5) Current amortization or premiums on mortgages or other loans shall be deducted from interest on loans and current accumulation of discount on such items shall be added to interest on loans.

(b) *Income on Federal funds sold and securities purchased under agreements to resell.* Include the total gross revenue from Federal funds sold and securities purchased under agreements to resell.

(c) *Interest and dividends on investments.*

(1) State separately interest and dividends from (A) U.S. Treasury securities, (B) securities of other U.S. Government agencies and corporations, (C) obligations of States and political subdivisions, and (D) other securities owned by the bank, including securities pledged, loaned or sold under repurchase agreements and similar arrangements.

(2) Include accretion of discount on securities, if any; deduct amortization of premiums on securities. If the reporting bank accrues bond discount and such income amounts to five percent or more of the total of interest and dividends on investments, state in a note to financial statements, the amount of accretion income and deferred income taxes applicable thereto.

(3) When securities are purchased, any payment for accrued interest shall not be charged to expenses, nor when collected be credited to earnings. Such interest shall be charged to a separate account that will be credited upon collection of the next interest payment. The balance in the account shall be shown as "Other assets" in the balance sheet.

(d) *Trust department income.* (1) Include income from commissions and fees for services performed by the bank in any authorized fiduciary capacity.

(2) This item may be reported on the cash basis in those instances where the presentation of the item on the financial statements would not be materially affected thereby. The cash basis may also be used with respect to an individual trust or estate if accrual of income therefrom is not feasible. If any portion of trust department income is not reported on the accrual basis, there shall be a footnote explaining the method of reporting and the reason for departing from reporting on the accrual basis.

(e) *Service charges on deposit accounts.* Include amounts charged depositors that fail to maintain specified minimum deposit balances; charges based on the number of checks drawn on and deposits made in deposit accounts; charges for account maintenance and for checks drawn on "no minimum balance" deposit accounts; return check charges; etc.

(f) *Other service charges; collection; and exchange charges; commission; and fees.* State the aggregate of other service charges, collection and exchange charges, commissions, and fees. Exclude charges on loans and deposits and those related to the Trust Department. Do not include reimbursements for out-of-pocket expenditures made by the bank for the account of customers. If expense accounts were charged with the amount of such expenditures, the reimbursements should be credited to the same expense accounts.

(g) *Other operating income.*

(1) Include all operating income not reported in Items 1(a) through 1(f).

(2) Include (A) net trading account income consisting of profits and losses, interest, and other income and expense related to securities carried in a dealer trading account or accounts that are held principally for resale to customers, but exclude salaries, commissions, and other indirect expenses; (B) income from lease financing; (C) gross rentals from "other real estate" and safe deposit boxes; (D) net remittable profits (or losses) of foreign branches and consolidated subsidiaries less any minority interest (unless the reporting bank preferably combines or consolidates each item of income and expense); (E) interest on time balances with other banks; and (F) all other recurring credits (such as miscellaneous recoveries) and immaterial nonrecurring credit items.

(3) Do not include rentals from bank premises. Such rental income shall be reported in the inset to Item 2(g). In the event there is a net occupancy income, the amount shall be shown in parenthesis in Item 2(g).

(4) Itemize (A) net trading account income, (B) net remittable profits (or losses) of foreign branches and consolidated subsidiaries (if included in this subitem), and (C) all other amounts that represent 25 percent or more of the total of this subitem, unless "other operating income" is less than five percent of "total operating income."

(h) *Total operating income.* State the sum of items 1(a) through 1(g).

(a) *Salaries.* (1) Include compensation for personal services of all officers and employees, including dining room and cafeteria employees but not building department employees.

(2) Include amounts withheld from salaries for Social Security taxes and contributions to the bank's pension fund. Do not include Social Security taxes paid by the bank for its own account and the bank's contribution to pension funds. Such amounts shall be included in Item 2(b).

(3) Include bonus and profitsharing whether paid directly or through a trustee. Such compensation that is deferred and not distributed to employees shall be reported in Item (2(b).

(4) Do not include compensation of officers and employees who spent the major portion of their working time on bank building and related functions. Such compensation shall be included in Item 2(g).

(5) Do not include amounts paid to legal, management, and investment counsel for professional services if such counsel are not salaried officers or employees of the bank. Such amounts shall be included in Item 2(j).

(b) *Pensions and other employee benefits.*

(1) Include all supplementary benefits, other than direct compensation included in Item 2(a) accrued during the report period on behalf of all officers and employees except building department personnel (see Item 2(g)).

(2) Include the bank's own contribution to its pension fund; unemployment and Social Security taxes for the bank's own account; life insurance premiums (net of dividends received) and hospitalization insurance payable by the bank; and other employee benefits.

(3) Do not include expenses related to testing, training, or education of officers and employees; the cost of bank newspapers and magazines; premiums on insurance policies where the bank is beneficiary; and athletic activities where the principal purpose is for publicity or public relations and employee benefits are only incidental. Such amounts shall be included in Item 2(j).

(c) *Interest on deposits.* Include interest on all deposits.

(d) *Expense of Federal funds purchased and securities sold under agreements to repurchase.* Include the total gross expenses of Federal funds purchased and securities sold under agreements to repurchase.

(e) *Interest on other borrowed money.*

(1) Include all interest on bills payable, rediscounts, unsecured notes payable, and other instruments issued for the purpose of borrowing money other than Federal funds purchased and securities sold under agreements to repurchase.

(2) Do not include interest on mortgages on bank premises. Such interest shall be included in Item 2(g).

(f) *Interest on capital notes and debentures.* (1) Include all interest on capital notes and debentures.

2. Amortization of premium or discount shall be deducted from or included in the amount reported.

(3) Do not include premium or discount paid or realized on retirement of such securities. Such amount shall be reported in Item 1(g) or 2(i).

(g) *Occupancy expense of bank premises, net.*

(1) Include in "gross occupancy expense" inset, the aggregate amount of (A) salaries, wages, and supplementary compensation of bank personnel who devote the major portion of their time to the operation of bank premises or its consolidated premises subsidiaries; (B) depreciation of bank premises and amortization of leasehold improvements; (C) rent expense of bank premises; (D) real estate taxes; (E) interest on mortgages on bank premises owned; and (F) other bank premises operating and maintenance expenses.

(2) Include in "rental income" inset, the aggregate amount of rentals from bank premises leased by the bank or its consolidated premises subsidiaries.

(3) Report the net occupancy expense (or net income) of bank premises. If net income is reported, the amount shall be shown in parenthesis.

(h) *Furniture and equipment expense.* (1) Include normal and recurring depreciation charges; rental costs of office machines and tabulating and data processing equipment; and ordinary repairs to furniture and office machines, including servicing costs. The amount applicable to depreciation charges shall be shown in parenthesis.

(2) Include taxes on equipment.

(i) *Provision for loan losses.*

(1) Banks which provide for loan losses on a reserve basis shall include an estimated amount for credit losses. Such amount shall be determined by management in light of past loan loss experience and evaluation of potential loss in the current loan portfolio. The estimated loan loss factor allocable to operating expense shall not be less than the amount computed under one of the elective methods set forth in subitem (2).

(2) The bank may elect in 1969, and thereafter consistently use for financial reporting purposes, one of the following methods for allocating loan losses to operating expense:

(A) Average ratio of loss over the past five years applied to average loans outstanding during the current year. Ratio of loss shall be the single decimal quotient of total net chargeoffs (losses less recoveries) and total average loans for the five most recent years, including the current year.

(B) Average ratio of loss on a forward moving average beginning with the year 1969 applied to average loans outstanding during the current year. Ratio of loss shall be the single decimal quotient of total net chargeoffs and total average loans for the number of years beginning with 1969 and ending with the year of report. In 1973, banks which elect the forward moving average method will compute the minimum allocable credit loss expense on the same basis as banks which elect method (1).

NOTE: For purposes of Item 2(A) and Item 2(B), average annual loans outstanding shall include Federal funds sold and securities purchased under agreements to resell, and (2) may be computed on any reasonable schedule of frequency. In the absence of other procedures "Other loans", and "Federal funds sold and securities purchased under agreements to resell", as reported in Statements of Condition called by supervisory authorities, shall be averaged.

(C) Actual net chargeoffs as experienced in the current year.

(3) An estimated amount for loan losses allocable to operating expense in excess of the minimum amount computed as instructed in subitem (2) should be provided when judged appropriate in the opinion of management.

(4) Furnish in a note to financial statements an explanation of the basis for allocating loan losses to operating expense including (A) the method followed, and (B) amount added at the discretion of management, if any.

(5) The amount may be expressed in even dollars or thousands of dollars.

NOTE: The amount reported for loan losses in operating expense shall be adjusted, if necessary, to the amount transferred to the allowance for loan losses recorded on the books of the bank by an entry to the undivided profits account in the statement of changes in capital accounts. For example, if the estimated loan loss expense reported in the statement of income is less than the amount transferred to the allowance for loan losses, the amount of difference, less related tax effect, should be charged against the undivided profits account. If the estimated loan loss expense reported in the statement of income (1) is more than the amount transferred to the allowance for loan losses, and (2) represents the minimum amount the bank is required to allocate under its elected method, the amount of difference, less related tax effect, should be credited to the undivided profits account.

(6) Banks which do not provide for loan losses on a reserve basis shall include the amount of actual net chargeoffs (losses less recoveries) for the current year.

(j) *Other operating expenses.*

(1) Include all operating expenses not reported in Items 2(a) through 2(i).

(2) Include advertising, business promotion, contributions, cost of examinations by supervisory authorities, deposit insurance assessments, fees paid to directors and members of committees, memberships, net cash shortages or overages, operating expenses (except salaries) of "Other real estate owned", postage, premium on fidelity insurance, publicity, retainer fees, stationery and office supplies, subscriptions, taxes not reported against other items, telegrams and cables, telephone, temporary agency help, travel, unreimbursed losses on counterfeits, forgeries, payments over stops and all other recurring expenses and immaterial nonrecurring charges.

(3) Deposit insurance assessment expense shall be reported as a net figure—that is, all assessment credits during the period shall be applied against the assessment expense.

(4) Itemize all amounts that represent 25 percent of this item.

(k) *Total operating expenses.* State the sum of Items 2(a) through 2(j).

3. *Income before income taxes and security gains (losses).* State the difference of Item 1(h) minus Item 2(k).

4. *Applicable income taxes.* (a) State the aggregate of Federal and State taxes applicable to the amount reported in Item (3).

(b) Do not include taxes applicable to net security gains (losses) and extraordinary items. Such taxes (or tax reductions) shall be reported in Items 6 and 8.

5. *Income before securities gains (losses).* State the difference of Item 3 minus Item 4.

6. *Net security gains (losses).* State the net result of security gains and losses realized. Related income taxes (or tax reductions) shall be shown parenthetically.

7. *Income before equity in earnings of unconsolidated subsidiaries and fifty-percent-owned persons.* State the difference of Item 5 minus Item 6.

8. *Equity in earnings of unconsolidated subsidiaries and fifty-percent-owned persons.* The amount reported under this caption shall be stated net of any applicable tax provisions. State parenthetically or in a note referred to herein the amount of dividends received from such persons. If justified by circumstances, this item may be presented in a different position and a different manner.

9. *Income (before extraordinary items, if any).* State the sum of difference of Items 5 and 6.

NOTE: If extraordinary items are reported (See Item 8) the caption to this Item shall read, "Net income before extraordinary items."

10. *Extraordinary items.* State the material results of nonrecurring transactions that have occurred during the current reporting period. Only the results of major events outside of the ordinary operating activity of the bank are to be reported herein. Such events would include, but not be limited to material gain or loss from sale of bank premises, expropriation of properties, and major devaluation of foreign currency. Related income taxes (or tax deductions) shall be shown parenthetically. (Less than material results of nonrecurring transactions are to be included in Items 1(g) or 2(i), as appropriate).

11. *Cumulative effects of changes in accounting principles.* State separately any material items and disclose, parenthetically or otherwise, the tax applicable to each.

12. *Less minority interest in consolidated subsidiaries.* State the aggregate amount of profit or loss accruing to minority interests.

13. *Net income.* State the sum or difference of Items 7, 8, and 9.

Earnings per common share. State the per share amounts applicable to common stock (including common stock equivalents) and per share amounts on a fully diluted basis, if applicable. The basis of computation, including the number of shares used, shall be furnished in a note to the financial statements.

(Name of Bank)

C. STATEMENT OF CHANGES IN CAPITAL ACCOUNTS

Increase (Decrease)	Capital notes & debentures	Preferred stock $.... par	Common stock $.... par	Surplus	Undivided profits	Reserve for contingencies and other capital reserves
1. Net income transferred to undivided profits						
2. Capital notes and debentures, preferred stock and common stock sold (par or face value)						
3. Stock issued incident to mergers and acquisitions						
4. Premium on capital stock sold						
5. Additions to, or reductions in, surplus, undivided profits, and reserves incident to mergers						
6. Transfers to allowance for loan loss, exclusive of portion charged against income, less related income tax effect						
7. Cash dividends declared on preferred stock						
8. Cash dividends declared on common stock						
9. Stock issued in payment of stock dividend .... shares at par value						
10. All other increases (decreases)[1]						
11. Net increase (decrease) for the year						
12. Balance at beginning of year[2]						
13. Balance at end of year						

[1] State separately any material amounts, indicating clearly the nature of the transaction out of which the item arose.

[2] If the statement is filed as part of an annual or other periodic report and the balances at the beginning of the period differ from the closing balances as filed for the fiscal period, state in a footnote the difference and explain.

D. STATEMENT OF CHANGES IN FINANCIAL POSITION

A statement of changes in financial position shall be filed for each period for which an income statement is required to be filed. The statement of changes in financial position shall summarize the sources from which funds or working capital have been obtained and their disposition. Material changes in the components of net funds or working capital shall be shown in the statement or in a supporting tabulation. As a minimum, the following shall be reported:

(a) Source of funds.

(i) Current operations (showing separately net income or loss and the addition and deduction of specific items which did not require the expenditure or receipt of funds; e.g., depreciation and amortization, deferred income taxes, undistributed earnings or losses of unconsolidated persons, etc.,

(ii) Sale of noncurrent assets (identifying separately such items as investments, fixed assets, intangibles, etc.),

(iii) Issuance of debt securities or other long-term debt,

(iv) Issuance or sale of capital stock;

(b) Disposition of funds.

(i) Purchase of noncurrent assets (identifying separately such items as investments, fixed assets, intangibles, etc.),

(ii) Redemption or repayment of debt securities or other long-term debt,

(iii) Redemption or purchase of capital stock,

(iv) Dividends;

(c) Increase (decrease) in net funds or working capital.

E. SCHEDULES

SCHEDULE I.—*U.S. Treasury securities, securities of other U.S. Government agencies and corporations, and obligations of States and political subdivisions*

Type and maturity grouping	Principal amount	Book value [1]	Market value
U.S. Treasury securities			
Within 1 year			
After 1 but within 5 years			
After 5 but within 10 years			
After 10 years			
Total U.S. Treasury securities			
Securities of other U.S. Government agencies and corporations			
Within 1 year			
After 1 but within 5 years			
After 5 but within 10 years			
After 10 years			
Total securities of other U.S. Government agencies and corporations			
Obligations of States and political subdivisions [2] [3]			
Within 1 year			
After 1 but within 5 years			
After 5 but within 10 years			
After 10 years			
Total obligations of States and political subdivisions			

[1] State briefly in a footnote the basis for determining the amounts in this column.
[2] Include obligations of the States of the United States and their political subdivisions, agencies, and instrumentalities; also obligations of territorial and insular possessions of the United States. Do not include obligations of foreign states.
[3] State in a footnote the aggregate (a) principal amount, (b) book value, and (c) market value of securities that are less than "investment grade". If market value is determined on any basis other than market quotations at balance sheet date, explain.

SCHEDULE II.—*Other securities*

Type	Amount	Book value [1]	Market value
Bonds, notes, and debentures [2] [3]			
Stocks [2] [4]			
Totals			

[1] State briefly in a footnote the basis for determining the amounts shown in this column.
[2] State in a footnote the aggregate amount and book value of foreign securities included.
[3] State in a footnote the aggregate (a) principal amount, (b) book value, and (c) market value of bonds, notes, and debentures that are less than "investment grade". If market value is determined on any basis other than market quotations at balance sheet date, explain.
[4] State in a footnote the aggregate market value.

SCHEDULE III.—*Other loans* [1]

Type:	*Book value*
Real estate loans:	
Insured or guaranteed by the U.S. Government or its agencies	
Other	
Loans to financial institutions	
Loans for purchasing or carrying securities (secured or unsecured)	
Commercial and industrial loans	
Loans to individuals for household, family, and other consumer expenditures	
All other loans (including overdrafts)	
Total other loans reported in balance sheet	

[1] If impractical to classify foreign branch and foreign subsidiary loans in accordance with this schedule, a separate caption stating the total amount of such loans may be inserted. Such action should be explained in a footnote.

SCHEDULE IV.—*Bank premises and equipment*

Classification [1]	Col. A Gross book value [2]	Col. B Accumulated depreciation and amortization [3] [4]	Col. C Amount at which carried on balance sheet
Bank premises (including land $.....)			
Equipment			
Leasehold improvements			
Totals [5]			

[1] If impractical to consolidate foreign branch and foreign subsidiary bank premises and equipment in accordance with the breakdown required by this schedule, a separate caption stating the total amount of all such property may be inserted. Such caption should be explained appropriately in a footnote.
[2] State the basis of determining the amounts in col. A.
[3] If provision for depreciation and amortization is credited in the books directly to the asset accounts, the amounts for the last fiscal year shall be stated in an explanatory footnote.
[4] The nature and amount of significant additions (other than provisions for depreciation and amortization) and deductions from depreciation accounts shall be stated in an explanatory footnote.
[5] Show totals (corresponding to Cols. A and B) representing amounts reported for Federal income tax purposes.

SCHEDULE V.—*Investments in, income from dividends, and equity in earnings and loss of unconsolidated subsidiaries*

Name of subsidiary	Col. A Percent of voting stock owned	Col. B Total investment, including advances	Col. C Equity in underlying net assets at balance sheet date [1]	Col. D Amount of dividends [2]	Col. E Bank's proportionate part of earnings or loss for the period
Totals					

[1] Equity shall include advances reported in col. B to the extent recoverable.
[2] State as to any dividends other than cash the basis on which they have been reported as income. If any such dividend received has been credited to income in an amount differing from that charged to surplus and/or undivided profits by the disbursing subsidiary, state the amount of such difference and explain.

SCHEDULE VI—*"Other" liabilities for borrowed money*

Item:	*Amount*
Borrowings from Federal Reserve Bank	
Unsecured notes payable within 1 year	
Unsecured notes payable after 1 year	
Other obligations	
Total	

SCHEDULE VII.—*Allowance for possible loan losses*

	Amount set up pursuant to Treasury tax formula	Other amount [1]
Balances at beginning of period		
Recoveries credited to allowance		
Additions due to mergers and absorptions [2]		
Transfers to allowance:		
From income		
From undivided profits [3]		
Deferred tax charged against income		
Totals		
Losses charged to allowance		
Balances at end of period [4]		

[1] Do not include any provision for possible loan losses that the bank establishes as a precautionary measure. Include only any provision that (1) has been established through a charge against income, (2) represents management's judgment as to possible loss or value depreciation, and (3) is in excess of the provision taken under the Treasury tax formula.
[2] Describe briefly in a footnote any such addition.
[3] Indicate by parenthesis the gross amount of any credit adjustment to
[4] Describe briefly in a footnote the basis used in computing the amount accumulated in the allowance at the end of the period. State the amount that could have been deducted for Federal income tax purposes if such amount is in the period. State the amount that could have been deducted for Federal income tax purposes if such amount is in excess of the amount provided by the bank pursuant to the Treasury tax formula.

NOTE.—The sum of the balances should equal the amount of allowance for loan losses reported in the balance sheet.

SCHEDULE VIII—*Reserves on Securities*

Item:	*Amount* [1]
Balance at beginning of period	
Additions due to mergers and absorptions [2]	
Transfers to serve:	
From income	
From undivided profits	
Totals	
Losses charged to reserve	
Transfers from reserve	
Balance at end of period [3]	

[1] Do not include any provision the bank establishes as a precautionary measure.
[2] Describe briefly in a footnote any such addition.
[3] Balance should equal the amount of Reserves on securities reported in the balance sheet.

SCHEDULE IX.—*Amounts receivable from underwriters, promoters, directors, officers, employees, and principal holders (other than affiliates) of equity securities of the bank and its affiliates*

Col. A	Col. B	Col. C	Col. D		Col. E	
			Deductions		Balance at end of period	
Name of debtor [1]	Balance at beginning of period	Additions	(1) Amounts collected [2]	(2) Amounts written off	(1) Current	(2) Not current

[1] Include in this schedule both accounts receivable and notes receivable and provide in a note hereto pertinent information, such as the due date, interest rate, terms of repayment and collateral, if any, for the amounts receivable from each person named in column A as of the date of the most recent balance sheet being filed.
[2] If collection was other than in cash, explain.

Instruction. Show the aggregate amounts of indebtedness of more than 10 percent of the equity capital accounts of the bank, or $10 million, whichever is less, of each director, officer, or principal holder (other than affiliates) of equity securities of the bank and its affiliates that are receivable or were receivable at any time during the period for which related income statements are required to be filed. It shall not be necessary to disclose a loan or extension of credit to any person made in the ordinary course of business that (i) was made on substantially the same terms, including interest rates and collateral, as those prevailing at the time for comparable transactions with other persons, and (ii) did not involve more than normal risk of collectibility or present other unfavorable features. Notwithstanding the foregoing, disclosure shall be made if at any time during the period for which related income statements are required to be filed there existed—

(a) indebtedness of any officer in an amount which exceeded the maximum loan or extension of credit permitted under applicable rules and regulations of the banking regulatory agencies to which the bank is subject;

(b) indebtedness of any director or any principal holder (other than affiliates) of equity securities of the bank and its affiliates in an amount which exceeded 10 percent of the stockholders' equity of the bank; or

(c) indebtedness of all directors and principal holders (other than affiliates) of equity securities of the bank and its affiliates as a group which exceeded 20 percent of the stockholders' equity of the bank.

For purposes of this schedule the term "officer" shall be defined as provided by § 335.2 (q).

By order of the Board of Directors, February 24, 1975.

FEDERAL DEPOSIT INSURANCE CORPORATION,
[SEAL] ALAN R. MILLER,
Executive Secretary.

[FR Doc.75-5334 Filed 3-4-75;8:45 am]

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