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federal register

TUESDAY, AUGUST 5, 1975

highlights

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

Title 4—Accounts

CHAPTER III—COST ACCOUNTING STANDARDS BOARD

PART 411—COST ACCOUNTING STANDARD ACCOUNTING FOR ACQUISITION COSTS OF MATERIAL

Effective Date

On May 5, 1975, a Cost Accounting Standard entitled Cost Accounting Standard Accounting for Acquisition Costs of Material was published in the FEDERAL REGISTER (40 FR 19425 et seq.).

The effective date of the Standard which was reserved in the May 5 publication is January 1, 1976 and § 411.80(a) is therefore supplemented as follows:

§ 411.80 Effective date.

(a) The effective date of this Standard is January 1, 1976.

(84 Stat. 796, sec. 103; 50 U.S.C. App. 2168).

ARTHUR SCHOENHAUT,
Executive Secretary.

[FR Doc.75-20285 Filed 8-4-75;8:45 am]

Title 5—Administrative Personnel

CHAPTER I—CIVIL SERVICE COMMISSION PART 213—EXCEPTED SERVICE

Department of Defense

Section 213.3306 is amended to show that one position of Private Secretary to the Special Assistant to the Secretary of Defense has been reestablished and excepted under Schedule C.

Effective August 5, 1975, § 213.3306(a) (13) is added as set out below:

§ 213.3306 Department of Defense.

(a) *Office of the Secretary.* * * *

(13) One Private Secretary to the Special Assistant to the Secretary of Defense.

(5 U.S.C. 3301, 3302; EO 10577, 3 CFR 1954–1958 Comp., p. 218)

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

[FR Doc.75-20291 Filed 8-4-75;8:45 am]

PART 213—EXCEPTED SERVICE

Department of Justice

Section 213.3310 is amended to show that the position of Chief, Field Office, is no longer excepted under Schedule C.

Effective August 5, 1975, § 213.3310(d) (1) is revoked as set out below:

§ 213.3310 Department of Justice.

* * * * *

(d) *Anti-Trust Division.*

(1) (Revoked).

(5 U.S.C. 3301, 3302; EO 10577, 3 CFR 1954–58 Comp., p. 218)

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

[FR Doc.75-20292 Filed 8-4-75;8:45 am]

Title 7—Agriculture

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

[Avocado Reg. 17, Amdt. 6]

PART 915—AVOCADOS GROWN IN SOUTH FLORIDA

Maturity Requirements

This amendment revises the maturity requirements for the Peterson and Trapp varieties of avocados. Weight or diameters and picking dates are indices used at harvest to assure that avocados are mature and will ripen satisfactorily after picking.

Findings. (1) Pursuant to the marketing agreement, as amended, and Order No. 915, as amended (7 CFR Part 915), regulating the handling of avocados grown in South Florida, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674), and upon the basis of the recommendation of the Avocado Administrative Committee, established under the aforesaid marketing agreement and order, and upon other available information, it is hereby found that the maturity requirements for the handling of avocados, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) The need for the amendment stems from the current avocado crop maturity situation. Maturity studies on the specified varieties completed recently indicate that avocados of such varieties are now mature at the hereinafter specified dates, minimum weights, or diameters.

(3) It is hereby further found that it is impracticable, unnecessary, and contrary to the public interest to give preliminary notice, engage in public rulemaking procedure, and postpone the effective date of this amendment until 30 days after publication thereof in the FEDERAL REGISTER (5 U.S.C. 553) in that the time intervening between the date when information upon which this amendment is based became available and the time when this amendment must become effective in order to effectuate the declared policy of the act is insufficient; and this amendment relieves restrictions on the handling of specified varieties of avocados.

Order. The provisions of subparagraph (a) (2) of § 915.317 (Avocado Regulation 17; 40 FR 24006; 26501; 28048; 29068; 29812; 30793) are amended by revising in Table I the dates applicable to the Peterson and Trap varieties so that after such revision the portion of Table 1 relating to such varieties of avocadoes reads as follows:

§ 915.317 Avocado Regulation 17.

* * * * *

Variety	Date	Minimum weight or diameter	Date	Minimum weight or diameter	Date	Minimum weight or diameter	Date
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
Peterson	7-28-75	12 oz 3 5/16 in	8- 4-75	10 oz 3 5/16 in	8-25-75	8 oz 2 15/16 in	9-8-75
Trapp	8- 4-75	14 oz 3 19/16	8-11-75	12 oz 3 5/16 in	9-15-75		

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

Dated, July 31, 1975, to become effective August 4, 1975.

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

[FR Doc.75-20349 Filed 8-4-75;8:45 am]

[Avocado Reg. 23, Amdt. 3]

PART 944—FRUITS; IMPORT REGULATIONS

Maturity Requirements

This amendment revises the maturity requirements applicable to imported avocados of the Trapp variety. It permits the importation of such avocados at specified weights or diameters two weeks earlier than is now permitted. The requirements are the same as those applicable to avocados produced in South Florida and regulated pursuant to Marketing Order 915.

Pursuant to the provisions of section 8e of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674), the provisions of paragraph (a)(4) of § 944.15 (Avocado Regulation 23; 40 FR 24008) are hereby amended to read as follows:

§ 944.15 Avocado Regulation 23.

(a) * * *

(4) Avocados of the Trapp variety shall not be imported (i) prior to August 4, 1975; (ii) from August 4, 1975, through August 10, 1975, unless the individual fruit in each lot of such avocados weighs at least 14 ounces or measures at least 3 19/16 inches in diameter; and (iii) from August 11, 1975, through September 15, 1975, unless the individual fruit in each lot of such avocados weighs at least 12 ounces or measures at least 3 7/16 inches in diameter.

* * * * *

It is hereby found that it is impracticable, unnecessary, and contrary to the public interest to give preliminary notice, engage in public rulemaking procedure, and postpone the effective time of this regulation beyond that hereinafter specified (5 U.S.C. 553) in that (a) the requirements of this amended import regulation are imposed pursuant to section 8e of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674), which makes such regulation mandatory; (b) the maturity requirements of this amended import regulation are the same as those to be in effect beginning August 4, 1975, on domestic shipments of avocados grown in South Florida under Avocado Regulation 17, Amendment 6 (§ 915.317); and (c) this amendment relieves restrictions on imports of avocados.

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

Dated, July 31, 1975, to become effective August 4, 1975.

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

[FR Doc.75-20350 Filed 8-4-75;8:45 am]

Title 13—Business Credit and Assistance

CHAPTER I—SMALL BUSINESS ADMINISTRATION

[Rev. 13, Amdt. 5]

PART 121—SMALL BUSINESS SIZE STANDARDS REGULATION

Certain Definitions

On June 5, 1975, there was published in the FEDERAL REGISTER (40 FR 24210) a notice that the Small Business Administration proposed to adjust upward those definitions of small business expressed in terms of dollars in order to account for the effects of inflation during the years that such standards have been in effect.

The public was given until July 7, 1975, in which to file written comment.

Having evaluated all comment in response to the above notice, we have decided to adopt the proposed changes. Accordingly, Part 121 of Chapter I of Title 13 of the Code of Federal Regulations is further amended by:

1. Revising § 121.3–8(a) to read as follows:

§ 121.3–8 Definition of small business for Government procurement.

* * * * *

(a) Construction. Any concern bidding on a contract for work which is classified in Division C, Contract Construction, of the Standard Industrial Classification Manual, as amended, prepared by the Office of Management and Budget, Executive Office of the President, is:

(1) Small if its average annual receipts for its preceding 3 fiscal years do not exceed $12 million: Provided, however, That, if 75 percent or more (by value) of the work called for by the contract is classified in one of the industries, subindustries, or class of products set forth in Schedule H of this Part, it is small if it does not exceed the size standard established therein for that industry. (Notwithstanding the above proviso, for a period of 1 year from the effective date of this amendment, any concern which from March 18, 1973, to March 18, 1974, was primarily engaged in performing small business set-aside contracts, is small for the purpose of any contract covered by the proviso if its average annual receipts for its preceding 3 fiscal years did not exceed $7.5 million. For the purpose of this rule, a concern was primarily engaged in performing small business set-aside contracts if 50 percent or more of its receipts, including receipts of its affiliates, were attributable to such contracts.)

(2) Small, if it is bidding on a contract for dredging and (i) its average annual receipts for its preceding 3 fiscal years do not exceed $9.5 million and (ii) it performs the dredging of at least 40 percent of the yardage advertised in the plans and specifications with dredging equipment owned by the bidder or obtained from another small business dredging concern.

2. Revising § 121.3–8(e) to read as follows:

§ 121.3–8 Definition of small business for Government procurement.

* * * * *

(e) Services. Any concern bidding on a contract for services (including but not limited to services set forth in Division I, Services, of the Standard Industrial Classification Manual), not elsewhere rine engineering service is classified as small if its average annual receipts for its preceding 3 fiscal years do not exceed $2 million.

(1) Any concern bidding on a contract for engineering services other than marine engineering service is classified as small if its average annual receipts for its preceding 3 fiscal years do not exceed $7.5 million.

(2) Any concern bidding on a contract for motion picture production or motion picture services is classified as small if its average annual receipts for its preceding 3 fiscal years do not exceed $8 million.

(3) Any concern bidding on a contract for janitorial and custodial services is classified as small if its average annual receipts for its preceding 3 fiscal years do not exceed $4.5 million.

(4) Any concern bidding on a contract for base maintenance is classified as small if its average annual receipts for its preceding 3 fiscal years do not exceed $7.5 million.

(5) Any concern bidding on a contract for marine cargo handling services is classified as small if its annual receipts do not exceed $7.5 million for its preceding 3 fiscal years.

(6) Any concern bidding on a contract for naval architectural and marine engineering services is classified as small if its average annual receipts for its preceding 3 fiscal years do not exceed $9 million.

(7) Any concern bidding on a contract for food services is classified as small if its average annual receipts for its preceding 3 fiscal years do not exceed $5.5 million.

(8) (i) Any concern bidding on a contract for laundry services including linen supply, diaper services, and industrial laundering, is classified as small if its average annual receipts for its preceding 3 fiscal years do not exceed $4 million.

(ii) Any concern bidding on a contract for cleaning and dyeing including rug cleaning services, is classified as small if its average annual receipts for the preceding 3 fiscal years do not exceed $1.5 million.

(9) Any concern bidding on a contract for computer programming services is classified as small if its average annual receipts for its preceding 3 fiscal years do not exceed $4 million.

(10) Any concern bidding on a contract for flight training services is classified as small if its average annual receipts for its preceding 3 fiscal years do not exceed $7 million.

(11) Any concern bidding on a contract for motorcar rental and leasing services

or truck rental and leasing services is classified as small if its average annual receipts for its preceding 3 fiscal years do not exceed $7 million.

(12) Any concern bidding on a contract for tire recapping services is classified as small if its average annual receipts for its preceding 3 fiscal years do not exceed $4 million. This section applies only to procurements requiring the services of tire retreading and repair shops (Standard Industrial Classification Industry No. 7534, Tire Retreading and Repair Shops) and not to procurements for the repairing and/or retreading of pneumatic aircraft tires which, by reason of the extent and nature of the equipment and operations required, are considered for size standards purposes to be manufactured within the meaning of Standard Industrial Classification Industry No. 3011, Tires and Inner Tubes.

(13) Any concern bidding on a contract for data processing services is classified as small if its average annual receipts for its preceding 3 fiscal years do not exceed $4 million.

(14) Any concern bidding on a contract for computer maintenance services is classified as small if its average annual receipts for its preceding 3 fiscal years do not exceed $7 million.

(15) Any concern bidding on a contract for services requiring the use of one or more helicopters or fixed-wing aircraft is classified as small if its average annual receipts for its preceding 3 fiscal years do not exceed $3.5 million.

3. Revising § 121.3-8(f)(3) to read as follows:

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

* * * * *

(f) Transportation * * *

* * * * *

(3) As small if it is bidding on a contract for either trucking (local and/or long distance) and/or warehousing and/or packing and crating and/or freight-forwarding, and its annual receipts do not exceed $7 million.

4. Revising § 121.3-9(a)(3) to read as follows:

§ 121.3-9 Definition of small business for sales of Government property.

* * * * *

(a) Sales of Government-owned property other than timber * * *

* * * * *

(3) Stockpile purchasers. Any concern primarily engaged in the purchase of materials which are not domestic products is small if its annual receipts for its preceding 3 fiscal years do not exceed $42 million.

5. Revising § 121.3-10(a) to read as follows:

§ 121.3-10 Definition of small business for SBA loans.

* * * * *

(a) Construction. Any construction concern is small if its average annual receipts do not exceed $9.5 million for its preceding 3 fiscal years: Provided, however, That, if it is primarily engaged in an industry set forth in Schedule I of this part, it is small if its average annual receipts do not exceed the size standard established therein for that industry.

6. Revising § 121.3-10(c) to read as follows:

§ 121.3-10 Definition of small business for SBA loans.

* * * * *

(c) Retail. Any retailing concern is classified:

(1) As small if it is primarily engaged in an industry or subindustry set forth in Schedule D of this part and its annual receipts do not exceed the size standard established therein for that industry or subindustry.

(2) As small if it is primarily engaged in an industry or subindustry not set forth in Schedule D of this part and its annual receipts do not exceed $2 million.

7. Revising § 121.3-10(d) to read as follows:

§ 121.3-10 Definition of small business for SBA loans.

(d) Services. Any concern primarily engaged in a service industry (including but not limited to service industries set forth in Division I, Services, of the Standard Industrial Classification Manual) is classified:

(1) As small if its annual receipts do not exceed $2 million.

(2) As small if it is primarily engaged in the hotel and motel industry and its annual receipts do not exceed $3 million.

(3) As small if it is primarily engaged in the power laundry industry and its annual receipts do not exceed $3 million.

(4) As small if it is primarily engaged in the trailer court and parks industry and its annual receipts do not exceed $1.5 million: Provided, that a minimum of 50 percent of the annual receipts is derived from the rental of space to tourist travelers for periods not in excess of 30 days.

(5) As small if it is primarily engaged in owning and operating a hospital and its capacity does not exceed 150 beds (excluding cribs and bassinets).

(6) As small if it is primarily engaged in owning and operating a convalescent or nursing home and its annual receipts do not exceed $1.5 million.

(7) As small if it is primarily engaged in owning and operating a medical or dental laboratory and (i) it is operated in connection with an eligible proprietary hospital or (ii) it is not operated in connection with an eligible proprietary hospital and its annual receipts do not exceed $1.5 million.

(8) As small if it is primarily engaged in the motion picture production industry and its annual receipts do not exceed $8 million.

(9) As small if it is primarily engaged in the motion picture services industry and its annual receipts do not exceed $8 million.

(10) As small if it is primarily engaged in rendering engineering services and its annual receipts do not exceed $3.5 million.

(11) As small if, including its affiliates, it is primarily engaged in the generation, transmission and/or distribution of electric energy for sale and its total electric output for the preceding fiscal year did not exceed 4 million megawatt hours.

(12) As small if it is primarily engaged in providing cable television service rental to homes, and its annual receipts do not exceed $3 million. (See 13 CFR 120.2(d)(4) for SBA policy which bars concerns that originate programs from receiving financial assistance. This policy limitation is not applicable to small business investment company assistance.)

8. Revising § 121.3-10(e) to read as follows:

§ 121.3-10 Definition of small business for SBA loans.

* * * * *

(e) Shopping centers. (1) Any concern primarily engaged in operating shopping centers is small if (i) it does not have assets exceeding $8 million, (ii) it does not have net worth in excess of $4 million, (iii) it does not have an average net income, after Federal income taxes, for the preceding 2 fiscal years in excess of $400,000 (average net income to be computed without benefit of any carryover loss), and (iv) it does not lease more than 25 percent of the gross leasable area to concerns which do not meet the small business definition contained in this section.

(2) For the purpose of size determinations, shopping center operators will not be considered affiliated with their tenants merely because of lease agreements.

9. Revising § 121.3-10(f) to read as follows:

§ 121.3-10 Definition of small business for SBA loans.

* * * * *

(f) Transportation and warehousing. Any concern primarily engaged in passenger and freight transportation or warehousing is classified:

(1) As small if its annual receipts do not exceed $1.5 million.

(2) As small if it is primarily engaged in the air transportation industry and its number of employees does not exceed 1,000 persons.

(3) As small if it is primarily engaged in the storage of grain and it does not have more than 1 million bushels capacity in owned and leased facilities, and its annual receipts do not exceed $1.5 million.

(4) As small if it is primarily engaged in trucking (local and/or long distance) and/or warehousing and/or packing and crating and/or freight forwarding and its annual receipts do not exceed $6.5 million.

10. Revising § 121.3-10(g)(1)(ii).

§ 121.3-10 Definition of small business for SBA loans.

* * * * *

(g) Wholesale. * * *

(1) * * *

(ii) As small if it is primarily engaged in an industry or subindustry not set

forth in Schedule C of this part and its annual receipts do not exceed $9.5 million.

(11). Revising § 121.3–10(j) to read as follows:

§ 121.3–10 Definition of small business for SBA loans.

* * * * *

(j) Agriculture production (crops), fish farms and fish hatcheries, etc. Any concern primarily engaged: (1) In an industry set forth in Major Group 01—Agriculture Production—Crops, of the Standard Industrial Classification Manual, (2) in the operation of a fish farm (part of Standard Industrial Classification Industry No. 0279, Animal Specialties, Not Elsewhere Classified), (3) in the operation of a fish hatchery (part of Standard Industrial Classification Industry No. 0921, Fish Hatcheries and Preserves), (4) in the propagation of fur-bearing animals (part of Standard Industrial Classification Industry No. 0271, Fur-Bearing Animals and Rabbits), (5) in the planting of oysters (part of Standard Industrial Classification Industry No. 0913, Shellfish), or (6) in the operation of hatcheries for chicks and poults (Standard Industrial Classification Industry No. 0254, Poultry Hatcheries), where such hatchery operators produce more than 50 percent of the chicks or 50 per cent of the poults hatched are retained by the operators for the production of broilers or turkeys for market, is classified as small if its annual receipts do not exceed $275,000.

12. Revising § 121.3–10(k) to read as follows:

§ 121.3–10 Definition of small business for SBA loans.

* * * * *

(k) Agricultural production (livestock). Any concern (except custom beef cattle feedlots) primarily engaged in raising livestock for human consumption such as cattle, hogs, sheep, goats, poultry of all kinds, and animal specialties such as horses, rabbits, bees, or fish in captivity, and which, as a result of animal disease, has suffered substantial economic injury due to its inability to market such livestock (or the product of such livestock) for human consumption, is classified as small for the purpose of receiving a disaster loan under section 7 (b) (4) of the Small Business Act if its annual receipts do not exceed $275,000.

13. Revising § 121.3–11 to read as follows:

§ 121.3–11 Definition of small business for assistance by small business investment companies or by development companies.

A small business concern for the purpose of receiving financial or other assistance from small business investment companies or development companies is one which:

(a) Together with its affiliates, is independently owned and operated, is not dominant in its field of operation, does not have assets exceeding $9 million, does not have net worth in excess of $4 million, and does not have an average net income, after Federal income taxes, for the preceding 2 years in excess of $400,000 (average net income to be computed without benefit of any carryover loss); or

(b) Qualifies as a small business concern under § 121.3–10.

14. Revising Schedule C to read as follows:

SCHEDULE C—ANNUAL RECEIPTS SIZE STANDARDS FOR CONCERNS PRIMARILY ENGAGED IN WHOLESALING

(The following size standards are to be used when determining the size status of wholesaling concerns for the purpose of SBA business loans, displaced business loans, economic opportunity loans, and as alternate standards for Sections 501 and 502 loans and SBIC assistance. Where a code is followed by a letter, the size standard applies only to the class of product designated.)

Industry or subindustry code	Industry, Subindustry, or Class of Products	Annual Receipts Size Standard (Maximum, in Millions)
MAJOR GROUP 50—WHOLESALE TRADE—DURABLE GOODS		
5012	Automobile and motor vehicles	$22.0
5014	Tires and tubes	22.0
5023(a)	Home furnishings, floor coverings	14.5
5039	Construction materials, N.E.C.	14.5
5041	Sporting and recreational goods and supplies	14.5
5042	Toys and hobby goods and supplies	14.5
5051(a)	Metals service centers	14.5
5051(b)	Metals sales offices	22.0
5052(a)	Coal	14.5
5063	Electrical apparatus and equipment, wiring supplies, and construction materials	22.0
5064	Electrical appliances, television, and radio sets	14.5
5081	Commercial machines and equipment	22.0
5082	Construction and mining machinery and equipment	14.5
5083	Far and garden machinery and equipment	22.0
5084	Industrial machinery and equipment	14.5
5085	Industrial supplies	14.5
MAJOR GROUP 51—WHOLESALE TRADE—NONDURABLE GOODS		
5111	Printing and writing paper	14.5
5113	Industrial and personal service paper	22.0
5122	Drugs, drug proprietaries and druggists' sundries	14.5
5133	Piece goods (woven fabrics)	14.5
5134	Notions and other dry goods	14.5
5139	Footwear	14.5
5141	Groceries, general line	22.0
5142	Frozen foods	22.0
5143	Dairy products	14.5
5147	Meats and meat products	14.5
5149	Groceries and related products, N.E.C.	14.5
5152	Cotton	22.0
5153	Grain	14.5
5154	Livestock	14.5
5161	Chemicals and allied products	22.0
5171	Petroleum bulk stations and terminals	22.0
5172	Petroleum and petroleum products wholesalers, except bulk stations and terminals	22.0
5182	Wines and distilled alcoholic beverages	22.0
5194	Tobacco and tobacco products	14.5
5198	Paints, varnishes, and supplies	22.0

15. Revising Schedule D to read as follows:

SCHEDULE D—ANNUAL RECEIPTS SIZE STANDARDS FOR CONCERNS PRIMARILY ENGAGED IN RETAILING

(The following size standards are to be used when determining the size status of retailing concerns for the purpose of SBA loans, displaced business loans, economic opportunity loans, and as alternate standards for section 501 and 502 loans and SBIC assistance. Where a code is followed by a letter, the size standard applies only to the class of product designated.)

Industry or subindustry code	Industry, subindustry, or class of products	Annual receipts size standard (maximum, in millions)
MAJOR GROUP 52—BUILDING MATERIALS, HARDWARE, GARDEN SUPPLY, AND MOBILE HOME DEALERS		
5271	Mobile home dealers	$3.5
MAJOR GROUP 53—GENERAL MERCHANDISE STORES		
5311	Department stores	7.5
5331	Variety stores	3.0
MAJOR GROUP 54—FOOD STORES		
5411	Grocery stores	7.5
5423(a)	Meat markets (a part of meat and fish (seafood) markets)	7.5
MAJOR GROUP 55—AUTOMOTIVE DEALERS AND GASOLINE SERVICE STATIONS		
5511	Motor vehicle dealers (new and used)	6.5
5521	Motor vehicle dealers (used only)	6.5
5599(a)	Aircraft (a part of automotive dealers, n.e.c.)	5.0
MAJOR GROUP 56—APPAREL AND ACCESSORY STORES		
5611	Men's and boys' clothing and furnishings stores	2.5
5621	Women's ready-to-wear stores	2.5
5651	Family clothing stores	2.5
5661	Shoe stores	2.5
MAJOR GROUP 57—FURNITURE, HOME FURNISHINGS, AND EQUIPMENT STORES		
5722	Household appliance stores	2.5
5732	Radio and television stores	2.5
MAJOR GROUP 59—MISCELLANEOUS RETAIL		
5961	Mail order houses	7.5

Effective Date: This amendment shall become effective on August 5, 1975, provided, however, that for the purpose of Government procurements or sales, it shall apply only to procurements or sales for which the invitations for bids or requests for proposals are issued 30 days or more after such date.

(All SBA programs listed in the Catalog of Federal Domestic Assistance Programs under Nos. 59.001–59.018)

Dated: July 31, 1975.

THOMAS S. KLEPPE,
Administrator.

[FR Doc.75-20299 Filed 8-4-75;8:45 am]

Title 14—Aeronautics and Space

CHAPTER I—FEDERAL AVIATION ADMINISTRATION, DEPARTMENT OF TRANSPORTATION

[Docket No. 14864; Amdt. 39-2323]

PART 39—AIRWORTHINESS DIRECTIVES

Hawker Siddeley Aviation Ltd., DH/BH-125 Airplanes

There have been two reported cases of complete displacement of cabin pressure seal bungs on DH/BH-125 airplanes in flight with resultant rapid loss of cabin pressure which required emergency descent. There have also been numerous reports of significant displacement of cabin pressure seal bungs on other airplanes of this type which if left undetected could result in full displacement (blow out) in flight with similar results. Since this condition is likely to exist or develop in other airplanes of the same type design, an airworthiness directive is being issued to require inspection and rework as necessary of all Hellerman type pressure seal bungs installed in the cabin pressure vessel of DH/BH-125 airplanes.

Since a condition exists that requires immediate adoption of this regulation, it is found that notice and public procedure hereon are impracticable and good cause exists for making this amendment effective in less than 30 days.

(Sec. 313(a), 601, and 603 Federal Aviation Act of 1958 (49 U.S.C. 1354(a), 1421, and 1423); sec. 6(c), Department of Transportation Act (49 U.S.C. 1655(c))

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (14 CFR 11.-89), § 39.13 of Part 39 of the Federal Aviation Regulations is amended by adding the following new airworthiness directive:

HAWKER SIDDELEY AVIATION, LTD. Applies to DH-125 and BH-125 airplanes certificated in all categories.

Compliance required as indicated.

To prevent possible rapid loss of cabin pressurization, accomplish the following:

Within 50 hours time in service after the effective date of this AD, unless already accomplished, inspect all Hellerman type cabin pressure seal bungs for displacement and rework as necessary in accordance with the following:

(a) Locate all Hellerman type cabin pressure seal bungs for the particular aircraft being inspected.

Note: Refer to the relevant aircraft wiring diagram manual (2 volumes) and to the maintenance practices in the Maintenance Manual, Chapter 24-00 (all series pre-600) and Chapter 24-01 (series 600). Pressure bung installations may be of the normal or reverse type assembly as defined in the Maintenance Manual reference noted in paragraph(c) of this AD. The total number may vary from one airplane to another depending on the electrical equipment installed.

(b) Gain access to the bungs in accordance with the procedures in the Maintenance Manual, Chapters 24 and 25.

(c) Inspect the bungs (both normal and reverse assemblies) for displacement and reinspect and/or rework as necessary in accordance with the instructions contained in Part B of temporary revision dated April 1, 1975, to HSA Maintenance Manual, Chapter 24-00 (all series except 600) and Chapter 24-01 (series 600), or the appropriate sections of the referenced chapters if the temporary revision has been incorporated into the HSA Maintenance Manual, or an FAA-approved equivalent.

(d) Where pressure bung(s) have been removed for rework, upon re-installation of the pressure bung(s) conduct a cabin leak rate check in accordance with the appropriate provisions of chapter 21 of the HSA Maintenance Manual prior to further flight to ensure the integrity of the pressure cabin.

This amendment becomes effective August 19, 1975.

Issued in Washington, D.C. on July 29, 1975.

J. A. FERRARESE,
Acting Director,
Flight Standards Service.

[FR Doc. 75-20277 Filed 8-4-75;8:43 am]

[Docket No. 75-SO-86; Amdt. 39-2300]

PART 39—AIRWORTHINESS DIRECTIVES

Lockheed Model 382 Series

There have been cracks in the main frames of the Lockheed Model 382 series airplanes which could result in wing failure, in-flight decompression, or landing gear failure. Since this condition is likely to exist or develop in other airplanes of the same type design, an airworthiness directive is being issued to require inspection of the main frames on Lockheed Model 382 series airplanes.

Since a situation exists that requires immediate adoption of this regulation, it is found that notice and public procedure hereon are impracticable and good cause exists for making this amendment effective in less than 30 days.

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (31 FR 13697), § 39.13 of Part 39 of the Federal Aviation Regulations is amended by adding the following new airworthiness directive:

LOCKHEED. Applies to all Model 382 series airplanes.

Compliance required within the next 325 hours' time in service on airplanes which have accumulated 10,000 or more flight hours and thereafter at each "C" check inspection.

(a) To detect cracks in the main frames, inspect the frames in accordance with Lockheed Service Bulletin A382-189, or later FAA approved revision, or in an equivalent manner approved by the Chief, Engineering and Manufacturing Branch, FAA, Southern Region.

(b) In the event a crack or cracks are found, before further flight, contact the Chief, Engineering and Manufacturing Branch, FAA, Southern Region, P.O. Box 20636, Atlanta, Georgia 30320.

(Sec. 313(a), 601, and 603, Federal Aviation Act of 1958 (49 U.S.C. 1354(a), 1421, and 1423); Sec. 6(c) Department of Transportation Act (49 U.S.C. 1655(c))

This amendment becomes effective August 8, 1975.

Issued in East Point, Georgia on July 25, 1975.

P. M. SWATEK,
Director, Southern Region.

[FR Doc.75-20273 Filed 8-4-75;8:45 am]

[Docket No. 75-SO-62; Amdt. 39-2295]

PART 39—AIRWORTHINESS DIRECTIVES

Patten/Pan Avion LSR-174 ( ) and LSR-174 (2) Evacuation Slides

A proposal to amend Part 39 of the Federal Aviation Regulations to include an airworthiness directive requiring replacement of the inflation hoses on Patten/Pan Avion models LSR-174 ( ) and LSR-174 (2) evacuation slides was published in 31 FR 25479.

Interested persons have been afforded an opportunity to participate in the making of the amendment. No objections were received.

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (31 FR 13697) § 39.13 of Part 39 of the Federal Aviation Regulations is amended by adding the following new airworthiness directive:

PATTEN/PAN AVION, Applies to Pan Avion and Patten/Pan Avion models LSR-174 ( ) and LSR-174 (2) Evacuation Slides, Serial Numbers 473 through 524.

Compliance required as indicated.

To prevent loss of pressure in the evacuation slide inflation system, within 500 hours' time in service after the effective date of this AD, unless already accomplished, replace the Patten/Pan Avion inflation hoses, part numbers 1500-11A on model LSR-174 ( ) and 1600-19 on model LSR-174 (2), with inflation hoses, part numbers 1500-54 on model LSR-174 ( ) and 1600-23 on model LSR-174 (2) in accordance with Patten/Pan Avion Service Bulletin 27-75 dated February 20, 1975, or later FAA-approved revision.

This amendment becomes effective August 11, 1975.

Issued in East Point, Georgia on July 25, 1975.

W. B. RUCKER,
Acting Director,
Southern Region.

[FR Doc.75-20272 Filed 8-4-75;8:45 am]

[Docket No. 14866; Amdt. 39-2321]

PART 39—AIRWORTHINESS DIRECTIVES

SIAI Marchetti F.260 Series Airplanes

There have been cracks of the landing gear actuator brackets on SIAI Marchetti F.260 and F.260B airplanes that could result in failure of the landing gear. Since this condition is likely to exist or develop in other airplanes of the same type design, an airworthiness directive is being issued which requires inspection and replacement of the landing gear actuator brackets on SIAI Marchetti F.260 and F.260B airplanes.

Since this situation requires immediate adoption of this regulation, notice and public procedure hereon are impracticable and good cause exists for making this amendment effective in less than 30 days.

(Secs. 313(a), 601, and 603, Federal Aviation Act of 1958 (49 U.S.C. 1343(c), 1421, and 1423); Sec. 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c))

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (14 CFR

11.89), § 39.13 of Part 39 of the Federal Aviation Regulations is amended by adding the following new airworthiness directive:

SIAI MARCHETTI. Applies to SIAI Marchetti F.260 airplanes, serial numbers 101 through 125; 2-26 through 2-57; 2-59 through 2-61; 3-76 through 3-81 and 502, certificated in all categories.

Compliance is required as indicated, unless already accomplished.

To prevent possible failure of the landing gear, accomplish the following:

(a) Within the next 25 hours' time in service after the effective date of this AD, and thereafter at intervals not to exceed 50 hours' time in service from the last inspection, until replaced in accordance with paragraph (b) or (c) of this AD, inspect the landing gear actuator brackets, P/N 260-05-14-13 and -14, or P/N 260-05-14-25 and -26, installed on Bulkhead No. 5, for cracks in accordance with paragraph (a) of SIAI Marchetti Service Bulletin No. 260B13, dated March 10, 1975, or an FAA-approved equivalent.

(b) If cracks are found during an inspection required by paragraph (a) of this AD, before further flight, replace the rbackets with new brackets, P/N 260-05-201-03, in accordance with paragraph (b) of SIAI Marchetti Service Bulletin No. 260B13, dated March 10, 1975, or an FAA-approved equivalent.

(c) If no cracks are found during an inspection required by paragraph (a) of this AD, within the next 500 hours' time in service after the effective date of this AD, replace the brackets with new brackets, P/N 260-05-201-03, in accordance with paragraph (b) of SIAI Marchetti Service Bulletin No. 260B13, dated March 10, 1975, or an FAA-approved equivalent.

This amendment becomes effective August 19, 1975.

Issued in Washington, D.C., on July 29, 1975.

J. A. FERRARESE,
Acting Director,
Flight Standards Service.

[FR Doc.75-20274 Filed 8-4-75;8:45 am]

[Docket No. 14867, Amdt. 39-2320]

PART 39—AIRWORTHINESS DIRECTIVES

Socata Models Rallye 100S and MS (Morane Saulnier) 880B, 892E-150, 893E and 894E Airplanes

There has been jamming of the aileron control crank lever due to wing flap control sector interference on Socata Models Rallye 100S and MS (Morane Saulnier) 880B, 892E-150, 893E and 894E airplanes that resulted in loss of aileron control. Since this condition is likely to exist or develop in other airplanes of the same type design, an airworthiness directive is being issued to require modification of the wing flap control system on Socata Models Rallye 100S and MS (Morane Saulnier) 880B, 892E-150, 893E and 894E airplanes.

Since a situation exists that requires immediate adoption of this regulation, it is found that notice and public procedure hereon are impracticable and good cause exists for making this amendment effective in less than 30 days.

(Sec. 313(a), 601, and 603 Federal Aviation Act of 1958 (49 U.S.C. 1354(a), 1421, and 1423); Sec. 6(c) Department of Transportation Act (49 U.S.C. 1655(c)))

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (14 CFR 11.89), § 39.13 of Part 39 of the Federal Aviation Regulations is amended by adding the following new airworthiness directive:

SOCATA. Applies to Socata Models Rallye 100S, serial number 2294; MS. 880B, serial numbers 2299 through 2531; and MS. 892E-150, 893E and 894E, serial numbers 12121 through 12531 airplanes, certificated in all categories.

Compliance is required within the next 25 hours' time in service after the effective date of this AD, unless already accomplished.

To prevent loss of aileron control due to interference with the wing flap control system, modify the wing flap control system, re-rig the wing flap control system, and check for freedom from interference between the wing flap control system and aileron control system in accordance with Socata Service No. 111 GR. 27-11, dated April 1974, or an FAA-approved equivalent.

This amendment becomes effective August 19, 1975.

Issued in Washington, D.C. on July 29, 1975.

J. A. FERRARESE,
Acting Director,
Flight Standard Service.

[FR Doc.75-20275 Filed 8-4-75;8:45 am]

[Docket No. 14863; Amdt. 39-2324]

PART 39—AIRWORTHINESS DIRECTIVES

Socata Models MS (Morane Saulnier) 880B and 885 Airplanes

There have been cracks of the lateral front horizontal stabilizer attachment brackets on Socata Models MS (Morane Saulnier) 880B and 885 airplanes that could result in failure of the horizontal stabilizer attachment structure. Since this condition is likely to exist or develop in other airplanes of the same type design, an airworthiness directive is being issued to require an inspection for cracks and replacement of aluminum brackets with steel brackets on Socata Models MS (Morane Saulnier) 880B and 885 airplanes.

Since a situation exists that requires immediate adoption of this regulation, it is found that notice and public procedure hereon are impracticable and good cause exists for making this amendment effective in less than 30 days.

(Sec. 313(a), 601, and 603 Federal Aviation Act of 1958 (49 U.S.C. 1354(a), 1421, and 1423); Sec. 6(c) Department of Transportation Act (49 U.S.C. 1655(c))

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (14 CFR 11.89), § 39.13 of Part 39 of the Federal Aviation Regulations is amended by adding the following new airworthiness directive:

SOCATA. Applies to Socata models MS880B and MS885 airplanes, certificated in all categories, serial numbers 1 through 395 which have aluminum lateral front horizontal stabilizer attachment brackets installed.

Compliance is required as indicated, unless already accomplished.

To prevent failure of the aluminum lateral front horizontal stabilizer attachment brackets, accomplish the following:

(a) Within the next 10 hours' time in service after the effective date of this AD, inspect the left and right lateral front horizontal stabilizer attachment brackets for cracks in accordance with Socata Service Rallye No. 12/1, Gr. 55.01 dated January 1972 or an FAA-approved equivalent.

(b) If cracks are found in either bracket, before further flight, comply with paragraph (d) of this AD.

(c) If no cracks are found, within the next 100 hours' time in service after the effective date of this AD, comply with paragraph (d) of this AD.

(d) Replace the left and right aluminum lateral front horizontal stabilizer attachment brackets with steel brackets, P/Ns 880.33.0.-106.1 and 880.33.0.106.2, respectively.

This amendment becomes effective August 19, 1975.

Issued in Washington, D.C., on July 29, 1975.

J. A. FERRARESE,
Acting Director,
Flight Standards Service.

[FR Doc.75-20278 Filed 8-4-75;8:45 am]

[Docket No. 14865; Amdt. 39-2322]

PART 39—AIRWORTHINESS DIRECTIVES

Societe Nationale Industrielle AEROSPATIALE Model SA-341G "Gazelle" Helicopters

Incidents have occurred in which main rotor blade torsion strip stacks have elongated in service beyond acceptable limits without detection, which could result in loss of helicopter control. Since this condition is likely to exist or develop in other helicopters of the same type design, an airworthiness directive is being issued which requires installation of an elongation "tell-tale" device for each torsion strip stack, and daily check of the "tell-tale" device for condition.

Since this situation requires immediate adoption of this regulation, notice and public procedure hereon are impracticable and good cause exists for making this amendment effective in less than 30 days.

Secs. 313(a), 601, and 603 Federal Aviation Act of 1958 (49 U.S.C. 1354(a), 1421, 1423); Sec. 6(c) Department of Transportation Act (49 U.S.C. 1655(c)).

In consideration of the foregoing and pursuant to the authority delegated to me by the Administrator (14 CFR 11.89), § 39.13 of Part 39 of the Federal Aviation Regulations is amended by adding the following new airworthiness directive:

SOCIETE NATIONALE INDUSTRIELLE AEROSPATIALE. Applies to model SA-341G "Gazelle" helicopters, serial numbers 1299 and lower, certificated in all categories.

Compliance is required within the next 100 hours' time in service, unless already accomplished in accordance with SA-341 Service Bulletin No. 65.10.

To detect excessive elongation of main rotor blade torsion strip stacks in service, and prevent consequent loss of helicopter control, accomplish the following:

(a) Install three "tell-tale" devices on the main rotor hub in accordance with subparagraph 1C (1) of SA-341 Service Bulletin No. 65.10 dated February 27, 1975, or an equivalent approved by the Chief, Aircraft Certification Staff, FAA, Europe, Africa, and Middle East Region.

(b) Prior to first flight of the day, visually check "tell-tale" device for condition of the frangible screw. If the frangible screw is found broken, rectify "tell-tale" installation and replace associated torsion strip stack in accordance with subparagraph 1C (2) of SA-341 Service Bulletin No. 65.10, dated February 27, 1975, or an equivalent approved by the Chief, Aircraft Certification Staff, FAA, Europe, Africa, and Middle East Region.

The check required by this AD may be performed by the pilot.

This amendment becomes effective August 19, 1975.

Issued in Washington, D.C., on July 29, 1975.

J. A. FERRARESE,
Acting Director,
Flight Standards Service.

[FR Doc.75-20276 Filed 8-4-75;8:45 am]

[Docket No. 75-NE-33; Amdt. 39-2306]

PART 39—AIRWORTHINESS DIRECTIVES

Sikorsky Model S-61N Helicopters, Serial Numbers 61742 Through 61746 Inclusive, Certificated In All Categories

Pursuant to the authority delegated to me by the Administrator (31 FR 13697), an airworthiness directive was adopted on July 17, 1975 and made effective immediately as to the operators of Sikorsky S-61N helicopters, serial numbers 61742 through 61746, inclusive. The directive requires that a certain lot of main rotor blade attachment bolts be removed from service.

Since it was found that immediate corrective action was required, notice and public procedure thereon was impracticable and contrary to the public interest, and good cause existed for making the airworthiness directive effective immediately as to the operators of Sikorsky S-61N helicopters, serial numbers 61742 through 61746 by individual telegrams dated July 17, 1975. These conditions still exist and the airworthiness directive is hereby published in the FEDERAL REGISTER as an amendment to § 39.13 of Part 39 of the Federal Aviation Regulations.

SIKORSKY. Applies to S-61N helicopters, serial numbers 61742 through 61746, inclusive.

To prevent operation with defective main rotor blade attachment bolts, accomplish the following:

Within 5 hours time in service, remove from service all S1510-23133-0 main rotor blade attachment bolts identified by gold color and replace them with S1510-23133-0 bolts identified by light gray/silver color. These bolts must be replaced in accordance with the Sikorsky Aircraft S-61N maintenance manual. The above replacement of gold colored bolts with gray/silver colored bolts is a one time replacement. The installed gold colored bolts are suspected to contain manufacturing defects.

This amendment becomes effective August 5, 1975, for all persons except those to whom it was made effective immediately by telegram dated July 17, 1975.

(Sections 313(a), 601, and 603, Federal Aviation Act of 1958 (49 U.S.C. 1354(a), 1421, and 1423); section 6(c), Department of Transportation Act (49 U.S.C. 1655(c)))

Issued in Burlington, Massachusetts, on July 29, 1975.

QUENTIN S. TAYLOR,
Director,
New England Region.

[FR Doc.75-20271 Filed 8-4-75;8:45 am]

[Docket No. 13476; Amdt. No. 63-17]

PART 63—CERTIFICATION: FLIGHT CREWMEMBERS OTHER THAN PILOTS

Flight Engineer Knowledge and Aeronautical Experience Requirements

This amendment to Part 63 of the Federal Aviation Regulations provides that the holder of at least a commercial pilot certificate with an instrument rating who has at least 5 hours of flight training in the duties of a flight engineer, meets the experience requirements of § 63.37 of the Federal Aviation Regulations. In addition, § 63.35 has been amended to clarify the requirement that an applicant for a flight engineer certificate with a class rating must pass both the basic test and a class rating test prior to completing the practical test required by § 63.39 for the original issuance of a flight engineer certificate with a class rating.

Interested persons have been afforded an opportunity to participate in the making of these amendments by a notice of proposed rule making (Notice 74-1; 39 FR 1780; January 14, 1974), and due consideration has been given to all comments received in response to that Notice. Except as specifically discussed herein, these amendments and the reasons therefor are the same as those proposed in the Notice.

The FAA received fifty-one comments in response to the Notice. Thirty-five commentators concurred with the proposed amendments, and generally stated that the current requirements are too restrictive in not permitting the holder of a commercial pilot certificate with an instrument rating to take the written tests for a flight engineer certificate.

Several comments objected to the proposals in the Notice based on the belief that they would result in an individual being recognized by the FAA as being qualified to serve as a flight engineer, but who in fact would not possess sufficient background and knowledge to safely act in that capacity. Several of these commentators further contended that the experience accumulated by a commercial pilot certificate holder with an instrument rating should only qualify him to take the basic written test, but not qualify him to take a written test for a flight engineer class rating.

The FAA disagrees with these comments, and believes that the holder of a commercial pilot certificate with an instrument rating possesses an equivalency in aeronautical experience and understanding of the duties and responsibilities required of a flight engineer with individuals who have complied with § 63.37(b)(1), (2), and (3), and should be permitted to take the written tests for a flight engineer certificate and the associated class ratings.

One commentator stated that a primary function of a flight engineer is to monitor in flight the various aircraft systems. This commentator asserted that to perform this function the flight engineer must be knowledgeable in the mechanical aspects of aircraft and that the proposed rule dilutes this necessary mechanical experience and training. The FAA agrees that a flight engineer must be able to monitor in flight the various aircraft systems and maintain currency in the performance of this function. However, with respect to mechanical experience and training, the FAA does not concur that such experience and training are required. It should be noted that the flight engineer no longer functions as an in-flight maintenance man, and that the principal function of a flight engineer is to assist the pilot in command and second in command in the operation of the aircraft.

One comment, in objecting to the proposed amendment, asserted that the preamble to the notice is contradictory to the proposed amendment. It was asserted that the proposal would permit a holder of a commercial pilot certificate with an instrument rating to be qualified not only to take the written tests but also to be considered experience qualified under § 63.37, without being required to meet any of the present qualifications of § 63.37. The commentator contended that this was not discussed in the notice and is a very crucial point, since these applicants need not attend a flight engineer ground and flight course of instruction as required in § 63.37(b)(6). It was asserted that an individual who has obtained a commercial pilot certificate with an instrument rating by meeting the minimum required flight hours, does not possess the experience necessary to be a flight engineer on air carrier aircraft. Furthermore, the commentator contended that air carrier flight engineer training programs are not designed to train inexperienced individuals, but to train those crewmembers who are certificated and experienced on an airplane of a different type from the one on which they have been serving as crewmembers.

The FAA does not agree that the language of the preamble is contradictory to the proposed amendment. As pointed out

in the notice, the FAA proposed to amend Part 63 to permit an applicant for a flight engineer certificate and a class rating to meet the prescribed aeronautical experience requirements in an additional manner to those now specified in § 63.37. In making the proposal, the FAA was not contending that these applicants necessarily satisfied the experience requirements of § 63.37 without further training. Therefore, as pointed out in the notice, the FAA proposed to amend § 63.37 to require these applicants to have at least 5 hours of flight training in the duties of a flight engineer, and at least a commercial pilot certificate with an instrument rating. This flight training is the same as the in-flight training requirements of § 63.37(b)(1), (2), and (3). It should be pointed out that this amendment merely provides an alternate method of satisfying the experience requirement of § 63.37(b). In adopting this amendment, the FAA has not eliminated any of the other alternative experience requirements of current § 63.37(b). An applicant will still be eligible to take the written tests by attending a flight engineer ground and flight course of instruction as provided in § 63.37(b)(6). As previously discussed, the FAA believes that an applicant who is made eligible under this amendment is as well qualified to take the written tests for a flight engineer certificate as those applicants who qualify to take the written tests by meeting the experience requirements of § 63.37(b)(1), (2), or (3).

That same commentator further asserted that the proposal would allow simulator training to be substituted for the required 5 hours of flight training in the duties of a flight engineer. On the contrary, the 5 hours of flight training required by § 63.37 must be accomplished in flight, and no provision is made for substitution of simulator training.

With respect to the commentator's point that the proposed 5 hours of flight experience is inconsistent with the 100 hours required under ICAO, the FAA intends to file a notice of difference with ICAO as to this discrepancy.

Another commentator asserted that the pilot in command and second in command are overloaded with compounding critical decisions which can lead to accidents. The commentator stated that the solution to this problem is to delegate duties of the flight crew to the flight engineer thereby giving him more responsibility in the operation of the aircraft. It was contended that the proposals in the Notice would not assure a sufficiently qualified flight engineer to assume this increased responsibility.

The FAA is aware of the importance of the flight engineer in the operation of complex modern aircraft. The FAA agrees that the flight engineer must be well trained in order to carry out his primary task of monitoring in flight the various aircraft systems and supply the pilot in command and with current information. The FAA does not agree however, that the proposals in the Notice fail to recognize the need for such training, nor that the flight engineer certificate has been degraded in any way. The FAA believes that applicants certificated and rated under the provisions of this amendment will be at least as well qualified as those applicants who qualify under § 63.37(b) (1), (2), or (3).

Finally, as proposed in the Notice, § 63.35 is being amended to clearly state the requirement that an applicant for a flight engineer certificate with a class rating must take both the basic test and a class rating test prior to completing the practical test required by § 63.39 for the original issuance of a flight engineer certificate with a class rating.

(Sections 313(a), 601, and 602 Federal Aviation Act of 1958 (49 U.S.C. 1354(a), 1421, and 1422); Section 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)).)

In consideration of the foregoing, Part 63 of the Federal Aviation Regulations is amended, effective September 4, 1975, as follows:

1. By amending paragraphs (c) and (d) of § 63.35 to read as follows:

§ 63.35 Knowledge requirements.

* * * * *

(c) Before taking the written tests prescribed in (a) and (b) of this section, an applicant for a flight engineer certificate must present satisfactory evidence of having completed one of the experience requirements of § 63.37. However, he may take the written tests before acquiring the flight training required by § 63.37.

(d) An applicant for a flight engineer certificate must have passed the written tests required by (a) and (b) of this section within the 24-month period before the date he takes the flight test. However, this limitation does not apply to an applicant who, after passing the written tests, has continuously participated in a maintenance, flight engineer, or pilot training program of a United States air carrier or commercial operator conducted under Part 121 of this chapter, or conducted by a United States scheduled military air transportation service.

* * * * *

2. By redesignating paragraphs (4), (5), and (6) of § 63.37(b) as paragraphs (5), (6), and (7), and by inserting a new paragraph (4) to read as follows:

§ 63.37 Aeronautical experience requirements.

* * * * *

(b) * * *

(4) At least a commercial pilot certificate with an instrument rating and at least 5 hours of flight training in the duties of a flight engineer.

* * * * *

Issued in Washington, D.C., on July 25, 1975.

JAMES E. DOW,
Acting Administrator.

[FR Doc.75-20279 Filed 8-4-75;8:45 am]

Title 15—Commerce and Foreign Trade

CHAPTER II—NATIONAL BUREAU OF STANDARDS, DEPARTMENT OF COMMERCE

SUBCHAPTER E—FELLOWSHIPS AND RESEARCH ASSOCIATES

SUBCHAPTER F—REGULATIONS GOVERNING TRAFFIC AND CONDUCT

PART 265—REGULATIONS GOVERNING TRAFFIC AND CONDUCT ON THE GROUNDS OF THE NATIONAL BUREAU OF STANDARDS, GAITHERSBURG, MARYLAND, AND BOULDER AND FORT COLLINS, COLORADO

Regulations Governing Traffic and Conduct on the Grounds of the National Bureau of Standards

Part 265, Regulations Governing Traffic and Conduct on the Grounds of the National Bureau of Standards, Gaithersburg, Maryland, and Boulder and Fort Collins, Colorado, now appearing in Subchapter E of title 15, Chapter II, of the Code of Federal Regulations, is removed from Subchapter E and transferred to a new Subchapter F, Regulations Governing Traffic and Conduct, which is hereby added to title 15, Chapter II.

AUTHORITY: (Sec. 9, 31 Stat. 1450, as amended (15 U.S.C. 277). Applies sec. 1, 72 Stat. 1711, as amended (15 U.S.C. 278e(b)).)

Dated: July 30, 1975.

JOHN D. HOFFMAN,
Acting Director.

[FR Doc.75-20309 Filed 8-4-75;8:45 am]

Title 16—Commercial Practices

CHAPTER II—CONSUMER PRODUCT SAFETY COMMISSION

SUBCHAPTER B—CONSUMER PRODUCT SAFETY ACT REGULATIONS

PART 1116—POLICY AND PROCEDURES REGARDING SUBSTANTIAL PRODUCT HAZARDS

Correction

In FR Doc. 75-19227, appearing at page 30936 in the Federal Register of July 24, 1975, the following corrections are necessary.

Paragraph (b)(4) of § 1116.2, is corrected in line seven of page 30938 by changing the word "has" to "had".

Paragraph (c) of § 1116.8, appearing on page 30939, is corrected in line ten by adding "or Consent Agreement and Commission Order" immediately after the word "Plan," and immediately before the words "its resolution."

Paragraph (f) of § 1116.8, appearing on page 30939, is corrected in line five by deleting the word "proposed."

Paragraph (g) of § 1116.8, appearing on page 30939, is corrected in line six by deleting the word "proposed".

Paragraph (a)(2)(i) of § 1116.9, appearing on page 30939, is corrected in line five by changing the word "Conclusion" to "conclusion".

Dated: July 29, 1975.

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

[FR Doc.75-20307 Filed 8-4-75;8:45 am]

Title 21—Food and Drugs

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

SUBCHAPTER E—ANIMAL DRUGS, FEEDS, AND RELATED PRODUCTS

PART 520—ORAL DOSAGE FORM NEW ANIMAL DRUGS NOT SUBJECT TO CERTIFICATION

Levamisole Hydrochloride and Piperazine Dihydrochloride

The Commissioner of Food and Drugs has evaluated a new animal drug application (93-688V) filed by American Cyanamid Co., Agricultural Division, P.O. Box 400, Princeton, NJ 08540, proposing safe and effective use of levamisole hydrochloride and piperazine dihydrochloride solution as an anthelmintic for the treatment of horses. The application is approved, effective August 5, 1975.

The Commissioner is amending Part 520 (formerly Part 135c prior to recodification published in the FEDERAL REGISTER of March 27, 1975 (40 FR 13802)) to reflect the approval as set forth below.

Therefore, under provisions of the Federal Food, Drug, and Cosmetic Act (sec. 512(i), 82 Stat. 347 (21 U.S.C. 360b (i))), and under authority delegated to the Commissioner (21 CFR 2.120), Part 520 is amended by adding § 520.1242c, to read as follows:

§ 520.1242c Levamisole hydrochloride-piperazine dihydrochloride.

(a) *Specifications.* The drug is an aqueous solution which contains per fluid ounce 0.36 gram levamisole hydrochloride and piperazine dihydrochloride equivalent to 3.98 grams of piperazine base.

(b) *Sponsor.* See No. 010042 in § 510.600(c) of this chapter.

(c) [*Reserved*].

(d) *Conditions of use.* It is used as a drench for horses as follows:

(1) *Indications for use.* An anthelmintic effective against infections of large strongyles (*Strongylus vulgaris, S. edentatus*), small strongyles (*Cylicocercus spp., Cyclicocyclus spp., Cylicodontophorus spp., Cyliostephanus spp., Cylicotetrapedon spp.*), ascarids (*Parascaris equorum*), and pinworms (*Oxyuris equii*).

(2) *Limitations.* Administer by stomach tube or drench 1 fluid ounce per 100 pounds of body weight. If reinfection occurs, re-treat animals at 6 to 8 week intervals. Do not treat animals intended for food. Federal law restricts this drug to use by or on the order of a licensed veterinarian.

Effective date. This order shall become effective August 5, 1975.

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

Dated: July 29, 1975.

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

[FR Doc.75-20297 Filed 8-4-75;8:45 am]

PART 558—NEW ANIMAL DRUGS FOR USE IN ANIMAL FEED

Bambermycins

The Commissioner of Food and Drugs has evaluated a supplemental new animal drug application (44-759V) filed by Hoechst-Roussel Pharmaceuticals, Inc., Route 202-206 North, Somerville, NJ 08876, proposing safe and effective use of bambermycins premix for manufacturing feed supplements and complete feeds for growing and finishing swine. The supplemental application is approved, effective August 5, 1975.

The Commissioner is amending Part 558 (formerly Part 135e prior to recodification published in the FEDERAL REGISTER of March 27, 1975 (40 FR 13802)) to reflect this approval.

The data submitted regarding use of this drug show that no residues are reflected from the conditions of its use or any foreseeable condition of misuse. Therefore, in accordance with § 556.1(a)(4) (21 CFR 556.1(a)(4), formerly 21 CFR 135g.1(a)(4)) a tolerance is deemed unnecessary pursuant to its use in swine feed.

Therefore, under the Federal Food, Drug, and Cosmetic Act (sec. 512(i), 82 Stat. 347 (21 U.S.C. 360b(i))) and under authority delegated to the Commissioner (21 CFR 2.120), Part 558 is amended in § 558.95 (formerly § 135e.65), by revising paragraph (e) to read as follows:

§ 558.95 Bambermycins.

* * * * *

(e) *Conditions of use.* (1) *Broiler chicken feed.* It is used as follows:

(i) *Amount per ton.* 1 to 2 grams.

(ii) *Indications for use.* For increased rate of weight gain and improved feed efficiency.

(iii) *Limitations.* Feed continuously as the sole ration.

(2) *Growing-finishing swine feed.* It is used as follows:

(i) *Amount per ton.* 2 grams.

(ii) *Indications for use.* For increased rate of weight gain and improved feed efficiency.

(iii) *Limitations.* Feed continuously as sole ration.

(iv) *Special considerations.* Finished growing-finishing swine feeds processed from feed supplements that contain up to 40 grams of bambermycins per ton and conform to the requirements of this section are not required to comply with the provisions of section 512(m) of the act.

Effective date. This amendment shall become effective on August 5, 1975.

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

Dated: July 29, 1975.

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

[FR Doc.75-20296 Filed 8-4-75;8:45 am]

Title 26—Internal Revenue

CHAPTER I—INTERNAL REVENUE SERVICE, DEPARTMENT OF THE TREASURY

[T.D. 7373]

PART 31—EMPLOYMENT TAXES; APPLICABLE ON OR AFTER JANUARY 1, 1955

Amendment of Employment Tax Regulations

Correction

In FR Doc. 75-19205 appearing at page 30956 in the issue of Thursday, July 24, 1975, the following line should be inserted between the third and fourth lines of § 31.3121(a)(9)-1(a)(1) on page 30957 as follows:

"the employee is a woman to whom the".

Title 33—Navigation and Navigable Waters

CHAPTER I—COAST GUARD, DEPARTMENT OF TRANSPORTATION

[CGD5-75-08R]

PART 127—SECURITY ZONES

Establishment of Security Zones

This amendment to the Coast Guard's Security Zone Regulations establishes the waters of the James River in the area of the Newport News Shipbuilding and Drydock Company, Newport News, Virginia as a security zone. This security zone is established to prevent interference with the launching of the Guided Missile Cruiser USS TEXAS at the Newport News Shipbuilding and Drydock Company, Newport News, Virginia.

This amendment is issued without publication of a notice of proposed rule making; and this amendment is effective in less than 30 days from the date of publication, because this security zone involves a military function of the United States.

In consideration of the foregoing, Part 127 of Title 33 of the Code of Federal Regulations is amended by adding § 127.503 to read as follows:

§ 127.503 Hampton Roads—James River—Newport News, Virginia.

The waters within the following boundary is a security zone: A line beginning at a point on Newport News Shipbuilding Pier 2 at position 36°58'48" N, 76°26'26" W to a position at 36°57'53" N, 76°26'42" W thence to a position at 36°59'07" N, 76°27 57" W thence to a point on shore at position 36°59'35" N, 76°26'55" W thence to the point of beginning.

(40 Stat. 220, as amended, (§ 1, 63 Stat. 503), § 6(b), 80 Stat. 937; 50 U.S.C. § 191, (14 U.S.C. § 91), 49 U.S.C. § 1655(b); E.O. 10173, E.O. 10277, E.O. 10352, E.O. 11249; 3 CFR, 1949-1953 Comp 356, 778, 873, 3 CFR, 1964-1965 Comp. 349, 33 CFR Part 6, 49 CFR 1.46(b).

Effective date: This amendment is effective from 1030Q to 1400Q, August 9, 1975.

Dated: July 25, 1975.

M. H. EATON,
Captain, U.S. Coast Guard,
Hampton Roads, Captain of the Port.

[FR Doc.75-20311 Filed 8-4-75;8:45 am]

Title 46—Shipping

CHAPTER II—MARITIME ADMINISTRATION, DEPARTMENT OF COMMERCE

SUBCHAPTER C—REGULATIONS AFFECTING SUBSIDIZED VESSELS AND OPERATORS

PART 283—CONSERVATIVE DIVIDEND POLICY

Correction to Notice of Rulemaking

On June 13, 1975, there appeared a Notice of Rulemaking in the FEDERAL REGISTER (40 FR 25213) indicating changes to the regulations governing the Conservative Dividend Policy (46 CFR Part 283). On page 25214 of the FEDERAL REGISTER there appeared in the paragraph following subparagraph (4) a description of the changes to be made to § 283.3 of Title 46 of the Code of Federal Regulations, including the following:

"2. By renumbering (b)(1)(vi);".

That section is hereby corrected to read as follows:

"2. By renumbering (b)(1)(vi) as (b)(1)(vii) and adding a new (b)(1)(vi);".

AUTHORITY: Section 204(b), Merchant Marine Act, 1936, as amended (46 U.S.C. 114), Reorganization Plans No. 21 of 1950 (64 Stat. 1273) and No. 7 of 1961 (75 Stat. 840) as amended by Pub. L. 91-469 (84 Stat. 1036), Department of Commerce Organization Order 10-8 (38 FR 19707, July 23, 1973).

By Order of the Maritime Subsidy Board.

Dated: July 30, 1975.

JAMES S. DAWSON, Jr.,
Secretary.

[FR Doc.75-20358 Filed 8-4-75;8:45 am]

Title 49—Transportation

CHAPTER X—INTERSTATE COMMERCE COMMISSION

SUBCHAPTER D—TARIFFS AND SCHEDULES

[Ex Parte No. 261]

FREIGHT TARIFFS AND SCHEDULES

Filing and Publishing Joint Rates Over International-Domestic Routes

This rulemaking proceeding concerns new and revised tariff rules pertaining to export and import traffic moving via rail, motor, or part III water common carriers which operate within the United States in conjunction with vessel-operating common carriers by water operating in foreign commerce which are subject to the jurisdiction of the Federal Maritime Commission and the acts which it administers, especially the Shipping Act of 1916 and the Merchant Marine Act of 1920.

In the instant report on further reconsideration, the Commission promulgates several new and revised tariff publishing rules concerning rate reductions, new or initial rates, and other tariff changes. It also reaffirms its authority to suspend joint international rates in their entirety, and it prescribes various substantive rules concerning shipper allowances and currency surcharges. Finally, the Commission institutes a new proceeding, designated at Ex Parte No. 261 (Sub-No. 1), to reconsider the participation of freight forwarders and non-vessel operating water common carriers in tariffs containing joint rates and through routes for the transportation of property between points in the United States and points in foreign commerce.

The promulgation of the above-described new and revised rules necessitated the recission of Special Permission Nos. 70-275 and 73-123, and amendment No. 1 thereto, in the Order accompanying the report on further reconsideration.

Upon consideration of petitions for reconsideration or clarification of the report and order of the Commission on further hearing, decided August 12, 1974, filed on or before October 9, 1974, by the Federal Maritime Commission, Sea-Land Service, Inc., the Freight Forwarders Institute and individual freight forwarders, the New York Foreign Freight Forwarders & Brokers Association, Inc., the Trans-Pacific Freight Conference of Japan/Korea Seatrain Lines, Inc., the Pacific Westbound Conference, IML Freight, Inc., and the joint reply of The Atchison, Topeka and Santa Fe Railway Company, Burlington Northern Inc., and Southern Pacific Transportation Company, filed October 29, 1974:

It appearing, That the Commission has reviewed the record in the above-captioned proceedings and the said petitions for reconsideration, and revised certain of the proposed rules as described in this report; therefore:

It is ordered, That, pursuant to section 4 of the Administrative Procedure Act [5 U.S.C. 553], and sections 1(1)(a), 6(5), 6(6), 6(12), 202(a), 203(a)(11), 216(c), 217(a), 220(a), 302, 303, 305(b), 306, and 313 of the Interstate Commerce Act, in 49 CFR Chapter X,

(1) Part 1300 be, and it is hereby, amended as follows:

(a) Section 1300.0 be amended by revising paragraph (a)(1) thereof [preamble to Tariff Circular No. 20] to read as set forth below.

(b) Section 1300.67 [rule 67 of Tariff Circular No. 20] be revised to read as set forth below.

(The provisions of Part 1300 issued under sec. 12.24 Stat. 383, as amended, 49 Stat. 546, as amended; 49 U.S.C. 12, 304, and secs. 5, 6, 24 Stat. 380, as amended, 49 Stat. 560, as amended; 49 U.S.C. 5, 6, 317.)

(2) Part 1305 be, and it is hereby, amended as follows:

(a) Section 1305.0 [preamble to rule 33 of Tariff Circulars No. 20] be revised to read as set forth below.

(The provisions of Subpart A of Part 1305 issued under sec. 6, 24 Stat. 380, sec. 12, 24, Stat. 383; 49 U.S.C. 6, 12.)

(3) Part 1307 be, and it is hereby, amended as follows:

(a) Section 1307.22 [preamble to Tariff Circular MF No. 3] be revised to read as set forth below.

(b) Section 1307.49 be added as a new section in the said part as set forth below.

(The provisions of Subpart B of Part 1307, issued under secs. 204, 217, 49 Stat. 546, as amended, 560, as amended, sec. 210a, as amended, 52 Stat. 1238, as amended; 49 U.S.C. 304, 317, 310a.)

(4) Part 1308 be, and it is hereby, amended as follows:

Section 1308.0 [preamble to Tariff Circular No. 22] be amended by revised paragraphs below.

(The provisions of Part 1308 issued under secs. 304, 306, 54 Stat. 933, 935, 49 U.S.C. 904, 906.)

And it further appearing, That petitioners seek clarification of proposed rule § 1300.67(b)(2) which requires, among other things, that intermodal tariffs conform to the regulations contained in Tariff Circular No. 20, and in particular they inquire whether rule 66 of Tariff Circular No. 20 applies to minimum containerloads as well as "minimum carloads";

We further find, That rule 66 of Tariff Circular No. 20 applies only to minimum carloads and not minimum containerloads;

It is further ordered, That the petitions be, and they are hereby, denied in all other respects for the reason that sufficient grounds have not been shown to warrant granting the action sought.

It is further ordered, That Special Permission No. 70-275, be, and it is hereby, rescinded.

It is further ordered, That Special Permission No. 73-123 and Amendment No. 1 thereto, be and they are hereby, rescinded.

It is further ordered, That all prior orders in Ex Parte No. 261 be, and they are hereby, vacated and set aside.

It is further ordered, That this order shall become effective 35 days from date of service, and shall remain in effect until modified or revoked in whole or in part by further order of this Commission.

And it is further ordered, That notice of this order shall be given to the general public by mailing a copy of this order to each party of record in this proceeding, by depositing a copy in the Office of the Secretary, Interstate Commerce Commission, Washington, D.C. 20423, for public inspection, and by delivering a copy to the Director, Office of the Federal Register, as notice to all interested persons.

By the Commission.

[SEAL] ROBERT L. OSWALD,
Secretary.

PART 1300—FREIGHT TARIFFS; RAILROADS, WATER CARRIERS, AND PIPELINE COMPANIES SUBJECT TO SECTION 6 OF THE INTERSTATE COMMERCE ACT AND CARRIERS JOINTLY THEREWITH

1. In § 1300.0 paragraph (a)(1) is revised to read as follows:

§ 1300.0 General provisions; definitions.

(a) *General application; conformation to rules; reissue.* (1) This part contains regulations issued by the Interstate Commerce Commission, under authority of section 6 of the Interstate Commerce Act, as amended, to govern the construction,

and filing of freight rate tariffs and classifications of railroads, water carriers, and pipeline companies filing under section 6 of the act, and under authority of sections 217 and 306 of the act to govern the construction and filing of freight rate tariffs and classifications naming or governing joint rates and routes over motor and water carriers jointly with such carriers subject to part I of the act. The regulations in this part shall also govern the construction and filing of tariffs naming through routes and joint rates over the lines of common carriers by railroad, water, or pipeline, or by railroad or pipeline jointly with common carriers by motor vehicle, subject to the Interstate Commerce Act, on the one hand, and vessel-operating common carriers by water engaged in the foreign commerce of the United States, as defined in the Shipping Act, 1916, on the other hand, for the transportation of property between any place in the United States and any place in a foreign country. See § 1300.67.

* * * * *

2. Section 1300.67 is revised to read as follows:

§ 1300.67 Export and import traffic—ocean carriers.

(a) *Ocean carriers not subject to Act.* Common carriers by water, or conference of such carriers, engaged in the foreign commerce of the United States, as defined in the Shipping Act, 1916, that operates between ports of the United States and foreign countries are not subject to the terms of the Interstate Commerce Act or to the jurisdiction of the Interstate Commerce Commission.

(b) *Through routes and joint routes.* (1) A common carrier by railroad, pipeline, or water, or a common carrier by railroad or pipeline jointly with a common carrier by motor vehicle, subject to the Interstate Commerce Act (hereinafter referred to in this section as the domestic carrier), may establish a through route and joint rate with a vessel-operating common carrier by water engaged in the foreign commerce of the United States (hereinafter referred to in this section as the ocean carrier), as defined in the Shipping Act, 1916, for the transportation of property between any place in the United States and any place in a foreign country. Every tariff naming such a through route and joint rate shall be filed with this Commission. The tariff may be filed in the name of the ocean carrier, a conference of ocean carriers, or the domestic carrier or its tariff publishing agent.

(2) The tariff shall be constructed, filed, and posted in conformity with the Interstate Commerce Act, and except as otherwise specifically authorized, with the regulations in Parts 1300 and 1305 (regulations in both parts included in Tariff Circular No. 20) of this chapter. The tariff shall be printed in the English language, show all rates and charges in terms of lawful money of the United States, and include the names of all participating carriers, a description of the services to be performed by each participating carrier, a statement of the joint rate, and a clear and definite statement of the division, rate, or charge to be received by the domestic carrier for its share of the revenue covering a through shipment or aggregate of shipments under the tariff. If shipments and/or loaded containers are to be permitted to be aggregated which are rated under more than one tariff published by the carrier or for its account each tariff so affected must contain a specific rule, providing for the aggregation, in connection with the statement of the land carrier's divisions and identifying by ICC number each of the other tariffs. The requirement that rates and charges be stated in the lawful currency of the United States does not pertain to detention, demurrage, per diem, or terminal charges not included in the line-haul rate for services performed at locations outside the territorial limits of the United States. A tariff filed in the name of a conference shall show "Agent" after the name of the conference wherever it appears. If the tariff provides less-than-carload, less-than-containerload, or less-than-trailerload service, such service must be defined. If the tariff provides containerload rates, such rates must be made subject to a specified minimum weight or minimum measure per container, or a specified minimum charge per shipment per container, and a maximum weight per container. Where the freight is to be packed (loaded) or unpacked (unloaded) into or from the containers by the domestic or ocean carrier, the tariff must clearly state that the joint rate includes this service or must provide a separate charge to apply when said service is provided.

(3) Rates or charges may be stated to apply on a unit other than a United States unit provided the unit is defined in the tariff where used. A rate or charge applying on a unit of measure may be published, but if the tariff also includes a rate or charge applying on a unit of weight on the same traffic, the charges on the weight basis must alternate with the charges on the measurement basis. In every case, the tariff shall provide a definite method for determining the measurement of the shipment and the applicable charges. "Cargo, N.O.S." may be provided as a commodity description provided the term is clearly defined in the tariff where used. The tariff may provide for a percentage increase or reduction in the rates or charges for the purpose of (i) restoring or maintaining the relationship of United States currency to the foreign currency involved; (ii) covering the cost of bunker fuel used by the vessel; or (iii) covering the higher cost caused by the risk incurred by a vessel entering or leaving a war zone, or caused by the congestion at the port to or from which a vessel moves. Tariffs governing the application of the rate tariff need not show a carrier as a participant when none of the provisions therein apply for such carrier's account.

(4) Allowances, cargo administrative charges, or reductions shall not be provided for payment to shippers or other parties for services performed by or facilities furnished by other than the carriers parties to the through transportation unless (i) such carriers by tariff publication hold themselves out to perform such services and furnish such facilities, (ii) such carriers are able to perform such services and furnish such facilities upon reasonable demand, and (iii) the performance of such services and furnishing of such facilities are included in the through joint-rate or charge.

(5) A domestic carrier desiring to become a participant in a tariff filed in the name of a conference of ocean carriers may, in lieu of giving a power of attorney to the conference, give to an ocean carrier participating in such conference tariffs a concurrence in tariffs issued and filed by the ocean carrier or the conference, or both. A limited concurrence may provide for only those limitations authorized in § 1300.19. The concurrence forms prescribed by § 1300.19 shall be modified to show that the authority extends to amendments to the tariff(s) and to tariffs filed in the name of the conference (agent), and to show the types of tariffs (such as tariffs containing joint rail-ocean rates, joint rail-motor-ocean rates, et cetera) in which the domestic carrier desires to participate.

(6) (i) The tariff may be amended on 5 days' notice to this Commission and the public to provide changes in rates, charges, rules, regulations, or other provisions therein to meet reductions in charges to the shipper resulting from changes in rates, charges, rules, regulations, or other provisions filed on less than 30 days' notice in the all-water tariffs of competing carriers not subject to the jurisdiction of this Commission but subject to the jurisdiction of the Federal Maritime Commission. When the amending publication is transmitted to this Commission for official filing, it shall be accompanied by an exact copy of the competing carrier's tariff amendment(s), or in the alternative a copy of the all-water conference bulletin or tariff circular notice, or both, on file with the Federal Maritime Commission. The publication shall also be accompanied by a specific explanation of the changes being made and a notarized certification that the charges resulting from the changes are not lower than the competing carrier's all-water (ocean) charges.

(ii) There shall be no inconsistencies in the effective dates on the tariff publications filed jointly with the Federal Maritime Commission and the Interstate Commerce Commission.

(iii) The tariff(s) being amended shall contain an effective cargo, n.o.s. rate or similar general cargo rate, which rate would otherwise be applicable to the specific commodity from and to the same points, via the route, and the established specific commodity rate shall be equal to or lower than the previously applicable rate.

(iv) The division, rate, or charge to be collected by the domestic carrier(s) for its portion of the through service shall be

no less than the existing division, rate, or charge on the same commodity in like quantity from and to the same points and by the same route.

(v) If this Commission receives a petition which requests suspension of any change filed under authority of paragraph (b)(6) of this section and if the petition is received before the change becomes effective, the protested change shall, within 10 days after notification from this Commission to the carrier or publishing agent, be canceled on 1 day's notice. The protested change may not be republished under authority of paragraph (b)(6) of this section.

(vi) The following may not be filed under authority of paragraph (b)(6) of this section:

(a) Tariff publication providing new or initial rates, charges, routes, rules, regulations, or other provisions.

(b) Tariff publications which provide new points or ports of origin or destination, or both.

(c) Tariff publications which provide for the elimination or cancellation of a specific commodity, rate, charge, route, or service, except where such elimination or cancellation produces a reduction in a rate or charge, and except where authorized by paragraph (b)(6)(v) of this section.

(d) Tariff publications seeking to meet a competing rate, charge, rule, regulation, or other provision established in an all-water tariff filed in the name of an ocean carrier also publishing in its own name the intermodal tariff naming the through route and joint rate, or filed in the name of any subsidiary or affiliate thereof.

(e) Tariff publications which bear an effective date of more than 30 days later than the effective date of the reduction by the competing ocean carrier.

(vii) Rates, charges, rules, regulations, or other provisions need not be effective for 30 days prior to being changed under authority of paragraph (b)(6) of this section.

(c) *Port combination basis.*—Domestic and ocean carriers may enter into joint rate arrangements, as authorized by paragraph (b) of this section, and domestic carriers may at the same time maintain in effect rates applicable only from and to the ports, usable in combination with ocean carriers' independently established rates. Publication of such rates by the domestic carrier shall be subject to the following:

(1) The domestic carriers shall file their rates to the ports and from the ports, and such rates must be the same for all, regardless of which ocean carrier may be designated by the shipper, except as otherwise provided by section 28 of the Merchant Marine Act (41 Stat. 988, 46 U.S.C. 884).

(2) When the domestic carriers publish rates which are indicated to apply only on export or import traffic, the tariffs containing such rates shall specify by inclusion or exclusion the countries to or from which traffic subject to such rates shall move, regardless of whether such countries are, or are not, adjacent to the United States. Tariffs shall also specify whether or not property destined to or coming from the Republic of Cuba, the Commonwealth of Puerto Rico, Guam, Hawaii, or the Canal Zone is subject to such rates. In the absence of a statement in tariffs limiting the application of export or import rates, such rates will apply on traffic destined to or coming from them.

(3) As a matter of convenience to the public, the domestic carriers may also publish as information in their tariffs the ocean carriers' rates or charges that will apply to or from a foreign country in connection with the domestic carriers' rates. When this is done, the ocean carriers' rates or charges are in no manner subject to the jurisdiction of this Commission, but the rates of the domestic carriers applying to or from the ports are subject to all provisions of the Interstate Commerce Act and to this Commission's regulations.

(d) *Through export and import billing.*—Export and import shipments may be forwarded under through billing. Through bills of lading must clearly separate the liability of the carriers included therein, where different, and must show (1) the tariff rates or charges of the domestic carriers to or from the port or (2) the joint rates or charges when such rates or charges are established and are named in tariffs on file with this Commission as provided in paragraph (b) of this section. The name of the domestic carrier shall appear in a prominent place on the face of the bill of lading when that carrier originates the shipment. Tariffs which provide for the use of a specified kind of bill of lading shall reproduce all of the terms and conditions thereof.

CROSS REFERENCE: For regulations governing the posting of freight tariffs of common carriers by rail, water, and pipeline, including tariffs containing joint motor-rail or motor-rail-water rates, see Subpart A of Part 1305 of this chapter.

PART 1305—POSTING TARIFFS AT STATIONS

1. Section 1305.0 is revised to read as follows:

§ 1305.0 Application—posting of tariffs defined.

(a) The regulations in this subpart shall also govern the posting (by carriers subject to the jurisdiction of the Interstate Commerce Commission) of any tariff containing a through route and joint rate over the lines of a common carrier by railroad, pipeline, or water, or by railroad or pipeline jointly with a common carrier by motor vehicle, subject to the Interstate Commerce Act, on the one hand, and a vessel-operating common carrier by water engaged in the foreign commerce of the United States, as defined in the Shipping Act, 1916, on the other hand, and all other tariffs governing the application of the rate tariff, for the transportation of property between any place in the United States and any place in a foreign country. See § 1300.67.

(b) The term "post" as used in this part means the maintenance of a file of tariffs in the custody of an agent of the carrier in a complete, accessible, and usable form, and keeping such file of tariffs available to the public upon request during ordinary business hours. The term "tariff" as used in this part includes tariff supplements or amendments.

PART 1307—FREIGHT RATE TARIFFS, SCHEDULES, AND CLASSIFICATIONS OF MOTOR CARRIERS

1. Section 1307.22 is revised to read as follows:

§ 1307.22 Application of regulations.

(a) The regulations in Subpart B will also apply to tariffs containing joint rates of common carriers of property by motor vehicle and common carriers by water subject to part III of the Interstate Commerce Act, other than railroad-owned or railroad-controlled water carriers.

(b) The regulations in Subpart B will also apply to tariffs containing through routes and joint rates over the lines of common carriers by motor vehicle or by motor vehicle jointly with common carriers by water whether or not the water carriers are railroad-owned or railroad-controlled, subject to the Interstate Commerce Act, on the one hand, and vessel-operating common carriers by water engaged in the foreign commerce of the United States, as defined in the Shipping Act, 1916, on the other hand, for the transportation of property between any place in the United States and any place in a foreign country. See § 1307.49.

(c) The regulations in Subpart B will not apply (i) to tariffs containing joint rates between motor carriers and common carriers by rail or by water when such water carriers are railroad-owned or railroad-controlled and operate under the provisions of section 5(16) of the Interstate Commerce Act; or (ii) to tariffs containing joint motor-rail-water rates whether or not the water carrier is railroad-owned or railroad-controlled. See paragraph (b) of this section for exception.

2. Section 1307.49 is added to read as follows:

§ 1307.49 Export and import traffic—ocean carriers.

(a) *Ocean carriers not subject to Act.*—Common carriers by water or conferences of such carriers, engaged in the foreign commerce of the United States, as defined in the Shipping Act, 1916, that operate between ports of the United States and foreign countries are not subject to the terms of the Interstate Commerce Act or to the jurisdiction of the Interstate Commerce Commission.

(b) *Through routes and joint rates.* (1) A common carrier by motor vehicle or by motor vehicle jointly with a common carrier by water, subject to the Interstate Commerce Act (hereinafter referred to in this section as the domestic carrier), may establish a through route and joint rate with a vessel-operating common carrier

by water engaged in the foreign commerce of the United States (hereinafter referred to in this section as the ocean carrier), as defined in the Shipping Act, 1916, for the transportation of property between any place in the United States and any place in a foreign country. Every tariff naming such a through route and joint rate shall be filed with this Commission. The tariff may be filed in the name of the ocean carrier, a conference of ocean carriers, or the domestic carrier or its tariff publishing agent.

(2) The tariff shall be constructed, filed, and posted in conformity with the Interstate Commerce Act, and, except as otherwise specifically authorized, with the regulations in Parts 1300 and 1305 (regulations in both parts included in Tariff Circular No. 20) of this chapter. The tariff shall be printed in the English language, show all rates and charges in terms of lawful money of the United States, and include the names of all participating carriers, a description of the services to be performed by each participating carrier, a statement of the joint rate, and a clear and definite statement of the division, rate, or charge to be received by the domestic carrier for its share of the revenue covering a through shipment or aggregate of shipments under the tariff. If shipments and/or loaded containers are to be permitted to be aggregated which are rated under more than one tariff published by the carrier or for its account each tariff so affected must contain a specific rule, providing for the aggregation, in connection with the statement of the land carrier's divisions and identifying by I.C.C. number each of the other tariffs. The requirement that rates and charges be stated in the lawful currency of the United States does not pertain to detention, demurrage, per diem, or terminal charges not included in the line-haul rates for services performed at locations outside the territorial limits of the United States. A tariff filed in the name of a conference shall show "Agent" after the name of the conference wherever it appears. If the tariff provides less-than-carload, less-than-containerload, or less-than-trailerload service, such service must be defined. If the tariff provides containerload rates, such rates must be made subject to a specified minimum weight or minimum measure per container, or a specified minimum charge per shipment per container and a maximum weight per container. Where the freight is to be packed (loaded) or unpacked (unloaded) into or from the containers by the domestic or ocean carrier, the tariff must clearly state that the joint rate includes this service or must provide a separate charge to apply when said service is provided.

(3) Rates or charges may be stated to apply on a unit other than a United States unit provided the unit is defined in the tariff where used. A rate or charge applying on a unit of measure may be published, but if the tariff also includes a rate or charge applying on a unit of weight on the same traffic, the charges on the weight basis must alternate with the charges on the measurement basis. In every case, the tariff shall provide a definite method for determining the measurement of the shipment and the applicable charges. "Cargo, N.O.S." may be provided as a commodity description provided the term is clearly defined in the tariff where used. The tariff may provide for a percentage increase or reduction in the rates or charges for the purpose of (i) restoring or maintaining the relationship of United States currency to the foreign currency involved; (ii) covering the cost of bunker fuel used by the vessel; or (iii) covering the higher costs caused by the risk incurred by a vessel entering or leaving a war zone, or caused by the congestion at the port to or from which a vessel moves. Tariffs governing the application of the rate tariff need not show a carrier as a participant when none of the provisions therein apply for such carrier's account.

(4) Allowances, cargo administrative charges, or reductions shall not be provided for payment to shippers or other parties for services performed by or facilities furnished by other than the carriers parties to the through transportation unless (i) such carriers by tariff publication hold themselves out to perform such services and furnish such facilities, (ii) such carriers are able to perform such services and furnish such facilities upon reasonable demand, and (iii) the performance of such services and furnishing of such facilities are included in the through joint-rate or charge.

(5) A domestic carrier desiring to become a participant in a tariff filed in the name of a conference of ocean carriers may, under authority of § 1307.47(c), give to an ocean carrier participating in such conference tariffs a concurence in tariffs issued and filed by the ocean carrier or the conference, or both. Such a concurrence may be limited only to the extent authorized by that section, except that the concurrence may further limit the authority to specified tariffs. The concurrence form prescribed by § 1307.47 (e) shall be modified to show that the authority extends to amendments to the tariff(s) and to tariffs filed in the name of the conference (agent), and to show the types of tariffs (such as tariffs containing joint motor-ocean rates, joint motor-water-ocean rates, et cetera) in which the domestic carrier desires to participate.

(6) (i) The tariff may be amended on 5 days' notice to this Commission and the public to provide changes in rates, charges, rules, regulations, or other provisions therein to meet reductions in charges to the shipper resulting from changes in rates, charges, rules, regulations, or other provisions filed on less than 30 days' notice in the all-water tariffs of competing carriers not subject to the jurisdiction of this Commission but subject to the jurisdiction of the Federal Maritime Commission. When the amending publication is transmitted to this Commission for official filing, it shall be accompanied by an exact copy of the competing carrier's tariff amendment(s), or in the alternative a copy of the all-water conference bulletin or tariff circular notice, or both, on file with the Federal Maritime Commission. The publication shall also be accompanied by a specific explanation of the changes being made and a notarized certification that the charges resulting from the changes are not lower, than the competing carrier's all-water (ocean) charges.

(ii) There shall be no inconsistencies in the effective dates on the tariff publications filed jointly with the Federal Maritime Commission and the Interstate Commerce Commission.

(iii) The tariff(s) being amended shall contain an effective cargo, n.o.s. rate or similar general cargo rate, which rate would otherwise be applicable to the specific commodity from and to the same points, via the same route, and the established specific commodity rate shall be equal to or lower than the previously applicable rate.

(iv) The divison, rate, or charge to be collected by the domestic carrier(s) for its portion of the through service shall be no less than the existing division, rate, or charge on the same commodity in like quantity from and to the same points and by the same route.

(v) If this Commission receives a petition which requests suspension of any change filed under authority of paragraph (b)(6) of this section and if the petition is received before the change becomes effective, the protested change, shall, within 10 days after notification from this Commission to the carrier or publishing agent, be canceled on 1 day's notice. The protested change may not be republished under authority of paragraph (b)(6) of this section.

(vi) The following may not be filed under authority of paragraph (b)(6) of this section:

(*a*) Tariff publications providing new or initial rates, charges, routes, rules, regulations or other provisions.

(*b*) Tariff publications which provide new points or ports of origin or destination, or both.

(*c*) Tariff publications which provide for the elimination or cancellation of a specific commodity, rate, charge, route, or service, except where such elimination or cancellation produces a reduction in a rate or charge, and except where authorized by paragraph (b)(6)(v) of this section.

(*d*) Tariff publications seeking to meet a competing rate, charge, rule, regulation, or other provision established in an all-water tariff filed in the name of an ocean carrier also publishing in its own name the intermodal tariff naming the through route and joint rate, or filed in the name of any subsidiary or affiliate thereof.

(*e*) Tariff publications which bear an effective date of more than 30 days later than the effective date of the reduction by the competing ocean carrier.

(vii) Rates, charges, rules, regulations, or other provisions need not be effective for 30 days prior to being changed under authority of paragraph (b)(6) of this section.

(c) *Port combination basis.* Domestic and ocean carriers may enter into joint rate arrangements, as authorized by paragraph (b) of this section, and domestic carriers may at the same time maintain in effect rates applicable only from and to the ports, usable in combination with ocean carriers' independently established rates. Publication of such rates by the domestic carrier shall be subject to the following:

(1) The domestic carriers shall file their rates to the ports and from the ports, and such rates must be the same for all, regardless of which ocean carrier may be designated by the shipper, except as otherwise provided by section 28 of the Merchant Marine Act (41 Stat. 988, 46 U.S.C. 884).

(2) When the domestic carriers publish rates which are indicated to apply only on export or import traffic, the tariffs containing such rates shall specify by inclusion or exclusion the countries to or from which traffic subject to such rates shall move, regardless of whether such countries are, or are not, adjacent to the United States. Tariffs shall also specify whether or not property destined to or coming from the Republic of Cuba, the Commonwealth of Puerto Rico, Guam, Hawaii, or the Canal Zone is subject to such rates. In the absence of a statement in tariffs limiting the application of export or import rates, such rates will apply on traffic destined to or coming from them.

(3) As a matter of convenience to the public, the domestic carriers may also publish as information in their tariffs the ocean carriers' rates or charges that will apply to or from a foreign country in connection with the domestic carriers' rates. When this is done, the ocean carriers' rates or charges are in no manner subject to the jurisdiction of this Commission, but the rates of the domestic carriers applying to or from the ports are subject to all provisions of the Interstate Commerce Act and to this Commission's regulations.

(d) *Through export and import billing.* Export and import shipments may be forwarded under through billing. Through bills of lading must clearly separate the liability of the carriers included therein, where different, and must show (1) the tariff rates or charges of the domestic carriers to or from the port or (2) the joint rates or charges when such rates or charges are established and are named in tariffs on file with this Commission as provided in paragraph (b) of this section. The name of the domestic carrier shall appear in a prominent place on the face of the bill of lading when that carrier originates the shipment. Tariffs which provide for the use of a specified kind of bill of lading shall reproduce all of the terms and conditions thereof.

PART 1308—FREIGHT TARIFFS AND SCHEDULES OF WATER CARRIERS

1. In § 1308.0, paragraphs (b) and (c) are revised to read as follows:

§ 1308.0 General provisions; definitions.

* * * * *

(b) *Conformation to regulations, et cetera.* All tariffs applicable on traffic subject to the regulations in this subpart must conform to all of their provisions, except as otherwise authorized by the Commission. They shall state and arrange the rates, charges, rules, and regulations clearly and explicitly in such manner that there will be no doubt of their proper application. Carriers or their agents may not publish rates or provisions which duplicate or conflict with rates or provisions published by or for account of such carriers.

(c) *Nonapplication.* Tariffs governed by the regulations in this subpart must not contain:

Joint water-rail rates;
Joint water-motor rates;
Joint water-rail-motor rates;
Passenger fares;
Contract carrier rates or charges.

Furthermore, tariffs published under this subpart must not contain joint rates and through routes over the lines of common carriers by water subject to the Interstate Commerce Act, on the one hand, and vessel-operating common carriers by water engaged in the foreign commerce of the United States, as defined in the Shipping Act, 1916, on the other hand, for the transportation of property between any place in the United States and any place in a foreign country. For applicable regulations, see §§ 1300.67 and 1307.49.

[FR Doc.75-20356 Filed 8-4-75;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 rulemaking prior to the adoption of the final rules.

DEPARTMENT OF DEFENSE

Department of the Army

[32 CFR Part 641]

[ER 405-1-663]

UNIFORM RELOCATION ASSISTANCE AND REAL PROPERTY ACQUISITION POLICIES ACT OF 1970

Clarification of Procedure for Computing Replacement Housing Payment for Displaced Homeowners

Notice is hereby given that the Department of the Army (acting through the Chief of Engineers) proposes to amend its regulations in Title 32, Part 641, Code of Federal Regulations, governing administration of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (84 Stat. 1894, 42 U.S.C. 4601).

The proposed amendment clarifies procedures concerning computation of the replacement housing payment for homeowners displaced by Government acquisition from tracts larger than the average residential lot in the area or from tracts having a fair market value based on a higher and better use than residential use.

It is the policy of the Department of the Army, whenever practicable, to afford the public the maximum opportunity to participate in the rule making process. Accordingly, interested persons may submit their written comments, suggestions, or objections with respect to the proposed change to Headquarters, Department of the Army (ATTN: DAEN-REH-O), Washington, D.C. 20314, on or before 1 September 1975.

Dated: July 25, 1975.

For the Chief of Engineers.

RUSSELL J. LAMP,
Colonel, Corps of Engineers
Executive.

Subpart E of Part 641 of Subchapter J of Chapter V of Title 32 of the Code of Federal Regulations is amended as follows:

1. Section 641.104 is amended as follows: Paragraph (c)(5) is revised and (c)(6) is deleted as set forth below:

§ 641.104 Different payment for replacement housing.

* * * * *

(c) * * *

(5) Even though a dwelling may be located on a tract larger than the average residential lot in the area or on a tract having a fair market value based on a higher and better use than residential, the replacement housing payment, under section 203 of the Act, must be based on the "acquisition cost" to the Government for the dwelling, including a homesite typical in size for the area. In such cases, the appraiser will be requested to insert a statement in the appraisal report reading substantially as follows: "The total appraised value of this property is $_____, which includes $_____ as the value of the dwelling on a homesite of typical size for the area." To avoid undue administrative costs and complications, the dwelling and homesite value indicated in the appraisal will be used as the acquisition cost of the dwelling and homesite in calculating the replacement housing payment regardless of the amount which may finally be paid for the property as a whole.

(6) [Deleted]

[FR Doc.75-20308 Filed 8-4-75;8:45 am]

DEPARTMENT OF TRANSPORTATION

Coast Guard

[33 CFR Part 117]

[CGD 75-153]

DRAWBRIDGE OPERATION REGULATIONS

Tombigbee River, Ala.

At the request of the Alabama Department of Highways, the Coast Guard is considering revising the regulations for the U.S. Highway 80 drawbridge across the Tombigbee River, mile 201.6, to require at least 24 hours notice from 1 May through 30 November, however when high water occurs during this period, the draw shall open on signal. This change is being considered because of infrequent openings from May through November.

Interested persons may participate in this proposed rule making by submitting written data, views, or arguments to the Commander (oan), Eighth Coast Guard District, Customhouse, New Orleans, La. 70130. Each person submitting comments should include his name and address, identify the bridge, and give reasons for any recommended change in the proposal. Copies of all written communications received will be available for examination by interested persons at the office of the Commander, Eighth Coast Guard District.

The Commander, Eighth Coast Guard District, will forward any comments received before September 5, 1975, with his recommendations to the Chief, Office of Marine Environment and Systems, who will evaluate all communications received and take final action on this proposal. The proposed regulations may be changed in the light of comments received.

In consideration of the foregoing, it is proposed that Part 117 of Title 33 of the Code of Federal Regulations, be amended by adding a new § 117.245(i)(15-a) immediately after § 117.245(i)(15) to read as follows:

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

* * * * *

(i) * * *

(15-a) *Tombigbee River, Ala.; U.S. highway drawbridge near Bellamy.* The draw shall open on signal from December 1 through April 30. The draw shall open on signal from May 1 through November 30 if at least 24 hours notice is given. During periods of high water from May 1 through November 30, the draw shall open on signal.

* * * * *

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

Dated: July 29, 1975.

R. I. PRICE,
Rear Admiral, U.S. Coast Guard, Chief, Office of Marine Environment and Systems.

[FR Doc.75-20310 Filed 8-4-75;8:45 am]

Federal Aviation Administration

[14 CFR Part 39]

[Docket No. 14868]

AIRWORTHINESS DIRECTIVES

Hawker Siddeley Aviation Ltd., DH-114 Series Airplanes

The Federal Aviation Administration is considering amending Part 39 of the Federal Aviation Regulations by adding an airworthiness directive applicable to Hawker Siddeley Aviation Ltd., DH-114 series airplanes. Three have been cracks of the nose gear adjusting screws on Hawker Siddeley Aviation Ltd., DH-114 airplanes, that could result in an inability to lower the gear. Since this condition is likely to exist or develop in other airplanes of the same type design, the proposed airworthiness directive would require the adjusting screw to be replaced with an improved part on Hawker Siddeley Aviation Ltd., DH-114 series airplanes.

Interested persons are invited to participate in the making of the proposed rule by submitting such written data, views, or arguments as they may desire. Communications should identify the docket number and be submitted in duplicate to the Federal Aviation Administration, Office of the Chief Counsel, Attention: Rules Docket, AGC-24, 800 Independence Avenue, SW Washington, D.C. 20591. All communications received on or before September 4, 1975, will be considered by the Administrator before taking action upon the proposed rule. The proposals contained in this notice may be changed in the light of comments received. All comments will be available, both before and after the closing date for comments, in the rules docket for examination by interested persons.

This amendment is proposed under the authority of sections 313(a), 601, and 603 of the Federal Aviation Act of 1958 (49 U.S.C. 1354(a), 1421, 1423) and of section 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)).

In consideration of the foregoing, it is proposed to amend § 39.13 of Part 39 of the Federal Aviation Regulations by adding the following new airworthiness directive:

HAWKER SIDDELEY AVIATION. Applies to DH-114 series airplanes certificated in all categories except those modified in accordance with Hawker Siddeley Modification 1610.

Compliance required within the next 400 hours time in service after the effective date of this AD unless already accomplished.

To prevent cracking of the nose gear adjusting screw, replace P/N 4U.493 with P/N 4U.567 in accordance with paragraph No. 5 of Hawker Siddeley Technical News Sheet No. U.16, dated March 19, 1973, or with an FAA-approved equivalent part and procedure.

Issued in Washington, D.C., on July 29, 1975.

J. A. FERRARESE,
Acting Director,
Flight Standards Service.

[FR Doc.75-20280 Filed 8-4-75;8:45 am]

[14 CFR Part 39]

[Docket No. 14870]

AIRWORTHINESS DIRECTIVES

Pilatus Aircraft Ltd., Model PC-6 Airplanes

The Federal Aviation Administration is considering amending Part 39 of the Federal Aviation Regulations by adding an airworthiness directive applicable to Pilatus Model PC-6 airplanes. There have been reports of hazardous fuel leaks at the elbow fittings connecting the fuel line to the fuel pump and carburetor on Pilatus Model PC-6 airplanes that could result in engine fire. Since this condition is likely to exist or develop in other airplanes of the same type design, the proposed airworthiness directive would require replacement of aluminum fuel line and elbow fittings with stainless steel parts, on Pilatus Model PC-6 airplanes manufactured by Pilatus Aircraft Ltd. The proposed AD would not be applicable to Pilatus Model PC-6 airplanes manufactured by Fairchild Hiller.

Interested persons are invited to participate in the making of the proposed rule by submitting such written data, views, or arguments as they may desire. Communications should identify the docket number and be submitted in duplicate to the Federal Aviation Administration, Office of the Chief Counsel, Attention: Rules Docket, AGC-24, 800 Independence Avenue, SW., Washington, D.C. 20591. All communications received on or before September 4, 1975, will be considered by the Administrator before taking action upon the proposed rule. The proposals contained in this notice may be changed in the light of comments received. All comments will be available, both before and after the closing date for comments, in the rules docket for examination by interested persons.

This amendment is proposed under the authority of Sections 313(a), 601, and 603, of the Federal Aviation Act of 1958 (49 U.S.C. 1354(a), 1421, and 1423) and of Section 6(c) of the Department of Transportation Act (49 U.S.C. 1655 (c)).

In consideration of the foregoing, it is proposed to amend § 39.13 of Part 39 of the Federal Aviation Regulations by adding the following new airworthiness directive:

PILATUS AIRCRAFT LTD. Applies to Pilatus model PC-6 airplanes, serial numbers 685 and below (all variants) manufactured by Pilatus Aircraft Ltd., powered by Lycoming GSO-480-B1A6 engines.

NOTE: This AD does not apply to Pilatus PC-6 airplanes manufactured by Fairchild Hiller.

Compliance is required within the next 100 hours' time in service after the effective date of this AD, unless already accomplished.

To prevent hazardous fuel leaks from developing at the elbow fittings connecting the fuel line to the fuel pump and carburetor and to prevent a broken fuel line, accomplish the following:

(a) Replace aluminum fittings (AN 822-8D and AN 823-8D) with stainless steel fittings (MS 20822-8C and MS 20823-8C), or FAA-approved equivalents.

(b) Replace aluminum fuel line P/N 6238.0094.80 with a stainless steel fuel line P/N 6238.0094.80C, or an FAA-approved equivalent.

Issued in Washington, D.C., on July 29, 1975.

J. A. FERRARESE,
Acting Director,
Flight Standards Service.

[FR Doc.75-20282 Filed 8-4-75;8:45 am]

[14 CFR Part 39]

[Docket No. 14869]

AIRWORTHINESS DIRECTIVES

Pilatus Aircraft Ltd. and Fairchild Hiller Model PC-6 Airplanes

The Federal Aviation Administration is considering amending Part 39 of the Federal Aviation Regulations by adding an airworthiness directive applicable to Pilatus Model PC-6 airplanes. There have been reports of cracks in the rudder bar junction welded seam of Pilatus Model PC-6 airplanes that could result in weakening and eventual failure of the rudder bar. Since this condition is likely to exist or develop in other airplanes of the same type design, the proposed airworthiness directive would require repetitive inspections, interim repair and replacement of the rudder bar, as necessary, on Pilatus Model PC-6 airplanes manufactured by Pilatus Aircraft Ltd. and Fairchild Hiller.

Interested persons are invited to participate in the making of the proposed rule by submitting such written data, views, or arguments as they may desire. Communications should identify the docket number and be submitted in duplicate to the Federal Aviation Administration, Office of the Chief Counsel, Attention: Rules Docket, AGC-24, 800 Independence Avenue SW., Washington, D.C. 20591. All communications received on or before September 4, 1975, will be considered by the Administrator before taking action upon the proposed rule. The proposals contained in this notice may be changed in the light of comments received. All comments will be available, both before and after the closing date for comments, in the rules docket for examination by interested persons.

This amendment is proposed under the authority of sections 313(a), 601, and 603 of the Federal Aviation Act of 1958 (49 U.S.C. 1354(a), 1421, and 1423) and of section 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)).

In consideration of the foregoing, it is proposed to amend § 39.13 of Part 39 of the Federal Aviation Regulations by adding the following new airworthiness directive:

PILATUS AIRCRAFT LTD. AND FAIRCHILD HILLER. Applies to Pilatus model PC-6 airplanes (all variants), serial numbers 338 through 623, manufactured by Pilatus Aircraft Ltd. and serial numbers 2001 through 2067, manufactured by Fairchild Hiller.

Compliance is required as indicated.

To prevent a fatigue failure of the pilot and copilot rudder bar junction welded seam, accomplish the following:

(a) Within the next 10 hours' time in service after the effective date of this AD, unless already accomplished, visually inspect the junction fillet welds (P/Ns 6232.145, 6232.241, and 116.35.06.004) of the pilot and copilot rudder bars and determine whether the weld covers the full 360° of the rudder bar tube circumference or only 250° of the rudder bar tube circumference. If the weld is determined to be of the improved 360° design, no further action is required by this AD.

(b) If the fillet weld is found to be of the non continuous (250°) weld design, visually inspect the rudder bar junction weld for cracks by applying magnaflux or by the dye check method in accordance with paragraph 2.1 of Pilatus Aircraft Ltd. Service Bulletin No. 120, dated January 1973, or an FAA-approved equivalent.

(c) If no cracks are found during the inspection required by paragraph (b) of this AD, within the next 100 hours' time in service and thereafter at intervals not to exceed 100 hours' time in service, visually inspect the rudder bar junction weld for cracks using

a 10 power magnifying glass in accordance with paragraph 2.2 of Pilatus Aircraft Ltd. Service Bulletin No. 120 dated January 1973, or an FAA-approved equivalent.

(d) If cracks are found during an inspection required by paragraphs (b) or (c) of this AD, either repair the rudder bar junction weld in accordance with paragraph 2.3 of Pilatus Aircraft Ltd. Service Bulletin No. 120 dated January 1973, or an FAA-approved equivalent, or replace the rudder bars with new rudder bars of the same part number but with improved 360° weld design.

(e) Within the next 100 hours' time in service after accomplishing the repair described in paragraph (d) of this AD, or, if no cracks were found during the inspections required by paragraphs (b) or (c) of this AD, within the next 300 hours' time in service after complying with the inspection requirements of paragraph (b) of this AD, replace the rudder bars, P/N 6232.145, 6232.241, or 116.35.06.004, with new rudder bars of the same part number incorporating the continuous full 360° fillet weld around the rudder bar circumference.

Issued in Washington, D.C., on July 29, 1975.

J. A. FERRARESE,
Acting Director,
Flight Standards Service.

[FR Doc.75-20281 Filed 8-4-75;8:45 am]

[14 CFR Part 71]

[Airspace Docket No. 75-GL-51]

ALTERATION OF TRANSITION AREA

The Federal Aviation Administration is considering amending Part 71 of the Federal Aviation Regulations so as to alter the transition area at Litchfield, Minnesota.

Interested persons may participate in the proposed rule making by submitting such written data, views, or arguments as they may desire. Communications should be submitted in triplicate to the Director, Great Lakes Region, Attention: Chief, Air Traffic Division, Federal Aviation Administration, 2300 East Devon, Des Plaines, Illinois 60018. All communications received on or before September 4, 1975 will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Administration officials may be made by contacting the Regional Air Traffic Division Chief. 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 the light of comments received.

A public docket will be available for examination by interested persons in the Office of the Regional Counsel, Federal Aviation Administration, 2300 East Devon, Des Plaines, Illinois 60018.

A new instrument approach procedure has been developed for the Litchfield Municipal Airport, Litchfield, Minnesota. The transition area requires alteration to protect this procedure.

In consideration of the foregoing, the Federal Aviation Administration proposes to amend Part 71 of the Federal Aviation Regulations as hereinafter set forth:

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

LITCHFIELD, MINNESOTA

That airspace extending upward from 700 feet above the surface within a 6-mile radius of the Litchfield Municipal Airport (latitude 45°08'18" N., longitude 94°30'56" W.); and within 3½ miles each side of the Darwin VORTAC 139° radial, extending from the 6-mile radius to 11½ miles southeast of the VORTAC.

This amendment is proposed under the authority of 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 Des Plaines, Illinois, on July 17, 1975.

JOHN M. CYROCKI,
Director,
Great Lakes Region.

[FR Doc.75-20284 Filed 8-4-75;8:45 am]

[14 CFR Part 71]

[Airspace Docket No. 75-NE-30]

ALTERATION OF VOR FEDERAL AIRWAY SEGMENT

The Federal Aviation Administration (FAA) is considering an amendment to Part 71 of the Federal Aviation Regulations that would realign the segment of V-229 from Hartford, Conn., to Gardner, Mass.

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 September 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 realign the segment of V-229 between Hartford and Gardner via the INT of the Hartford 044°(057°M) and the Gardner 195°(209°M) radials.

The proposed realignment would enhance control of air traffic and provide an operational advantage by reducing the airway distance between Hartford and Gardner.

This amendment is proposed under the authority of section 307(a) of the Federal Aviation Act of 1958 (49 U.S.C. 1348 (a)) and section 6(c) of the Department of Transportation Act (49 U.S.C. 1655 (c)).

Issued in Washington, D.C., on July 29, 1975.

WILLIAM E. BROADWATER,
Acting Chief, Airspace and Air Traffic Rules Division.

[FR Doc.75-20283 Filed 8-4-75;8:45 am]

COMMODITY FUTURES TRADING COMMISSION

[17 CFR Part 146]

THE REQUIREMENTS OF THE PRIVACY ACT OF 1975

Proposal To Adopt Rules

The Commodity Futures Trading Commission proposes to adopt rules concerning records maintained by the Commission concerning individuals. If adopted, the rules will reflect the Commission's implementation of the requirements of the Privacy Act of 1975, 5 U.S.C. 552a (Pub. L. 93-579), and will comprise a new Part 146 of Title 17 of the Code of Federal Regulations. It is proposed to make these rules effective September 27, 1975, the effective date of the Privacy Act.

SUMMARY OF THE RULES' PROVISIONS

The Privacy Act and the rules being proposed by the Commission generally relate to an individual's right to know what information the Commission has in its files concerning him and his right not to have that information disseminated to unauthorized persons. For this purpose the Act and rules provide for the annual publication by the Commission of notices of each "system of records" it maintains on individuals. The individual may then examine these system notices, determine which system might contain records pertaining to him, and, following procedures established in the proposed rules, ask the Commission to determine whether those systems do in fact contain any information about him.

If the system of records has information concerning an individual, the individual may request and obtain access to those records. Upon payment of specified charges, he may also obtain copies of the records. Furthermore, if he believes information contained in the records is not accurate, relevant, timely, or complete, procedures are established whereby he may seek amendment or correction.

The proposed rules restrict access by others to personal information concerning an individual that is contained in the Commission files. The information is available to members of the Commission and the Commission staff who need it in the pursuit of their duties. Disclosure of the record as required under the Freedom of Information Act, 5 U.S.C. 552, is also permitted without restriction. Beyond that, a record may be disclosed only for purposes specifically authorized under the Privacy Act, or for "routine uses," which must be described and published

by the Commission in the FEDERAL REGISTER for each system of records it maintains. Furthermore, the Commission is required to keep a record of each disclosure, except those made to Commission employees or made pursuant to the Freedom of Information Act. Upon request, it must provide that record to the individual.

The proposed rules exempt certain kinds of records from some of the provisions of the Privacy Act. The exemptions relate primarily to investigatory material compiled for a law enforcement purposes and limited kinds of information which may be found in personnel files maintained by the Commission.

Finally, the proposed rules prescribe certain information that the Commission must give to an individual whenever the Commission requests personal information from him, and standards that the Commission will meet in maintaining its files.

SCOPE OF RULES

Section 146.1 of proposed Part 146 generally describes the scope and purpose of the rules which follow. Section 146.2 contains definitions of terms as they are used in the Privacy Act and in the Commission's rules as well. An understanding of several key terms is essential to an understanding of the scope of the remainder of the provisions.

Of central importance to the Privacy Act and to the Commission's proposed rules, is the concept of a "system of records." A "record" is defined as any item, collection or grouping of information about an individual that contains his name or other identifying particular. A "system of records" is defined as a group of records: (1) which is under the control of the agency; (2) from which information may be retrieved by the name of the individual or some other identifying particular unique to the individual. Thus, information about an individual might be contained in a Commission record, but unless the information is filed under or indexed by the name of the individual, or an individual identifier, it will not come within many of the provisions of the Privacy Act.

The Privacy Act and these rules apply only to records concerning individuals. An "individual" is defined under the Act and for purposes of this Part to mean a citizen of the United States or an alien lawfully admitted for permanent residence. Thus the Privacy Act and these proposed rules will not apply to records of corporations and business organizations. There is some indication in its legislative history that the Privacy Act is not intended to apply to individuals acting in an entrepreneurial capacity. As a practical matter, however, it will usually be difficult to distinguish between personal and entrepreneurial records concerning an individual, and the Commission does not intend to rely upon the distinction as a basis upon which it will deny an individual access to records that concern him.

Among the other important definitions included in § 146.2 are "routine use," which describe a use of a record for a purpose which is compatible with the purpose for which it was collected, and "system notice," which is the description of a system of records that an agency is required to publish in the FEDERAL REGISTER.

PROCEDURES FOR REQUESTING INFORMATION OR ACCESS TO RECORDS PERTAINING TO AN INDIVIDUAL, AND FOR DISCLOSURE OF THE REQUESTED INFORMATION TO THE INDIVIDUAL

Section 146.3 of the proposed rules establishes procedures by which an individual may request information as to whether a system of records maintained by the Commission contains any information relating to him and may request access to his records. Requests are to be made in writing and are to be directed to a Privacy Unit established in the Commission's Washington, D.C. office. To assist the Commission staff in identifying the requested records, certain information is required to be supplied with respect to each system of records from which information is sought. The individual is also required to include in his request certain other information which is designed to enable the Commission to: (1) identify the individual to whom the records pertain; and (2) select the particular information sought by the individual within a record which may contain other types of personal information as well. To assist in properly preparing requests, the Commission offers individuals, free of charge, a compilation of its systems notices. A description of the information included in the system notice and instructions on how to obtain these compilations are set forth in Section 146.11.

Requests will be processed promptly, and the individual will be informed whether any information available to him is contained in the systems of records the Commission maintains. If the individual has requested access, he will be advised where and when he may inspect the records or be given the name and address of the person with whom he should communicate to make further arrangements.

The Commission's proposed rules are designed not only to give an individual access to information about himself, but also to protect him against unauthorized disclosure of that information to others. Section 146.4 of the proposed rules sets forth the methods by which an individual must identify himself in order to gain access to his records. Generally, an individual will be able to satisfy those requirements with forms of identification that he may be expected to have in his possession, *e.g.*, a driver's license or credit cards. However, provision is made for the use of other types of identification in appropriate circumstances. Of course, no identification will be required where access is requested to records that are available to any person under the Freedom of Information Act.

Section 146.5 of the proposed rules establishes procedures by which information will be supplied to the individual, after the request for access has been granted. The individual will normally be given access to his records during the normal business hours in the Commission office where the records are maintained, but exceptions will be granted for good cause. The individual may be accompanied by persons of his own choosing when reviewing the records, but will be required to provide the Commission with a statement in writing authorizing access by these persons.

The Privacy Act makes no special provision for access by a second person unless accompanied by the individual to whom the record pertains and the legislative history suggests that the Privacy Act was in fact directed toward personal participation by the individual in the process. However, the Commission anticipates that in most cases it will honor a request by the individual that another person be granted access in his absence, so long as the authority and identity of the other person are unambiguously demonstrated.

As an alternative to personal inspection of the record, or in addition thereto, the individual may obtain copies of the records which pertain to him. The fees which the Commission has established for copies are set forth in an appendix to Part 146.

The individual is entitled to the information he requests in a meaningful form. Under some circumstances, this may not be possible through direct access to the record itself. For example, the record may contain information concerning matters which do not pertain to the individual and which he is not entitled to see. To extract only the information relating to that individual may not be a satisfactory solution. Accordingly, where necessary to make the record meaningful, the staff is authorized to prepare a report of the relevant information and present that to the individual.

DISCLOSURE OF THE INDIVIDUAL'S RECORD TO THIRD PARTIES

To protect against disclosure of personal information to unauthorized persons, § 146.6 of the proposed rules implements the provisions of the Privacy Act limiting disclosure without the written consent of the individual whose record is involved, except in certain specified circumstances.

There are three situations in which disclosure is authorized under the rules that can be expected to arise frequently: disclosure to those persons within the Commission who need to have access to the information in order to perform their jobs; disclosure required under the Freedom of Information Act; and disclosure that has been established as a routine use for that system of records, through publication in the FEDERAL REGISTER. The Commission expects to publish for public comment an initial list of routine uses in about 30 days.

When disclosures are made of individual information contained in a system of records, the Commission's rules, consistent with the Privacy Act, will require

that an accounting be kept of such disclosures. This accounting serves two purposes: (1) to enable the individual, with certain exceptions, to determine to whom disclosures about him are being made, and (2) to enable the Commission to notify prior recipients of subsequent corrections to records or of the existence of a dispute concerning their accuracy. No accounting is required, however, for disclosures made with the consent of the individual, for internal disclosures, and for disclosures pursuant to the Freedom of Information Act.

PROCEDURES FOR CORRECTION OR AMENDMENT OF RECORDS

If an individual believes that records concerning him are not accurate, relevant, timely and complete, he may request an amendment to these records following procedures established in proposed § 146.8. If the staff grants a request to amend a record, not only will the individual be notified of the decision, but prior recipients of the record identified in the accounting of disclosures will be notified of the correction and of its substance. If the request for amendment should be denied, the individual will be given the reasons for that decision and notified that he may seek review of the denial by the Commission itself, in accordance with procedures set forth in § 146.9.

PROCEDURES FOR APPEALS TO THE COMMISSION

In order to assure that all persons will have direct access to the Commission to complain about an alleged failure of the Commission or members of its staff to comply with the requirements of the Privacy Act and of the proposed rules, § 146.9 creates a right to petition the Commission in writing to seek correction of the deficiency. The individual may petition for review of a denial of access or denial of a request to amend a record. This section also authorizes a petition to the Commission when it is claimed that a determination was made previously on the basis of inaccurate, incomplete, irrelevant, or out of date information about the individual contained in Commission records. Commission review may also be sought with respect to other matters as well. The procedures established are not, however, intended to permit the reopening of litigated cases although, under exceptional circumstances, if injustice has been done, the Commission may treat a petition under this section as a petition to reopen an otherwise finally decided matter.

Instructions on preparing and filing a petition are contained in § 146.9. While the word "petition" is used in the rule, the Commission will consider any written complaint, however informally presented, if the complainant indicated it is being submitted pursuant to § 146.9 or if it plainly encompasses a complaint remediable under that provision. The Commission has undertaken in its rule to make a determination of the matter within thirty business days after it is received.

In those situations where an individual has sought review of the denial of a request to amend a record, which was made pursuant to § 146.8, certain special provisions apply. If the Commission determines that the record should be amended, prior recipients of the record will be notified of the change and its substance. If the petition is denied, the individual will be advised of that determination, the reasons for the denial and of his right to obtain judicial review. The proposed rules also permit an individual to file a statement indicating why he disagrees with the Commission's refusal to amend the record. Subsequent disclosures of the disputed record will note the dispute and include a copy of the statement of disagreement.

EXEMPTIONS

The Privacy Act, 5 U.S.C. 552a(k), authorizes the Commission by rule to exempt certain systems of records from some of the provisions of the Act, primarily those provisions relating to disclosure to the individual of information about himself contained in Commission files. Pursuant to that authority the Commission is proposing in § 146.2 of the rules to exempt investigatory material compiled for law enforcement purposes. In addition, a narrow exemption relating to personnel records is being proposed.

OTHER MATTERS

The individual is entitled, pursuant to Section 146.10 of the proposed rules, to certain information from the Commission when it seeks personal information from him. This includes information about: (1) the Commission's authority to request the information; (2) the purposes and uses which will be or may be made of the data; (3) whether the disclosure is mandatory or voluntary; and (4) the effect, if any, of not providing the information.

Section 146.7 provides that the Commission's records shall be timely, relevant, accurate and complete, and that the Commission shall not maintain information in the files which is not relevant or necessary to accomplish statutory objectives. The proposed rules also circumscribe the collection of material by the Commission relating to the exercise of First Amendment rights, and require that the Commission should collect information directly from the individual—rather than secondary sources—where fairness so requires.

The text of the proposed rules is as follows:

Part 146—Records Maintained on Individuals

§ 146.1 Purpose and scope.

(a) This part contains the rules of the Commodity Futures Trading Commission implementing the Privacy Act of 1974 (Pub. L. 93-579, 5 U.S.C. 552a). These rules apply to all records maintained by this Commission which are not excepted or exempted as set forth in § 146.12, insofar as they contain personal information concerning an individual, identify that individual by name or other symbol and are contained in a system of records from which information is retrieved by the individual's name or identifying symbol. Among the primary purposes of these rules are to permit individuals to determine whether information about them is contained in Commission files and, if so, to obtain access to that information; to establish procedures whereby individuals may have inaccurate and incomplete information corrected; and to restrict access by unauthorized persons to that information.

(b) In this part the Commission is also exempting certain Commission systems of records from some of the provisions of the Privacy Act of 1974 that would otherwise be applicable to those systems.

§ 146.2 Definitions—for purposes of this Part 146.

(a) The term "Commission" means the Commodity Futures Trading Commission;

(b) The term "Executive Director" refers to the executive level staff official appointed pursuant to section 2(a)(5) of the Commodity Exchange Act and whose responsibilities are set forth in 17 CFR ;

(c) The term "Privacy Unit" refers to a staff subdivision established in the Commission's principal office in Washington, D.C. to process requests, and handle various other matters relating to the Commission's implementation of the Privacy Act of 1974;

(d) The term "individual" means a citizen of the United States or an alien lawfully admitted for permanent residence;

(e) The term "maintain" includes maintain, collect, use, or disseminate;

(f) The term "record" means any item, collection, or grouping of information about an individual that is maintained by the Commission, including but not limited to, his education, financial transactions, and criminal or employment history and that contains his name, or the identifying number, symbol, or other identifying particular assigned to the individual;

(g) The term "system of records" means a group of any records under the control of the Commission retrieved by the name of the individual or by some identifying number, symbol, or other identifying particular assigned to the individual;

(h) The term "system notice" means a notice of the existence and character of Commission's system of records published in the FEDERAL REGISTER pursuant to § 146.11(a);

(i) The term "routine use" means, with respect to the disclosure of a record, the use of such record for a purpose which is compatible with the purpose for which it was collected;

(j) The term "Fredom of Information Act" encompasses both the Freedom of Information Act, as amended 5 U.S.C. 552, and Part 145 of this Title;

(k) The term "agency" means any executive department, military department, Government corporation, Government controlled corporation or other establishment in the Executive branch of the Government or any independent regulatory agency.

§ 146.3 Requests by an individual for information or access.

(a) Any individual may request information on whether a system of records maintained by the Commission contains any information pertaining to him, or may request access to his record or to any information pertaining to him which is contained in a system of records. All requests shall be directed to the Privacy Unit, Commodity Futures Trading Commission, 1120 Connecticut Avenue, N.W., Washington, D.C. 20036.

(b) A request for information or for access to records under this Part may be made by mail or in person. The request shall (1) be in writing and signed by the individual making the request; (2) include the full name (including the middle name) of the individual seeking the information or record, his home address and telephone number, his business address and telephone number; and (3) if he is or ever has been registered with the Commission or its a predecessor agency, or associated with a firm so registered as a partner, officer or director or 10 percent shareholder, state in what capacity he is or was registered.

(c) For each system of records from which information is sought, the request shall (1) specify the title and identifying number as it appears in the system notice published by the Commission; (2) provide such additional identifying information, if any, as may be required by the system notice; (3) describe the specific information or kind of information sought within that system of records; and (4) set forth any unusual arrangements sought concerning the time, place, or form of access. A description of the information contained in a system notice and instructions on how to obtain copies of the Commission's system notices appear in § 146.11(b).

(d) The Commission will respond in writing to a request made under this section within ten days (excluding Saturdays, Sundays and legal public holidays) after receipt of the request. If a definitive reply cannot be given within ten days, the request will be acknowledged and an explanation will be given of the status of the request. Since some materials are exempt from disclosure to the individual to whom they relate, an inquiry as to whether a system of records contains any information pertaining to an individual will be responded to in terms of whether or not the system contains any information which is available to the individual under the Privacy Act and the rules of this Part.

(e) The individual either will be notified in writing of where and when he may obtain access to the records requested or will be given the name, address and telephone number of the member of the Commission staff with whom he should communicate to make further arrangements for access.

§ 146.4 Procedures for identifying the individual making the request.

When a request for information or for access to records has been made pursuant to § 146.3, before information is given or access is granted pursuant to § 146.5 of these rules the Commission shall require reasonable identification of the person making the request to insure that information is given and records are disclosed only to the proper person.

(a) An individual may establish his identity by:

(1) Submitting with his request for information or for access a photocopy of two pieces of identification bearing his name and signature, one of which shall bear his current home or business address; or

(2) Appearing at any office of the Commission (located at the addresses set forth in § 145.6) during the regular working hours for that office and presenting either:

(i) One piece of identification containing a photograph and signature, such as a drivers license or passport; or

(ii) Two pieces of identification bearing his name and signature, one of which shall bear his current home or business address;

(3) Providing such other proof of identity as the Commission deems satisfactory in the circumstances of a particular request.

(b) If the Executive Director or other designated Commission official determines that the data in a requested record is so sensitive that unauthorized access could cause harm or embarrassment to the person whose record is involved, or if the person making the request is unable to produce satisfactory evidence of identity under subsection (a) above, the individual making the request may be required to submit a notarized statement attesting to his identity and that he is familiar with and understands the criminal penalties provided under section 1001 of Title 18 of the United States Code for making false statements to a Government agency and under the Privacy Act, section 552a(i)(3) of Title 5 of the United States Code, for obtaining records under false pretenses. Copies of these statutory provisions and forms for such notarized statements may be obtained upon request from the Privacy Unit, Commodity Futures Trading Commission, 1120 Connecticut Avenue, NW., Washington, D.C. 20036.

(c) The parent or guardian of a minor or a person judicially determined to be incompetent, in addition to establishing the identity of the person he represents as described in the previous paragraphs of this subsection, shall establish his own identity and his parentage or guardianship by furnishing a copy of a birth certificate showing parentage or a court order establishing the guardianship.

(d) Nothing in this section shall preclude the Commission from requiring additional identification before granting access to the records if there is reason to believe that the person making the request may not be the individual to whom the record pertains, or where the sensitivity of the data warrants it.

(e) The requirements of this § 146.4 shall not apply if the records involved would be available to any person under the Freedom of Information Act. The Commission's rules implementing the Freedom of Information Act are set forth in Part 145 of this Title.

§ 146.5 Disclosure of requested information to individuals; fees for copies of records.

(a) Any individual who has requested access to his record or to any information pertaining to him in the manner prescribed in § 146.3, and has identified himself as prescribed in § 146.4, shall be permitted to review the record and have a copy made of all or any portion thereof in a form comprehensible to him, subject to fees for copying services set forth in Appendix A to this Part (§ 146a). Upon his request persons of his own choosing may accompany him, but the individual shall first furnish a written statement authorizing discussion of that individual's record in the accompanying persons' presence.

(b) Access will generally be granted in the office of the Commission where the records are maintained during normal business hours, but for good cause shown the Commission may grant access at another office of the Commission or at different times for the convenience of the individual making the request.

(c) Where a document containing information about an individual also contains information not pertaining to him, the portion not pertaining to the individual shall not be disclosed to him except to the extent the information is available to any person under the Freedom of Information Act. If the records sought cannot be provided for review and copying in a meaningful form, the Commission shall provide to the individual a report of the information concerning the individual contained in the record or records which shall be complete and accurate in all material aspects.

(d) Where the disclosure involves medical records, the records may be provided only to a physician designated in writing by the individual.

(e) Requests for copies of documents may be directed to the Privacy Unit or to the member of the Commission's staff through whom arrangements for access were made.

(f) Fees for copies of records shall be charged as set forth in the schedule of fees contained in Appendix A of this Part 146. Copies of the schedule may be obtained upon request from the Privacy Unit, Commodity Futures Trading Commission, 1120 Connecticut Avenue, NW., Washington, D.C. 20036. Payment should be made by check or money order payable to the Treasury of the United States. Advance payment of all or part of the fee may be required at the discretion of the Commission, but generally this will not be required for requests where the anticipated fee is less than $25.

(g) Nothing in this § 146.5 or in § 146.3 shall:

(1) Require the disclosure of records exempted under § 146.12 of these rules, including the exemption relating to investigative records;

(2) Allow an individual access to any information compiled in reasonable anticipation of a civil action or proceeding or a criminal proceeding;

(3) Require the furnishing of information or records which cannot be retrieved by the name or other identifier of the individual making the request.

§ 146.6 Disclosure to third parties.

(a) The Commission shall not disclose to any agency or to any person by any means of communication a record pertaining to an individual which is contained in a system of records, except under the following circumstances:

(1) The individual to whom the record pertains has given his written consent to the disclosure;

(2) The disclosure is to officers and employees of the Commission who need it in the performance of their duties;

(3) Disclosure is required under the Freedom of Information Act (5 U.S.C. 552);

(4) Disclosure is for a routine use as defined in § 146.2(g) of these rules and described in the system notice for that system of records;

(5) The disclosure is made to the Bureau of the Census for purposes of planning or carrying out a census or survey or related activity;

(6) The disclosure is made to a recipient who has provided the agency with advance adequate written assurance that the record will be used solely as a statistical research or reporting record, and the record is to be transferred in a form that is not individually identifiable;

(7) The disclosure is made to another agency or to an instrumentality of any Governmental jurisdiction within or under the control of the United States for a civil or criminal law enforcement activity if the activity is authorized by law and if the head of the agency or instrumentality has made a written request to the Commission specifying the particular portion desired and the law enforcement activity for which the record is sought;

(8) The disclosure is made to a person pursuant to a showing of compelling circumstances affecting the health or safety of an individual if upon such disclosure notification is transmitted to the last known address of such individual;

(9) The disclosure is made to either House of Congress, or, to the extent of matter within its jurisdiction, any committee or subcommittee thereof, any joint committee of Congress or subcommittee of any such joint committee;

(10) The disclosure is made to the Comptroller General, or any of his authorized representatives, in the course of the performance of the duties of the General Accounting Office; or

(11) Pursuant to the order of a court of competent jurisdiction.

(b) The Commission will make reasonable efforts to serve notice on an individual when any record on such individual is made available to any person under compulsory legal process when such process becomes a matter of public record.

(c) The Commission, with respect to each system of records under its control, shall keep an accurate accounting of certain disclosures:

(1) A record shall be kept of all disclosures made under paragraph (a) of this § 146.6, except disclosures made with the consent of the individual to whom the record pertains [paragraph (a)(1)], disclosures to authorize employees (subparagraph (a)(2) and disclosures required under the Freedom of Information Act (subparagraph (a)(3))).

(2) The record shall include:

(i) The date, nature, and purpose of each disclosure of a record made to any person or to another agency;

(ii) The name and address of the person or agency to whom the disclosure was made.

(3) The accounting will be retained for at least five years or the life of the record, whichever is longer, after the disclosure for which the accounting is made.

(d) The accounting described in paragraph (c) will be made available to the individual named in the record upon his written request, directed to the Privacy Unit, Commodity Futures Trading Commission, 1120 Connecticut Avenue, NW., Washington, D.C. 20036, except that the accounting will not be revealed with respect to disclosures made under paragraph (a)(7) of this § 146.6, pertaining to law enforcement activity, and to disclosures involving systems of records exempted under § 146.12 of these rules.

(e) Whenever an amendment or correction of a record or a notation of dispute concerning the accuracy of records is made by the Commission in accordance with §§ 146.8 and 146.9 of these rules, the Commission will inform any person or other agency to whom the record was previously disclosed, if an accounting of the disclosure was made pursuant to the requirements of paragraph (c) of this § 146.6.

§ 146.7 Content of systems of records.

(a) The Commission will maintain in its records only such information about an individual as is relevant and necessary to accomplish the purposes of the Commodity Exchange Act and other purposes required to be accomplished by statute or by executive order of the President.

(b) The Commission will maintain no record describing how any individual exercises rights guaranteed by the First Amendment unless expressly authorized by statute or by the individual about whom the record is maintained or unless pertinent to and within the scope of an authorized law enforcement activity.

(c) The Commission will collect information to the greatest extent practicable directly from the subject individual when the information may result in adverse determinations about an individual's rights, benefits, and privileges under Federal programs.

(d) The Commission will maintain all records which are used by the Commission in making any determination about any individual with such accuracy, relevance, timeliness, and completeness as is reasonably necessary to assure fairness to the individual in the determination.

§ 146.8 Amendment of a record.

(a) Any individual may request amendment of information pertaining to him which is contained in a system of records maintained by the Commission and which is filed under his name or other individual identifier if he believes the information is not accurate, relevant, timely or complete. A request for amendment shall be directed to the Privacy Unit, Commodity Futures Trading Commission, 1120 Connecticut Avenue, NW., Washington, D.C. 20036.

(b) A request for amendment may be made by mail or in person and shall (1) be in writing and signed by the person making the request; (2) describe the particular record to be amended with sufficient specificity to permit the record to be located among those maintained by the Commission; and (3) specify the nature of the amendment sought and the justification for the requested change. The person making the request may be required to provide the information specified in § 146.3 and § 146.4 of these rules in order to simplify identification of the record and permit verification of the identity of the person making the request for amendment.

(c) Receipt of a request for amendment will be acknowledged in writing within ten days (excluding Saturdays, Sundays and legal public holidays) except that, if the individual is given notice within the ten day period that his request will or will not be complied with, no acknowledgement is required.

(d) Assistance in preparing a request to amend a record may be obtained from the Privacy Unit, Commodity Futures Trading Commission, 1120 Connecticut Avenue, NW., Washington, D.C. 20036.

(e) Upon receipt of a request for amendment the Executive Director of the Commission or a person designated by the Executive Director shall promptly determine whether the record is materially inaccurate, incomplete, misleading, or is irrelevant or not timely, as claimed by the individual, and, if so, shall cause the record to be amended in accordance with the individual's request.

(f) If the Executive Director or designee grants the request to amend the record, the individual shall promptly be advised of the decision and of the action taken, and notice shall be given of the correction and its substance to each person or agency to whom the record had previously been disclosed, as shown on the record of disclosures maintained in accordance with § 146.6(c) of these rules.

(g) If the Executive Director or designee disagrees in whole or in part with a request for amendment of a record, the individual shall promptly be notified of the complete or partial denial of his request and the reasons for the refusal. The individual shall also be notified of the procedures for administrative review

by the Commission of any complete or partial denial of a request for amendment, which are set forth in § 146.9 of these rules.

(h) If a request is received for amendment of a record prepared by another agency which is in the possession or control of the Commission, the request for amendment will be forwarded to that agency. If that agency determines that the correction should be made, the Commission will amend its records accordingly and notify the individual making the request for amendment of the change. If the other agency declines to make the amendment, the Executive Director or designee will independently determine whether the amendment will be made to the record in the Commission's possession or control, considering any explanation given by the other agency for its decision.

§ 146.9 Appeals to the Commission.

(a) Any individual may petition the Commission:

(1) To review a refusal to comply with an individual request for access to records pursuant to the Privacy Act, 5 U.S.C. 552a(d)(1), and §§ 146.3 and 146.5 of the rules in this part;

(2) To review denial of a request for amendment made pursuant to § 146.8;

(3) To correct any determination that may have been made adverse to the individual based in whole or in part upon inaccurate, irrelevant, untimely or incomplete information;

(4) To correct a failure to comply with any other provision of the Privacy Act, 5 U.S.C. 552a, and the rules of this Part 146, which has had an adverse effect on the individual.

(b) The petition to the Commission shall be in writing and shall (1) state in what manner it is claimed the Commission or any Commission employee has failed or refused to comply with provisions of the Privacy Act or of the rules contained in this Part 146, and (2) set forth the corrective action the petitioner wishes the Commission to take. The petitioner may, if he wishes, state such facts and cite such legal or other authorities as he considers appropriate.

(c) The petition should be directed to the Privacy Unit, Commodity Futures Trading Commission, 1120 Connecticut Avenue, NW., Washington, D.C. 20036.

(d) The Commission will make a determination of any petition filed pursuant to this § 146.9 within thirty days (excluding Saturdays, Sundays and legal public holidays) after receipt by the Privacy Unit of the petition, unless for good cause shown, the Commission extends the 30-day period. If a petition is denied, the Commission will notify the petitioner in writing and state the reasons therefor.

(e) Where the petition is made for review of a denial of a request for amendment made pursuant to § 146.8, the following additional procedures shall apply:

(1) If upon review the Commission grants the petition to amend the record, notice of the correction and its substance shall be given to each person or agency to whom the record had previously been disclosed, as shown on the record of disclosures maintained in accordance with § 146.6(c) of these rules.

(2) If upon review the initial denial of the request for amendment is upheld in whole or in part, the individual shall be notified of the provisions for judicial review of that determination which are set forth in Section 552a(g)(1)(A) and (2)(A), of Title 5 of the United States Code and the provisions for disputed records set forth in subparagraph (e)(3) of this § 146.7.

(3) If after review the Commission has declined to amend the records as the individual has requested, the individual may file with the Privacy Unit a concise statement setting forth why he disagrees with the Commission's denial of his request. Any subsequent disclosure containing information about which a statement of disagreement has been filed shall clearly note the portion which is disputed, and include a copy of the individual's statement. The Commission may also include a copy of a concise statement explaining its reasons for not making the amendments requested.

§ 146.10 Information supplied by the Commission when collecting information from an individual.

The Commission will inform each individual whom it asks to supply information, on the form which it uses to collect the information or on a separate form that can be retained by the individual of:

(a) The authority (whether granted by statute, or by executive order of the President) which authorizes the solicitation of the information and whether disclosure of such information is mandatory or voluntary;

(b) The principal purpose or purposes for which the information is intended to be used;

(c) The routine uses which may be made of the information, as published in the FEDERAL REGISTER; and

(d) The effects on him, if any, of not providing all or any part of the requested information.

§ 146.11 Public notice of records systems.

(a) The Commission will publish in the FEDERAL REGISTER at least annually a notice of the existence and character of each of its system of records, which notice shall include:

(1) The name and location of the system;

(2) The categories of individuals on whom records are maintained in the system;

(3) The categories of records maintained in the system;

(4) Each routine use of the records contained in the system, including the categories of users and the purpose of such use;

(5) The policies and practices of the Commission regarding storage, retrievability, access controls, retention, and disposal of the records;

(6) The title and business address of the Commission official who is responsible for the system of records;

(7) The procedures whereby an individual can be notified at his request if the system of records contains a record pertaining to him;

(8) The procedures whereby an individual can be notified at his request how he can gain access to any record pertaining to him contained in the system of records, and how he can contest its content; and

(9) The categories of sources of records in the system.

(b) Copies of the notices as printed in the Federal Register will be available in each office of the Commission. Locations of Commission offices are listed in § 145.6 of these rules. Mail requests should be directed to the Privacy Unit, Commodity Futures Trading Commission, 1120 Connecticut Avenue, NW., Washington, D.C. 20036. The first copy will be furnished free of charge. A charge of $3.00 will be made for each additional copy.

§ 146.12 Exemptions.

(a) Investigatory materials compiled for law enforcement purposes are exempt from portions of the Privacy Act of 1974 and of these rules as set forth in subsection (c) of this § 146.12, on the basis and to the extent that individual access to these files could impair the effectiveness and orderly conduct of the Commission's enforcement program. Provided, however, that if any individual is denied any right, privilege, or benefit to which he would otherwise be entitled by Federal law, or for which he would otherwise be eligible, as a result of the maintenance of such material, such material shall be provided to the individual, except to the extent that the disclosure of such material would reveal the identity of a source who furnished information to the Government under an express promise that the identity of the source would be held in confidence, or, prior to the effective date of this section, under an implied promise that the identity of the source would be held in confidence. Materials exempted under this paragraph are contained in the system of records entitled "Exempted Investigatory Materials."

(b) Investigatory material compiled solely for the purpose of determining suitability, eligibility, or qualifications for employment with or contracts with the Commission are exempt from portions of the Privacy Act of 1974 and of these rules as set forth in paragraph (c) of this § 146.12, to the extent that it identifies a confidential source. This is done in order to encourage persons from whom information is sought to provide information to the Commission which absent assurances of confidentiality they would be unwilling to give. However, if practicable, material identifying a confidential source shall be extracted or summarized in a manner which protects the source and the summary or extract shall be provided to the requesting individual. Materials exempted under this paragraph are included in the system of records entitled "Exempted Employee Background Investigation Material."

(c) The systems set forth in paragraphs (a) and (b) of this § 146.12 are

hereby exempted from the provisions of sections 552a(c)(3), d, (e)(1), (e)(4)(G), (e)(4)(H), (e)(4)(I) and (f) of Title 5 of the United States Code (the Privacy Act of 1974), and are also exempted from the following sections of these rules: § 146.3 [requests for information and for access]; § 146.5 [access to records]; § 146.6(d) [accounting of disclosures to be made available to the individual]; § 146.11(a) (7), (8), (9) [content of the system notice]; and § 146.7(a) [relevancy of records].

146-APPENDIX A—FEES FOR COPIES OF RECORDS REQUESTED UNDER THE PRIVACY ACT OF 1974

(a) The following schedule of fees shall apply to copies of records requested by individuals pursuant to the Privacy Act of 1974, 5 U.S.C. 552a and § 146.5(f).

(1) No fee shall be charged for copies of documents if the number of pages requested by that individual totals less than 10. This limit applies to the total requests under this section during any 180-day period.

(2) For requests for copies of documents in excess of 10 pages the charge will be $0.10 per page.

(3) For computer material charges:

(A) One-part paper per 1,000	$11.00
(B) Two-part paper per 1,000	17.63
(C) Three-part paper per 1,000	28.95
(D) Four-part paper per 1,000	37.52
(E) Five-part paper per 1,000	50.83
(F) Stock Hollerith cards per 1,000	1.78
(G) Magnetic tape per reel	9.50
(H) Disk pack, each	775.00

(4) for tape recordings and other audio records:

(A) 45 minute cassette	$0.56
(B) 60 minute cassette	.60
(C) 90 minute cassette	.77

(5) For materials other than those described in paragraphs (2), (3), (4), the direct cost of the materials shall be charged, but only with the prior specific approval of the person making the request.

(6) The Commission may, upon application by the individual, furnish any records without charge or at a reduced rate, if it determines that such waiver or reduction of fee is in the public interest.

*

(b) Requests for copies of documents should be addressed to Privacy Unit, Commodity Futures Trading Commission, 1120 Connecticut Avenue, NW., Washington, D.C. 20036, or may be made to the member of the Commission's staff through whom requests for access were made.

(c) Payment must be made by check or money order payable to the Treasury of the United States. No employee of the Commission is authorized to accept payment of fees in cash.

(d) Advance payment of all or part of the fee may be required at the discretion of the Commission. Generally, advance payment will not be required where the anticipated fee is less than $25.

* * * * *

Interested persons are invited to submit written comments, suggestions, or objections to the proposed rules to the Commodity Futures Trading Commission, 1120 Connecticut Avenue, NW., Washington, D.C. 20036. Comments should be submitted on or before August 15, 1975 to permit publication of final rules by August 28, 1975. Comments received after August 15 will nevertheless be fully evaluated. All such communications will be available for public inspection.

Issued in Washington, D.C. on July 30, 1975.

By the Commission.

WILLIAM T. BAGLEY,
Chairman, Commodity Futures Trading Commission.

[FR Doc.75-20360 Filed 8-4-75;8:45 am]

CONSUMER PRODUCT SAFETY COMMISSION

[16 CFR Part 302]

MATTRESSES

Exemption From Flammability Testing for Physician Prescribed Mattresses

The purpose of this document is to propose an amendment to 16 CFR 302.20, the rules and regulations issued under the Standard for the Flammability of Mattresses (FF 4-72, 38 FR 15095), by adding a new paragraph which would allow an exemption from the testing requirements of the Standard for certain "one of a kind" mattresses manufactured in accordance with a physician's written prescription.

This proceeding was commenced in response to a January 23, 1974 petition submitted by Bay Area Mattress Company and Keva Mattress Company of Oakland, California. The Petitioners sought an exemption, under section .2(d) of FF 4-72, from testing "one of a kind" mattresses with specific reference to those mattresses manufactured to a customer's own specifications which might contain wool, cotton, hair and kapok core material, as well as mattresses of odd size and shape. Petitioners also sought a comprehensive explanation of the term "one of a kind" mattress.

Section .2(d) of the Standard, which enables "one of a kind" mattresses to be exempted from testing, reads as follows:

One of a kind mattress, such as nonstandard sizes or shapes, may be excluded from testing under this standard pursuant to rules and regulations established by the Consumer Product Safety Commission.

Since June 22, 1973, the effective date of the Standard for the Flammability of Mattresses (FF 4-72, as amended), the Commission has received numerous inquiries with regard to what is included in the category of "one of a kind" mattress.

When answering these inquiries, the Commission has noted that Section .1(h) of the Standard, which defines "mattress prototype," specifies that a difference in size is not relevant to the issue of qualification testing and, thus, mattresses of different sizes may be included in a single mattress prototype. Also, the Commission has stated that a difference in mattress size does not result in a new "mattress type" as that term is defined in Section .1(i) of the Standard (mattresses of varying sizes or shapes may thus comprise a single mattress type or a single mattress prototype). As long as the components of a mattress are placed in a mattress in the same configuration as the prototype, the size and shape of the mattress is irrelevant for cigarette ignition test purposes. Therefore, a nonstandard size or a nonstandard shape mattress is not necessarily a "one of a kind" mattress.

After careful consideration of these inquiries, the Commission has concluded that at this time only those mattresses which are manufactured in accordance with a physician's written prescription, for use in connection with the treatment or management of a named individual's physical illness or injury, should be proposed for exemption from testing as provided in Section .2(d) of the Standard. Accordingly, the Commission proposes to amend 16 CFR 302.20 to state that the exemption from testing is limited to mattresses which are manufactured in accordance with a physician's written prescription for the treatment of an illness or injury. For the purposes of this regulation a physician is an authorized practitioner of medicine including osteopaths. Not included within the meaning of the term physician are podiatrists, chiropodists, chiropractors, dentists, veterinarians, and optometrists. The proposed amendment also contains a requirement that any mattress which is exempted from the requirements of the Standard for testing shall bear a permanent, conspicuous and legible label which states:

WARNING: This mattress may be subject to ignition and hazardous smoldering from cigarettes. It was manufactured in accordance with a physician's prescription and has not been tested under the Federal Standard for the Flammability of Mattresses (FF 4-72).

Size dimensions are specified for the label and lettering; and all letters on the label are required to be in a color which contrasts with the background of the label. There is a provision that the warning statement which appears on the label must also be conspicuously displayed on the invoice or other sales papers that accompany the mattress in commerce from the manufacturer through the final point of sale to the consumer.

The Commission realizes that any exemption from the Standard for the Flammability of Mattresses carries with it some degree of consumer exposure to the hazards the Standard was designed to eliminate. However, the Commission does recognize the practical necessity of exempting physician prescribed "one of a kind" mattresses from the testing requirements. The cost of testing both prototype and production samples of mattresses, such tests being necessarily destructive, could make the medically required mattresses prohibitively expensive. The Commission is of the opinion that any further expansion of the "one of a kind" exemption to include mattresses manufactured to the customer's own specifications would seriously reduce the effectiveness of the mattress standard. However, the Commission is interested in receiving comments on this issue.

Therefore, pursuant to section 5(c) of the Flammable Fabrics Act, as amended (Sec. 5(c), 81 Stat. 568; 15 U.S.C. 1191), and under authority vested in the Consumer Product Safety Commission by section 30(b) of the Consumer Product Safety Act (sec. 30(b), 86 Stat. 1231; 15 U.S.C. 2079(b)), the Commission proposes to amend the section heading and add a new paragraph (i) to 16 CFR 302.20 as follows:

§ 302.20 Mattresses—labeling, record-keeping requirements, guaranties, and "one of a kind" exemption under FF 4–72.

* * * * *

(i) *"one of a kind" exemption.*

(1) *Physician prescribed mattresses.* (i) A mattress manufactured in accordance with a physician's written prescription, to be used in connection with the treatment or management of a named individual's physical illness or injury, shall be considered a "one of a kind mattress" and shall be exempt from testing under the standard pursuant to .2(d) thereof, provided that in lieu of the labeling required by paragraph (b)(3) of this section, the mattress bears a permanent, conspicuous and legible label which states:

WARNING: This mattress may be subject to ignition and hazardous smoldering from cigarettes. It was manufactured in accordance with a physician's prescription and has not been tested under the Federal Standard for the Flammability of Mattresses (FF 4–72).

Such label must be attached to the mattress so as to remain on or affixed thereto for the useful life of the mattress. The label must be at least 250 square centimeters (40 square inches) with no linear dimension less than 12.5 centimeters (5 inches). The letters in the word "WARNING" shall be no less than 1.2 centimeters (½ inch) in height and all letters on the label shall be in a color which contrasts with the background of the label.

The warning statement which appears on the label must also be conspicuously displayed on the invoice or other sales papers that accompany the mattress in commerce from the manufacturer through the final point of sale to the consumer.

(ii) The manufacturer of a mattress exempted from testing under this paragraph shall, in lieu of the records required to be kept by paragraph (c) of this section, retain a copy of the written prescription for such mattress during a period of three years measured from the date of manufacture.

(2) For purposes of this regulation, a physician is an authorized practitioner of medicine including osteopaths. Excluded from the term physician are podiatrists, chiropodists, chiropractors, dentists, veterinarians and optometrists.

All interested persons are invited to submit written comments or suggestion, preferably with five copies, to the Secretary, Consumer Product Safety Commission, Washington, D.C. 20207, on or before September 4, 1975. Comments received after that date will be considered insofar as practicable. Those materials which are received will be available for public inspection at the Office of the Secretary, 10th Floor, 1750 K Street, N.W., Washington, D.C. 20207 during working hours Monday through Friday.

Dated: July 31, 1975.

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

[FR Doc.75-20306 Filed 8-4-75;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 THE TREASURY

Office of the Secretary

[Dept. Cir.; Public Debt Series—No. 24–75]

TREASURY NOTES OF SERIES B–1982

Dated and Bearing Interest From July 24, 1975

JULY 31, 1975.

The Secretary of the Treasury announced on July 30, 1975, that the interest rate on the notes described in Department Circular—Public Debt Series—No. 24–75, dated July 24, 1975, will be 8⅛ percent per annum. Accordingly, the notes are hereby redesignated 8⅛ percent Treasury Notes of Series B–1982. Interest on the notes will be payable at the rate of 8⅛ percent per annum.

DAVID MOSSO,
Fiscal Assistant Secretary.

[FR Doc.75–20304 Filed 8–4–75;8:45 am]

DEPARTMENT OF DEFENSE

Department of the Air Force

SCIENTIFIC ADVISORY BOARD

Meeting

AUGUST 1, 1975.

The USAF Scientific Advisory Board ad hoc Reconnaissance Review Group will hold a meeting on August 21, 1975 from 8:30 a.m. to 5:00 p.m. at the Pentagon, Washington, D.C.

The meeting will be closed to the public in accordance with Title 5, U.S.C. 552(b) (1) (4) and (5). The Group will be briefed on present reconnaissance capabilities and proposals for capabilities of the future. The Group will hold classified discussions on the proposals, and formulate recommendations.

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

W. K. RICHARDSON,
Colonel, USAF,
Deputy Director of Administration.

[FR Doc.75–20447 Filed 8–4–75;8:45 am]

Office of the Secretary of Defense

DEFENSE INTELLIGENCE AGENCY SCIENTIFIC ADVISORY COMMITTEE

Closed Meeting

Pursuant to the provisions of Section 10 of Public Law 92–463, effective January 5, 1973, notice is hereby given that a closed meeting of a Panel of the DIA Scientific Advisory Committee will be held at Rosslyn, Virginia on Wednesday, August 27, 1975.

The entire meeting commencing at 0900 hours is devoted to the discussion of classified information as defined in Section 552(b)(1), Title 5 of the U.S. Code and therefore will be closed to the public. Subject matter is to work on a study of specialized intelligence data requirements.

Dated: July 31, 1975.

MAURICE W. ROCHE,
Director, Correspondence and Directives, OASD (Comptroller).

[FR Doc.75–20313 Filed 8–4–75;8:45 am]

ISSUANCE OF QUARTERLY INDEX

The Office of the Secretary of Defense publishes quarterly the "Department of Defense (DoD) Directives System Index of DoD Issuances". The term "DoD Issuances" includes DoD Directives, Instructions, and Amendments thereto. Part I contains an Index of DoD Issuances and a Subject Index.

Notice is hereby given that a new supplement (Part II) was added to that document, beginning July 1, 1975 (covering the period April 1–June 30, 1975), and will be published each quarter thereafter. Part II, required by 5 U.S.C. 552 (a) (2), as amended, consists of: final opinions, statements of policy, and administrative staff manuals and instructions affecting the public.

The public may inspect copies of the Quarterly Index in the Office of the Director, Freedom of Information Security Review, Department of Defense, Room 2C757, Pentagon, Washington, D.C. 20301.

Dated: July 31, 1975.

MAURICE W. ROCHE,
Director, Correspondence and Directives, OASD (Comptroller).

[FR Doc.75–20314 Filed 8–4–75;8:45 am]

DEPARTMENT OF JUSTICE

Law Enforcement Assistance Administration

NATIONAL ADVISORY COMMITTEE ON CRIMINAL JUSTICE STANDARDS AND GOALS

Meeting

Notice is hereby given that an ad hoc working committee of the Private Security Task Force to the National Advisory Committee on Criminal Justice Standards and Goals will meet Friday and Saturday, August 22 and 23, 1975, in Philadelphia, Pennsylvania. The meeting is scheduled to convene at 9:00 a.m., Friday August 22, in the East Conference Room, 12th Floor I.N.A. Building, 1600 Arch Street, Philadelphia. The meeting is scheduled to run all day Friday, and will adjourn by noon, Saturday the 23rd.

Discussion at this meeting will focus upon the area of private security personnel training and education. The meeting will be open to the public.

For further information, please contact: Mr. John Marshall, Office of National Priority Programs, LEAA, U.S. Department of Justice, 633 Indiana Avenue, N.W., Washington, D.C. 20531. 202/376–3687.

GERALD H. YAMADA,
Attorney-Advisor,
Office of General Counsel.

[FR Doc.75–20318 Filed 8–4–75;8:45 am]

DEPARTMENT OF THE INTERIOR

Bureau of Indian Affairs

PUEBLOS OF ZIA, JEMEZ AND SANTA ANA

Plan for the Use and Distribution of Pueblos of Zia, Jemez and Santa Ana Judgment Funds Awarded in Docket 137 Before the Indian Claims Commission

JULY 22, 1975.

This notice is published in exercise of authority delegated by the Secretary of the Interior to the Commissioner of Indian Affairs by 230 DN 2.

The Act of October 19, 1973 (P.L. 93–134, 87 Stat. 466), requires that a plan be prepared and submitted to Congress for the use or distribution of funds appropriated to pay a judgment of the Indian Claims Commission or Court of Claims to any Indian tribe. Funds were appropriated by the Act of June 8, 1974, 88 Stat. 195, in satisfaction of an award granted to the Pueblos of Zia, Jemez and Santa Ana in Indian Claims Commission Docket 137. The plan for the use and distribution of the funds was submitted to the Congress with a letter dated April 3, 1975, and was received (as recorded in the Congressional Record) by the House of Representatives on April 7, 1975, and by the Senate on April 8, 1975. Neither House of Congress having adopted a resolution disapproving it, the plan became effective on June 17, 1975, as provided by section 5 of the 1973 Act, *supra*.

The plan reads as follows:

"The funds appropriated by the Act of June 8, 1974, 88 Stat. 195, in satisfaction of the award granted to the Pueblos of Zia, Jemez and Santa Ana in Docket 137 before the Indian Claims Commission, less attorney fees and litigation expenses,

shall be used and distributed as herein provided.

As soon as possible after the effective date of this plan, the Secretary of the Interior (hereinafter 'Secretary') shall divide the funds, including all interest and investment income accrued, in three equal sums among the three Pueblos of Zia, Jemez and Santa Ana. The funds so divided shall be invested by the respective governing bodies of the Pueblos subject to the approval of the Secretary. Investment income shall be programed and budgeted on an annual basis by the governing bodies for purposes such as, but not limited to, economic, community, industrial, commercial, social and cultural development and land development and land purchase.

Any of the governing bodies may, as regards their respective share of the funds, utilize portions of the principal, subject to the approval of the Secretary, for the same purposes for which investment income is budgeted. With the approval of the Secretary, a tribal governing body may also utilize principal funds for purposes other than those specified for the investment income therefrom. No portion of the principal nor of interest nor investment income accrued shall be utilized for per capita payments."

MORRIS THOMPSON,
Commissioner of Indian Affairs.

[FR Doc.75-20319 Filed 8-4-75;8:45 am]

Bureau of Land Management

MONTANA

Designation of Centennial Mountains Primitive Area

JULY 28, 1975.

Pursuant to the authority in 43 CFR, Subpart 2070, and the authorization from the Director dated June 25, 1975, I hereby designate the public lands in the following described area as the Centennial Mountains Primitive Area:

PRINCIPAL MERIDIAN, MONTANA

Township 14 South, Range 1 East
Sec. 21: Lots 4, 5, 6, 7, and 8;
Sec. 22: Lots 3 and 4, N½SE¼;
Sec. 23: Lots 2, 3, 4, 5, 6, 7, and 8;
Sec. 25: N½, N½S½, SE¼SW¼, S½SE¼;
Sec. 26: N½, N½S½;
Sec. 27: N½, N½S½;
Sec. 28: N½, N½S½, S½SW¼, SW¼SE¼;
Sec. 29: SE¼SW¼, SE¼;
Sec. 31: Lots 1, 2, 3, 4, 5, 6, and 7, S½NE¼, E½NW¼, NE¼SW¼, N½SE¼;
Sec. 32: Lots 1 and 2, N½, N½S½;
Sec. 33: N½NW¼, SW¼NW¼.
Township 15 South, Range 1 East
Sec. 5: NW¼NW¼;
Sec. 6: Lots 1, 2, 4, 5, 6, NE¼, W½NW¼.
Township 14 South, Range 1 West
Sec. 31: Lots 1, 5, 6, and 7, S½NE¼, SE¼NW¼, E½SW¼, NW¼SE¼;
Sec. 32: N½N½, S½NW¼;
Sec. 33: N½N½, SE¼NE¼;
Sec. 34: N½, E½SW¼, SE¼;
Sec. 35: All;
Sec. 36: SW¼SW¼.
Township 15 South, Range 1 West
Sec. 1: All;
Sec. 2: All;
Sec. 3: Lots 1 and 2.
Township 14 South, Range 2 West
Sec. 18: SE¼NE¼, E½SE¼;
Sec. 19: All;
Sec. 26: All;
Sec. 27: All;
Sec. 28: All;
Sec. 29: All;
Sec. 30: All;
Sec. 31: All;
Sec. 32: All;
Sec. 33: All;
Sec. 34: All;
Sec. 35: All;
Sec. 36: S½SE¼.
Township 15 South, Range 2 West
Sec. 5: Lots 2 and 3;
Sec. 6: All.
Township 14 South, Range 3 West
Sec. 23: Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, and 10, N½SE¼;
Sec. 25: All;
Sec. 26: Lot 1, SE¼NE¼;
Sec. 28: Lots 3 and 4, NW¼SW¼;
Sec. 29: Lots 1, 2, 3, and 4, N½S½;
Sec. 32: All;
Sec. 33: All;
Sec. 34: S½NE¼, NW¼NW¼, S½;
Sec. 35: S½NW¼, S½.
Township 15 South, Range 3 West
Sec. 1: All;
Sec. 3: All;
Sec. 2: All;
Sec. 4: All;
Sec. 5: All;
Sec. 7: All;
Sec. 8: All;
Sec. 9: All;
Sec. 10: All;
Sec. 17: All.

TOWNSHIP 15 SOUTH, RANGE 4 WEST

Sec. 10: Lot 2, NE¼SE¼;
Sec. 11: All;
Sec. 12: All;
Sec. 13: All;
Sec. 14: All;
Sec. 15: Lots 1, 2, 3, and 4.

The area described aggregates 24,165.70 acres of public lands.

The Centennial Mountains Primitive Area will be managed under criteria established under the regulations contained in 43 CFR 6221.

EDWIN ZAIDLICZ,
State Director.

[FR Doc.75-20286 Filed 8-4-75;8:45 am]

[INT FES 75-64]

SIGURD TO CEDAR CITY TRANSMISSION LINE—UTAH

Availability of Final Environmental Impact Statement

Pursuant to Section 102(2)(C) of the National Environmental Policy Act of 1969, the Bureau of Land Management, Department of the Interior, has prepared a final environmental impact statement for a 230 KV transmission line from Utah Power and Light Company's Sigurd substation to Cedar City, Utah. Four alternative corridors, each over 100 miles long, are considered.

The environmental impact statement considers the impact of electronic interference, right-of-way clearing, wildlife disturbance, weed infestations, and increased fire hazards.

Copies are available for inspection at the following locations:

Utah State Office, Bureau of Land Management, 125 South State Street, Salt Lake City, Utah 84147.
Cedar City District Office, 154 North Main, Cedar City, Utah 84720.
Director, Bureau of Land Management, Department of the Interior, Washington, D.C. 20240.

Dated: July 31, 1975.

STANLEY D. DOREMUS,
Deputy Assistant Secretary of the Interior.

[FR Doc.75-20295 Filed 8-4-75;8:45 am]

Bureau of Outdoor Recreation

[INT DES 75-45]

NOTICE OF AVAILABILITY OF DRAFT ENVIRONMENTAL STATEMENT

Proposed Missouri National Wild and Scenic River

Pursuant to section 102(2)(C) of the National Environmental Policy Act, the Bureau of Outdoor Recreation has prepared a draft environmental statement for the proposed Missouri Wild and Scenic River, Montana.

The environmental statement considers the probable impact of establishing the Missouri River as a component of the National Wild and Scenic Rivers System.

Comments are invited and should be submitted to the Director, Bureau of Outdoor Recreation, Department of the Interior, Washington, D.C. 20240, within 45 days. Copies of the draft statement are available for inspection at the following locations:

Office of Communications
Department of the Interior, Room 7200
Washington, D.C. 20240
Telephone: (202) 343-4662

Office of Information
Bureau of Outdoor Recreation, Room 4427
Department of the Interior
Washington, D.C. 20240
Telephone: (202) 343-5726

Office of Regional Director
Bureau of Outdoor Recreation
Mid-Continent Regional Office
603 Miller Court
Lakewood, Colorado 80215

State Department of Planning and Economic Development
Capitol Station
Helena, Montana 59601

Great Falls-City-County Planning Board
P.O. 1609
Great Falls, Montana 59403

Single copies are available to the public and may be obtained by writing to the Director, Bureau of Outdoor Recreation, Department of the Interior, Washington, D.C. 20240. Please refer to the statement number shown above.

Date: July 29, 1975.

STANLEY D. DOREMUS,
Deputy Assistant Secretary of the Interior.

[FR Doc.75-20316 Filed 8-4-75;8:45 am]

Fish and Wildlife Service
ENDANGERED SPECIES PERMIT
Receipt of Application

Notice is hereby given that the following application for a permit is deemed to have been received under section 10 of the Endangered Species Act of 1973 (Pub. L. 93-205).

Applicant: U.S. Fish and Wildlife Service, Post Office Box 1306, Albuquerque, New Mexico 87103; W. O. Nelson, Jr., Regional Director.

OMB NO. 42-R1570

DEPARTMENT OF THE INTERIOR
U.S. FISH AND WILDLIFE SERVICE

FEDERAL FISH AND WILDLIFE LICENSE/PERMIT APPLICATION

1. APPLICATION FOR (Indicate only one)
☐ IMPORT OR EXPORT LICENSE ☒ PERMIT

2. BRIEF DESCRIPTION OF ACTIVITY FOR WHICH REQUESTED LICENSE OR PERMIT IS NEEDED.
To take, transport, propagate, and study the Colorado River Squawfish (Ptychocheilus lucius).

3. APPLICANT. (Name, complete address and phone number of individual, business, agency, or institution for which permit is requested)
W. O. Nelson, Jr.
Regional Director
U.S. Fish and Wildlife Service
P. O. Box 1306
Albuquerque, New Mexico 87103

4. IF "APPLICANT" IS AN INDIVIDUAL, COMPLETE THE FOLLOWING:
☐ MR. ☐ MRS. ☐ MISS ☐ MS.
HEIGHT | WEIGHT
DATE OF BIRTH | COLOR HAIR | COLOR EYES
PHONE NUMBER WHERE EMPLOYED | SOCIAL SECURITY NUMBER
OCCUPATION

5. IF "APPLICANT" IS A BUSINESS, CORPORATION, PUBLIC AGENCY, OR INSTITUTION, COMPLETE THE FOLLOWING:
EXPLAIN TYPE OR KIND OF BUSINESS, AGENCY, OR INSTITUTION
U.S. Fish and Wildlife Service
Department of Interior

ANY BUSINESS, AGENCY, OR INSTITUTIONAL AFFILIATION HAVING TO DO WITH THE WILDLIFE TO BE COVERED BY THIS LICENSE/PERMIT

NAME, TITLE, AND PHONE NUMBER OF PRESIDENT, PRINCIPAL OFFICER, DIRECTOR, ETC.
Federal Agency
IF "APPLICANT" IS A CORPORATION, INDICATE STATE IN WHICH INCORPORATED

6. LOCATION WHERE PROPOSED ACTIVITY IS TO BE CONDUCTED
States of the Colorado River Drainage - Propagation efforts at Willow Beach NFH, Arizona.

7. DO YOU HOLD ANY CURRENTLY VALID FEDERAL FISH AND WILDLIFE LICENSE OR PERMIT? ☐ YES ☒ NO
(If yes, list license or permit number)

8. IF REQUIRED BY ANY STATE OR FOREIGN GOVERNMENT, DO YOU HAVE THEIR APPROVAL TO CONDUCT THE ACTIVITY YOU PROPOSE? ☐ YES ☐ NO
(If yes, list jurisdictions and type of documents)
Not Required

9. CERTIFIED CHECK OR MONEY ORDER (If applicable) PAYABLE TO THE U.S. FISH AND WILDLIFE SERVICE ENCLOSED IN AMOUNT OF
$

10. DESIRED EFFECTIVE DATE: Immediately

11. DURATION NEEDED: 10 years

12. ATTACHMENTS. THE SPECIFIC INFORMATION REQUIRED FOR THE TYPE OF LICENSE/PERMIT REQUESTED (See 50 CFR 13.12(b)) MUST BE ATTACHED. IT CONSTITUTES AN INTEGRAL PART OF THIS APPLICATION. LIST SECTIONS OF 50 CFR UNDER WHICH ATTACHMENTS ARE PROVIDED.

CERTIFICATION

I HEREBY CERTIFY THAT I HAVE READ AND AM FAMILIAR WITH THE REGULATIONS CONTAINED IN TITLE 50, PART 13, OF THE CODE OF FEDERAL REGULATIONS AND THE OTHER APPLICABLE PARTS IN SUBCHAPTER B OF CHAPTER I OF TITLE 50, AND I FURTHER CERTIFY THAT THE INFORMATION SUBMITTED IN THIS APPLICATION FOR A LICENSE/PERMIT IS COMPLETE AND ACCURATE TO THE BEST OF MY KNOWLEDGE AND BELIEF. I UNDERSTAND THAT ANY FALSE STATEMENT HEREIN MAY SUBJECT ME TO THE CRIMINAL PENALTIES OF 18 U.S.C. 1001.

SIGNATURE (In ink) W O Nelson Jr. Regional Director — DATE APR 28 1975

3-200
10/74

APRIL 18, 1975.

Director, Fish and Wildlife Service
Washington, D.C.

This memorandum constitutes our application for the required permit(s) to continue the Service's work toward establishing viable populations of Colorado River Squawfish throughout its historical range.

In accordance with § 13.12, we submit the following information:

13.12 a (1) W. O. Nelson, Jr., R.D. USFWS, Box 1306, Albuquerque, N.M., Phone No. 505-766-2321.

(2) N.A.

(3) Lynn Greenwalt, Director, USFWS Washington, D.C.

(4) Field activities may be carried out in the Colorado River drainage, including the States of Colorado, Utah, Nevada, New Mexico, and Arizona. Propagation activities are being conducted at the Willow Beach NFH, Arizona.

(5) See Sub-part B. § 17.23.

(6) N.A.

(7) I hereby certify that I have read and am familiar with the regulations contained in Title 50, Part 13, of the Code of Federal Regulations and the other applicable parts in Subchapter B of Chapter I of Title 50, and I further certify that the information submitted in this application for a permit is complete and accurate to the best of my knowledge and belief. I understand that any false statement hereon may subject me to the criminal penalties of 18 U.S.C. 1001.

(8) Immediately.

(9) May 1.

(10) RD signature.

(11) Recovery plan.

17.23 a (1) Colorado River Squawfish (*Ptychocheilus lucius*).

It is not possible to provide exact data on numbers of squawfish to be handled. All ages of squawfish and both sexes will be included. An estimated 30 to 50 adults may be taken from the wild for breeding purposes.

(2) N.A.

(3) See attachment #1 Colorado River Squawfish recovery plan.

(4) Willow Beach NFH, Arizona.

(5) All three situations apply.

(6) N.A.

(7) N.A.

W. O. NELSON, JR.,
Regional Director.

Documents and other information submitted in connection with this application are available for public inspection during normal business hours at the Service's office in Suite 600, 1612 K Street, N.W., Washington, D.C.

Interested persons may comment on this application by submitting written data, views, or arguments, preferably in triplicate, to the Director (FWS/LE), U.S. Fish and Wildlife Service, Post Office Box 19183, Washington, D.C. 20036. All relevant comments received on or before September 4, 1975 will be considered.

Dated: July 30, 1975.

C. R. BAVIN,
Chief, Division of Law Enforcement, U.S. Fish and Wildlife Service.

[FR Doc.75-20362 Filed 8-4-75;8:45 am]

ENDANGERED SPECIES PERMITS
Official Actions

Notice is hereby given that the U.S. Fish and Wildlife Service has taken the following action with regard to permit applications received under section 10 of the Endangered Species Act of 1973, 16 U.S.C. 1539. Each permit was issued only after it was determined that it was applied for in good faith; that by granting the permit it will not be to the disadvantage of the endangered species; and that it will be consistent with the purposes and policy set forth in the Endangered Species Act of 1973.

NOTICE OF APPLICATION PUBLISHED IN FEDERAL REGISTER, DECEMBER 23, 1974 (39 FR 44288-59-60)

Applicant: Dr. James R. Dixon, Department of Wildlife and Fisheries Sciences, Texas A&M University, College Station, Texas 77843.

Official Action: Issued permit March 4, 1975, to take, harass, mark for identification by toe clipping and the use of color-coded markers, attach radio transmitters, and release the AMERICAN ALLIGATOR (*Alligator mississipiensis*) for scientific purposes.

NOTICE OF APPLICATION PUBLISHED IN FEDERAL REGISTER JANUARY 2, 1975 (40 FR 28-29)

Applicant: Los Angeles Zoo, 5333 Zoo Drive, Los Angeles, California 90027; Dr. Warren Dean Thomas, Director.

Official Action: Issued permit March 4, 1975, to import and remove MONKEY-EATING EAGLE (*Pithecophaga jefferyi*), from the Frankfurt Zoo, West Germany.

NOTICE OF APPLICATION PUBLISHED IN FEDERAL REGISTER JANUARY 20, 1975 (40 FR 3225–26–27–28)

Applicant: National Zoological Park, Smithsonian Institution, Washington, D.C. 20009; Dr. Theodore H. Reed, Director.

Official Action: Permit issued March 7, 1975, to export through a designated port, two male and one female JAGUAR (*Panthera onca*) to the Jardin Zoologico, Caracas, Venezuela.

NOTICE OF APPLICATION PUBLISHED IN FEDERAL REGISTER JANUARY 20, 1975 (40 FR 3228–29–30)

Applicant: National Zoological Park, Smithsonian Institution, Washington, D.C. 20009; Dr. Theodore H. Reed, Director.

Official Action: Permit issued March 17, 1975, to import two (2) pairs of WHITE-WINGED WOOD DUCKS (*Cairina scutulata*) for scientific research and propagational purposes.

NOTICE OF APPLICATION PUBLISHED IN FEDERAL REGISTER JANUARY 2, 1975 (40 FR 29)

Applicant: Wesley R. Jones, Chief, Branch of Population Management, Division of Planning and Assistance, U.S. Fish and Wildlife Service, Federal Building—Fort Snelling, Twin Cities, Minnesota 55111.

Official Action: Permit issued March 7, 1975: "Permittee and other authorized individuals are to take (harass only) live KIRTLAND'S WARBLERS (*Dendroica kirtlandii*) for the purpose of collecting information about population size, distribution, Cowbird parasitism, egg production, fledging, and for the purpose of conducting guided public tours of its breeding grounds."

NOTICE OF APPLICATION PUBLISHED IN FEDERAL REGISTER DECEMBER 20, 1974 (39 FR 44055–56–57)

Applicant: Oregon Cooperative Wildlife Research Unit, 104 Nash Hall, Oregon State University, Corvallis, Oregon 97331; Howard M. Wight, Leader.

Official Action: Permit issued March 13, 1975: "Permittee is authorized to take (capture, mark, release and observe only, of all sex and age groups) the COLUMBIAN WHITE-TAILED DEER (*Odocoileus virginianus leucurus*), for scientific research related to the ecology of the species."

NOTICE OF APPLICATION PUBLISHED IN FEDERAL REGISTER JANUARY 24, 1975 (40 FR 3790–91–92)

Applicant: Lincoln Park Zoological Gardens, 100 W. Webster Avenue, Chicago, Illinois 60614; Saul L. Kitchener, Assistant Director.

Official Action: Permit issued March 17, 1975, to export two (2) SNOW LEOPARDS (*Panthera uncia*) to Howletts Zoo Park, Bekesbourne, England.

NOTICE OF APPLICATION PUBLISHED IN FEDERAL REGISTER JANUARY 7, 1975 (40 CFR 1283–84)

Applicant: Gordon W. Watson, Alaska Area Director, U.S. Fish and Wildlife Service, 813 D Street, Anchorage, Alaska 99501.

Official Action: Permit issued March 18, 1975, to trap or capture, hold temporarily, band or otherwise mark, radio-tag, weigh, measure, extract blood samples and feathers, disturb for scientific purposes, salvage and hold for rehabilitation purposes, and transport as necessary, ALEUTIAN CANADA GEESE (*Branta canadensis leucopareia*) on the Aleutian Islands National Wildlife Refuge.

NOTICE OF APPLICATION PUBLISHED IN FEDERAL REGISTER JANUARY 10, 1975 (40 FR 2241–42–43)

Applicant: Harold William Werner, Everglades National Park, Post Office Box 279, Homestead, Florida 33030.

Official Action: Permit issued March 20, 1975, to capture, trap, band with color plastic leg bands, and otherwise mark, CAPE SABLE SPARROWS (*Ammospiza mirabilis*).

NOTICE OF APPLICATION PUBLISHED IN FEDERAL REGISTER JANUARY 20, 1975 (40 FR 3230–31)

Applicant: San Diego Zoological Garden, Post Office Box 551, San Diego, California 92112; Clyde A. Hill, Curator of Mammals.

Official Action: Permit issued March 20, 1975, to import one male and one female JAGUAR (*Panthera onca*) from Sao Paulo, Brazil.

NOTICE OF APPLICATION PUBLISHED IN FEDERAL REGISTER JANUARY 20, 1975 (40 FR 3231–32)

Applicant: James R. Spotila, Ph. D., Department of Biology, State University College, 1300 Elmwood Avenue, Buffalo, New York 14222.

Official Action: Permit issued March 24, 1975, to trap, capture, transport and hold AMERICAN ALLIGATORS (*Alligator mississipiensis*), for scientific research to include implanting thermocouples and radio transmitters.

NOTICE OF APPLICATION PUBLISHED IN FEDERAL REGISTER JANUARY 30, 1975 (40 FR 4466–67)

Applicant: Colorado Division of Wildlife, 6060 Broadway, Denver, Colorado 80216; Jack R. Grieb, Director.

Official Action: Permit issued March 25, 1975, to conduct scientific research on PEREGRINE FALCONS (*Falco peregrinus anatum* and *tundrius*). This research will involve banding, color marking, collecting of infertile eggs and shell fragments, "double clutching" involving the removing of eggs from wild nests, artificially hatching and rearing the young and returning the young to the wild, and the placing of captive produced young or eggs in wild peregrine nests to augment natural production.

NOTICE OF APPLICATION PUBLISHED IN FEDERAL REGISTER NOVEMBER 13, 1974 (39 FR 40043–44)

Applicant: Patuxent Wildlife Research Center, U.S. Fish and Wildlife Service, U.S. Department of the Interior, Laurel, Maryland 20810; Dr. Lucille F. Stickel, Director.

Official Action: Permit issued March 28, 1975, to take and transport one female BLACK-FOOTED FERRET (*Mustela nigripes*) to Patuxent Wildlife Research Center for propagation studies.

Each permit is available for public inspection during normal business hours at the U.S. Fish and Wildlife Service's office in Suite 600, 1612 K Street, N.W., Washington, D.C.

Dated: July 30, 1975.

C. R. BAVIN,
Chief, Division of Law Enforcement.

[FR Doc.75-20363 Filed 8-4-75;8:45 am]

National Park Service

NATIONAL REGISTER OF HISTORIC PLACES

Additions, Deletions, and Corrections

By notice of the FEDERAL REGISTER of February 4, 1975, Part II, there was published a list of the properties included in the National Register of Historic Places. Further notice is hereby given that certain amendments or revisions in the nature of additions, deletions, or corrections to the previously published list are adopted as set out below.

It is the responsibility of all Federal agencies to take cognizance of the properties included in the National Register as herein amended and revised in accordance with section 106 of the National Historic Preservation Act of 1966, 80 Stat. 915, 16 U.S.C. 470 et seq. (1970 ed.), and the procedures of the Advisory Council on Historic Preservation, 36 CFR Part 800.

The following properties have been added to the National Register since July 1, 1975. National Historic Landmarks are designated by NHL; properties recorded by Historic American Buildings Survey are designated by HABS; properties recorded by Historic American Engineering Record are designated by HAER:

ALABAMA

Dallas County

Selma, *Dallas County Courthouse*, 109 Union St. (6-20-75).

Elmore County

Wetumpka, *Wetumpka L & N Depot*, Coosa St. (7-1-75).

Winston County

Houston, *Houston Jail*, off U.S. 278 on SR 63 (6-5-75).

ARKANSAS

Crawford County

Chester, *Yoes, Col. Jacob, Building*, Front St. (6-5-75).

Dallas County

Wave vicinity, *Wommack Kiln*, SE of Wave on Wave Rd. (6-10-75).

Jefferson County

Altheimer vicinity, *Lake Dick*, 4 mi. S. of Altheimer off AR 88 (7-3-75).

Pine Bluff, *Knox, R. M., House*, 1504 W. 6th St. (6-5-75).

Pine Bluff vicinity, *Plum Bayou Homesteads (Wright Plantation)*, N of Pine Bluff, E of Arkansas River, includes town of Wright and its environs (6-5-75).

Pulaski County

Little Rock, *Garland, Augustus, House*, 1404 Scott St. (6-10-75).

Washington County

Fayetteville, *Walker House*, Knerr Rd. (6-10-75).

Springdale, *Shiloh Church*, Huntsville and Main Sts. (6-5-75).

Yell County

Dardanelle, *Steamboat House*, 601 N. Front St. (6-5-75).

CALIFORNIA

Amador County

Sutter Creek, *Knight's Foundry and Shops*, 13 Eureka St. (7-1-75).

Butte County

Chico, *Stansbury House*, 307 W. 5th St. (6-5-75).

Inyo County

Death Valley, *Leadfield*, Death Valley National Monument on Titus Canyon Trail (6-10-75).

Napa County

Napa, *First Presbyterian Church*, 1333 3rd St. (6-5-75).

Riverside County

Twentynine Palms vicinity, *Ryan House and Lost Horse Well*, S of Twentynine Palms in Joshua Tree National Monument (6-5-75).

Salano County

Vallejo, *Mare Island Naval Shipyard* (5-15-75) NHL.

San Bernardino County

Chine vicinity, *Yorba-Slaughter Adobe*, 5.5 mi. S of Chine at 17127 Pomona Rincon Rd. (7-7-75).

San Francisco County

San Francisco, *Goodman Building*, 1117 Geary Blvd. (6-18-75).
San Francisco, *Lotta Crabtree Fountain*, Market, Geary, and Kearny Sts. (6-20-75).

San Luis Obispo County

San Luis Obispo vicinity, *Rancho Canada de Los Osos y Pecho y Islay*, S of San Luis Obispo between Point San Luis and Diablo Canyon (6-20-75).

Tuolumne County

Strawberry vicinity, *Chinaman Mortar Site*, W of Strawberry in Stanislaus National Forest (6-20-75).
Tuolumne vicinity, *Niagara Camp*, NE of Tuolumne in Stanislaus National Forest (6-5-75).

COLORADO

Adams County

Thornton vicinity, *Wolpert, David, House*, E of Thornton at 9190 River Dale Rd. (6-27-75).

Denver County

Denver, *LeFevre, Owen E., House*, 1311 York St. (6-11-75).

Moffat County

Craig, *Marcia* (Pullman car), 341 E. Victory Way (6-20-75).

Pitkin County

Aspen, *Armory Hall, Fraternal Hall*, 130 S. Galena St. (6-5-75).

Pueblo County

Pueblo, *Pueblo County Courthouse*, 10th and Main Sts. (6-27-75).

Saguache County

La Garita vicinity, *Carnero Creek Pictographs*, N of La Garita in Rio Grand National Forest (6-5-75).

CONNECTICUT

Hartford County

Farmington, *First Church of Christ* (5-15-75) NHL.
West Hartford, *Morley, Edward W., House* (5-15-75) NHL.

New Haven County

New Haven, *Chittenden, Russell Henry, House* (5-15-75) NHL.

DISTRICT OF COLUMBIA

Washington

Bruce, Blanche K., House (5-15-75) NHL.
Caldwell-Monroe-Adams-Abbe House (5-15-75) NHL.
Coues, Elliott, House (5-15-75) NHL.
Terrell, Mary Church, House (5-15-75) NHL.

FLORIDA

Clay County

Green Cove Springs, *Clay County Courthouse*, Brabantio Ave. (6-20-75).

Duval County

Jacksonville vicinity, *Grand Site*, N of Jacksonville (6-20-75).

Liberty County

Sumatra, *British Fort* (5-15-75) NHL.

Monroe County

Key Largo vicinity, *Rock Mound Archeological Site*, S of Key Largo (7-1-75).

Polk County

Lakeland, *Florida Southern College Architectural District*, Mc Donald and Johnson Ave. (6-11-75) HABS.
Lake Wales vicinity, *Casa de Josefina*, 2 mi. SE of Lake Wales off U.S. 27 (6-10-75).

GEORGIA

Banks County

Commerce vicinity, *New Salem Covered Bridge*, 6 mi. N of Commerce on SR S992 over Grove Creek (6-10-75).
Homer vicinity, *Kesler Covered Bridge*, 10 mi. N of Homer on County Line Rd. over Middle Fork Broad River (also in Franklin County) (6-18-75).

Bartow County

Carterville vicinity, *Etowah Valley District*, area around Carterville in Etowah Valley (6-30-75).

Clarke County

Athens, *Cobb, T.R.R., House*, 194 Prince Ave. (6-30-75) HABS.
Athens, *Lumpkin, Joseph Henry, House*, 248 Prince Ave. (6-27-75) HABS.

Cobb County

Marietta, *Northwest Marietta Historic District* (6-11-75).

Elbert County

Elberton vicinity, *Allen, William, House* (*Beverly Plantation*), 9 mi. E of Elberton on SR 6 (6-5-75).

Franklin County

Homer vicinity, *Kesler Covered Bridge*. Reference—see Banks County.

Hancock County

Linton and vicinity, *Linton Historic District*, town of Linton and its environs (6-18-75).

Newton County

Oxford, *Oxford Historic District*, college and residential district centered around Wesley St. (6-5-75) HABS.

Oglethorpe County

Smithsonia vicinity *Howard's Covered Bridge*, 3 mi. SE of Smithsonia on SR S2164 over Big Clouds Creek (7-1-75).

Putnam County

Eatonton, *Eatonton Historic District*, most of town centered around courthouse and city hall (6-11-75).
Eatonton vicinity, *Gatewood House*, 6 mi. NE of Eatonton off GA 44 (6-20-75).

Randolph County

Cuthbert, *Cuthbert Historic District*, centered around U.S. 82 and U.S. 27 (6-10-75).

Washington County

Davisboro vicinity, *Francis Plantation*, SE of Davisboro on SR 2189 (7-3-75).

Wilkes County

Washington vicinity, *Kettle Creek Battlefield* (*War Hill*), 9 mi. SW of Washington off Tyrone Rd. (6-26-75).

GUAM

Agat vicinity, *Orote Field*, 5 mi. N of Agat on Orote Peninsula (6-18-75).
Piti, *Piti Coastal Defense Gun*, E of jct. of Insular Rtes. 1 and 11 (6-18-75).
Umatac, *Agaga*, 2.5 mi. N of Umatac (6-11-75).
Yigo, *Mataguac Hill Command Post*, off Insular Rte. 1 (6-10-75).

IDAHO

Boise County

Idaho City, *Idaho City*, bounded by city limits (6-27-75).

Idaho County

Grangeville vicinity, *Wylies Peak Lookout*, Nez Perce National Forest (6-5-75).

Kootenai County

Coeur d'Alene, *Inland Empire Electric Railway Substation*, Mullan Rd. and Northwest Blvd. (6-27-75).

Lincoln County

Shoshone, *Shoshone Historic District*, irregular pattern, includes N bank of Little Wood River and W. D St. from S. Cherry St. to S. Alta St. (6-27-75).

Nez Perce County

Lewiston, *Lewiston Historic District*, irregular pattern between 1st and 5th Sts. and B St. and the Snake River (6-5-75).

ILLINOIS

Cook County

Chicago, *Carson, Pirie Scott and Company, Building* (5-15-75) NHL.
Chicago, *Page Brothers Building*, SE corner of Lake and State Sts. (6-5-75).
Chicago, *Priest, Oscar Stanton De, House* (5-15-75) NHL.
Chicago, *Williams, Dr. Daniel Hale, House* (5-15-75) NHL.

De Kalb County

De Kalb, *Ellwood Mansion*, 509 N. 1st St. (6-13-75).

Iroquois County

Watseka, *Old Iroquois County Courthouse*, Cherry St. at 2nd St. (6-13-75).

Madison County

Alton, *Trumbull, Lyman, House* (5-15-75) NHL.

INDIANA

Wayne County

Mount Auburn, *Huddleson House Tavern*, U.S. 40E (6-5-75).

IOWA

Davis County

Bloomfield, *Weaver, James B., House* (5-15-75) NHL.

KANSAS

Osage County

Melvern vicinity, *Cow-Killer Archeological Site*, W of Melvern (6-24-75).

KENTUCKY

Anderson County

Lawrenceburg vicinity, *Crossfield, R. H. House*, SW of Lawrenceburg off Anderson City Rd. (6-11-75).
Lawrenceburg vicinity, *Old Wash Place*, 9 mi. W of Lawrenceburg at jct. of U.S. 62 and KY 53 (6-11-75).

Barren County

Glasgow, *Fort Williams* (*Fort Hobson*), between Glasgow Municipal Cemetery and U.S. 31E Bypass (6-10-75).

Boyd County

Ashland, *Paramount Theatre*, 1304 Winchester Ave. (6-30-75).

Bracken County

Brooksville vicinity, *Walcott Covered Bridge*, 3.5 mi. N of Brooksville on SR 1159 over Locust Creek (6–10–75).

Calloway County

Murray, *Old Normal School Building, Administration Building*, Murray State University campus (6–11–75).
Murray vicinity, *Seclusaval (Hamlin House)*, 8 mi. E of Murray on KY 614 (6–10–75).

Carroll County

Carrollton, *Masterson, Richard, House*, E of jct. of U.S. 227 and U.S. 42 (7–1–75).

Daviess County

Owensboro, *Grimes, Felix, House*, 1301 Leitchfield Rd. (6–18–75).

Fayette County

Lexington, *Morton, William, House*, 518 Limestone St. (6–10–75).
Lexington, *Opera House and Yates Bookshop Building*, 141, 145 N. Broadway (6–11–75).

Franklin County

Harvieland vicinity, *Penn-Marshall Stone House*, E of Harvieland on Stoney Creek Rd. at Kentucky River (6–5–75).

Hancock County

Hawesville, *Hancock County Courthouse*, Courthouse Sq. (6–18–75).
Hawesville, *Immaculate Conception Church*, Water St. (6–18–75).

Jefferson County

Louisville, *Little Loomhouses*, 328 Kenwood Hill Rd. (6–30–75).
Middletown, *Chenoweth Fort-Springhouse*, Avoca Rd. (7–1–75).

Jessamine County

Nicholasville vicinity, *Fort Bramlette*, 7 mi. S of Nicholasville off U.S. 27 at Kentucky River (6–13–75).

Knox County

Barbourville, *Owens House*, 335 Knox St. (6–18–75).

Letcher County

Whitesburg vicinity, *Kingdom Come Creek* School, 5 mi. SW of Whitesburg off KY 588 (6–11–75).

Lincoln County

Stanford vicinity, *Logan, John, House*, E of Stanford at jct. of U.S. 150 and Goshen Rd. (KY 642) (6–11–75).

Marion County

Lebanon vicinity, *Lebanon National Cemetery*, 1 mi. SW of Lebanon off KY 208 (6–5–75).

Mason County

Maysville, *Washington Opera House*, 116 W. 2nd St. (6–11–75).

McLean County

Calhoun, *Griffith-Franklin House (Crittenden Headquarters)*, 207 W. 2nd St. (7–7–75).

Nicholas County

Millersbug vicinity, *Thompson, Henry, Stone House*, 2.5 mi. N of Millersburg on Arthur Pike (6–23–75).

Perry County

Buckhorn, *Buckhorn Presbyterian Church and the Greer Gymnasium*, off Ky 28 (6–27–75).

Scott County

Great Crossing vicinity, *Craig-Johnson Mill Dam and Mill Sites*, 2 mi. W of Great Crossing off U.S. 460 (6–10–75).

Shelby County

Shelbyville, *Shelbyville L & N Railroad Depot*, 220 N. 7th St. (6–20–75).
Shelbyville vicinity, *Todd, Charles and Letitia Shelby, House*, 5 mi. N of Shelbyville on KY 55 (6–5–75).

Warren County

Bowling Green, *St. Joseph Roman Catholic Church*, 430 Church St. (7–3–75).
Bowling Green vicinity, *Lost River Archeological Cave*, S of Bowling Green at jct. of Cave Mill Rd. and U.S. 31W (6–18–75).

LOUISIANA

Lafayette Parish

Lafayette, *Mouton, Alexandre, House*, 1122 Lafayette St. (6–18–75).
Lafayette, *Old Lafayette City Hall*, 217 W. Main St. (6–10–75).

Orleans Parish

New Orleans, *Confederate Memorial Hall*, Camp St. (6–11–75).

MAINE

Androscoggin County

Auburn, *High Street Congregational Church*, High St. (6–5–75).

Somerset County

Madison vicinity, *Lakewood Theater*, NE of Madison in town of Lakewood on bank of Lake Wesserunsett (6–18–75).
Mercer, *Ingalls House*, off U.S. 2 (6–5–75).

York County

Buxton, *Brewster, Royal, House*, Buxton Lower Corner (6–5–75).
East Lebanon, *Old Grist Mill*, Little River Rd. (6–5–75).
West Lebanon, *West Lebanon Historic District*, irregular pattern along West Lebanon, Rochester, Milton, Shapleigh and Meeting House Rds. (6–5–75).

MARYLAND

Allegany County

Cumberland, *16 Altamont Terrace*, NE corner of Altamont Ter. and Union St. (7–7–75).
Cumberland, *200—208 Decatur Street*, 200, 202, 204, 206, 208 Decatur St. (7–7–75)

Anne Arundel County

Annapolis, *Scott, Upton, House*, 4 Shipwright St. (6–5–75) HABS
Annapolis vicinity, *Martins Pond Site*, W of Annapolis (6–5–75)

Baltimore (independent city)

Lombard Street Bridge, over Gwynns Falls off Wetheredsville Rd. (6–30–75).
Remsen, Ira, House (5–15–75) NHL
Rowland, Henry August, House (5–15–75) NHL

Baltimore County

Essex vicinity, *Ballestone Mansion*, E of Essex on Back River Neck Rd. in Rocky Point Park (6–18–75).

Carroll County

Westminster vicinity, *Farm Content*, 3 mi. SW of Westminster off MD 31 (6–20–75).

Cecil County

Perryville, *Perry Point Mansion House and Mill*, Veterans' Administration Hospital grounds (7–2–75).

Frederick County

Frederick vicinity, *Biggs Ford Site*, N. of Frederick (6–10–75).

Harford County

Kalmia vicinity, *Husband Flint Mill Site*, NE of Kalmia (6–18–75).

Olmsted County

Rochester, *Toogood Barns*, 16th St. SW. off U.S. 63 (6–26–75).

Queen Annes County

Centreville vicinity, *Reed's Creek Farm*, W of Centreville on Wright's Neck Rd. off MD 18 (7–7–75).

Somerset County

Westover vicinity, *Salisbury Plantation*, SW of Westover off MD 361 (6–20–75).

Washington County

Antietam and vicinity, *Antietam Iron Furnace Site and Antietam Village*, confluence of Antietam Creek and Potomac River (6–26–75).
Knoxville vicinity, *Magnolia Plantation (Boteler-Holder Farm)*, NW of Knoxville off Sandy Hook Rd. (6–18–75).

Wicomico County

Quantico, *St. Bartholomew's Episcopal Church*, Green Hill Church Rd. (6–5–75).

MASSACHUSETTS

Barnstable County

Brewster, *Old Higgins Farm Windmill*, off Lower Rd. (6–10–75).
Truro vicinity, *Highland House*, off U.S. 6 on Cape Cod National Seashore (6–5–75).

Franklin County

New Salem, *Whitaker-Clary House*, Elm St. (6–18–75).

Middlesex County

Cambridge, *Birkhoff, George D., House* (5–15–75) NHL.
Cambridge, *Bridgman, Percy, House* (5–15–75) NHL.
Medford, *Brooks, Charles, House*, 309 High St. (6–18–75).
Medford, *Brooks, Jonathan, House*, 2 Woburn St. (6–26–75).
Medford, *Fletcher, Jonathan, House*, 283 High St. (6–23–75).
Medford, *Wade, John, House*, 253 High St. (6–18–75).
Woburn, *Count Rumford Birthplace*, (5–15–75) NHL.

Worcester County

Worcester, *Salisbury House*, 61 Harvard St. (6–10–75).

MICHIGAN

Genesee County

Flint, *Superintendent's Cottage*, Michigan School for the Deaf campus (7–7–75).

Kalamazoo County

Kalamazoo, *Michigan Central Depot*, 459 N. Burdick St. (6–11–75).

Lapeer County

Almont, *Currier House*, 231 E. St. Clair St. (6–10–75).

Tuscola County

Vassar, *Burtis, R. C., House*, 2163 S. Ringle Rd. (6–26–75).

MINNESOTA

Goodhue County

Kenyon, *Gunderson, Martin T., House*, 107 2nd St. (6–10–75).
Red Wing, *Hoyt, E. S., House*, 300 Hill St. (6–5–75).

Lake County

Two Harbors vicinity, *Edna G.* (tugboat), home port at S end of Popular St. in Agate Bay (6–5–75).

LeSueur County

Cleveland vicinity, *Geldner Sawmill*, S of Cleveland on German Lake (6–11–75).

Lincoln County

Tyler, *Danebod*, Danebod Court (6-30-75).

Martin County

Fairmont, *Wohlheter, George, Mansion*, 320 Woodland Ave. (6-20-75).

Meeker County

Litchfield, *Trinity Episcopal Church*, 400 N. Sibley Ave. (6-20-75).

Mower County

Grand Meadow, *Exchange State Bank*, NW corner of Main and 1st Sts. (6-10-75).

Nobles County

Adrian, *Slade Hotel*, 2nd and Main Sts. (6-30-75.

Ramsey County

St. Paul, *Lauer Flats*, 226 Western Ave. (6-5-75).
St. Paul, *Rau/Strong House*, 2 George St. (6-18-75).
St. Paul, *St. Joseph's Academy*, 355 Marshall Ave. (6-5-75).

Rice County

Nerstrand vicinity, *Veblen Farmstead*, NE of Nerstrand off MN 246 (6-30-75).
Northfield, *Willis Hall (New Hall)*, Carleton College campus (6-13-75).

Rock County

Luverne, *Hinkly, R. B., House*, 217 N. Freeman Ave. (6-10-75).

Steele County

Owatonna, *Abbot, Ezra, House*, 345 E. Broadway (6-10-75).

Winona County

Winona, *James P. Pearson* (steamboat), Levee Park, foot of Main St. (6-11-75).

MISSISSIPPI

Alcorn County

Rienzi vicinity, *Moores Creek Site*, E of Rienzi (7-7-75).

LaFayette County

Oxford, *Lamar, Lucius Quintus Cincinnatus, House* (5-15-75) NHL.

Monroe County

Amory vicinity, *Hester-Standifer Creek Site*, 2 mi. N of Amory (6-5-75).
Amory vicinity, *Lawson Site*, N of Amory (7-7-75).

MISSOURI

New Madrid County

Howardville vicinity, *King II Archeological Site*, S of Howardville (6-26-75)

NEBRASKA

Johnson County

Tecumseh, *Tecumseh Historic District*, irregular pattern roughly bounded by Atchison & NE RR. tracks, 9th and Washington Sts., and U.S. 136 (6-20-75)

Sarpy County

Bellevue vicinity, *Sarpy, Peter A., Trading Post Site*, NE of Bellevue on W bank of Missouri River (6-10-75)

NEVADA

Carson City (independent city)

Nevada State Capitol, 101 N. Carson St. (6-10-75) HABS

Humboldt County

Paradise Valley, *Micca House*, Bridge St. (6-11-75).

NEW HAMPSHIRE

Cheshire County

East Swanzey vicinity, *Carleton Bridge*, on Carleton Rd. over South Branch Ashuelot River (6-10-75).
Jaffrey vicinity, *Jaffrey Center Historic District*, NW of Jaffrey on NH 124 (6-11-75).

Coos County

Lancaster, *Wilder-Holton House*, 226 Main St. (6-11-75).

Hillsborough County

Goffstown, *Goffstown Railroad Bridge*, NH 114 (Main St.) over Piscataquog River (6-18-75).
Hillsborough, *Contoocook Mills Industrial District*, between Mill St. and Contoocook River (6-10-75).
Hillsborough, *Hillsborough Railroad Bridge*, spans Contoocook River SW of NH 149 (6-10-75) HAER.
Manchester, *Manchester City Hall*, 908 Elm St. (6-13-75).
Temple vicinity, *New England Glassworks Site*, SW of Temple off Nashua Rd. (6-10-75).

Merrimack County

Canterbury vicinity, *Canterbury Shaker Village*, 4 mi. E of Canterbury on Shaker Rd. (6-17-75).
Concord, *Concord Historic District*, bounded by N. State St., Horse Shoe Pond, Boston and Maine RR. tracks, Sen. Styles Bridges Hwy. and Church St. (6-11-75) HABS.
Franklin, *Sulphite Railroad Bridge*, off U.S. 3 over Winnipesaukee River (6-11-75).

Rockingham County

Greenland, *Weeks House*, Weeks Ave. off NH 101 (6-20-75) HABS.
Portsmouth, *Strawbery Banke Historic District*, bounded by Court and Marcy Sts. and both sides of Hancock and Washington Sts. (6-20-75) HABS.

Sullivan County

Acworth, *Acworth Congregational Church (Acworth Meetinghouse)*, N end of town common (6-13-75) HABS.
Claremont vicinity, *Wright's Bridge*, E of Claremont on Chandler Rd. over Sugar River (6-10-75).
Cornish Flat, *Chase, Salmon P., Birthplace* (5-15-75) NHL.
Newport vicinity, *Pier Bridge*, 3 mi. W of Newport on Chandler Rd. over Sugar River (6-10-75).

NEW JERSEY

Bergen County

Tenafly, *Stanton, Elizabeth Cady, House* (5-15-75) NHL.

Burlington County

Rancocas, *Rancocas Historic Village*, irregular pattern bounded N and W by Willingsboro line, E to Springside Rd. and S to 3rd St. (6-5-75) HABS.

Cumberland County

Greenwich vicinity, *Maskel, Thomas, House*, 2 mi. W of Greenwich on Bacon's Neck Rd. (6-10-75) HABS.

Essex County

Newark, *Essex County Courthouse*, 470 High St. (6-26-75).

Mercer County

Princeton, *Drumthwacket*, 344 Stockton Rd. (6-10-75).
Princeton, *Princeton Historic District*, irregular pattern between Lytle St. and Haslet Ave. from Lovers Lane to Olden St. (6-27-75) HABS.

Morris County

Riverdale, *Slater's Mill*, 96 Paterson-Hamburg Tnpke. (6-18-75).

Somerset County

Bound Brook, *Middlebrook Encampment Site*, Mountain Ave. (7-3-75).
Rocky Hill vicinity, *Bridgepoint Historic District*, N of Rocky Hill off U.S. 206 (6-10-75).

NEW MEXICO

Bernalillo County

Albuquerque, *Ilfeld, Charles, Company Warehouse*, 200 1st St. NW. (6-10-75).

Luna County

Columbus, *Village of Columbus and Camp Furlong* (5-15-75) NHL.

Santa Fe County

Santa Fe, *Fort Marcy Officer's Residence*, 116 Lincoln Ave. (6-20-75).

Socorro County

Socorro, *Bursum House*, 326 Church St. (6-18-75).

NEW YORK

Cayuga County

Auburn vicinity, *Sand Beach Church*, S of Auburn on NY 38 (6-10-75).

Chenango County

Norwich, *Broad Street—Main Street Historic District*, irregular pattern between Hayes and Mechanic Sts. and Maple Ave. and City Hall (6-10-75).

Livingston County

Geneseo vicinity, *Wadsworth Fort Site*, S. Geneseo (6-11-75).

New York County

New York, *Bell Telephone Laboratories*, 463 West St. (5-15-75) NHL.
New York, *City Pier A*, S end of Battery Pl. at Hudson River (6-27-75) HAER.
New York, *Fish, Hamilton, House*, 21 Stuyvesant St. (5-15-75) NHL.
New York, *Hensen, Matthew, House*, 246 W. 150th St. (5-15-75) NHL.

Niagara County

Niagara Falls, *Adams Power Plant Transformer House*, Buffalo Ave. near Portage Rd. (6-11-75).

Oneida County

Utica, *Conkling, Roscoe, House* (5-15-75) NHL.

Otsego County

Worcester, *Worcester Historic District*, both sides of Main St. (NY 7) between Decatur and Cook Sts. (6-10-75).

Schenectady County

Schenectady, *General Electric Research Laboratory* (5-15-75) NHL.

Ulster County

Kingston, *Kingston Stockade District*, area bounded by both sides of Clinton Ave., Main, Green, and Front Sts. (incorporates former *Clinton Avenue Historic District*) (6-19-75).

Washington County

South Granville, *Haynes, Lemuel, House* (5-15-75) NHL.

Westchester County

Hastings-on-the-Hudson, *Draper, John W., House*, 407 Broadway (5-15-75) NHL.

NORTH CAROLINA

Caswell County

Milton, *Union Tavern* (5-15-75) NHL.

Durham County

Durham, *North Carolina Mutual Life Insurance Company Building*, 114-116 W. Parrish St. (5-15-75) NHL.

Franklin County

Franklinton vicinity, *Kearney, Shemuel, House*, 1 mi. S of Franklinton on U.S. 1 (6-5-75)
Gupton vicinity, *Perry, Dr. Samuel, House*, E of Gupton on SR 1436 (6-5-75)
Louisburg, *Williamson House*, 401 Cedar St. (6-20-75)
Louisburg vicinity, *Green Hill House*, S of Louisburg near jct. of SR 1760 and 1761 (6-10-75) HABS

Iredell County

Mooresville vicinity, *Johnson-Neel House*, 4 mi. W of Mooresville off NC 150 (6-20-75)

Johnston County

Smithfield vicinity, *Atkinson-Smith House*, 10 mi. E of Smithfield off SR 1007 (6-5-75)

Madison County

Marshall vicinity, *White, Jeff, House*, NE of Marshall on NC 213 (6-5-75)

Wake County

Raleigh vicinity, *Jones, Alpheus, House*, NE of Raleigh on U.S. 401 (7-7-75).

OHIO

Adams County

West Union, *Sinton Homestead*, 114 E. Main St. (6-10-75).

Ashtabula County

Jefferson, *Ashtabula County Courthouse Group*, NW corner of Jefferson and Chestnut Sts. (6-30-75).

Butler County

Oxford vicinity, *Pugh's Mill Covered Bridge*, 1 mi. N of Oxford off SR 732 (6-5-75).

Clark County

Springfield, *Myers Hall*, Wittenberg Ave. and Ward St. (6-30-75)

Columbiana County

Lisbon vicinity, *Church Hill Road Covered Bridge*, 3 mi. E of Lisbon off SR 867 (6-11-75).

Coshocton County

Blissfield vicinity, *Helmick Covered Bridge*, E of Blissfield on Twnshp. Rd. (6-18-75)

Crawford County

Galion, *Big Four Depot*, SE corner of Church and Washington Sts. (7-7-75).

Cuyahoga County

Bedford, *Dunham, Hezekiah, House*, 729 Broadway (6-18-75)
Cleveland, *Cleveland Mall*, roughly T-shaped mall area between E. 9th and W. 3rd Sts. and Superior Ave. and RR. tracks (6-10-75) HABS.
Strongsville, *Pomeroy, Alanson, House*, Pearl Rd. at Westwood Dr. (6-20-75) HABS.

Darke County

Greenville vicinity, *Bear's Mill*, 5 mi. W of Greenville off U.S. 36 on Bear's Mill Rd. (6-10-75).

Delaware County

Delaware, *Monnett Hall*, Ohio Wesleyan University campus at Elizabeth and Winter Sts. (6-23-75).

Fairfield County

Canal Winchester vinicity, *Schaer Theodore B., Mound*, SE of Canal Winchester (6-20-75).

Franklin County

Amlin, *Davis, Anson, House*, 4900 Hayden Run Rd. (7-7-75).

Greene County

Yellow Springs, *Antioch Hall, North and South Halls*, Hyde Rd., Antioch College campus (6-30-75) HABS.

Hamilton County

Cincinnati, *Allen Temple*, 538 Broadway (7-7-75).
Cincinnati, *Covington and Cincinnati Suspension Bridge* (5-15-75) NHL (also in Miami County).
Cincinnati, *Ferris, Joseph, House*, 5729 Dragon Way (6-30-75) HABS.
Cleves vicinity, *Conrad Mound Archeological Site*, E of Cleves (6-20-75).
Harrison, *Looker, Othniel, House*, 10580 Marvin Rd. (6-5-75).
Sayler Park, *Story Mound*, Gracely Dr. (6-11-75).

Lake County

Painesville, *St. James Episcopal Church*, 141 N. State St. (7-7-75).

Lorain County

Elyria, *Lorain County Courthouse*, 308 2nd St. (6-18-75).
Oberlin, *Langston, John Mercer, House* (5-15-75) NHL.

Lucas County

Maumee, *Fort Miamis Site*, between Michigan, Water and Corey Sts., and the Maumee River (6-18-75).
Toledo, *Manhattan Building*, 518 Jefferson Ave. (6-10-75).
Waterville vicinity, *Haskins, Liberty Whitcomb, House*, N of Waterville at 625 Canal Rd. (7-1-75).

Medina County

Medina, *Medina Public Square Historic District*, Public Sq. and surrounding properties (6-11-75).
Medina, *Root, A. I. and E. R., Homestead*, 622 W. Liberty St. (6-10-75).

Meigs County

Chester, *Old Meigs County Courthouse and Chester Academy*, OH 248 (6-30-75) HABS.

Miami County

Covington and Cincinnati Suspension Bridge. Reference—See Hamilton County.
Troy, *Troy Public Square*, property surrounding jct. of Main and Market Sts. (6-30-75).

Monroe County

Graysville vicinity, *Weddle Covered Bridge*, 3 mi. E of Graysville on SR 40 (6-5-75).

Montgomery County

Dayton, *Dayton Arcade*, from Ludlow to Main St. between 3rd and 4th Sts. (6-18-75).
Dayton, *Kelly Family Home*, 657 S. Main St. (6-30-75).
Germantown vicinity, *Stump, John, House and Mill*, SW of Germantown at jct. of Sigal and Oxford Rds. (7-7-75).
Miamisburg, *Market Square*, both sides of Main St. including jcts. at Central and Linden Aves. (6-30-75).

Pickaway County

Williamsport vicinity, *Tick Ridge Mound District*, NW of Williamsport (6-11-75).

Portage County

Freedom, *Freedom Congregational Church*, Public Green on OH 88 (7-7-75).

Garrettsville vicinity, *Cascade House*, NE of Garrettsville on OH 282 in Nelson Ledge State Park (7-1-75).
Garrettsville vicinity, *Ellenwood House*, NW of Garrettsville on OH 82 (6-20-75).

Preble County

Gratis vicinity, *Brubaker Covered Bridge*, W of Gratis on Aukerman Creek Rd. (6-11-75).

Ross County

Chillicothe, *Adena Mound*, 947-999 Orange St. (6-5-75).

Shelby County

Lockington vicinity, *Lockington Covered Bridge*, 1 mi. E of Lockington on SR 132 (6-10-75).

Trumbull County

Kenilworth, *Raymond, Liberty G., Tavern and Barn*, OH 87 and Dennison-Ashtabula Rd. (6-20-75).
North Bloomfield, *Brown-Wing House*, Park West Rd. (6-20-75).

OKLAHOMA

Noble County

Marland, *101 Ranch Historic District* (5-15-75) NHL.

Okfuskee County

Boley, *Boley Historic District* (5-15-75) NHL.

OREGON

Douglas County

Roseburg, *Willis, Judge William R., House*, 744 SE. Rose St. (6-5-75).

Linn County

Albany, *St. Mary's Roman Catholic Church*, 822 S. Ellsworth St. (6-5-75).

PENNSYLVANIA

Beaver County

Beaver, *Quay, Matthew S., House* (5-15-75) NHL.

Blair County

Altoona, *Baker Mansion*, 3500 Baker Blvd. (6-5-75).

Bucks County

Richboro, *Twin Trees Farm*, 905 2nd St. Pike (6-5-75).

Clearfield County

Cooper Settlement vicinity, *St. Severin's Old Log Church*, W of Cooper Settlement off PA 53 (6-5-75).

Dauphin County

Harrisburg, *Cameron, Simon, House* (5-15-75) NHL.
Harrisburg, *Penn Central Railroad Station and Shed*, Aberdeen St. (6-11-75).

Lebanon County

Newmanstown vicinity, *Bomberger's Distillery*, 7 mi. SW of Newmanstown off PA 501 (6-26-75).
Palmyra vicinity, *Bindnagles Evangelical Lutheran Church*, N of Palmyra at jct. of SR 38003 and SR T330 (7-7-75).

Northampton County

Bethlehem, *Gemeinhaus-Lewis David de Schweinitz Residence* (5-15-75) NHL.

Philadelphia County

Philadelphia, *Cope, Edward Drinker, House* (5-15-75) NHL.

Union County

Lewisburg vicinity, *Slifer House*, N. of Lewisburg off U.S. 15 on SR 59024 (6-18-75).

SOUTH CAROLINA

Charleston County

Charleston vicinity, *Ashley Hall Plantation*, SW of Charleston off SC 61 (Ashley River Rd.) (6–5–75).

Greenwood County

Greenwood vicinity, *Stony Point*, N of Greenwood at jct. of SC 246 and SR 39 (6–20–75).

SOUTH DAKOTA

Brown County

Aberdeen, *Aberdeen Highlands Historic District*, both sides of N. Main from 12th to 15th Ave. NE. (6–5–75).

Aberdeen, *Aberdeen Historic District*, both sides of 3rd–6th Aves. and Jay, Kline, and Arch Sts. (6–5–75).

Charles Mix County

Greenwood vicinity, *Holy Fellowship Episcopal Church*, SE of Greenwood (6–5–75).

Codington County

Florence vicinity, *Halse Halfway House*, 6 mi. N of Florence (6–5–75).

Davison County

Mitchell, *Mitchell Historic Commercial District*, 210 S.–604 N. Main, 119–201 W. 3rd St., 117–219 E. 4th St., and 112–220 W. 5th St. (6–27–75).

Lawrence County

Spearfish, *Spearfish Historic Commercial District*, 544, 545, 603–645 Main St., 114–136 W. Illinois St., and 701–703 5th St. (6–5–75).

Meade County

Sturgis, *Sturgis Commercial Block*, 1000–1028 Main St. (6–20–75).

Sturgis, *Tubbs, Poker Alice, House*, N. Junction St. (6–5–75).

Pennington County

Rapid City, *Church of the Immaculate Conception*, 918 5th St. (6–5–75).

Todd County

St. Francis, *St. Francis Mission*, Rosebud Indian Reservation (6–20–75).

Washabaugh County

Wanblee vicinity, *Lip's Camp*, SE of Wanblee on E bank of Pass Creek (6–11–75).

TENNESSEE

Bedford County

Shelbyville, *Cooper, Gov. Prentice, House*, 413 E. Lane St. (6–5–75).

Bradley County

Cleveland, *Wilson, C. J., Store*, 3202 Ocoee St. (6–10–75) HABS.

Clairborne County

Speedwell vicinity, *Kincaid-Ausmus House*, NE of Speedwell off TN 63 (6–18–75).

Speedwell vicinity, *McClain-Ellison House*, W of Speedwell on Rte. 2 off TN 63 (6–10–75).

Grundy County

Altamont, *Grundy County Jail*, off TN 56 (6–18–75).

Knox County

Concord, *Russell, Avery, House*, 11409 Kingston Pike (6–5–75).

Loudon County

Lenoir City, *Lenoir Cotton Mill*, Depot St. (6–18–75) HABS.

Madison County

Jackson, *Jackson Free Library*, College and Church Sts. (6–26–75).

Obion County

Rives, *Dickey's Octagonal Barbershop*, SW corner of High and N. Church Sts. (6–5–75).

Sevier County

Harrisburg vicinity, *Harrisburg Covered Bridge*, S of Harrisburg off U.S. 411 over East Fork of Little Pigeon River (6–10–75).

Pigeon Forge, *Pigeon Forge Mill*, off U.S. 441 (6–10–75).

Sevierville, *Waters House*, 217 Cedar St. (6–18–75).

Sevierville vicinity, *Brabson's Ferry Plantation*, NW of Sevierville off Sevierville Pike in Boyd's Creek area (6–26–75).

Sevierville vicinity, *Wheatlands*, NW of Sevierville on Old Knoxville Hwy. (7–7–75).

Sumner County

Gallatin, *Trousdale Place*, 183 W. Main St. (6–5–75).

Gallatin vicinity, *Fairvue*, 4 mi. S of Gallatin on U.S. 31E (6–10–75) HABS.

Williamson County

Franklin vicinity, *Harrison House*, S of Franklin on Columbia Pike (6–18–75).

TEXAS

Bexar County

San Antonio, *Fort Sam Houston* (5–15–75) NHL.

Galveston County

Galveston, *East End Historic District*, irregular pattern including both sides of Broadway and Market Sts. between 11th and 19th Sts. (7–3–75).

Harrison County

Marshall vicinity, *Marshall Arsenal, CSA*, N of Marshall on both sides of F.M. 1997 (7–1–75).

McLennan County

Waco vicinity, *Torrey's Trading House No. 2 Site*, E of Waco off TX 6 (6–5–75).

Runnels County

Ballinger, *Ballinger Carnegie Library*, 204 N. 8th St. (6–18–75).

Webb County

Laredo, *Fort McIntosh*, Laredo Junior College campus (6–25–75).

UTAH

Emery County

Emery vicinity, *Rochester-Muddy Creek Petroglyph Site*, 2.5 mi. SE of Emery (6–26–75).

Iron County

Parowan, *Smith, Jesse N., House*, 45 West 100 South (6–20–75).

Kane County

Glen Canyon vicinity, *Davis Gulch Pictograph Panel*, Glen Canyon National Recreation Area (6–5–75).

Salt Lake County

Salt Lake City, *Old City Hall* (5–15–75) NHL.

Salt Lake City, *Utah Commercial and Savings Bank Building*, 22 East 100 South (6–18–75) HABS.

Tooele County

Wendover vicinity, *Wendover Air Force Base*, S of Wendover off U.S. 40/I 80 (7–1–75).

Wayne County

Bicknell vicinity, *Nielson, Hans Peter, Gristmill*, 3 mi. SE of Bicknell (6–18–75).

VERMONT

Washington County

Barre City, *Wheelock Law Office*, 135 N. Main St. (6–18–75).

VIRGINIA

Botetourt County

Eagle Rock vicinity, *Phoenix Bridge*, NW of Eagle Rock off VA 615 over Craig Creek (6–10–75).

Charles City County

Ruthville vicinity, *Westover Parish Glebe*, SW of Ruthville off VA 615 (6–5–75) HABS.

Chesterfield County

Midlothian vicinity, *Pleasant View*, 1.5 mi. E of Midlothian on VA 677 (6–10–75).

Fredericksburg (independent city)

Washington, Mary, House, 1200 Charles St. (6–5–75) HABS.

Hanover County

Mechanicsville vicinity, *Rural Plains*, 6 mi. N of Mechanicsville off VA 606 (6–5–75) HABS.

New Kent County

Toano vicinity, *Moysonec*, W of Toano on Chickahominy River (6–20–75).

Richmond (independent city)

Third Street Bethel A.M.E. Church, 616 N. 3rd St. (6–5–75).

Walker, Maggie Lena, House (5–15–75) NHL.

Rockbridge County

Lexington vicinity, *Thorn Hill*, SW of Lexington off VA 251 (6–18–75).

Shenandoah County

Mt. Jackson vicinity, *Meems Bottom Covered Bridge*, S of Mt. Jackson on VA 720 over North Fork of Shenandoah River (6–10–75).

Spotsylvania County

Fredericksburg vicinity, *St. Julien*, S of Fredericksburg between VA 609 and VA 2 (6–5–75).

Westmoreland County

Wakefield Corner vicinity, *Blenheim*, N of Wakefield Corner off VA 204 (6–5–75) HABS.

WASHINGTON

King County

Seattle, *Coliseum Theater*, 5th Ave. and Pike St. (7–7–75).

Seattle, *Naval Military Hangar—University Shell House*, University of Washington campus (7–1–75).

Klickitat County

Glenwood vicinity, *Whitcomb Cabin*, 8 mi. S of Glenwood on SR 163 (6–10–75).

Pierce County

Tacoma, *Tacoma Light and Water Company Purifier Building*, 2203 S. A St. (6–18–75).

WEST VIRGINIA

Brooke County

Bethany, *Pendleton Heights*, Bethany College campus (6–26–75).

Cabell County

Milton, *Mud River Covered Bridge*, off U.S. 60 on SR 25 over Mud River (6-10-75).

Fayette County

Clifftop vicinity, *Tyree Stone Tavern (Old Stone House)*, E of Clifftop off U.S. 19 on SR 10 (6-20-75).

Grant County

Lahmansville vicinity, *Snyder, Noah, Farm*, 1.5 mi. S of Lahmansville on Rte. 5 (6-10-75).

Greenbrier County

Caldwell, *Elmhurst*, U.S. 60 (6-5-75).
Lewisburg, *Price, Gov. Samuel, House*, 224 N. Court St. (6-20-75).
Lewisburg vicinity, *Hartland (Rogers Farm)*, 2 mi. W of Lewisburg on Houfnaggle Rd. 6-10-75).

Hampshire County

Junction vicinity, *Sloan-Parker House (Stone House)*, E of Junction on U.S. 50 (6-5-75).

Randolph County

Huttonsville, *Hutton, E. E., House*, jct. of U.S. 219/250 and Union St. (6-11-75).

WISCONSIN

Jefferson County

Palmyra, *Enterprise Building*, 125 W. Main St. (6-5-75) HABS.

WYOMING

Laramie County

Cheyenne, *Fort D. A. Russell* (5-15-75) NHL.

Park County

Cody, *Buffalo Bill Boyhood Home*, 720 Sheridan Ave. (6-5-75).

* * * * *

The following are corrections for properties previously listed in the Federal Register:

ALABAMA

Autauga County

Prattville vicinity, *Montgomery-Jones-Whittaker House*, S of Prattville off AL 14 (10-25-74) (formerly listed as Jack Whittaker House).

Macon County

Tuskegee vicinity, *Tuskegee Institute National Historic Site*, 1 mi. NW of Tuskegee on U.S. 80 (10-26-74).

DISTRICT OF COLUMBIA

Washington Navy Yard Historic Precinct, bounded by Isaac Hull Ave., M, and 9th Sts. and the Anacostia River (6-19-73).

GEORGIA

Bibb County

Macon, *Monroe-Dunlap-Snow House*, 920 High St. (7-14-71).

ILLINOIS

Cook County

Chicago, *Auditorium Building, Michigan* Ave. at Congress St. (4-17-70) NHL.
Chicago, *Rookery Building*, 209 S. La Salle St. (4-17-75) NHL.

McLean County

Bloomington, *Davis, David, House*, 1000 E. Monroe St. (10-18-72) NHL.

LOUISIANA

Orleans Parish

New Orleans, *Old United States Mint, New Orleans Branch*, 420 Esplanade Ave. (6-5-73) NHL.

MAINE

Cumberland County

Portland, *Reed, Thomas Brackett, House*, 30-32 Deering St. (5-7-73) NHL.

MICHIGAN

Jackson County

Jackson, *Stone Post Office*, at rear of 125 N. Jackson St. (3-16-72) (formerly listed in Muskegon County)

NEBRASKA

Otoe County

Nebraska City vicinity, *Morton, J. Sterling, House (Arbor Lodge)*, Arbor Lodge State Park (4-16-69) NHL.

NEW YORK

Erie County

Buffalo, *Prudential Building*, Church and Pearl Sts. (3-20-73) NHL.

New York County

New York, *Central Synagogue (Congregational Ahawath Chesed-Shaar Hashomayim)* 646-652 Lexington Ave. (10-9-70) NHL.

OHIO

Cuyahoga County

Cleveland, *Cleveland Arcade*, 401 Euclid Ave. (3-20-73) NHL.

Hamilton County

Cincinnati, *Plum Street Temple*, 8th and Plum Sts. (12-27-72) NHL.

Stark County

Canton, *McKinley, William, Tomb*, 7th St. NW. (11-10-70) NHL.

OREGON

Linn County

Stayton vicinity, *Mt. Pleasant Presbyterian Church (Christian Church at Mt. Mount Pleasant)*, S of Stayton on Stayton-Jordon Rd. (1-24-74).

PENNSYLVANIA

Chester County

Easttown, *Waynesborough*, Waynesborough Rd. (1-29-73) NHL.

Philadelphia County

Philadelphia, *Pennsylvania Academy of Fine Arts*, SW corner of Broad and Cherry Sts. (5-27-75) NHL.

UTAH

Salt Lake County

Salt Lake City, *Fort Douglas*, Fort Douglas Military Reservation (6-15-70) NHL.

VIRGINIA

King and Queen County

Walkerton vicinity, *Hillsborough*, 2 mi. SE of Walkerton off SR 633 (9-22-71) HABS (formerly listed in Stevensville vicinity).

Norfolk (independent city)

Boush-Tazewell House, 6225 Powhattan Ave. (7-18-74).

WEST VIRGINIA

Ohio County

Wheeling, *Wheeling Suspension Bridge*, over Ohio River from 10th St. Wheeling to Virginia St. Wheeling Island (1-26-70) NHL

* * * * *

The following properties were omitted from the February 4, 1975, Federal Register:

FLORIDA

Palm Beach County

Palm Beach, *Mar-A-Lago National Historic* Site, 1100 S. Ocean Blvd. (10-21-72).

NEW YORK

Erie County

Buffalo, *Theodore Roosevelt Inaugural National Historic Site*, Delaware Ave. (11-2-66) HABS.

TENNESSEE

Hawkins County

Rogersville, *Rogersville Historic District* (2-23-73).

Knox County

Knoxville, *Knox County Courthouse*, Main Ave. and Gay St. (4-24-73).

TEXAS

Potter County

Fritch vicinity, *Alibates Flint Quarries Texas Panhandle Pueblo Culture National Monument*, SW of Fritch on the Canadian River (8-21-65).

* * * * *

The following properties have been demolished and therefore removed from the National Register of Historic Places:

KENTUCKY

Jefferson County

Louisville, *Board of Trade Building.*

VIRGINIA

Botetourt County

Fincastle, *Botetourt County Courthouse.*

WISCONSIN

La Crosse County

La Crosse, *Cargill, William W., House.*

* * * * *

The following properties have been removed from the National Register of Historic Places:

FLORIDA

Broward County

Olustee vicinity, *Olustee Battlefield* (correctly listed in Baker County).

MARYLAND

Howard County

Savage, *Savage Mill* (see *Savage Mill Historic District*).

NEW HAMPSHIRE

Rockingham County

Portsmouth, *Portsmouth Parade Historic District.*

NEW YORK

Ulster County

Kingston, *Clinton Avenue Historic District* (incorporated into *Kingston* Stockade District).

* * * * *

The following properties have been determined to be eligible for inclusion in the National Register. All determinations of eligibility are made at the request of the concerned Federal Agency under the authorities in section 2(b) and 1(3) of Executive Order 11593 as implemented by the Advisory Council on Historic Preservation, 36 CFR Part 800.

This listing is not complete. Pursuant to the authorities discussed herein, an Agency Official shall refer any questionable actions to the Director, Office of Archeology and Historic Preservation, National Park Service, Department of the Interior, for an opinion respecting a property's eligibility for inclusion in the National Register.

Historical properties which are determined to be eligible for inclusion in the National Register of Historic Places are entitled to protection pursuant to the procedures of the Advisory Council on Historic Preservation, 36 CFR Part 800. Agencies are advised that in accord with the procedures of the Advisory Council on Historic Preservation, before an agency of the Federal Government may undertake any project which may have an effect on such a property, the Advisory Council on Historic Preservation shall be given an opportunity to comment on the proposal.

ALABAMA

Madison County

Huntsville, *Lee House*, Red Stone Arsenal.

ALASKA

Northwestern District

Little Diomede Island, *Iyapana, John, House.*

ARIZONA

Coconino County

Grand Canyon National Park, *Old Post Office.*
Grand Canyon National Park, *O'Neill, Buckley, Cabin.*
Grand Canyon National Park, *Ranger's Dormitory.*

Graham County

Foote Wash—No Name Wash Archeological District.

Mohave County

Colorado City vicinity, *Short Creek Reservoir No. 1, Site NA 13,257.*
Colorado City vicinity, *Short Creek Reservoir No. 1, Site NA 13,258.*

Maricopa County

Cave Creek Archeological District.
New River Dams Archeological District. Site T:4:6.
Skunk Creek Archeological District.

Navajo County

Polacca vicinity, *Walpi Hopi Village*, adjacent to Polacca.

Pima County

Tucson, *Armory Park Historic District.*
Tucson vicinity, *Old Santan*, NW of Tucson.

Yuma County

Wickenburg vicinity, *Harquahala Peak Observatory*, SW of Wickenburg.
Yuma, *Southern Pacific Depot.*

ARKANSAS

Ouachita County

Camden, *Old Post Office*, Washington St.

CALIFORNIA

Calaveras County

New Melones Historical District, New Melones Lake Project area, Stanislaus River (also in Tuolumne County).

Colusa County

Stoneyford vicinity, *Upper and Lower Letts Valley Historical District*, 12 mi. SW of Stoneyford.

Imperial County

Glamis vicinity, *Chocolate Mountain Archeological District.*

Inyo County

Scotty's Castle, Death Valley National Monument.
Scotty's Ranch, Death Valley National Monument.

Los Angeles County

Van Norman Reservoir, Site CA-LAN 646, CA-LAN 643, Site CA-LAN 490, and a cluster made up of Sites CA-LAN 475, 491, 492, and 493

Madera County

CA-Mad 176-185, Lower China Crossing, and New Site, in Hidden Dam-Hensley Lake Project Area, Fresno River.

Marin County

Point Reyes, *Point Reyes Light Station.*

Mariposa County

Yosemite National Park, *Degnan Residence and Bakery*, Southside Dr.

Modoc County

Alturas vicinity, *Rail Spring*, about 30 mi. N of Alturas in Modoc National Forest.

Monterey County

Big Sur, *Point Sur Light Station.*
Pacific Grove, *Point Pinos Light Station.*

Riverside County

Blythe vicinity, *Blythe Intaglios, Indian Intaglios*, N of Blythe on U.S. 95.
Twentynine Palms, *Barker Dam*, Joshua Tree National Monument.
Twentynine Palms, *Cottonwood Oasis (Cottonwood Springs)*, Joshua Tree National Monument.
Twentynine Palms, *Desert Queen Mine*, Joshua Tree National Monument.
Twentynine Palms, *Lost Horse Mine*, Joshua Tree National Monument.

San Bernardino County

Twentynine Palms, *Keys, Bill, Ranch*, Joshua Tree National Monument.
Twentynine Palms, *Cow Camp*, Joshua Tree National Monument.
Twentynine Palms, *Twentynine Palms Oasis*, Joshua Tree National Monument.
Twentynine Palms, *Wallstreet Mill*, Joshua Tree National Monument.

Sacramento County

Sacramento River Bank Protection Project, Site 1, Sacramento River.

San Luis Obispo County

San Luis Obispo, *San Luis Obispo Light Station.*

San Mateo County

Ano Nuevo vicinity, *Pigeon Point Light Station.*
Hillsborough, *Point Montara Light Station.*

Shasta County

Redding vicinity, *Squaw Creek Archeological Site*, NE of Redding.
Whiskeytown, *Irrigation System (165 and 166)*, Whiskeytown National Recreation Area.

Sonoma County

Dry Creek-Warm Springs Valley Archeological District.
Santa Rosa, *Santa Rosa Post Office.*

Siskiyou County

Thomas-Wright Battle Site, Lava Beds National Monument.

COLORADO

Denver County

Denver, *Eisenhower Memorial Chapel*, Building No. 27, Reeves St., on Lowry AFB.

Douglas County

Keystone Railroad Bridge, Pike National Forest.

Eagle County

Wolcott, *Wolcott Stage Station.*

El Paso County

Colorado Springs, *Alamo Hotel*, corner of Tejon and Cucharras Sts.
Colorado Springs, *Old El Paso County Jail*, corner of Vermijo and Cascade Ave.

Larimer County

Site 5-LR-257, Boxelder Watershed Project.

Rio Blanco County

Meeker vicinity, *Thornburgh Monument*, NE of Meeker on Thornburgh Rd. 9 mi. from jct. of CO 13 and 789.
Rangely vicinity, *Canon Pintado*, S of Rangely on Hwy. 139.
Rangely vicinity, *Carrot Men Pictograph Site*, SW of Rangely and W of Rangely Dragon Rd.

CONNECTICUT

Hartford County

Hartford, *Church of the Good Shepherd and Parish House*, Wyllys St. and Van Block Ave.
Hartford, *Colt Factory Housing*, Huyshope Ave., between Sequassen and Weehasset Sts.
Hartford, *Colt Factory Housing (Potsdam Village)*, Curcombe St. between Hendriexsen Ave. and Locust St.
Hartford, *Colt Park*, bounded by Wethersfield Ave., Stonington, Wawarme, Curcombe, and Marseek Sts., and by Huyshope and Van Block Aves.
Hartford, *Colt, Col. Samuel, Armory, and related factory buildings*, Van Dyke Ave.
Hartford, *Flat-Iron Building (Motto Building)*, Congress St. and Maple Ave.
Hartford, *Houses on both sides of Congress Street.*
Hartford, *Houses on Charter Oak Place.*
Hartford, *Houses on Wethersfield Avenue*, between Morris and Wyllys Sts., particularly Nos. 97-81, 65.

Middlesex County

Middletown, *Mather-Douglas-Santangelo House*, 11 S. Main St.

New Haven County

New Haven, *City Hall and Annex.*
New Haven, *Post Office-Courthouse*, Church and Court Sts.

New London County

New London, *Thames Shipyard*, west bank of Thames River N. of the U.S. Coast Guard Academy.

DELAWARE

New Castle County

Wilmington, *Wilmington Customhouse*, King St.

Suffolk County

Lewes, *Delaware Breakwater.*
Lewes, *Harbor of Refuge Breakwater.*

DISTRICT OF COLUMBIA

Auditors' Building, 201 14th St. SW.
Central Heating Plant, 13th and C Sts. SW.
1700 Block Q Street NW, 1700-1744, 1746, 1748 Que St. NW.: 1536, 1538, 1540, 1602, 1604, 1606, 1608 17th St. NW.

FLORIDA

Hillsborough County

Tampa, *Firehouse No. 10*, Ybor City.

Pinellas County

Bay Pines, *VA Center*, Sections 2, 3, and 11 TWP 31-S, R-15E.

GEORGIA

Chatham County

Archeological Site, N end of Skidway Island.

Clarke County

Athens, *Carnegie Library Building*, 1401 Prince Ave.

Clay County

Archeological Site WGC-73, downstream from Walter F. George Dam.

Heard County

Philpott Homesite and Cemetery, on bluff above Chattahoochee River where Grayson Trail leads into river.

Stewart County

Rood Mounds.

Sumter County

Americus, *Aboriginal Chert Quarry*, Souther Field.

HAWAII

Hawaii County

Hawaii Volcanoes National Park, *Mauna Loa Trail.*

Maui County

Hana vicinity, *Kipahulu Historic District*, SW of Hana on Rte. 31.

Oahu County

Moanalua Valley.

IDAHO

Ada County

Boise, *Alexanders*, 826 Main St.
Boise, *Falks Department Store*, 100 N. 8th St.
Boise, *Idaho Building*, 216 N. 8th St.
Boise, *Simplot Building (Boise City National Bank)*, 805 Idaho St.
Boise, *Union Building*, 712½ Idaho St.

Clearwater County

Orofino vicinity, *Canoe Camp—Suite 18*, W. of Orofino on U.S. 12 in Nez Perce National Historical Park.

Custer County

Challis, *Challis Bison Jump.*

Idaho County

Kamiah vicinity, *East Kamiah—Suite 15*, SE of Kamiah on U.S. 12 in Nez Perce National Historical Park.

Lemhi County

Tendoy, *Lewis and Clark Trail, First Flag Unfurling.*
Tendoy, *Lewis and Clark Trail, Pattee Creek Camp.*

Lewis County

Jacques Spur vicinity, *St. Joseph's Mission (Slickpoo)*, S of Jacques Spur on Mission Creek off U.S. 95.

Nez Perce County

Lapwai, *Fort Lapwai Officer's Quarters*, Phinney Dr. and C St. in Nez Perce National Park.
Lapwai, *Spalding.*

ILLINOIS

Cook County

Chicago, *McCarthy Building (Landfield Building)* NE corner of Dearborn and Washington Sts.
Chicago, *Methodist Book Concern (later Stop and Shop Warehouse)*, 12 W. Washington St.
Chicago, *Ogden Building*, 130 W. Lake St.
Chicago, *Oliver Building*, 159 N. Dearborn St.
Chicago, *Springer Block (Bay, State, and Kranz Buildings)*, 126-146 N. State St.
Chicago, *Unity Building*, 127 N. Dearborn St.

De Kalb County

De Kalb, *Haish Barbed Wire Factory*, corner of 6th and Lincoln Sts.

Lake County

Fort Sheridan, *Museum, Bldg. 33*, Lyster Rd.
Fort Sheridan, *Water Tower*, Bldg. 49, Leonard Wood Ave.

Williamson County

Wolf Creek Aboriginal Mound, Crab Orchard National Wildlife Refuge.

INDIANA

Monroe County

Bloomington, *Carnegie Library.*

St. Joseph County

Mishawaka, *180 NW Block*, properties fronting N. Main St. and W. Lincoln Way.

Vermillion County

Houses in SR 63/32 Project, jct. of SR 32 and SR 63 and 1st rd. S of Jct.

IOWA

Boone County

Saylorville Archeological District (also in Polk and Dallas counties).

Muscatine County

Muscatine, *Clark, Alexander, Property*, 125-123 W. 3rd and 307, 309 Chestnut.

KANSAS

Douglas County

Lawrence, *Curtis Hall (Kiva Hall)*, Haskell Institute.

Pottawatomie County

Coffey Archeological Site, 14 PO 1.

KENTUCKY

Trigg County

Golden Pond, *Center Furnace*, N of Golden Pond on Bugg Spring Rd.

MAINE

Washington County

Machiasport, *Libby Island Light Station.*

MARYLAND

Anne Arundel County

Chestertown, *Bloody Point Bar Light*, on Chesapeake Bay.
Skidmore, *Sandy Point Shoal Light*, on Chesapeake Bay.

Baltimore County

Fort Howard, *Craighill Channel Upper Range Front Light*, on Chesapeake Bay.
Sparrows Point, *Craighill Channel Range Front Light*, on Chesapeake Bay.

Cecil County

Sassafras Elk Neck, *Turkey Point Light*, at Elk River and Chesapeake Bay.

Dorchester County

Hoopersville, *Hooper Island Light*, Chesapeake Bay-Middle Hooper Island.

Harford County

Havre De Grace, *Havre De Grace Light.*

St. Marys County

Piney Point, *Piney Point Light Station.*
St. Inigoes, *St. Inigoes Manor House*, Naval Electronic System Test and Evaluation Detachment.
St. Marys City, *Point No Point Light*, on Chesapeake Bay.

Talbot County

Tilgman Island, *Sharps Island Light*, on Chesapeake Bay.

MASSACHUSETTS

Barnstable County

Chatham vicinity, *Old Harbor U.S. Life Saving Station—U.S.C.G. Station*, North Beach.
North Eastham, *French Cable Hut*, jct. of Cable Rd. and Ocean View Dr.
Truro, *Highland House*, Cape Cod Light (Highland Light) area.

Bristol County

New Bedford, *Fire Station No. 4*, 79 S. 6th St.

Middlesex County

Watertown, *Commanding Officer's Quarters Bldg. 111, Watertown Arsenal*, 443 Arsenal St.
Wayland, *Old Town Bridge (Four Arch Bridge)*, Rte. 27, 1.5 mi. NW of Rte. 126 Jct.

Worcester County

North Brookfield, *Meadow Site No. 11*, Upper Quaboag River Watershed.

MICHIGAN

Little Forks Archeological District.

MINNESOTA

Beltrami County

Blackduct, *Rabideau CCC Camp Site*, S of Blackduct in Chippewa National Forest.

Winona County

Winona, *Second Street Commercial Block.*

MISSOURI

Buchanan County

St. Joseph, *Hall Street Historic District*, bounded by 4th St. on W. Robidoux on S. 10th on E, and Michel, Corby, and Ridenbaugh on N.

Dent County

Lake Spring, *Hyer, John, House.*

Franklin County

Leslie, *Noser's Mill and adjacent Miller's House*, Rural Rte. 1.

MONTANA

Carbon County

Barry's Landing, *Bad Pass Trail (Sioux Trail)*, Big Horn Canyon National Recreation Area.
Hardin, *Pretty Creek Site (Hough Creek Site)*, Big Horn Canyon National Recreation Area.

Fergus County

Lewis & Clark Campsite, May 23, 1805.
Lewis & Clark Campsite, May 24, 1805.

Lewis and Clark County

Marysville, *Marysville Historic District.*

Ravalli County

Conner vicinity, *Alta Ranger Station,* S of Conner in Bitterroot National Forest.

Sheridan County

Medicine Lake, *Tipi Hills,* Medicine Lake National Wildlife Refuge.

NEVADA

Clark County

Indian Springs vicinity, *Tim Springs Petroglyphs,* N of Indian Springs.
Las Vegas vicinity, *Blacksmith Shop,* Desert National Wildlife Range.
Las Vegas vicinity, *Mesquite House,* Desert National Wildlife Range.
Las Vegas vicinity, *Mormon Well Corral,* NE of Las Vegs.

Nye County

Las Vegas vicinity, *Emigrant's Trail,* about 75 mi. NW of Las Vegas on U.S. 95.

Storey County (also in Washoe County)

Sparks vicinity, *Derby Diversion Dam,* on the Truckee River 19 mi. E of Sparks, along I 80.

Washoe County

Derby Division Dam, see Storey County.

NEW JERSEY

Grafton County

Bedell Covered Bridge.

Mercer County

Hamilton and West Windsor Townships, *Assunpink Historic District.*

Middlesex County

New Brunswick, *Delaware and Raritan Canal,* between Albany St. Bridge and Landing Lane Bridge.

Monmouth County

Long Branch, The Reservation, 1-9 New Ocean Ave.

Sussex County (also in Warren County)

Old Mine Road Historic District.

Warren County

Old Mine Road Historic District, see Sussex County.

NEW MEXICO

Dona Ana County

Placitas Arroyo, *Sites SCSPA 1—8.*

NEW YORK

Bronx County

New York, *North Brothers Island Light Station,* in center of East River.

Greene County

New York, *Hudson City Light Station,* in center of Hudson River.

New York County

New York, *Harlem Courthouse,* 170 E. 121st St.

Richmond County

New York, *Romer Shoal Light Station,* located in lower bay area of New York Harbor.

Schoharie County

Breakabeen, *Breakabeen Historic District* between villages of North Blenheim and Breakabeen.

Suffolk County

New York, *Fire Island Light Station,* U.S. Coast Guard Station.
New York, *Little Gull Island Light Station,* off North Point of Orient Point, Long Island.
New York, *Plum Island Light Station,* off Orient Point, Long Island.
New York, *Race Rock Light Station,* S. of Pishers Island, 10 mi. N. of Orient Point.

Ulster County

Kingston vicinity, *Esopus Meadows Light Station,* middle of Hudson River.
New York, *Rondout North Dike Light,* center of Hudson River at Jct. at Rondout Creek and Hudson River.
New York, *Saugerties Light Station,* Hudson River.

Westchester County

Port Washington vicinity, *Execution Rocks Light Station,* lower SW portion of Long Island Sound.

NORTH CAROLINA

Alamance County

Burlington, *Southern Railway Passenger Depot,* NE corner Main and Webb Sts.

Brunswick County

Southport, *Fort Johnston,* Moore St.

Caswell County (also in Rockingham Co.)

Archeological Sites CS-12, County Line Creek Watershed Project.
Womacks Mill, in County Creek Watershed Project (also in Rockingham County).

Cleveland County

Archeological Resources in Second Brood River Watershed Project, also in Rutherford County.

Cumberland County

Fayetteville, *Veterans Administration Hospital Confederate Breastworks,* 23 Ramsey St.

Dare County

Buxton, *Cape Hatteras Light,* Cape Hatteras National Seashore.

Durham County

Durham, *St. Joseph's A.M.E. Church,* Fayetteville St. at the Durham Expwy.

Hyde County

Ocracoke, *Ocracoke Lighthouse.*

New Hanover County

Wilmington, *Market Street Mansions District,* both sides of Market St. between 17th and 18th Sts.

Rockingham County

Archeological Sites CS-12 (see Caswell County).
Womack's Mill (see Caswell County).

Rutherford County

Archeological Resources in Second Brood River Watershed Project, see Cleveland County.

OHIO

Clermont County

Neville vicinity, *Maynard House,* 2 mi. E of Neville off U.S. 52.

Pickaway County

Williamsport vicinity, *The Shack (Daugherty, Harry, House),* 5.5 mi. NW of Willamsport.

Seneca County

Tiffin, *Old U.S. Post Office,* 215 S. Washington St.

OKLAHOMA

Comanche County

Fort Sill, *Blockhouse on Signal Mountain* off Mackenzie Hill Rd.
Fort Sill, *Camp Comanche Site,* E range on *Cache Creek.*
Fort Sill, *Chiefs Knoll, Post Cemetery,* N of Macomb Rd.
Fort Sill, *Geronimo's Grave,* N of Jct. of Dodge Hill and Elgin Rds.
Fort Sill, *Henry Post Air Field,* Post Rd.
Fort Sill vicinity, *Medicine Bluffs,* NW of Fort Sill.

Haskell County

Keota vicinity, *Otter Creek Archeological Site,* SW of Keota.

Kay County

Newkirk vicinity, *Bryson Archeological Site,* NE of Newkirk.

OREGON

Coos County

Charleston, *Cape Arago Light Station.*

Curry County

Port Orford, *Cape Blanco Light Station.*
Wolf Creek, *Rogue River Branch,* Star Rte. Box 78.

Douglas County

Winchester Bay, *Umpqua River Lighthouse.*

Josephine County

Whiskey Creek Cabin.

Klamath County

Crater Lake National Park, *Crater Lake Lodge.*

Lake County

Silver Lake, *Picture Rock Pass Petroglyphs Site.*

Lane County

Roosevelt Beach, *Heceta Head Lighthouse.*
Roosevelt Beach, *Heceta Head Light Station.*

Lincoln County

Agate Beach, *Yakuina Head Lighthouse.*

Sherman County

Grass Valley vicinity, *Mack Canyon Archeological Site,* at end of BLM access road adjacent to Deschutes River N of Maupin.

Tillamook County

Tillamook, *Cape Meares Lighthouse.*

Wasco County

Memaloose Island, River Mile 177.5 in Columbia River.

PENNSYLVANIA

Adams County

Gettysburg, *Barlow's Knoll,* adjacent to Gettysburg National Military Park.

Allegheny County

Bruceton, *Experimental Mine,* U.S. Bureau of Mines, off Cochran Mill Rd.

Berks County

Mt. Pleasant, *Berger-Stout Log House,* near jct. of Church Rd. and Tulephocken Creek.
Mt. Pleasant, *Conrad's Warehouse,* near jct. of Rte. 183 and Powder Mill Rd.
Mt. Pleasant, *Heck-Stamm-Unger Farmstd,* Gruber Rd.
Mt. Pleasant, *Miller's House,* jct. of Rte. 183 and Powder Mill Rd.
Mt. Pleasant, *O'Bolds-Billman Hotel and Store,* Gruber Rd. and Rte. 183.
Mt. Pleasant, *Pleasant Valley Roller Mill,* Gruber Rd.
Mt. Pleasant, *Reber's Residence and Barn,* on Tulephocken Creek.
Mt. Pleasant, *Union Canal,* Blue Marsh Lake Project area.

Clinton County

Lockhaven, *Apsley House*, 302 E. Church St.
Lockhaven, *Harvey, Judge, House*, 29 N. Jay St.
Lockhaven, *McCormick, Robert, House*, 234 E. Church St.
Lockhaven, *Mussina, Lyons, House*, 23 N. Jay St.

Huntingdon County

Brumbaugh Homestead, Raystown Lake Project.

Lehigh County

Dorneyville, *King George Inn and two other stone houses*, Hamilton and Cedar Crest Blvds.

Philadelphia County

Philadelphia, *Quartermaster's Depot, U.S. Marine Corps*, 1100 S. Broad St.

Washington County

Charleroi, *Ninth Street School*.

SOUTH CAROLINA

Charleston County

Charleston, *139 Ashley St.*
Charleston, *69 Barre St.*
Charleston, *69r Barre St.*
Charleston, *316 Calhoun St.*
Charleston, *316r Calhoun St.*
Charleston, *268 Calhoun St.*
Charleston, *274 Calhoun St.*
Charleston, *Old Rice Mill*, off Lockwood Dr.

SOUTH DAKOTA

Pennington County

Rapid City, *Rapid City Historic Commercial District*, portions of 612–632 Main St.

TENNESSEE

Henry County

Mt. Zion Church and Cemetery (United Baptist Church).

Monroe County

Vonore vicinity, *Tellico Blockhouse Site*, E of Vonore.

Stewart County

Dover vicinity, *Fort Henry Site*, NW of Dover.
Great Western Furnace.

Trousdale County

Dixon Springs, *McGee House*.

TEXAS

Bexar County

Fort Sam Houston, *Eisenhower House*, Artillery Post Rd.

Galveston County

Galveston, *U.S. Customhouse*, bounded by Avenue B, 17th, Water, and 18th Sts.

UTAH

Salt Lake County

Salt Lake City, *Karrick Building (Leyson-Pearsoll Building)*, 236 S. Main St.
Salt Lake City, *Lollin Block*, 238–240 S. Main St.

VERMONT

Franklin County

Highgate Falls, *Lenticular or Parabolic Truss Bridge*, over Missiquoi River.

Windsor County

Windsor, *Post Office Building*.

WASHINGTON

Clallam County

Olympic National Park Archeological District, Olympic National Park (also in Jefferson County).
Segium, *New Dungeness Light Station*.

Grays Harbor County

West port, *Grays Harbor Light Station*.

Jefferson County

Olympic National Park Archeological District (see Clallam County).

King County

Burton, *Point Robinson Light Station*.
Seatle, *Alki Point Light Station*.
Seattle, *West Point Light Station*.

Kitsap County

Hansville, *Point No Point Light Station*.

Pacific County

Ilwaco, *Cape Disappointment Light Station*.
Ilwaco, *North Head Light Station*.

Pierce County

Fort Lewis Military Reservation, *Captain Wilkes, July 4, 1841, Celebration Site*.
Longmire, *Longmire Cabin*, Mount Rainier National Park.

San Juan County

San Juan Islands, *Patos Island Light Station*.

Snohomish County

Mukilteo, *Mukilteo Light Station*.

WEST VIRGINIA

Cabell County

Huntington, *Old Bank Building*, 1208 3rd Ave.

Kanawha County

St. Albans, *Chilton House*, 439 B St.

Ohio County

Wheeling, *B & O Railroad Freight Station and Train Shed*.

Wood County

Parkersburg, *Wood County Courthouse*.
Parkersburg, *Wood County Jail*.

WISCONSIN

Ashland County

Ashland vicinity, *Madeline Island Site 7302*.

Door County

Chambers Island, *Chambers Island Light House Dwelling*, northern tip Chambers Island, Green Bay, Lake Michigan.

Milwaukee County

Milwaukee, *Plainkinton, Elizabeth, House*, 1492 W. Wisconsin Ave.

WYOMING

Goshen County

Torrington, *Union Pacific Depot*.

Natrona County

Casper, *Cantonment Reno*.
Casper, *Castle Rock Archeological Site*.
Casper, *Dull Knife Battlefield*.
Casper, *Middle Fork Pictograph-Petroglyph Panels*.
Casper, *Portuguese Houses*.

Park County

Mammouth, *Chapel at Fort Yellowstone*, Yellowstone National Park.

PUERTO RICO

Mona Island, *Sardinero Site and Ball Courts*.

A. R. MORTENSEN,
Director, Office of Archeology and Historic Preservation.

[FR Doc.75-20115 Filed 8-4-75;8:45 am]

DEPARTMENT OF AGRICULTURE

Animal and Plant Health Inspection Service

AVAILABILITY OF DRAFT ENVIRONMENTAL IMPACT STATEMENT

Trial Boll Weevil Eradication Program

This document gives public notice that the Trial Boll Weevil Eradication Program Draft Environmental Statement (USDA–APHIS, (ADM–75–1)) was sent to the Council on Environmental Quality on July 25, 1975, pursuant to section 102 (2)(c) of the National Environmental Policy Act of 1969.

The notice of the Department's intent to prepare the draft statement was published in the Federal Register (39 FR 37079) on October 17, 1974. Comments were invited. Responses expressing support of the program were received from individual growers; grower organizations, including the National Cotton Council, State grower groups, and farm bureaus; and National and State governmental agencies, including the Atomic Energy Commission, State cooperative extension services, State experiment stations, and State departments of agriculture. Responses received from environmental groups or individuals affiliated therewith were noncommital as to the feasibility of the program, but asked for the opportunity to review the draft. All comments were given full consideration in preparing the draft statement.

The issues involved, results of the pilot experiment, and other pertinent information considered at preliminary conferences involving other agencies and the cotton industry are fully discussed in the draft statement.

The proposed action is to conduct a 3-year trial boll weevil eradication program on approximately 500,000 acres of cotton in Virginia, North Carolina, and South Carolina to determine if the technical and operational requirements for eradication can be executed successfully in a large-scale operational program. The boll weevil is the most important agricultural pest in the United States. It costs cotton producers and the U.S economy $200 to $300 million annually in losses and control. Approximately one-third of the insecticide applied in the United States each year for control of agricultural pests is for boll weevil control.

The population suppression technology that will be utilized in the trial program involves the integration of chemical, biological, and cultural control measures in a precisely timed program.

Scientific data have established, and are reported in the draft environmental statement, that the use of the population suppression techniques that will be employed in the program will result in no excessive or irreversible impact on the environment.

Alternatives considered to the proposed program are: (1) Organizing and implementing an areawide boll weevil management program; (2) Continue present control strategy where growers apply repeated pesticide treatments throughout each growing season.

Copies of the draft are available for public inspection at the following locations:

Plant Protection and Quarantine Programs, Animal and Plant Health Inspection Service, U.S. Department of Agriculture, Room 620, Federal Building, New Bern Avenue, Raleigh, N.C.

Plant Protection and Quarantine Programs, Animal and Plant Health Inspection Service, U.S. Department of Agriculture, Room 302–E, Administration Building, 14th and Independence Avenue, Washington, D.C.

Interested persons may obtain a copy of the draft statement by writing the Deputy Administrator, Plant Protection and Quarantine Programs, Animal and Plant Health Inspection Service, U.S. Department of Agriculture, Washington, D.C. 20250. Comments are invited and should be addressed to the Deputy Administrator by September 30, 1975.

Done at Washington, D.C., this 30th day of July 1975.

J. F. SPEARS,
Acting Deputy Administrator, Plant Protection and Quarantine Programs.

[FR Doc. 75–20302 Filed 8–4–75;8:45 am]

DEPARTMENT OF COMMERCE

Bureau of the Census

CENSUS ADVISORY COMMITTEE OF THE AMERICAN ECONOMIC ASSOCIATION

Meeting

The Census Advisory Committee of the American Economic Association will convene on October 3, 1975, at 9:15 a.m. in Room 2424, Federal Building 3 at the Bureau of the Census in Suitland, Maryland.

The Census Advisory Committee of the American Economic Association advises the Director, Bureau of the Census, on technical matters, accuracy levels, and conceptual problems concerning the economic censuses; reviews major aspects of the Bureau's programs, and advises on the role of analysis within the Bureau and the need for providing data in more detail.

The Committee is composed of 15 members of the American Economic Association.

The agenda for the meeting is: 1) Topics of current interest at the Bureau of the Census, 2) data needs for the new Congressional Budget Process, 3) framework for establishing the income/labor force data package for the 1980 census, 3) housing and construction statistics—new and needed data, and 4) review of the Census Bureau's Program of Energy Statistics.

The meeting will be open to the public, and a brief period will be set aside for public comment and questions. Extensive questions or statements must be submitted in writing to the Committee Control Officer at least 3 days prior to the meeting.

Persons planning to attend the meeting and wishing additional information concerning the meeting should contact the Committee Control Officer, Mr. Melvin A. Hendry, Acting Assistant Director for Economic Censuses, Bureau of the Census, Room 2081, Federal Building 3, Suitland, Maryland. (Mail address: Washington, D.C. 20233.) Telephone (301) 763–7356.

Dated: July 31, 1975.

VINCENT P. BARABBA,
Director, Bureau of the Census.

[FR Doc.75–20305 Filed 8–4–75;8:45 am]

Maritime Administration

FIRST NATIONAL BANK OF MINNEAPOLIS

Approval of Applicant as Trustee

Notice is hereby given that First National Bank of Minneapolis, with offices at 120 South Sixth Street, Minneapolis, Minnesota, has been approved as Trustee pursuant to Pub. L. 89–346 and 46 CFR 221.21–221.30.

BURT KYLE,
Acting Director, Office of Domestic Shipping.

[FR Doc.75–20359 Filed 8–4–75;8:45 am]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Social and Rehabilitation Service

WORK INCENTIVE PROGRAM—SOCIAL AND SUPPORTIVE SERVICES

Interim Funding Limits

Notice is hereby given of interim annual limits of entitlement for States for Federal financial participation in expenditures for child care and supportive services under the Work Incentive (WIN) Program pursuant to sections 402(a)(19)(G) and 403(d) of the Social Security Act, 42 U.S.C. § 602(a)(19)(G) and 603(d), for the period from July 1, 1975 to June 30, 1976. Public Law 94–41, the joint resolution making continuing appropriations for the fiscal year 1976, and for other purposes, makes available such amounts as are necessary to continue activities under Title IV part C of the Social Security Act including child care and supportive services pursuant to § 402(a)(19)(G) at a rate of $94,349,000 per year.

Accordingly, limits of entitlement have been calculated on the basis of the allocation formula published in the FEDERAL REGISTER on August 5, 1975 (40 FR 32861 (HEW/SRS)) and the amount made available under the Public Law 94–41. The annual limits of entitlement promulgated herein are an interim measure and will be replaced and superseded when the annual appropriation of the Department is enacted and the funds thus appropriated are made available to the Department for obligation. Grant Awards for the first fiscal quarter, and each subsequent quarter of fiscal year 1976 will not exceed one-fourth of the limits promulgated herein as long as these limits remain effective. The limit of entitlement for each State for child care, other supportive services and administration under section 402(a)(19)(G) for the period from July 1, 1975 to June 30, 1976 are as follows:

State	*July 1, 1975 to June 30, 1976 limits of entitlement*
Alabama	1,069,026
Alaska	448,178
Arizona	1,076,135
Arkansas	677,627
California	9,365,778
Colorado	1,416,133
Connecticut	1,199,894
Delaware	334,457
District of Columbia	1,358,383
Florida	2,078,385
Georgia	2,455,388
Hawaii	441,890
Idaho	534,633
Illinois	3,808,240
Indiana	1,005,269
Iowa	1,032,971
Kansas	728,204
Kentucky	1,108,594
Louisiana	928,688
Maine	613,360
Maryland	2,281,195
Massachusetts	2,390,405
Michigan	8,267,227
Minnesota	1,484,578
Mississippi	823,409
Missouri	1,742,118
Montana	357,657
Nebraska	350,305
New Hampshire	166,904
New Jersey	6,506,408
New Mexico	391,393
New York	10,328,637
North Carolina	1,231,350
North Dakota	229,226
Ohio	2,590,757
Oklahoma	687,274
Oregon	2,369,902
Pennsylvania	3,490,531
Rhode Island	664,328
South Carolina	858,021
South Dakota	417,980
Tennessee	1,128,423
Texas	2,615,231
Utah	1,176,121
Vermont	434,260
Virginia	1,149,269
Washington	2,192,911
West Virginia	1,501,135
Wisconsin	3,216,354
Wyoming	130,924
Guam	48,129
Puerto Rico	1,188,817
Virgin Islands	80,709
Total	94,349,000

Dated: July 30, 1975.

JOHN A. SVAHN,
Acting Administrator, Social and Rehabilitation Service.

[FR Doc.75–20294 Filed 8–4–75;8:45 am]

Social and Rehabilitation Service

WORK INCENTIVE PROGRAM; SOCIAL AND SUPPORTIVE SERVICES

Distribution of Funds

On December 2, 1974, this Department published in the Federal Register (39 FR 41757) a proposed formula for distribution of funds under section 403(d) of the Social Security Act for States' Social and Supportive Service program costs in the Work Incentive (WIN) program under

section 402(a)(19)(G) of the Act during Fiscal Year 1976. This action was necessary to assure that States operate their programs within the amount available under this Department's appropriation.

A number of comments were received during the comment period prescribed for the proposed FY 76 allocation formula. Essentially all of the comments were based upon the probability that the States will receive less funds in FY 76 than they believe is necessary. Given the fact that there are less funds available than many States would prefer, there is no allocation formula that will satisfy every State. The Department feels the proposal is the most equitable that can be developed under the circumstances. Furthermore, allocating 50 percent of the funds on the basis of a measurement of performance, provides States with an incentive to improve their programs. Therefore, after considering all the comments, no changes are being made in the proposed FY 76 allocation formula. Annual limits of entitlement for Fiscal Year 1976 of State expenditures for support services under the Work Incentive (WIN) program under sections 402(a)(19)(G) and 403(d) of the Social Security Act will be calculated on the basis of the following formula:

1. Fifty percent of the total limit of entitlement for all the States will be distributed on the basis of the ratio of each State's total program costs under section 402(a)(19)(G) for the four most recent quarters to the total of such program costs for all States during the four most recent fiscal quarters. (Such program costs shall be based on information available in Central office at the time of promulgation of the limits.)

2. Fifty percent of the total limit of entitlement for all the States shall be distributed on the basis of the ratio of the amount of funds allocated by the Secretary of Labor in support of the WIN manpower agency for each State in Fiscal Year 1976. (Such allocations of the Secretary of Labor shall be those available at the time of promulgation of the limits.)

Requests for Federal financial participation in expenditures incurred pursuant to section 402(a)(19)(G) during Fiscal Year 1976 will not be honored to the extent they exceed limits promulgated on this basis.

On May 1, 1976 the Department will reallocate on the basis of the same formula established for Fiscal Year 1976 funds which a survey of all States indicates will not be expended during Fiscal Year 1976. Such funds will be allocated to those States which indicate a necessity for additional funds to operate their program under 402(a)(19)(G) for the remainder of Fiscal Year 1976.

Dated: July 17, 1975.

JOHN A. SVAHN,
Acting Administrator, Social and Rehabilitation Service.

Approved: July 30, 1975.

CASPAR W. WEINBERGER,
Secretary.

[FR Doc.75-20328 Filed 8-4-75;8:45 am]

DEPARTMENT OF TRANSPORTATION

Coast Guard

[CGD 75 154]

QUALIFICATION OF SCHLUMBERGER TECHNOLOGY CORPORATION AS A CITIZEN OF THE UNITED STATES

This is to give notice that pursuant to 46 CFR 67.23-7, issued under the provisions of section 27A of the Merchant Marine Act, 1920, as added by the Act of September 2, 1958 (46 U.S.C. 883-1), Schlumberger Technology Corporation of 5000 Gulf Freeway, Houston, Texas 77001, incorporated under the laws of the State of Texas, did on 23 June 1975, file with The Commandant, United States Coast Guard, in duplicate, an oath for qualification of a corporation as a citizen of the United States following the form of oath prescribed in form CG-1260.

The oath shows that:

(a) A majority of the officers and directors of the corporation are citizens of the United States (list of names, home addresses, and citizenship attached to the oath);

(b) Not less than 90 percent of the employees of the corporation are residents of the United States;

(c) The corporation is engaged primarily in a manufacturing or mineral industry in the United States, or in a Territory, District, or possession thereof;

(d) The aggregate book value of the vessels owned by the corporation does not exceed 10 percent of the aggregate book value of the assets of the corporation; and

(e) The corporation purchases or produces in the United States, its Territories or possessions not less than 75 percent of the raw materials used or sold in its operations.

The Commandant, United States Coast Guard, having found this oath to be in compliance with the law and regulations on 23 June 1975 issued to Schlumberger Technology Corporation a certificate of compliance on form CG-1262, as provided in 46 CFR 67.23-7.

The certificate and any authorization granted thereunder will expire three years from the date thereof unless there first occurs a change in the corporate status requiring a report under 46 CFR 67.23-7.

Dated: July 30, 1975.

J. V. CAFFREY,
Captain, U.S. Coast Guard, Acting Chief, Office of Merchant Marine Safety.

[FR Doc.75-20312 Filed 8-4-75;8:45 am]

CIVIL AERONAUTICS BOARD

[DOCKET NO. 27982]

ALOHA AIRLINES, INC. ENFORCEMENT PROCEEDING

Hearing

Notice is hereby given, pursuant to the provisions of the Federal Aviation Act of 1958, as amended, that hearing in the above-entitled matter is assigned to be held on September 24, 1975, at 10 a.m. (local time) in Room 503, Universal Building, 1825 Connecticut Avenue, NW., Washington, D.C., before Administrative Law Judge Dee C. Blythe.

Dated at Washington, D.C., July 30, 1975.

[SEAL] ROBERT L. PARK,
Chief Administrative Law Judge.

[FR Doc.75-20325 Filed 8-4-75;8:45 am]

[DOCKET No. 28115]

MIDWEST-ATLANTA COMPETITIVE SERVICE CASE

Prehearing Conference

Notice is hereby given that a prehearing conference in the above-entitled matter is assigned to be held on September 23, 1975, at 10:00 a.m. (local time), in Room 503, Universal Building, 1825 Connecticut Avenue, NW., Washington, D.C., before Administrative Law Judge Henry Whitehouse.

In order to facilitate the conduct of the conference, parties are instructed to submit one copy to each party and four copies to the Judge of (1) proposed statements of issues; (2) proposed stipulations; (3) requests for information; (4) statement of positions of parties; and (5) proposed procedural dates. The Bureau of Operating Rights will circulate its material on or before September 5, 1975, and the other parties on or before September 15, 1975. The submissions of the other parties shall be limited to points on which they differ with the Bureau of Operating Rights, and shall follow the numbering and lettering used by the Bureau to facilitate cross-referencing.

Dated at Washington, D.C., July 30, 1975.

[SEAL] ROBERT L. PECK,
Chief Administrative Law Judge.

[FR Doc.75-20329 Filed 8-4-75;8:45 am]

[Docket 27878, Order 75-7-147]

SFO HELICOPTER AIRLINES, INC. CONTROL RELATIONSHIPS

Order To Show Cause

In the matter of application of Jack A. Erickson, SFO Helicopter Airlines, Inc., and United Technologies Corp. pursuant to sections 408 and 409 of the Federal Aviation Act of 1958, as amended.

Adopted by the Civil Aeronautics Board at its office in Washington, D.C. on the 30th day of July, 1975.

Jack A. Erickson, SFO Helicopter Airlines, Inc. (SFOH), and United Technologies Corp. (UTC)[1] request approval under section 408 of the Federal Aviation Act of 1958, as amended (the Act), of the acquisition by Mr. Erickson of 111,095 shares (15.3 percent) of SFOH class B voting stock from UTC.[2] Mr. Erickson

[1] UTC was formerly United Aircraft Corp.

[2] UTC acquired this stock in November 1973 as part of a reorganization of SFOH approved by orders 73-7-101 and 73-8-5.

presently owns 17,000 shares of this class of stock purchased on the open market. Upon consummation of the proposed transfer of the UTC shares, Mr. Erickson will own a total of 128,095 class B common shares, representing approximately 18.2 percent of the total outstanding voting securities of SFO.[3] Transfer of the UTC shares has been deferred pending action on the instant application.

Mr. Erickson is engaged principally in the lumbering business in Oregon, Washington, and California. He is president and sole owner of Indian Creek Lumber Co., which has engaged in wholesale lumbering operations.[4] Indian Creek is the parent of two wholly owned subsidiaries, Plymouth Lumber Co., now inactive, and Erickson Air-Crane Co. The latter owns timber rights in Oregon, Washington, and California and engages in the cutting of standing timber which it transports by helicopter or truck for sale to various lumber mills. This operation is performed with Sikorsky S–64 helicopters having a payload capacity of 20,000 pounds. Air-Crane also operates two three-seat Bell–47 helicopters for crew transportation and other suport requirements.

Air-Crane has a wholly owned subsidiary, Erickson Air Crane of Washington, Inc. (EAC/Washington), which owns one S–64 helicopter used in power line construction and support operations. The applicants state that there is no overlap between the operations of the two Erickson companies and SFOH, even though the latter has developed a program called its "Sky Hook" service, under which it provides externally slung cargo operations involving, for example, the removal of abandoned or wrecked automobiles from remote locations and the placement of electric power line towers. According to the applicants, these operations are not competitive because of the limited payload of 7,000 pounds of SFOH's S–61 helicopters compared with the 20,000 pounds of the S–64 operated by the Erickson companies.

UTC is an applicant in this proceeding, according to the applicants, only because of its interest in prompt approval of the transfer of its stock in SFOH and because it desires the removal of certain conditions imposed by the Board in connection with UTC's acquisition of the SFOH shares.

Based on the foregoing factors and the uncomplicated and noncontroversial nature of the transaction, the following relief is requested by the applicants:

(a) That the Board grant expeditious treatment of the application under nonhearing procedures used in similar cases.[5]

(b) That Mr. Erickson's acquisition of SFOH stock not be limited to the shares contemplated by the instant application. In this connection SFOH and Mr. Erickson would accept a condition under which the Board retained jurisdiction in this matter and imposed a requirement that Mr. Erickson report the acquisition of additional SFOH stock in increments of 10,000 shares within 14 days after purchase. In the alternative, SFOH and Mr. Erickson request that the Board grant anticipatory approval of the acquisition by Mr. Erickson of up to 50 percent of SFOH's shares.

(c) That, since UTC is disposing of its entire interest in SFOH, the Board delete the conditions imposed by order 73–8–5 on relationships between SFOH and UTC or otherwise determine that the requirements no longer apply.[6]

(d) That, in the event the Board should decide not to approve the acquisition under expedited procedures and thereby creates an affiliate relationship between SFOH and the various Erickson enterprises which would exempt the interlock pursuant to sections 287.3e and 287.4, or should the Board decide to disclaim jurisdiction or set the matter for hearing, the Board would grant expedited approval of the interlocking relationships of Mr. Erickson.

According to the applicants, the proposed transaction at issue will have no impact at all on SFOH, the public which SFOH serves, or upon any other air carrier, since the transaction merely involves the transfer of a block of SFOH's outstanding stock from one holder or holders to another. The applicants view the basic question as whether Mr. Erickson's acquisition of controlling interest in SFOH may involve the entrance into air transportation of a person whose interests are inconsistent with the sound development thereof. The applicants respond that no such possibility exists or is threatened here. They see Mr. Erickson's interest as a director and major shareholder of SFOH as wholly coterminous with SFOH's sound development and success, and that Mr. Erickson's other business activities neither overlap SFOH's nor present any potential conflict of interest between the separate unrelated operations.[7]

In addition the slung cargo operations of SFOH are only an adjunct to its scheduled services in the San Francisco/Oakland Bay area.

No comments relative to the application have been received.

Upon consideration of the application the Board concludes that SFOH is a certificated air carrier and that the acquisition of 10 percent or more of its stock by Mr. Erickson, a person engaged in a phase of aeronautics, raises the presumption of control over SFOH under sections 408(a) and 408(f) of the Act. However, we have tentatively concluded that the relationship between Mr. Erickson and SFOH should be approved pursuant to section 408 subject to an intercompany transaction condition. Because of the less-than-arm's-length relationship created by the affiliation between SFOH and the companies owned by Mr. Erickson, we will require that substantial transactions between SFOH and any other company owned or controlled by Mr. Erickson be subject to the prior approval of the Board.

Because of the ability of SFOH and Air-Crane/EAC-Washington to handle externally slung cargo, there exists the possibility that SFOH and the Erickson helicopter companies may be competing for contracts for this type of service. However there is a wide disparity in the lift capacity of SFOH's S–61 helicopters (7,000 pounds) as compared to the S–64's operated by the Erickson companies (20,000 pounds), and there appears to be little likelihood of significant competition between the parties for this type of business. It also appears reasonable to conclude that Mr. Erickson's wide experience and contacts in this field, together with his substantial investment in SFOH, could produce opportunities for the profitable use of SFOH's smaller helicopters in contract operations to which they are suited.

With regard to Mr. Erickson's expressed intention to acquire additional voting stock of SFOH, we have decided to accept applicant's offer to report such acquisitions, with two modifications. Instead of reporting in 10,000-share increments, we will limit such reports to additions of 10 percent of SFOH's issued and outstanding shares, and we will limit such acquisitions, in toto, to 40 percent of such shares unless prior Board approval of the acquisition of more than that amount has been obtained. In similar cases, Pan American has been permitted to acquire 45 percent of the vot-

[3] As of April 30, 1975, SFO had 703,400 common shares issued and outstanding, including 578,400 class B shares which were issued to unsecured creditors and 125,000 class A shares issued to Trans World Airlines, Inc., in conjunction with the 1973 chapter X reorganization. The two different classes of common stock have identical voting rights per share for purposes of calculating the percentage distribution herein. The class A shares have certain additional rights, including a preference in liquidation, in recognition of TWA's prior senior creditor status.

[4] At the present time, Indian Creek is not actively engaged in any operations, and its assets consist solely of its investment in subsidiaries.

[5] SFO Helicopter Airlines, Inc. Reorganization, orders 73–7–101 and 73–8–5; Black and Decker Manufacturing Co., orders 73–11–5 and 73–12–108.

[6] Order 73–8–5, in ordering paragraph 4, imposes the following requirements upon SFO:

(a) SFOH and its affiliates and subsidiaries, shall make no purchase of goods and services from UAC, (former name of UTC) or its subsidiaries and affiliates, except at prices offered to other air carriers.

(b) SFOH shall file with the Board within ten days thereof a report of any transactions or negotiations that might lead to (1) the modification, in whole or in part, purchase, or lease of any aircraft manufactured, owned or modified by UAC, or its subsidiaries or affiliates, or (2) the purchase, lease or modification of aircraft for which UAC or its subsidiaries or affiliates manufactures a component part or produces subassemblies.

[7] The fact that both SFO and Air-Crane perform externally slung cargo operations presents no potential for conflict of interest, in view of the markedly different scope, purpose, and capabilities of the two operations. Apart from the unique and specialized nature of Air-Crane's helicopter logging operations, the divergent lift capacities of the two aircraft types (up to 20,000 pounds by the S–64 versus a 7,000-pound limit for the S–61) renders them suitable for wholly noncompetitive cargo-lifting activities.

ing stock of New York Airways [8] and TWA, in connection with previous acquisitions of SFOH stock, contemplated the acquisition of up to 34 percent of such stock.[9] There is no particular significance to the 40-percent limitation except to provide the Board with an opportunity to review SFOH's operating and financial status in the light of Mr. Erickson's participation in SFOH's ownership and management.

Finally we shall grant applicant's request that SFOH and UTC be relieved of the requirements of subparagraphs (a) and (b) of ordering paragraph 4 of order 73-8-5 to the extent that such order required reports or otherwise limited transactions between SFOH and UTC.

Upon consideration of the foregoing, the Board finds that the acquisition of 15.3 percent of the stock of SFOH by Mr. Erickson constitutes the acquisition of control of an air carrier within the meaning of sections 408(a)(5) and 408(f) of the Act. However, the Board has tentatively decided that the acquisition is consistent with the public interest and will not result in creating a monopoly and thereby restrain competition nor jeopardize another air carrier not a party to the transaction and should be approved pursuant to section 408(b) of the Act, subject to conditions.[10] Otherwise there does not appear to be any disputed facts in issue which require a hearing for their resolution; the salient facts are a matter of public record since they are fully set forth in the application; and a protracted hearing on the matter could adversely affect the interests of the parties to the transaction and result in delays or prevent the acquisition. In its final order, the Board intends to retain jurisdiction in this proceeding for the purpose of taking such further action as may be required in the public interest.

Therefore, consistent with similar past procedures utilized by the Board,[11] the Board has decided to direct all interested persons [12] to show cause why the tentative findings, conclusions, and proposed approval should not be made final.

Accordingly, it is ordered that:

1. Interested persons are directed to show cause why the Board should not issue an order granting approval under section 408 of the Federal Aviation Act of the proposed transaction described herein;

2. Any person disclosing a substantial interest in the acquisition described herein and supporting or objecting to the issuance of an order making final the tentative findings and conclusions set forth herein or desiring the imposition of additional conditions upon approval shall file such comments with the Board within 20 days of the date of service of this order; [13] and

3. A copy of this order shall be served on the Departments of Justice and Transportation.

This order shall be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board:

[SEAL] EDWIN Z. HOLLAND,
Secretary.

[FR Doc.75-20330 Filed 8-4-75;8:45 am]

[Dockets 28074, 28075, 26838; Order 75-7-150]

PRIORITY RESERVED AIR FREIGHT RATES OF EASTERN AIR LINES, INC. ET AL.

Priority Reserved Air Freight Rates Investigation

Adopted by the Civil Aeronautics Board at its office in Washington, D.C. on the 31st day of July, 1975.

Eastern's proposal

By tariff revisions [1] issued June 27 and scheduled for effectiveness August 1, 1975, Eastern Air Lines, Inc. (Eastern) proposes, *inter alia*, to establish an online priority air freight service. The proposed rates are 130 percent of the otherwise applicable general or specific commodity rate, including minimum charges, currently in effect.[2] Eastern has concurrently filed for a 6 percent systemwide rate increase, also effective August 1. Thus, the proposed priority rates actually represent a premium of about 22.6 percent of the proposed increased rates.

The proposed service consists of loading priority freight after express and small-package shipments, but ahead of regular freight, provides for reservation of space aboard a particular flight subject to a 90-minute advance tender requirement, and, with certain exceptions,[3] for a refund to the shipper of the difference between the priority rate and the otherwise applicable rate in the event the shipment does not move on the specified flight.

In support of the proposal and in answer to the complaints, the carrier asserts that the proposal is not intended as a substitute for shipments it presently moves jointly with REA Express, Inc. (REA), but may be easily adapted as such, in the event of the dissolution of the air express agreement between the carriers and REA, or the removal of the court stay of Order 73-12-36, terminating REA's exemption authority; and that the proposal is designed basically to match that of Delta Air Lines, Inc. (Delta), which the Board permitted to go into effect by Order 75-7-81. The carrier estimates that the proposal will yield $500,000 per year in additional revenue.

Southern's proposal

By tariff revisions [4] issued June 30 and scheduled to become effective August 1, 1975, Southern Airways, Inc. (Southern) proposes to publish point-to-point priority rates at 130 percent of the otherwise applicable general and specific commodity rates currently in effect. Like Eastern, Southern has concurrently filed a systemwide increase of 6 percent on regular freight rates, for August 1 effectiveness, and the proposed priority rates are thus a premium of approximately 22.6 percent. Southern currently constructs priority rates by tariff rule, at a 30 percent premium. Its priority service rules are similar to Eastern's. The carrier asserts that the proposed rates are equal to those of Delta previously permitted by the Board.

Complaints

Complaints requesting suspension and investigation of the above proposals, or alternatively, in the case of Southern, rejection, have been submitted by United Air Lines, Inc. (United). The complainant contends, *inter alia*, that Eastern has failed to justify a premium of less than 30 percent; that the priority rates of Delta, which Eastern is purporting to meet, are themselves unreasonable; that Southern has never justified point-to-point priority rates, but only rates constructed by rule, and has submitted no justification whatsoever for reducing the priority premium from 30 to 22.6 percent; and that the rates of both carriers fail to recover costs and thus pose an additional burden upon regular air freight.

Board's findings

Southern's proposed rates come within the scope of the *Priority Reserved Air Freight Rates Investigation* (PRAFRI), Docket 26838, and their lawfulness will be determined in that proceeding. The issue now before the Board is whether to suspend them or to permit them to become effective pending investigation.[5] Eastern's rates are not currently under investigation.

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[8] Order 73-10-92, Oct. 24, 1973.

[9] Order 70-7-50, July 10, 1970.

[10] These conditions will be essentially as follows:

(a) Transactions between SFOH and any company owned or controlled by Mr. Erickson shall not exceed $100,000 a year in the aggregate without prior Board approval.

(b) SFOH and Mr. Erickson shall report the acquisition of a beneficial interest by Mr. Erickson in additional voting stock of SFOH at any time such additional interest exceeds 10 percent of the then outstanding total voting shares of SFOH stock provided that Mr. Erickson's total beneficial interest in SFOH voting stock shall not exceed 40 percent without prior Board approval.

[11] See San Francisco and Oakland Helicopters Airlines, Inc., order 73-7-101, July 20, 1973; Black and Decker Mfg. Co., order 73-11-5, Nov. 1, 1973.

[12] We anticipate that such persons will support their objections with detailed answers specifically setting forth the tentative findings and conclusions to which they object. Persons supporting approval are similarly expected to document their positions.

[13] Such comments shall comply with the requirements of the Board's Procedural Regulations, 14 CFR 302.

[1] Revisions to Airline Tariff Publishing Company, Agent, Tariff C.A.B. No. 169.

[2] Rates on human remains shipments are to be set equal to current rates, since such shipments already receive priority treatment, while exception ratings applied to live-animal shipments will not be applied to those receiving priority service.

[3] Adverse weather conditions, mechanical delay of the aircraft, and other conditions not under the control of the carrier.

[4] Revisions to Airline Tariff Publishing Company, Agent, Tariff C.A.B. No. 169.

[5] Southern's proposed point-to-point rates are equal to the currently effective rates published by tariff rule, and do not constitute a substantive change. We therefore find no basis for rejection on the grounds of lack of justification.

There are significant questions as to the level and structure of the proposed rates and whether the proposals, both as to rates and service, are consistent with the Board's finding that the carriers are under an obligation to offer highly expedited inter-carrier priority service as a replacement for air express service (Order 73-12-36). Consequently, upon consideration of all relevant factors, the Board finds that Eastern's proposal may be unjust, unreasonable, unjustly discriminatory, unduly preferential, unduly prejudicial, or otherwise unlawful and shold be investigated. This investigation will be consolidated into PRAFRI.

The Board will also, for the foregoing reasons, institute an investigation of similar priority rate provisions in effect but not under investigation for Northwest Airlines, Inc.

We will, however, permit the proposed rates of both Eastern and Southern to become effective pending investigation, and will dismiss United's requests for suspension. United presents no valid argument that a 30 percent priority premium is *prima facie* more reasonable than a lower premium. Our conclusion here is identical to that in Order 75-7-81, dealing with Delta's proposed point-to-point priority rates, involving a 22.6 percent premium above standard rates. The Board asserted, "We cannot find that Delta's rates for priority service are unduly low, or that their relationship to its general or specific commodity rates warrant suspension." The Board takes the same position here.

Accordingly, pursuant to the Federal Aviation Act of 1958, and particularly Sections 204(a), 403, 404, and 1002 thereof,

IT IS ORDERED THAT:

1. An investigation is instituted to determine whether the (1) rates, charges, and provisions in Rule No. 75 on 7th Revised Page 40 applicable for the account of "NW"; and (2) provisions in Rule No. 76 on 8th Revised Page 41 and "GCX" and "SCX" rates, charges, and provisions on pages 477 through 612 making reference to Rule No. 76 for application for the account of "EA" in Tariff C.A.B. No. 169, issued by Airline Tariff Publishing Company, Agent, and rules, regulations, or practices affecting such rates, charges, and provisions, including subsequent reissues or revisions thereof are or will be unjust, unreasonable, unjustly discriminatory, unduly preferential, unduly prejudicial, or otherwise unlawful, and, if found to be unlawful, to determine and prescribe the lawful rates, charges, and provisions and rules, regulations, and practices affecting such provisions;

2. The investigation instituted herein is hereby consolidated into Docket 26838, *Priority Reserved Air Freight Rates Investigation;*

3. Except to the extent granted herein, the complaints of United Air Lines, Inc. in Dockets 28074 and 28075 are hereby dismissed; and

4. Copies of this order shall be served upon Eastern Air Lines, Inc. and Northwest Airlines, Inc., which are hereby made parties to Docket 26838.

This order will be published in the Federal Register.

By the Civil Aeronautics Board:

[SEAL] EDWIN Z. HOLLAND,
Secretary.

[FR Doc.75-20331 Filed 8-4-75;8:45 am]

COMMISSION ON CIVIL RIGHTS

ARIZONA STATE ADVISORY COMMITTEE

Meeting

Notice is hereby given, pursuant to the provisions of the Rules and Regulations of the U.S. Commission on Civil Rights, that a planning meeting of the Arizona State Advisory Committee will convene at 7:00 p.m. and end at 10:00 p.m. on August 20, 1975, Hunter Inn, 124 S 24th Street, Phoenix, Arizona 85034-Sonora Room.

Persons wishing to attend this meeting should contact the Committee Chairperson, or the Mountain States Regional Office of the Commission, Room 216, Champa Street, Denver, Colorado 80282.

The purpose of this meeting is to bring SAC members up-to-date with the Administration of Justice and Arizona Native Americans project, coordinate SAC visits to areas in Arizona for court observation, decision on place of hearing.

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

Dated at Washington, D.C., July 30, 1975.

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

[FR Doc.75-20320 Filed 8-4-75;8:45 am]

ARKANSAS STATE ADVISORY COMMITTEE

Agenda and Notice of Open Meeting

Notice is hereby given, pursuant to the provisions of the Rules and Regulations of the U.S. Commission on Civil Rights, that a planning meeting of the Arkansas State Advisory Committee (SAC) to this Commission will convene at 9:30 a.m. and end 4:30 p.m. on August 30, 1975, in the Loggia Room Sam Peck Hotel, 625 Capitol West, Little Rock, Arkansas 72201.

Persons wishing to attend this meeting should contact the Committee Chairperson, or the Southwest Regional Office of the Commission, Room 231, New Moore Building, 106 Broadway, San Antonio, Texas 78205.

The purpose of this meeting is to discuss Delta Region Follow-up Study; appointment of minorities and women to State boards and commissions; State Human Relations Council Proposal.

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

Dated at Washington, D.C. July 30, 1975.

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

[FR Doc.75-20321 Filed 8-4-75;8:45 am]

COLORADO STATE ADVISORY COMMITTEE

Cancellation of Meeting

Notice is hereby given, pursuant to the Rules and Regulations of the U.S. Commission on Civil Rights, that a planning meeting of the Colorado State Advisory Committee (SAC) to this Commission, originally scheduled for August 23, 1975, has been cancelled.

Dated at Washington, D.C., July 30, 1975.

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

[FR Doc.75-20322 Filed 8-4-75;8:45 am]

MARYLAND STATE ADVISORY COMMITTEE

Agenda and Notice of Open Meeting

Notice is hereby given, pursuant to the provisions of the Rules and Regulations of the U.S. Commission on Civil Rights, that a planning meeting of the Maryland State Advisory Committee (SAC) to this Commission will convene at 8:00 p.m. and end at 10:30 p.m. on August 18, 1975, at Johns Hopkins University, Baltimore, Maryland.

Persons wishing to attend this meeting should contact the Commission Chairperson, or the Mid-Atlantic Regional Office of the Commission, Room 510, 2120 L Street, NW., Washington, D.C. 20037.

The purpose of this meeting is to: 1. Review data for Maryland S&L's Institutions. 2. Review draft project proposal. 3. Identify potential interviews for Maryland S&L hearing.

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

Dated at Washington, D.C., July 30, 1975.

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

[FR Doc.75-20323 Filed 8-4-75;8:45 am]

OKLAHOMA STATE ADVISORY COMMITTEE

Agenda and Notice of Open Meeting

Notice is hereby given, pursuant to the provisions of the Rules and Regulations of the U.S. Commission on Civil Rights, that a fact-finding meeting of the Oklahoma State Advisory Committee (SAC) to this Commission will convene at 6:00 p.m. on August 21, 1975 and 9:00 a.m. on August 22, 1975, at the Ramada Inn 601 No. 2nd Street (Room 168), Lawton, Oklahoma 73501.

Persons wishing to attend this meeting should contact the Committee Chairperson, or the Southwestern Regional Office of the Commission, Room 231, New Moore Building, 106 Broadway, San Antonio, Texas 78205.

The purpose of this meeting is a follow-up on Equal Employment Report in Lawton, Oklahoma.

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

Dated at Washington, D.C., July 30, 1975.

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

[FR Doc.75-20324 Filed 8-4-75;8:45 am]

COMMODITY FUTURES TRADING COMMISSION

CFTC ADVISORY COMMITTEE PROGRAM

Establishment

The Commodity Futures Trading Commission has determined that establishment of a "CFTC Advisory Committee Program" would be in the public interest in connection with the performance of duties imposed on the Commission by the Commodity Exchange Act ("Act"), 7 U.S.C. 1 et seq., as amended, by the Commodity Futures Trading Commission Act of 1974 ("CFTC Act"), Pub. L. 93-463, 88 Stat. 1389 (1974). As required by Section 9(a)(2) of the Federal Advisory Committee Act, 5 U.S.C. App. 1, 9(a)(2), the Commission has consulted with the Committee Management Secretariat of the Office of Management and Budget, and the Commission certifies that creation of the CFTC Advisory Committee Program is in the public interest in connection with duties imposed on the Commission by law.

The CFTC Advisory Committee Program will be comprised of four separate advisory committees of limited duration. The nature, purposes and designations of each of these advisory committees are as follows:

1. *"The Commodity Futures Trading Commission Advisory Committee on Regulation of Commodity Futures Trading Professionals"* (*"Advisory Committee on Commodity Futures Trading Professionals"*). The objectives and scope of activities of the Advisory Committee on Commodity Futures Trading Professionals will be to consider and submit reports and recommendations to the Commission on the following subjects: Standards for regulation under the Commodity Exchange Act, as amended by the CFTC Act, of domestic and foreign commodity futures trading professionals, including commodity trading advisors, commodity pool operators, futures commission merchants, floor brokers, and associated persons. The advisory committee will consider:

(1) Definition, role and function of commodity futures trading professionals.

(2) Recordkeeping, reporting, and financial responsibility requirements for commodity futures trading professionals.

(3) Training and fitness standards for commodity futures trading professionals.

(4) Regulation of non-member futures commission merchants.

(5) Customer/investor protection stand

(5) Customer/investor protection standards for commodity futures trading professionals including: (i) Investor information needs, availability, content, timeliness, format and accuracy; and (ii) Responsibilities to customers: rules on suitability/know your customer or other alternatives; customer rights.

2. *"The Commodity Futures Trading Commission Advisory Committee on Definition and Regulation of Market Instruments"* (*"Advisory Committee on Market Instruments"*). The objectives and scope of activities of the Advisory Committee on Market Instruments will be to consider and submit reports and recommendations to the Commission on the following subjects:

(1) Appropriate standards to be utilized by the Commission in regulating forms of transactions that are subject to the Commodity Exchange Act, as amended by the CFTC Act, including consideration of such matters as: (i) Appropriate standards to be utilized by the Commodity Futures Trading Commission regarding the definition of commodity futures contracts; and (ii) Appropriate restrictions or prohibitions for options relating to commodity transactions and margin or leverage transactions subject to section 217 of the CFTC Act.

(2) Responsibilities of the Commission over cash commodity markets. This will include consideration of such matters as: (i) Contracts for forward delivery; (ii) Cash market manipulations; and (iii) Data and reporting needs for cash markets.

3. *"The Commodity Futures Trading Commission Advisory Committee on Regulation of Contract Markets and Self-Regulatory Associations (Advisory Committee on Market Regulation"*). The objectives and scope of activities of the Advisory Committee on Market Regulation will be to consider and submit reports and recommendations to the Commission on the following subjects:

(1) Rulemaking and enforcement roles of contract markets and futures associations subject to section 301 of the CFTC Act. This will include consideration of such matters as: (i) Streamlining regulations and rules; (ii) Uniformity considerations; (iii) Cost-effectiveness; and (iv) Duplication, coordination, and cooperation.

(2) Adequacy of contract market practices including: (i) Procedures for emergency actions by contract markets; (ii) Desirability of prohibiting or restricting dual broker-dealer activities; and (iii) Adequacy of transaction records (including time-stamping of executions).

4. *"The Commodity Futures Trading Commission Advisory Committee on the Economic Role of Contract Markets"* (*"Advisory Committee on Economic Role of Contract Markets"*). The objectives and scope of activities of the Advisory Committee on Economic Role of Contract Markets will be to consider and submit reports and recommendations to the Commission on the following subjects:

(1) Economic functions of futures trading. This will include consideration of such matters as: (i) Benefits of commodity futures trading; (ii) Appropriate standards to be utilized by the Commission under the Commodity Exchange Act, as amended by the CFTC Act, in developing a definition of bona fide hedging transactions or positions;

(iii) Appropriate standards to be utilized by the Commission under the Commodity Exchange Act, as amended by the CFTC Act, in developing a definition of international arbitrage; and (iv) Appropriate policy criteria to be utilized by the Commission in establishing trading and position limits under the Commodity Exchange Act, as amended by the CFTC Act.

(2) Criteria for economic evaluation of existing contracts and new contract applications, including such matters as: (i) Proliferation of contracts; (ii) Commercial viability of contracts (including delivery points); and (iii) Trading potential (new and inactive contracts).

Each of the proposed advisory committees will have as members persons from the following interest groups: industry, which may include representatives from contract markets, producers, processors, or financial institutions; persons with professional or academic expertise in commodities futures trading; and representatives of other interest groups such as labor, consumers, or communications. The Commission will appoint at least one of its members to serve as chairman of each advisory committee and may also select as members to the advisory committees, public officials having duties connected with the areas regulated by the Commission. The Commission believes that representatives from these interest groups will provide background and experience that will be of significant importance in considering appropriate regulatory measures to implement the requirements of the Commodity Exchange Act, as amended by the CFTC Act.

Interested persons may obtain additional information or make comments by writing the Commodity Futures Trading Commission, 1120 Connecticut Avenue, Washington, D.C. 20036.

Issued in Washington, D.C. August 5, 1975.

By the Commission:

WILLIAM T. BAGLEY,
Chairman, Commodity Futures Trading Commission.

[FR Doc.75-20412 Filed 8-4-75;8:45 am]

ENVIRONMENTAL PROTECTION AGENCY

[FRL 409-5; OPP-33000/296]

NOTICE OF RECEIPT OF APPLICATIONS FOR PESTICIDE REGISTRATION

Data To Be Considered in Support of Applications

On November 19, 1973, the Environmental Protection Agency (EPA) published in the FEDERAL REGISTER (38 FR 31862) its interim policy with respect to the administration of Section 3(c)(1)(d) of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended. This policy provides that EPA will, upon receipt of every application for registra-

tion, publish in the FEDERAL REGISTER a notice containing the information shown below. The labeling furnished by each applicant will be available for examination at the Environmental Protection Agency, Room EB–31, East Tower, 401 M Street, SW., Washington, D.C. 20460.

On or before October 3, 1975, any person who (a) is or has been an applicant, (b) believes that data he developed and submitted to EPA on or after October 21, 1972, is being used to support an application described in this notice, (c) desires to assert a claim for compensation under Section 3(c)(1)(D) for such use of his data, and (d) wishes to preserve his right to have the Administrator determine the amount of reasonable compensation to which he is entitled for such use of the data, must notify the Administrator and the applicant named in the notice in the FEDERAL REGISTER of his claim by certified mail. Notification to the Administrator should be addressed to the Information Coordination Section, Technical Services Division (WH–569), Office of Pesticide Programs, 401 M Street, SW., Washington D.C. 20460. Every such claimant must include, at a minimum, the information listed in the interim policy of November 19, 1973.

Applications submitted under 2(a) or 2(b) of the interim policy will be processed to completion in accordance with existing procedures. Applications submitted under 2(c) of the interim policy cannot be made final until the 60 day period has expired. If no claims are received within the 60 day period, the 2(c) application will be processed according to normal procedure. However, if claims are received within the 60 day period, the applicants against whom the claims are asserted will be advised of the alternatives available under the Act. No claims will be accepted for possible EPA adjudication which are received after October 3, 1975.

Dated: July 28, 1975.

JOHN B. RITCH, Jr.,
Director,
Registration Division.

APPLICATIONS RECEIVED (OPP—33000/296)

EPA File Symbol 8828–L. Almo Lab. Co., Inc., 47 Sindle Ave., Little Falls NJ 07424. NUODINE A LOW FOAMING IODOPHOR. Active Ingredients: Butoxy polypropoxy polyethoxy ethanoliodine complex 12.47%; Polyethoxy polypropoxy polyethoxy ethanol-Iodine complex 0.37%. Method of Support: Application proceeds under 2(b) of interim policy. PM34

EPA Reg. No. 3125–123. Chemagro Div. of Baychem Corp., Box 4913, Kansas City MO 64120. GUTHION 2S EMULSIFIABLE INSECTICIDE. Active Ingredients: *0,0*-Dimethyl *S*-[(4-oxo 1,2,3-benzotriazin-3(4*H*)-yl) methyl] phosphorodithioate 22%. Method of Support: Application proceeds under 2(b) of interim policy. PM12

EPA File Symbol 11292–U. Chemifax, 14800 Firestone Blvd., La Mirada CA 90638. CHLOREZE BOWL CLEANER. Active Ingredients: Hydrogen Chloride 8.5%; Isopropyl Alcohol 4.0%; Oxalic Acid 1.5%. Method of Support: Application proceeds under 2(c) of interim policy. PM32

EPA File Symbol 11292–G. Chemifax. WHIRLPOOL EMULSION BOWL CLEANER AND DISINFECTANT. Active Ingredients: Hydrogen Chloride 21.8%; Isopropyl Alcohol 4.0%; Oxalic Acid 1.2%. Method of Support: Application proceeds under 2(c) of interim policy. PM32

EPA File Symbol 11292–E. Chemifax. QUICK SWAB BOWL CLEANER. Active Ingredients: Phosphoric Acid 12.5%; Hydrogen Chloride 9.0%; Isopropyl Alcohol 6.5%; Toluene Sulfonic Acid 6.0%; Oxalic Acid 1.5%. Method of Support: Application proceeds under 2(c) of interim policy. PM34

EPA Reg. No. 239–2186. Chevron Chem. Co., Ortho Div., 940 Hensley Way, Richmond CA 94804. ORTHO PARAQUAT CL. Active Ingredients: Paraquat dichloride (1,1'-dimethyl-4,4'-bipyridinium dichloride) 29.1%. Method of Support: Application proceeds under 2(c) of interim policy. Republished: Added uses. PM25

EPA Reg. No. 4643–12. Dearborn Chem. Div., Chemed Corp., 320 Genesee St., Lake Zurich IL 60047. DEARCIDE 712. Active Ingredients: Sodium Pentachlorophenate 25.3%; Sodium Trichlorophenate 6.8%; Sodium Salts of Other Chlorophenols and Related Compounds 3.5%; Dipropylene Glycol Methyl Ether 10.0%. Method of Support: Application proceeds under 2(c) of interim policy. PM32

EPA Reg. No. 4643–19. Dearborn Chem. Div., Chemed Corp., 320 Genesee St., Lake Zurich IL 60047. DEARCIDE 713. Active Ingredients: N-Alkyl (7% C8, 6.5% C10, 53% C12, 19% C14, 8.5% C16, 5% C18)-1,3-Propanediamine 15.0%; Isopropyl Alcohol 15.0%; 2,4,5-Trichlorophenol 9.5%. Method of Support: Application proceeds under 2(c) of interim policy. PM32

EPA Reg. No. 1471–35. Elanco Products Co., A Div. of Eli Lilly and Co., PO Box 1750, Indianapolis IN 46206. ELANCO HERBICIDE TREFLAN E.C. Active Ingredients: trifluralin (a,a,a-trifluoro-2,6-dinitro-N,N-dipropyl-p-toluidine) 44.5%. Method of Support: Application proceeds under 2(c) of interim policy. Republished: Additional use. PM23

EPA File Symbol 491–EEE. Selig Chem. Industries, 840 Selig Dr., Atlanta GA 30336. SELCOL DISINFECTANT-SANITIZER FUNGICIDE-DEODORIZER. Active Ingredients: Alkyl (C14 60%, C16 30%, C12 5%, C18 5%) Dimethyl Benzyl Ammonium Chlorides 5.0%; Alkyl (C12 68%, C14 32%) Dimethyl Ethylbenzyl Ammonium Chlorides 5.0%. Method of Support: Application proceeds under 2(b) of interim policy. PM31

EPA File Symbol 10485–EN. United Chemical Corp., PO Box 1499, Hobbs NM 88240. ALPHA 560 WATER TREATMENT MICROBIOCIDE. Active Ingredients: n-Alkyl (60% C14, 30% C16, 5% C12, 5% C18) dimethyl benzyl ammonium chloride 21.0%; n-Dialkyl (60% C14, 30% C16, 5% C12, 5% C18) methyl benzyl ammonium chloride 4.0%. Method of Support: Application proceeds under 2(c) of interim policy. PM31

EPA File Symbol 52–EUL. West Chem. Products, Inc., 42–16 West St., Long Island City NY 11101. PINE-SCENTED TERAMINE DISINFECTANT - SANITIZER - DEODORIZER. Active Ingredients: n-Alkyl (40% C12, 50% C14, 10% C16) dimethyl benzyl ammonium chlorides 10.00%; Essential oils 2.00%. Method of Support: Application proceeds under 2(c) of interim policy. PM31

EPA File Symbol 36254–R. Western Environmental Services, PO Box 558, N. Hollywood CA 91603. SOAK-N-GROW. Active Ingredients: 2B,4a,7-trihydroxy,-1-methyl-8-methylene-4aa, 4bB,-gibb-3-ene-1a,10B-dicarboxylic acid, 1,4a-lactone 44.83%; 6-furfurylaminopurine 10.34%; KNO3 44.83%. Method of Support: Application proceeds under 2(c) of interim policy. PM25

CORRECTED ITEMS

The following are corrections to the list of Applications Received previously published in the FEDERAL REGISTER.

EPA File Symbol 11511–EE. Shalco Chemical Corp., PO Box 2508, 2421 Lexington Ave., Toledo OH 43606 (originally published as 43600). SHALCO OUTDOOR FOGICIDE. PM17 (40 FR 29923)

EPA File Symbol 8612–OR. B & G Co., PO Box 20372, Dallas TX 75220. BGC–4 EMULSIFIABLE CONCENTRATE (originally published as BCG–4 EMULSIFIABLE CONCENTRATE). PM15 (40 FR 30315)

EPA Reg. No. 352–372. E. I. Du Pont De Nemours & Co., Inc., Biochemical Dept. 7056 Dupont Bldg., Wilmington DE 19898. DUPONT VYDATE L OXAMYL INSECTICIDE/NEMATICIDE (originally published as DUPONT VYDATE L OXAMY INSECTICIDE/NEMATICIDE). PM12 (40 FR 30315)

[FR Doc.75–20120 Filed 8–4–75;8:45 am]

[FRL 409–6; OPP–33000/297]

NOTICE OF RECEIPT OF APPLICATIONS FOR PESTICIDE REGISTRATION

Data To Be Considered in Support of Applications

On November 19, 1973, the Environmental Protection Agency (EPA) published in the FEDERAL REGISTER (38 FR 31862) its interim policy with respect to the administration of Section 3(c)(1)(d) of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended. This policy provides that EPA will, upon receipt of every application for registration, publish in the FEDERAL REGISTER a notice containing the information shown below. The labeling furnished by each applicant will be available for examination at the Environmental Protection Agency, Room EB–31, East Tower, 401 M Street, SW., Washington, D.C. 20460.

On or before October 3, 1975, any person who (a) is or has been an applicant, (b) believes that data he developed and submitted to EPA on or after October 21, 1972, is being used to support an application described in this notice, (c) desires to assert a claim for compensation under Section 3(c)(1)(D) for such use of his data, and (d) wishes to preserve his right to have the Administrator determine the amount of reasonable compensation to which he is entitled for such use of the data, must notify the Administrator and the applicant named in the notice in the FEDERAL REGISTER of his claim by certified mail. Notification to the Administrator should be addressed to the Information Coordination Section, Technical Services Division (WH–569), Office of Pesticide Programs, 401 M Street, SW., Washington, D.C. 20460. Every such claimant must include, at a minimum, the information listed in the interim policy of November 19, 1973.

Applications submitted under 2(a) or 2(b) of the interim policy will be processed to completion in accordance with existing procedures. Applications submitted under 2(c) of the interim policy cannot be made final until the 60 day period has expired. If no claims are received within the 60 day period, the 2(c) application will be processed according to normal procedure. However, if claims are received within the 60 day period, the applicants against whom the claims are asserted will be advised of the alternatives available under the Act. No claims will be accepted for possible EPA adjudication which are received after October 3, 1975.

Dated: July 28, 1975.

JOHN B. RITCH, Jr.,
Director,
Registration Division.

APPLICATIONS RECEIVED (OPP-33000/297)

EPA Reg. No. 1448-46. Buckman Lab., Inc., Memphis TN 38108. BL BUSAN 30. Active Ingredients: 2 - (thiocyanomethylthio) benzothiazole 30%. Method of Support: Application proceeds under 2(b) of interim policy. Republished: Added uses. PM22

EPA Reg. No. 239-1663. Chevron Chem. Co., Ortho Div., 940 Hensley St., Richmond CA 94804. ORTHO DIQUAT WATER WEED KILLER. Active Ingredients: Diquat dibromide [6,7-dihydrodipyrido (1,2-a:2',1'-c) pyrazinediium dibromide] 35.3%. Method of Support: Application proceeds under 2(c) of interim policy. Republished: Added uses. PM24

EPA Reg. No. 456-97. Chemical Formulators, Inc., PO Box 26, Nitro WV 25143. MALEIC HYDRAZIDE 30. Active Ingredients: 1,2-dihydro-3,6-pyridazinedione 58.0%. Method of Support: Applicaiton proceeds under 2 (c) of interim policy. Republished: Added uses. PM25

EPA File Symbol 270-REG. Farnam Companies, Inc., 2230 E. Magnolia St., Phoenix AZ 85036. FARNAM B.E.R. EXTERNAL BOT EGG REMOVER. Active Ingredients: Sodium Linear Alkylate Sulfonate 20%. Method of Support: Application proceeds under 2(c) of interim policy. PM15

EPA File Symbol 35940-G. Petro-Con Chem. Co., 161 W 231st St., Bronx NY 10463. ALGA-TABS. Active Ingredients: Diisobutylphenoxyethoxyethyl dimethyl benzyl ammonium chloride, monohydrate 49.4%. Method of Support: Application proceeds under 2(c) of interim policy. PM31

EPA File Symbol 37296-L. Product-Sol Inc., 2010 Cole, Birmingham MI 48008. BIODERM 300 PRESERVATIVE. Active Ingredients: 1 - (3 - chloroallyl) - 3,5,7 - triaza-1 - azoniaadamantane 67.5%. Method of Support: Application proceeds under 2(c) of interim policy. PM34

EPA File Symbol 201-GOE. Shell Chemical Co., Suite 200, 1025 Connecticut Ave., NW, Washington DC 20036. SHELL CATTLE MINERAL MIX. Active Ingredients: 2-chloro - 1 - (2,4,5 - trichlorophenyl) vinyl dimethyl phosphate 1.8%. Method of Support: Application proceeds under 2(c) of interim policy. PM15

EPA File Symbol 201-GOG. Shell Chemical Co., Suite 200, 1025 Connecticut Ave., NW, Washington DC 20036. SHELL CATTLE MINERAL BLOCK. Active Ingredients: 2-chloro - 1 - (2,4,5 - trichlorophenyl) vinyl dimethyl phosphate 1.8%. Method of Support: Application proceeds under 2(c) of interim policy. PM15

EPA Reg. No. 2935-123. Wilbur Ellis Co., PO Box 1286, Fresno CA 93715. RED-TOP TEPP 40 SPRAY. Active Ingredients: Tetraethyl Pyrophosphate 40%. Method of Support: Application proceeds under 2(c) of interim policy. Republished: Added uses. PM16

[FR Doc.75-20121 Filed 8-4-75;8:45 am]

[FRD 409-7; OPP-33000/298]

NOTICE OF RECEIPT OF APPLICATIONS FOR PESTICIDE REGISTRATION

Data To Be Considered in Support of Applications

On November 19, 1973, the Environmental Protection Agency (EPA) published in the FEDERAL REGISTER (38 FR 31862) its interim policy with respect to the administration of Section 3(c)(1)(D) of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), as amended. This policy provides that EPA will, upon receipt of every application for registration, publish in the FEDERAL REGISTER a notice containing the information shown below. The labeling furnished by the applicant will be available for examination at the Environmental Protection Agency, Room EB-31, East Tower, 401 M Street, SW., Washington D.C. 20460.

On or before October 3, 1975, any person who (a) is or has been an applicant, (b) believes that data he developed and submitted to EPA on or after October 21, 1972, is being used to support an application described in this notice, (c) desires to assert a claim for compensation under Section 3(c)(1)(D) for such use of his data, and (d) wishes to preserve his right to have the Administrator determine the amount of reasonable compensation to which he is entitled for such use of the data, must notify the Administrator and the applicant named in the notice in the FEDERAL REGISTER of his claim by certified mail. Notification to the Administrator should be addressed to the Information Coordination Section, Technical Services Division (WH-569), Office of Pesticide Programs, 401 M Street, SW., Washington, D.C. 20460. Every such claimant must include, at a minimum, the information listed in the interim policy of November 19, 1973.

Applications submitted under 2(a) or 2(b) of the interim policy will be processed to completion in accordance with existing procedures. Applications submitted under 2(c) of the interim policy cannot be made final until the 60 day period has expired. If no claims are received within the 60 day period, the 2(c) application will be processed according to normal procedure. However, if claims are received within the 60 day period, the applicants against whom the claims are asserted will be advised of the alternatives available under the Act. No claims will be accepted for possible EPA adjudication which are received after October 3, 1975.

Dated: July 28, 1975.

JOHN B. RITCH, Jr.,
Director,
Registration Division.

APPLICATIONS RECEIVED (OPP-33000/298)

EPA File Symbol 7701-AG. Chemical Specialties, Inc., 777 S. Main St., Memphis TN 38106. GENERAL PURPOSE AQUEOUS INSECTICIDE. Active Ingredients: Pyrethrins 0.1%; Piperonyl Butoxide, technical 1.0%; Petroleum distillate 0.4%. Method of Support: Application proceeds under 2(c) of interim policy. PM17

EPA Reg. No. 464-323. Dow Chemical Co., PO Box 1706, Midland MI 48640. TORDON 22K HERBICIDE. Active Ingredients: Picloram (4-amino-3,5,6-trichloropicolinic acid) as the potassium salt 24.9%. Method of Support: Application proceeds under 2(c) of interim policy. Republished: Added uses. PM25

EPA Reg. No. 5602-97. Hub States Corp., 200 N. Illinois St., Indianapolis IN 46202. DITOX E. Active Ingredients: 0,0-diethyl 0-(3,5,6-trichloro-2-pyrdyl phosphorothioate 12.31%; 2,2-Dichlorovinyl dimethyl phosphate 11.45%; Related Compounds 0.86%; Xylene 70.33%. Method of Support: Application proceeds under 2(c) of interim policy. Republished: Added uses. PM13

EPA File Symbol 2693-RNI. International Paint Co., Inc., PO Box 386, Union NJ 07083. WIDE SPECTRUM ANTIFOULING ROYAL BLUE MARK I 3203. Active Ingredients: Tributyltin Fluoride 14.96%. Method of Support: Application proceeds under 2(c) of interim policy. PM24

EPA File Symbol 61-RAT. Andrew Brown Div. of Koppers Co., Inc., 1401 Koppers Bldg., Pittsburgh, PA 15219. COLORTOX BOTTOM PAINT ANTIFOULING B-45 INTERNATIONAL ORANGE. Active Ingredients: Tributyltin Fluoride 15.2%. Method of Support: Application proceeds under 2(c) of interim policy. PM24

EPA Reg. No. 2224-50. Mobile Chemical, PO Box 26683, Richmond, VA 23261. MOBIL MODOWN HERBICIDE WETTABLE POWDER. Active Ingredients: Bifenox [Methyl 5-(2,4-dichlorophenoxy)-2-nitrobenzoate] 80%. Method of Support: Application proceeds under 2(c) of interim policy. Republished: Added uses. PM25

EPA Reg. No. 2224-51. Mobil Chemical, PO Eox 26683, Richmond VA 23261. MOBIL MODOWN HERBICIDE EMULSIFIABLE CONCENTRATE. Active Ingredients: Bifenox [Methyl 5-(2,4-dichlorophenoxy)-2-nitrobenzoate] 21%. Method of Support: Application proceeds under 2(c) of interim policy. Republished: Added uses. PM25

EPA File Symbol 36530-R. Vic-Kum Chemical Corp., 4416 S. Austin St., Milwaukee WI 53207. VIC-KUM P-D-C GERMICIDAL RINSE. Active Ingredients: Potassium Dichloro Cyanurate 28%. Method of Support: Application proceeds under 2(c) of interim policy. PM34

[FR Doc.75-20122 Filed 8-4-75;8:45 am]

FEDERAL MARITIME COMMISSION

CERTIFICATES OF FINANCIAL RESPONSIBILITY (OIL POLLUTION)

Certificates Issued

Notice is hereby given that the following vessel owners and/or operators have established evidence of financial responsibility, with respect to the vessels indicated, as required by Section 311(p)(1) of the Federal Water Pollution Control Act, and have been issued Federal Maritime Commission Certificates of Financial Responsibility (Oil Pollution) pursuant to Part 542 of Title 46 CFR.

Certificate No.	Owner/operator and vessels
01015	A/S Rederiet Odfjell: *Bow Flower.*
01073	N.V.T.V.V.D. Koninklijke Hollandsche Lloyd: *Westland.*
01152	Neptune Maritime Co. of Monrovia: *Artemis.*
01354	H. E. Hansen-Tangen: *Adna.*
01406	United Bulkcarriers S.A.: *Capetan Rahiotis.*
01426	Kuwait Shipping Company (S.A.K.): *Ibn Tufail.*
01428	Ocean Transport & Trading Limited: *Autolycus.*
01466	Common Brothers (Management) Limited: *Woodburn.*
01935	Partnership Between Steamship Company Svendborg Ltd. and Steamship Company of 1912 Ltd.: *Mathilde Maersk.*
02182	Flanigan, Loveland Shipping Co. S.A. & Intercontinent Tankers, Inc.: *William T. Steele.*
02344	Empresa Lineas Maritimas Argentinas, S.A.: *Rio Esquel, Rio Gualeguay.*
02433	Dempo Steamships Limited: *Jagat Samrat.*
02730	Freeport Sulphur Company, a Division of Minerals Company: *Fred Holder, Truelove, Wright.*
02862	Ocean Shipping & Enterprises Ltd.: *Ocean Retia.*
02917	Scherkate Sahami Keschtirani Melli Arya: *Arya Shad, Arya Sara.*
	Scherkate Sahami Keschtirani Melli Arya: *Arya Far, Arya Chehr, Arya Pand, Arya Gol, Arya Kish, Arya Sun.*
02949	Valley Towing Service, Inc.: *JDS-126.*
02950	Tony Barge Co. Inc.: *R-101, Percy L. Lemay.*
02982	The Shipping Corporation of India Ltd.: *Visvesvaraya, Vivekananda, Netaji Subhas Bose, Aradhana, Vishva Tej, Sankara, State of Travancore-Cochin.*
03395	A/S Oljefefart II & Skibs A/S Motortank: *Harry Borthen.*
03468	Nihonkai Kisen Kabushiki Kaisha: *Rio De Janeiro Maru, Tasman Maru.*
03489	Sanwa Shosen K. K.: *Yamashige Maru.*
03513	Tanda Sangyo Kisen K. K.: *Hampton Maru.*
03836	Splosna Plovba: *Kocevje.*
04037	C. F. Bean Corporation: *Bean 12.*
04356	Pacific Far East Line, Inc.: *American Bear.*
04623	Seaspan International Ltd.: *Powell Carrier, Seaspan Forester, Seaspan Yarder.*
04670	Standard Products Co. Inc.: *Atlantic Beach.*
04679	Ratnakar Shipping Company Limited: *Ratna Nandini.*
05040	General Construction Company: *The Dalles, GC 20 (H & M NO. 1).*
05046	Magnolia Marine Transport Co.: *MM 27, MM 28, MM 29.*
05098	Esso Tankers, Inc.: *Esso Geneva.*
05197	Stravelakis Bros. Ltd.: *Leon.*
05203	The Western Company of North America: *Western Polaris I, Western Pacesetter II.*
05273	CIA Maritima Gulf, S.A.: *La Rabida, La Nina, Munatones, Butron.*
05274	Fluor Drilling Services, Inc.: *MR. SI.*
05372	Rowan Companies, Inc.: *Rowan-Alaska, Rowan-Louisiana.*
05378	Gulf States Oil Transportation Co.: *Butcher NO. 2.*
05425	Georgia Transporters, Inc.: *GT-110.*
05437	The Dow Chemical Company: *DC-401, DC-402, DC-403.*
05537	Empresa Navegacion Mambisa: *Abel Santamaria, Frank Pais, Pepito Tey, Renato Guitart.*
05549	Polska Zegluga Morska: *Karkonosze, Miroslawiec.*
05624	Perusahann Pertambangan Minyak Dan Gas Bumi Negara (Pertamina): *Permina Samudra 104.*
05767	Neptune Orient Lines Ltd.: *Neptune Sapphire, Neptune Emerald, Neptune Topaz, Neptune Garnet, Neptune Amber, Neptune Agate, Neptune Jasper, Neptune Beryl.*
06064	Trailer Marine Transport Corporation: *TMT Florida, TMT Puerto Rico, TMT Biscayne, TMT San Juan.*
06169	Empresa de Navegacao Alianca S/A: *Serra Branca, Serra Verde.*
06248	Commercial Corporation "Sovrybflot": *Kazalinsk.*
06384	Mercury Shipping Co. Ltd.: *Mercury River.*
06389	Sears Oil Co. Inc.: *Albany Sears, Utica Sears.*
06409	India Steamship Co. Ltd.: *Indian Endurance.*
06413	Nanayo Kisen Kabushiki Kaisha: *Housho Maru.*
06429	Ta Cheng Marine Company Ltd.: *Great Concord.*
06662	Reederei Claus-Peter Offen KG: *Holstental.*
06761	Sinclair Memphis Marine Service Inc.: *Dry Dock No. 1.*
06934	Chevron Navigation Corp.: *Chevron Perth.*
07331	K. K. Kaleisha: *Amaryllis.*
07171	Flensburger Ubersee-Schiffahrtsegesellschaft Jacob MBH & Co. KG: *MARGOT JACOB.*
07843	Northland Marine Lines Inc.: *Galena.*
07941	Dundee Shipping Incorporated: *Stolt Viking.*
08038	Flota Petrolera Ecuatoriana: *Flota Petrolera Ecuatoriana.*
08199	Gulf Shipping Corporation Limited: *Mansoor.*
08414	I. F. R. Services Limited: *Chrysantema.*
08559	Pescapuerta, S.A.: *Pescapuerta Segundo.*
08868	Weathers Towing, Inc.: *J. W. Wilson Jr.*
08927	Carib Lines, Ltd.: *Halcyon Sol.*
09006	Stena Line AB: *Stena Sailer.*
09018	Sigurd Herlofson & Co. A/S: *Amax Macgregor.*
09051	Vitasea S.A. Panama: *Vitašea.*
09244	System Fuels, Inc.: *SFI 51, SFI 54.*
09285	Statheros Shipping Corporation of Monrovia, Liberia: *Statheros.*
09301	Scott Chotin, Inc.: *Joe Chotin, Chotein.*
09315	Kaigai Gyogyo K.K.: *Sea Bird No. 8, Sea Bird No. 35.*
09374	International Ocean Transport Corporation: *Allegiance, Massachusetts.*
09390	Seacoast Products, Inc.: *Acadia.*
09392	Bay Rock Vessels, Inc.: *E 818.*
09395	Interoceangas Tankers Management, S.A.: *Pythagore.*
09440	Barge Leasing Corp.: *Conrad.*
09457	Ajax Shipping Company Limited: *Capbon.*
09497	S. A. Maritime Estate and Tourist Enterprises: *Neptune.*
09530	Naviera y Presquera de la Baja Calif. sa de CV: *Mar de Cortez.*
09539	Raymond - Kiewit - Tidewater, a Joint Venture: *Gerard.*
09567	Dong Soo, Ltd.: *Dong Soo No. 111.*
09625	Scheepvaartagentuur Orionbel N. V.: *Cuyo.*
09908	Freight Chartering Co., Ltd.: *Gerda.*
10021	Leitch Transport Ltd.: *Cape Breton Highlander, St. Lawrence Navigator, St. Lawrence Pros-*
10040	Tanker Trading Inc.: *Trina Multina.*
10094	Eacho Marine, Inc.: *Ellis 1256.*
10099	Petries Compania Naviera S.A.: *Dimitrios K.*
10133	Claudia Compania Maritima S.A. Panama: *Essen.*
10163	Narada Shipping Ltd.: *North Atlantic Unity.*
10177	Raymond E. Lee, Randy E. Lee, Rickey J. Lee DBA Sabine River Fuel Service, Inc.: *ST 107.*
10194	Agri-Trans Corporation: *American Beauty, Crimson Glory, White Dawn, White Knight.*
10199	Williams-McWilliams Co., Inc.: Arkansas, Diesel, George A. McWilliams, Port Arthur, Natchez, W-701.
10207	Seaspan Overseas Limited: *Alberni Carrier, Warrawee.*
10223	Baldbutte Shipping Company: *Baldbutte.*
10229	South Louisiana Dredging Co., Inc.: *Western Warrior.*
10235	Zapata Ugland Drilling, Inc.: *Zapata Ugland.*
10240	Ubique Finance Corporation, Panama: *Aktea.*
10246	Jagda Shipping Co. Ltd.: *Andoria.*
10247	Daslew Shipping Co., Ltd.: *Adler.*
10248	Transoceanic Cable Ship Company, Inc.: *Long Lines.*
10251	Martimaris Quinto Maritime Corporation: *Elinela.*
10254	Hambro S.A.: *Raymar.*
10257	Transworld No. 1 Tanker Services, Inc.: *CYS Dignity.*
10259	Transportacion Maritima de Yucatan S.A.: *El Salinero.*
10260	Hollywood Marine, Inc.: *Hollywood 1001, Hollywood 1002, Hollywood 1003, Hollywood 1502, Hollywood 2001, Hollywood 2002, Hollywood 2003, Hollywood 2004, Hollywood 2005, Hollywood 2006, Hollywood 2501, C & H 106, Debbie, Ellis 554, MGL-51, MGL-52, S-1511, S-1512, S-1513, S-1514, SS 2021, STC 2011, ST 130, ST 133, T-2200, TTC 1, W-143, W-144.*
10261	Carina Transport Company Limited: *Leo.*
10262	OBO Shipping S.A.: *Sea Hare.*
10263	Peters Trading Co. Ltd.: *North Lite.*
10264	Viotia Compania S.A.: *Sonya.*
10265	K. M. Shipping Company Limited: *Kalimantan Mahogany.*
10267	Acorn Maritime Incorporated: *Teresina.*
10268	Kung Hoi Shipping S.A.: *Kung Hoi.*
10271	Naviera Del Noroeste S.A.: *Dry Sack.*
10272	Kinori Uematsu: *Otori Maru.*
10273	Namyangsa Co. Ltd.: *Clover No. 101, Clover No. 102, Clover No. 103, Clover No. 105, Clover No. 106, Clover No. 107, Clover No. 108, Clover No. 110, Clover No. 111, Clover No. 112.*
10274	Dielco Compania Naviera S.A. Panama: *Antares.*
10275	Velos Navigation Company, Inc.: *Velos.*

Certificate No.	Owner/operator and vessels
10276	Eighth Chandris Shipping Corporation: *Agios Vlasios V.*
10279	Ikuchi Kaiun Kabushiki Kaisha: *Gallant, Grace.*
10280	Kuwait Oil Tanker Co., (U.K.) Ltd.: *Al Funtas, Al Andalus, Al Badiah, Al Sabbiyah, Arabiyah, Kazimah, Warbah.*
10277	Gregos Maritime Corporation: *Gregos.*
10281	Hansa Shipping Panama, Inc.: *Andreasturm, Philippturm.*
10282	Compagnie Francaise de Cables Sous-Marin et de Rádio: *Vercors.*
10296	Rother Shipping Inc.: *Sun Crocus.*
10285	Aria Shipping Co. Ltd.: *Aris.*
10286	Armar Shipping Co. Ltd.: *Armar.*
10287	Sunny Hurst Shipping Corporation: *Golconda.*
10288	Mithassel & Co. A/S: *Cool Girl.*
10289	Ocean Star Tankers S.A.: *Aegean Sailor.*
10292	Pacific Peace Navigation S.A.: *Pacific Peace.*
10293	South Marine Corporation: *Baltimore, Peru, AGP No. 74, AGP No. 75, SC1099, AGP No. 70.*
10294	Interessentskapet Olav Trygvason: *Olav Trygvason.*
10295	Merchants and Miners Transport, Inc.: *River Princess.*
10298	Carlon Maritime (Asia) Ltd.: *Mascot.*
10297	Imec Naviera Co., S.A.: *Daiei Maru No. 52.*
10300	Partrederiet Bech XIII: *Esther Bech.*
10301	Tyrolean Shipping Corp.: *Tyrol.*
10302	Interocean Tanker Corporation: *Southern Lion.*
10303	Almare Societa Di Navigazione S.P.A.: *Almare Prima.*
10304	Epiktetos Shipping Co. Ltd.: *Sarina I.*
10306	Ecliptic Maritime, Inc.: *Canis Minor.*
10307	N.V. Motorscheepvaartmaatschapij "Coria": *Coria.*
10308	The Indo-China Steam Navigation Company (Hong Kong) Limited: *Cree.*
10309	Vulcan Materials Company: *CC-206, CC-209.*
10310	Sar. Ge. Na. S.R.L.: *Primarosa, Ritina.*
10312	Merakmar Corporation: *Meraklis.*
10314	Edipsos Compania Naviera S.A.: *Michael Angelos.*
10315	North Dene Shipping Co. S.A.: *Seapearl.*
10316	Iran Express Lines: *Pishtaz Iran.*
10317	Dong Won Ice Co., Ltd.: *Dong Won No. 709.*
10319	Nederlandse Zeeboormaatschappij B.V.: *Sedneth I.*
10320	Star Shipping Corporation: *Caribbean Pearl.*
10321	Interocean Navigation Corporation: *Anna M.*
10322	Duk Soo Moolsan Co. Ltd.: *Duk Soo No. 61.*
10323	Doric Maritime Corporation: *Dorico.*
10324	Montrose Navigation Company Limited: *Irenes Banner.*
10325	Silver Cloud Shipping Company S.A. Panama: *Silver Cloud.*
10326	Cooperativa Internacional Pesquera S.A.: *Cipsa No. 21, Cipsa No. 22.*
10328	Anglo Pacific Shipping Company Limited: *Nordic Rambler.*
10330	United Car Transport Corporation S.A.: *Atlantic Wing.*
10332	Pukujin Kisen Kabushiki Kaisha: *Matsufukujin Maru.*
10334	Atlantic Overseas Petroleum Carriers Inc.: *Oriental Satellite.*
10335	Tanker Services Ltd.: *Nyuta.*
10339	Samudera Shipping (Liberia) Inc.: *Salunaka.*
10340	Sarda Ligure Di Navigazione S.P.A.: *Integritas.*
10341	Winterport Shipping Co. Inc.: *Proof Spirit.*
10342	Alaska Marine Charters, Inc.: *Snowbird.*
10343	Honeywell Navigation Corporation Ltd.: *Shirley.*
10344	Amelia Shipping Corporation, Monrovia: *Masovia.*
10348	Cugado Shipping Company S.A.: *El Tambo.*
10349	Niagara Barge Corporation: *Nepco 142*

By the Commission.

FRANCIS C. HURNEY,
Secretary.

[FR Doc.75-20085 Filed 8-4-75;8:45 am]

CERTIFICATES OF FINANCIAL RESPONSIBILITY (OIL POLLUTION)

Certificates Revoked

Notice of voluntary revocation is hereby given with respect to Certificates of Financial Responsibility (Oil Pollution) which had been issued by the Federal Maritime Commission, covering the below indicated vessels, pursuant to Part 542 of Title 46 CFR and Section 311(p)(1) of the Federal Water Pollution Control Act, as amended.

Certificate No.	Owner/operator and vessels
01017	Westfal-Larsen & Co. A/S: *Kaupanger.*
01028	Flensburger Schiffsparten-Vereiningung AG: *Stern Saturn.*
01107	N.V. Stoomvaart-Maatschappij "Oostzee" (Curacao): *Britsum.*
01330	Shell Tankers (U.K.) Ltd.: *Haustrum, Vermetus, Volvatella.*
01428	Ocean Transport & Trading Limited: *Rhexenor.*
01430	Tankers Limited: *Athelcrown.*
01466	Common Brothers (Management) Ltd.: *Warbah, Al Funtas, Al Sabbiyal, Al Badiah, Kazimah, Atlantic Champion.*
01470	Mermaid Shipping Co. Ltd.: *Atlantic Mermaid.*
01482	Atlantic Falcon Shipping Co. Ltd.: *Atlantic Falcon.*
01618	Evros Shipping Co., Ltd.: *Evros.*
01620	Eagle Shipping Co., Ltd.: *Atlantic Eagle.*
01622	Theofano Shipping Co., Ltd.: *Theofano Livanos.*
01624	Archangel Shipping Co., Ltd.: *Archangelos.*
01625	Champion Shipping Co. Ltd.: *Atlantic Champion.*
01861	BP Tanker Company, Ltd.: *British Energy, British Light.*
01931	Brigantine Transport Corporation: *Seraphine.*
01935	Partnership Between Steamship Company, Svendborg Ltd., and Steamship Company of 1912 Ltd.: *Rosa Maersk.*
01936	Interseas Shipping Company, S.A.: *Florentine.*
01939	Maersk McKinney Moller, Aktieselskabet Dampskibsselskabet Svendborg, Dampskibsselskabet AF 1912 Aktieselskab: *Dragor Maersk.*
01946	Leyena Atlantica Navegacion S.A. of Panama: *Intrepid Colocotronis.*
01952	Akmis Cia. Nav. S.A. of Panama: *Mitera Vassiliki.*
01953	Estrella Manna Nav. S.A. of Panama: *Majestic Colocotronis.*
01954	Empresas Oceanicas S.A. of Panama: *Theodoti.*
02001	Rederiaktiebolaget Transatlantic: *Elgaren.*
02047	Amarilis Shipping Co. Ltd.: *Amarilis.*
02198	Peninsular & Oriental Steam Navigation Co.: *Trewidden.*
02223	Aristotle Navigation Co. Ltd.: *Agios Vlasios V.*
02285	Atlan Lines, S.A.: *Atlan Turquesa.*
02288	"Cocarma": *Alberto Bennati.*
02333	Diamond Shamrock Corporation: *Chem 72.*
02549	Carlisle Steam Navigation Co. Ltd.: *Cassandra.*
02602	Fyffes Group Limited: *Roatan.*
02717	Court Line Limited: *Halcyon the Great, Halcyon Loch, Halcyon Skies.*
02863	Naviera Aznar S.A.: *Monte Umbe.*
02870	Isthmian Lines, Inc.: *Long Lines.*
02982	The Shipping Corporation of India, Ltd.: *Viswesvaraya, Vivekanand, Netaji Subash Bose, Ardahana, Shankara, Vishva Toj, State of Trav-Cochin.*
03091	Universal Marine Corporation: *Honkong Honour.*
03216	Rederiaktiebolaget Rex: *Ledaro.*
03282	Matheson & Co., Limited: *Cree.*
03294	Companhia de Navegacao Lloyd Brasileiro: *Rosa da Fonseca.*
03386	Compania Naviera Garoufalia, S.A.: *Spyros A. Lemos.*
03402	Asteria Shipping Company S.A.: *Despina R.*
03447	K. K. Kyokuyo: *Ryoun Maru No. 7, Akitsu Maru No. 6.*
03479	Okada Shosen Kabushiki Kaisha: *Senyo Maru.*
03482	Ryutsu Kaiun Kabushiki Kaisha: *Ryuyo Maru.*
03484	Sanko Kisen K. K.: *Montreal Maru, Kako Maru.*
03692	Marmac Corporation: *Manitou, Gertrude K.*
03963	The World Ore Carriers Ltd.: *Eastern Matsu.*
04039	Parker Brothers & Co., Inc.: *Trinity II.*
04184	M/G Transport Services Inc.: *Harewood.*
04229	Compagnie Maritime Congolaise S.C.R.L.: *Maurice Mpolo.*
04276	Rivtow Straits Limited: *Alberni Carrier.*
04289	Dixie Carriers, Inc.: *Butcher 5, Butcher 3, Butcher 4.*
04349	Northwestern Sea Carriers Corporation: *Andros Castle.*
04678	Compania Vapor Carmen, S.A.: *Nuestra Senora Del Carmen Segundo.*
04685	Partenreederei M.V. Marocsand: *Marocsand.*
04763	Codros Shipping Co., Ltd.: *Dora Paplios.*
04771	Texaco Canada Ltd., *Texaco Brave.*
04775	Leadale Shipping Limited: *Leadale, Fernadale.*
04919	Albany River Transport Inc.: *Albany.*
04984	C.V. M.S. "Tempo": *Tempo.*
05028	Westwind Shipping Corp.: *Buena Fortuna.*
05096	Esso Tankschiff Reederei GMBH: *Esso Munchen, Esso Frankfurt, Esso Hannover.*
05117	Otter Shipping Company Ltd.: *Sister Clio.*
05167	Consorcio Naviero Peruano S.A.: *Lima, Piura.*

Certificate No.	Owner/operator and vessels
05168	Transcontinental Navigation Corporation: *Athenian Runner.*
05298	Erich Drescher: *Ede Sinstore.*
05383	Lineas Pinillos: *Jucar.*
05421	Duenos Armadora S.A.: *Lambros.*
05663	Steelyrunne Shipping Co. S.A.: *Steely Runner.*
05664	Steelycarre Shipping Co. S.A.: *Steely Carrier.*
05695	O.K. Service Shipping Limited: *O. K. Service X.*
05777	Aeakos Compania Naviera S.A.: *Aegis Loyal.*
05857	Coral Marine Enterprise Panama Co. S.A.: *Daiei Maru No. 52.*
06012	Tensei Kisen K.K.: *Tenkei Maru No. 2.*
06038	Fulmen Compania Naviera S.A.: *Fulmen.*
06064	Trailer Marine Transport Corporation: *TMT Jacksonville, TMT Fortaleza.*
06165	Soponata-Sociedade Portuguesa de Navios Tanques, Limitada: *Cercal.*
06297	Astir Reederei GMBH & Co., K.G.: *Aegis Bravery.*
06413	Nanayo Kisen Kabushiki Kaisha: *Daishowa Maru.*
06496	Whaling City Dredge & Dock Corp.: *Coen No. 61.*
06505	Astir Navigation Company, Ltd.: *Byron.*
06508	Compania de Navigation Aeolus S.A.: *Sparto.*
06591	Med Shipping Corporation: *Kimon.*
06587	Estrella Neptunea Navegacion S.A.: *Lady Clio.*
06939	Naftilos Shipping Company: *Frankrig.*
06977	Alma Oceanico Naviera S.A.: *Morias.*
06995	Novorossiisk Shipping Company: *Ljubertsy, Maurice Thorez, Marshal Budyonyy, Maikop.*
07080	Intermare Transport Limited: *Aegis Diligence.*
07168	Atrax Shipping Company Limited: *Aegis Duty.*
07249	Astrofeliz Armadora S.A.: *Vasso.*
07290	Hollywood Terminals, Inc.: *W 144, W 143, Tide Mar 20, T 2200, TTC No. 1, STC 2011, ST 133, ST 130, SS 2021, S 1514, S 1513, S 1512, S 1511, MGL 52, MGL 51, JDS 128, JDS 126, Hollywood 2006, Hollywood 2004, Hollywood 2003, Hollywood 2002, Ellis 2123, Ellis 2121, Ellis 554, C & H 106.*
07294	Aetos Shipping Co. Ltd. S.A.: *Ithaki Castle.*
07366	Compagnie Martitime Des Chargeurs Reunis: *Medariana.*
07370	Elanka Compania Naviera S.A. Panama: Scapbay.
07533	Liquid Carrier Navigation Co. Ltd.: *Jan-Jan.*
07606	Sant' Ilario Societa Di Navigazione Di Paolo Mantovani & C., S.A.S.: *Taormina.*
07664	Hado Shipping Corporation: Tamara.
07679	Millstone Oil Carriers, S.A.: *Thale.*
07742	Rederiet Jal A/S: *Jal Importer.*
07753	Didimi Compania Naviera S.A. of Panama: *Monica S.*
07813	Cape Sear Shipping Company S.A., Monrovia: *Cape Sear.*
07836	Lunamarin S.A.: *Belgrano.*
07843	Northland Marine Lines Inc.: *O & H 195.*
07952	Marisira Navigation Company Limited: *Marisira.*
08071	Anglo Nordic Bulkship (Management) Ltd.: *Trachodon.*
08109	Cassiopeia Shipping Company Limited: *Leo.*
08124	Transportadora Madison S.A.: *Peranza.*
08125	Associated Marine Services, Inc.: *Heron.*
08177	Ocean Bulkers (U.K.) Limited: *Halcyon Isle, Halcyon Cove.*
08399	Crydon Shipping Company S.A. Panama: *Sophia.*
08429	Oceanos Benignos Armadora S.A.: *Titka.*
08522	Colmar Maritime Ltd.: *Lucky Era.*
08554	Almirante Navigation Corporation, Inc.: *Sovereign Sapphire.*
08565	Paris Shipping Company Limited: *Paris.*
08669	Chrysanthi Shipping Co. Ltd.: *Chrysanthi.*
08683	Far East Shipping Company Limited: *Pacific Viking.*
09042	C K Processing Co.: *TCB 305.*
09051	Vitasea S.A. Panama: *Aristovoulos.*
09147	Angelina Towing Corp.: *LSC 41.*
09292	Compania Naviera Sfakia, S.A. Panama: *Mount Julie.*
09468	Puerto Rico Maritime Shipping Authority: *Trenton.*
09634	Bergen Shipping Co., Ltd.: *Yukonmart.*
09680	Timat Scheepvaart Maatschappij N.V.: *Korissa.*
09875	Skukuza Shipping Corporation: *Skukuza.*
09906	Freight Chartering Co., Ltd.: *Insulaner.*
09955	URSA Shipping (Panama) S.A.: *Lucid.*

By the Commission.

FRANCIS C. HURNEY,
Secretary.

[FR Doc.75-20084 Filed 8-4-75;8:45 am]

CITY OF ANCHORAGE AND TOTEM OCEAN TRAILER EXPRESS, INC.

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, N.W., 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, within 10 days after publication of this notice in the FEDERAL REGISTER. 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.

Agreement No. T-3130, between City of Anchorage (City) and Totem Ocean Trailer Express, Inc. (Totem) is a lease by City to Totem of preferential berthing area and transit area at Anchorage City Dock to be used in a roll-on/roll-off trailer-ship service. Totem shall have the right to construct trestles connecting the berthing area, transit area and other additions to the premises. As compensation, and in lieu of tariff charges, except as expressly provided for in the agreement, Totem shall pay $426,625 per agreement year and may handle up to 250,000, tons of cargo. For each ton of cargo above 250,000, Totem shall pay an additional amount per ton at graduated levels as provided for in the agreement.

By Order of the Federal Maritime Commission.

Dated: July 31, 1975.

FRANCIS C. HURNEY,
Secretary.

[FR Doc.75-20334 Filed 8-4-75;8:45 am]

PORT OF SEATTLE AND TOTEM OCEAN TRAILER EXPRESS, 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, within *10* days after publication of this notice in the FEDERAL REGISTER. 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:

H. H. Wittren, Manager, Waterfront Real Estate, Port of Seattle, P.O. Box 1209, Seattle, Washington 98111

Agreement No. T-3128, between Port of Seattle (Port) and Totem Ocean Trailer Express, Inc., (Totem), is a three-year lease by Port to Totem of Piers 37 and 39 to be used in roll-on/roll-off trailership terminal operating functions. As compensation, and in lieu of tariff charges, Totem shall pay $35,500 a month as base rental and $6,656 a month (subject to adjustment) for improvements and other properties and facilities purchased by Port.

By Order of the Federal Maritime Commission.

Dated: July 31, 1975.

FRANCIS C. HURNEY,
Secretary.

[FR Doc.75-20333 Filed 8-4-75;8:45 am]

FEDERAL POWER COMMISSION

[Docket Nos. RI75-81, *et al.*]

AMOCO PRODUCTION CO. ET AL.

Order Providing for Hearing on and Suspension of Proposed Changes in Rates, and Allowing Rate Changes To Become Effective Subject to Refund [1]

JULY 29, 1975.

Respondents have filed proposed changes in rates and charges for jurisdictional sales of natural gas, as set forth in Appendix A hereof.

The proposed changed rates and charges may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is in the public interest and consistent with the Natural Gas Act that the Commission enter upon hearings regarding the lawfulness of the proposed changes, and that the supplements herein be suspended and their use be deferred as ordered below.

The Commission orders: (A) Under the Natural Gas Act, particularly Sections 4 and 15, the Regulations pertaining thereto [18 CFR, Chapter I], and the Commission's Rules of Practice and Procedure, public hearings shall be held concerning the lawfulness of the proposed changes.

(B) Pending hearings and decisions thereon, the rate supplements herein are suspended and their use deferred until date shown in the "Date Suspended Until" column. Each of these supplements shall become effective, subject to refund, as of the expiration of the suspension period without any further action by the Respondent or by the Commission. Each Respondent shall comply with the refunding procedure required by the Natural Gas Act and Section 154.102 of the Regulations thereunder.

(C) Unless otherwise ordered by the Commission, neither the suspended supplements, nor the rate schedules sought to be altered, shall be changed until disposition of these proceedings or expiration of the suspension period, whichever is earlier.

By the Commission.

[SEAL] KENNETH F. PLUMB,
Secretary.

[1] Does not consolidate for hearing or dispose of the several matters herein.

APPENDIX A

Docket No.	Respondent	Rate schedule No.	Supplement No.	Purchaser and producing area [2]	Amount of annual increase	Date filing tendered	Effective date unless suspended	Date suspended until—	Cents per Mcf* [3] Rate in effect	Cents per Mcf* [3] Proposed increased rate	Rate in effect subject to refund in docket No.
RI75-81	Amoco Production Co	193	23	Northwest Pipeline Corp. (New Mexico) (Rocky Mountain).	$273	6-30-75		7-2-75	29.810	29.823	RI75-81.
	do			do		6-30-75	7-1-75	[12]	60.814	60.840	
	do	405	11	El Paso Natural Gas Co. (New Mexico) (Rocky Mountain).	61	6-30-75		7-2-75	35.230	35.246	RI75-81.
	do			do	403	6-30-75	7-1-75	[12]	72.871	72.902	
	do	411	15	do	481	6-30-75		7-2-75	29.810	29.823	RI75-81.
	do			do		6-30-75	7-1-75	[12]	60.814	60.840	
	do	392	26	do	65	7-3-75		7-4-75	29.810	29.823	RI75-81.
				do	1	7-3-75	7-3-75	[12]	41.734	41.753	
				do	234	7-3-75	7-3-75	[12]	60.814	60.840	
RI75-123	PWG partnership	6	14	Northwest Pipeline Corp. (New Mexico) (Rocky Mountain).	1	6-30-75		9-13-75	[5][10] 29.3117	[5][10] 29.3234	
RI71-288	Union Texas Petroleum, a division of Allied Chemical Corp.	89	16	Transwestern Pipeline Co. (New Mexico) (Permian).	753	7-2-75		7-3-75	[11] 27.8069	[11] 28.1207	RI71-288.
	PWG partnership	1	21	El Paso Natural Gas Co. (New Mexico) (Rocky Mountain).	78	6-30-75	7-1-75	[12]	62.7608	62.7859	
RI75-94	do	2	14	do	1	6-30-75		7-2-75	26.7844	26.7951	RI75-94.
				do	1	6-30-75		9-13-75	[5][10] 29.3117	[5][10] 29.3234	
				do	1	6-30-75	7-1-75	[12]	62.7608	62.7859	
	do	3	23	do		6-30-75	7-1-75	[12]	43.0712	43.0883	
				do		6-30-75	7-1-75	[12]	62.7608	62.7859	
	do	4	11	do	1	6-30-75		7-2-75	26.7844	26.7951	RI75-94.
				do	1	6-30-75		9-13-75	[5][10] 29.3117	[5][10] 29.3234	
				do	1	6-30-75	7-1-75	[12]	62.7608	62.7859	
	do	5	17	do	17	6-30-75		7-2-75	26.7844	26.7951	RI75-94.
	do	5	17	do	11	6-30-75		9-13-75	[5][10] 29.3117	[5][10] 29.3234	RI75-94.
				do	416	6-30-75	7-1-75	[12]	62.7608	62.7859	
	Mesa Petroleum Co	56	36	do	25	6-30-75	7-1-75	[12]	[7][9] 26.7844	[7][9] 26.795	
				do	15	6-30-75		12-31-75	[5][9] 27.2696	[5][9] 27.2703	RI75-104.
RI75-104	do			do	116	6-30-75		7-2-75	[5][9] 30.8381	[5][9] 30.8504	RI75-104.
				do	2	6-30-75	7-1-75	[12]	[4] 54.6390	[4] 54.6609	
	do	63	36	Northwest Pipeline Corp. (New Mexico) (Rocky Mountain).	33	6-30-75		12-31-75	[5][9] 27.2696	[5][9] 27.2805	RI75-104.
				do		6-30-75	7-1-75	[12]	[4] 54.6390	[4] 54.6609	
	do	54	18	Southern Union Gathering Co. (New Mexico) (Rocky Mountain).	108	6-30-75		12-31-75	[5][9] 26.5519	[5][9] 26.5638	
				do		6-30-75	7-1-75	[12]	[4] 54.6390	[4] 54.6609	
	do	55	12	do	8	6-30-75		12-31-75	[5][9] 26.5519	[5][9] 26.5638	
				do		6-30-75	7-1-75	[12]	[4][9] 54.6390	[4][9] 54.6609	
RI75-90	Tenneco Oil Co	124	14	El Paso Natural Gas Co. (New Mexico) (Rocky Mountain).	131	6-30-75		7-2-75	[5][9] 27.5717	[5][9] 27.5821	RI75-90.
				do	74	6-30-75		7-2-75	[6][9] 29.3207	[6][9] 29.3311	
	do	176	33	do	21	6-30-75		7-2-75	[6][9] 27.5717	[5][9] 27.5821	RI75-90.
				do	17	6-30-75		7-2-75	[6][9] 29.3207	[6][9] 29.3311	RI75-90.
				do	4	6-30-75	7-1-75	[12]	[7][9] 38.6961	[7][9] 38.7129	
				do	4	6-30-75	7-1-75	[12]	[8][9] 56.3856	[8][9] 56.4101	
	do	198	10	Northwest Pipeline Corp. (New Mexico) (Rocky Mountain).	66	6-30-75		7-2-75	[6][9] 27.5717	[6][9] 27.5821	RI75-90.

Docket No.	Respondent	Rate sched. No.	Supplement No.	Purchaser and producing area	Amount of annual increase	Date filing tendered	Effective date unless suspended	Date suspended until—	Cents per Mcf* Rate in effect	Cents per Mcf* Proposed increased rate	Rate in effect subject to refund in dockets Nos.
....do		198	10	....do		6-30-75		7-2-75	[1] 29.3207	[1] 29.3311	RI75-90.
....do		223	20	El Paso Natural Gas Co. (New Mexico) (Rocky Mountain).	136	6-30-75		7-2-75	[2] 27.5717	[2] 27.5821	RI75-90.
				....do	2	6-30-75		7-2-75	[1] 29.3207	[1] 29.3311	RI75-90.
				....do	12	6-30-75	7-1-75	(12)	[7] 38.6961	[7] 38.7129	
				....do	2	6-30-75	7-1-75	(12)	[8] 56.3856	[8] 56.4101	
....do		292	33	Northwest Pipeline Corp. (New Mexico) (Rocky Mountain).	110	6-30-75		7-2-75	[2] 27.5717	[2] 27.5821	RI75-90.
				....do	83	6-30-75		7-2-75	[1] 29.3207	[1] 29.3311	RI75-90.
				....do	12	6-30-75	7-1-75	(12)	[7] 38.6961	[7] 38.7129	
				....do	47	6-30-75	7-1-75	(12)	[8] 56.3856	[8] 56.4101	
....do		45	15	El Paso Natural Gas Co. (New Mexico) (Rocky Mountain).	131	6-30-75		7-2-75	[2] 27.5717	[2] 27.5821	RI75-90.
				....do	74	6-30-75		7-2-75	[1] 29.3207	[1] 29.3311	RI75-90.
....do		142	18	Southern Union Gathering Co. (New Mexico) (Rocky Mountain).	988	6-30-75		7-2-75	[2] 27.5717	[2] 27.5821	RI75-90.
				....do		6-30-75		7-2-75	[1] 29.3207	[1] 29.3311	RI75-90.

*Unless otherwise stated, the pressure base is 14.73 lb/in²a.
[1] Applicable only to supplement No. 22.
[2] Applicable only to gas delivered from wells completed on or after June 1, 1970.
[3] Applicable only to gas delivered from wells completed prior to June 1, 1970.
[4] Applicable only to gas delivered from wells commenced on or after Jan. 1, 1973.
[5] Applicable only to wells completed prior to June 1, 1970.
[6] Applicable only to wells completed on or after June 1, 1970.
[7] Applicable to acreage dedicated on or after Oct. 1, 1968.
[8] Applicable to add acreage supplement dated on or after Jan. 1, 1973.
[9] The pressure base is 15.025 lb/in²a.
[10] Suspended in docket No. RI75-123.
[11] The pressure base is 14.65 lb/in²a.
[12] Accepted for filing as of the date set forth in the "Effective Date Unless Suspended" column.
[13] Unless otherwise stated, the rate shown is the total rate, inclusive of any applicable British thermal unit adjustment and tax.

The proposed tax increases involved here reflect reimbursement for the recent increase in the New Mexico Conservation tax.

The proposed tax increases which exceed the applicable area ceiling in Opinion No. 658 are suspended in the same rate proceeding involving the underlying rates. Where the underlying rate is in effect subject to refund the proposed rate is suspended for one day and where the underlying rate is currently under suspension the proposed rate is suspended until the expiration of the suspension period for the underlying rate.

The proposed rate increases of Mesa Petroleum Company under its Rate Schedule Nos. 56, 63, 54, and 55, in addition to tax reimbursement, also reflect a change in computing upward Btu adjustment. The proposed rates exceed the Opinion No. 658 ceiling rate and they are suspended for five months.

[FR Doc.75-20238 Filed 8-4-75;8:45 am]

[Docket No. RP75-80]

ALABAMA-TENNESSEE NATURAL GAS CO.

Extension of Procedural Dates

JULY 29, 1975.

On July 21, 1975, Staff Counsel filed a motion to extend the procedural dates fixed by order issued April 24, 1975 in the above-designated matter. The motion states that the parties have been notified and have no objection.

Upon consideration, Section 1.13 of the Commission's Rules and Regulations is waived and notice is hereby given that the procedural dates in the above matter are modified as follows:

Service of Staff Testimony, September 16, 1975
Service of Intervenor Testimony, October 28, 1975
Service of Company Rebuttal, November 11, 1975
Hearing, December 2, 1975 (10:00 a.m. EST).

KENNETH F. PLUMB,
Secretary.

[FR Doc.75-20335 Filed 8-4-75;8:45 am]

[Docket No. E-9408]

AMERICAN ELECTRIC POWER SERVICE CORP.

Extension of Procedural Dates

JULY 30, 1975.

On July 18, 1975, American Electric Power Service Corporation filed a motion to extend the procedural dates fixed by order issued May 30, 1975, in the above-designated matter. The motion states that the parties have been notified and have no objection.

Good cause having been shown, Section 1.13(d) of the Commission Rules and Regulations is waived and notice is hereby given that the procedural dates in the above matter are modified as follows:

Service of AEP Testimony, July 28, 1975
Service of Intervenor Testimony, September 22, 1975
Service of Staff Testimony, October 6, 1975
Service of AEP Rebuttal Testimony, October 20, 1975
Hearing, November 3, 1975 (10:00 a.m. EST)

KENNETH F. PLUMB,
Secretary.

[FR Doc.75-20336 Filed 8-4-75;8:45 am]

[Docket No. E-8302]

BANGOR HYDRO-ELECTRIC CO.

Filing of Supplemental Rate Schedule

JULY 30, 1975.

Take notice that on June 19, 1975, Bangor Hydro-Electric Company (Bangor) tendered for filing a Rate Schedule for Wheeling Service and supporting materials. Bangor states that power is wheeled for Eastern Maine Electric Cooperative (Eastern) which Eastern purchased from sources outside of Bangor's power supply system. Bangor also states that the proposed tariff rate of $14 per KW per annum is based upon a fully allocated cost of service study.

Bangor states that prior to January 1, 1973, Eastern "agreed to pay for such wheeling on an allocated cost of service basis," and that the proposed rate is supported by the cost of service materials accompanying its filing. Accordingly, Bangor requests waiver of the notice requirements of the Commission's Regulations to permit the filed tariff for Wheeling Service to become effective on January 1, 1973. If the notice requirements are waived, Bangor agrees that it will voluntarily refund to Eastern all sums in excess of the proper rate as found by 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 Sections 1.8 and 1.10 of the Commission's Rules of Practice and Procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before August 12, 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.75-20337 Filed 8-4-75;8:45 am]

[Docket Nos. RP75-83, RP75-85, and RP75-86]

COLORADO INTERSTATE GAS CO.

Extension of Procedural Dates

JULY 29, 1975.

On July 28, 1975, Staff Counsel filed a motion to extend the procedural dates fixed by order issued April 30, 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 Staff Testimony, October 17, 1975.
Service of Intervenor Testimony, October 31, 1975.
Service of Company Rebuttal, November 14, 1975.
Hearing, December 9, 1975 (10:00 a.m. EST).

KENNETH F. PLUMB,
Secretary.

[FR Doc.75-20338 Filed 8-4-75;8:45 am]

[Docket Nos. RP74-90 and RP73-107]

CONSOLIDATED GAS SUPPLY CORP.

Further Extension of Procedural Dates

JULY 29, 1975.

On June 30, 1975, Staff counsel filed a motion to extend procedural dates fixed by order issued June 24, 1974, as most recently modified by notice issued June 10, 1975.

On July 7, 1975, Rochester Gas and Electric Corporation responded to staff's motion of June 30, 1975 and requested that the dates for service of intervenor testimony and for company rebuttal be still further extended.

Upon consideration, notice is hereby given that the procedural dates in the above matter are modified as follows:

Service of Staff testimony in RP73-107, August 1, 1975.
Service of Intervenor Testimony, August 25, 1975.
Service of Company Rebuttal, September 11, 1975.
Hearing, September 30, 1975 (10:00 a.m. EDT).

By direction of the Commission.

KENNETH F. PLUMB,
Secretary.

[FR Doc.75-20339 Filed 8-4-75;8:45 am]

[Docket No. CP76-24]

CRAB RUN GAS CO. AND WASHINGTON GAS LIGHT CO.

Application

JULY 30, 1975.

Take notice that on July 18, 1975, Crab Run Gas Company (Crab Run), 6801 Industrial Road, Springfield, Virginia 22151, and Washington Gas Light Company (WGL), 1100 H Street, NW., Washington, D.C. 20080, jointly Applicants, filed in Docket No. CP76-24 a joint application pursuant to Section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the sale for resale in interstate commerce by Crab Run of natural gas produced in the Vatican Field, Lafayette Parish, Louisiana, to WGL, and authorizing the sale by WGL of approximately 3.8 percent of said gas to Transcontinental Gas Pipe Line Corporation (Transco), all as more fully set forth in the application on file with the Commission and open to public inspection.

Crab Run proposes to sell to its affiliate, WGL, approximately 70,000 Mcf of gas per month at 51.0 cents per Mcf at 15.025 psia, plus 0.5 cent per Mcf for gathering and subject to downward Btu adjustment from a base of 1,000 Btu per cubic foot, and to deliver said gas to Florida Gas Transmission Company for redelivery to Transco in Vermilion Parish, Louisiana, for transportation to WGL. WGL proposes to sell to Transco for compressor fuel and line loss 3.8 percent of the gas purchased from Crab Run at the same price paid to Crab Run.

Any person desiring to be heard or to make any protest with reference to said application should on or before August 22, 1975, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 1.8 or 1.10) and the Regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's Rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by Sections 7 and 15 of the Natural Gas Act and the Commission's Rules of Practice and Procedure, a hearing will be held without further notice before the Commission on this application if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicants to appear or be represented at the hearing.

KENNETH F. PLUMB,
Secretary.

[FR Doc.75-20340 Filed 8-4-75;8:45 am]

[Docket No. E-9422]

MISSOURI UTILITIES CO.

Order Denying Rehearing

JULY 30, 1975.

On May 2, 1975, Missouri Utilities Company (Missouri) tendered for filing proposed changes in its wholesale electric power purchase agreement with the City of California, Missouri (California), which Missouri states would result in increased rates and charges in the amount of $112,372, or 45.34%, for the twelve months ended December 31, 1974.

Upon review of Missouri's May 2, 1975 filing and the currently effective contract between Missouri and the City of California we found that the Mobile-Sierra[1] doctrine compelled us to reject the filing. By order issued May 30, 1975, we rejected Missouri's May 2, 1975 filing.

On June 30, 1975, Missouri filed an application for rehearing of our May 30, 1975 order rejecting its rate increase filing. In support of its application Missouri argues that the Commission applied an improper construction to the power contract between Missouri and the City of California and that the Mobile-Sierra doctrine did not require the rejection of the filing. Missouri contends that, since a provision in the contract permits the City of California to terminate and cancel the contract at any time after an increase in rates by order of a governmental regulatory body, the consent of the City is not a prerequisite to a revision of the contract.

Missouri further states that the company has had conversations with officials of the City of California with reference to possible changes in their wholesale contract and that it would be advantageous to the parties if this proceeding was to remain open until the results of such conversations were finalized and made known to the Commission.

Upon consideration of Missouri's application for rehearing we find that nothing is included therein which convinces us that our order of May 30, 1975 was in error. We shall therefore reaffirm that order and deny Missouri's application for rehearing.

It is true, as Missouri contends, that Article IX, Section 1 of the 1954 Missouri-City of California agreement provides the City of California with a right to terminate the contract.[2] Indeed that right of termination is conferred upon both parties to the contract upon a twelve-month notice of termination. The record offers no evidence that either party has given notice of termination. In the absence of notice bringing Article IX, Section 1 into play, we are obligated to give full consideration to the import of Article IX, Section 2 of the Missouri-City of California agreement. That Section provides:

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[1] United Gas Pipe Line Co. v. Mobile Gas Service Corp., 350 U.S. 332 (1956); Federal Power Commission v. Sierra Pacific Power Co., 350 U.S. 348 (1956).

[2] Article IX, Section 1, provides that the "term of this agreement is for five (5) years beginning on the day when power and energy is first delivered hereunder by the Company to the Board [of the City of California] and ending five years from that date (referred to as 'Primary Period') and thereafter from year to year (referred to as 'Yearly Period') unless and until terminated by either party giving twelve (12) months' written notice prior to the expiration of primary period or of any yearly period thereafter."

Due to unforeseen conditions relative to power costs which may change from time to time, or at any time, during the term of this contract, rates, terms and provisions herein may be reviewed and revised by *mutual consent of parties hereto*, subject, always, to the approval of the Public Service Commission of the State of Missouri. (emphasis supplied)

It is the opinion of this Commission that this language unquestionably requires both parties to the contract to assent to a rate increase and that such assent by the City of California is a condition precedent to the lawful filing of a request for a rate increase by Missouri. Missouri, in its application for rehearing, ignores this crucial provision in the contract, thereby offering no other reasonable interpretation of the language.

As for Missouri's allegation that it would be advantageous to the parties if the Commission held this proceeding open pending the outcome of discussions between Missouri and the City of California, we find we have no authority to do so by means of granting this application for rehearing. We have concluded that the Mobile-Sierra doctrine required us to reject Missouri's proposed rate increase filing. We are therefore unable to ignore that finding.[3] Moreover, even if we were able to keep this proceeding open for this purpose we note that on July 11, 1975, Counsel for the City of California filed with this Commission a letter informing us that "the City of California, Missouri, has had no conversations with the Applicant, Missouri Utilities, which would in any way have any bearing upon the above-styled proceedings." The City of California further requested that Missouri's application for rehearing be denied.

Upon review of Missouri's application for rehearing and upon further review of the contract existing between Missouri and California we conclude that our action of May 30, 1975 in this docket, by which we rejected Missouri's rate increase filing under the Mobile-Sierra doctrine was proper and without error. We shall therefore deny Missouri's application for rehearing of that order.

The Commission finds. good cause does not exist to grant Missouri's June 30, 1975 application for rehearing of our May 30, 1975 order in this docket.

The Commission orders. (A) Missouri's June 30, 1975 application for rehearing of our order issued May 30, 1975 in this docket is hereby denied.

(B) 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.75-20341 Filed 8-4-75;8:45 am]

[3] *See* Sam Rayburn Dam Electric Cooperative v. F.P.C., (D.C. Cir., Docket Nos. 73-1996 and 73-2167, issued July 11, 1975), slip opinion at 1125.

[Docket No. E-9473]

MISSOURI UTILITIES CO.

Filing of Supplemental Data

JULY 30, 1975.

Take notice that on July 17, 1975, Missouri Utilities Company tendered supplemental data intended to make complete its original tender for filing of June 2, 1975. This action is in response to a deficiency letter issued by the Secretary of the Federal Power Commission.

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 Sections 1.8 and 1.10 of the Commission's Rules of Practice and Procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before August 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 application are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.75-20342 Filed 8-4-75;8:45 am]

[Docket Nos. E-9136 and E-9140]

NEW ENGLAND POWER CO.

Order Accepting and Suspending Revised Fuel Adjustment Clause, Consolidating Proceedings, Granting Interventions and Granting Waiver

JULY 30, 1975.

On June 30, 1975, New England Power Company (NEPCO) tendered for filing in the above captioned dockets amendments [1] to NEPCO's FPC Electric Tariff, Original Volume No. 1, revising the R-9 Rate as effective June 1, 1975. The amendments are intended to revise the fuel clause as originally filed in Docket No. E-9140 to conform with Section 35.14 of the Commission's Regulations, as amended by Order No. 517. Moreover, the amendments allow for a new base cost of fuel of 14.3 mills per kilowatt hour, reflecting 1974 fuel costs, and provide for a corresponding increase in the basic R-9 energy charge from 6.1 mills per kilowatt hour to 18.3 mills per kilowatt hour. NEPCO further requested a waiver of Section 35.13(b)(i) of the Commission's Regulations providing for revenue comparisons for the twelve month periods preceding and following the proposed effective date of the amendments. August 1, 1975, inasmuch as the tendered rate design change does not significantly affect wholesale revenues for the test period.

[1] Designated as: Schedule II-A, Fifth Revised Page No. 1; Schedule II-A, Fifth Revised Page No. 2.

Notice of NEPCO's filing was issued July 7, 1975 with responses due on or before July 22, 1975. On July 18, 1975 a protest and petition to intervene was jointly filed by the NEPCO Customer Rate Committee, the Manchester Electric Company, the New Hampshire Electric Cooperative, Inc., and some twenty-five municipal electric plants and departments (See Appendix A). The Petitioners request that they be permitted as intervenors in this proceeding, that the proceeding be consolidated with the R-9 rate matter in Docket Nos. E-9136 and E-9140, and that the proposed amendments be suspended for one day.

By order issued December 31, 1975 [2], we accepted NEPCO's filings in Docket Nos. E-9136 and E-9140 which included, *inter alia*, the originally proposed fuel clause, consolidated the dockets for purposes of hearing and decision, suspended the proposed rates and charges for five months permitting them to become effective June 1, 1975, subject to refund, and set all matters for hearing. By subsequent order issued May 30, 1975 in these dockets [3], we accepted for filing, *inter alia*, a revision, filed by NEPCO pursuant to Section 35.17 of the Commission's Regulations, to NEPCO's suspended R-9 rate design. That revision had the effect of increasing the proposed energy charge from 2.1 mills to 6.1 mills/kwh, and decreasing the proposed demand charge from $7.69 to $5.72 per Kw/month. As noted above, the fuel clause amendments herein under consideration would reflect a new base cost of fuel of 14.3 mills per kwh and result in a further increase of the presently effective energy charge from 6.1 mills to 18.3 mills per kwh.

Our review indicates that the format of NEPCO's fuel clause amendments proposed herein are in conformance with Order No. 517. We find, however, that inasmuch as the tendered amendments are reflective of a rate level and structure that was suspended and placed into effect subject to refund, these amendments have likewise not been shown to be just and reasonable and may be unjust, unreasonable, unduly discriminatory or otherwise unlawful. We shall, therefore, accept the proposed amendments for filing and suspend their effect for one day, pending the hearing in this proceeding and decision thereon. Furthermore, since certain issues of law and fact raised in NEPCO's proposed fuel clause amendments are substantially the same as those in Docket Nos. E-9136 and E-9140, it is appropriate that these proceedings be consolidated for purposes of hearing and decision.

[2] Order Accepting Tariff Sheets For Filing, Suspending Use Thereof, Consolidating Proceedings And Providing For Hearing, Permitting Intervention and Denying Motions To Reject.

[3] Order Accepting For Filing Change In Suspended Rate, Accepting Proposed Amendment To Supplemental Agreement For Filing, Suspending Same, Consolidating Proceedings And Granting Interventions.

The Commission find. (1) It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Federal Power Act that the Commission enter upon a hearing concerning the lawfulness of the proposed amendments to NEPCO's filings in Docket Nos. E-9136 and E-9140, and that the proposed amendments be suspended as hereinafter ordered.

(2) Good cause exists for consolidation of the investigation of NEPCO's proposed fuel clause amendments filed June 30, 1975 with Docket Nos. E-9136 and E-9140.

(3) Good cause exists to grant NEPCO's requested waiver of Section 35.13(b)(1) of the Commission's Regulations. However, since our order of June 18, 1975, in these dockets required NEPCO to furnish additional data with respect to its May 16, 1975 submission of revised Period II data, we will also require NEPCO to submit within 10 days revised revenue comparisons for Period II to reflect the effects of its revised fuel adjustment clause.

(4) Participation in this proceeding of the above-named petitioners to intervene may be in the public interest.

The Commission orders. (A) Pending a hearing and decision thereon, NEPCO's proposed fuel clause amendments are hereby accepted for filing, suspended for one day, and permitted to become effective August 2, 1975, subject to refund.

(B) NEPCO's proposed fuel clause amendments are hereby consolidated with the related matters in Docket Nos. E-9136 and E-9140, with procedural dates as established therein to govern.

(C) NEPCO's requested waiver of the filing requirements of Section 35.13(b)(1) of the Commission's Regulations is hereby granted.

(D) Within 10 days of the issuance of this order, NEPCO is directed to file revised revenue comparisons for Period II to reflect the effect of its revised fuel adjustment clause.

(E) The petitioners mentioned above and in Appendix A are hereby 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 the rights and interests specifically set forth in the respective petitions to intervene; and *Provided, further*, that the admission of such intervenors shall not be construed as recognition that they or any of them might be aggrieved because of any order or orders issued by the Commission in this proceeding.

(F) The Secretary shall cause prompt publication of this order in the Federal Register.

By the Commission.

[SEAL] KENNETH F. PLUMB, *Secretary.*

APPENDIX A

NEW ENGLAND POWER COMPANY
DOCKET NOS. E-9136 AND E-9140

Ashburnham, Massachusetts
Boylston, Massachusetts
Danvers, Massachusetts
Georgetown, Massachusetts
Groton, Massachusetts
Hingham, Massachusetts
Holden, Massachusetts
Hudson, Massachusetts
Hull, Massachusetts
Ipswich, Massachusetts
Littleton, Massachusetts
Mansfield, Massachusetts
Marblehead, Massachusetts
Merrimac, Massachusetts
Middleton, Massachusetts
North Attleboro, Massachusetts
Paxton, Massachusetts
Peabody, Massachusetts
Princeton, Massachusetts
Shrewsbury, Massachusetts
Sterling, Massachusetts
Templeton, Massachusetts
Wakefield, Massachusetts
West Boylston, Massachusetts
Littleton, New Hampshire

[FR Doc.75-20343 Filed 8-4-75;8:45 am]

[Docket No. CP74-241]

PACIFIC GAS TRANSMISSION CO.

Amendment to Application

JULY 30, 1975.

Take notice that on July 17, 1975, Pacific Gas Transmission Company (Applicant), 245 Market Street, San Francisco, California 94105, filed in Docket No. CP74-241 an amendment to the application filed in said docket pursuant to Section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the construction and operation of a natural gas pipeline extending from the Kingsgate Meter Station on the international boundary between the United States and Canada to the Malin Meter Station on the border of Oregon and California, all as more fully set forth in the amendment on file with the Commission and open to public inspection.

Applicant states that it filed an application for a certificate of public convenience and necessity authorizing the construction and operation of a 42-inch pipeline on March 21, 1974, in the instant docket.[1]

Applicant states that it amended its application on March 3, 1975, because it could not expect to receive gas from Alberta in 1975, and accordingly requested that it be certificated to construct the proposed pipeline in one phase. Applicant states that it also submitted an alternative pipeline design since the exact quantities of gas to be transported had not been determined. The alternative proposal was for a 36-inch pipeline to be operated at a maximum pressure of 1440/1250 psig to transport up to 850,000 Mcf of gas per day. The alternate proposal is stated to have allowed Applicant a maximum flexibility once the final volumes of natural gas available for import were established.

In the instant amendment, Applicant proposes two further alternative pipelines, the first designated as the "1180 Design, would consist of a 36-inch pipeline partially looping and parallel to Applicant's existing pipeline on its existing right-of-way. The proposed construction would require the construction of approximately 319.6 miles of pipeline at twelve locations to be operated at the maximum pressure of 911 psig.[2] It is alleged that this design would allow Applicant to transport up to 200,000 Mcf of gas per day, and that this is the approximate volume of gas that Pacific Gas and Electric Company would have available to it under contractual arrangements with Exxon Company, U.S.A., from natural gas produced in Alaska. The estimated cost of this alternative is stated to be approximately $129,025,000.

Length	*Location*
7.9 miles	Boundary County, Idaho.
29.6 miles	Boundary and Bonner Counties, Idaho.
6.9 miles	Bonner County, Idaho.
62.6 miles	Spokane and Whitman Counties, Washington, Kootenai County, Idaho.
8.9 miles	Whitman County, Washington.
8.6 miles	Columbia and Walla Walla Counties, Washington.
5.7 miles	Umantilla County, Oregon.
35.4 miles	Umantilla and Morrow Counties, Oregon.
60.4 miles	Gilliam, Wasco and Jefferson Counties, Oregon.
43.9 miles	Deschutes and Klamath Counties, Oregon.
18.2 miles	Klamath County, Oregon.
31.5 miles	Klamath County, Oregon.

The second alternative, designated as the 1580 Design, it is stated, consists of a complete looping of Applicant's 36-inch pipeline and requires the construction of approximately 591.9 miles of 36-inch pipeline, parallel to Applicant's existing pipeline, which would be operated at a maximum pressure of 911 psig.[3] Applicant alleges that this pipeline would be capable of transporting up to 600,000 Mcf of gas per day, which would be in excess of the volumes of natural gas currently committed to Applicant but which Applicant believes would become available to it from additional exploration and development of reserves in Alaska and northern Canada. The estimated cost of this alternative is stated to be approximately $235,254,000.

[1] Notice was published in the FEDERAL REGISTER on April 15, 1974 (39 FR 13596). The original proposal was for the construction in stages of a 42-inch pipeline to operate at the maximum pressure of 1440/1250 psig. It is stated that the design was expected to accommodate the importation of an additional annual average daily volume of 1.2 million Mcf of gas and would have been constructed as volumes of gas became available from Alaska and the McKenzie delta region of Canada and the Province of Alberta.

[2] All of the twelve proposed pipeline loops for the 1180 Design alternative are 36-inch O.D. pipe and they would parallel the existing pipeline. They are as follows:

[3] All of the proposed pipeline loops for the 1580 Design alternative are 36-inch O.D. pipe and they parallel the existing pipeline. The proposed facilities would be constructed in the Counties of Boundary, Bonner and Kootenai, in Idaho, the Counties of Spokane, Whitman, Columbia and Walla Walla in Washington, and the Counties of Umantilla, Morrow, Gilliam, Wasco, Jefferson, Crook, Deschutes and Klamath in Oregon.

It is stated that both of these alternatives would require the acquisition of additional right-of-way for one segment of the proposed construction, but that they would use existing right-of-way for most of the proposed pipeline. These alternatives are stated to use also existing compressor station properties and to utilize the 36-inch pipeline that was previously installed at various major river crossings. The proposed pipeline facilities are alleged to also result in a total saving in fuel gas over the present levels of consumption. Further, it is stated that the facilities proposed would allow flexibility since the construction could progress in stages to conform to delivery requirements as additional supply became available and have the potential for expansion. The proposed full-looping pipeline is stated to be capable of expansion with the addition of compression, to accommodate up to 1.1 million Mcf of gas per day.

The application states that the pipeline designs proposed in the instant amendment would promote security of supply to California consumers. It is stated that because of the compatibility of design between Applicant's existing facilities and the proposed facilities, an outage in either pipeline could be compensated for in the parallel facility with a minimum reduction in throughput.

Any person desiring to be heard or to make any protest with reference to said amendment should on or before August 20, 1975, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 1.8 or 1.10) and the Regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's Rules. Any person who has heretofore filed a petition to intervene, notice of intervention or protest in the instant docket or in the consolidation proceeding in Docket No. CP75-96, *et al.*, need not file again.

KENNETH F. PLUMB,
Secretary.

[FR Doc. 75-20344 Filed 8-4-75;8:45 am]

[Docket No. CP76-22]

REGIS GAS SYSTEMS, INC.

Application

JULY 30, 1975.

Take notice that on July 18, 1975, Regis Gas Systems, Inc. (Applicant), 1616 West Loop South, Houston, Texas 77027, filed in Docket No. CP76-22 an application for permission and approval to abandon the facilities known as the Maetze system in the Maetze Field, Goliad County, Texas, all as more fully set forth in the application on file with the Commission and open to public inspection.

Applicant states that it acquired the Maetze system from Valley Gas Transmission, Inc., after their continued operation was economically infeasible for Valley. Applicant alleges that it intended to provide inducements to producers for well recompletions and the drilling of new wells as a basis for the continued operations of the gas system. It is stated that a higher wellhead price was offered to the producer by Applicant but that the producer failed to take any action to extend the life of the field and allowed the leases to lapse. Applicant alleges that it has sought to contact all potential sources of new gas in the Maetze Field area but that no gas has been available in that area. Applicant states that the last time it transported gas in its Maetze System was May 1974.

Applicant states that it should be permitted to abandon the service that is rendered by the Maetze system because the supply of natural gas is depleted to such an extent that the continuance of the service is unwarranted and so that it can presently recover the salvage value of the facilities.

Any person desiring to be heard or to make any protest with reference to said application should on or before August 20, 1975, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 1.8 or 1.10) and the Regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's Rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by Sections 7 and 15 of the Natural Gas Act and the Commission's Rules of Practice and Procedure, a hearing will be held without further notice before the Commission on this application if no petition to intervene is filed with the time required herein, if the Commission on its own review of the matter finds that permission and approval for the proposed abandonment is required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

KENNETH F. PLUMB,
Secretary.

[FR Doc.75-20345 Filed 8-4-75;8:45 am]

SOUTHERN NATURAL GAS CO.

[Docket No. RP72-91 (Phase II), *et al.* (AP 5/16/74)]

Further Postponement of Hearing

JULY 29, 1975.

On July 16, 1975, Southern Natural Gas Company filed a motion to postpone the hearing date fixed by order issued July 19, 1974, as most recently modified by notice issued July 8, 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 date of hearing in the above matter is further postponed until November 5, 1975, at 10:00 a.m., EST.

By direction of the Commission.

KENNETH F. PLUMB,
Secretary.

[FR Doc.75-20346 Filed 8-4-75;8:45 am]

[Docket Nos. RP72-91 (Phase II), *et al.* (AP 5/16/74)]

SOUTHERN NATURAL GAS CO.

Motion To Terminate Proceedings

JULY 29, 1975.

On February 12, 1975, Staff filed a statement of position and motion to terminate the above-referenced proceedings.

On August 27, 1974, Southern Natural Gas Company (Southern) tendered for filing proposed changes in its FPC Gas Tariff, Sixth Revised Volume No. 1. This filing reflected, *inter alia*, the inclusion in Southern's rate base of additional advance payments in excess of advance payments theretofore included in Southern's rate base. Notice of this filing was issued on September 9, 1974, with protests, comments and petitions to intervene due on or before September 17, 1974. Staff filed comments relating to this filing on September 17, 1974. Staff indicated in those comments that the filing did not demonstrate that the producers would make the expenditures of the amounts advanced within a reasonable time from the date such advances would be included in Southern's rate base and therefore recommended that the rate increase associated with the inclusion of these advance payments be made subject to refund and that the matter be set for hearing.

The Commission, by order issued October 9, 1974, accepted Southern's rate change for filing, effective subject to refund and set the matter for hearing. After an extension of the procedural dates Southern filed the testimony of Mr. J. C. Jones and one exhibit sponsored by Mr. Jones, both in support of including the subject advances in Southern's rate base.

In Order No. 499,[1] this Commission stated that in order for advances to be considered reasonable and appropriate for inclusion in rate base, the producers

[1] Docket No. RM74-4, issued December 28, 1973.

must incur the costs for exploration, development and production within a reasonable time from the date the advances are included in the pipeline's rate base.

Staff, in its statement of position filed February 12, 1975, states it has consistently maintained that the producers should incur these costs within thirty days from the time the advances are included in rate base. Staff reports in its motion that their review of Southern's exhibit sponsored by Mr. Jones, filed on January 15, 1975, and of information provided by Southern subsequent to the filing of this exhibit indicates that as of November 11, 1974, thirty days from the time these advances were included in Southern's rate base, 91% or $4,431,402 of a total advance included in this filing of $4,867,000 had been spent. Based on those facts, Staff has submitted that the amount advanced is reasonable and appropriate within the meaning of Order No. 499 and that the refund obligation associated with those advances should be removed.

Further, Staff states that the amount not spent by the producers before November 11, 1974, equals $435,598 and has a revenue impact on jurisdictional cost of service of $54,885, an amount so low as to have no effect on Southern's rates and charges. In its motion Staff reserves the right to question the reasonableness and appropriateness of the amounts not spent by the producers within thirty days of the inclusion of those amounts in Southern's rate base in Southern's next filing whether pursuant to Article III of its Stipulation and Agreement or any other filing pursuant to Section 4 of the Natural Gas Act.

Our review of Staff's motion indicates that no purpose would be served by further proceedings in this matter and accordingly we find that it would be in the public interest to grant Staff's motion and terminate this proceeding. The instant filing complies with Order No. 499 to the extent that the producers have incurred the costs associated with exploration, development and production within a reasonable time from the date the advance payments were included in Southern's rate base.

The Commission finds:

Good cause exists to terminate the proceedings relating to the advance payments contained in Southern's August 27, 1974, filing and to relieve Southern of refund liability associated with the inclusion in Southern's rate base of amounts spent by producers within 30 days of their inclusion pursuant to the advances included in the August 27, 1974 filing, to wit: $4,431,402, at the same time recognizing Staff's reserved right to question the reasonableness and appropriateness of the amounts not so expended in Southern's next filed rate increase, whether pursuant to Article III of its Stipulation and Agreement or as a general rate increase under Section 4 of the Natural Gas Act.

The Commission orders:

(A) The refund liability with respect to the inclusion in Southern's rate base of amounts spent by producers within 30 days of their inclusion pursuant to the advances included in the August 27, 1974, filing, to wit: $4,431,402, is hereby terminated.

(B) The proceedings relating to the advance payments contained in Southern's August 27, 1974, filing are hereby terminated subject to such further proceedings as may be required pursuant to ordering paragraph (C) below.

(C) Staff's specific reservation of its right to challenge the reasonableness and appropriateness of the amounts not so expended in Southern's next filed rate increase, whether pursuant to Article III of its Stipulation and Agreement or as a general rate increase under Section 4 of the Natural Gas Act is hereby recognized.

(D) The Secretary shall cause prompt publication of this to be made in the FEDERAL REGISTER.

By the Commission.

[SEAL] KENNETH F. PLUMB, *Secretary.*

[FR Doc.75-20347 Filed 8-4-75;8:45 am]

[Docket No. CI63-13]

SUN OIL CO.

Procedural Dates and Date for Formal Hearing

JULY 29, 1975.

On May 12, 1975, Sun Oil Company (Applicant) filed in Docket No. CI75-695 [1] an application pursuant to Section 7(b) of the Natural Gas Act for permission and approval to abandon a sale of natural gas to El Paso Natural Gas Company (El Paso) from the V. T. McCabe Well No. 14, located in the North Jameson (Strawn) Field, Noland County, Texas, all as more fully set forth in the application.

Applicant proposes to abandon the sale from the subject well made pursuant to Applicant's FPC Gas Rate Schedule No. 150, which provides for the sale of gas-well gas to El Paso. The subject well has been reclassified from a gas well to an oil well by the Texas Railroad Commission. As an oil well the casinghead gas therefrom is dedicated to a contract dated November 18, 1952, with Lone Star Gas Company (Lone Star) for an intrastate sale.

After due notice by publication in the Federal Register, no petitions to intervene, notices of intervention, or protests to the granting of the application have been filed.

The subject proposal if approved would cause a diminution of gas to El Paso, which is currently experiencing curtailment of service, and to the interstate market, which is experiencing a gas shortage. We believe that there arises legal and factual issues, which require an evidentary record to be developed to determine whether the public convenience and necessity warrant the abandonment of service requested herein. The Applicant should address himself *inter alia* to the need of Lone Star and El Paso for the subject gas, the location and history of the subject well, the amount of reserves concerned herein, the revenue impact of the abandonment including the price of gas and the necessity for additional facilities in order for Lone Star to take the gas and the circumstances surrounding the reclassification.

The Commission finds:

It is necessary and appropriate and in the public interest that the proceeding in Docket No. CI63-13 be set for formal hearing.

The Commission orders:

(A) Pursuant to the provisions of the Natural Gas Act particularly, Sections 7 and 15 thereof, a formal hearing shall be convened in Docket No. CI63-13 in a hearing room of the Federal Power Commission, 825 North Capitol Street, NE., Washington, D.C. 20426 on September 16, 1975, at 10:00 a.m. (EDT). The Presiding Administrative Law Judge for the purpose—See Delegation of Authority 18 CFR 3.5(d)—shall preside at the hearing in this proceeding and shall prescribe relevant procedural matters not herein provided.

(B) The direct case of Sun Oil Company and all persons in support of the application to abandon shall be filed and served on all parties of record, including the Commission Staff on or before August 27, 1975.

By the Commission.

[SEAL] KENNETH F. PLUMB, *Secretary.*

[FR Doc.75-20348 Filed 8-4-75;8:45 am]

[1] Application was incorrectly assigned and noticed in Docket No. CI75-695. The application applies to only one of the wells covered by the certificate authorization issued in Docket No. CI63-13. The authorization for sales from the other wells is not concerned by the instant order.

GENERAL ACCOUNTING OFFICE

REGULATORY REPORTS REVIEW

Receipt of Report Proposal

The following request for clearance of a report intended for use in collecting information from the public was received by the Regulatory Reports Review Staff, GAO on July 29, 1975. See 44 U.S.C. 3512 (c) & (d). The purpose of publishing this notice in the Federal Register is to inform the public of such receipt.

The notice includes the title of the request received; the name of the agency sponsoring the proposed collection of information; the agency form number, if applicable; and the frequency with which the information is proposed to be collected.

Written comments on the proposed ICC form are invited from all interested persons, organizations, public interest groups, and affected businesses. Because of the limited amount of time GAO has to review the proposed form, comments (in triplicate) must be received on or before August 25, 1975, and should be addressed to Mr. Carl F. Bogar, Assistant Director, Office of Special Programs, United States General Accounting Office, Room 5216, 425 I Street, NW., Washington, D.C. 20548.

Further information may be obtained from the Regulatory Reports Review Officer, 202-376-5425.

INTERSTATE COMMERCE COMMISSION

Request for clearance of OP-OR-9, Application for Motor Carrier Certificate or Permit, as revised by Commission proceeding in Ex Parte No. 55 (Sub-No. 10), decided November 20, 1974. Revisions adopted made no change to the basic data included in the form, but concern a change in Rule 247 of the Commission's General Rules of Practice, whereby the entire Commission prescribed requirements as to shipper certifications and established time limitations with respect to the submission of restrictive amendments and certifications of shipper support. The purpose in adopting the revisions was the Commission's concern with the deleterious impact on the public interest, the burden imposed on the parties, and the abuse of the Commission's procedures arising from the unreasonable expansion or contraction of cases after being filed. Forms are used by motor carriers seeking new or extended interstate operating authority. Approximately 6,000 applications are filed each year and constitute a formal proceeding before the Commission. Time to prepare application Form OP-OR-9 is estimated at 8 man-hours.

NORMAN F. HEYL,
Regulatory Reports Review Officer.

[FR Doc.75-20351 Filed 8-4-75;8:45 am]

REGULATORY REPORTS REVIEW

Receipt of Report Proposal

The following request for clearance of a report intended for use in collecting information from the public was received by the Regulatory Reports Review Staff, GAO on July 30, 1975. See 44 U.S.C. 3512 (c) & (d). The purpose of publishing this notice in the Federal Register is to inform the public of such receipt.

The notice includes the title of the request received; the name of the agency sponsoring the proposed collection of information; the agency form number, if applicable; and the frequency with which the information is proposed to be collected.

Written comments on the proposed FCC form are invited from all interested persons, organizations, public interest groups, and affected businesses. Because of the limited amount of time GAO has to review the proposed form, comments (in triplicate) must be received on or before August 25, 1975, and should be addressed to Mr. Carl F. Bogar, Assistant Director, Office of Special Programs, United States General Accounting Office, Room 5216, 425 I Street, NW., Washington, D.C. 20548.

Further information may be obtained from the Regulatory Reports Review Officer, 202-376-5425.

FEDERAL COMMUNICATIONS COMMISSION

Request for clearance of a revision of FCC Form 301-A, Application for Authority to Operate a Broadcast Station by Remote Control or to Make Changes in a Remote Control Authorization. The use of this form is required by Section 15.48 of the Commission's Rules. FCC Form 301-A is required to be filed by licensees or permittees of Standard FM (commercial and noncommercial) and Television (commercial and noncommercial) Broadcast Stations when applying for authority to operate a broadcast station by remote control or to make changes in a remote control authorization. It is estimated that respondent burden would average 16 hours per response. The FCC receives approximately 175 applications annually.

NORMAN F. HEYL,
Regulatory Reports Review Officer.

[FR Doc.75-20352 Filed 8-4-75;8:45 am]

GENERAL SERVICES ADMINISTRATION

[GSA BULLETIN FPMR D-121]

PUBLIC BUILDINGS AND SPACE

Redesignation of Federal Building

1. *Purpose.* This bulletin announces a change in the name and address of a Federal building.

2. *Expiration date.* This bulletin expires July 31, 1975. However, the building designation announced by this bulletin will remain in effect until canceled or superseded.

3. *Redesignation.* The former and new names of the building being redesignated are as follows:

New Name	*Former Name*
U.S. Tariff Commission Building 7th and F Streets, NW. Washington, DC 20004	U.S. International Trade Commission Building 701 E Street, NW. Washington, DC 20436

Dated: July 8, 1975.

DWIGHT A. INK,
Acting Administrator of General Services.

[FR Doc.75-20315 Filed 8-4-75;8:45 am]

NATIONAL ADVISORY COUNCIL ON THE EDUCATION OF DISADVANTAGED CHILDREN

Meeting

Notice is hereby given, pursuant to PL 92-463, that the next meeting of the National Advisory Council on the Education of Disadvantaged Children will be held on August 22 and 23, 1975. Committee meetings will be held on August 22, from 8:30-10:00 a.m., and full Council will convene from 10:00 a.m.-5:00 p.m. The meeting of August 23 is scheduled to be held from 9:00 a.m.-2:00 p.m. The two-day meeting will be held at 425 Thirteenth Street, N.W., Suite 1012, Washington, D.C. 20004.

The National Advisory Council on the Education of Disadvantaged Children is established under section 148 of the Elementary and Secondary Act (20 U.S.C. 2411) to advise the President and the Congress on the effectiveness of compensatory education to improve the educational attainment of disadvantaged children.

The agenda of the two-day meeting will include Committee reports (Early Childhood Education, Special Concerns, Mandated Studies) on site visits and a review of the Committees' position papers.

Because of limited space, all persons wishing to attend should call for reservations by August 11, 1975, Area Code 202/382-6945.

Records shall be kept of all Council proceedings and shall be available for public inspection at the Office of the National Advisory Council on the Education of Disadvantaged Children, located at 425 Thirteenth Street, N.W., Suite 1012, Washington, D.C.

Signed at Washington, D.C. on July 30, 1975.

ROBERTA LOVENHEIM,
Executive Director.

[FR Doc.75-20270 Filed 8-4-75;8:45 am]

NUCLEAR REGULATORY COMMISSION

[Docket No. P-499-A]

DEPARTMENT OF WATER AND POWER OF THE CITY OF LOS ANGELES, ET AL.

Notice of Receipt of Partial Application for Construction Permits and for Facility Licenses; Time for Submission of Views on Antitrust Matters

The Department of Water and Power of the City of Los Angeles, the State of California Department of Water Resources, the City of Anaheim, the City of Glendale, the City of Pasadena, the City of Riverside, the Northern California Power Agency, the Pacific Gas and Electric Company and the Southern California Edison Company, pursuant to Section 103 of the Atomic Energy Act of 1954, as amended, have filed one part of an application, which was docketed on May 21, 1975, in connection with plans to construct and operate four generating units of an undetermined type, each with a net electrical output of approximately 1170 megawatts. The proposed facilities, designated as the San Joaquin Nuclear Project, are to be located near Wasco, approximately 33 miles northwest of Bakersfield, in Kern County, California. The portion of the application filed contains the information requested by the Attorney General for the purpose of an antitrust review of the application as set forth in 10 CFR Part 50, Appendix L.

Pursuant to § 2.101 of Part 2, the remaining portion of the application consisting of an Environmental Report is expected to be filed in August 1976, and the Preliminary Safety Analysis Report in December 1976. Upon receipt of the portions of the application dealing with environmental and radiological health and safety matters, separate notices of receipt will be published, by the Nuclear Regulatory Commission (the Commission), including an appropriate notice of hearing.

A copy of the partial application is available for public inspection at the Commission's Public Document Room, 1717 H Street, NW, Washington, D.C. 20555; the Nuclear Regulatory Commission, Inspection and Enforcement, Region V, 1990 N. California Boulevard, Walnut Creek, California 94596; the Federal Records Center, Reading Room, 4747 Eastern Avenue, Bell, California 90201; and the Kern County Library, 1315 Truxtun Avenue, Bakersfield, California 93301. Docket No. P-499-A has been assigned to the application and it should be referenced in any correspondence relating to it.

Any person who wishes to have his views on the antitrust matters of the application presented to the Attorney General for consideration should submit such views to the U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Chief, Office of Antitrust and Indemnity, Office of Nuclear Reactor Regulation, on or before August 12, 1975.

Dated at Bethesda, Maryland, this 5th day of June 1975.

For the Nuclear Regulatory Commission.

JOHN F. STOLZ,
Chief, Light Water Reactors Project Branch No. 2-1, Division of Reactor Licensing.

[FR Doc.75-15287 Filed 6-12-75;8:45 am]

ADVISORY COMMITTEE ON REACTOR SAFEGUARDS, CALLAWAY PLANT, UNITS 1 AND 2, SUBCOMMITTEE

Meeting

In accordance with the purposes of Sections 29 and 182 b. of the Atomic Energy Act (42 U.S.C. 2039, 2232 b.), the ACRS Subcommittee on the Callaway Plant, Units 1 and 2, will hold a meeting on August 20, 1975 at the Red Carpet Inn-Airport, 4690 N. Lindbergh Boulevard (Brigeton), St. Louis, MO 63044. The purpose of this meeting is to explore the site-related aspects of this application of the Standardized Nuclear Unit Power Plant System (SNUPPS).

The agenda for the subject meeting shall be as follows:

Wednesday, August 20, 1975, 9:00 a.m. until the conclusion of business. The Subcommittee will hear presentations by representatives of the Union Electric Company and the NRC Staff and will hold discussions with these groups regarding the site-related aspects of the application for a construction permit as well as other matters relating to the standard design.

In connection with the above agenda items, the Subcommittee will hold Executive Sessions, not open to the public, at 8:30 a.m. and at the end of the day to consider matters relating to the above application. These sessions will involve an exchange of opinions and discussion of preliminary views and recommendations of Subcommittee Members and internal deliberations for the purpose of formulating recommendations to the ACRS.

In addition to the Executive Sessions, the Subcommittee may hold closed sessions with representatives of the NRC Staff and Applicant for the purpose of discussing privileged information concerning plant physical security and other matters related to plant design, construction, and operation, if necessary.

I have determined, in accordance with Subsection 10(d) of Pub. L. 92-463, that the above-noted Executive Sessions 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 the free interchange of internal views, to avoid undue interference with agency or Subcommittee operation, and to avoid public disclosure of proprietary information.

Practical considerations may dictate alterations in the above agenda or schedule.

The Chairman of the Subcommittee is empowered to conduct the meeting in a manner that, in his judgment, will facilitate the orderly conduct of business, including provisions to carry over an incompleted open session from one day to the next.

With respect to public participation in the open portion of the meeting, the following requirements shall apply:

(a) Persons wishing to submit written statements regarding the agenda items may do so by mailing a readily reproducible copy thereof, postmarked no later than August 13, 1975 to the Executive Secretary, ACRS, NRC, Wash., D.C. 20555. Background information concerning items to be discussed at the meeting can be found in the Preliminary Safety Analysis Report for this project and related documents on file and available for public inspection at the Nuclear Regulatory Commission's Public Document Room, 1717 H St., N.W., Wash., D.C. 20555, the Olin Library of Washington University, St. Louis, MO 63130, and the Fulton City Library, 709 Market St., Fulton, MO 65251. Comments which fail to meet the specified mailing date noted above will be considered to the extent practicable.

(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 so that appropriate arrangements can be made. To the extent that the time available for the meeting permits, the Subcommittee will receive oral statements at an appropriate time chosen by the Chairman of the Subcommittee.

(c) Further information regarding topics to be discussed, whether the meeting has been cancelled or rescheduled, the Chairman's ruling on requests for opportunity to present oral statements and the time allotted, can be obtained by a prepaid telephone call on August 19, 1975 to the Office of the Executive Secretary of the Committee (telephone 202/634-1920, ATTN: Mr. John C. McKinley) between 8:15 a.m. and 5:00 p.m., Eastern Daylight Time.

(d) Questions may be propounded only by members of the Subcommittee and its consultants.

(e) Seating for the public will be available on a first-come, first-served basis.

(f) 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.

(g) 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, ACRS, NRC, 1717 H St., NW., Wash., D.C. 20555, seven days prior to the meeting, a copy of an executed agreement with the owner of the proprietary information to safeguard this material.

(h) A copy of the transcript of the open portion of the meeting will be available for inspection on or after August 25, 1975 at the NRC Public Document Room, 1717 H St., NW., Wash., D.C. 20555, the Olin Library of Washington University, St. Louis, MO 63130, and the Fulton City Library, 709 Market St., Fulton, MO 65251. 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.

(i) On request, copies of the minutes of the meeting will be made available for inspection at the Nuclear Regulatory Commission's Public Document Room, 1717 H St., NW., Wash., D.C. 20555 after November 20, 1975. Copies may be obtained upon payment of appropriate charges.

Dated: July 31, 1975.

JOHN C. HOYLE,
Advisory Committee Management Officer.

[FR Doc.75-20405 Filed 8-4-75;8:45 am]

OFFICE OF MANAGEMENT AND BUDGET

CLEARANCE OF REPORTS

List of Requests

The following is a list of requests for clearance of reports intended for use in collecting information from the public received by the Office of Management and Budget on July 30, 1975 (44 USC

3509). The purpose of publishing this list in the FEDERAL REGISTER is to inform the public.

The list includes the title of each request received; the name of the agency sponsoring the proposed collection of information; the agency form number(s), if applicable; the frequency with which the information is proposed to be collected; the name of the reviewer or reviewing division within OMB, and an indication of who will be the respondents to the proposed collection.

Requests for extension which appear to raise no significant issues are to be approved after brief notice thru this release.

Further information about the items on this daily list may be obtained from the Clearance Office, Office of Management and Budget, Washington, D.C. 20503 (202-395-4529), or from the reviewer listed.

NEW FORMS

ENVIRONMENTAL PROTECTION AGENCY

Data Requirements for Study of Growth Effects of Major Land Use on Air Quality, single-time, regional planning agencies, Lowry, R. L., 395-3772.

DEPARTMENT OF AGRICULTURE

Agricultural Stabilization and Conservation Service, Consumer Acceptance Survey: canned beef, ARS 501-1, ARS 501-2, single-time, members of two churches, Lowry, R. L., 395-3772.

Forest Service, Maroon Valley User Survey, single-time, visitors to outdoor recreation area, Lowry, R. L., 395-3772.

DEPARTMENT OF COMMERCE

Bureau of the Census, Application for Data User Training, UTA-1, on occasion, prospective applicants for data user training, Lowry, R. L., 395-3772.

DEPARTMENT OF THE INTERIOR

Bureau of Sport Fisheries and Wildlife, Wildlife Recreation Telephone Questionnaire; National Hunting and Fishing Survey, single-time, households of nation; hunters and fishermen, Lowry, R. L., 395-3772.

REVISIONS

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Social and Rehabilitation Service, Semi-annual Statistical Report on Hearings, SR SNCSS105, semi-annually, State public assistance agencies, Caywood, D.P., 395-3443.

EXTENSIONS

DEPARTMENT OF THE TREASURY

Bureau of Customs, Application for ID Card (merchandise importers), CF-3078, on occasion, broker, carrier, cartman, lighterman and their employees, Marsha Traynham, 395-4529.

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration, Application for Agricultural Aircraft Operator Certificate, PAA 3873, on occasion, air agencies, Marsha Traynham, 395-4529.

PHILLIP D. LARSEN,
Budget and Management Officer.

[FR Doc.75-20401 Filed 8-4-75;8:45 am]

CLEARANCE OF REPORTS

List of Requests

The following is a list of requests for clearence of reports intended for use in collecting information from the public received by the Office of Management and Budget on 07/25/75 (44 USC 3509). The purpose of publishing this list in the FEDERAL REGISTER is to inform the public.

The list includes the title of each request received; the name of the agency sponsoring the proposed collection of information; the agency form number (s), if applicable; the frequency with which the information is proposed to be collected; the name of the reviewer or reviewing division within OMB, and an indication of who will be the respondents to the proposed collection.

Requests for extension which appear to raise no significant issues are to be approved after brief notice thru this release.

Further information about the items on this daily list may be obtained from the Clearance Office, Office of Management and Budget, Washington, D.C. 20503, (202-395-4529), or from the reviewer listed.

NEW FORMS

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Center for Disease Control, Evaluation of Center for Disease Control, "Training Bulletin," TF-6.10-1, TF 6.10-2, single-time, sample of persons receiving CDC training bulletin, Human Resources Division, 395-3532.

Health Resources Administration, Interview Instrument for Evaluation of States Health Manpower and Health Facility information systems, HRANCHS 0303, single-time, State government officials, George Hall, Raynsford, R., 395-6140.

Health Services Administration, Navajo Health Authority Study of Health Care Services, HSAIHS 0702, single-time, health care providers, Human Resources Division, Dick Eisinger, 395-3532.

DEPARTMENT OF THE INTERIOR

National Park Service, Visitor Transportation Questionnaire, single-time, visitors to a national park, Lowry, R. L., 395-3772.

DEPARTMENT OF TRANSPORTATION

Federal Highway Administration, Feasibility Analysis and Design Concepts and Criteria for Community-wide Separate Pedestrian Networks, single-time, pedestrians in non-CBD metropolitan areas, economics and general government division, Strasser, A., 395-3451.

EXTENSIONS

DEPARTMENT OF HEALTH, EDUCATION AND WELFARE

Social Security Administration, Evaluation and Measurement System—Supplemental Security Income Questionnaire, SSA 9750, on occasion, new SSI applicants, Human Resources Division, Sunderhauf, M. B., 395-3532.

Office of Education, Program Operations Report, Veteran's Cost-of-Instruction Payments to Institutions (sec. 420, title IV-A, P. L. 89-329, as amended), OE 269-2, annually, postsecondary institutions, Marsha Traynham, 395-4529.

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration: Bird Strike—Incident Report, FAA 3830, on occasion, aviation public, Marsha Traynham, 395-4529.

Airport Pavement Design, FAA5100-1, on occasion, Marsha Traynham, 395-4529.

Compliance Worksheet, FAA 5190-7, annually, airport owners and sponsors, Marsha Traynham, 395-4529.

PHILLIP D. LARSEN,
Budget and Management Officer.

[FR Doc.75-20402 Filed 8-4-75;8:45 am]

CLEARANCE OF REPORTS

List of Requests

The following is a list of requests for clearance of reports intended for use in collecting information from the public received by the Office of Management and Budget, on July 31, 1975 (44 USC 3509). The purpose of publishing this list in the FEDERAL REGISTER is to inform the public.

The list includes the title of each request received; the name of the agency sponsoring the proposed collection of information; the agency form number(s), if applicable; the frequency with which the information is proposed to be collected; the name of the reviewer or reviewing division within OMB, and an indication of who will be the respondents to the proposed collection.

Requests for extension which appear to raise no significant issues are to be approved after brief notice thru this release.

Further information about the items on this daily list may be obtained from the clearance office, Office of Management and Budget Washington, D.C. 20503, (202-395-4529), or from the reviewer listed.

NEW FORMS

FEDERAL RESERVE SYSTEM

Offering Rates on Negotiable CD's, FR 416D, weekly, large commercial banks, Caywood, D. P., 395-3443.

DEPARTMENT OF AGRICULTURE

Food and Nutrition Service, Report of Improperly Manufactured, Mutilated, or Shortage/Overage of Food Coupon Books, FNS-43, on occasion, food stamp project areas, Lowry, R. L., 395-3772.

DEPARTMENT OF COMMERCE

Bureau of Resources and Trade Assistance, United States Travel Service Questions (USTS participation in U.S.T.D.C. Survey), single-time, State travel Directors, Strasser, A., 395-5867.

REVISIONS

DEPARTMENT OF THE INTERIOR

National Park Service, Backcountry Management Questionnaire, single-time, Grand Teton Park backcountry day users, Lowry, R. L., 395-3772.

EXTENSIONS

DEPARTMENT OF AGRICULTURE

Agricultural Stabilization and Conservation Service, Group Evaluation of Selected USDA Recipes, ARS 195-198, on occasion,

elementary school students and school personnel, Lowry, R. L., 395-3772.

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Social and Rehabilitation Service:
A System of Quality Control of Eligibility and Payments in Public Assistance, SRS-APA341, on occasion, welfare recipients, Sunderhauf, M. B., 395-6140.
Quality Control—Status of AFDO Sample Cases in Current Reporting Period, SRS OQC 1, monthly, Government agencies, Sunderhauf, M. B., 395-6140.

DEPARTMENT OF THE TREASURY

Bureau of Customs, Special Customs Invoice, LARS, CF5515, on occasion, exporters to U.S. Marsha Traynham, 395-4529.

NEW FORMS

DEPARTMENT OF THE INTERIOR

Geological Survey, CCT Information Response, on occasion, Scientists, Caywood, D.P., 395-3443.
National Park Service:
Backcountry Management Questionnaire for Kings, Canyon National Park, single-time, park visitors entering backcountry area, Lowry, R.L., 395-3772.
Natchez Trace Need Center Program Evaluation, on occasion, elementary and secondary classroom teachers, Lowry, R.L., 395-3772.

REVISIONS

DEPARTMENT OF COMMERCE

Bureau of Resources and Trade Assistance:
Glass Containers, M32G, monthly, glass container manufacturers, Hulett, D.T., 395-4730.
Metal Cans (shipments), M-34D, monthly, manufacturing establishments, Hulett, D.T., 395-4730.

DEPARTMENT OF DEFENSE

Department of the Air Force, Technical Order System Publication Deficiency Report, AFTO22, on occasion, manufacturers of AF equipment, Lowry, R.L., 395-3772.

EXTENSIONS

DEPARTMENT OF TRANSPORTATION

Coast Guard, Summary of Planned Submersible Operations, GC-4790, on occasion, operators of submersible vessels, Marsha Traynham, 395-4529.

PHILLIP D. LARSEN,
Budget and Management Officer.

[FR Doc.75-20403 Filed 8-4-75;8:45 am]

POSTAL RATE COMMISSION

[Docket No. MC73-1]

MAIL CLASSIFICATION SCHEDULE, 1973

Conference

JULY 31, 1975.

Notice is hereby given that the Administrative Law Judge has scheduled a formal conference in the above-designated proceeding, to be held on Wednesday, August 6, 1975, at 10:00 a.m., in the Postal Rate Commission hearing room, Suite 500, 2000 L Street, N.W., Washington, D.C., to discuss prospects for settlement and scheduling of possible hearing dates.

JAMES R. LINDSAY,
Secretary of the Commission.

[FR Doc.75-20293 Filed 8-4-75;8:45 am]

SECURITIES AND EXCHANGE COMMISSION

[Rel. No. 11555; SR-2]

AMERICAN STOCK EXCHANGE, INC.

Rule Changes

JULY 28, 1975.

NOTICE IS HEREBY GIVEN that the American Stock Exchange, Inc. (the "Amex") has filed, pursuant to Section 19(b) of the Securities Exchange Act of 1934, as amended, amendments (the "Amendments") to the certificate of incorporation, by-laws and rules of the American Stock Exchange Clearing Corporation ("ASECC"). The Amendments provide for the implementation of a continuous net settlement ("CNS") system for the clearance and settlement of transactions executed on the Amex.

1. THE AMENDMENTS

Pursuant to the Amendments, ASECC will clear and settle through the CNS system transactions in securities issues listed on the Amex and eligible for inclusion in the CNS operation and will continue to operate a daily balance order ("DBO") clearing and settlement system for transactions in issues not eligible for inclusion in the CNS operation.

Securities settlement in the CNS operation will be made through The Depository Trust Company ("DTC") by book entry; all members of ASECC will be required to become members of DTC, and issues not eligible for inclusion in DTC will not be eligible for inclusion in the CNS operation. Securities settlement in the DBO operation may be effected through the envelope system of Stock Clearing Corporation ("SCC"), the clearing arm of the New York Stock Exchange, Inc.

Once CNS is fully operational, money settlement for transactions cleared through ASECC (including CNS transactions for which securities deliveries are made through DTC and DBO transactions for which securities deliveries are made through SCC's envelope system) will be made through SCC, thereby permitting ASECC-SCC dual members to make one payment for ASECC and SCC money settlement obligations each day.

Any losses will be allocated among ASECC, SCC and DTC in accordance with a formula included in the Amendments and included in amendments to the rules of SCC and DTC ordered to be put into effect contemporaneously with the Amendments, and, in certain circumstances, DTC will be permitted to reverse book entry movements for which payment is required to be made in DTC but for which DTC has not been paid.

Processing in connection with ASECC's CNS operation will be performed by the Securities Industry Automation Corporation ("SIAC"), a service entity owned jointly by the NYSE and the Amex, which currently performs processing for ASECC's existing operations and for SCC's operations.

2. SOLICITATION OF COMMENTS ON THE AMENDMENTS

The Commission preliminarily sought comments from interested persons on the Amendments by publishing notice in the FEDERAL REGISTER that the Amex filing had been received and requesting comments on or before August 8, 1975. By today's notice, the Commission extends the comment period. Interested persons are invited to submit their views and comments to George A. Fitzsimmons, Secretary, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549 on or before August, 1975. Communications should refer to File No. SR-2. The Amendments are, and all comments will be, available for public inspection at the Public Reference Room of the Commission at 1100 L Street, N.W., Washington, D.C.

3. SUMMARY EFFECTIVENESS OF THE PROPOSED ASECC RULE CHANGES

The National Clearing Corporation, the Pacific Clearing Corporation and SCC currently have fully operational continuous netting clearing systems which have increased significantly the safety and efficiency of clearing and settlement for securities transactions processed through the systems. Based on the performance of existing continuous netting systems and on its review of the ASECC CNS system, the Commission has determined that implementation of ASECC's CNS system will increase significantly the safety and efficiency of clearing and settlement for securities transactions cleared through ASECC. Accordingly, it appears to the Commission that immediate implementation of the CNS system is necessary for the protection of investors and for the safeguarding of securities and funds.

IT IS THEREFORE ORDERED, pursuant to Section 19(b)(3)(B) of the Act, that the Amendments relating to the implementation of ASECC's CNS system, filed with the Commission on June 2, 1975 be put into effect summarily, effective July 25, 1975, until such time as the Commission, pursuant to Section 19(b)(2) of the Act, either approves the Amendments or institutes proceedings to determine whether such rules should be disapproved.

By the Commission.

[SEAL] GEORGE A. FITZSIMMONS,
Secretary.

[FR Doc.75-20287 Filed 8-4-75;8:45 am]

[Rel. No. 11554; SR-4]

NEW YORK STOCK EXCHANGE, INC.

Rule Changes

JULY 28, 1975.

NOTICE IS HEREBY GIVEN that the New York Stock Exchange, Inc. (the "NYSE") has filed, pursuant to Section 19(b) of the Securities Exchange Act, as amended, amendments (the "Amendments") to the Rules of The Depository Trust Company ("DTC").

1. THE AMENDMENTS

The Amendments have been filed in connection with Amendments to the certificate of incorporation, by-laws and rules of the American Stock Exchange Clearing Corporation ("ASECC"), ordered to be put in effect contemporaneously with the Amendments, providing for implementation by ASECC of a continuous net settlement ("CNS") system which will involve settlement of transactions in certain American Stock Exchange-listed issues through the facilities of DTC.

The Amendments consist of additions to DTC's Rules 1, 4, 6 and 9, to provide for the allocation of certain DTC losses among the DTC Participants Fund, the ASECC CNS Clearing Fund, and the Stock Clearing Corporation ("SCC") CNS Clearing Fund. The Amendments constitute an expansion of procedures previously established by SCC and DTC, in connection with the implementation of SCC's CNS system, to allocate losses between them.

2. SOLICITATION OF COMMENTS ON THE AMENDMENTS

The Commission preliminarily sought comments from interested persons on the Amendments by publishing notice in the FEDERAL REGISTER that the NYSE filing had been received and requesting comments on or before August 8, 1975. By today's notice, the Commission extends the comment period. Interested persons are invited to submit their views and comments on the Amendments to George A. Fitzsimmons, Secretary, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549 on or before August __, 1975. Communications should refer to File No. SR-3. The Amendments are, and all comments will be, available for public inspection at the Public Reference Room of the Commission at 1100 L Street, NW., Washington, D.C.

3. SUMMARY EFFECTIVENESS OF THE AMENDMENTS

The National Clearing Corporation, the Pacific Clearing Corporation and SCC currently have fully operational continuous netting clearing systems which have increased significantly the safety and efficiency of clearing and settlement for securities transactions processed through the systems. Based on the performance of existing continuous netting systems and on its review of the ASECC's CNS system, the Commission has determined that implementation of ASECC's CNS system will increase significantly the safety and efficiency of clearing and settlement for securities transactions cleared through ASECC. Implementation of ASECC's CNS system will not proceed until these Amendments become effective. Accordingly, it appears to the Commission that immediate effectiveness of the Amendments is necessary for the protection of investors and for the safeguarding of securities and funds.

IT IS THEREFORE ORDERED, pursuant to Section 19(b)(3)(B) of the Act, that the Amendments relating to the establishment of loss allocation and book entry reversal mechanisms in connection with the implementation of ASECC's CNS system, filed with the Commission on June 26, 1975, be put into effect summarily, effective July 25, 1975, until such time as the Commission, pursuant to Section 10(b)(2) of the Act, either approves the Amendments or institutes proceedings to determine whether such rules should be disapproved.

By the Commission.

[SEAL] GEORGE A. FITZSIMMONS, *Secretary.*

[FR Doc.75-20289 Filed 8-4-75;8:45 am]

[Rel. No. 11556; SR-3]

NEW YORK STOCK EXCHANGE, INC.

Proposed Rule Changes

JULY 28, 1975.

NOTICE IS HEREBY GIVEN that the New York Stock Exchange, Inc. (the "NYSE") has filed, pursuant to Section 19(b) of the Securities Exchange Act, as amended, amendments (the "Amendments") to the Rules of Stock Clearing Corporation ("SCC").

The Amendments have been filed in connection with amendments to the certificate of incorporation, by-laws and rules of the American Stock Exchange Clearing Corporation ("ASECC"), ordered to be put in effect contemporaneously with the Amendments, providing for implementation by ASECC of a continuous net settlement ("CNS") system which will involve settlement of transactions in certain American Stock Exchange-listed issues through the facilities of The Depository Trust Company ("DTC").

1. THE AMENDMENTS

Except for a minor correction in SCC's Rule 12, the Amendments consist of additions to SCC's Rule 4, Section 4 to provide for the allocation of certain DTC losses among the DTC Participants Fund, the ASECC CNS Clearing Fund, and the SCC CNS Clearing Fund. The Amendments constitute an expansion of procedures previously established by SCC and DTC, in connection with the implementation of SCC's CNS system, to allocate losses between them.

2. SOLICITATION OF COMMENTS ON THE AMENDMENTS

The Commission preliminarily sought comments from interested persons on the Amendments by publishing notice in the *Federal Register* that the NYSE filing had been received and requesting comments on or before August 8, 1975. By today's notice, the Commission extends the comment period. Interested persons are invited to submit their views and comments on the Amendments to George A. Fitzsimmons, Secretary, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549 on or before August , 1975. Communications should refer to File No. SR-3. The Amendments are, and all comments will be, available for public inspection at the Public Reference Room of the Commission at 1100 L Street, N.W., Washington, D.C.

3. SUMMARY EFFECTIVENESS OF THE AMENDMENTS

The National Clearing Corporation, the Pacific Clearing Corporation and SCC currently have fully operational continuous netting clearing systems which have increased significantly the safety and efficiency of clearing and settlement for securities transactions processed through the systems. Based on the performance of existing continuous netting systems and on its review of the ASECC's CNS system, the Commission has determined that implementation of ASECC's CNS system will increase significantly the safety and efficiency of clearing and settlement for securities transactions cleared through ASECC. Implementation of ASECC's CNS system will not proceed until these Amendments become effective. Accordingly, it appears to the Commission that immediate effectiveness of the Amendments is necessary for the protection of investors and for the safeguarding of securities and funds.

IT IS THEREFORE ORDERED, pursuant to Section 19(b)(3)(B) of the Act, that the Amendments relating to the establishment of loss allocation and book entry reversal mechanisms in connection with the implementation of ASECC's CNS system, filed with the Commission on June 30, 1975, be put into effect summarily, effective July 25, 1975, until such time as the Commission, pursuant to Section 19(b)(2) of the Act, either approves the Amendments or institutes proceedings to determine whether such rules should be disapproved.

By the Commission.

[SEAL] GEORGE A. FITZSIMMONS, *Secretary.*

[FR Doc.75-20288 Filed 8-4-75;8:45 am]

[Rel. No. 8865; 811-1301]

PACIFIC STANDARD FUND, INC.

Filing of Application

JULY 28, 1975.

NOTICE IS HEREBY GIVEN that Pacific Standard Fund, Inc. ("Applicant"), an open-end, diversified, management investment company registered under the Investment Company Act of 1940 ("Act"), has filed an application on April 30, 1975, and an amendment thereto on May 23, 1975, for an order of the Commission declaring that the Applicant has ceased to be an investment company as defined in the Act. All interested persons are referred to the application on file with the Commission for a statement of the representations contained therein, which are summarized below.

Applicant states that on April 25, 1975, shareholders of the Applicant approved an Agreement and Plan of Reorganization ("Agreement") and Articles of Exchange and Transfer providing for the sale by the Applicant of substantially all of its assets to Empire Fund, Inc. ("Em-

pire"), an open-end investment company registered under the Act, in exchange for shares of capital stock of Empire and cash; and that on April 28, 1975, the Agreement and the Articles of Exchange and Transfer were filed with the Department of Assessments and Taxation of the State of Maryland. In addition, Applicant states that Articles of Dissolution will be filed with such Department upon receipt of a tax clearance certificate from the Maryland Department of Revenue.

Applicant states further that its former shareholders have been issued shares of Empire pursuant to the terms of the Agreement; that checks in lieu of fractional shares of Empire have been issued to such shareholders; and that Applicant has no assets other than a small cash reserve maintained for the purpose of satisfying such checks.

Section 8(f) of the Act provides, in pertinent part, that when the Commission upon application finds that a registered investment company has ceased to be an investment company, it shall so declare by order and, upon the effectiveness of such order, the registration of such company shall cease to be in effect.

NOTICE IS FURTHER GIVEN that any interested person may, not later than August 22, 1975, at 5:30 p.m., submit to the Commission in writing a request for a hearing on this matter accompanied by a statement as to the nature of his interest, the reason for such request, and the issues of fact or law proposed to be controverted, or he may request that he be notified if the Commission shall order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request shall be served personally or by mail (air mail if the person being served is located more than 500 miles from the point of mailing) upon Applicant at the address set forth above. Proof of such service (by affidavit or, in case of an attorney-at-law, by certificate) shall be filed contemporaneously with the request. As provided by Rule 0-5 of the Rules and Regulations promulgated under the Act, an order disposing of the application will be issued as of course following said date unless the Commission thereafter orders a hearing upon request or upon the Commission's own motion. Persons who request a hearing, or advice as to whether a hearing is ordered, will receive any notices and orders issued in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission, by the Division of Investment Management Regulation, pursuant to delegated authority.

[SEAL] GEORGE A. FITZSIMMONS,
Secretary.

[FR Doc.75-20290 Filed 8-4-75;8:45 am]

TENNESSEE VALLEY AUTHORITY

ROANE, TENNESSEE—500-kV SUBSTATION AND TRANSMISSION LINE CONNECTIONS

Negative Determination

In accordance with section 102(2)(C) of the National Environmental Policy Act of 1969, section 1500.6(e) of the Council on Environmental Quality Guidelines (38 FR 20550-62 (August 1, 1973)), and section V-B-1 of the Tennessee Valley Authority's Procedures for Environmental Planning and Assessment (39 FR 5671-75 (February 14, 1974)), the Tennessee Valley Authority (TVA) hereby gives notice that it has determined that the construction and operation of a 500-kV substation and related transmission line connections on a site in Roane County, Tennessee (approximately 8 miles southwest of the city of Oak Ridge), does not constitute a "major federal action significantly affecting the quality of the human environment" and that an environmental statement is not necessary for this proposed action.

These facilities are required to provide additional electric energy requirements of the Energy Research and Development Administration facilities at Oak Ridge, Tennessee. TVA has prepared an environmental evaluation record to assess the environmental impacts related to this proposal and to identify measures to minimize the effects of construction and operation on the environment. TVA's environmental review has revealed no significant environmental impacts which would occur from the construction or operation of the facilities in accordance with their design. The facilities would be constructed entirely on federally-owned property already used for industrial purposes. The proposal is compatible with both regional and local planning and is not considered controversial within the meaning of the CEQ Guidelines. As a result of this review, TVA has determined that an environmental impact statement is not required.

TVA's environmental evaluation record is available for inspection and review during regular work hours at the following locations:

Tennessee Valley Authority
Information Office
333 New Sprankle Building
Knoxville, Tennessee 37902

Anderson County
Oak Ridge Civic Center
Oak Ridge, Tennessee 37830

Kingston City Library
Patton Ferry Road
Kingston, Tennessee 37763

A limited number of single copies are available and can be obtained by writing to TVA's Information Office at the above address.

Any questions or comments concerning this proposal should be directed to:

Dr. Peter A. Krenkel
Director of Environmental Planning
268 401 Building
Chattanooga, Tennessee 37401

Dated: July 29, 1975.

LYNN SEEBER,
General Manager.

[FR Doc.75-20317 Filed 8-4-75;8:45 am]

DEPARTMENT OF LABOR

Wage and Hour Division

ACME GARMENT CO., ET AL.

Certificates Authorizing the Employment of Learners at Special Minimum Wages

Correction

In FR Doc. 75-18651 appearing on page 30337 in the issue of Friday, July 18, 1975, the date in the second column, 21st line reading "4-21-75" should read "4-21-76".

Wage and Hour Division

UNIVERSITY OF ALABAMA, ET AL.

Certificates Authorizing Institutions of Higher Education To Employ Their Full-Time Students at Subminimum Wages

Correction

In FR Doc. 75-18652 appearing at page 30337 in the issue of Friday July 18, 1975, the penultimate line of the listing under South Carolina in the first column on page 30339 reading "Sumter Regional Campus, Sumter, SC; Un-" should read "Sumter Regional Campus, Sumter, SC; Union".

ENERGY RESEARCH AND DEVELOPMENT ADMINISTRATION

STUDY GROUP ON FIELD AND LABORATORY UTILIZATION

Determination To Establish

Pursuant to the Federal Advisory Committee Act (Pub. L. 92-463), the establishment of a "Study Group on Field and Laboratory Utilization" has been certified by the Acting Administrator as necessary, appropriate, and in the public interest in connection with the performance of duties imposed upon the Energy Research and Development Administration (Pub. L. 93-438), and other applicable law.

1. *Name of Committee.* Study Group on Field and Laboratory Utilization.

2. *Purpose.* To advise ERDA on the organizational and management steps to be taken to contribute to the optimum utilization of ERDA's field and laboratory resources in accomplishing ERDA's nonmilitary missions.

3. *Effective date of establishment and duration.* The Study Group is established effective with the publication of this notice.

The charter of the Study Group will be filed with the standing committees of Congress having legislative jurisdiction

of the Energy Research and Development Administration.

4. *Membership.* The members are:

(a) Lt. Gen. Austin W. Betts (USA, Retired), Senior Vice President, Southwest Research Institute, Chairman of the Study Group.

(b) Dr. Raymond L. Bisplinghoff, Chancellor, University of Missouri.

(c) Mr. William L. Davis, Emerson Electric.

(d) Dr. Alan M. Lovelace, Associate Administrator for Aeronautics and Space Technology, NASA.

(e) Dr. John A. Hornbeck, Bell Telephone Laboratories.

(f) V/Adm. William J. Moran (USN, Retired).

(g) Dr. Herman Postma, Director, Holifield National Laboratory.

(h) Dr. Harold M. Agnew, Director, Los Alamos Scientific Laboratory.

(i) Dr. George H. Vineyard, Director, Brookhaven National Laboratory.

(j) Mr. Robert D. Thorne, Manager, ERDA San Francisco Operations Office.

(k) Dr. Agnew W. Decora, Director, Laramie Energy Research Center.

(l) Dr. Vitalij Garber (Designated Federal employee), Technical Director, ERDA Assistant Administrator for Laboratory & Field Coordination.

5. *Study Group operation.* The Study Group will operate in accordance with provisions of the Federal Advisory Committee Act (Pub. L. 92-463), ERDA policy and procedures, OMB Circular No. A-63 (Revised), and other directives and instructions issued in implementation of the Act.

For the Administrator.

HARRY L. PEEBLES,
Deputy Advisory Committee Management Officer.

[FR Doc.75-20505 Filed 8-4-75;8:45 am]

STUDY GROUP ON FIELD AND LABORATORY UTILIZATION

Meeting

The Study Group on Field and Laboratory Utilization will hold a meeting on August 12 and 13, 1975, at ERDA Headquarters, Germantown, Maryland, in Room A-410. The portion of the meeting which will be open to the public will begin at 8:30 a.m. and end at approximately 12 noon.

The purpose of the Study Group on Field and Laboratory Utilization will be to prepare a report which will be based on its appraisal of the management practices inherited by ERDA and recommend organizational and management steps to be taken to contribute to the optimum utilization of ERDA's field and laboratory resources in accomplishing ERDA's nonmilitary missions.

In addition to the public session on August 12, the Study Group plans to hold two (2) executive sessions. The first will begin at approximately 1 p.m., August 12, and continue through the day ending at approximately 5:30 p.m. The second executive session is scheduled for August 13, 1975, from 8:30 a.m. to 5:30 p.m. These sessions will include discussion of budget information, intra-agency communications on pending issues and classified data.

When this group was originally constituted, it was erroneously believed that it was not subject to the Federal Advisory Committee Act (FACA). Subsequently, it was determined that the group is in fact an advisory committee subject to the FACA. Meanwhile, a schedule of meetings was established, the first of which is set for August 12 and 13, 1975. The Study Group must initiate its efforts in early August so as to complete its report by the end of October, 1975, as directed by the Administrator, in order to meet stringent budget cycle dates.

The members of the Study Group have agreed to serve because of the importance of ERDA's missions and the value of this study in assuring that they will be successfully accomplished. All of them have other important responsibilities, but have agreed that half of their activities over the next few months will be devoted to the Study. The proposed schedule of meetings and site visits are very difficult to arrange in the time available and still permit some of the members to meet their other important commitments. August 12 and 13 are the only dates on which nearly all of the members will be available to meet at Headquarters prior to the first site visit. The hardships to the members of the Study Group resulting from any rescheduling at this time, and the hardship to ERDA from any delay in meeting its budget requirements are deemed to be sufficient cause justifying a notice period shorter than the 15 days as provided in section 8(b)3 of the OMB Circular No. A-63 (Revised).

The Headquarters' briefings are vital to assure a maximum understanding by the Group of ERDA and its programs prior to undertaking the first site visit. Thus, the purpose of this first meeting is not for ERDA to receive advice, but is for ERDA officials to brief the Study Group.

I have determined, in accordance with subsection 10(d) of Pub. L. 92-463, that these executive sessions 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 further that some of the discussions will be on laboratory management matters which will involve weapons information and other classified activities which fall within exemption (1) and (3) of 5 U.S.C. 552(b). It is essential to close these portions of the meeting to protect the free interchange of internal views and to avoid undue interference with Agency or Study Group operation.

The Chairman is empowered to conduct the meeting in a manner that in his judgment will facilitate the orderly conduct of business.

With respect to public participation in the Study Group meeting, the following requirements shall apply:

(a) Persons wishing to submit written statements on agenda items may do so by mailing ten copies thereof, postmarked no later than August 26, 1975, to Ms. Antionette Joseph, Office of Laboratory Coordination, ERDA, Washington, D.C. 20545. Requests for the opportunity to make oral statements shall be ruled on by the Chairman of the Study Group who is empowered to apportion the time available among those selected by him to make oral statements.

(b) Questions at the meeting may be asked only by members of the Study Group.

(c) Seating for the public will be made available on a first-come, first-served basis.

(d) Copies of minutes will be made available for copying, following their acceptance by the Study Group, in accordance with the Federal Advisory Committee Act, at the Energy Research and Development Administration's Public Document Room, 1717 H Street, NW, Washington, D.C. 20545, upon payment of all charges required by law.

The Study Group will convene August 19-21, 1975 for site visits to the Argonne National Laboratory, FermiLab, and the Pittsburgh Energy Research Center. The Study Group will undertake site visits to, and may hold meetings at the ERDA San Francisco Operations Office, the ERDA Oak Ridge Operations Office, and the ERDA Albuquerque Operations Office. Future Study Group meetings will be held in September and early October, 1975. Notices of these meetings will be published in the Federal Register.

HARRY L. PEEBLES,
Deputy Advisory Committee Management Officer.

[FR Doc.75-20506 Filed 8-4-75;8:45 am]

INTERSTATE COMMERCE COMMISSION

[Notice No. 823]

ASSIGNMENT OF HEARINGS

JULY 31, 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.

MC 125777 Sub No. 152, Jack Gray Transport, Inc., now being assigned, November 20, 1975, at the Office of the Interstate Commerce Commission, Washington, D.C.

MC 128383 Sub No. 53, Pinto Trucking Service Inc., now being assigned November 19, 1975, at the Office of the Interstate Commerce Commission, Washington, D.C.

MC 124212 Sub No. 80, Mitchell Transport, Inc., now being assigned November 13, 1975, at the Office of the Interstate Commerce Commission, Washington, D.C.

MC 140583 Sub No. 2, W. T. Myles Transporation Company, now being assigned, November 12, 1975, at the Office of the Interstate Commerce Commission, Washington, D.C.

MC 140563 Sub No. 2, W. T. Myles Transportation Company, now being assigned, November 12, 1975, at the Office of the Interstate Commerce Commission, Washington, D.C.

MC 8214 Sub 3, Port Jersey Transportation, now being assigned November 3, 1975, at New York, New York (1 day); in a hearing room to be designated later.

MC 113362 Sub 283, Ellsworth Freight Lines, Inc., now being assigned November 4, 1975 (1 day), at New York, New York; in a hearing room to be designated later.

MC 129529 Sub 7, Thruway Messenger Service, Inc., now being assigned November 5, 1975 (3 days), at Newark, New Jersey; in a hearing room to be designated later.

MC 140484 Sub No. 1, Lester Coggins Trucking, Inc., now being assigned November 12, 1975, at the Office of the Interstate Commerce Commission, Washington, D.C.

MC 73165 Sub No. 310, Eagle Motor Lines, Inc., now being assigned September 17, 1975, at the Office of the Interstate Commerce Commision, Washington, D.C.

MC-F-12338, Riteway Express, Inc.—Purchase—A. Knorr's Express, Inc., and MC 1668 Sub 6, Riteway Express, Inc., now assigned September 9, 1975, at New York, New York; will be held in Court of Claims, Room 238, Court Room A, 26 Federal Plaza.

MC 134716 (Sub-No. 5), Rush Trucking, Inc., now assigned September 8, 1975, at Miami, Fla., will be held in Room 208, Federal Building, 51 S.W. First Street.

MC 113855 Sub 314, International Transports, Inc., now assigned September 9, 1975, at Billings, Mont., will be held in Room 1033, Federal Building, 316 North 26.

MC 123407 Sub 187, Sawyer Transport, Inc., now assigned September 11, 1975, at Billings, Mont., will be held in Room 2222, Federal Building, 316 North 26.

MC 123407 Sub 198, Sayyer Transport, Inc., now assigned September 18, 1975, at Billings, Mont., will be held in Room 2222, Federal Building, 316 North 26.

AB 7 Sub 7, Chicago, Milwaukee, St. Paul and Pacific Railroad Company Abandonment Between Heath and Grass Range, Fergus County, Montana, now assigned September 15, 1975, at Lewistown, Mont., will be held at the Yago Inn, Sapphire A Room.

MC 128273 Sub 179, Midwestern Distribution, Inc., now assigned September 22, 1975, at Portland, Oreg., will be held in Room 103, Pioneer Courthouse, 555 S.W. Yamhill Street.

MC-F-12343, National Machinery Haulers, Inc.—Purch.—Larry L. Fenner Transport, Inc., and MC 140504, National Machinery Haulers, Inc. (D. R. to MC-F 12343), now being assigned November 4, 1975 (2 days), at Chicago, Ill., in a hearing room to be later designated.

MC 119619 Sub 74, Distributors Service Co., now assigned September 9, 1975, at Columbus Ohio; will be held in Room 235, Federal Office Building, 85 Marconi Boulevard.

MC 114273 Sub 223, Cedar Rapids Steel Transportation, Inc., now assigned September 10, 1975, at Columbus, Ohio; will be held in Room 235, Federal Office Building, 85 Marconi Boulevard.

MC 106398 Sub 720, National Trailer Convoy, Inc., now assigned September 11, 1975, at Columbus, Ohio; will be held in Room 235, Federal Office Building, 85 Marconi Boulevard.

MC 140104 Sub 2, Toledo Frigid Lines, Inc., now being assigned September 12, 1975, at Columbus, Ohio; will be held in Room 235, Federal Office Building, 85 Marconi Boulevard.

MC 135111 Sub 1, Reese Trucking, Inc., now assigned September 15, 1975, at Columbus, Ohio; will be held in Room 235, Federal Office Building, 85 Marconi Boulevard.

MC 102616 Sub 910, Coastal Tank Lines, Inc., now assigned September 16, 1975, at Columbus, Ohio; will be held in Room 235, Federal Office Building, 85 Marconi Boulevard.

MC 124221 Sub 49, Howard Baer, now assigned September 17, 1975, at Columbus, Ohio; will be held in Room 235, Federal Office Building, 85 Marconi Boulevard.

MC 107403 Sub 917, Matlack, Inc., now assigned September 18, 1975, at Columbus, Ohio; will be held in Room 235, Federal Office Building, 85 Marconi Boulevard.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.75-20354 Filed 8-4-75;8:45 am]

IRREGULAR-ROUTE MOTOR COMMON CARRIERS OF PROPERTY—ELIMINATION OF GATEWAY LETTER NOTICES

JULY 31, 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), and notice thereof to all interested persons is hereby given as provided in such rules.

An original and two copies of protests against the proposed elimination of any gateway herein described may be filed with the Interstate Commerce Commission on or before August 15, 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 115840 (Sub-No. 77E), filed December 30, 1974. Applicant: COLONIAL FAST FREIGHT, INC., PO Box 10327, Birmingham, Ala. 35202. Applicant's representative: Roger M. Shaner (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *such materials and supplies (except in bulk) used in the operation, production, processing or transportation of iron and steel articles, cranes, sand hoppers, elevators, conveyors, dust collectors, and meter boxes which are aluminum articles* (1) from points in North Carolina and South Carolina to points in North Dakota, Nebraska, South Dakota, Kansas, Oklahoma, Texas, Louisiana, Mississippi, and points in that portion of Alabama on and west of Interstate Highway 65 and points in that portion of Arkansas on and west of U.S. Highway 65; (2) from points in Florida to points in North Dakota, South Dakota, Nebraska, Kansas, Oklahoma, Arkansas, Missouri, Minnesota, Wisconsin, Iowa, Michigan, Illinois, and points in that portion of Kentucky on and west of Interstate Highway 65 and points in that portion of Ohio beginning at the Ohio-Kentucky State Line on and north of Interstate Highway 71 (including Cincinnati, Columbus, and Cleveland, Ohio), and points in Indiana; (3) from points in that portion of Florida on and east of U.S. Highway 431 to points in Mississippi and Texas; (4) from points in that portion of Florida on and west of U.S. Highway 431 to points in Tennessee, Ohio, on and east of Interstate Highway 71, Pennsylvania, New York, Connecticut, Massachusetts, Rhode Island, Maine, Vermont, New Hampshire, New Jersey, West Virginia, Virginia, North Carolina, South Carolina, and points in that portion of Alabama on and north of Interstate Highway 20, beginning at the Alabama-Georgia State Line, to the intersection with U.S. Highway 78, thence on and north of U.S. Highway 78 to the Alabama-Mississippi State Line and to Jefferson, Shelby, and Walker Counties, Alabama; (5) from points in Georgia to points in Iowa, Wisconsin, Michigan, Illinois, North Dakota, South Dakota, Kansas, Oklahoma, Texas, Arkansas,, Missouri, and Minnesota.

(6) From points in that portion of Georgia on and north of Interstate Highway 20 to points in Louisiana and Mississippi and to points in Alabama on and west of Interstate Highway 65; (7) from points in Tennessee on and east of Interstate Highway 65 to points in Oklahoma, Texas, Louisiana, and points in that portion of Alabama on and south of Interstate Highway 20 and points in that portion of Mississippi on and south of Interstate Highway 20; (8) from points in that portion of Tennessee on and west of Interstate Highway 65 to points in Florida and points in that portion of Georgia on and south of U.S. Highway 80 and points in that porton of Alabama beginning at the Alabama-Florida State Line on and east of U.S. Highway 431 to the intersection with Interstate Highway 65, thence north on and east of Interstate Highway 65 to the intersection with Interstate Highway 20, thence east on and south of U.S. Interstate Highway 20 to the Alabama-Georgia State Line; (9) From points in Arkansas to points in South Carolina, New Jersey, Massachusetts, Maine, New Hampshire, Rhode Island, Connecticut, the District of Columbia, Vermont, Georgia, points in Florida east of U.S. Highway 431, and points in Alabama on and east of Interstate Highway 65; (10) from those points in Arkansas on and South of Interstate Highway 40 to points in Pennsylvania and New York; (11) from points in Mississippi to points in New York, Pennsylvania, Rhode Island, New Jersey, Delaware, New Hampshire, Connecticut, Massachusetts, Vermont, Maine, Maryland, Virginia, West Virginia, Georgia, on and north of Interstate Highway 20 and U.S. Highway 78, North Carolina and South Carolina; (12) from points in Mississippi on and south of U.S. Highway 82 to points in Tennessee on and east of Interstate Highway 65 (including Davidson County, Tennessee) and points in that portion of Kentucky on and east of U.S. Highway 65, and points in Alabama beginning at the Alabama-Tennessee State Line on and east of Interstate Highway 65, thence on U.S. Inter-

state Highway 65 to its intersection with Alabama State Highway 22, thence east on and north of Alabama State Highway 22 to the Alabama-Georgia State Line.

(13) From those points in Mississippi on and north of U.S. Highway 82 to points in Florida on and east of U.S. Highway 431 and points in Georgia on and south of Interstate Highway 20 and U.S. Highway 78; (14) from those points in Louisiana on and east of the Mississippi River to points in Maine, Vermont, New Hampshire, Massachusetts, Connecticut, New York, Pennsylvania, Rhode Island, New Jersey, Maryland, Delaware, Virginia, West Virginia, Kentucky, North Carolina, South Carolina, and points in that portion of Georgia on and north of U.S. Highway 78 and Interstate Highway 65 and those points in Tennessee on and east of Interstate 65 (including Davidson County, Tennessee) and points in that portion of Alabama beginning at the Alabama-Tennessee State Line on and east of Interstate Highway 65 (including Decatur, Alabama), thence south on Interstate Highway 65 to (including Shelby, Jefferson, Walker, and Chilton Counties, Alabama) its intersection with Alabama State Highway 22, thence east on and north of Alabama State Highway 22 to the Alabama-Georgia State Line; (15) from points in Alabama to points in Maine, New Hampshire, Vermont, Massachusetts, Connecticut, New York, Rhode Island, New Jersey, Maryland, Delaware, Virginia, West Virginia, Pennsylvania, North Carolina, and South Carolina; (16) from points in Alabama on and south of U.S. Highway 278 to points in North Dakota, South Dakota, Iowa, Ohio, Kentucky, Minnesota, Wisconsin, Michigan, Illinois, Indiana, and Kansas; (17) from those points in Alabama on and east of Interstate Highway 65 (including Shelby and Jefferson Counties, Alabama) to points in Texas, Arkansas, and Oklahoma.

(18) From those points in Alabama on and north of Interstate Highway 20 to the intersection with U.S. Highway 78, thence west on and north of U.S. Highway 78 to the Alabama-Mississippi State Line to points in Florida and that portion of Georgia on and south of U.S. Highway 80; (19) from those points in Alabama on and west of Interstate Highway 65 to points in Georgia on and north of Interstate Highway 20; (20) from those points in Georgia beginning at the Georgia-Alabama State Line on and south of U.S. Highway 78 bounded on the north by U.S. Highway 78, thence east on U.S. Highway 78 to its intersection with U.S. Highway Alternate 27 located at (and including) Bremen, Georgia, thence south on and west of U.S. Highway Alternate 27 (including Carrollton, Newman, Manchester, and Columbus, Georgia) bounded on the east by U.S. Highway Alternate 27 to the Georgia-Alabama State Line located at Columbus, Georgia, to points in Maine, Vermont, New Hampshire, Virginia, West Virginia, Delaware, Kentucky, Massachusetts, Pennsylvania, New York, New Jersey, Maryland, the District of Columbia, Rhode Island, Connecticut, Ohio, Indiana, Illinois, Michigan, Wisconsin, Minnesota, Iowa, Missouri, North Dakota, South Dakota, Nebraska, Kansas, Oklahoma, Texas, Arkansas, Mississippi north of Interstate Highway 20, Tennessee west of Interstate Highway 65 (including Davidson County, Tennessee), Kentucky west of Interstate Highway 65 (including Louisville, Kentucky), and points in that portion of Alabama on and west of Interstate Highway 65 beginning at the Alabama-Tennessee State Line to its intersection with U.S. Highway 78, thence west on and north of U.S. Highway 78 to Alabama-Mississippi State Line, and to points in Jefferson, Shelby, Walker, and Blount Counties, Alabama. The purpose of this filing is to eliminate the gateway of facilities of Planet Corp., Inc., at Birmingham, Ala.

No. MC 115840 (Sub-E91), filed December 30, 1974. Applicant: COLONIAL FAST FREIGHT, INC., P.O. Box 10327, Birmingham, Ala. 35202. Applicant's representative: Roger M. Shaner (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Such materials and supplies (except in bulk) used in the operations of a foundry as are also used in the operation, production, processing, or transportation of iron and steel articles, cranes, sand hoppers, elevators, conveyors, dust collectors, and meter boxes as are also embraced in iron and steel articles, valves, hydrants, gaskets, overhead highway sign structures, highway breakaway posts, highway guardrails, and uprights.* (1) From points in California to points in Maine, and New Hampshire, (2) From points in California on and south of Interstate Highway 80 to points in Vermont, Massachusetts, New Jersey, Rhode Island, Connecticut, Delaware, Maryland, and West Virginia, New York, Pennsylvania, and Kentucky; (3) from points in Colorado on and south of U.S. Highway 50 to points in Maine, New Hampshire, Rhode Island, Connecticut, Delaware, Maryland, Virginia, New York City and Philadelphia, Pa.; (4) from points in Arizona to points in Maine, Vermont, New Hampshire, Connecticut, Rhode Island, New York, New Jersey, Massachusetts, Pennsylvania, Virginia, Maryland, Delaware, West Virginia, and that portion of Kentucky on and east of Interstate Highway 65; (5) from points in Nevada on and south of U.S. Highway 50 to points in Maine, Vermont, New Hampshire, Connecticut, Massachusetts, Rhode Island, New York, Virginia, New Jersey, Pennsylvania, Kentucky, West Virginia, Delaware, and Maryland; (6) from points in New Mexico on and south of U.S. Highway 66 to points in Maine, Pennsylvania, New York, Vermont, New Hampshire, Connecticut, Massachusetts, Maryland, Virginia, Delaware, New Jersey, and Rhode Island; (7) from points in Texas to points in Maine, New Hampshire, Vermont, Massachusetts, Connecticut, Rhode Island, New Jersey, Pennsylvania, Virginia, Delaware, Maryland, and West Virginia; (8) from points in Louisiana to points in West Virginia, Virginia, Maryland, Pennsylvania, New Jersey, Delaware, New York, Rhode Island, Connecticut, Massachusetts, Vermont, New Hampshire, and Maine.

(9) From points in Mississippi to points in Maine, New Hampshire, Vermont, Connecticut, Rhode Island, New York, Delaware, New Jersey, Maryland, and Virginia; (10) from points in Mississippi on and south of Interstate Highway 20 to points in Kentucky; (11) from points in Arkansas beginning at the Arkansas-Tennessee State line on and south of Interstate Highway 40 to its intersection with Interstate Highway 30 thence southwest on and east of Interstate Highway 30 to the Arkansas-Texas State line, to points in Maine, Connecticut, Vermont, New Hampshire, Rhode Island, Massachusetts, New Jersey, Delaware, Maryland, Virginia, New York, Pennsylvania; (12) from points in Alabama to points in Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, and Connecticut; (13) from points in Mississippi on and south of U.S. Highway 82 to points in West Virginia and Pennsylvania; (14) from points in Alabama on and south of Interstate Highway 20 (including Walker and Jefferson Counties, Alabama) to points in Pennsylvania, New York, New Jersey, Maryland, Delaware, Virginia, and West Virginia; (15) from Memphis, Tennessee, to points in Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, New Jersey, Delaware, Maryland, Virginia, and those portions of Pennsylvania and New York on and east of Interstate Highway 81; and (16) from those points in Georgia beginning at the Georgia-Alabama State line on and south of U.S. Highway 78, thence east on and south of U.S. Highway 78 to its intersection with U.S. Highway Alternate 27, thence south on and south of U.S. Highway Alternate 27 to the Georgia-Alabama State line located at Columbus, Georgia, to points in Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, those portions of New York and Pennsylvania on and west of Interstate Highway 81 and points in Kentucky, on and west of Interstate Highway 65. The purpose of this filing is to eliminate the gateway of Holt and Birmingham, Ala.

No. MC 115840 (Sub-E92), filed December 30, 1974. Applicant: COLONIAL FAST FREIGHT, INC., P.O. Box 10327, Birmingham, Ala. 35202. Applicant's representative: Rogerm M. Shaner (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Iron and steel articles, and iron and steel* (except commodities which because of size or weight require the use of special equipment) which are *materials and supplies (except in bulk) used in the operations of a foundry* and are also used in the operation, production, processing, or transportation of *iron and steel articles, cranes, sand hoppers, elevators, conveyors, dust collectors, and meter boxes*, (1) from points in California, Oregon, Washington, Arizona, New Mexico, Colorado, Utah, Nevada,

Wyoming, Idaho, Louisiana, Montana, and points in that portion of Texas beginning at the Texas-Louisiana State Line on and south of Interstate Highway 20 to the intersection with U.S. Highway 75 (including Dallas), thence north on and west of U.S. Highway 75 to the Texas-Oklahoma State Line and points in that portion of Mississippi beginning at the Mississippi-Alabama State Line on and south of U.S. Highway 82 (including Greenwood and Greenville, Mississippi), thence on U.S. Highway 82 to the Mississippi-Arkansas State Line to points in Tennessee located on the Tennessee River north of Knoxville, Tennessee, and south to Chattanooga, Tennessee; (2) from points in California, Washington, Oregon, Arizona, New Mexico, Texas, Idaho, Wyoming, Louisiana, Nevada, Utah, Colorado, Montana, and points in that portion of Mississippi beginning at the Mississippi-Alabama State Line on and south of Interstate Highway 20, thence on Interstate Highway 20 (including Jackson and Vicksburg, Miss.) to the Mississippi-Louisiana State Line located at Vicksburg, Mississippi, to points in that portion of Tennessee located on the Tennessee River beginning at Chattanooga, Tennessee, (including Chattanooga) south to (and including) Decatur, Alabama.

(3) From points in California, Oregon, Washington, Arizona, New Mexico, Texas, Louisiana, Colorado, Nevada, Utah, Wyoming, Idaho, Montana, Massachusetts, Connecticut, Vermont, New Hampshire, Maine, and Rhode Island, to points in that portion of Alabama on the Tennessee River from Decatur to Florence, Alabama; (4) from points in California, Oregon, Washington, Arizona, New Mexico, Nevada, Utah, Idaho, Montana, Massachusetts, Connecticut, Vermont, New Hampshire, Maine, and points in that portion of Colorado beginning at the Colorado-New Mexico State Line on and west of Interstate Highway 25 (including Denver and Colorado Springs, Colorado) to the Colorado-Wyoming State Line to points located on the Tennessee River from Florence, Alabama, to the Kentucky-Tennessee State Line; (5) from points in California beginning at the International Boundary Line between the United States and Mexico on and west of Interstate Highway 5 (including Sacramento, California) to the California-Oregon State Line and points in that portion of Oregon beginning at the Oregon-California State Line on and west of Interstate Highway 5 (including Eugene, Albany, Salem, and Portland, Oregon), to the Oregon-Washington State Line, and points in that portion of Washington beginning at the Washington-Oregon State Line on and west of U.S. Highway 97 to the International Boundary Line between the United States and Canada, and points in Florida, to points on that portion of the Mississippi River from Memphis, Tennessee (including Memphis, Tennessee), to Greenville, Mississippi; (6) from points in Washington, Oregon, Montana, Idaho, and points in that portion of California beginning at the International Boundary Line between the United States and Mexico on and west of Interstate Highway 5 (including Sacramento, California) to the California-Oregon State Line, to points on that portion of the Mississippi River from Memphis, Tennessee, to Greenville, Mississippi; (7) from points in Oregon, Washington, Idaho, Montana, and points in that portion of California beginning at the International Boundary Line between the United States and Mexico, on and west of Interstate Highway 5 (including Sacramento, California) to the California-Oregon State Line, points in Main, Massachusetts, Vermont, New Hampshire, Connecticut, Rhode Island, to points on that portion of the Mississippi River from Greenville to Vicksburg, Mississippi.

(8) From Oregon, Washington, Massachusetts, Connecticut, Rhode Island, Maine, New York, New Jersey, Vermont, New Hampshire, Pennsylvania to points on that portion of the Mississippi River from Vicksburg to Natchez, Mississippi; (9) from points in California beginning at the California-Nevada State line on and north of Interstate Highway 80 to the Pacific Ocean, points in Oregon, Washington, Idaho, Montana, Rhode Island, Maine, New Hampshire, Vermont, Massachusetts, Connecticut, New York, Pennsylvania, New Jersey, to points on that portion of the Mississippi River from Natchez, Mississippi, to Baton Rouge, Louisiana; and (10 from points in California, Oregon, Washington, Nevada, Idaho, Wyoming, Montana, New York, New Jersey, Maine, Pennsylvania, Vermont, New Hampshire, Massachusetts, Rhode Island, and Connecticut, to points on the Mississippi River from Baton Rouge, Louisiana, to the Gulf of Mexico. The purpose of this filing is to eliminate the gateways of Holt, Birmingham, and Bessemer, Ala.

No. MC 115840 (Sub-No. 93E), filed December 30, 1974. Applicant: COLONIAL FAST FREIGHT, INC., P.O. Box 10327, Birmingham, Ala. 35202. Applicant's representative: Roger M. Shaner (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: iron and steel and iron and steel articles (except commodities which because of size or weight require the use of special equipment) which are materials and supplies (except in bulk) used in the operations of a foundry and which are also used in the operation, production, processing, or transportation of iron and steel articles, cranes, sand hoppers, elevators, conveyors, dust collectors, and meter boxes (1) from points in California, Oregon, Washington, Arizona, New Mexico, Colorado, Utah, Nevada, Wyoming, Idaho, Louisiana, Montana and points in that portion of Texas beginning at the Texas-Louisiana State Line on and south of Interstate Highway 20 to the intersection with U.S. Highway 75 (including Dallas), thence north on and west of U.S. Highway 75 to the Texas-Oklahoma State Line and that portion of Mississippi beginning at the Mississippi-Alabama State line on and south of U.S. Highway 82 (including Greenwood and Greenville, Mississippi), thence on U.S. Highway 82 to the Mississippi-Arkansas State Line located at Greenville, Mississippi, to points in Tennessee located on the Tennessee River north of Knoxville, Tennessee, southward to Chattanooga, Tennessee; (2) from points in California, Washington, Oregon, Arizona, New Mexico, Texas, Idaho, Wyoming, Louisiana, Nevada, Utah, Colorado, Montana, and that portion of Mississippi beginning at the Mississippi-Alabama State line on and south of Interstate Highway 20, thence west on Interstate Highway 20 (including Jackson and Vicksburg, Mississippi) to the Mississippi-Louisiana State Line located at Vicksburg, Mississippi, to points in that portion of Tennessee located on the Tennessee River beginning at Chattanooga, Tennessee (including Chattanooga, Tennessee) southward on the Tennessee River to (and including) Decatur, Alabama.

(3) From points in California, Oregon, Washington, Arizona, New Mexico, Texas, Louisiana, Colorado, Nevada, Utah, Wyoming, Idaho, Montana, Massachusetts, Connecticut, Vermont, New Hampshire, Maine, Rhode Island, to points in that portion of Alabama on the Tennessee River from Decatur to Florence, Alabama; (4) From points in California, Oregon, Washington, Arizona, New Mexico, Nevada, Utah, Idaho, Montana, Massachusetts, Connecticut, Vermont, New Hampshire, Maine, and that portion of Colorado beginning at the Colorado-New Mexico State Line on and west of Interstate Highway 25, thence north on Interstate Highway 25 (including Denver and Colorado Springs, Colorado) to the Colorado-Wyoming State Line to points located on the Tennessee River from Florence, Alabama, to the Kentucky-Tennessee State Line; (5) from points in California beginning at the international boundary line between the United States and Mexico on and west of Interstate Highway 5 (including Sacramento, California) to the California-Oregon State Line and that portion of Oregon beginning at the Oregon-California State Line on and west of U.S. Interstate Highway 5 (including Eugene, Albany, Salem, and Portland, Oregon), thence on Interstate Highway 5 to the Oregon-Washington State Line, and points in that portion of Washington beginning at the Washington-Oregon State Line on and west of U.S. Highway 97 thence on U.S. Highway 97 to the International Boundary Line between the United States and Canada, and Florida, to points on that portion of the Mississippi River beginning at Memphis, Tennessee (including Memphis, Tennessee), to Greenville, Mississippi; (6) from points in Washington, Oregon, Montana, Idaho and points in that portion of California beginning at the International Boundary Line between the United States and Mexico on and west of Interstate Highway 5, thence on Interstate Highway 5 (including Sacramento, California) to the California-Oregon State Line, to points on that portion of the

Mississippi River from Memphis, Tennessee, to Greenville, Mississippi; (7) from points in Oregon, Washington, Idaho, Montana, and points in that portion of California beginning at the International Boundary Line between the United States and Mexico, on and west of Interstate Highway 5 (including Sacramento, California) to the California-Oregon State Line, Maine, Massachusetts, Vermont, New Hampshire, Connecticut, Rhode Island, to points on that portion of the Mississippi River from Greenville to Vicksburg, Mississippi.

(8) From Oregon, Washington, Massachusetts, Connecticut, Rhode Island, Maine, New York, New Jersey, Vermont, New Hampshire, Pennsylvania, to points on that portion of the Mississippi River from Vicksburg to Natchez, Mississippi; (9) from points in California beginning at the California-Nevada State Line on and north of Interstate Highway 80 thence on Interstate Highway 80 to the Pacific Ocean, points in Oregon, Washington, Idaho, Montana, Rhode Island, Maine, New Hampshire, Vermont, Massachusetts, Connecticut, New York, Pennsylvania, New Jersey, to points on that portion of the Mississippi River from Natchez, Mississippi, to Baton Rouge, Louisiana; (10) from points in California, Oregon, Washington, Nevada, Idaho, Wyoming, Montana, New York, New Jersey, Maine, Pennsylvania, Vermont, New Hampshire, Massachusetts, Rhode Island, and Connecticut, to points on the Mississippi River from Baton Rouge, Louisiana, to the Gulf of Mexico. The purpose of this filing is to eliminate the gateway of Holt and Anniston, Ala.

No. MC 115840 (Sub-No. E98), filed May 2, 1975. Applicant: COLONIAL FAST FREIGHT LINES, INC., P.O. Box 10327, Birmingham, Ala. 35202. Applicant's representative: Roger M. Shaner (Same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Aluminum ingots, bars, sows, and aluminum scrap*, the transportation of which because of size or weight require the use of special equipment (except in dump vehicles), (1) between points in Florida, on the one hand, and, on the other, points in North Dakota, South Dakota, Nebraska, Kansas, Wisconsin, Oklahoma, Arkansas, Missouri, Minnesota, Wisconsin, Iowa, Texas, Michigan, Illinois, and points in that portion of Kentucky on and west of Interstate Highway 65 and points in that portion of Ohio beginning at the Ohio-Kentucky State line on and north of Interstate Highway 71 (including Cincinnati, Columbus, and Cleveland, Ohio), and points in Indiana, New York, Rhode Island, Massachusetts, Connecticut, New Hampshire, Vermont, and Maine; (2) between points in that portion of Florida on the west of U.S. Highway 431, on the one hand, and, on the other, points in Tennessee, Ohio, Kentucky, Pennsylvania, New Jersey, West Virginia, Virginia, North Carolina, South Carolina, Maryland, Delaware, the District of Columbia, and points in that portion of Alabama beginning at the Alabama-Tennessee State line on and east of Interstate Highway 65, thence along Interstate Highway 65 to its intersection with Interstate Highway 20 (including Decatur, Birmingham, Bessemer, and Anniston, Ala.), thence along Interstate Highway 20 to the Alabama-Georgia State line; (3) between points in Georgia on and north of Interstate Highway 20, on the one hand, and, on the other, points in Louisiana, Mississippi, and points in Alabama on and west of Interstate Highway 65; (4) between points in Georgia, on the one hand, and, on the other, points in Iowa, Wisconsin, Michigan, Illinois, North Dakota, South Dakota, Kansas, Oklahoma, Texas, Arkansas, Missouri, Minnesota, and Nebraska; (5) between points in that portion of Georgia beginning at the Alabama-Georgia State line on and south of U.S. Highway 78, thence along U.S. Highway 78 to its intersection with U.S. Highway 27 to Carrollton, Ga. (including Carrollton, Ga.), and its intersection with Alternate U.S. Highway 27, thence along Alternate U.S. Highway 27 to its intersection with U.S. Highway 27 at (and including) Columbus, Ga., thence along U.S. Highway 27 to the Georgia-Florida State line (including Bainbridge, Ga.), on the one hand, and, on the other, points in Kentucky, Ohio, Illinois, Indiana, Tennessee on and west of Interstate Highway 65 (including Davidson County, Tenn.), New York, Pennsylvania, Delaware, New Jersey, Massachusetts, Connecticut, Vermont, New Hampshire, Maine, Rhode Island, Mississippi on and north of U.S. Highway 82 (including Columbus, Starkville, Winona, Greenwood, Indianola, and Greenville, Miss.), and Ohio.

(6) Between points in Tennessee on and east of Interstate Highway 65, on the one hand, and, on the other, points in Oklahoma, Texas, Louisiana east of the Mississippi River, and points in that portion of Florida on and west of U.S. Highway 231; (7) between points in that portion of Tennessee beginning at the Alabama-Tennessee State line on and east of Interstate Highway 65, thence on Interstate Highway 65 to its intersection with Interstate Highway 24 located at Nashville, Tenn. (including Davidson County, Tenn.), thence along Interstate Highway 24 (including Hamilton County, Tenn.), to the Tennessee-Georgia State line, on the one hand, and, on the other, points in North Dakota, South Dakota, Oklahoma, Texas, Louisiana, Pennsylvania, New York, Massachusetts, Connecticut, Rhode Island, and Florida; (8) between points in Mississippi, on the one hand, and, on the other, points in New York, Rhode Island, Pennsylvania, New Jersey, Delaware, New Hampshire, Connecticut, Massachusetts, Maryland, Vermont, Maine, Virginia, West Virginia, Georgia on and north of Interstate Highway 20 and U.S. Highway 78, North Carolina, and South Carolina; (9) between points in Mississippi on and south of U.S. Highway 82, on the one hand, and, on the other, points in Tennessee on and east of Interstate Highway 65 (including Davidson County, Tenn.), and points in that portion of Kentucky on and east of Interstate Highway 65, and Ohio; (10) between those points in Mississippi on and north of U.S. Highway 82, on the one hand, and, on the other, points in Florida on and east of U.S. Highway 431 and points in Georgia; and (11) between those points in Louisiana east of the Mississippi River, on the one hand, and, on the other, points in Maine, Vermont, New Hampshire, Massachusetts, Connecticut, New York, Pennsylvania, Rhode Island, New Jersey, Maryland, Delaware, Virginia, West Virginia, Kentucky, North Carolina, South Carolina, and points in that portion of Georgia on and north of Interstate Highway 20 and U.S. Highway 78, and these points in Tennessee on and east of Interstate Highway 65 (including Davidson County, Tenn.). The purpose of this filing is to eliminate the gateways of Birmingham and Steele, Ala.

No. MC 115840 (Sub E107) filed August 23, 1974. Applicant: COLONIAL FAST FREIGHT LINES, INC., 1215 Bankhead Highway, W., P.O. Box 10327, Birmingham, Ala. 35202. Applicant's representative: Roger M. Shaner (same as above). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Valves, hydrants, fittings, components, parts and accessories* which are materials and supplies used in the agriculture, water treatment, food processing, wholesale groceries, and institutional supply industries (except in bulk), (1) from those points in that portion of Alabama bounded on the north by U.S. Highway 84 from the Alabama-Mississippi state line, east to the intersection of U.S. Highway 31; on the east by U.S. Highway 31 from its intersection with U.S. Highway 84, to the Alabama-Florida state line at, and including, Flomaton, Alabama thence along the Alabama-Florida state line to the Gulf of Mexico; and on the west by the Alabama-Mississippi state line from the Gulf of Mexico to U.S. Highway 84, to points in Montana, South Dakota, North Dakota, Nebraska, Minnesota, Iowa, Wisconsin, Michigan, Missouri, Kansas, West Virginia, Illinois, (except those points in that part of Illinois on and bounded by a line beginning at the Illinois-Indiana state line and extending along U.S. Highway 36 to Springfield, Illinois, thence along Illinois Highway 29 to Peoria, Ill., Metamora, Ill., thence along Illinois Highway 89 to junction U.S. Highway 34, thence along U.S. Highway 34 to junction Illinois Highway 31, thence along Illinois Highway 31 to unnumbered highway (referred to as Aurora Avenue), thence along said unnumbered highway to U.S. Highway 34 to Chicago, Illinois, thence along Lake Michigan to the Illinois-Indiana State line and thence along the Illinois-Indiana State line to the point of beginning) Ohio (except those points in that part of Ohio on, west, and north of a line beginning at a point on the Ohio-Pennsylvania State line near Sharon, along U.S. Highway 23 to Circleville, Ohio, and thence along U.S. Highway 22 to Cincinnati, Ohio).

(2) From those points in that portion of Alabama bounded by U.S. Highway 82 from the Alabama-Mississippi State line, thence to the intersection of U.S. Highway 31, thence to the intersection with U.S. Highway 84, thence to the Alabama-Mississippi state line to those points in New Mexico, Arizona, California, Colorado, Utah, Nevada, Oregon, Washington, Texas, Idaho, Wyoming, Montana, South Dakota, North Dakota, Nebraska, Minnesota, Iowa, Wisconsin, Michigan, Kansas, West Virginia, Missouri, Illinois (except those points in that part of Illinois on and bounded by a line beginning at the Illinois-Indiana State line and extending along U.S. Highway 36 to Springfield, Illinois, thence along Illinois Highway 29 to Peoria, Illinois, thence along Illinois Highway 116 to Metamora, Illinois, thence along Illinois Highway 89 to junction U.S. Highway 34, thence along U.S. Highway 34 to junction Illinois Highway 31, to unnumbered Highway (referred to as Aurora Avenue), thence along said unnumbered highway to U.S. Highway 34 to Chicago, Illinois, thence along Lake Michigan to the Illinois-Indiana State line to the point of beginning), Ohio (except those points in that part of Ohio on, west, and north of a line begnining at a point on the Ohio-Pennsylvania State line near Sharon, Pennsylvania, and extending along U.S. Highway 62 to Columbus, Ohio, thence along U.S. Highway 23 to Circleville, Ohio, and thence along U.S. Highway 22 to Cincinnati, Ohio).

(3) From those points in that portion of Alabama located at the intersection of Alabama State Highway 5 and U.S. Highway 278 to the intersection of Interstate Highway 65 thence on Interstate Highway 65 to the Intersection of Alabama State Highway 69 thence on Alabama State Highway 69 to the intersection with U.S. Highway 82 thence on U.S. Highway 82 to the Alabama-Mississippi State line thence to intersection U.S. Highway 78 thence on U.S. Highway 78 to the intersection of U.S. Highway 278 thence on U.S. Highway 278 to the intersection with Alabama State Highway 5 to points in Arizona, California, Colorado, Utah, Nevada, Oregon, Washington, Idaho, Wyoming, Montana, South Dakota, North Dakota, Nebraska, Minnesota, Iowa, Wisconsin, Michigan, Missouri, Kansas, West Virginia, Illinois (except those points in that part of Illinois on and bounded by a line beginning at the Illinois-Indiana State line and extending along U.S. Highway 36 to Springfield, Illinois, thence along Illinois Highway 29 to Peoria, Illinois thence along Illinois Highway 116 to Metamora, Illinois, thence along Illinois Highway 89 to junction U.S. Highway 34 thence along U.S. Highway 34 to junction Illinois Highway 31, thence along Illinois Highway 31 to unnumbered highway (referred to as Aurora Avenue), thence along said unnumbered highway to U.S. Highway 34 to Chicago, Illinois, thence along Lake Michigan to the Illinois-Indiana State line and thence to the point of beginning), Ohio (except those points in that part of Ohio on, west, and north of a line beginning at a point on the Ohio-Pennsylvania State line near Sharon, Pennsylvania, and extending along U.S. Highway 62 to Columbus, Ohio, thence along U.S. Highway 23 to Circleville, Ohio, and thence along U.S. Highway 22 to Cincinnati, Ohio).

(4) From those points in that portion of Alabama located at the intersection of Alabama State Highway 79 and U.S. Highway 231 thence on U.S. Highway 231 to Interstate 20 thence on U.S. Interstate 20 to the intersection with Alabama State Highway 77 thence to the intersection of Alabama State Highway 77 and U.S. Highway Alternate 231 located at Talladega and (including Talladega, Alabama) thence on U.S. Highway Alternate 231 to intersection of Alabama State Highway 22 thence on Alabama State Highway 22 to the intersection with U.S. Highway 82 thence on U.S. Highway 82 to the intersection of Alabama State Highway 69 thence to the intersection with Interstate Highway 65 thence on Interstate Highway 65 to Birmingham, Alabama (including Birmingham, Alabama), and the intersection of U.S. Highway 31 and Alabama State Highway 79 thence on Alabama State Highway 79 to the intersection with U.S. Highway 231 to points in Arizona, California, Oregon, Utah, Washington, New Mexico, Nevada, Texas, Idaho, Wyoming, Montana, South Dakota, North Dakota, Nebraska, Minnesota, Iowa, Wisconsin, Michigan, Missouri, Kansas, West Virginia, Illinois (except those points in that part of Illinois on and bounded by a line beginning at the Illinois-Indiana State line and extending along U.S. Highway 36 to Springfield, Illinois, thence along Illinois Highway 29 to Peoria, Illinois, thence along Illinois Highway 116 to Metamora, Illinois, thence along Illinois Highway 89 to junction U.S. Highway 34, thence along U.S. Highway 34 to junction Illinois Highway 31, thence along Illinois Highway 31 to unnumbered highway (referred to as Aurora Avenue), thence along said unnumbered highway to U.S. Highway 34 to Chicago, Illinois, thence along Lake Michigan to the Illinois-Indiana State line and thence along the Illinois-Indiana State line to the point of beginning), Ohio (except those points in that part of Ohio on, west, and north of a line beginning at a point on the Ohio-Pennsylvania State line near Sharon, Pennsylvania, and extending along U.S. Highway 62 to Columbus, Ohio, thence along U.S. Highway 23 to Circleville, Ohio, and thence along U.S. Highway 22 to Cincinnati, Ohio).

(5) From those points in that portion of Alabama at the intersection of U.S. Highway Alternate 231 and Alabama State Highway 77 at Talladega, Alabama thence on Alabama State Highway 77 to the intersection of Alabama State Highway 22 thence on Alabama State Highway 22 to the intersections of U.S. Highway 280 thence on U.S. Highway 280 to the intersection with Alabama State Highway 49 at Dadeville, Alabama and (including Dadeville, Alabama) thence on Alabama State Highway 49 to the intersection of Alabama State Highway 14 thence on Alabama State Highway 14 to the intersection with U.S. Highway 231 thence on U.S. Highway 231 to the intersection with U.S. Highway Alternate 231 at Sylacauga, Alabama (including Sylacauga, Alabama) thence on U.S. Highway Alternate 231 to the intersection with Alabama State Highway 77 to points in New Mexico, Arizona, California, Colorado, Utah, Nevada, Oregon, Washington, Texas, Idaho, Wyoming, Montana, Missouri, Kansas, West Virginia, Illinois (except those points in that part of Illinois on and bounded by a line beginning at the Illinois-Indiana State line and extending along U.S. Highway 36 to Springfield, Illinois, thence along Illinois Highway 29 to Peoria, Illinois, thence along Illinois Highway 116 to Metamora, Illinois, thence along Illinois Highway 89 to junction U.S. Highway 34, thence along U.S. Highway 34 to junction Illinois Highway 31, thence along Illinois Highway 31 to unnumbered highway (referred to as Aurora Avenue), thence along said unnumbered highway to U.S. Highway 34 to Chicago, Illinois, thence along Lake Michigan to the Illinois-Indiana State line and thence along the Illinois-Indiana State line to the point of beginning), Ohio (except those points in that part of Ohio on, west, and north of a line beginning at a point on the Ohio-Pennsylvania State line near Sharon, Pennsylvania, and extending along U.S. Highway 62 to Columbus, Ohio, thence along U.S. Highway 23 to Circleville, Ohio, and thence along U.S. Highway 22 to Cincinnati, Ohio).

(6) From those points in that portion of Alabama at the intersections with interstate Highway 65 and U.S. Highway 278 thence on U.S. Highway 278 to the intersection with Alabama State Highway 69 thence on Alabama State Highway 69 to the Intersection with U.S. Highway 231 thence on U.S. Highway 231 to the intersection with U.S. Highway 278 thence on U.S. Highway 278 to the intersection with Alabama State Highway 75 thence on Alabama State Highway 75 to the intersection with Alabama State Highway 35 thence on Alabama State Highway 35 to the intersection with Alabama State Highway 9 thence on Alabama State Highway 9 to the intersection with U.S. Highway 411 thence on U.S. Highway 411 to intersection of U.S. Highway 431 thence on U.S. Highway 431 to the intersection with Alabama State Highway 21 at Anniston, Alabama (including Anniston, Alabama) thence on Alabama State Highway 21 to intersection Alabama State Highway 77 thence on Alabama Highway 77 to the intersection with Interstate Highway 20 thence on Interstate Highway 20 to the intersection with U.S. Highway 231 thence on U.S. Highway 231 to the intersection with Alabama State Highway 79 thence on Alabama State Highway 79 to the intersection with Interstate Highway 65 at Birmingham, Alabama (including Birmingham, Alabama), thence on Interstate Highway 65 to the intersection with U.S. Highway 278 to points in New Mexico, Arizona, California, Colo-

rado, Utah, Nevada, Oregon, Washington, Texas, Idaho, Wyoming, Montana, South Dakota, North Dakota, Nebraska, Minnesota, Iowa, Wisconsin, Michigan, Missouri, Kansas, West Virginia, Illinois (except those points in that part of Illinois on and bounded by a line beginning at the Illinois-Indiana State line and extending along U.S. Highway 36 to Springfield, Ill., thence along Illinois Highway 29 to Peoria, Illinois, thence along Illinois Highway 116 to Metamora, Illinois, thence along Illinois Highway 89 to junction U.S. Highway 34, thence along U.S. Highway 34 to junction Illinois Highway 31, thence along Illinois Highway 31 to unnumbered highway (referred to as Aurora Avenue), thence along said unnumbered highway to U.S. Highway 34 to Chicago, Illinois, thence along Lake Michigan to the Illinois-Indiana State line and thence along the Illinois-Indiana State line to the point of beginning), Ohio (except those points in that part of Ohio on, west, and north of a line beginning at a point on the Ohio-Pennsylvania State line near Sharon, Pennsylvania, and extending along U.S. Highway 62, to Columbus, Ohio, thence along U.S. Highway 23 to Circleville, Ohio and thence along U.S. Highway 22 to Cincinnati, Ohio). The purpose of this filing is to eliminate the gateway of Anniston, Ala.

No. MC 115841 (Sub E18), filed June 3, 1974. Applicant: COLONIAL REFRIGERATED TRANSPORTATION, INC., P.O. Box 10327, Birmingham, Ala. 35202. Applicant's representative: E. Stephen Heisley, 666 11th Street NW., Washington, D.C., 20001. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (A) *Edible meats, edible meat products, edible meat by-products, and edible dairy products*, as defined by the Commission (except in bulk, in tank vehicles), in vehicles equipped with mechanical refrigeration, from the plantsite of Swift & Co., at Rochelle, Ill. to points in South Carolina, points in Louisiana on and south of a line beginning at the Louisiana-Mississippi State line and extending along U.S. Highway 84, to junction Louisiana Highway 28, to junction Louisiana Highway 8, to the Louisiana-Texas State line, and points in Mississippi on, south and east of a line beginning at the Mississippi-Alabama State line and extending along U.S. Highway 82, to junction Natchez Trace Parkway, to the Mississippi-Louisiana State line, (including Natchez, Miss.), (Birmingham, Ala.)* (B) *Meats, meat products, meat by-products, and dairy products*, unfrozen, (except in bulk, in tank vehicles), as defined by the Commission, from the plantsite of Swift & Co. at Rochelle, Ill. to points in North Carolina. (Chattanooga, Tenn.)*, Restricted in (A) and (B) above to the transportation of shipments originating at the above-named plantsite. The purpose of this filing is to eliminate the gateways indicated by asterisks above.

No. MC 115841 (Sub-No. E21), filed June 3, 1974. Applicant: COLONIAL REFRIGERATED TRANSPORTATION, INC., P.O. Box 10327, Birmingham, Ala. 35202. Applicant's representative: E. Stephen Heisley, 666 11th Street NW., Washington, D.C. 20001. Authority sought to operate as a *common carrier*, by motor vehicle over irregular routes, transporting: *fresh and cured edible meats* (except canned meats), as defined by the Commission, in vehicles equipped with mechanical refrigeration, from Boston, Mass., (a) to points in Georgia on and west of U.S. Highway 27 and points in Arkansas (Chattanooga, Tenn.)*; (b) to points in California, Oregon, Oklahoma, points in Washington on and west of U.S. Highway 97 (Birmingham, Ala)*; (c) to points in Texas (Montgomery, Ala.)* The purpose of this filing is to eliminate the gateways indicated by asterisks above.

No. MC 115841 (Sub E25), filed June 3, 1974. Applicant: COLONIAL REFRIGERATED TRANSPORTATION, INC., P.O. Box 10327, Birmingham, Ala. 35202. Applicant's representative: E. Stephen Heisley, 666 11th Street NW., Washington, D.C. 20001. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *edible bakery materials* (except in bulk), in vehicles equipped with mechanical refrigeration, from Belleville, N.J., (a) to points in Arkansas, Louisiana, California, Oregon points in Washington on and west of U.S. Highway 97. (Birmingham, Ala)* (b) to points in Alabama. (Knoxville, Tenn.) (2) *bakery materials*, (except in bulk), restricted to dairy products, unfrozen, in vehicles equipped with mechanical refrigeration, from Belleville, N.J., to points in Texas and Oklahoma, (Birmingham, Ala.)* The purpose of this filing is to eliminate the gateways indicated by asterisks above.

No. MC 115841 (Sub-E27), filed June 3, 1974. Applicant: COLONIAL REFRIGERATED TRANSPORTATION, INC., P.O. Box 10327, Birmingham, Ala. 35202. Applicant's representative: E. Stephen Heisley, 666 11th Street NW., Washington, D.C. 20001. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Bakery products, and dessert topping and bakery goods topping*, in vehicles equipped with mechanical refrigeration, from Chadds Ford, Marysville, Morgantown, and Pottstown, Pa., to points in California, Oregon, and points in Washington on and west of a line beginning at the Washington-Oregon State line and extending along U.S. Highway 395 to junction Washington Highway 21, to the United States-Canada International Boundary line. The purpose of this filing is to eliminate the gateway of Birmingham, Ala.

No. MC 115841 (Sub E30), filed June 3, 1974. Applicant: COLONIAL REFRIGERATED TRANSPORTATION, INC., P.O. Box 10327, Birmingham, Ala. 35202. Applicant's representative: E. Stephen Heisley, 666 11th Street NW., Washington, D.C. 20001. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (A) *meats, meat products, meat by-products and articles distributed by meat packinghouses*, as defined by the Commission (except hides and commodities in bulk), from Lexington, Ky., to points in Arkansas (except Blytheville and Little Rock), (Nashville, Tenn)*. (B) *edible meats, edible meat products, edible meat by-products and edible articles distributed by meat packinghouses* (except commodities in bulk), from Lexington, Ky. to points in California and points in Washington and Oregon which are on and west of U.S. Highway 97. (Birmingham, Ala.)*. The purpose of this filing is to eliminate the gateways indicated by asterisks above.

No. MC 115841 (Sub-No. E32), filed June 3, 1974. Applicant: COLONIAL REFRIGERATED TRANSPORTATION, INC., P.O. Box 10327, Birmingham, Ala. 35202. Applicant's representative: E. Stephen Heisley, 666 11th Street, NW., Washington, D.C. 20001. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *foodstuffs* (except in bulk or in tank vehicles), in vehicles equipped with mechanical refrigeration, (1) from points in Alabama on and north of U.S. Highway 80 (except Cullman), to points in Oregon, California, and Washington, (2) from points in Alabama on, north and west of a line, beginning at the Alabama-Mississippi State line and extending along U.S. Highway 80 to junction U.S. Highway 65, to junction U.S. Highway 59 to the Alabama-Georgia State line, (3) from points in Jefferson County, Ala., to points in Arkansas. The purpose of this filing is to eliminate the gateway of Birmingham, Ala.

No. MC 115841 (Sub E35), filed June 3, 1974. Applicant: COLONIAL REFRIGERATED TRANSPORTATION, INC., P.O. Box 10327, Birmingham, Ala. 35202. Applicant's representative: E. Stephen Heisley, 666 11th Street NW., Washington, D.C. 20001. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs*, (except liquid commodities in bulk, candies, confectionery products, and canned goods other than canned meat and canned seafoods), in vehicles equipped with mechanical refrigeration from Baltimore, Md., to points in Arkansas, California, Oregon, points in Washington on and west of U.S. Highway 97. The purpose of this filing is to eliminate the gateway of Birmingham, Ala.

No. MC 115841 (Sub-E37), filed June 3, 1974. Applicant: COLONIAL REFRIGERATED TRANSPORTATION, INC., P.O. Box 10327, Birmingham, Ala. 35202. Applicant's representative: E. Stephen Heisley, 666 11th Street NW., Washington, D.C. 20001. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs*, in containers, in vehicles equipped with mechanical refrigeration, (1) from the Lower Peninsula of Michigan (except Mattawan) on and east of U.S. Highway 75 to points in California on and south of a line beginning at the

California-Arizona State line and extending along U.S. Highway 10 to junction California Highway 78, to the Pacific Ocean (including San Diego County), points in Florida, points in Georgia on and south of U.S. Highway 80, (2) from points in the Lower Peninsula of Michigan on and west of U.S. Interstate Highway 75 to points in Georgia, Florida and San Diego County, Cal. The purpose of this filing is to eliminate the gateway of Birmingham, Ala.

No. MC 115841 (Sub E43), filed June 3, 1974. Applicant: COLONIAL REFRIGERATED TRANSPORTATION, INC., P.O. Box 10327, Birmingham, Ala. 35202. Applicant's representative: E. Stephen Heisley, 666 11th Street NW., Washington, D.C. 20001. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs*, in vehicles with refrigeration, from North East, Pa., (a) to points in Georgia on and west of U.S. Highway 27, and points in California on and south of a line beginning at the California-Arizona State line and extending along U.S. Highway 10 to junction California Highway 78, to the Pacific Ocean. (including Orange and San Diego Counties), (Birmingham, Ala.)* (b) to Little Rock and Blytheville, Ark. and Little Rock Air Force Base at Jacksonville, Ark. (Nashville, Tenn.)* The purpose of this filing is to eliminate the gateways indicated by asterisks above.

No. MC 115841 (Sub-No. E44), filed June 3, 1974. Applicant: COLONIAL REFRIGERATED TRANSPORTATION, INC., P.O. Box 10327, Birmingham, Ala. 35202. Applicant's representative: E. Stephen Heisley, 666 11th Street NW., Washington, D.C. 20001. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: foodstuffs (except in bulk or in tank vehicles), in vehicles equipped with mechanical refrigeration, (1) from Jefferson County, Ala. to points in Louisiana, Mississippi and Tennessee, (2) from points in Alabama on, north and east of a line beginning at the Alabama-Georgia State line and extending along U.S. Highway 59 to junction U.S. Interstate Highway 20, to the Alabama-Georgia State line, to points in Louisiana, points in Mississippi and south of U.S. Highway 78, and points in Tennessee on and west of U.S. Highway 51, (3) from that portion of Alabama on and south of U.S. Highway 20 which are north of U.S. Highway 80, to points in Tennessee on and east of U.S. Highways 45 and 45-E, and Lake Charles, (4) from points in Alabama on and east of U.S. Highway 65 which are on and west of U.S. Highway 59 (including Decatur, Ala.), to points in Louisiana, and points in Mississippi on and south of U.S. Highway 20 (including Jackson, Meridian, and Vicksburg, Miss.), (5) from points in Alabama on, and north and west of a line beginning at the Alabama-Tennessee State line and extending along U.S. Highway 65 to junction U.S. Highway 78, to the Alabama-Mississippi State line, to points in Louisiana on and south of a line beginning at the Louisiana-Mississippi State line and extending along U.S. Highway 84 to junction U.S. Highway 71 to junction U.S. Highway 20, to the Louisiana-Texas State line. The purpose of this filing is to eliminate the gateway of Birmingham, Ala.

No. MC 115841 (Sub E45), filed June 3, 1974. Applicant: COLONIAL REFRIGERATED TRANSPORTATION, INC., P.O. Box 10327, Birmingham, Ala. 35202. Applicant's representative: E. Stephen Heisley, 666 11th Street NW., Washington, D.C. 20001. Authority sought to operate as *a common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs*, (except liquid commodities in bulk, in tank vehicles), in vehicles equipped with mechanical refrigeration, from Pittsburgh, Pa. to points in California on, south and west of a line beginning at the California-Nevada State line and extending along U.S. Highway 395 to junction California Highway 36, to junction U.S. Highway 5 to the California-Oregon State line. The purpose of this filing is to eliminate the gateway of Birmingham, Ala.

No. MC 115841 (Sub E46), filed June 3, 1974. Applicant: COLONIAL REFRIGERATED TRANSPORTATION, INC., P.O. Box 10327, Birmingham, Ala. 35202. Applicant's representative: E. Stephen Heisley, 666 11th Street, NW., Washington, D.C. 20001. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Prepared foods*, in vehicles equipped with refrigeration, (1) from New York, Union City, and Jersey City, N.J., to points in Arkansas, California, Oregon, and points in Washington on and west of U.S. Highway 97, (2) from Philadelphia, to points in Arkansas, California, Oregon, and points in Washington on and west of U.S. Highway 97. The purpose of this filing is to eliminate the gateway of Birmingham, Ala.

No. MC 115841 (Sub E49), filed June 4, 1974. Applicant: COLONIAL REFRIGERATED TRANSPORTATION, INC., P.O. Box 10327, Birmingham, Ala. 35202. Applicant's representative: E. Stephen Heisley, 666 11th Street NW., Washington, D.C. 20001. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *edible confectionary products*, unfrozen, (except in bulk, in tank vehicles), in vehicles equipped with mechanical refrigeration, (1) from the points in Alabama beginning at the Alabama-Georgia State line and extending along U.S. Highway 80 on and bounded by a line to junction U.S. Highway 65, to junction U.S. Highway 20, to the Alabama-Georgia State line to point of beginning, to points in Iowa, Minnesota, Nebraska, South Dakota, points in Kansas on and north of U.S. Highway 54 and points in Missouri on and north of U.S. Highway 70, (2) from points in Alabama on and east of U.S. Highway 59 which are on and north of U.S. Highway 20, to points in Minnesota, Nebraska, South Dakota, St. Joseph, Missouri, points in Kansas on and north of U.S. Highway 70 and points in Iowa on and north of U.S. Highway 34, (3) from points in Alabama on and bounded by a line beginning at the Alabama-Mississippi State line and extending along U.S. Highway 80 to junction U.S. Highway 65, to junction U.S. Highway 78, to the Alabama-Mississippi State line to points of beginning to points in Nebraska, Minnesota, South Dakota, points in Iowa on and north of U.S. Highway 34 and points in Cheyenne, Rawlins, Sherman, and Thomas Counties, Kans. The purpose of this filing is to eliminate the gateway of Birmingham, Ala. and Chattanooga, Tenn.

No. MC 115841 (Sub E50), filed June 4, 1974. Applicant: COLONIAL REFRIGERATED TRANSPORTATION, INC., P.O. Box 10327, BIRMINGHAM, ALA. 35202. Applicant's representative: E. Stephen Heisley, 666 11th Street NW., Washington, D.C. 20001. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *edible candy, edible confectionary products*, and *edible snack foods* (other than frozen, except in bulk), when moving in mixed loads with candy and/or confectionary products, (a) from the facilities of Elmer's Candy Corp at New Orleans, La. to points in Tennessee on and east of U.S. Highways 45 and 45E. (b) from the facilities of Elmer's Candy Corp at Ponchatoula, La. to points in Tennessee on and east of Tennessee Highway 13, points in Florida on and east of U.S. Highway 75, and points in Pasco and Pinellas counties Fla. (c) from the facilities of Elmer's Candy Corp. at New Orleans and Ponchatoula, La. to points in Oregon, Washington and points in California on and north of a line beginning at the California-Nevada State line and extending along U.S. Highway 40 to junction U.S. Highway 66, to junction U.S. Highway 395, to junction California Highway 74, to the Pacific Ocean. Restricted in (a), (b) and (c) to traffic originating at the above-named facilities. The purpose of this filing is to eliminate the gateway of Birmingham, Ala.

No. MC 115841 (Sub-No. E52), filed June 4, 1974. Applicant: COLONIAL REFRIGERATED TRANSPORTATION, INC., P.O. Box 10327, Birmingham, Ala. 35202. Applicant's representative: E. Stephen Heisley, 666 11th Street, NW., Washington, D.C. 20001. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (A) *Candy*, in vehicles equipped with mechanical refrigeration, from Hackettstown, N.J., (1) to points in Alabama, Mississippi, Louisiana, Arkansas, and points in Georiga on and south of U.S. Highway 80 which are on and west of U.S. Highway 75, (Chattanooga, Tenn.)*, and (2) to points in California and Oregon (Chattanooga, Tenn., and Birmingham, Ala.)*; and (B) *Confectionary products*, unfrozen, in vehicles equipped with mechanical refrigeration, from Hackettstown, N.J., to points in Oklahoma, points in Missouri on and south of U.S. Highways 60 and 44 and

points in Kansas on, south, and west of a line beginning at the Kansas-Missouri State line and extending along U.S. Highway 54 to junction U.S. Highway 35W, thence along U.S. Highway 35W to junction U.S. Highway 81, thence along U.S. Highway 81 to the Kansas-Nebraska State line (Chattanooga, Tenn.)*; restricted in (A) and (B) above to traffic originating at Hackettstown, N.J. The purpose of this filing is to eliminate the gateways indicated by asterisks above.

No. MC 115841 (Sub E88), filed June 4, 1974. Applicant: COLONIAL REFRIGERATED TRANSPORTATION INC., P.O. Box 10327, Birmingham, Ala. 35202. Applicant's representative: E. Stephen Heisley, 666 11th Street NW., Washington, D.C. 20001. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *edible bakery products, edible meats* (except canned meats), *and edible dairy products*, all unfrozen, in vehicles equipped with mechanical refrigeration, from points in North Carolina to points in Iowa on and west of a line beginning at the Iowa-Missouri State line and extending along U.S. Highway 63 to junction Iowa Highway 163, to junction U.S. Highway 35 to the Iowa-Minnesota State line. The purpose of this filing is to eliminate the gateway of Birmingham, Ala.

No. MC 115841 (Sub E91), filed June 4, 1974. Applicant: COLONIAL REFRIGERATED TRANSPORTATION INC., P.O. Box 10327, Birmingham, Ala. 35202. Applicant's representative: E. Stephen Heisley, 666 11th Street NW., Washington, D.C. 20001. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (a) *edible meats, edible meat products, edible meat by-products, edible dairy products, and edible articles distributed by meat packinghouses*, as defined by the Commission unfrozen (except liquid commodities, in bulk) in vehicles equipped with mechanical refrigeration, from points in Knox County, Tenn., to points in California, Oregon and Washington (Chattanooga, Tenn. and Birmingham, Ala.)* (b) *meats, meat products, meat by-products, dairy products, and articles distributed by meat packinghouses*, as defined by the Commission, unfrozen (except liquid commodies in bulk), in vehicles equipped with mechanical refrigeration, from points in Knox County, Tenn. to points in Alabama, Louisiana, points in Mississippi on, south and west of U.S. Highway 78, points in Georgia on, south and west of a line beginning at the Georgia-South Carolina State line and extending along U.S. Highway 85 to junction U.S. Highway 75 to junction U.S. Highway 80, to the Atlantic Ocean (but including Atlanta, Macon and Savannah, and Gwinnett, Henry, DeKalb, Cobb, Fulton, Newton Counties), and points in Arkansas on and west of a line beginning at the Arkansas-Tennessee State line and extending along U.S. Highway 61 to junction U.S. Highway 63, to junction Arkansas Highway 1, to the Arkansas-Missouri State line (Chattanooga, Tenn.).* The purpose of this filing is to eliminate the gateways indicated by asterisks above.

No. MC 115841 (Sub E93), filed June 4, 1974. Applicant: COLONIAL REFRIGERATED TRANSPORTATION INC., P.O. Box 10327, Birmingham, Ala. 35202. Applicant's representative: E. Stephen Heisley, 666 11th Street NW., Washington, D.C. 20001. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *edible meats, edible meat products, and edible meat by-products*, as defined by the Commission, in vehicles equipped with mechanical refrigeration from Nashville, Tenn. to points in Maryland, Delaware, District of Columbia, Virginia and points in West Virginia on and east of U.S. Highways 19 and 77, restricted against the transportation of the above-described commodities, in bulk, in tank vehicles, to points in Virginia. The purpose of this filing is to eliminate the gateway of Knoxville, Tenn.

No. MC 115841 (Sub E116), filed June 4, 1974. Applicant: COLONIAL REFRIGERATED TRANSPORTATION INC., P.O. Box 10327, Birmingham, Ala. 35202. Applicant's representative: E. Stephen Heisley, 666 11th Street NW., Washington, D.C. 20001. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (A) *Frozen foods*, in vehicles equipped with mechanical refrigeration, from Chambersburg, Pa., and points within 15 miles thereof, (1) to points in Louisiana, Mississippi, Arkansas, Grants Pass, Ore. and points in California on and south of a line beginning at the California-Nevada State line and extending along U.S. Highway 395 to junction California Highway 36, to junction California Highway 89, to junction U.S. Highway 5 to the California-Oregon State line, (Nashville, Tenn. and Birmingham, Ala.)* (2) to points in Alabama (except Dothan)* (B) *Frozen foods* (except frozen fruits, berries and vegetables), and *frozen fruits, frozen berries and frozen vegetables*, when moving in mixed loads therewith, from Chambersburg, Pa. and points within 15 miles thereof, (1) to points in Oklahoma and Texas (Nashville, Tenn., Birmingham, Ala. and points in Tennessee west of the Tennessee River)* (2) to points in Kansas on and east of U.S. Highway 81, (Nashville, Tenn.)* The purpose of this filing is to eliminate the gateways indicated by asterisks above.

No. MC 115841 (Sub E117), filed June 4, 1974. Applicant: COLONIAL REFRIGERATED TRANSPORTATION INC., P.O. Box 10327, Birmingham, Ala. 35202. Applicant's representative: E. Stephen Heisley, 666 11th Street NW., Washington, D.C. 20001. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (a) *frozen foods* (except in bulk or in tank vehicles,) in vehicles equipped with mechanical refrigeration, (1) from points in Alabama on and north of U.S. Highway 80 (except Cullman,) to points in Connecticut, Maine, Maryland, Massachusetts, New Jersey, New York, Rhode Island, and Virginia (Birmingham or Montgomery, Ala.)*, (2) from points in Alabama on and south of U.S. Highway 59 which are on and north of U.S. Highway 80 (including Jefferson County, Ala.) to points in Illinois, Michigan, Pennsylvania, West Virginia, Wisconsin, and points in Kentucky on and west of a line beginning at the Kentucky-Tennessee State line and extending along U.S. Highway 65 to junction the Blue Grass Parkway, to U.S. Highway 64, to the Kentucky-West Virginia State line. (Birmingham, Ala.)*.

(3) From points in Alabama on and north of U.S. Highway 80 (except Cullman), to points in New Hampshire, Vermont, and Maine (Birmingham or Montgomery, Ala. and Vineland, N.J.)*, (b) *frozen foods* (except frozen fruits, berries and vegetables) and *frozen fruits, frozen berries and frozen vegetables*, when moving in mixed loads with frozen foods, (except in bulk, in tank vehicles,) in vehicles equipped with mechanical refrigeration, (1) from points in Alabama on and east of U.S. Interstate Highway 59 which are on and north of U.S. Highway 20, to points in Missouri and Kansas, (2) from points in Alabama on and bounded by a line beginning at the Alabama-Georgia State line and extending along U.S. Highway 20 to junction U.S. Highway 65, to junction U.S. Highway 80, to the Alabama-Georgia State line to point of beginning to points in Arkansas, Iowa, Missouri, and Kansas, (3) from points in Alabama on and bounded by a line beginning at the Alabama-Mississippi State line and extending along U.S. Highway 80 to junction U.S. Highway 65, to junction U.S. Highway 78, to the Alabama-Mississippi State line to point of beginning, to points in Iowa and Kansas (Birmingham or Montgomery, Ala. and points in Tennessee west of the Tennessee River).*

(c) Foodstuffs (except in bulk or in tank vehicles), in vehicles equipped with mechanical refrigeration, (1) from points in Alabama on, north and east of a line beginning at the Alabama-Tennessee State line and extending along U.S. Highway 65, to junction U.S. Highway 20, to the Alabama-Georgia State line, (except Cullman), to points in Louisiana, points in Mississippi on, south and west of U.S. Highway 78, Arkansas and points in Tennessee on and west of U.S. Highway 51, (2) from points in Alabama on and bounded by a line beginning at the Alabama-Georgia State line and extending along U.S. Highway 20 to junction U.S. Highway 65, to junction U.S. Highway 80, to the Alabama-Georgia State line to point of beginning to points in Louisiana on and west of U.S. Interstate Highway 55, points in Mississippi on and north of U.S. Highway 82, Arkansas and Tennessee, (3) from points in Alabama on and bounded by a line beginning at the Alabama-Mississippi State line and extending along U.S. Highway 80 to junction U.S. Highway 65, to U.S. Highway 78, to the Alabama-Mississippi State line to point of beginning to Lake

Charles, that portion at points in Tennessee on and east of U.S. Highway 127 and points in Arkansas on and north of U.S. Highway 62.

(4) From points in Alabama on and west of U.S. Highway 65, on and north of U.S. Highway 78, to points in Mississippi on and south of U.S. Interstate Highway 10, points in Louisiana on and south of a line beginning at the Louisiana-Mississippi State line and extending along U.S. Highway 84 to junction U.S. Highway 71 to junction U.S. Highway 20, to the Louisiana-Texas State line. (Birmingham, Ala)*, (d) *frozen foods*, except frozen fruits, vegetables and berries, (except in bulk or in tank vehicles) in vehicles equipped with mechanical refrigeration), (1) from points in Alabama on and south of U.S. Highways 59 and 78, which are on and north of U.S. Highway 80, to points in Iowa, West Virginia, and points in Nebraska on and east of U.S. Highway 81, (2) from points in Alabama on and north of U.S. Highway 80 which are on and south of U.S. Highway 78, to points in Delaware, Virginia (except Bristol, District of Columbia, West Virginia, Maryland, and Iowa. (Birmingham or Montgomery, Ala. and Nashville, Tenn.).* The purpose of this filing is to eliminate the gateways *indicated* by asterisks *above*.

No. MC 115841 (Sub E123), filed June 4, 1974. Applicant: COLONIAL REFRIGERATED TRANSPORTATION INC., P.O. Box 10327, Birmingham, Ala. 35202. Applicant's representative: E. Stephen Heisley, 666 11th Street NW., Washington, D.C. 20001. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Frozen foods, and frozen fruits, vegetables and berries*, when moving in mixed loads therewith, from LaPorte, Ind. to points in Texas which are on and south of U.S. Highway 40, and points in Florida on, west and south of a line beginning at the Florida-Georgia State line and extending along U.S. Highway 75 to junction Florida Highway 50 to the Atlantic Ocean. The purpose of this filing is to eliminate the gateway of points in Tennessee west of the Tennessee River.

No. MC 115841 (Sub E125), filed June 4, 1974. Applicant: COLONIAL REFRIGERATED TRANSPORTATION, INC., P.O. Box 10327, Birmingham, Ala. 35202. Applicant's representative: E. Stephen Heisley, 666 11th Street NW., Washington, D.C. 20001. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *frozen juices and frozen concentrates*, from Springdale, Ark., (a) to points in the lower peninsula of Michigan, Kentucky, Connecticut, Rhode Island, Massachusetts, New Jersey, Pennsylvania, New York, and Ohio. (Tennessee)* (b) to points in Alabama, Florida, Georgia, Maryland, Virginia, West Virginia, North Carolina, South Carolina, and the District of Columbia (points in Tennessee west of the Tennessee River).* The purpose of this filing is to eliminate the gateways indicated by asterisks above.

No. MC 115841 (Sub 129), filed June 4, 1974. Applicant: COLONIAL REFRIGERATED TRANSPORTATION INC., P.O. Box 10327, Birmingham, Ala. 35202. Applicant's representative: E. Stephen Heisley, 666 11th Street NW., Washington, D.C. 20001. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, in mechanically refrigerated vehicles, from the plantsites or warehouses of Pet Milk Co. at Allentown and Chambersburg, Pa., (A) to points in Arkansas, points in Missouri on and south of U.S. Highways 60 and 44, and, and points in Kansas on and east of U.S. Highway 81, restricted against the transportation of frozen fruits, vegetables and berries to points in Kansas. (Nashville, Tenn.)* (B) to points in California and Oregon. (Birmingham, Ala.)*, restricted in (A) and (B) above to traffic originating at the above-named facilities. The purpose of this filing is to eliminate the gateways indicated by asterisks above.

No. MC 115841 (Sub E137), filed June 4, 1974. Applicant: COLONIAL REFRIGERATED TRANSPORTATION, INC., P.O. Box 10327, Birmingham, Ala. 35202. Applicant's representative: E. Stephen Heisley, 666 11th Street NW., Washington, D.C. 20001. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Unfrozen edible confectionary products*, in vehicles equipped with mechanical refrigeration, from points in North Carolina to points in Iowa, Kansas, Minnesota, Missouri, Nebraska, Oklahoma, South Dakota, Texas, Mississippi, Louisiana, and Arkansas, restricted to traffic originating at points in North Carolina. The purpose of this filing is to eliminate the gateway of Chattanooga, Tenn.

No. MC 115841 (Sub E145), filed June 4, 1974. Applicant: COLONIAL REFRIGERATED TRANSPORTATION, INC., P.O. Box 10327, Birmingham, Ala. 35202. Applicant's representative: E. Stephen Heisley, 666 11th Street NW., Washington, D.C. 20001. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *fresh and frozen poultry, fresh and frozen seafood*, and *frozen fruits and vegetables*, and *frozen foods* when moving in mixed loads with fresh and frozen poultry, fresh and frozen seafood, frozen fruits and vegetables, in vehicles equipped with mechanical refrigeration, from points in Delaware south of the Chesapeake and Delaware Canal. (A) to points in Alabama, Mississippi, Louisiana, Arkansas, and points in Georgia on and west of U.S. Highway 75. (Chattanooga, Tenn.)*, (B) to points in California (Chattanooga, Tenn. and Birmingham, Ala.)*, (C) to Houston, Tex. (points in Tennessee west of the Tennessee River).* The purpose of this filing is to eliminate the gateways indicated by asterisks above.

No. MC 115841 (Sub E149), filed June 4, 1974. Applicant: COLONIAL REFRIGERATED TRANSPORTATION INC., P.O. Box 10327, Birmingham, Ala. 35202. Applicant's representative: E. Stephen Heisley, 666 11th Street NW., Washington, D.C. 20001. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, in vehicles equipped with mechanical refrigeration, from Elmira, N.Y., (A) to points in Kansas on and south of U.S. Highway 160 which are on and east of U.S. Highway 81,, and points in Oklahoma. (points in Tennessee west of the Tennessee River.)*, (B) to Joplin, Mo. (points in Tennessee west of the Tennessee River or Nashville, Tenn.)*, (C) to points in California on, south and west of a line beginning at the California-Nevada State line and extending along U.S. Highway 395 to junction California Highway 36, to junction U.S. Highway 5 to the California-Oregon State line. The purpose of this filing is to eliminate the gateways indicated by asterisks above.

No. MC 115841 (Sub E151), filed June 4, 1974. Applicant: COLONIAL REFRIGERATED TRANSPORTATION INC., P.O. Box 10327, Birmingham, Ala. 35202. Applicant's representative: E. Stephen Heisley, 666 11th Street NW., Washington, D.C. 20001. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *edible preserved vegetables*, from the plantsite and warehouse facilities of Food Processors, Inc. at Wilson, N.C., to points in California, Oregon, and Washington, restricted to traffic originating at the above-named facilities. The purpose of this filing is to eliminate the gateway of Birmingham, Ala.

No. MC 116077 (Sub-No. E1), filed June 4, 1974. Applicant: ROBERTSON TANK LINES, INC., 2000 Lop South, Suite 1800, Houston, Tex. 77027. Applicant's representative: Pat H. Robertson, P.O. Box 1945, Austin, Tex. 78701. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid sugar*, in bulk, in tank vehicles, from Sugarland, Tex., to Alabama, Florida, Mississippi, and Tenn. The purpose of this filing is to eliminate the gateway of Lake Charles, La.

No. MC 116077 (Sub-No. E2), filed June 4, 1974. Applicant: ROBERTSON TANK LINES, INC., 200 LOP South, Suite 1800, Houston, Tex. 77027. Applicant's representative: Pat H. Roberston, P.O. Box 1945, Austin, Tex. 78701. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquir isopropene, liquid petrochemicals*, and *liquid petrochemical products, Isoprene* and *petroleum* and *petroleum products* (except liquefied petroleum gases and petroleum wax), as described in Appendix XIII to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209, in bulk, in tank vehicles, from the site of Humble Oil & Refining Co., and Enjay Chemical Co. Refinery at North Baton Rouge, La., to points in New Mexico. The purpose of this filing is to eliminate the gateway of Youens, Tex.

No. MC 116077 (Sub-No. E3), filed June 4, 1974. Applicant: ROBERTSON

TANK LINES, INC., 2000 Lop South, Suite 1800, Houston, Tex. 77027. Applicant's representative: Pat H. Robertson, P.O. Box 1945, Austin, Tex. 78701. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid isopropene, liquid petrochemicals* and *liquid petrochemical products* (except liquefied petroleum gases and petroleum wax), as described in Appendix XIII to the report *in Descriptions in Motor Carrier Certificates*, 61 M.C.C., in bulk, in tank type vehicles, from the site of Humble Oil & Refining Co., and Enjay Chemical Co. Refinery at N. Baton Rouge, La., to all points in Arizona, California, Colorado, Minnesota, Nebraska, and that part of Kansas on and west of a line beginning at the Kansas-Oklahoma State line on U.S. Highway 81, thence north to Caldwell, thence to Kansas Highway 49 to junction U.S. Highway 160, thence along U.S. Highway 160 to the junction of Interstate Highway 35, thence along Interstate Highway 35 to Topeka, Kans., thence on U.S. Highway 75 to the Kansas-Nebraska State line. The purpose of this filing is to eliminate the gateway of Baytown, Tex.

No. MC 116077 (Sub-No. E4), filed June 4, 1974. Applicant: ROBERTSON TANK LINES, INC., 2000 Lop South, Suite 1800, Houston, Tex. 77027. Applicant's representative: Pat H. Robertson, P.O. Box 1945, Austin, Tex. 78701. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lubricating oil*, in bulk, in tank vehicles, from the site of Humble Oil & Refining Co., and Enjay Chemical Co. Refinery at N. Baton Rouge, La., to points in California, Idaho, Nevada, Oregon, Utah, Washington, and Wyoming. The purpose of this filing is to eliminate the gateway of Baytown, Tex.

No. MC 116077 (Sub-No. E5), filed June 4, 1974. Applicant: ROBERTSON TANK LINES, INC., 2000 Lop South, Suite 1800, Houston, Tex. 77027. Applicant's representative: Pat H. Robertson, P.O. Box 1945, Austin, Tex. 78701. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid isopropene, liquid petrochemicals* and *liquid petrochemical products, isoprene* and *petroleum* and *petroleum products* (except liquefied petroleum gases, and petroleum wax), as described in Appendix XIII to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209, in bulk, in tank vehicles, from the site of the Humble Oil & Refining Co., and Enjay Chemical Co. Refinery at N. Baton Rouge, La., to Alaska, Idaho, Montana, Nevada, North Dakota, Oregon, South Dakota, Utah, and Washington. The purpose of this filing is to eliminate the gateway of Pearland, Tex.

No. MC 116077 (Sub-No. E6), filed June 4, 1974. Applicant: ROBERTSON TANK LINES, INC., 2000 Lop South, Suite 1800, Houston, Tex. 77027. Applicant's representative: Pat H. Robertson, P.O. Box 1945, Austin, Tex. 78701. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Hydrochloric acid* (except such commodities in dry form), in bulk, in tank vehicles, from Norco, La., to that part of Oklahoma on and west of a line beginning at the Texas-Oklahoma State line on Interstate Highway 35, thence along Interstate Highway 35 and U.S. Highway 64, thence along U.S. Highway 64 to junction U.S. Highway 177, thence along U.S. Highway 177 to Ponca City, Okla., thence along U.S. Highway 77 to the Oklahoma-Kansas State line. The purpose of this filing is to eliminate the gateway of Houston, Tex.

No. MC 116077 (Sub-No. E7), filed June 4, 1974. Applicant: ROBERTSON TANK LINES, INC., 2000 Lop South, Suite 1800, Houston, Tex. 77027. Applicant's representative: Pat H. Robertson, P.O. Box 1945, Austin, Tex. 78701. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Hydrochloric acid*, in bulk, in tank vehicles, from Norco, La., to points in Arizona, California, Colorado, Nebraska, and that part of Kansas on and west of a line beginning at the Oklahoma-Kansas State line at U.S. Highway 77, thence along U.S. Highway 77 to El Dorado, thence along U.S. Highway 35 to Topeka, Kans., thence along U.S. Highway 75 to the Kansas-Nebraska State line. The purpose of this filing is to eliminate the gateway of Houston, Tex.

No. MC 116077 (Sub-No. E8), filed June 4, 1974. Applicant: ROBERTSON TANK LINES, INC., 2000 Lop South Suite 1800, Houston, Tex. 77027. Applicant's representative: Pat H. Robertson, P.O. Box 1945, Austin, Tex. 77027. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Hydrochloric acid*, in bulk, in tank vehicles, from Norco, La., to points in New Mexico. The purpose of this filing is to eliminate the gateway of Youens, Tex.

No. MC 116077 (Sub-No. E9), filed June 4, 1974. Applicant: ROBERTSON TANK LINES, INC., 2000 Lop South, Suite 1800, Houston, Tex. 77027. Applicant's representative: Pat H. Robertson, P.O. Box 1945, Austin, Tex. 78701. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Hydrochloric acid*, in bulk, in tank vehicles, from Norco, La., to points in Idaho, Montana, Nevada, North Dakota, Oregon, South Dakota, Utah, and Washington. The purpose of this filing is to eliminate the gateway of Pearland, Tex.

No. MC 116077 (Sub-No. E10), filed June 4, 1974. Applicant: ROBERTSON TANK LINES, INC., 2000 Lop South, Suite 1800, Houston, Tex. 77027. Applicant's representative: Pat H. Robertson, P.O. Box 1945, Austin, Tex. 78701. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Hydrogen peroxide*, in bulk, in shipper-owned and carrier-owned tank vehicles, from Norco, La., to Arizona, California, Colorado, Nebraska, and that part of Kansas on and west of a line beginning at the Oklahoma-Kansas State line on U.S. Highway 77, thence along U.S. Highway 77 to Eldorado, Kans., thence along U.S. Highway 35 to Topeka, thence along U.S. Highway 75 to the Kansas-Nebraska State line. The purpose of this filing is to eliminate the gateway of Houston, Tex.

No. MC 116077 (Sub-No. E11), filed June 4, 1974. Applicant: ROBERTSON TANK LINES, INC., 2000 Lop South, Suite 1800, Houston, Tex. 77027. Applicant's representative: Pat H. Robertson, P.O. Box 1945, Austin, Tex. 78701. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Hydrogen peroxide*, in bulk, in shipper-owned and carrier-owned tank vehicles, from Norco, La., to points in New Mexico. The purpose of this filing is to eliminate the gateway of Youens, Tex.

No. MC 116077 (Sub-No. E12), filed June 4, 1974. Applicant: ROBERTSON TANK LINES, INC., 2000 Lop South, Suite 1800, Houston, Tex. 77027. Applicant's representative: Pat H. Robertson, P.O. Box 1945, Austin, Tex. 78701. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Hydrogen peroxide*, in bulk, in shipper-owned and carrier-owned tank vehicles, from Norco, La., to Alaska, Idaho, Montana, Nevada, North Dakota, Oregon, South Dakota, Utah, and Washington. The purpose of this filing is to eliminate the gateway of Pearland, Tex.

No. MC 116077 (Sub-No. E13), filed June 4, 1974. Applicant: ROBERTSON TANK LINES, INC., 2000 Lop South, Suite 1800, Houston, Tex. 77027. Applicant's representative: Pat H. Robertson, P.O. Box 1945, Austin, Tex. 78701. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Acids* and *chemicals* (except such commodities in dry form), in bulk, in tank vehicles, from points in Brazoria County, Tex., to points in Arkansas, Louisiana, and Oklahoma. The purpose of this filing is to eliminate the gateway of Houston (Harris County), Tex.

No. MC 116077 (Sub-No. E14), filed June 4, 1974. Applicant: ROBERTSON TANK LINES, INC., 2000 Lop South, Suite 1800, Houston, Tex. 77027. Applicant's representative: Pat H. Robertson, P.O. Box 1945, Austin, Tex. 78701. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chemicals*, in bulk, in tank vehicles, from points in Brazoria County, Tex., to points in New Mexico. The purpose of this filing is to eliminate the gateway of Youens, Tex.

No. MC 116077 (Sub-No. E15), filed June 4, 1974. Applicant: ROBERTSON TANK LINES, INC., 2000 Lop South, Suite 1800, Houston, Tex. 77027. Applicant's representative: Pat H. Robertson, P.O. Box 1945, Austin, Tex. 78701. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular

routes, transporting: *Liquid chemicals,* in bulk, in tank vehicles, from points in Brazoria County, Tex., to points in Arizona, California, Colorado, Kansas, Nebraska, and Kanawha County, W. Va. The purpose of this filing is to eliminate the gateway of Houston (Harris County), Tex.

No. MC 116077 (Sub-No. E16), filed June 4, 1974. Applicant: ROBERTSON TANK LINES, INC., 2000 Lop South, Suite 1800, Houston, Tex. 77027. Applicant's representative: Pat H. Robertson, P.O. Box 1945, Austin, Tex. 78701. Authority sought to operate as a *common carrier,* by motor vehicle, over irregular routes, transporting: *Dry fertilizer* and *dry fertilizer materials,* in bags and packages, from Lake Charles, La., to points in Arizona, Colorado, Kansas, Nebraska, New Mexico, and that part of Missouri north of a line beginning at the Kansas-Missouri State line on U.S. Highway 24, thence along U.S. Highway 24 to Brunswick, Mo., thence along Missouri Highway 11 to junction U.S. Highway 36, thence along U.S. Highway 36 to junction Missouri Highway 156, thence along Missouri Highway 156 to junction Missouri Highway 6, thence along Missouri Highway 6 to junction Missouri Highway 16, thence along Missouri Highway 16 to the Missouri-Illinois State line. The purpose of this filing is to eliminate the gateway of Houston, Tex.

No. MC 116077 (Sub-No. E18) filed June 4, 1974. Applicant: ROBERTSON TANK LINES, INC., 2000 Lop South, Suite 1800, Houston, Tex. 77027. Applicant's representative: Pat H. Robertson, P.O. Box 1945, Austin, Tex. 78701. Authority sought to operate as a *common carrier,* by motor vehicle, over irregular routes, transporting: *Sulphuric acid* and *phosphatic fertilizer solution,* in bulk, in tank vehicles, from the plant site of Freeport Chemical Co., Division of Freeport Sulphur Co., near Uncle Sam, St. James Parish, La., to points in Arizona, Colorado, Kansas, and Nebraska. The purpose of this filing is to eliminate the gateway of Houston (Harris County), Tex.

No. MC 116077 (Sub-No. E19), filed June 4, 1974. Applicant: ROBERTSON TANK LINES, INC., 2000 Lop South, Suite 1800, Houston, Tex. 77027. Applicant's representative: Pat H. Robertson, P.O. Box 1945, Austin, Tex. 78701. Authority sought to operate as a *common carrier,* by motor vehicle, over irregular routes, transporting: *Sulphuric acid* and *phosphatic fertilizer solution,* in bulk, in tank vehicles, from the plant site of Freeport Chemical Co., Division of Freeport Sulphur Co., near Uncle Sam, St. James Parish, La., to points in New Mexico. The purpose of this filing is to eliminate the gateway of Youens, Tex.

No. MC 116077 (Sub-No. E20), filed June 4, 1974. Applicant: ROBERTSON TANK LINES, INC., 2000 Lop South, Suite 1800, Houston, Tex. 77027. Applicant's representative: Pat H. Robertson, P.O. Box 1945, Austin, Tex. 78701. Authority sought to operate as a *common carrier,* by motor vehicle, over irregular routes, transporting: *Sulphuric acid* and *phosphatic fertilizer solution,* in bulk, in tank vehicles, from the plant site of Freeport Chemical Co., Division of Freeport Sulphur Co., near Uncle Same, St. James Parish, La., to points in California, Oregon, Washington, Nevada, Utah, Idaho, Montana, North Dakota, and South Dakota. The purpose of this filing is to eliminate the gateway of Pearland, Tex.

No. MC 116077 (Sub-No. E21), filed June 4, 1974. Applicant: ROBERTSON TANK LINES, INC., 2000 Lop South TANK LINES, INC., 2000 Loop South, Suite 1800, Houston, Tex. 77027. Applicant's representative: Pat H. Robertson, P.O. Box 1945, Austin, Tex. 78701. Authority sought to operate as a *common carrier,* by motor vehicle, over irregular routes, transporting: *Liquid sodium silicate,* in bulk, in tank vehicles, from Pineville, La., to points in Arizona, California, Colorado, and that part of Nebraska west of a line beginning at the Kansas-Nebraska State line on U.S. Highway 281, thence along U.S. Highway 281 to junction U.S. Highway 30, thence along U.S. Highway 30 to Columbus, Nebr., thence along U.S. Highway 81 to the Nebraska-South Dakota State line. The purpose of this filing is to eliminate the gateway of points in Harris County, Tex.

No. MC 116077 (Sub-No. E22), filed June 4, 1974. Applicant: ROBERTSON TAND LINES, INC., 2000 Lop South, Suite 1800, Houston, Tex. 77027. Applicant's representative: Pat H. Robertson, P.O. Box 1945, Austin, Tex. 78701. Authority sought to operate as a *common carrier,* by motor vehicle, over irregular routes, transporting: *Liquid sodium silicate,* in bulk, from Pineville, La., to points in Idaho, Montana, Nevada, North Dakota, Oregon, Utah, Washington, and that part of South Dakota north and west of a line beginning at the Nebraska-South Dakota State line on U.S. Highway 281 to Pickstown, S. Dak., thence along South Dakota Highway 46 to junction South Dakota Highway 37, thence along South Dakota Highway 37 to Huron, S. Dak., thence along U.S. Highway 14 to DeSmet, S. Dak., thence along South Dakota Highway 25 to junction U.S. Highway 212, thence along U.S. Highway 212 to the Minnesota-South Dakota State line. The purpose of this filing is to eliminate the gateway of Pearland, Tex.

No. MC 116077 (Sub-No. E23), filed June 4, 1974. Applicant: ROBERTSON TANK LINES, INC., 2000 Lop South, Suite 1800, Houston, Tex. 77027. Applicant's representative: Pat H. Robertson, P.O. Box 1945, Austin, Tex. 78701. Authority sought to operate as a *common carrier,* by motor vehicle, over irregular routes, transporting: *Liquid sodium silicate,* in bulk, in tank vehicles, from Pineville, La., to points in New Mexico. The purpose of this filing is to eliminate the gateway of Youens, Tex.

No. MC 116077 (Sub-No. E24), filed June 4, 1974. Applicant: ROBERTSON TANK LINES, INC., 2000 Lop South, Suite 1800, Houston, Tex. 77027. Applicant's representative: Pat H. Robertson, P.O. Box 1945, Austin, Tex. 78701. Authority sought to operate as a *common carrier,* by motor vehicle, over irregular routes, transporting: *Dry chemical fertilizers* and *dry chemical fertilizer materials,* in bulk, from Beaumont, Tex., to Florida and Georgia. The purpose of this filing is to eliminate the gateway of Baton Rouge, La.

No. MC 116077 (Sub-No. E25), filed June 4, 1974. Applicant: ROBERTSON TANK LINES, INC., 2000 Lop South, Suite 1800, Houston, Tex. 77027. Applicant's representative: Pat H. Robertson, P.O. Box 1945, Austin, Tex. 78701. Authority sought to operate as a *common carrier,* by motor vehicle, over irregular routes, transporting: *Liquid livestock feed,* in bulk, from Hereford, Tex., to points in Alabama, Florida, Georgia, and that part of Tennessee on or east of U.S. Highway 231. The purpose of this filing is to eliminate the gateway of McComb, Miss.

No. MC 116077 (Sub-No. E26), filed June 4, 1974. Applicant: ROBERTSON TANK LINES, INC., 2000 Lop South, Suite 1800, Houston, Tex. 77027. Applicant's representative: Pat H. Robertson, P.O. Box 1945, Austin, Tex. 78701. Authority sought to operate as a *common carrier,* by motor vehicle, over irregular routes, transporting: *Liquid livestock feed,* in bulk, from Houston, Tex., to points in Alabama, Florida, Georgia, and Tennessee. The purpose of this filing is to eliminate the gateway of McComb, Miss.

No. MC 116077 (Sub-No. E27), filed June 4, 1974. Applicant: ROBERTSON TANK LINES, INC., 2000 Lop South, Suite 1800, Houston, Tex. 77027. Applicant's representative: Pat H. Robertson, P.O. Box 1945, Austin, Tex. 78701. Authority sought to operate as a *common carrier,* by motor vehicle, over irregular routes, transporting: *Sulfuric acid,* in bulk, in tank vehicles, from the plant site of Olin Corporation at or near Gayles, Caddo Parish, La., to points in Arizona and California. The purpose of this filing is to eliminate the gateway of Houston (Harris County), Tex.

No. MC 116077 (Sub-No. E28), filed June 4, 1974. Applicant: ROBERTSON TANK LINES, INC., 2000 Lop South, Suite 1800, Houston, Tex. 77027. Applicant's representative: Pat H. Robertson, P.O. Box 1945, Austin, Tex. 78701. Authority sought to operate as a *common carrier,* by motor vehicle, over irregular routes, transporting: *Sulfuric acid,* in bulk, in tank vehicles, from the plant site of Olin Corporation at or near Gayles, Caddo Parish, La., to that part of New Mexico on and west of U.S. Highway 285. The purpose of this filing is to eliminate the gateway of Youens, Tex.

No. MC 116077 (Sub-No. E29), filed June 4, 1974. Applicant: ROBERTSON TANK LINES, INC., 2000 Loop South, Suite 1800, Houston, Tex. 77027. Applicant's representative: Pat H. Robert-

son, P.O. Box 1945, Austin, Tex. 78701. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Sulfuric acid*, in bulk, in tank vehicles, from the plant site of Olin Corporation at or near Gayles, La., to points in Idaho, Montana, Nevada, Oregon, Utah, and Washington. The purpose of this filing is to eliminate the gateway of Pearland, Tex.

No. MC 116077 (Sub-No. E30), filed June 4, 1974. Applicant: ROBERTSON TANK LINES, INC., 2000 Lop South, Suite 1800, Houston, Tex. 77027. Applicant's representative: Pat H. Robertson, P.O. Box 1945, Austin, Tex. 78701. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chemicals*, in bulk, in tank vehicles, from DeRidder, La., to points in Arizona, California, Colorado, Iowa, Minnesota, Nebraska, and that part of Kansas on and west of a line beginning at the Oklahoma-Kansas State line on Kansas Highway 49, thence along Kansas Highway 49 to junction U.S. Highway 160, thence along U.S. Highway 160 to junction U.S. Highway 81, thence along U.S. Highway 81 to Newton, Kans., thence along Kansas Highway 15 to junction U.S. Highway 56, thence along U.S. Highway 56 to junction U.S. Highway 77, thence along U.S. Highway 77 to Junction City, thence along Kansas Highway 18 to Manhattan, thence along Kansas Highway 13 to Blain, Kans., thence along Kansas Highway 99 to the Kansas-Nebraska State line. The purpose of this filing is to eliminate the gateway of Houston, Tex.

No. MC 116077 (Sub-No. E31), filed June 4, 1974. Applicant: ROBERTSON TANK LINES, INC., 2000 Lop South, Suite 1800, Houston, Tex. 77027. Applicant's representative: Pat H. Robertson, P.O. Box 1945, Austin, Tex. 78701. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chemicals*, in bulk, from DeRidder, La., to points in Connecticut, Idaho, Maine, Massachusetts, Montana, Nevada, New Hampshire, North Dakota, Oregon, Rhode Island, South Dakota, Utah, Vermont, and Washington. The purpose of this filing is to eliminate the gateway of Pearland, Tex.

No. MC 116077 (Sub-No. E32), filed June 4, 1974. Applicant: ROBERTSON TANK LINES, INC., 2000 Lop South, Suite 1800, Houston, Tex. 77027. Applicant's representative: Pat H. Robertson, P.O. Box 1945, Austin, Tex. 78701. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chemicals*, in bulk, in tank vehicles, from DeRidder, La., to points in New Mexico. The purpose of this filing is to eliminate the gateway of Youens, Tex.

No. MC 116077 (Sub-No. E33), filed June 4, 1974. Applicant: ROBERTSON TANK LINES, INC., 2000 Lop South, Suite 1800, Houston, Tex. 77027. Applicant's representative: Pat H. Robertson, P.O. Box 1945, Austin, Tex. 78701. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Muriatic acid* and *hydrochloric acid*, in bulk, in tank vehicles, from Weeks, Iberia Parish, La., to points in Arizona, California, Colorado, Iowa, Kansas, Minnesota, and Nebraska. The purpose of this filing is to eliminate the gateway of Houston (Harris County), Tex.

No. MC 116077 (Sub-No. E34), filed June 4, 1974. Applicant: ROBERTSON TANK LINES, INC., 2000 Lop South, Suite 1800, Houston, Tex. 77027. Applicant's representative: Pat H. Robertson, P.O. Box 1945, Austin, Tex. 78701. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Muriatic acid* and *hydrochloric* acid, in bulk, in tank vehicles, from Weeks, Iberia Parish, La., to points in New Mexico. The purpose of this filing is to eliminate the gateway of Youens, Tex.

June 4, 1974. Applicant: ROBERTSON TANK LINES, INC., 2000 Lop South, Suite 1800, Houston, Tex. 77027. Applicant's representative: Pat. H. Robertson, P.O. Box 1945, Austin, Tex. 78701. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Muriatic acid* and *hydrochloric acid*, in bulk, from Weeks, Iberia Parish, La., to points in Idaho, Montana, Nevada, North Dakota, Oregon, South Dakota, Utah, and Washington. The purpose of this filing is to eliminate the gateway of Pearland, Tex.

No. MC 117344 (Sub E1), filed May 17, 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: *Petroleum Products*, as described in Appendix XIII to the Report in Description Motor Carrier Certificates, 61 M.C.C. 209, in bulk, in tank vehicles, (1) from Cincinnati, Ohio; (2) from Cincinnati, Ohio to those points in Kentucky which are 100 miles or more from Cincinnati, Ohio; (3) from Norwood, Ohio to those points in Kentucky which are 100 miles or more from Cincinnati, Ohio. The purpose of this filing is to eliminate the gateway of Warren County, Ohio.

No. MC 117344 (Sub-E6), filed May 17, 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: *Petroleum products*, (except liquid hydrogen), in bulk, in tank vehicles, from Louisville, Ky., to those points in Illinois on, north and west of a line beginning at the Illinois-Indiana State line and extending along U.S. Highway 50 to junction U.S. Highway 45, to junction Illinois Highway 146, to junction Illinois Highway 37 to the Illinois-Kentucky State line, those in Indiana on and north of U.S. Highway 50, and those in Ohio, except those within 150 miles of Cincinnati. The purpose of this filing is to eliminate the gateway of Jackson County, Ind.

No. MC 118831 (Sub E28), filed June 5, 1974. Applicant: CENTRAL TRANSPORT, INC., P.O. Box 5044, High Point, N.C. 27262. Applicant's representative: Richard E. Shaw (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dry Synthetic plastic resins*, in bulk, in tank in Georgia on and west of a line beginning at the Georgia-North Carolina State line and extending along Georgia Highway 28, to junction Georgia Highway 255, to junction U.S. Highway 76, to junction Georgia Highway 197, to junction Georgia Highway 255, to junction Georgia Highway 17, to junction Georgia Highway 75, to junction U.S. Highway 129, to junction U.S. Highway 19, to junction Georgia Highway 53, to the Georgia-Alabama State line, and those in Georgia on and south of a line beginning at the Georgia-Alabama State line and extending along U.S. Highway 84, to junction Georgia Highway 94, to the Georgia-Florida State line, and those in South Carolina on and east of a line beginning at the North Carolina-South Carolina State line and extending along South Carolina Highway 200 to junction U.S. Highway 521, to junction South Carolina Highway 34 to junction South Carolina 341, to junction U.S. Highway 52, to junction South Carolina Highway 12, junction South Carolina Highway 41, to junction South Carolina Highway 51, to the Atlantic Ocean. The purpose of this filing is to eliminate the gateway of North Carolina.

No. MC 118831 Sub E31, filed June 5, 1974. Applicant: CENTRAL TRANSPORT, INC., P.O. Box 5044, High Point, N.C. 27262. Applicant's representative: Richard E. Shaw (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *liquid fertilizer and fertilizer materials*, in bulk, from points in South Carolina to points in Delaware, New Jersey, those in West Virginia on and east of U.S. Highway 522, those in Maryland on, north, and east of U.S. Highway 522, and those in Pennsylvania on and east of a line beginning at the Pennsylvania-Maryland State line and extending along Interstate Highway 70 to junction Pennsylvania Highway 56, to junction, U.S. Highway 119 to junction U.S. Highway 219, to the New York-Pennsylvania State line. The purpose of this filing is to eliminate the gateway of Hertford County, N.C.

No. MC 124211 (Sub-No. E39), filed April 29, 1974. Applicant: HILT TRUCK LINE, INC., P.O. Box 988, D.T.S., Omaha, Nebr. 68101. Applicant's representative: THOMAS L. HILT, P.O. Box 988 D.T.S., Omaha, Nebr. 68101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Junk materials* (except scrap meats, scrap paper and waste paper, and commodities in bulk), attached:

(1) Between: Points in Alabama, on

the one hand, and, on the other, Points in Idaho, Montana, North Dakota, Oregon, South Dakota, Washington, and Wyoming, those in California on and north of Interstate Highway 80, those in Colorado on and north of U.S. Highway 50, those in Iowa on and west of U.S. Highway 169, those in Kansas on and north of U.S. Highway 40, those in Minnesota on and extending along a line beginning at the United States-Canada International Boundary line U.S. Highway 53 junction Interstate Hwy 35, to the Iowa-Minnesota State line, those in Missouri on on and west of Interstate Highway 29 and north of U.S. Highway 50, those in Nevada on and north of U.S. Highway 6, and those in Utah on and north of U.S. Highway 50.

(2) Between: Points in Arizona, on the one hand, and, on the other, Points in Connecticut, Delaware, Illinois, Indiana, Iowa, Maine, Maryland, Massachusetts, Michigan, Minnesota, New Hampshire, New Jersey, New York, Norht Carolina, North Dakota, Ohio, Pennsylvania, Rhode Island, South Dakota, Vermont, Virginia, West Virginia, and Wisconsin, those in Kentucky on and east of U.S. Highway 41, those in Missouri on and north of U.S. Highway 40, those in South Carolina on and north of a line beginning at the Atlantic Ocean and extending along Interstate Highway 26 to junction U.S. Highway 276, to the North Carolina-South Carolina State line, and those in Tennessee on and east of U.S. Highway 41; and the District of Columbia;

(3) Between: Points in Arkansas, on the one hand, and, on the other, Points in Idaho, Montana, North Dakota, Oregon, South Dakota, Washington, and Wyoming, those in California on and north of Interstate Highway 80, those in Colorado on and north of U.S. Highway 24, those in Iowa on and west of U.S. Highway 71, those in Nevada on and north of U.S. Highway 50, and those in Utah on and north of U.S. Highway 50.

(4) Between: Points in Florida, on the one hand, and, on the other, Points in Idaho, Montana, North Dakota, Oregon, South Dakota, Washington, and Wyoming, those in California on and north of Interstate Highway 80, those in Colorado on and north of U.S. Highway 50, those in Iowa on and west of U.S. Highway 69, those in Kansas on and North of U.S. Highway 40, those in Minnesota on and west of a line beginning at the United States-Canada International Boundary line and extending along U.S. Highway 53 to junction Interstate Highway 35 to the Iowa-Minnesota State line, those in Missouri on and west of Interstate Highway 29 and north of U.S. Highway 50, those in Nevada on and north of U.S. Highway 6, and those in Utah on and north of U.S. Highway 50.

(5) Between: Points in Georgia, on the one hand, and, on the other, Points in Colorado, Idaho, Montana, Nevada, North Dakota, Oregon, South Dakota, Utah, Washington, and Wyoming those in California on and north of U.S. Highway 66, those in Iowa on and west of U.S. Highway 169, those in Kansas on and north of U.S. Highway 40, those in Minnesota on and west of U.S. Highway 71, and those in Missouri on and west of U.S. Highway 71 and north of U.S. Highway 50.

(6) Between: Points in Louisiana, on the one hand, and, on the other, Points in Idaho, Montana, North Dakota, Oregon, South Dakota, Washington, and Wyoming, those in California on and north of Interstate Highway 80, those in Colorado on and north of U.S. Highway 24, those in Iowa on and west of U.S. Highway 71, those in Nevada on and north of U.S. Highway 50, those in Utah on and north of U.S. Highway 50, and those in Atchison County, Mo., and St. Joseph, Mo.

(7) Between: New Orleans, La., on the one hand, and, on the other, Kansas City, Mo.

(8) Between: Points in Maine, on the one hand, and, on the other, Points in Arizona, California, Colorado, Idaho, Kansas, Montana, Nevada, New Mexico, North Dakota, Oklahoma, Oregon, South Dakota, Utah, Washington, Wyoming, those in Arkansas on and west of U.S. Highway 71, those in Iowa on and west of U.S. Highway 69, those in Minnesota on and west of U.S. 59, those in Missouri on and west of U.S. Highway 65, those in Texas on and west of U.S. Highway 81, and Albert Lea and Mankato, Minn.

(9) Between: Points in Mississippi, on the one hand, and, on the other, Points in Idaho, Montana, North Dakota, Oregon, South Dakota, Washington, Wyoming, those in California on and north of Interstate Highway 80, those in Colorado on and north of U.S. Highway 24, those in Iowa on and west of U.S. Highway 71, those in Minnesota on and west of U.S. Highway 59, those in Nevada on and north of U.S. Highway 50, those in Utah on and north of U.S. Highway 50, those in Atchison County, Mo., and St. Joseph, Mo.

(10) From: Points in Nebraska in and west of Clay, Hamilton, Merrick, Howard, Valley, Loup, Blaine, and Cherry Counties, to Chicago, Ill.

(11) Between: Points in New Hampshire, on the one hand, and, on the other, Points in Arizona, California, Colorado, Kansas, Montana, Nevada,, New Mexico, North Dakota, Oregon, South Dakota, Utah, Washington, Wyoming, those in Iowa on and west of U.S. Highway 71, those in Minnesota on and west of U.S. Highway 71 and south of U.S. Highway 212, those in Missouri on and west of U.S. Highway 71 and north of U.S. Highway 50, those in Oklahoma on and west of U.S. Highway 69, and those in Texas on and west of U.S. Highway 75.

(12) Between: Points in New Mexico, on the one hand, and, on the other, Points in Connecticut, Delaware, District of Columbia, Iowa, Indiana Maine, Maryland, Massachusetts, Michigan, Minnesota, New Hampshire, New Jersey, New York, North Dakota, Ohio, Pennsylvania, Rhode Island, South Dakota, Vermont, West Virginia, Wisconsin, those in Illinois on and north of U.S. Highway 50 those in Kentucky on and north of U.S. Highway 64, those in Missouri on and north of U.S. Highway 40, and those in Virginia on and north of U.S. Highway 60.

(13) Between: Points in North Carolina, on the one hand, and, on the other, points in Arizona, California, Colorado, Idaho, Montana, Nevada, North Dakota, Oregon, South Dakota, Utah, Washington, Wyoming, those in Iowa on and west of U.S. Highway 71, those in Minnesota on and west of U.S. Highway 59, those in Missouri on and west of U.S. Highway 59, and those in Kansas (except those south of U.S. Highway 50 and east of U.S.

(14) Between: Points in Oklahoma, on the one hand, and, on the other, Points in Connecticut, Idaho, Maine, Massachusetts, Michigan, Minnesota, Montana, New Hampshire, New York, North Dakota, Oregon, Rhode Island, South Dakota, Vermont, Washington, Wyoming, those in Illinois on and north of U.S. Highway 80, those in Indiana on and north of U.S. Highway 30, those in Iowa west of U.S. Highway 63 and north of Iowa Highway 22, those in New Jersey on and north of U.S. Highway 30, those in Ohio on and north of U.S. Highway 30, and those in Pennsylvania on and north of U.S. Highway 30.

(15) Between: Points in South Carolina, on the one hand, and, on the other, Points in California, Colorado, Idaho, Montana, Nevada North Dakota, Oregon, South Dakota, Utah, Washington, Wyoming, those in Arizona on and north of U.S. Highway 60, those in Iowa on and west of U.S. Highway 169, those in Kansas on and north of U.S. Highway 56, those in Minnesota on and west of U.S. Highway 71, those in Missouri on and west of U.S. Highway 71 and north of U.S. Highway 50, and those in New Mexico on and north of U.S. Highway 66.

(16) Between: Those Points in Texas on and west of a line beginning at the United States-Mexico International Boundary line and extending along U.S. Highway 277 unnumbered highway to junction U.S. Hwy. 277, to the Texas-Oklahoma State line on the one hand, and, on the other, Points in Connecticut, Delaware, Iowa, Maine, Maryland, Massachusetts, Michigan, Minnesota, New Hampshire, New Jersey, New York, North Dakota, Pennsylvania, Rhode Island, South Dakota, Vermont, Wisconsin, those in Illinois on and north of U.S. Highway 36, those in Indiana on and north of U.S. Highway 36, those in Kansas on and north of U.S. Highway 36, those in Missouri on and north of U.S. Highway 36, those in Ohio on and north of U.S. Highway 50, and those in West Virginia on and north of U.S. Highway 33; and the District of Columbia.

(17) Those Points in Texas east of a line beginning at the Texas-Oklahoma State line along U.S. Highway 277 to junction unnumbered highway to the United States-Mexico International Boundary line, on the one hand, and, on the other, Points in Idaho, Minnesota, Montana, North Dakota, Oregon, South Dakota, Washington, Wisconsin, Wyoming, those in Iowa on and north of U.S. Highway 6, those in Kansas on and

north of U.S. Highway 36, those in Atchison County, Mo., and St. Joseph, Mo.: and,

(18) Between: Points in Vermont, on the one hand, and, on the other, Points in Arizona, California, Colorado, Kansas, Montana, Nevada, New Mexico, North Dakota, Oregon, South Dakota, Utah, Washington, Wyoming, those in Iowa on and west of U.S. Highway 71, those in Minnesota on and west of U.S. Highway 71 and south of U.S. Highway 212, those in Missouri on and west of U.S. Highway 71 and north of U.S Highway 50, those in Oklahoma on and west of U.S. Highway 69, and those in Texas on and west of U.S. Highway 75.

The purpose of this filing is to eliminate the gateway of Nebraska.

No. MC 125777 (Sub-No. E6), filed June 4, 1974. Applicant: JACK GRAY TRANSPORT, INC., 4600 East 15th Avenue, Gary, Ind. 46403. Applicant's representative: J. S. Gray, Jr. (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Stone, granite, marble*, and *gravel*, crushed, in dump vehicles, from points in Colorado, Wyoming, Montana, Wisconsin, Minnesota, Iowa, South Dakota, Nebraska, North Dakota, Arizona, and Utah to points in West Virginia. RESTRICTION: The operations authorized above are restricted against the transportation of limestone from points in Iowa. The purpose of this filing is to eliminate the gateways of Champaign and Chicago, Ill.

No. MC 125777 (Sub-No. E19), filed June 4, 1974. Applicant: JACK GRAY TRANSPORT, INC., 4600 East 15th Avenue, Gary, Ind. 46403. Applicant's representative: J.S. Gray, Jr. (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Stone, granite, marble*, and *gravel*, crushed, in dump vehicles, from points in Wisconsin, Minnesota, Iowa, South Dakota, North Dakota, Nebraska, Wyoming, Montana, and Utah to points in South Carolina. RESTRICTION: The operations authorized above are restricted against the transportation of limestone from points in Iowa to the destination area. The purpose of this filing is to eliminate the gateways of Champaign and Chicago, Ill.

No. MC 125777 (Sub-No. E22), filed June 4, 1974. Applicant: JACK GRAY TRANSPORT, INC., 4600 East 15th Avenue, Gary, Ind. 46403. Applicant's representative: J. S. Gray, Jr. (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Stone, marble, granite*, and *gravel*, crushed, in bulk, in dump vehicles, from points in Wisconsin and Minnesota to points in Mississippi. The purpose of this filing is to eliminate the gateways of Chicago and Champaign, Ill.

No. MC 125777 (Sub-No. E26), filed June 4, 1974. Applicant: JACK GRAY TRANSPORT, INC., 4600 East 15th Avenue, Gary, Ind. 46403. Applicant's representative: J. S. Gray, Jr. (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Gravel, marble, granite*, and *stone*, crushed, in bulk, in dump vehicles, from points in Wisconsin, Minnesota, South Dakota, North Dakota, Wyoming, and Montana to points in Alabama. The purpose of this filing is to eliminate the gateways of Chicago and Champaign, Ill.

No. MC 125777 (Sub-No. E33), filed June 4, 1974. Applicant: JACK GRAY TRANSPORT, INC., 4600 East 15th Avenue, Gary, Ind. 46403. Applicant's representative: J. S. Gray, Jr. (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Sand*, in bulk, in dump vehicles, (other than hopper or tank vehicles), from Michigan City, Ind., to points in Washington, Oregon, California, Idaho, Nevada, Utah, Arizona, Montana, Wyoming, Colorado, New Mexico, North Dakota, South Dakota, Texas, Minnesota, Maine, Vermont, New Hampshire, Massachusetts, Connecticut, Rhode Island, New Jersey, Delaware, Maryland, Virginia, Tennessee, North Carolina, South Carolina, Florida, Georgia, Alabama, Mississippi, Arkansas, Louisiana, and Kentucky. The purpose of this filing is to eliminate the gateway of Bridgeman, Mich.

No. MC 125777 (Sub-No. E34), filed June 4, 1974. Applicant: JACK GRAY TRANSPORT, INC., 4600 East 15th Avenue, Gary, Ind. 46403. Applicant's representative: J. S. Gray, Jr. (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Clay*, in bulk, in dump vehicles, from points in Audrain, Callaway, and Montgomery Counties, Mo., to points in Indiana, Michigan, and Wisconsin. The purpose of this filing is to eliminate the gateway of points in Illinois.

No. MC 125777 (Sub-No. E53), filed June 4, 1974. Applicant: JACK GRAY TRANSPORT, INC., 4600 East 15 thvAe TRANSPORT, INC., 4600 East 15th Avenue, Gary, Ind. 46403. Applicant's representative: J. S. Gray, Jr. (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Stone, gravel, marble*, and *gravel*, crushed, in dump vehicles, from points in Wisconsin, Minnesota, South Dakota, North Dakota, Wyoming, and Montana to points in Georgia. The purpose of this filing is to eliminate the gateways of Chicago and Champaign, Ill.

No. MC 125777 (Sub-No. E76), filed June 4, 1974. Applicant: JACK GRAY TRANSPORT, INC., 4600 East 15th Avenue, Gary, Ind. 46403. Applicant's representative: J. S. Gray, Jr. (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lime*, in bulk, in dump vehicles; (1) from Ste. Genevieve, Mo., to points in Wisconsin (Chicago, Ill.)*; and (2) from Ste. Genevieve, Mo., to points in Michigan and New York (Buffington, Ind.)*. The purpose of this filing is to eliminate the gateways indicated by asterisks above.

No. MC 125777 (Sub E83), filed June 4, 1974. Applicant: JACK GRAY TRANSPORT, INC., 4600 East 15th Avenue, Gray, Ind. 46403. Applicant's representative: J. S. Gray, Jr. (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Stone, gravel, marble, and granite*, crushed, in bulk in dump vehicles, from points in New Jersey, to points in Wisconsin, Illinois, Minnesota, Iowa, Missouri, North Dakota, South Dakota, Nebraska, Kansas, Oklahoma, Texas, New Mexico, Colorado, Wyoming, Montana, Utah, and Arizona. The purpose of this filing is to eliminate the gateway of Chicago, Ill.

No. MC 125777 (Sub-No. E85), filed June 4, 1974. Applicant: JACK GRAY TRANSPORT, INC., 4600 East 15th Avenue, Gary, Ind. 46403. Applicant's representative: J. S. Gray, Jr. (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Stone, granite, marble*, and *gravel*, crushed, in bulk, in dump vehicles, from points in Ohio to points in South Dakota, North Dakota, Nebraska, New Mexico, Colorado, Wyoming, Montana, Arizona, and Utah. The purpose of this filing is to eliminate the gateways of Champaign and Chicago, Ill.

No. MC 125777 (Sub-No. E88), filed June 4, 1974. Applicant: JACK GRAY TRANSPORT, INC., 4600 East 15th Avenue, Gary, Ind. 46403. Applicant's representative: J. S. Gray, Jr. (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Pig iron*, in dump vehicles, from Calvert City, Ky., to points in Washington, Oregon, California, Idaho, Montana, Wyoming, Utah, Colorado, Arizona North Dakota, South Dakota, Nebraska, and Nevada. The purpose of this filing is to eliminate the gateway of Keokuk Iowa.

No. MC 125777 (Sub-No. E98), filed June 4, 1974. Applicant: JACK GRAY TRANSPORT, INC., 4600 East 15th Avenue, Gary, Ind. 46403. Applicant's representative: J. S. Gray, Jr. (same as above). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Ferro alloys*, in bulk, in dump vehicles, from Monaco, Pa., to points in Mississippi, Alabama, Georgia, Florida, Louisiana, Oklahoma, Texas, Minnesota, Iowa, Arkansas, Missouri, Nevada, Colorado, Arizona, New Mexico, North Dakota, South Dakota, Nebraska, Kansas, Washington, Oregon, California Idaho, Montana, Wyoming, Utah, Kentucky, and Tennessee. The purpose of this filing is to eliminate the gateway of Vanadis, Ohio.

By the Commission.

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

[FR Doc.75-20353 Filed 8-4-75;8:45 am]

[Notice No. 45]

MOTOR CARRIER BOARD TRANSFER PROCEEDINGS

JULY 31, 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 C.F.R. Part 1132), appear below:

Each application (except as otherwise specifically noted) filed after March 27, 1972, contains a statement by applicants that there will be no significant effect on the quality of the human environment resulting from approval of the application. As provided in the Commission's Special Rules of Practice any interested person may file a petition seeking reconsideration of the following numbered proceedings on or before August 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–75948. By order of July 28, 1975, the Motor Carrier Board approved the transfer to Monrovia Transport, Inc., Arcadia, Calif. of Certificate No. MC–114095 issued May 27, 1960, to Wiley M. Whittaker, Portland, Oreg., authorizing the transportation of shingles and shakes, wooden, from specified counties in Washington and Oregon, to points in California. Frederick J. Coffman, P.O. Box 81849, Lincoln, Nebr. 68501, attorney for transferee. Philip G. Skofstad, 3076 Burnside St., Portland, Oreg. 97214, attorney for transferor.

No. MC–FC–75966. By order of July 28, 1975, the Motor Carrier Board approved the transfer to James Leslie Gaddis, doing business as Gilbert's Towing and Storage Service, Portland, Oregon, of Certificate No. MC–101781, issued April 13, 1970, to Robert L. Gaddis and James L. Gaddis, doing business as Gilbert's Towing and Storage Service, Portland, Oregon, authorizing the transportation of used automotive vehicles, wrecked and disabled motor vehicles, recovered, stolen, or repossessed automobiles between points in Washington, Oregon, California, and Idaho. Robert R. Hollis, 400 Pacific Bldg., Portland, Oreg. 97204, attorney for transferee.

No. MC–FC–75999. By order entered July 28, 1975, the Motor Carrier Board approved the transfer to Harran Transportation Co., Inc., North Merrick, N.Y., of the operating rights set forth in Certificate No. MC–40815, issued January 24, 1966, to Veterans Transportation Co., Inc., Valley Stream, N.Y., authorizing the transportation of passengers and their baggage, in charter operations, from New York, N.Y., to points in New York, New Jersey, Connecticut, and Pennsylvania. Samuel B. Zinder, 98 Cutter Mill Road, Great Neck, N.Y. 11021, attorney for applicants.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.75–20355 Filed 8–4–75;8:45 am]

[Notice No. 79]

TEMPORARY AUTHORITY TERMINATION

The temporary authorities granted in the dockets listed below have expired as a result of final action either granting or denying the issuance of a Certificate or Permit in a corresponding application for permanent authority, on the date indicated below:

Temporary authority application	Final action or certificate or permit	Date of action
United States Lines, Inc., MC–WC 497 Sub-10	MC–WC 497 Sub-11	July 23, 1975
Garrett Freightlines, Inc., MC–263 Sub-216	MC–263 Sub-217	July 29, 1975
Greyhound Lines, Inc., MC–1515 Sub-200	MC–1515 Sub- 201	July 23, 1975
George Transfer and Rigging Co., MC–8535 Sub-54	MC–8535 Sub-52	July 24, 1975
Marvin Hayes Lines, Inc., MC–10173 Sub-16	MC–10173 Sub-15	July 29, 1975
Buske Lines, Inc., MC–43246 Sub-19	MC–43246 Sub-20	July 24, 1975
Schneider Transport, Inc., MC–51146 Sub-348	MC–51146 Sub-274	July 29, 1975
Cambell Sixty-Six Express, Inc., MC–75320 Sub-146	NC–75320 Sub-147	July 23, 1975
Zirbel Transport, Inc., MC–92633 Sub-25	MC–92633 Sub-27	July 29, 1975
The Geo. A. Rheman Co., Inc., MC–103191 Sub-44	MC–103191 Sub-48	July 28, 1975
Noble Graham, MC–107162 Sub-31	MC–107162 Sub-32	June 8, 1972
Salem Transportation Co., MC–107583 Sub-53	MC–107583 Sub-68	July 24, 1975
H. W. Taynton Co., Inc., MC–109821 Sub-37	MC–109821 Sub-38	July 23, 1975
United Parcel Service, Inc., MC–115495 Sub-27	MC–115495 Sub-20	Do.
W & L Motor Lines, Inc., MC–123872 Sub-18	MC–123872 Sub-15	July 25, 1975
Schwerman Trucking Co., MC–124078 Sub-611	MC–124078 Sub-614	Do.
D.b.a. Schaettel Trucking Co., MC–126111 Sub-6	MC–126111 Sub-2	July 28, 1975
H. H. Omps, Inc., MC–128133 Sub-7, Sub-8, Sub-9	MC–128133 Sub-11	July 29, 1975
Page Trucking Co., Inc., MC–129486 Sub-6	MC–129486 Sub-7	July 23, 1975
Sooner Express, Inc., MC–134777 Sub-21	MC–134777 Sub-22	July 25, 1975
Coin Devices Corp., MC–136069 Sub-3, Sub-4	MC–136069 Sub-1	July 29, 1975
McKimm Milk Transport, Inc., MC–136461 Sub-1	MC–136461 Sub-2	July 28, 1975
D.b.a. Wisconsin Provisions Express, MC–138512 Sub-6	MC–138512 Sub-1	July 25, 1975
D.b.a. Mace Trucking Co., MC–139034 Sub-1	MC–139034 Sub-2	July 24, 1975
Organ Hofstetter, Inc., MC–139897 Sub-1	MC–139897 Sub-2	July 23, 1975

JOSEPH M. HARRINGTON,
Acting Secretary.

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PART II:

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

■

GRAIN STANDARDS

Miscellaneous Amendments

Title 7—Agriculture

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

PART 26—GRAIN STANDARDS

Miscellaneous Amendments

Statement of considerations. On December 4 and 27, 1974, there was published in the FEDERAL REGISTER (39 FR 42226 and 39 FR 44763) notices of proposed rulemaking to amend §§ 26.1, 26.6, 26.9, 26.10, 26.11, 26.13, 26.14, 26.15, 26.30, 26.61, 26.85, 26.87, 26.97, 26.100, 26.101, 26.110, and 26.114 of the regulations (7 CFR 26.1, 26.6, 26.9, 26.10, 26.11, 26.13, 26.14, 26.15, 26.30, 26.61, 26.85, 26.87, 26.97, 26.100, 26.101, 26.110, and 26.114) under the Act.

The proposed amendments of the regulations under the Act are needed to conform inspection procedures with changes in grain merchandising and transportation practices, to clarify certain provisions in the regulations, and to provide additional guidelines for official inspection agencies.

Copies of the notices of proposed rulemaking were sent to official inspection personnel licensed under the Act and to members of the grain industry.

Interested persons were given until January 20, 1975, to submit written data, views, or arguments with respect to the proposed rulemaking. In response to a request by interested parties for additional time to study the proposals, the time for filing written data, views, or arguments was extended to March 7, 1975. Sixty-two comments with respect to the proposals were received from farm organizations, grain industry firms, grain industry groups, official inspection agencies, grain inspection groups, steamship companies, and the U.S. Department of Commerce.

One commentor supported all the proposals, and one comment from a non-grain commercial firm was not relevant to the proposals. The principal points raised in the other comments and the Department's response are set out by section as follows:

1. *Weighted average.* Section 26.1 of the regulations (7 CFR 26.1) would be amended by adding a definition for the term "weighted average." The definition is needed to supplement the weighted average provision in § 26.14(k) of the regulations (7 CFR 26.14 (k)).

One commentor suggested that this section include a definition for "numerical average" in addition to a definition for "weighted average." Present inspection procedures require the use of weighted averages but does not require numerical averages. It has been concluded that a definition for "numerical average" would serve no useful purpose, and that the section should be amended as proposed.

2. *Mechanical sampler inspection.* Section 26.6 of the regulations (7 CFR 26.6) would be amended by authorizing an additional and needed service, the inspection of mechanical grain samplers. Pursuant to § 26.28 (7 CFR 26.28), the service would be conducted by official inspection personnel employed by an official inspection agency.

One commentor supported the proposal and no commentors opposed the amendment. It is concluded that this section should be amended as proposed. However, a change has been made in paragraph (1)(i) of this section to correct a reference.

3. *Conditions for inspection.* Section 26.9 of the regulations (7 CFR 26.9) would be amended by adding a paragraph stating the conditions to which the applicant consents in submitting a request for an official inspection service. The conditions which are listed in the proposed new paragraph are considered essential to effectuate the purposes of the Act.

One commentor opposed the proposed conditions to which an applicant consents in requesting inspection service. It has been concluded that each of the items is essential to effectuate the purposes or provisions of the Act; that an applicant for inspection should consent to the conditions stated in this section as a requisite to satisfactory inspection conditions and that this section should be amended as proposed.

4. *Grounds for dismissing requests.* Section 26.10 of the regulations (7 CFR 26.10) would be amended by deleting the reference to §§ 26.27, 26.30, 26.37, and 26.47, and by including, as a note, a reference to § 26.11 of the regulations and § 10 of the Act. This would simplify and clarify the wording as § 26.10 is intended to cover the dismissal of inspection requests.

One commentor opposed the reference in this section that relates to other sections of the regulations and the Act. The amendment to this section, as proposed, will replace the present five references to other sections of the regulations and one section of the Act with one parenthetical reference to a section in the regulations and a section in the Act. This would simplify and clarify the wording of § 26.10. It is concluded that this section should be amended as proposed.

5. *Health and safety, and timely notice.* Section 26.11 of the regulations (7 CFR 26.11) would be amended by providing in subsection (a)(2) examples showing when grain shall be deemed to be not "accessible for inspection" as a result of conditions which are unduly hazardous to the health or safety of official inspection personnel. The only examples shown at present are for conditions that do not permit an adequate and correct sampling, examination, or other determination. Section 26.11 would also be amended by providing in subsection (b) an interpretation for the term "timely arrangements" for an appeal inspection on export grain. The interpretation would set forth the minimum time period for requesting overtime service. A minimum time period is needed to plan and schedule staffing needs.

Seven commentors opposed the reference to OSHA standards in the regulations, and one of the seven commentors recommended a cooperative effort between USDA, the grain industry, and official inspection agencies to develop safety standards for all inspection personnel. Two commentors suggested that timely arrangements for appeal inspection be defined as 1600 hours of the preceding workday instead of 1400 hours, but did not furnish a reason for the suggestion. It is concluded that inasmuch as grain industry firms, official inspection agencies, and official inspection personnel are already subject to the OSHA regulations, reference to the OSHA regulations should not be included in the amendment to this section, but such safety standards will be prescribed in instructions by the Administrator. It is further concluded that because no reason was shown for changing the definition of "timely arrangements" to 1600 hours of the preceding workday, the section should be amended to include the definition for "timely arrangements" as proposed.

6. *Issuance of one certificate for more than one lot.* Section 26.13 of the regulations (7 CFR 26.13) would be amended by authorizing the issuance of one certificate for more than one lot when such a certificate would meet the needs of the applicant. At present, except in the case of combined lot inspections (see § 26.15), official inspection personnel are required to issue one certificate per lot. The issuing of one certificate for more than one lot would reduce the number of certificates issued and the related clerical work.

Three commentors supported the amendment of this section. However, two of the three commentors requested that the word "barges" in this section be defined to include barges specifically designed for loading aboard oceangoing vessels. It is concluded that inclusion of such barges is in accordance with the intent of this section and that the section should be amended to specifically include such barges.

7. *Inspection of cargo grain.* Section 26.14 of the regulations (7 CFR 26.14) would be amended to:

Replace the term "grade" with the more inclusive term "quality";

Remove the limit on the quantity of better quality grain that can be in a lot; and

Define new terms and explain how they are used in the inspection of cargo grain.

NOTE: The Department plans to later propose, in the regulations, an additional inspection plan for the inspection of grain in ships for shipments where divided-original inspection certificates are not needed. The additional plan will involve wider constraints on variations in quality and will promote more efficient handling of bulk export grain.

One commentor opposed the definitions of terms in this section related to the so called "Plan A" rules (Uniform Shiploading Plan) because the statistical limits in the plan would be burdensome to exporters. The Uniform Shiploading Plan presently in use was developed in consultation with the grain industry utilizing statistical principles. One commentor objects to changing the phrase "after consultation with the grain trade" to "with the users of the service." It has been determined that the phrase "with users of the service" is a more inclusive phrase because not all applicants for inspection service under the Act and regulations are members of the grain industry. It is concluded that the section should be amended as proposed.

8. *Combined lots.* Section 26.15 of the regulations (7 CFR 26.15) would be amended to:

Authorize the inspection of grain in combined lots either during loading, unloading, or while the grain is at rest in the containers. (Presently, only the inspection of grain in combined lots during loading is authorized.);

Authorize the use of new procedures for the inspection of grain in combined lots and authorize the issuance of divided-original certificates for combined shiplots. (The present procedure does not authorize the issuance of divided-original certificates for combined shiplots.); and

Define new terms and explain how they are used in the inspection of grain in combined lots.

NOTE: The Department plans to later propose, in the regulations, an additional inspection plan for the inspection of grain in combined lots. The plan will involve wider constraints on variations in quality and will promote more efficient handling of bulk grain.

Forty-five commentors supported the amendment of this section as an equitable means of merchandising grain under conditions comparable to the provisions presently allowed in export. Two commentors opposed the amendment of this section for weighted averages of grades in domestic shipments. Two commentors requested the term "barges" be amended to include "barges specifically designed for loading aboard oceangoing vessels." One commentor opposed replacing the phrase "after consultation with the grain trade" to "with the users of the service." It is concluded that the section should be revised to include barges specifically designed for loading aboard oceangoing vessels, that no change should be made with respect to the phrase "with the users of the service" for the reasons given in number 7 above, and that otherwise § 26.15 should be amended as proposed.

9. *Succeeding original inspections.* Section 26.30 of the regulations (7 CFR 26.30) would be amended by deleting the reference to submitted samples in paragraph (a). Succeeding original inspections are not available on submitted samples. The end of paragraph (c) would be amended to delete the words "and will better fit the needs of the applicant." The wording is considered confusing and unneeded.

No commentors opposed the amendment. It is concluded that § 26.30 should be amended as proposed.

10. *Divided-original certificates.* Section 26.61 of the regulations (7 CFR 26.61) would be amended to provide for divided-original certificates on a combined export shiplot, and to authorize the showing, at the request of the applicant, of merchandising information such as loading order numbers on divided-original inspection certificates for export cargo grain. The showing of the information would facilitate the handling and matching of the certificates with related merchandising and transportation documents on export cargo grain.

No commentors opposed the amendment. It is concluded that § 26.61 should be amended as proposed.

11. *Duties of official inspection personnel.* Section 26.85 of the regulations (7 CFR 26.85) would be amended to provide that official inspection services shall be performed in accordance with approved safety procedures and using approved safety equipment. Safety is a basic duty in inspection work. The change would require official inspection personnel to operate in a safe manner and use approved safety equipment.

Seven commentors opposed the reference to OSHA standards in the regulations, and one of the seven commentors recommended a cooperative effort between the Government and grain industry to develop correct safety and training procedures. It is concluded that the section should not be amended to include a reference to OSHA standards, but that the section should be amended to give the Department authority to prescribe approved safety procedures and safety equipment.

12. *Conflicts of interest.* Section 26.87 of the regulations (7 CFR 26.87) would be amended by listing certain conflicts of interest under "other conflicts." The conflicts are now listed under "interpretations." The amendment would add to the clarity of the wording. The substance of the section would not be changed.

One commentor indicated reservations on the constitutionality of the proposed change in this section. The substance of the text in this section is not changed by the amendment. It is concluded that this section should be amended as proposed.

13. *Application for designation.* Section 26.97 of the regulations (7 CFR 26.97) would be amended to require that applicants for designation to operate as an official inspection agency who are incorporated, furnish a copy of the articles of incorporation and the names of the current corporate officers with the application.

Complete information is deemed necessary for proper evaluation of an applicant for designation as an official inspection agency. No commentors opposed the proposed amendment of this section. It is concluded that this section should be amended as proposed.

14. *Duties of inspection agencies.* Section 26.100 of the regulations (7 CFR 26.100) would be amended to require that official inspection agencies would provide its employees with approved safety equipment and training in the use of such equipment, and upon request, provide information with respect to the ownership and operation of the agencies. Providing safety equipment and providing training in its use are basic duties of employers. The information on ownership and operation is needed and is currently being provided by private agencies to facilitate the handling of applications of designation to operate as an official inspection agency, and the handling of requests for the cancellation, amendment, transfer, or suspension of designations.

Seven commentors opposed the reference to OSHA standards in the regulations. One commentor recommended that the new subsection on reports of ownership not be adopted. It is concluded that the section should not be amended to include a reference to OSHA standards, but that because reports of ownership are needed to effectively supervise official inspection agencies, with respect to conflicts of interest, the section should be amended as proposed to include reports of ownership.

15. *Official inspection agencies.* Section 26.101 of the regulations (7 CFR 26.101) would be amended by adding wording to require that a minimum of 90 days' advanced notice be given by a designated official inspection agency when requesting that its designation be canceled, amended, transferred, or suspended. At present no advanced notice is required. A minimum of 90 days is needed to process such requests.

Section 26.101 would also be amended to authorize the interim designation of an official inspection agency when it is impracticable to publish in the FEDERAL REGISTER the final action on a designation in advance of the effective date. This would promote the orderly continuation of needed inspection services, and would support currently approved practices in the designation of official inspection agencies.

No commentors opposed amendment of this section. It is concluded that this section should be amended as proposed.

16. *Export grain.* Section 26.110 of the regulations (7 CFR 26.110) would be amended to provide that (i) export grain in sacks may be sampled prior to the final elevation. This waiver, authorized under section 5 of the Act, is needed because it is not practicable to sample export sacked grain after final elevation as the grain is loaded abroad or while it is at rest in the final carrier, and (ii) that diverter-type mechanical samplers shall be used in the sampling of export grain, with waiver authority for (1) classes of shipments, such as sacked grain, which are impracticable to sample with such samplers while the grain is being loaded abroad, or while it is in the final carrier; and (2) emergency situations involving mechanical or power failure.

Studies conducted by the Agricultural Research Service of the U.S. Department of Agriculture show that diverter-type mechanical samplers consistently obtain the most representative samples of grain. Further, many export grain elevators have installed diverter-type mechanical samplers for the use of official inspection personnel in the sampling of bulk export grain. The diverter-type samplers have been found to be practical in use, and are available in commercial quantities. It is proposed to make this requirement effective November 1, 1975.

Five commentors opposed the mandatory requirement of mechanical diverter-type samplers for export cargos because of costs or recommended that the effective date be delayed. It is concluded that the section should be amended to require the use of mechanical diverter-type samplers for export cargo grain as proposed because diverter-type mechanical samplers consistently obtain the most representative samples of grain. It is further concluded that the section should provide for an extension of the effective date for installation of such samplers, subject to the elevator showing that diligent effort has been made to meet the deadline.

17. *Official grade designations.* Section 26.114 of the regulations (7 CFR 26.114) would be amended to add the words "U.S." to "No. 1 Hard Winter Wheat," so that the example of the official grade designation would be consistent with the official grain standards of the United States.

One commentor supported the amendment of this section. No commentors opposed the amendment. It is concluded

that the section should be amended as proposed.

After consideration of the written comments, views, or arguments filed with respect to the proposal of amendment and other information available, the provisions of the proposed amendments, with changes as indicated, are being implemented as set forth below:

1. A new definition of weighted average is added to § 26.1(b) to read as follows:

§ 26.1 Meaning of words.

* * * * *

(b) * * *

(40) *Weighted average.* A lot average determined by multiplying the analytical result for each factor in each sublot by the weight of the sublot, adding the resultant figures for each factor, and dividing by the weight of the lot.

2. The introductory text of § 26.6(a) is revised and a new paragraph (l) added to read as follows:

§ 26.6 Kinds (scope) of official inspection services.

(a) *General.* The kinds of official inspection services available under the Act and the basis for performing each service are those shown in paragraphs (b) through (l) of this section.

* * * * *

(l) *Mechanical sampler inspection.*

(1) This inspection shall consist of the following operations by official inspection personnel (other than a licensed employee of a grain elevator or warehouse): (i) A pre-installation examination of the sampling site for the mechanical sampler to determine whether the site and the spout or the belt arrangements are in accordance with the basic requirements for the installation and use of the sampler; (ii) initial and periodic post-installation examination to determine whether the sampler is installed properly; (iii) initial and periodic checktesting to determine whether the sampler obtains representative samples; and (iv) the issuance of an official certificate in accordance with § 26.58 and § 26.59, and paragraph (l)(3) of this section.

NOTE: This service shall be limited to specified models of diverter-type mechanical samplers that have been tested under controlled conditions by the U.S. Department of Agriculture and found to give results within a range of ±10 percent of the known quantity in the checklist material. A list of such samplers may be obtained from official inspection agencies and Field Offices. For a list of such offices, see § 26.9(d).

(2) The inspection shall be made in accordance with the methods and procedures prescribed in the instructions or approved in specific cases by the Administrator. (Instructions and application forms for use in checktesting mechanical samplers may be obtained from any official inspection agency and Field Office. For locations where the instructions and forms may be obtained, see § 26.9(d)).

(3) Each certificate for a mechanical sampler inspection shall show the results of the inspection, in whole or in part. The certificate for the final determination shall show the following or substantially equivalent statements: "Sampler inspected and found to obtain representative samples of (*kinds of grain*)" or "Sampler inspected and found not to obtain representative samples of (*kinds of grain*)."

3. Section 26.9 is amended by revising the heading and by adding a new paragraph (e) to read as follows:

§ 26.9 Inspection services.

* * * * *

(e) *Conditions for inspection.* In submitting a request for an official inspection service, the applicant consents to the following items which are considered essential to effectuate the purposes or provisions of the Act: (1) To pay bills for inspection services promptly upon receipt; (2) to provide loading conditions and containers which will not contaminate the grain or otherwise lower the grade, quality, or condition of the grain; (3) to make the grain fully accessible for inspection except as provided in § 26.12 (b); (4) to provide required mechanical sampling equipment as provided in § 26.110(d); (5) to provide adequate and separate space for official inspection personnel for performing the kind of service requested; (6) to make grain fully accessible for supervision inspections at any time during loading or unloading; and (7) to provide needed water transportation for performing off-shore ship hold supervisions and inspections.

4. Section 26.10(c) is revised to read as follows:

§ 26.10 When a request for inspection services may be withdrawn or dismissed.

* * * * *

(c) *Grounds for dismissal.* A request for inspection services may be dismissed by the official inspection personnel (1) upon request of the applicant; (2) if the request is for the inspection of grain for which standards have not been established under the Act; (3) if the official inspection agency (or in the case of U.S. grain in Canadian ports and appeal inspections, the field office) otherwise lacks jurisdiction under the Act or the regulations to handle the request; (4) if the request is not in compliance with the regulations; (5) if sufficient evidence is not available upon which to make an accurate and true determination; or (6) if it is clearly not practicable to perform the requested inspection services. (See also § 26.11 of the regulations and section 10 of the Act for conditional withholding and refusal of inspection service.)

* * * * *

5. Sections 26.11(a)(2) and (b) are revised to read as follows:

§ 26.11 Conditional withholding of inspection service.

(a) *Mandatory withholding.*

* * * * *

(2) (i) For the purpose of this paragraph, grain shall be deemed to be not "accessible for inspection" if it is offered for sampling or inspection under conditions which (*a*) are unduly hazardous to the health or safety of official inspection personnel or (*b*) do not permit an adequate and correct sampling, examination, or other determination for the requested inspection service.

(ii) Conditions which are considered unduly hazardous to the health and safety of official inspection personnel as prescribed in the instructions by the Administrator include, but are not limited to (a) conditions at the sampling or inspection site, or the ingress or egress routes to the sampling or inspection site; (b) forcible assaults, intimidations, or interferences, at the sampling or inspection site; and (c) storage, stowage, and similar spaces which have been fumigated or have toxic fumes, or in which the oxygen has been depleted unless the spaces have been found "safe" in accordance with the instructions.

(iii) Conditions which do not permit an adequate and correct sampling, examination, or other determination for the requested inspection service include, but are not limited to, grain in barges or other carriers that are closed at the time the grain is offered for inspection and the carriers cannot be readily opened by official inspection personnel.

(b) *Permissive withholding.* At the discretion of the official inspection personnel, an official inspection may be conditionally withheld if the applicant has failed to pay bills for prior inspection services; or the grain is offered for inspection outside of the customary workday, unless timely arrangements for overtime inspection have been made by the applicant with the official inspection personnel. In the case of appeal inspections on export cargo grain, the "customary workday" shall be deemed to mean 0800 to 1630 hours local time, Monday through Friday, except national holidays; and "timely arrangements" shall be deemed to mean arrangements made not later than 1400 hours of the preceding workday. (For definition of "holiday," see § 26.72(a), footnote 4.)

* * * * *

6. Section 26.13 is amended as follows:

§ 26.13 Inspection of grain in containers other than ships.

(a) *General.* The inspection of bulk or sacked grain loaded aboard, or being loaded aboard, or discharged from railway cars, trucks, trailers, river barges (including barges specifically designed for loading aboard oceangoing ships), bay boats, bins, warehouse lots, or containers other than ships shall be conducted in accordance with the provisions in this section, and such methods and procedures as may be prescribed in the

instructions or approved in specific cases by the Administrator.

* * * * *

(c) *One certificate per lot.* One official inspection certificate shall be issued for each lot: *Provided,* That the requirements of this paragraph shall not be applicable to § 26.15, or paragraph (b) of this section, or instances when the issuance of one certificate for more than one container is requested by the applicant for inspection. If the grain is not uniform in condition, the certificate shall show the approximate quantity in each portion, the location of each portion in the container, and the grade of the grain in each portion, in accordance with procedures prescribed in the instructions or approved in specific cases by the Administrator.

* * * * *

7. Section 26.14 (b), (c), (d), and (e) are amended as follows and (f) is deleted:

§ 26.14 Inspection of grain in ships.

* * * * *

(b) *Definitions.* For purposes of this section the term "ship" means all oceangoing ships, barges, and tankers; lake vessels, and ships of similar or larger capacity.

(1) The term "reasonably continuous operation" shall be construed to include inactive intervals of not more than 88 consecutive hours; *Provided,* That the ship does not leave the designated inspection point or port in which the inspection is being performed. Upon request of the applicant, the statement "Loaded under continuous official inspection" may be shown on the official inspection certificate when the conditions of this section are met.

(2) The term "material portion" means a portion which is considered significant under a sampling plan prescribed in the instructions on the basis of approved statistical principles after consultation with the users of the service: *Provided,* That if the applicant has been informed by official inspection personnel or otherwise knows the quality of the grain prior to loading the grain on a ship, any portion of "off-grade" grain which is of an inferior grade in comparison with the load order grade shall be deeemd to be a material portion.

(3) The term "load order grade" means the official grade, official factors, and other criteria specified by the applicant for inspection.

(4) The term "uniform in quality" means that all portions in the lot conform to the load order grade and that no material portion in the lot is of a grade, or equivalent of a grade inferior to the load order grade.

(5) The determination of "equivalent of a grade" shall be based on special grades, dockage, factors, and other criteria, and shall be prescribed in the instructions or otherwise approved by the Administrator.

(c) *Grain uniform in quality.* The grain in each lot offered for inspection shall be examined thoroughly for uniformity of quality. If the grain is found to be uniform in quality and is loaded aboard or discharged from the ship in a reasonably continuous operation, the grain shall be sampled, inspected, graded, and certificated as one lot. (The requirements of this paragraph and paragraph (d) of this section with respect to reasonably continuous loading or discharge shall not apply to grain which is at rest in a ship when the grain is offered for an inspection.)

(d) *Grain not uniform in quality.* If the grain in a lot is found to be not uniform in quality or if the grain is not loaded aboard or discharged from the ship in a reasonably continuous operation, the grain in each portion, and the grain which is loaded aboard or discharged from the ship at different times shall be sampled, inspected, graded, and certificated as a separate lot.

(e) *Certification of grain not uniform in quality.* If the grain in a lot is found to be not uniform in quality under paragraph (d) of this section, the cargo inspection certificate for each lot shall show (1) the grade of the lot; (2) a statement that the grain has been loaded on board with other grain; (3) the grade, location, and approximate quantity of the other grain; and (4) such other information as may be required by the regulations and the instructions or approved in specific cases by the Administrator. (The requirements of subparagraph (2) of this paragraph shall not apply to grain which is inspected as it is being discharged from a ship.)

(f) [Deleted]

* * * * *

8. Section 26.15 is revised as follows:

§ 26.15 Inspection and certification of grain in combined lots.

(a) *General.* The inspection of grain being loaded into or discharged from, or at rest in, two or more railway cars, trucks, barges (including barges specifically designed for loading aboard oceangoing ships), and the grain in two or more identified lots loaded into or discharged from a ship shall be in accordance with the provisions of this section and such methods and instructions as may be prescribed in the instructions or otherwise approved by the Administrator.

(b) *Definitions.* For purposes of this section, the following terms shall have the meanings given below:

(1) The term "uniform in quality" shall mean that the weighted average of the grain in the combined lot is not inferior to the load order grade, and that no material portion in the lot is of a grade or equivalent of a grade inferior to the load order grade.

(2) The term "equivalent of a grade" shall be based on special grades, dockage, factors, and other criteria, and shall be prescribed in the instructions or otherwise approved by the Administrator.

(3) The term "load order grade" means the official grade, official factors, and other criteria specified by the applicant for inspection.

(4) The term "material portion" shall mean a portion which is considered significant under a sampling plan prescribed in the instructions on the basis of approved statistical principles after consultation with the users of the service: *Provided,* That if the applicant has been informed by official inspection personnel or otherwise knows the quality of the grain prior to loading the grain on a ship, any portion of "off-grade" grain which is of an inferior grade in comparison with the load order grade shall be deemed to be a material portion.

(c) *Inspection during loading, unloading, or while at rest.* Upon request by an applicant, the grain being loaded into or discharged from, or at rest in, two or more railway cars, trucks, or barges, and the grain in two or more identified lots being loaded into or discharged from a ship may be sampled, inspected, and certificated as a combined lot if:

(1) In the case of grain which is being loaded or discharged, the request is filed in advance of the loading or discharge of any of the grain;

(2) The request shows the quantity of grain which is to be certificated as a combined lot;

(3) Each car, truck, barge, or shiplot is specifically identified in the request;

(4) The grain loaded into or discharged from, or at rest in, each car, truck, or barge, or the grain in each shiplot is accessible for sampling and is sampled in one designated inspection area within 88 consecutive hours.

(5) A representative sample or samples are obtained from the grain in each car, truck, or barge, or the grain in each shiplot;

(6) The grain loaded into or discharged from or at rest in each car, truck, or barge, or the grain in each shiplot is inspected and graded in accordance with the provisions of this section and such methods and procedures as may be prescribed in the instructions or otherwise approved by the Administrator; and

(7) The grain in the combined lots is found to be uniform in quality.

(d) *Inspection after certification.* Upon request by an applicant, the grain in two or more cars, trucks, barges, or the grain in two or more shiplots which has been sampled, inspected, and certificated as separate lots may be certificated as a combined lot if:

(1) The request is filed within a reasonable time, not to exceed 2 business days after the date of the latest inspection;

(2) The grain in each container was accessible for sampling and was sampled in one designated inspection area, within an 88-hour period;

(3) The grain in the combined lots was found to be uniform in quality.

(4) The originals of the official certificates issued for the component lots are surrendered to the official inspection agency or the field office except as provided for in paragraph (f) (vi) of this section;

(5) Representative file samples of the grain are available; and

(6) The official inspection personnel who issued the certificates for the component lots and the official inspection personnel who will issue the combined lot certificate believe that the samples which were used as the basis for the component inspections were representative of the grain at the time of the inspections, and that the quality or condition of the grain in the samples, and the quality or condition of the grain in the combined lot has not changed since the time of the component inspections.

(e) *Certification.* Each such certificate shall show the statement "Combined Lot Inspection," and the identification of each car, truck, barge, and each shiplot. The statement shall be shown below the grade line of the certificates as prescribed in the instructions. The inspection results shown on the certificate shall be the weighted average results of the analyses of the samples from the component lots: *Provided*, That if the grain in each lot in a combined lot is found to be uniform for any grade and the weighted averages show a different grade, the grade found for the combined lots shall prevail. Upon request, information as to specified factors for each combined lot shall be shown on the combined lot inspection certificate.

(1) *Grain not uniform in quality.* If the grain in the combined lot is found to be not uniform in quality, the grain in each portion shall be sampled, inspected, graded, and certificated as a separate lot.

(2) *Grain uniform in quality.* If the grain in the combined lot is found to be uniform in quality, an official certificate shall be issued.

(f) *Combined lot superseding certificate requirements.* (1) If the request for a combined lot inspection was filed after the grain in the component lots was inspected and certificated, the combined lot inspection certificate shall also show: (i) The date the component lots were inspected as the date of inspection of the grain in the combined lot. However, if the lots were inspected on different dates, the latest of the dates shall be shown; (ii) a new serial number, other than the serial numbers of the certificates which are to be superseded; (iii) a statement showing the name(s) of the elevator(s) or warehouse(s) from which the grain in the combined lot was loaded; (iv) a statement showing the approximate quantity of grain in the combined lot; (v) a statement showing the identification of any superseded certificates as follows: "This Combined Lot certificate supersedes certificates Nos. ____, dated _____." (The numbers shown in the statement shall in all cases include the lettered prefix.); and (vi) if the superseded certificates are in the custody of the Grain Division or an official inspection agency, the superseded certificates shall be marked "Void" in a clear and conspicuous manner. If, at the time of issuing the combined lot inspection certificate, the superseded certificates are not in the custody of the Grain Division, or an official inspection agency, the statement "The superseded certificates identified herein have not been surrendered" shall be clearly shown, in the space provided for remarks, on the combined lot inspection certificate beneath the statement identifying the superseded certificates. Official inspection personnel shall exercise such other precautions as may be found necessary to prevent the fraudulent or unauthorized use of the superseded certificates.

(g) *Quantity.* No combined lot inspection certificate shall be issued which shows a quantity of grain in excess of the quantity shown on the superseded certificates.

(h) *Further combining.* After a combined lot certificate has been issued in accordance with this section, there shall be no dividing or further combining of the certificate at a later date, except as provided in § 26.61.

(i) *Limitation.* No combined lot inspection certificate shall be issued for any inspection other than as described in this section.

(j) *Reinspection and appeal inspection on combined or off-grade lots.* A reinspection or an appeal inspection may be obtained on a combined lot or on each "off-grade" lot in accordance with the regulations.

9. Section 26.30 (a) and (c) are revised as follows:

§ 26.30 Succeeding original inspections.

(a) *General provisions.* In cases where an original inspection has been obtained in any designated inspection area on a specific lot, and a later or more current inspection of the same kind (scope) is desired in the same area on the same lot, one or more succeeding inspections may be obtained in accordance with paragraphs (b) through (i) of this section.

* * * * *

(c) *Grounds for dismissal.* A request for a succeeding original inspection may be withdrawn or dismissed in accordance with the provisions of §§ 26.10 and 26.27, or shall be dismissed when a reinspection or an appeal inspection can be obtained from the preceding original inspection.

* * * * *

10. Section 26.61 (a) and (f) are amended as follows:

§ 26.61 Divided-original inspection certificates.

(a) *General requirements.* If an export cargo shipment is certificated as a combined lot, or is offered for inspection as one lot, and is found to be uniform in quality and is certificated as one lot, the applicant may exchange the original certificate for two or more divided-original certificates subject to the requirements in paragraphs (b) through (g) in this section.

* * * * *

(f) *Certification requirements and options.* The same information and statements shall be shown on the divided-original certificates as shown, or required to be shown, on the original certificate except (1) the original and all copies shall show, in the space provided for remarks, the completed statement: "This grain is part of an undivided lot of _____ (bushels) (pounds)."; (2) the original shall show the term Divided-Original instead of Original and the copies shall show the term Divided-Original (Copy) instead of the word Copy; (3) the serial number shown on the divided-original certificates shall be the same as the serial number shown on the original certificates except the serial number of the divided-original certificates shall include a serially numbered suffix; (4) the quantity of grain shown on the divided-original certificates shall be in accordance with the request for the certificates: *Provided*, That no divided-original certificates shall be issued which show, individually or in the aggregate, a quantity of grain in excess of the quantity shown on the original certificate. At the written request of the applicant, loading order numbers, purchase authorization numbers, reference numbers, contract numbers, letter of credit identifications, or other identifications may be shown on divided-original certificates: *Provided*, That the same identifications are shown on the original certificate.

* * * * *

11. Section 26.85(b) is revised as follows:

§ 26.85 Duties of official inspection personnel.

* * * * *

(b) *Inspection services.* Official inspection personnel shall perform requested inspection services (1) without discrimination, except as authorized in § 26.12; (2) as soon as practicable, except as authorized in §§ 26.10 and 26.11; (3) upon reasonable terms; and (4) by using approved safety procedures and safety equipment prescribed in the instructions by the Administrator.

12. Section 26.87 (b), (c), (d), and (e) are revised as follows:

§ 26.87 Conflicts of interest.

* * * * *

(b) *Other conflicts.* The kinds of activities specified in paragraphs (b) (1) through (5) of this section shall also be deemed to involve a conflict of interest if engaged in by official inspection personnel. No official inspection personnel shall:

(1) (i) Hold any appointive or elective office or position in any national, regional, State, or local grain industry group, organization, or association: *Provided*, That a grain inspection group, organization, or association shall not be deemed to be a grain industry group, organization, or association; or (ii) be employed by or otherwise work for any association, corporation, or other business entity owned or composed, in whole or in part, by persons who are financially interested in a grain elevator or warehouse or who are engaged in the merchandising of grain: *Provided*, That this restriction will not apply if neither such business entity, nor any of its officers or members, give any technical advice or technical direction to the official inspection personnel, or otherwise exercise any control, direct or indirect, over any of the technical aspects of the official in-

spection functions: *Provided, further,* That the physical presence of any officer or member of such a business entity in the inspection or testing quarters assigned to the official inspection personnel may, in the absence of a specific invitation by the personnel, be deemed to be a control, direct or indirect, over the technical aspects of the official inspection functions performed by such personnel.

(2) Be engaged in buying, selling, transporting, cleaning, elevating, storing, binning, mixing, blending, drying, treating, fumigating, or other preparation of grain (other than as a grower of grain, or the disposition of inspection samples); or in the business of cleaning, treating, or fitting of carriers or containers for transporting or storing grain; the merchandising for non-farm use of equipment for cleaning, drying, treating, fumigating, or otherwise processing, handling, or storing grain; or the merchandising of grain inspection equipment (other than buying or selling by official inspection personnel of such equipment for use in performance of their official inspection functions): *Provided,* That licensed employees of grain elevators or warehouses may obtain warehouseman's samples, as provided in § 26.6(d).

(3) Accept any fee or charge in excess of the published fee or charge or any favor, gift, loan, unusual discount, service, entertainment, or other thing of monetary value under circumstances in which such acceptance could result, or create the appearance of resulting in (i) the use of their office for undue private gain; (ii) an undertaking to give undue preferential treatment to any person; or (iii) any other loss of complete independence or impartiality in performance of official inspection functions.

(4) Participate (directly or otherwise) in any transaction concerning the purchase or sale of corporate stocks or bonds, commodities, or other property for speculative purposes if such action might tend to interfere with the proper and impartial performance of his duties or bring discredit upon the Department of Agriculture. Licensees and employees are not prohibited by this paragraph from making bona fide investments.

(5) Coerce or give the appearance of coercing any person to provide special or undue benefits to themselves as licensees or authorized employees.

(c) *Reports of interests.* Official inspection personnel shall report such information regarding their employment or other business interests as may be required at any time by the Administrator. (The filing of such reports, or the filing of an application for a license as provided in § 26.77, does not permit a licensee or authorized employee to have a conflict of interest prohibited by the Act or the regulations.)

(d) *Avoiding conflicts of interest.* Each licensee and each authorized employee shall at all times avoid acquiring any financial interest or engaging in any activity that would result in a violation of this section or § 26.86 or other violation of section 11 of the Act and shall not permit his spouse, minor children, or any blood relative who resides in his immediate household to acquire any such interest or engage in any such activity. For the purpose of this section, the interest of a spouse, minor child, or blood relative who is a resident of a licensee's or an authorized employee's immediate household shall be considered to be an interest of the licensee or employee.

(e) *Disposition of conflicting interests.* (1) Upon being advised that certain employment or other interest is in conflict with his official duties and that remedial action is required, the applicant, licensee, or authorized employee shall take immediate action to end the conflict of interest and advise the responsible officials of action taken in this respect.

(2) An applicant, licensee, or authorized employee who believes that remedial action will cause undue hardship may request a review and modification by forwarding to the Administrator either directly or through the field office, a written statement setting forth all the facts and circumstances with the reasons for the request or modification.

(3) If a final determination is made that a conflict of interest does, in fact, exist, failure to take immediate action to end the conflict of interest shall subject an applicant to the dismissal of his application; a licensee to administrative action against his license and criminal prosecution; and an authorized employee to disciplinary action and criminal prosecution.

* * * * *

13. Section 26.97(a)(16) is amended as follows:

§ 26.97 Application for designation.

(a) * * *

(16) The articles of incorporation if the applicant is incorporated and the names of current corporate officers.

* * * * *

14. Section 26.100(d) is revised and (j) is added as follows:

§ 26.100 Duties of official inspection agencies.

* * * * *

(d) *Training and supplies.* (1) Each official inspection agency shall provide its employees with training in: (i) Performing official inspection functions for which its employees are or have requested to be licensed; and (ii) the use of approved safety procedures and safety equipment prescribed in the instructions by the Administrator.

(2) Each official inspection agency shall supply its licensed personnel with (i) approved safety equipment; (ii) safety instructions prescribed by the Administrator; (iii) the official grain standards; (iv) an adequate supply of forms approved by the Administrator; and (v) other materials necessary for the conduct of official inspection functions.

* * * * *

(j) *Reports of ownership.* Each official inspection agency shall report such information regarding its ownership and operation as may be required by the Administrator.

15. Section 26.101 is amended by revising heading and paragraphs (a) and (c) as follows:

§ 26.101 Cancellation, amendment, transfer, suspension, and revocation of designation.

(a) *Voluntary cancellation, amendment, transfer, or suspension.* Upon request by an official inspection agency, and a showing of good cause, a designation to operate as an official inspection agency may be canceled, amended, transferred to another agency or person, or suspended for a definite or indefinite period of time in accordance with the following procedure:

(1) The request for the proposed cancellation, amendment, transfer, or suspension shall be made by the agency at least 90 days in advance of the proposed effective date of the action, and good cause shall be shown to support the request.

(2) The proposed action shall be published in the FEDERAL REGISTER and interested persons shall be given opportunity to present their views. Reasonable notice of the final action shall, insofar as practicable, be published in advance of the effective date: *Provided,* That if there is insufficient time to publish the final action in the FEDERAL REGISTER in advance of the effective date, and an interim designation for an official inspection agency appears warranted, such designation may be made by the Administrator in accordance with the provisions of paragraph (c) of this section.

(3) In the case of a transfer, the transferee must qualify under the requirements in § 26.96.

* * * * *

(c) *Replacement agency.* (1) If a designation for an official inspection agency is canceled, suspended, or revoked, and a replacement agency is deemed warranted, arrangements for a replacement agency shall be made by the Administrator after consultation with interested State departments of agriculture, official inspection agencies, users of the inspection service, and other interested persons, and insofar as practicable, in advance of the cancellation, suspension, or revocation. The need for a replacement agency shall be published in the FEDERAL REGISTER and interested persons shall be given opportunity to present their views. Reasonable notice of the final action shall be published in the FEDERAL REGISTER in advance of the effective date.

(2) If time or other circumstances action or the final action in a timely manner, and an interim designation for an official inspection agency is deemed warranted by the Administrator, notice of the interim designation shall be published in the FEDERAL REGISTER together with the effective period of the interim designation. Interested persons may sub-

mit comments on the interim designation.

16. Section 26.110(d) (1) and (3) are revised to read as follows:

§ 26.110 Mandatory inspection—export grain.

* * * * *

(d) *Sampling requirements.* (1) The inspection for official grade and official factor information must be based on official samples obtained from the grain as it is being loaded aboard, or while it is in the final carrier in which it is to be transported from the United States: *Provided,* That the inspection of sacked grain may be based on an initial inspection as the grain is being sacked and a final inspection as the sacks of grain are being loaded aboard the final carrier in which they are to be transported from the United States, in accordance with instructions issued by the Administrator.

* * * * *

(3) If the grain is sampled as it is being loaded aboard the carrier, the samples must be obtained after the final vertical elevation, at such place or places and in such manner as will obtain the most representative sample and otherwise in accordance with the instructions: *Provided,* That after November 1, 1975, all bulk export cargo grain shall be sampled by means of approved diverter-type mechanical samples: *Provided further,* That the Administrator may (i) extend the time to May 1, 1976, in specific cases for an export elevator to complete installation of diverter-type mechanical samplers if the elevator can show that diligent effort has been made to meet the November 1, 1975, deadline; (ii) waive such requirements for (*a*) classes of shipments of sacked grain, which are impracticable to sample with such samplers while the grain is being loaded aboard, or while it is in the final carrier, and (*b*) emergency situations involving mechanical or power failure.

* * * * *

17. Section 26.114(a) is revised as follows:

§ 26.114 Use of official grade designations, official inspection marks and other descriptions of or representations concerning grain.

(a) *Grade designations and marks.* Paragraph (a) (5) of section 13 of the Act prohibits any person from knowingly using any official grade designation or official inspection mark on any container of grain by means of a tag, label, or otherwise, unless the gain in such container was officially inspected on the basis of an official sample taken while the grain was being loaded into or was in such container and the grain was found to qualify for such designation or marks. The official grade designations are those specified in the official grain standards for the various grades of grain: e.g., U.S. No. 1 Hard Winter Wheat. The official inspection mark is the statement "Loaded Under Continuous Official Inspection," authorized for use in accordance with § 26.14(1).

* * * * *

(Secs. 12 and 16, 82 Stat. 766 and 768; 7 U.S.C. 87a and 87e; 37 FR 28464 and 28476.)

Effective date. The provisons shall become effective September 4, 1975.

Done in Washington, D.C. on: July 31, 1975.

JOHN C. BLUM,
Acting Administrator.

[FR Doc.75-20301 Filed 8-4-75;8:45 am]

federal register

TUESDAY, AUGUST 5, 1975

PART III:

FEDERAL ELECTION COMMISSION

■

CAMPAIGN FINANCING

Reporting of Debts and Obligations

Office Accounts and Franking Accounts; Excess Contributions

Pre-1975 Campaign Debts

Title 11—Federal Elections

CHAPTER I—FEDERAL ELECTION COMMISSION

[Notice 1975-20]

INTERIM GUIDELINE

Reporting of Debts and Obligations[1]

NOTE: To assure orderly development of the Code of Federal Regulations, it has been determined that the chapter assigned to the Federal Election Commission be redesignated from 11 CFR Chapter II to 11 CFR Chapter I. All interim guidelines published since the establishment of 11 CFR Chapter II on June 2, 1975 (40 FR 23832) are hereby redesignated as issuances under 11 CFR Chapter I.

1. OBLIGATION TO CONTINUOUSLY REPORT DEBTS AND OBLIGATIONS

a. All debts and obligations outstanding on June 30, 1975, and incurred by a candidate or political committee with respect to any election, shall be reported on Comp. Gen. Election Form 3, Senate Election Form 3, or H.R. Election Form 3 (available from the Commission), in accordance with the reporting schedule prescribed by 2 U.S.C. 434(a), until the debt or obligation is extinguished.

b. For purposes of this guideline an amount owed pursuant to a customary credit arrangement does not become a debt or obligation unless it remains unpaid for a period in excess of 45 days from the date a bill, statement or invoice is rendered (or other demand for payment is made) by the vendor; or, if earlier, 45 days from the date such bill would have ordinarily been rendered in the usual course of the vendor's business.

2. SPECIAL REPORT FOR CANDIDATE DEBTS OUTSTANDING ON JUNE 30, 1975

Any debts or obligations outstanding on June 30, 1975, which were not reported by a candidate, former candidate, or political committee in a report filed on or about July 10, 1975, shall be specially reported to the Commission by the candidate or former candidate by August 25, 1975, and thereafter in accordance with paragraph 1, above.

3. SEPARATE REPORTING FOR RETIRING PRE-1975 DEBTS

Contributions received and expenditures made solely for the purpose of retiring debts and obligations outstanding on June 30, 1975, and incurred in connection with an election held before January 1, 1975, shall be reported separately from contributions received and expenditures made with respect to an election occurring after January 1, 1975.

4. RESTRICTIONS ON CONTRIBUTIONS TO RETIRE PRE-1975 CAMPAIGN DEBTS

a. Hereafter, contributions made for the purpose of retiring a debt incurred in connection with an election held before January 1, 1975, and aggregating over $100 for calendar year 1975 from any person, may be received by a candidate, former candidate, or political committee only if the person making the contribution contemporaneously provides to the recipient a written statement restricting the use of such contribution to the retirement of debts or obligations incurred in connection with an election held before January 1, 1975.

b. Written and oral solicitations for contributions described in paragraph a shall clearly disclose (i) the purpose for which the contributions are to be used, and (ii) the requirement that persons making contributions aggregating over $100 in calendar year 1975, transmit to the recipient a written statement restricting the use of their contribution to the retirement of debts incurred in connection with an election held before January 1, 1975.

Dated: July 31, 1975.

THOMAS B. CURTIS,
Chairman for the
Federal Election Commission.

[FR Doc.75-20365 Filed 8-4-75;8:45 am]

[1] (See advisory opinions AO:1975-5 and AO:1975-6, published July 25, 1975, at 40 FR 31316)

FEDERAL ELECTION COMMISSION

[11 CFR Part 113]

[Notice 1975-18]

OFFICE ACCOUNTS AND FRANKING ACCOUNTS; EXCESS CAMPAIGN CONTRIBUTIONS

Notice of Proposed Rulemaking

The Federal Election Commission today published a proposed regulation concerning the treatment of office accounts and franking accounts of members of Congress and the treatment of excess campaign funds. Generally, contributions to and expenditures from office accounts are treated as political and therefore are included in the determination of campaign limitations. Funds appropriated for legislative activities are not included in contribution and expenditure totals. Funds contributed and expended for the preparation and printing of matter sent under the frank are not included in contribution and expenditure totals.

Excess campaign funds are treated as follows: funds expended by December 31 of the election year are treated as expenditures for the last election of that year; funds expended after December 31 are treated as expenditures for the next election.

AUTHORITY: This regulation is proposed under authority of 2 U.S.C. 437d(a)(8), 437d(a)(9) and 439a.

Comment Period. Interested persons are invited to submit written comments on this proposed regulation to the Federal Election Commission, Office of General Counsel, Rulemaking Section, 1325 K Street, NW., Washington, D.C. 20463. Comments should be received on or before September 4, 1975.

Effective Date. This regulation shall become effective on a date specified in a future notice published in the FEDERAL REGISTER, which effective date shall not be less than 30 calendar days after the date of this Notice of Proposed Rulemaking.

It is proposed that 11 CFR Part 113 be promulgated as follows:

PART 113—OFFICE ACCOUNTS AND FRANKING ACCOUNTS; EXCESS CAMPAIGN CONTRIBUTIONS

Sec.

113.1 Definitions.
113.2 Contribution and Expenditure Limitations and Prohibitions.
113.3 Deposits of Funds into Office and Franking Accounts.
113.4 Reports of Franking Accounts.
113.5 Reports of Office Accounts.
113.6 Excess Campaign Funds.

Authority: 2 U.S.C. 437d(a)(8), 437d(a)(9) and 439a.

§ 113.1 Definitions.

(a) *Commission.* "Commission" means the Federal Election Commission, 1325 K Street, NW., Washington, D.C. 20463, (202) 382-5162.

(b) *Excess campaign funds.* "Excess campaign funds" means the surplus of campaign receipts, including all contributions, sales and income, over campaign expenditures.

(c) *Franking account.* "Franking account" means an account which is used exclusively for the purpose of receiving and expending funds pursuant to 39 U.S.C. 3210. Such funds may not be transferred to any other account or political committee.

(d) *Office account.* "Office account" means an account other than a franking account which is used for the purpose of supporting the activities of a federal officeholder.

(e) *Principal campaign committee.* "Principal campaign committee" means the political committee designated by a candidate as his or her principal campaign committee pursuant to 2 U.S.C. 432(f)(1).

(f) *Legislative activities.* "Legislative activities" means those activities which are paid for solely out of appropriations approved by either or both houses of Congress, for use by members and members-elect of Congress. Such appropriations include but are not limited to those for salaries, constituent services, stationery, travel and general office expenses.

§ 113.2 Contribution and expenditure limitations and prohibitions.

(a) All funds including but not limited to gifts, loans, advances, credits or deposits of money or any other thing of value which are received or expended by an incumbent or elected holder of a federal office for the purpose of supporting his or her activities as a holder of such office shall be considered contributions or expenditures subject to the limitations of 18 U.S.C. 608, 610, 611, 613, 614 and 615.

(b) Notwithstanding subsection (a) of this section the limitations of 18 U.S.C. 608 do not apply (1) when a contributor states in writing that the contribution is to be used exclusively for expenditures made pursuant to 39 U.S.C. 3210, provided that such contributions shall be deposited in a franking account, or (2) when expenditures are made from funds provided for legislative activities.

§ 113.3 Deposits of Funds into Office and Franking Accounts.

Except for funds appropriated for legislative activities, all funds received by or on behalf of a federal officeholder for the purpose of supporting his or her activities as a holder of such office shall be deposited into one of the following accounts:

(a) An account of the officeholder's principal campaign committee, pursuant to 2 U.S.C. 437b, or

(b) A franking account, or

(c) An office account, pursuant to 2 U.S.C. 437b.

§ 113.4 Reports of Franking Accounts.

(a) All individuals having franking accounts shall file reports with the Commission on April 10 and October 10 of each year.

(b) The April 10 report shall include all receipts and expenditures made from October 1 of the prior year to March 31 of each year. The October 10 report shall include all receipts and expenditures made from April 1 to September 30 of each year. These reporting obligations shall be effective prospectively on the effective date of this regulation (designated Part 113).

(c) Such reports shall include the name, address, occupation and principal place of business of all persons making contributions aggregating in excess of $100 during the reporting period. Such reports shall include the name and address of all persons receiving expenditures aggregating more than $100 during the reporting period.

(d) Forms will be provided by the Commission to implement this section.

§ 113.5 Reports of Office Accounts.

(a) All individuals having office accounts shall report as if such account is a political committee, and on forms provided for that purpose, pursuant to 2 U.S.C. 434.

(b) If the officeholder, former officeholder, or candidate has designated a principal campaign committee such individual shall file the reports required by this section with such principal campaign committee.

(c) If the officeholder, former officeholder, or candidate has not designated a principal campaign committee such individual shall file the reports required by this section with the Commission.

§ 113.6 Excess Campaign Funds.

(a) A principal campaign committee may transfer excess campaign funds to an office account, a franking account, an organization described in 26 U.S.C. 170(c), or for any other lawful purpose.

(b) Excess campaign funds expended on or before December 31 in an election year will be considered expenditures for the last election of that year. Excess campaign funds not expended or transferred by Decemer 31 of an election year will be considered expenditures for the next election when they are expended or transferred. Except for transfers to a franking account, such expenditures, whether made before or after December 31 of an election year, are subject to the expenditure limitations of 18 U.S.C. 608(c).

Dated: July 31, 1975.

THOMAS B. CURTIS,
Chairman for the Federal Election Commission.

[FR Doc.75-20366 Filed 8-4-75;8:45 am]

FEDERAL ELECTION COMMISSION

[Notice 1975–19]

POLICY STATEMENT

Pre-1975 Campaign Debts

Under its statutory authority in 2 U.S.C. § 437d(a)(9) to formulate general policy with respect to the administration of 18 U.S.C. 608, inter alia, the Federal Election Commission adopts the following policy as to contributions and expenditures made after January 1, 1975, but relating to the retirement of debts incurred in connection with elections held before January 1, 1975.

As used in 18 U.S.C. 608(b)(1) and (2), the language "with respect to any election for Federal office * * *" means any election occurring after January 1, 1975, with the result that contributions made for the sole purpose of retiring campaign debts incurred incident to an election held before January 1, 1975, are not subject to the limits in 18 U.S.C. 608(b), as amended in 1974 and effective January 1, 1975. The expenditure of such contributions is accordingly not subject to the limits in 18 U.S.C. 608(c).

However, to prevent attribution of such contributions to the above cited limitations, as applicable to elections held after January 1, 1975, all solicitations for contributions to retire debts incurred with respect to pre–1975 elections must include clear notice of that purpose. Furthermore, persons making contributions aggregating over $100 in a calendar year for that purpose must restrict them in writing to application to past debts. These restricted contributions must be received by the close of December 31, 1975, to avoid the possibility of charging them against contribution limitations prescribed by the 1974 Act and applicable to any election held after January 1, 1975.

The Commission further states that under section 101(c) of the Federal Election Campaign Act Amendments of 1974 (Pub. L. 93–443), expenditures from personal funds of a candidate or his or her immediate family may be made without limitation as to time or amount, for the purpose of extinguishing debts and obligations outstanding on October 15, 1974, and incurred in connection with any campaign for Federal office ending before the close of December 31, 1972. Other campaign debts related to elections held before January 1, 1975, are subject to the personal fund expenditure limits in 18 U.S.C. § 608(a) as effective April 7, 1972, and amended in 1974.

The Commission has today issued an interim guideline which applies to the reporting of the transactions described above. Both this policy statement and the interim guideline are issued to indicate the general applicability of the Commission's advisory opinions AO: 1975–5 and AO: 1975–6, published on July 25, 1975 at 40 FR 31316.

Dated: July 31, 1975.

THOMAS B. CURTIS,
Chairman for the
Federal Election Commission.

[FR Doc.75-20364 Filed 8-4-75;8:45 am]

federal register

TUESDAY, AUGUST 5, 1975

PART IV:

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Social and Rehabilitation Service

■

FINANCIAL ASSISTANCE PROGRAM

Quality Control Systems

Title 45—Public Welfare

CHAPTER II—SOCIAL AND REHABILITATION SERVICE (ASSISTANCE PROGRAMS), DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

PART 205—GENERAL ADMINISTRATION—PUBLIC ASSISTANCE PROGRAMS

PART 206—APPLICATION, DETERMINATION OF ELIGIBILITY AND FURNISHING ASSISTANCE—PUBLIC ASSISTANCE PROGRAMS

PART 233—COVERAGE AND CONDITIONS OF ELIGIBILITY IN FINANCIAL ASSISTANCE PROGRAMS

Quality Control System

Notice of proposed rulemaking was published in the FEDERAL REGISTER (40 FR 21737) on May 19, 1975, to announce proposals for amending §§ 205.40, 205.41, 206.10, and 233.10 of Chapter II, Title 45 of the Code of Federal Regulations relating to the program of Quality Control for Aid to Families with Dependent Children. Final Regulations had previously been published on April 6, 1973 (38 FR 8743) after notice of proposed rulemaking published on December 5, 1972 (37 FR 25853). Revisions to regulations regarding this program had been published in final form on October 18, 1974 (39 FR 37195) after notice of proposed rulemaking published on August 19, 1974 (39 FR 29935).

Comments on the May 19 proposals were received from twenty-five State welfare departments, five local welfare departments, four members of Congress, and three interested private organizations. Many of the comments related to aspects of the regulations which have been in effect since April 6, 1973, and which were not altered by the May 19 notice of proposed rulemaking, i.e. use of Quality Control for purposes of disallowing Federal funds; States' ability to attain the established tolerance levels for erroneous payments; inclusion of erroneous payments occasioned by "client error" in State Quality Control samples; and the alleged violation of the Federal-State partnership by the disallowance of Federal financial participation pursuant to the Quality Control program. These concerns were responded to in 1973, and the Department's positions on these matters remain unchanged.

Numerous comments were also reeceived which were specifically responsive to the proposed revisions. In light of the comments and suggestions received, the proposed revisions of May 19 have been amended and set forth below, and, as amended, are herein adopted.

As originally proposed, the revisions added a requirement at 45 CFR 206.10 that a State plan specify a budget period and payment month as defined therein. Proposed revisions to 45 CFR 205.40 and .41 established definitions for the terms underpayment, overpayment, ineligibility and what constitutes a case error for Quality Control purposes. These definitions were related to a payment month and budget period established by each State, so as to provide States an administrative period of up to 34 days during which an assistance unit's change in circumstances affecting eligibility for and the amount of assistance payment occurring therein which are not reflected in the subsequent assistance grant would not be considered a case error for Quality Control purposes. However, only those States which utilized a system of prior month budgeting in determining such eligibility for an amount of an assistance payment would have been provided with such an administrative period.

Many comments favored the providing of such an administrative period. However, many of these comments also expressed a general confusion regarding the specific application of the budget period and payment month concept to the Quality Control program. Moreover, these comments indicated to the Department that the proposed revisions would require many States to substantially modify their accounting procedures immediately to take advantage of such an administrative grace period. Thus, many of these comments requested that the implementation of these regulations be postponed until the application of these terms could be clarified and commented upon.

Other comments argued that by providing only those States which utilize prior month budgeting with an administrative period, the revisions had the effect of indirectly mandating such budgeting. These comments suggested that this indirect mandating of prior month budgeting would contravene extant Deparment regulations interpreting the Social Security Act, and would also violate requirements of the Administrative Procedure Act regarding notice and comment procedures. Such comments also suggested that if the Department did encourage prior month budgeting through the Quality Control regulations, some provision should be made to enable States to aid recipients who are placed in undue hardship because of such a budgeting system.

In response to these comments, the proposed regulations have been modified to delete the requirements of specifying a payment month and budget period, and to set forth a uniform administrative period which the Department considers to be a reasonable amount of time during which States would not be held accountable for their failure to reflect changes in the circumstances of an assistance unit which affect the eligibility for or the amount of the assistance payment. This modification is in no way intended to indicate that the Department does not favor the system of prior month budgeting. Rather the basis and purpose of this revision is the Department's desire to simplify at present the concept of what constitutes a case error for Quality Control purposes, and to provide all States with an administrative period regardless of their present accounting procedures.

Specifically, the revision herein adopted deletes the proposed modifications to § 206.10 (a)(13) and (b) (i.e., the requirement that States' plans specify a budget period and payment month along with the respective definitions of those terms).

Additionally, the regulations as adopted herein delete all references to payment month and budget period contained in the proposed revisions of 45 CFR 205.40 and .41. Further, 45 CFR 205.40 is amended to add subsection(b)(2) which requires that notwithstanding 45 CFR 206.10, States shall consider a case error to exist for Quality Control purposes when any change in circumstances affecting eligibility for or the amount of the assistance payment has not been accurately reflected in a terminated or adjusted payment by the second subsequent month following the month in which the change of circumstances occurred, unless assistance is being continued as required because a hearing has been requested pursuant to 45 CFR 205.10. However, if a State reflects such a change in an assistance unit's circumstances in an assistance payment prior to the payment for the second month following the month in which the change occurs, it must do so accurately, or a case error exists.

When assistance is being continued as a result of a hearing request, the prescribed time for reflecting a change in the assistance unit's circumstances (which alters his eligibility for or the amount of a payment) begins on the date upon which an initial hearing decision is rendered. The reference in this provision of 45 CFR 205.40 to 45 CFR 206.10 reflects the relationship between that provision and the Department's policies regarding requirements upon States to reconsider a recipient's eligibility provided in § 206.10. The Department believes that it would be unrealistic to require a State plan to provide that a State agency must promptly reconsider eligibility after a change in circumstances occurs of which the State is not aware, for a State obviously cannot be required to reconsider that of which it is unaware. Moreover, such a plan requirement would subject a State to compliance procedures should it fail to substantially comply with that provision of its State plan, with the possibility of a resulting discontinuance of all Federal funds for its AFDC program pursuant to section 404 of the Social Security Act (and sections 4, 1004, 1404 and 1604 for programs established pursuant to titles I, X, XIV, and XVI (AABD) for Guam, Puerto Rico, and the Virgin Islands). Thus, 45 CFR 206.10 provides for prompt reconsideration only where a State agency has knowledge of a recipient's change in circumstances.

However, an erroneous payment is no less an erroneous payment simply because it was occasioned by a change in an assistance unit's circumstances of which the State is not aware. Thus, based on the Department's belief that it is incumbent upon States to develop methods of discovering these changes in a recipient's circumstances (and to thereby

eliminate erroneous payments caused by such changes) it is the purpose of these regulations to provide that any such changes in circumstances which are not reflected in the assistance unit's assistance payment (or termination from assistance) within the prescribed time limits are considered to be case errors for Quality Control purposes, notwithstanding the absence of States' knowledge of these changes. Failure to require inclusion of such erroneous payments as case errors would provide a disincentive to States' development and application of methods to discover such changes in circumstances, thereby vitiating a primary purpose of the Quality Control program, i.e., the elimination of erroneous State payments.

45 CFR 205.40 is revised for the purpose of providing that Quality Control reviewers will review against "permissible State practices" instead of the State plan in determining whether a case error exists. "Permissible State practices" encompass written State policy materials which are consistent with the State's plan, and written policy materials which incorporate and are consistent with amendments to the State's plan which have been submitted to, but have not been acted upon by SRS. The purpose of these revisions is to permit States to put such proposed AFDC amendments into effect (subject to unavailability of FFP if the amendments are not approved) without having assistance payments which are made based upon these amendments being classified as a case errors.

The basis for these revisions is to conform the Quality Control program to Department regulations which provide for Federal financial participation in State AFDC payments which were made in conformity with approvable State plan amendments, i.e., payments made consistent with, and subsequent to the submittal to SRS of, an amendment to a State's plan which is later approved by the Service. Since the Department will participate in payments made pursuant to plan amendments which are ultimately approved, retroactive to the first day of the calendar quarter in which such approvable amendments are submitted if then in effect on a statewide basis, it would be improper to consider such payments case errors. Moreover, if the plan amendment is ultimately disapproved, the Department will not participate in payments made pursuant to the proposed amendment. Thus, any funds misspent as a result of such a State plan amendment will be totally State funds, and it would therefore be improper to consider such payments as case errors.

However, since one purpose of Quality Control is to monitor the accuracy of State AFDC payments as of the time they were made, it is necessary for Quality Control reviewers to have some tangible evidence of State policy as it existed at that time. Therefore, such State plan amendments must be reflected by written policy issued by the State which is effective on the date upon which an assistance payment is made, if those amendments are to be applied in determining whether the assistance payment constitutes a case error.

With the exception of technical amendments to conform the definitions of ineligibility, overpayment, and underpayment to the revised policies of providing a uniform budget period and of reviewing against "permissible State practices" stated above, the definitions of those terms, as adopted herein, remain substantially the same as in the proposed revisions of May 19. Thus, as in the proposed revisions, a payment for ineligibility exists where an assistance payment is made to an assistance unit in which no member would have been eligible for assistance, whereas an overpayment or underpayment occurs when an assistance unit receives a payment in a differing amount than that for which it would have been eligible under "permissible State practices."

As an example, if an assistance unit received an assistance payment on the basis that four individuals within that unit were eligible for financial assistance but, in fact, only three were eligible for assistance under "permissible State practices" that payment constitutes an overpayment (in the amount of that payment which represented the needs of the ineligible individual). On the other hand, if an assistance payment was provided on behalf of an assistance unit in which no member was eligible for financial assistance, that payment would constitute a payment for ineligibility in the total amount of the payment.

However, unlike the proposed revisions, the revisions hereinadopted specify that a payment which is in error by less than $5.00 will not constitute an overpayment or underpayment. The purpose of this modification is to reflect the Department's determination not to fault States for overpayments and underpayments of insignificant amounts.

As in the proposed revisions, the modifications adopted herein define case error as any case in which there is a payment for ineligibility, overpayment, or underpayment (as defined in the regulation). Additionally, the definition of case error, like § 205.40(b)(2), adopted herein reflects a Departmental recognition that under present State systems of administration, it is difficult if not impossible immediately to reflect a change in circumstances affecting eligibility for or the amount of assistance in the assistance payment. However, as mentioned above, for the purpose of providing all States with an administrative period within which to consider and reflect such changes in circumstances, and to simplify the application of the administrative period to the Quality Control program, the revisions adopted herein provide that for Quality Control purposes, an overpayment, underpayment, or payment for ineligibility which is occasioned solely by an assistance unit's change in circumstances which occurs within the month for which an assistance payment is made or the month immediately preceding that month will not be considered a case error. Thus, in essence, a State must reflect such a change in the assistance unit's circumstances by the assistance payment for the second month following the month in which the change in circumstances occurs. This time period is based on the Department's determination that this encompasses a reasonable time period for States to discover any change, redetermine a recipient's eligibility for a certain payment level under "permissible State practices", send notice of reduction or termination as required in 45 CFR 205.10, and reflect the change in the grant. If, during this time period, a recipient requests a hearing and the grant is required to be continued unadjusted pending an initial decision pursuant to 45 CFR 205.10, unadjusted payments will not constitute a case error. However, after a hearing decision is rendered which affects eligibility for or the amount of the assistance to which the assistance unit is entitled, the State must accurately reflect the result of that decision in the payment for the second month following the month in which the decision is rendered, and any overpayment, underpayment, or payment for ineligibility occurring after that period will be considered a case error. The definition of case error also provides that if a State reflects a change in the assistance unit's circumstances in a payment prior to the payment for the second month following the month in which such a change occurs, it must do so accurately or a case error will exist. The basis of this is the Department's desire that when States take corrective action, they do so correctly. The purpose of the Quality Control program is not served by encouraging States to incorrectly reflect changes in circumstances.

The proposed revisions to § 205.41 also provided for the use of two error rates; one based on the lower limit at the 95% confidence level of a statistical regression formula for the purpose of disallowing Federal financial participation, and another based on the application of the regression formula, as opposed to the lower limit of that formula, for purposes of analyzing findings of their Quality Control systems and for taking appropriate corrective action. After further analysis, the Department recognizes that it is not administratively feasible for States to analyze findings of their systems and to take appropriate corrective action on the basis of figures derived from the application of the regression formula. Therefore, for analysis purposes the revisions herein adopted provide for using the error rates derived from the States' full samples adjusted on a case-by-case basis for differences found in the Federal subsample. However, the revisions herein adopted retain the proposed revision that the Department will use the lower limit at the 95% confidence level of a statistical regression formula for the purpose of disallowing Federal financial participation in order to minimize the chance of overstating States' actual case error rates. The lower limit at the 95% confidence level will generally understate the actual case error rate so that no State is unjustly denied Federal funds.

Further, the Department will publish error rates derived from the application of the regression formula as official error rates. The reason for publishing these error rates is that this actual figure derived from the application of the regression formula is the "best estimate" of a State's case error rate of erroneous payments.

The revisions adopted herein also contain technical amendments to sections 45 CFR 205.40 and 41 to conform those provisions with the modifications described above (including the addition of a definition of review month) and to indicate the proper SRS form and Information Memorandum numbers.

Further, the definition of assistance unit is revised for the purpose of clarifying the Department's position that the assistanee unit encompasses all individuals whose needs must be considered in determining the eligibility for and the amount of assistance "permissible State practices" notwithstanding the State's failure to consider the needs of any of those individuals (or consideration of the needs of other individuals not covered under the plan) in making an assistance payment.

45 CFR 233.10(a)(3) as modified in the proposed revision of May 19 is hereby deleted, since that provision was revised to make that section consistent with the proposed revisions to 45 CFR 205.40 and 205.41. A new provision at 45 CFR 233.10(a)(5) is herein added for the purpose of conforming regulations at that section with 45 CFR 205.40 and 205.41 herein adopted. Thus the provision herein adopted serves the purpose of providing that where a change in circumstances makes an individual ineligible or eligible for a smaller amount of assistance, Federal financial participation will not be available in payments made after the month following the month in which the change of circumstances occurs to the extent that the assistance exceeds the amount to which the recipent should have been entitled under the State plan; except that where assistance is required to be continued pending a hearing request pursuant to 45 CFR 205.10, Federal financial participation will be provided in the amount of any unadjusted payment for up to one month after an initial hearing decision is rendered.

As discussed in the preamble to the proposed revision of May 19, to the extent that provisions of the *Handbook for Public Assistance Administration* (specifically sections 5512 and 5514 of Part IV therein) conflict with this provision and 45 CFR 205.41, they are hereby superseded.

The proposed revisions of May 19 also removed the extant provision at 45 CFR 233.10(b)(3). That provision provides for Federal financial participation in assistance payments for an entire month if for any portion of the month the recipient met all of the Federal eligibility conditions. The initial basis for the deletion of this provision was that the provision as presently worded would permit States to validate payemnts for ineligibility, overpayments, and underpayments subsequent to their being drawn for the Quality Control sample without correcting erroneous payments to individuals in similar circumstances who were not included in the sample. Thus, as initially worded, the provision could have permited States to distort their Quality Control samples.

After reflecting upon this subject, the Department believes that it is desirable to permit States to make an assistance payment for a total month where an individual is eligible for a portion of the month provided that the individual is eligible for assistance on the date on which payment is actually made. Thus, to achieve this purpose, the extant § 233.10(b)(3) is retained, but modified to comport with this policy.

45 CFR 206.10(a)(9)(ii) as revised in the proposed revision is herein adopted.

Comments were also received which were responsive to the proposed revisions which after consideration did not result in any modification of those revisions. These comments primarily covered the following concerns:

(1) An incentive should be provided in the regulations for States to reduce underpayments by providing that an offset to States whose underpayment rates fall below the 5% underpayments tolerance level could somehow be applied to ineligibility and overpayment disallowance.

(2) Tolerances should be based on percentages of dollars paid erroneously rather than on total cases in error.

(3) States should not be required to submit corrective action plans to reduce their levels of erroneous payments once the prescribed tolerance levels for disallowance purposes are met.

(4) The use of the lower limit at the 95% confidence level of a statistical regression formula for purposes of disallowing Federal financial participation is an improvement of the Department's prior practice of utilizing the rates obtained in the State full sample adjusted for differences found in the Federal subsample.

(5) The use of the regression formula in determining case error rates can result in Federal findings replacing State findings.

(6) The Department's statement in the preamble to the proposed revision that to the extent that the revised regulations conflict with the *Handbook for Public Assistance* the Handbook is superseded, is unreasonable. Individual workers are not capable of resolving such conflicts.

The Department's response to these comments is as follows:

(1) SRS will examine the possibility of providing an incentive for States to reduce underpayments by providing an offset as suggested. If such a suggestion proves feasible and legally permissible, it will be issued for comment as a proposed regulation. However, even in the absence of such a provision, the integrity of the AFDC program and the desire to provide the proper amount of assistance to which eligible assistance units are entitled should act as incentives to States in reducing their levels of erroneous underpayments.

(2) The regulations provide that the case error rate is to be converted to a dollar rate for purposes of disallowing Federal financial participation. Additionally, one of the purposes of Quality Control as stated in the preamble to the proposed regulations is the maintaining of the integrity of the public fiscal (thereby maintaining public confidence in the program). The purpose of maintaining such public confidence in the integrity of the AFDC program is fostered by requiring States to reduce their level of erroneous payments to a reasonable number of cases as well as a reasonable dollar limitation. Thus, for reporting purposes, States are required to submit their rates of erroneous payments in terms of cases as well as dollars, and it is reasonable that such case error rates be taken into consideration regarding the disallowance of Federal financial participation.

(3) As indicated in the preamble to the proposed revisions of May 19, the 3 and 5% tolerance levels for overpayments, underpayments, and payments to ineligibles represent the Department's awareness that, under administrative structures presently existing in most States, a requirement at this time that all States eliminate all erroneous payments, with a resultant disallowance of Federal financial participation in any erroneous overpayments or payments to ineligibles, is unrealistic. However, the inclusion of these tolerance levels in the Quality Control regulations was never intended to relieve States from any requirements for taking appropriate corrective action to further reduce their levels of erroneous payments once these tolerance levels are met. Rather these tolerance levels constitute only the minimum levels of acceptability, and, once the States meet these levels, they are expected to take appropriate corrective action to further reduce erroneous payments. The Department believes that it is only through a vigorous program of corrective action in reducing erroneous payments to the greatest extent possible that the maintenance of public confidence in the AFDC program can be retained.

(4) No response is necessary to this comment.

(5) It is true that the use of the regression formula in determining case error rates can result in Federal findings replacing State findings in certain instances. The regression formula is used for determining accurate case error rates. Differences between the State Quality Control sample and the Federal subsample take place when the State agency is not properly determining where case errors exist as required by the Quality Control regulations and implementing materials. If States are conforming to the standards set forth under such regulations and implementing materials in their samples, there will be a high correlation, case by case, between the State initial findings and the final Federal find-

ings in the Federal subsample. In such instances, the error rate derived from the application of the regression formula will be substantially the same as the State initial error rate. Only where there is no correlation, case by case, between such State and Federal findings, will the derived error rate be the Federal error rate in the Federal subsample. The Department believes it is unlikely that this situation will ever arise.

(6) The promulgation of a regulation which conflicts with a provision in the *Handbook for Public Assistance Administration* automatically results in the superseding of the *Handbook* provision. It is impossible to envision and describe every possible conflict which could arise between the Quality Control regulations and the *Handbook* provisions. The Department believes that it is reasonable to require that where such conflicts arise, State agency employees will follow the Quality Control regulations.

Sections 205.40, 205.41, 206.10, and 233.10 of Chapter II, Title 45 of the Code of Federal Regulations are revised to read as follows:

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

1. Section 205.40 is revised to read as set forth below:

§ 205.40 Quality control system.

(a) *Definitions.* For purposes of this section and § 205.41, notwithstanding any other regulations in this chapter:

(1) *"Assistance unit"* means all individuals whose needs, income, and resources are to be considered in determining eligibility for the amount of an assistance payment for which Federal financial participation is claimed under this chapter.

(2) *"Case error"* means an overpayment, underpayment or payment for ineligibility, as defined in this section. However, where an overpayment, underpayment or payment for ineligibility is occasioned solely by the failure of the assistance payment to reflect changes in an assistance unit's circumstances which occurred in the review month or the month (calendar or fiscal) immediately preceding the review month, no case error will exist (unless the assistance payment was, in fact, adjusted inaccurately as a result of such a change). For purposes of this definition, a hearing decision which required adjustment or termination of the assistance payment is considered a change in circumstances. The determination as to whether an assistance payment constitutes a case error will be made in accordance with procedures specified in the Quality Control Manual. There is no case error where payment is required to be continued unadjusted because a hearing has been requested.

(3) *"Ineligibility"* refers to a financial assistance payment received by or for an assistance unit, for the review month, when no amount of such payment should have been paid to such assistance unit under permissible State practice (as defined herein) in effect on the first day of the review month, notwithstanding the State agency's failure to make a finding under § 206.10(a)(5) of this chapter.

(4) *"Overpayment"* means a financial assistance payment received by or for an assistance unit, for the review month, which is in excess by at least $5.00 of the amount that should have been paid, to such assistance unit under permissible State practice (as defined herein) in effect on the first day of the review month.

(5) *"Underpayment"* means a financial assistance payment received by or for an assistance unit for the review month which is at least $5.00 less than the amount that should have been paid, to such assistance unit under permissible State practice (as defined herein) in effect on the first day of the review month.

(6) *"Review month"* means the specific period of time for which a particular financial assistance payment (or two successive payments where the State pays on a semi-monthly basis) under review is received, regardless of whether that period is a calendar month or a fiscal month.

(7) *"Permissible State practice"* means all written policy instructions issued by the State for administering the AFDC program so long as those written instructions are consistent with either the State plan or proposed amendments thereto which have been submitted to, but have not been acted upon by the Social and Rehabilitation Service. In all instances where such written instructions are not consistent with the State plan or such amendments thereto, permissible State practice means the provisions of the State plan.

(b) *State plan requirements.*—A State plan under title IV–A or I, X, XIV or XVI of the Social Security Act must provide for a continuing system of quality control for assuring that assistance is furnished in accordance with permissible State practice (as defined herein). Under this requirement:

(1) The State agency's system of quality control shall:

(i) Apply the sampling methods and schedules in accordance with instructions prescribed by the Social and Rehabilitation Service;

(ii) Conduct field investigations, including a personal interview in all cases which fall within the sample;

(iii) Provide for the necessary resources, organizational structure and systems for the analysis of the findings of the system;

(iv) Take appropriate corrective action on improperly authorized assistance and system weaknesses: and

(v) Assure access by DHEW staff to State and local records relating to public assistance, to recipients, and to third parties.

(2) Notwithstanding the provisions of § 206.10(a)9 of this Chapter, the State agency shall count as a case error in its Quality Control sample, any case in which a in circumstances which affects eligibility or the amount of the assistance payment is not correctly reflected in a terminated or adjusted payment by the second month following the month in which the change of circumstances occurred, unless assistance is continued unadjusted because a hearing has been requested; except that where the change in circumstances is improperly reflected in an assistance payment prior to the second month following the month in which the change of circumstances occurred, the State agency shall consider that a case error exists. Under this requirement, a hearing decision which affects eligibility or the amount of the assistance payment is a change in circumstances.

(3) The State agency shall submit to the Social and Rehabilitation Service, in such form and at such times as it prescribes:

(i) A description of the State's sampling plan;

(ii) On a monthly basis during the 6-month sampling period, for each sample case in the State Quality Control review, the original finding on the amount of the assistance payment and, where a case error has been determined to exist in such payment, the amount by which the payment was in error, and the type of error, i.e. whether the error was an overpayment, underpayment, or payment to an ineligible;

(iii) Data required by Forms SRS–QC 341.1 and 341.1A, within 60 days of the close of the 6-month sampling period to which such data apply;

(iv) A corrective action plan for reducing the case error rates of ineligibility, overpayments, and underpayments, within 90 days of the close of the 6-month sampling period to which they apply, even after achieving the case error rates specified in paragraph (a) of § 205.41 of this chapter; and

(v) Data required by Forms SRS–QC 341.2, 341.3 and 341.4, at the same time the corrective action plan is submitted.

2. Section 205.41 is revised to read as set forth below:

§ 205.41 Federal financial participation in relation to erroneous State payments.

(a) Effective with the July–December 1975 Quality Control sampling period and for periods thereafter, the case error rates shall be deemed to be within tolerance if they do not exceed:

(1) 3% for ineligibility;

(2) 5% for overpayments; and

(3) 5% for underpayments.

(b) There shall be excluded from Federal financial participation in payments as Aid to Families with Dependent Children that portion of a State's expenditures for ineligibility, represented by the case error rate in excess of 3%, commencing with the July December, 1975 Quality Control sampling period and for subsequent 6-month sampling periods.

(c) There shall be excluded from Federal financial participation in payments as Aid to Families with Dependent Children that portion of a State's expenditures for overpayments, represented by the case error rate in excess of 5%, commencing with the July December, 1975

Quality Control sampling period and for subsequent 6-month sampling periods.

(d) The case error rates for ineligibility and overpayments in excess of 3% and 5%, respectively, shall be converted to dollar error rates in determining the amount to be excluded from Federal financial participation. The dollar error rates shall be applied to the Federal share of expenditures for assistance payments made during the sampling period, excluding payments for emergency assistance, AFDC foster care and presumptive eligibility, and vendor payments.

(e) The amount to be excluded from Federal financial participation shall be based on error rates determined by the Social and Rehabilitation Service on the basis of State quality control data and Federal quality control sub-sample data. In computing case error rates and dollar error rates for purposes of determining any such exclusions, the Service will use the lower limit at the 95% confidence level of a statistical regression formula applied to case and dollar error rates obtained from both the State and Federal data. For purposes of analyzing findings of the system and for taking corrective action as required by § 205.40 of this chapter, the Service will use the figures derived from the State full sample adjusted for differences found in the Federal subsample as case and dollar error rates as opposed to using such lower limit. The dollar conversion formula and the regression formula methodology limit are described in the Information Memorandum issued by the Social and Rehabilitation Service. (SRS–IM 75–11 (AO), dated June 13, 1975.)

(f) For Guam, Puerto Rico, and the Virgin Islands, this section is also applicable to public assistance under title I, X, XIV, or XVI of the Social Security Act, except that the State expenditures for ineligibility and overpayment, in excess of the 3% and 5% tolerance levels, shall be excluded from Federal financial participation only to the extent that such excess is greater than the portion of State expenditures that is eligible for Federal financial participation but is not participated in because of the statutory limitations on Federal funds payable to these jurisdictions.

3. Section 206.10 is amended by revising paragraph (a)(9) and paragraph (b), as set forth below:

§ 206.10 Application, determination of eligibility and furnishing of assistance.

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

* * * * *

(9) Where an individual has been determined to be eligible, eligibility will be reconsidered or redetermined:

(i) When required on the basis of information the agency has obtained previously about anticipated changes in the individual's situation;

(ii) Promptly, after a report is obtained which indicates changes in the individual's circumstances that may affect the amount of assistance to which he is entitled or may make him ineligible; and

(iii) Periodically, within agency-established time standards, but not less frequently than every 6 months in AFDC, and every 12 months in the other categories, including medical assistance, on eligibility factors subject to change.

* * * * *

(b) *Definitions.* For purposes of this section:

(1) "Applicant" is a person who has, directly, or through his authorized representative, or where incompetent or incapacitated, through someone acting responsibly for him, made application for public assistance from the agency administering the program, and whose application has not been terminated.

(2) "Application" is the action by which an individual indicates in writing to the agency administering public assistance his desire to receive assistance. The relative with whom a child is living or will live ordinarily makes application for the child for AFDC. An application is distinguished from an inquiry, which is simply a request for information about eligibility requirements for public assistance.

Such inquiry may be followed by an application.

4. Section 233.10 is amended by revising paragraph (b)(3) and adding a new paragraph (b)(5) to read as set forth below:

§ 233.10 General provisions regarding coverage and eligibility.

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

(b) Federal financial participation.* * *

(3) Federal financial participation is available in assistance payments made for the entire month in accordance with the State plan if the individual was eligible for a portion of the month, provided that the individual was eligible on the date that the payment was made; except that where it has been determined that the State agency had previously denied assistance to which the individual was entitled, Federal financial participation will be provided in any corrective payment regardless of whether the individual is eligible on the date that the corrective payment is made.

* * * * *

(5) Where changed circumstances or a hearing decision makes the individual ineligible for any assistance, or eligible for a smaller amount of assistance than was actually paid, Federal financial participation is available in excess payments to such individuals, for not more than one month following the month in which the circumstances changed or the hearing decision was rendered. Federal financial participation is available where assistance is required to be continued unadjusted because a hearing has been requested.

(Sec. 1102, 49 Stat. 647 (42 U.S.C. 1302))

(Catalog of Federal Domestic Assistance Program No. 13.761, Public Assistance—Maintenance Assistance (State Aid))

Effective Date: These regulations shall be effective retroactive July 1, 1975.

It is hereby certified that the economic and inflationary impacts of this regulation have been carefully evaluated in accordance with OMB Circular A–107.

Dated: July 3, 1975.

JOHN A. SVAHN,
Acting Administrator, Social and Rehabilitation Service.

Approved: July 25, 1975.

CASPAR W. WEINBERGER,
Secretary.

[FR Doc.75-20442 Filed 8-4-75;8:45 am]

federal register

TUESDAY, AUGUST 5, 1975

PART V:

DEPARTMENT OF COMMERCE

■

PRIVACY ACT OF 1974

Proposed Implementation and Notice of Systems of Records

DEPARTMENT OF COMMERCE

Office of the Secretary

[15 CFR Part 4b]

PRIVACY ACT OF 1974

Proposed Implementation

Notice is hereby given that the Department of Commerce proposes to amend Title 15, Code of Federal Regulations, by adding a new Part 4b which implements the provisions of sections 2 and 3 of the Privacy Act of 1974 (Pub. L. 93-579) (hereinafter referred to as the "Act"). The proposed regulations establish revised policies and procedures to assure the protection of individual privacy and the accuracy of records in accordance with the requirements of the Act, including provisions regarding an individual's access to and right to seek correction or amendment of such records and the disclosure of information from such records.

Any person interested in the amendments herein may participate in this proposed rulemaking by submitting written data, views, or arguments on the proposed regulations to the Privacy Act Task Force (Stop 206), Room 5892, U.S. Department of Commerce, 14th & E Streets, NW., Washington, D.C. 20230 on or before August 25, 1975. All written comments received from the public through that date will be considered by the Department in formulating final regulations. The comments received will be available for public inspection at the above address between the hours of 9 a.m. and 4 p.m. Monday through Friday (except holidays), as received and until 4 p.m., September 1, 1975.

Notice is given that it is proposed to make these regulations effective September 27, 1975, the effective date of section 3, Pub. L. 39-579.

These proposed regulations were drafted with major reliance on the "Guidelines and Responsibilities" for implementation of the Act published by the Office of Management and Budget (40 F.R. 28949, July 9, 1975).

The following remarks should assist in understanding certain passages of the proposed regulations and serve to focus the public's comments thereon. The introductory reference corresponds to the particular passage in the proposed regulations.

Sec. 4b.1(a). The phrase "regardless of age" (also appearing in Secs. 4b.3(a), 4b.4(a) and 4b.7(a)) is proposed in light of the Act's repeated references to "any individual" and notwithstanding the references to "minor" and "age" in 5 U.S.C. 552a(h). The status and definition of a minor are not explained by the Act. It appears that minority is not determined by any Federal statute of general applicability, so that a question would be decided by the law of the state in which the minor resides. The proposal to honor inquiries and requests regardless of the age of the individual could lead to the following situations: First, both the parent of a minor and a true minor (under state law) obtaining access to records pertaining to the latter; and, second, a parent of an apparent minor and an actually emancipated minor (under state law) seekig access to the latter's records. Such situations raise serious questions involving the degree of explanation as to minority status which should be required from individuals by the Department and the Department's exposure to civil action if it honors requests from both a parent of an apparent minor and an actually emancipated minor.

Sec. 4b.1(d)(3). Access to and correction of an employee's records has been available under grievance procedures in regulations and in collective bargaining agreements authorized by Executive Order. The Department discerns no intent within the Act whereby employees would be permitted duplicative and serial opportunities to gain the same relief. The election of procedures is left solely with the employee. This procedure is compatible with the proposed regulations of the United States Civil Service Commission (5 CFR 297.112).

Sec. 4b.3(d). Identification normally need not be required of an individual merely asking whether the Department maintains a record pertaining to him or her. However, revelation of the very existence of some files might be an unwarranted invasion of privacy (for example, listing of those owing money to the Department). In such cases, the Department will require proof of an individual's identity before responding to an inquiry. The provisions of section (d) (2) and (3) is not required because requests under the Act do not constitute a system of records within the meaning of that term in the Act. However, since the individual's request could mature into a disagreement statement which becomes part of a record in a system of records, compliance with 5 U.S.C. 552a (e)(3) appears to be both practical and prudent.

Sec. 4b.4(f). Identification procedures proposed when the individual does not submit the request in person may appear somewhat cautious. However, it is believed that the general availability of notaries and similar officers throughout the country should cause no real inconvenience to individuals. The main purpose in requiring such proof of identity is to comply with a basic principle of the Act, namely avoidance of unwarranted disclosure to other than the individual to whom the record or information pertains. The Department believes that individuals will accept the procedures once it is understood that they insure the privacy of their own records. The designation of an employee at most public facilities of the Department to determine identity should reduce the number of individuals needing to use the absentee proof of identity procedure.

Sec. 4b.5(g)(1)(ii). The Department submits that information once subject to the exemption in 5 U.S.C. 552a(d)(5) is so exempted permanently. The Act provides no limit as to time, although the point was considered during the legislative process.

Sec. 4b.5(g)(1)(iv). The one anticipated situation of failure to comply with the regulations is an individual's refusal to submit further proof of identification upon request. Others may be encountered which are not now foreseeable but which impede proper implementation of the Act.

Sec. 4b.6. The automatic waiting period is designed for the rare instance of a Department determination that disclosure of medical records could be harmful to the individual. If all other medical records were disclosed immediately, the unusual withholding for purposes of consultation with the individual's physician or psychologist might itself cause the harmful result sought to be avoided. The refusal of a request for access indicated in the tentative penultimate paragraph of the section might be the only responsible course of action in the unusual circumstances, namely, that the Department had determined the individual could be harmed by the disclosure and he or she refuses to identify a personal physician or psychologist for consultation purposes. The Department is weighing the possible civil action and imposition of fees and costs which could result against the responsibility to protect the individual. Once into litigation, the court could regulate the proceeding to serve the best interests of the individual. The meaning of a complainant "substantially" prevailing in this context is certainly unclear.

Sec. 4b.8(e) (2) and (3). Any correction or amendment as to records in judicial, quasi-judicial and quasi-legislative proceedings are subject to correction only according to the procedures of the forum. Collateral attack through the Act would be clearly unwarranted.

Sec. 4b.9(g)(3). The Department automatically will add the final determination not to correct or amend, or summary thereof, in order to close the record while personnel familiar with the request can do so efficiently. Personnel turn-over and imperfect recollection could deny the Department its full advantage to make a complete record if delayed too long.

Sec. 4b.10(b). The five listed disclosures mandated by the Act would fall outside the permissive disclosure of 552a (b) (1) through (11). The Department submits that these situations are not subject to inclusion in routine uses in the published notice of systems of records under the Act on the basis that disclosures within the Act itself would have been listed in 5 U.S.C. 552(a)(b) had the Congress so intended. It also should be noted that the first three examples could be viewed as authorized by an individual under the written request criterion of 5 U.S.C. 552(a)(b), at least constructively. The latter two examples could not be so viewed. Specific comment is invited on whether these three disclosures, as well as disclosures at the request or with the consent of the individual to whom the records pertains, are subject to the accounting requirements of 5 U.S.C. 522a(c). The fundamental

purpose of the accounting, namely, to allow the individual to learn to whom his or her records were disclosed, would already be satisfied.

Sec. 4b.11(a). It is assumed that the proposed regulations of the United States Civil Service Commission will be adopted substantially as proposed, particularly 5 CFR 297.115.

Secs. 4b.13 and 4b.14. As to the systems of records for which exemptions are claimed, also see the Notice of Systems of Records published by the Department in the FEDERAL REGISTER this same date. Special attention is called to the use of conditional exemptions in those situations where both general exemptions and specific exemptions are claimed for a particular system of records. In all instances, the Department first will assert the general exemption. The specific exemption is stated conditionally, and the condition is that the primary assertion of a general exemption is determined to be invalid. The Department has concluded that this bifurcated and conditional approach is dictated by the uncertainty surrounding the exemption process under the Act.

Sec. 4b.13(a). The general exemption determined by the source agency would appear as part of the regulations adopted by that agency. The Department would be bound by the regulation and would have no authority to amend it. Thus, the only possible course of action available to the Department is referral of the individual to the source agency.

Appendix C. It is assumed that the other agencies listed will publish Government-wide notices, as information to the Department presently indicates. Appropriate changes will be made if those listed do not publish and as other agencies are identified.

Appendix D. The Department will process the official form through the Office of Management and Budget as a public use form and append a facsimile prior to the effective date of these regulations.

Finally, the Department intends to solicit the public's views on its implementation of the Act during the Fall of 1976. A notice to that effect will be published in the FEDERAL REGISTER. Although not required, citizen comments should provide valuable insight as to the success, or shortcomings, of the Department's efforts to implement the Act fully.

Title 15, Code of Federal Regulations is proposed to be amended by establishing a new Part 4b, as follows:

PART 4b—PRIVACY ACT

Sec.

4b.1 Purpose and scope.
4b.2 Definitions.
4b.3 Procedures for requests pertaining to individual records in a record system.
4b.4 Times, places, and requirements for identification of individuals making requests for access.
4b.5 Disclosure of requested information to individuals.
4b.6 Special procedures: medical records.
4b.7 Request for correction or amendment to records.
4b.8 Agency review of request for correction or amendment of record.
4b.9 Appeal of initial adverse agency determination on correction of amendment.
4b.10 Disclosure of record to person other than the individual to whom it pertains.
4b.11 Fees.
4b.12 Penalties.
4b.13 General exemptions.
4b.14 Specific exemptions.

Appendix A—Officials to receive inquiries, requests for access and requests for correction or amendment.
Appendix B—Officials to receive appeals from adverse determination on correction or amendment.
Appendix C—Systems of record noticed by other agencies and applicable to records of the Department.
Appendix D—Facsimile of official form for inquiries and requests.

AUTHORITY: 5 U.S.C. 552a; 5 U.S.C. 553; 5 U.S.C. 552; 5 U.S.C. 301; 44 U.S.C. 3101; Reorganization Plan No. 5 of 1950.

§ 4b.1 Purpose and scope.

(a) The purpose of this part is to establish policies and procedures for implementing the Privacy Act of 1974 (Pub. L. 93-579), particularly 5 U.S.C. 552a as added by the Act. The main objectives are to facilitate full exercise of rights conferred on individuals under the Act and to insure the protection of privacy as to individuals on whom the Department maintains records in systems of records under the Act. The Department accepts the responsibility to act promptly and in accordance with the Act upon receipt of any inquiry, request or appeal from a citizen of the United States or an alien lawfully admitted for permanent residence into the United States, regardless of the age of the individual. Further, the Department accepts the obligations to maintain only such information on individuals as is relevant and necessary to the performance of its lawful functions, to maintain that information with such accuracy, relevancy, timeliness and completeness as is reasonably necessary to assure fairness in determinations made by the Department about the individual, to obtain information from the individual to the extent practicable, and to take every reasonable step to protect that information from unwarranted disclosure. The Department will maintain no record describing how an individual exercises rights guaranteed by the First Amendment unless expressly authorized by statute or by the individual about whom the record is maintained or unless pertinent to and within the scope of an authorized law enforcement activity.

(b) This part applies to all units in the Department in order to assure the maximum amount of uniformity and consistency within the Department in its implementation of the Act. The units of the Department may promulgate supplementary orders and rules not inconsistent with this part.

(c) The Assistant Secretary for Administration is delegated responsibility for maintaining this part, for issuing such orders and directives internal to the Department as are necessary for full compliance with the Act, and for effecting publication of all required notices concerning systems of records.

(d) Matters outside the scope of this part include the following:

(1) Requests under the Freedom of Information Act (5 U.S.C. 552);

(2) Requests involving information pertaining to an individual which is in a record or file but not within the scope of a system of records notice published in the FEDERAL REGISTER; and,

(3) Requests where a grievance procedure is available to the individual either by regulation or by provision in a collective bargaining agreement with the Department or a unit of the Department, and the individual has expressed the intention of using the grievance procedure.

§ 4b.2 Definitions.

(a) All terms used in this part which are defined in 5 U.S.C. 552a shall have the same meaning herein.

(b) As used in this part:

(1) The term "Act" means the "Privacy Act of 1974," Pub. L. 93-579.

(2) The term "unit of the Department" and "unit" means primary operating unit of the Department as defined in Department Organization Order 1-1, "Mission and Organization of the Department of Commerce" (35 FR 19704, December 27, 1970).

(3) The term "Privacy Officer" means those officials, identified in Appendix A to this part, who are authorized to receive and act upon inquiries, requests for access, and requests for correction or amendment.

(4) The term "Secretary" means the Assistant Secretary for Administration.

(5) The term "Privacy Appeals Officer" means those officials, identified in Appendix B to this part, who are authorized to receive and act upon appeals from an initial denial of a request for correction or amendment.

(6) The term "Department" means the Department of Commerce.

(7) The term "inquiry" means either a request for general information regarding the Act and this part or a request by an individual that the Department determine whether it has any record in a system of records which pertains to that individual.

(8) The term "request for access" means a request by an individual to see a record which is in a particular system of records and which pertains to that individual.

(9) The term "request for correction or amendment" means the request by an individual that the Department change (either by correction, amendment, addition or deletion) a particular record in a system of records which pertains to that individual.

(10) The term "appeal" means the request by an individual that an initial denial of a request for correction or amendment by that individual be reviewed and reversed.

(11) The term "person" means any human being and shall include, but is not limited to, corporations, associations, partnerships, trustees, receivers, personal

representatives, and public or private organizations.

§ 4b.3 Procedures for requests pertaining to individual records in a record system.

(a) Any individual, regardless of age, who is a citizen of the United States or an alien lawfully admitted for permanent residence into the United States may submit an inquiry to the Department. The inquiry should be made either in person or by mail addressed to the appropriate Privacy Officer identified in Appendix A to this part, or the official identified in the notification procedures paragraph of the systems of records notice published in the FEDERAL REGISTER. If an individual believes the Department maintains a record pertaining to that individual but does not know which system of records might contain such a record and/or which unit of the Department maintains the system of records, assistance in person or by mail will be provided at the first address listed in Appendix A to this part. The offices of Privacy Officers are open to the public between the hours of 9 a.m. and 4 p.m. Monday through Friday (excepting holidays).

(b) The processing of inquiries submitted by mail will be facilitated if the words "PRIVACY ACT INQUIRY" appear in capital letters on the face of the envelope.

(c) The Department has an official form for making inquiries and requests, a facsimile of which is Appendix D hereto. Its use is urged. Copies may be obtained by contacting any of the officials in Appendix A hereto. Copies also may be obtained by contacting any facility of the Department. Please consult your telephone directory under the listing "United States Government—Commerce Department."

(d) (1) If, for some reason, an individual is unable to use the Department's official form, the letter should bear the words "PRIVACY ACT INQUIRY" in capital letters at the top. If the inquiry is for general information regarding the Act and this part, no particular information is required. If the inquiry is a request that the Department determine whether it has, in a given system of records, a record which pertains to the individual, the following information should be submitted:

(i) Name, address and telephone number (optional) of the individual making the request;

(ii) Name, address and telephone number (optional) of the individual to whom the record pertains, if the requesting individual is either the parent of a minor or the legal guardian of the individual to whom the record pertains;

(iii) A certified or authenticated copy of documents establishing parentage or guardianship;

(iv) Whether the individual to whom the record pertains is a citizen of the United States or an alien lawfully admitted for permanent residence into the United States;

(v) Name of the system of records, as published in the FEDERAL REGISTER;

(vi) Location of the system of records, as published in the FEDERAL REGISTER;

(vii) Such additional information as the individual knows will or believes might assist the Department in responding to the inquiry and in verifying the individual's identity (for example, date of birth, place of birth, names of parents, place of work, dates of employment, position title, etc.);

(viii) Date of inquiry; and,

(ix) Individual's signature.

The Department reserves the right to require compliance with the identification procedures appearing at § 4b.4(f) where circumstances warrant.

(2) In compliance with 5 U.S.C. 552a (e)(3), each individual supplying the information in accordance with paragraph (d)(1) of this section hereby is informed that:

(i) The authority authorizing solicitation of the information is 5 U.S.C. 552a, disclosure is voluntary, and no penalty attached for failure to respond;

(ii) The principal purpose for which the information is intended to be used is processing the inquiry under the Act;

(iii) The routine uses which may be made of the information are the general routine uses appearing as a prefatory statement to the Department's notice of systems of records published in the FEDERAL REGISTER; and,

(iv) The effects of not providing all or any part of the information may be to render impossible or to delay the Department's processing of and action on the request under the Act.

(3) If, having been made aware of the contents of paragraph (d)(2) of this section, an individual submits the information listed in paragraph (d)(1) of this section, he or she will be deemed to have made the submission on a purely voluntary and consentual basis.

(e) Any inquiry which is not addressed as specified in paragraph (a) of this section or which is not marked as specified in paragraphs (b) and (d) of this section will be so addressed and marked by Department personnel and forwarded immediately to the responsible Privacy Officer. An inquiry which is not properly addressed by the individual will not be deemed to have been "received" for purposes of measuring time periods for response until forwarding of the inquiry to the Privacy Officer has been effected. In each instance when an inquiry so forwarded is received, the Privacy Officer shall notify the individual that his or her inquiry was improperly addressed and the date when the inquiry was received at the proper address.

(f) Each inquiry received shall be acted upon promptly by the responsible Privacy Officer. Every effort will be made to respond within ten days (excluding Saturdays, Sundays and holidays) of the date of receipt. If a response cannot be made within ten days, the Privacy Officer shall send an acknowledgement during that period providing information on the status of the inquiry and asking for such further information as may be necessary to process the inquiry.

(g) An individual shall not be required to state a reason or otherwise justify his or her inquiry.

(h) Special note should be taken of the fact that certain agencies are responsible for publishing notices of systems of records having Government-wide application to other agencies, including the Department. The agencies known to be publishing these general notices and the types of records covered therein appear in Appendix C to this part. These general notices do not identify the Privacy Officers in the Department to whom inquiries should be presented or mailed. The provisions of this section, and particularly paragraph (a) hereof, should be followed in making inquiries with respect to such records. Such records in the Department are subject to all the provisions of this part. The exemptions, if any, determined by the agency publishing a general notice shall be invoked and applied by the Department after consultation, as necessary, with that other agency.

§ 4b.4 Times, places, and requirements for identification of individuals making requests for access.

(a) Any individual, regardless of age, who is a citizen of the United States or an alien lawfully admitted for permanent residence into the United States may submit a request for access to records to the Department. The request should be made either in person or by mail addressed to the responsible Privacy Officer identified in Appendix A to this part. The offices of Privacy Officers are open to the public between the hours of 9 a.m. and 4 p.m. Monday through Friday (excluding holidays).

(b) The Department has an official form for making requests, a facsimile of which is Appendix D to this part. Its use is urged. Copies may be obtained by contacting any of the officials listed in Appendix A to this part. Copies also may be obtained by contacting any facility of the Department. Please consult your telephone directory under the listing "United States Government—Commerce Department."

(c) The processing of requests submitted by mail will be facilitated if the words "PRIVACY ACT REQUEST" appear in capital letters on the face of the envelope. If, for some reason, an individual is unable to use the Department's official form the letter should bear the words "PRIVACY ACT REQUEST" in capital letters at the top.

(d) Any request which is not addressed as specified in paragraph (a) of this section or which is not marked as specified in paragraph (c) of this section will be so addressed and marked by Department personnel and forwarded immediately to the responsible Privacy Officer. A request which is not properly addressed by the individual will not be deemed to have been "received" for purposes of measuring time periods for response until forwarding of the request to the Privacy Officer has been effected. In each instance when a request so forwarded is received, the Privacy Officer shall notify

the individual that his or her request was improperly addressed and the date when the request was received at the proper address.

(e) If the request follows inquiry under section 4b.3 of this part in connection with which the individual's identity was established by the Department, the individual need only indicate the record to which access is sought and sign and date the request. If the request is not preceded by an inquiry under § 4b.3, the procedures of either § 4b.3(c) or § 4b.3 (d) should be followed.

(f) The requirements for identification of individuals seeking access to records are as follows:

(1) *In person.* Each individual making a request in person shall be required to present satisfactory proof of identity. The means of proof, in the order of preference and priority, are:

(i) A document bearing the individual's photograph (for example, driver's license, passport or military or civilian identification card);

(ii) A document bearing the individual's signature, preferably issued for participation in a Federally sponsored program (for example, social security card, unemployment insurance book, employer's identification card, national credit card and professional, craft or union membership card); and,

(iii) A document bearing neither the photograph nor the signature of the individual, preferably issued for participation in a Federally sponsored program (for example, Medicaid card). In the event the individual can provide no suitable documentation of identity, the Department will require a signed statement asserting the individual's identity and stipulating that the individual understands the penalty provision of 5 U.S.C. 552a(i)(3) recited in § 4b.12(a). For the convenience of the public, and in addition to the Privacy Officers listed in Appendix A hereto, most facilities which are open to the public and operated by the Department outside Metropolitan Washington, D.C. have employees authorized to determine the identity of an individual. However, such employees are not authorized to take any other action with respect to a request except to transmit the request to the responsible Privacy Officer. In order to avoid any unwarranted disclosure of an individual's records, the Department reserves the right to determine the adequacy of proof of identity offered by any individual, particularly when the request involves a sensitive record.

(2) *Not in person.* If the individual making a request does not appear in person before a Privacy Officer or other employee authorized to determine identity, a certificate of a notary public or equivalent officer empowered to administer oaths must accompany the request. The Department's official form for requests contains a certificate. If, for some reason, the individual is unable to use the official form, the certificate within or attached to the letter must be substantially in accord with the following text:

City of _____ County of _____: ss _____, who affixed
(name of individual)
(his) (her) signature below in my presence, came before me, a _____, in and
(title)
for the aforesaid County and State, this _____ day of _____, 19____, and established (his) (her) identity to my satisfaction.

My commission expires _____

_____
(signature)

(3) *Parents of minors and legal guardians.* An individual acting as the parent of a minor or the legal guardian of the individual to whom a record pertains shall establish his or her personal identity in the same manner prescribed in either paragraph (f) (1) or (2) of this section. In addition, such other individual shall establish his or her identity in the representative capacity of parent or legal guardian. In the case of the parent of a minor, the proof of identity shall be a certified or authenticated copy of the minor's birth certificate. In the case of a legal guardian of an individual who has been declared incompetent due to physical or mental incapacity or age by a court of competent jurisdiction, the proof of identity shall be a certified or authenticated copy of the court's order. A parent or legal guardian may act only for a living individual, not for a decedent. A parent or legal guardian may be accompanied during personal access to a record by another individual, provided the provisions of § 4b.5(f) are satisfied.

(g) When the provisions of this part are alleged to have the effect of impeding an individual in exercising his or her right to access, the Department will consider, from an individual making a request, alternative suggestions regarding proof of identity and access to records.

(h) An individual shall not be required to state a reason or otherwise justify his or her request for access to a record.

§ 4b.5 Disclosure of requested information to individuals.

(a) Each request received shall be acted upon promptly by the responsible Privacy Officer. Every effort will be made to respond within ten days (excluding Saturdays, Sundays and holidays) of the date of receipt. If a response cannot be made within ten days due to unusual circumstances, the Privacy Officer shall send an acknowledgment during that period providing information on the status of the request and asking for such further information as may be necessary to process the request. "Unusual circumstances" shall include circumstances where a search for and collection of requested records from inactive storage, field facilities or other establishments are required, cases where a voluminous amount of data is involved, instances where information on other individuals must be separated or expunged from the particular record, and cases where consultations with other agencies having a substantial interest in the determination of the request as necessary.

(b) Grant of access—(1) *Notification.* An individual shall be granted access to a record pertaining to him or her, except where the provisions of paragraph (g) (1) of this section apply. The Privacy Office shall notify the individual of such determination and provide the following information:

(i) The methods of access, as set forth in paragraph (b)(2) of this section;

(ii) The place at which the record may be inspected;

(iii) The earliest date on which the record may be inspected and the period of time that the records will remain available for inspection. In no event shall the earliest date be later than thirty days from the date of notification.

(iv) The estimated date by which a copy of the record could be mailed and the estimate of fees pursuant to section 4b.11 of this part. In no event shall the estimated date be later than thirty days from the date of notification;

(v) The fact that the individual, if he or she wishes, may be accompanied by another individual during personal access, subject to the procedures set forth in paragraph (f) of this section; and,

(vi) Any additional requirements needed to grant access to a specific record.

(2) *Methods of access.* The following methods of access to records by an individual may be available depending on the circumstances of a given situation:

(i) Inspection in person may be had in the office specified by the Privacy Officer granting access, during the hours indicated in § 4b.4(a);

(ii) Transfer of records to a Federal facility more convenient to the individual may be arranged, but only if the Privacy Officer determines that a suitable facility is available, that the individual's access can be properly supervised at that facility, and that transmital of the records to that facility will not unduly interfere with operations of the Department or involve unreasonable costs, in terms of both money and manpower; and

(iii) Copies may be mailed at the request of the individual, subject to payment of the fees prescribed in section 4b.11 of this part. The Department, at its own initiative, may elect to provide a copy by mail, in which case no fee will be charged the individual.

(c) Access to medical records is governed by the provisions of §4b.6.

(d) The Department shall supply such other information and assistance at the time of access as to make the record intelligible to the individual.

(e) The Department reserves the right to limit access to copies and abstracts of original records, rather than the original records. This election would be appropriate, for example, when the record is in an automated data media such as tape or disc, when the record contains information on other individuals, and when deletion of information is permissible under exemptions (for example, 5 U.S.C. 552a(k)(2)). In no event shall original records of the Department

be made available to the individual except under the immediate supervision of the Privacy Officer or his designee. Title 18, United States Code, section 2701(a) makes it a crime to conceal, mutilate, obliterate, or destroy any record filed in a public office, or to attempt to do any of the foregoing.

(f) Any individual who requests access to a record pertaining to that individual may be accompanied by another individual of his or her choice. "Accompanied" includes discussion of the record in the presence of the other individual. The individual to whom the record pertains shall authorize the presence of the other individual in writing and shall include the name of the other individual, a specific description of the record to which access is sought, the date and the signature of the individual to whom the record pertains. The other individual shall sign the authorization in the presence of the Privacy Officer. An individual shall not be required to state a reason or otherwise justify his or her decision to be accompanied by another individual during personal access to a record.

(g) Initial denial of access: (1) *Grounds.* Access by an individual to a record which pertains to that individual will be denied only upon a determination by the Privacy Officer that:

(i) The record is subject to an exemption under §§ 4b.13 and 4b.14 or to an exemption determined by another agency noticing the system of records, as described in § 4b.3(h);

(ii) The record is information compiled in reasonable anticipation of a civil action or proceeding;

(iii) The provisions of § 4b.6 pertaining to medical records temporarily have been invoked; or,

(iv) The individual unreasonably has failed to comply with the procedural requirements of this part.

(2) *Notification.* The Privacy Officer shall give notice of denial of access to records to the individual in writing and shall include the following information:

(i) The Privacy Officer's name and title or position;

(ii) The date of the denial;

(iii) The reasons for the denial, including citation to the appropriate section of the Act and this part;

(iv) The individual's opportunities if any, for further administrative consideration, including the identity and address of the responsible official. If no further administrative consideration within the Department is available, the notice shall state that the denial is administratively final; and,

(v) If stated to be administratively final within the Department, the individual's right to judicial review under 5 U.S.C. 552a(g)(1), as amended by 5 U.S.C. 552a(g)(5).

(3) *Administrative review.* When an initial denial of a request is issued by the Privacy Officer, the individual's opportunities for further consideration shall be as follows:

(i) As to denial under paragraph (g)(1)(i) of this section, the sole procedure is a petition for the issuance, amendment, or repeal of a rule under 5 U.S.C. 553(e). If the exemption was determined by the Department, such petition shall be filed with the Secretary. If the exemption was determined by another agency, referred to in § 4b.3(h), the Department will provide the individual with the name and address of the other agency and any relief sought by the individual shall be that provided by the regulations of the other agency. Within the Department, no such denial is administratively final until such a petition has been filed by the individual and disposed of on the merits by the Secretary.

(ii) As to denial under with paragraph (g)(1)(ii) or (iv) of this section, the individual may file for review with the responsible Privacy Appeals Officer, identified in Appendix B hereto, as indicated in the Privacy Officer's initial denial notification. The procedures appearing in § 4b.8 shall be followed by both the individual and the Department to the maximum extent practicable.

(iii) As to denial under paragraph (g)(1)(iii) of this section, no further administrative consideration within the Department is available because the denial is not administratively final until expiration of the time period indicated in § 4b.6(a).

(h) If a request is partially granted and partially denied, the Privacy Officer shall follow the appropriate procedures of this section as to the records within the grant and the records within the denial.

§ 4b.6 Special procedures: Medical records.

(a) No response to any request for access to medical records by an individual will be issued by the Privacy Officer for a period of seven days (excluding Saturdays, Sundays and holidays) from the date of receipt.

(b) The Department has published as a routine use, for all systems of records containing medical records, consultations with an individual's physician or psychologist if, in the sole judgment of the Department, disclosure could have an adverse effect upon the individual. The mandatory waiting period set forth in paragraph (a) of this section will permit exercise of this routine use in appropriate cases. The Department will pay no costs of any such consultation.

(c) In every case of a request by an individual for access to medical records, the Privacy Officer shall:

(1) Inform the individual of the waiting period prescribed in paragraph (a) of this section;

(2) Obtain the name and address of the individual's physician and psychologist, if the individual consents to give them;

(3) Obtain specific, written consent for the Department to consult the individual's physician and psychologist in the event that the Department believes such consultation is advisable, if the individual consents to give such authorization;

(4) Obtain specific, written consent for the Department to provide the medical records to the individual's physician or psychologist in the event that the Department believes access to the record by the individual is best effected under the guidance of the individual's physician or psychologist, if the individual consents to give such authorization; and,

(5) Forward the individual's medical record to the Department's medical officer for review and a determination on whether consultation with or transmittal of the medical records to the individual's physical or psychologist is warranted. If the consultation with or transmittal of such records to the individual's physician or psychologist is determined to be warranted, the Department's medical officer shall so consult or transmit. Whether or not such a consultation or transmittal occurs, the Department's medical officer shall provide instruction to the Privacy Officer regarding the conditions of access by the individual to his or her medical records.

(d) If an individual refuses to give the names and consents set forth in paragraphs (c)(2) through (4) of this section and the Department has determined that disclosure could have an adverse effect upon the individual, the Department shall refuse the individual access to said records.

(e) The provisions of § 4b.3(d)(2) and (3) apply to the information obtained under paragraph (c)(2) through (4) of this section.

§ 4b.7 Request for correction or amendment to record.

(a) Any individual, regardless of age, who is a citizen of the United States or an alien lawfully admitted for permanent residence into the United States may submit a request for correction or amendment to the Department. The request should be made either in person or by mail addressed to the Privacy Officer who processed the individual's request for access to the record, and to whom is delegated authority to make initial determinations on requests for correction or amendment. The offices of Privacy Officers are open to the public between the hours of 9 a.m. and 4 p.m. Monday through Friday (excluding holidays).

(b) The processing of requests submitted by mail will be facilitated if the words "PRIVACY ACT REQUEST" appear in capital letters on the face of the envelope. If, for some reason, the individual is unable to use the Department's official form, the letter should bear the words "PRIVACY ACT REQUEST" in capital letters at the top.

(c) Any request which is not addressed as specified in paragraph (a) of this section or which is not marked as specified in paragraph (b) of this section will be so addressed and marked by Department personnel and forwarded immediately to the responsible Privacy Officer. A request which is not properly addressed by the individual will not be deemed to have been "received" for purposes of measuring time periods for response until forwarding of the request to the Privacy Officer has been effected. In each instance when a request so forwarded is

received, the Privacy Officer shall notify the individual that his or her request was improperly addressed and the date when the request was received at the proper address.

(d) Since the request, in all cases, will follow a request for access under § 4b.5, the individual's identity will be established by his or her signature on the request.

(e) A request for correction or amendment should include the following:

(1) A specific identification of the record sought to be corrected or amended (for example, description, title, date, paragraph, sentence, line and words);

(2) The specific wording to be deleted, if any;

(3) The specific wording to be inserted or added, if any, and the exact place at which to be inserted or added; and,

(4) A statement of the basis for the requested correction or amendment, with all available supporting documents and materials which substantiate the statement. The statement should identify the standard of the Act being invoked, that is, whether the information in the record is unnecessary, inaccurate, irrelevant, untimely or incomplete.

(f) The provisions of §§ 4b.3(d)(2) and (3) apply to the information obtained under paragraph (e) of this section.

§ 4b.8 Agency review of request for correction or amendment of record.

(a)(1) Not later than ten days (excluding Saturdays, Sundays and holidays) after receipt of a request to correct or amend a record, the Privacy Officer shall send an acknowledgment providing an estimate of time within which action will be taken on the request and asking for such further information as may be necessary to process the request. The estimate of time may take into account unusual circumstances as described in § 4b.5(a). No acknowledgment will be sent if the request can be reviewed, processed and the individual notified of the results of review (either compliance or denial) within the ten days. Requests filed in person will be acknowledged in writing at the time submitted.

(2)) Promptly after acknowledging receipt of a request, or after receiving such further information as might have been requested, or after arriving at a decision within the ten days, the Privacy Officer shall either:

(i) Make the requested correction or amendment and advise the individual in writing of such action, providing either a copy of the corrected or amended record or a statement as to the means whereby the correction or amendment was effected in cases where a copy cannot be provided (for example, erasure of information from a record maintained only in an electronic data bank); or,

(ii) Inform the individual in writing that his or her request is denied and provide the following information:

(A) The Privacy Officer's name and title and position;

(B) The date of the denial;

(C) The reasons for the denial, including citation to the appropriate sections of the Act and this part; and,

(D) The procedures for appeal of the denial as set forth in § 4b.9, including the name and address of the responsible Privacy Appeals Officer from Appendix C to this part. The term "promptly" in this paragraph means within thirty days (excluding Saturdays, Sundays and holidays). If the Privacy Officer cannot make the determination within thirty days, the individual will be advised in writing of the reason therefor and of the estimated date by which the determination will be made.

(b) Whenever an individual's record is corrected or amended pursuant to a request by that individual, the Privacy Officer shall see to the notification of all persons and agencies to which the corrected or amended portion of the record had been disclosed prior to its correction or amendment, if an accounting of such disclosure required by the Act was made. The notification shall require a recipient agency maintaining the record to acknowledge receipt of the notification, to correct or amend the record and to apprise any agency or person to which it had disclosed the record of the substance of the correction or amendment.

(c) The following criteria will be considered by the Privacy Officer in reviewing a request for correction or amendment:

(1) The sufficiency of the evidence submitted by the individual;

(2) The factual accuracy of the information;

(3) The relevance and necessity of the information in terms of purpose for which it was collected;

(4) The timeliness and currency of the information in light of the purpose for which it was collected;

(5) The completeness of the information in terms of the purpose for which it was collected;

(6) The degree of possibility that denial of the request could unfairly result in determinations adverse to the individual;

(7) The character of the record sought to be corrected or amended; and,

(8) The propriety and feasibility of complying with the specific means of correction or amendment requested by the individual.

(d) The Department will not undertake to gather evidence for the individual, but does reserve the right to verify the evidence which the individual submits.

(e) Correction or amendment of a record requested by an individual will be denied only upon a determination by the Privacy Officer that:

(1) The individual has failed to establish, by a preponderance of the evidence, the propriety of the correction or amendment in light of the criteria set forth in paragraph (c) of this section;

(2) The record sought to be corrected or amended was compiled in a terminated judicial, quasi-judicial or quasi-legislative proceeding to which the individual was a party or participant;

(3) The information in the record sought to be corrected or amended, or the record sought to be corrected or amended, is the subject of a pending judicial, quasi-judicial or quasi-legislative proceeding to which the individual is a party or participant;

(4) The correction or amendment would violate a duly enacted statute or promulgated regulation; or,

(5) The individual unreasonably has failed to comply with the procedural requirements of this part.

(f) If a request is partially granted and partially denied, the Privacy Officer shall follow the appropriate procedures of this section as to the records within the grant and the records within the denial.

§ 4b.9 Appeal of initial adverse agency determination on correction or amendment.

(a) When a request for correction or amendment has been denied initially under § 4b.8, the individual may submit a written appeal within thirty days after the date of the initial denial. When an appeal is submitted by mail, the postmark is conclusive as to timeliness.

(b) An appeal shall be addressed to the Privacy Appeals Officer identified in the initial denial, which official is authorized to make final determinations. The processing of appeals will be facilitated if the words "PRIVACY APPEAL" appear in capital letters on both the envelope and the top of the appeal papers. An appeal not addressed and marked as provided herein will be so marked by Department personnel when it is so identified, and will be forwarded immediately to the responsible Privacy Appeals Officer. An appeal which is not properly addressed by the individual will not be deemed to have been "received" for purposes of measuring the time periods in this section until forwarding of the appeal to the Privacy Appeals Officer has been effected. In each instance when an appeal so forwarded is received, the Privacy Appeals Officer shall notify the individual that his or her appeal was improperly addressed and the date when the appeal was received at the proper address.

(c) The individual's appeal papers shall include the following: a copy of the original request for correction or amendment; a copy of the initial denial; and a statement of the reasons why the initial denial is believed to be in error. The appeal shall be signed by the individual. The record which the individual requests be corrected or amended will be supplied by the Privacy Officer who issued the initial denial. While the foregoing normally will comprise the entire record on appeal, the Privacy Appeals Officer may seek additional information necessary to assure that the final determination is fair and equitable and, in such instances, the additional information will be disclosed to the individual to the greatest extent possible and an opportunity provided for comment thereon.

(d) No personal appearance or hearing on appeal will be allowed.

(e) The Privacy Appeals Officer shall act upon the appeal and issue a final determination in writing not later than thirty days (excluding Saturdays, Sundays and holidays) from the date on which the appeal is received; provided, that the Privacy Appeals Officer may extend the thirty days upon deciding that a fair and equitable review cannot be made within that period, but only if the individual is advised in writing of the reason for the extension and the estimated date by which a final determination will issue (which estimated date should not be later than the sixtieth day (excluding Saturdays, Sundays and holidays) after receipt of the appeal unless unusual circumstances, as described in § 4b.5(a), are met).

(f) If the appeal is determined in favor of the individual, the final determination shall include the specific corrections or amendments to be made and a copy thereof shall be transmitted promptly both to the individual and to the Privacy Officer who issued the initial denial. Upon receipt of such final determination, the Privacy Officer promptly shall take the actions set forth in § 4b.8(a)(2)(i) and (b).

(g) If the appeal is denied, the final determination shall be transmitted promptly to the individual and state the reasons for the denial. The notice of final determination also shall inform the individual of the following information:

(1) The right of the individual to file a concise statement of reasons for disagreeing with the final determination. The statement ordinarily should not exceed one page and the Department reserves the right to reject a statement of excessive length. Such a statement shall be filed with the Privacy Appeals Officer. It should identify the date of the final determination and be signed by the individual. The Privacy Appeals Officer shall acknowledge receipt of such statement and inform the individual of the date on which it was received;

(2) The fact that any such disagreement statement filed by the individual will be noted in the disputed record and that a copy of the statement will be provided to persons and agencies to which the record is disclosed subsequent to the date of receipt of such statement;

(3) The fact that the Department will append to any such disagreement statement filed by the individual, a copy of the final determination or summary thereof which also will be provided to persons and agencies to which the disagreement statement is disclosed; and,

(4) The right of the individual to judicial review of the final determination under 5 U.S.C. 552a(g)(1)(A), as limited by 5 U.S.C. 552a(g)(5).

(h) In making the final determination, the Privacy Appeals Officer shall employ the criteria set forth in subsection 4b.8(c) of this part and shall deny an appeal only on the grounds set forth in § 4b.8(e).

(i) If an appeal is partially granted and partially denied, the Privacy Appeals Officer shall follow the appropriate procedures of this section as to the records within the grant and the records within the denial.

(j) Although a copy of the final determination or a summary thereof will be treated as part of the individual's record for purposes of disclosure in instances where the individual has filed a disagreement statement, it will not be subject to correction or amendment by the individual.

(k) The provisions of § 4b.3(d) (2) and (3) apply to the information obtained under paragraphs (c) and (g)(1) of this section.

§ 4b.10 Disclosure of record to person other than the individual to whom it pertains.

(a) The Department may disclose a record pertaining to an individual to a person other than the individual only in the following instances:

(1) Upon written request by the individual, including authorization under § 4b.5(f);

(2) With the prior written consent of the individual;

(3) To a parent or legal guardian under 5 U.S.C. 552a(h);

(4) When required by the Act and not covered explicitly by the provisions of 5 U.S.C. 552a(b); and,

(5) When permitted under 5 U.S.C. 552a(b)(1) through (11), which read as follows:

(1) To those officers and employees of the agency which maintains the record who have a need for the record in the performance of their duties;

(2) Required under section 552 of this title;

(3) For a routine use as defined in subsection (a)(7) of this section and described under subsection (e)(4)(D) of this section;

(4) To the Bureau of the Census for purposes of planning or carrying out a census or survey or related activity pursuant to the provisions of title 13;

(5) To a recipient who has provided the agency with advance adequate written assurance that the record will be used solely as a statistical research or reporting record, and the record is to be transferred in a form that is not individually identifiable;

(6) To the National Archives of the United States as a record which has sufficient historical or other value to warrant its continued preservation by the United States Government, or for evaluation by the Administrator of General Services or his designee to determine whether the record has such value;

(7) To another agency or to an instrumentality of any governmental jurisdiction within or under the control of the United States for a civil or criminal law enforcement activity if the activity is authorized by law, and if the head of the agency or instrumentality has made a written request to the agency which maintains the record specifying the particular portion desired and the law enforcement activity for which the record is sought;

(8) To a person pursuant to a showing of compelling circumstances affecting the health or safety of an individual if upon such disclosure notification is transmitted to the last known address of such individual;

(9) To either House of Congress, or, to the extent of matter within its jurisdiction, any committee or subcommittee thereof, any joint committee of Congress or subcommittee of any such joint committee;

(10) To the Comptroller General, or any of his authorized representatives, in the course of the performance of the duties of the General Accounting Office; or

(11) Pursuant to the order of a court of competent jurisdiction.

(b) The situations referred to in paragraph (a)(4) of this section include the following:

(1) 5 U.S.C. 552a(c)(4) requires dissemination of a corrected or amended record or notation of a disagreement statement by the Department in certain circumstances;

(2) 5 U.S.C. 552a(d) requires disclosure of records to the individual to whom they pertain, upon reqeust;

(3) 5 U.S.C. 552a(g) authorizes civil action by an individual and requires disclosure by the Department to the court;

(4) Sec. 5(e)(2) of the Act authorizes release of any records or information by the Department to the Privacy Protection Study Commission upon request of the Chairman; and,

(5) Sec. 6 of the Act authorizes the Office of Management and Budget to provide the Department with continiuing oversight and assistance in implementation of the Act.

(c) The Privacy Officer shall make an accounting of each disclosure by him of any record contained in a system of records in accordance with 5 U.S.C. 552a(c)(1) and (2). Except for a disclosure made under 5 U.S.C. 552a(b)(7), the Privacy Officer shall make such accounting available to any individual, insofar as it pertains to that individual, on request submitted in accordance with section 4b.4 of this part. The Privacy Officer shall make reasonable efforts to notify any individual when any record in a system of records is disclosed to any person under compulsory legal process, promptly upon being informed that such process has become a matter of public record.

§ 4b.11 Fees.

(a) The only fees to be charges to or collected from an individual under the provisions of this part are for copying records at the request of the individual.

(1) No fees shall be charged or collected for the following: search for and retrieval of the records; review of the records; copying at the initiative of the Department without a request from the individual; transportation of records and personnel; and first class postage.

(2) It is the policy of the Department to provide an individual with one copy of each record corrected or amended pursuant to his or her request without charge as evidence of the correction or amendment.

(3) As required by the United States Civil Service Commission in its published regulations implementing the Act, the Department will charge no fee for a single copy of a personnel record covered by that Commission's Government-wide published notice of systems of records.

(b) The copying fees prescribed by paragraph (a) of this section are:

$0.07 Each copy of each page, up to "8½x14, made by photocopy or similar process.

$0.25	Each copy of each microform frame printed on paper.
$0.25	Each aperture card.
$0.25	Each 105mm fiche.
$7.00	Each 100' roll of 35mm microfilm.
$6.00	Each 100' roll of 16mm microfilm.
$0.20	Each page of computer printout without regard to the number of carbon copies concurrently printed.

Other copying forms (*e.g.*, typing or printing) will be charged at direct cost, including personnel and equipment costs.

(c) All copying fees shall be paid by the individual before the copying will be undertaken. Payment shall be made in cash, or, preferably, by check or money order payable to "U.S. Department of Commerce," and they shall be paid or sent to the office stated in the billing notice or, if none, to the Privacy Officer processing the request. Where appropriate, payment may be required in the form of certified check.

(d) A copying fee totaling $1 or less shall be waived, but the copying fees for contemporaneous requests by the same individual shall be aggregated to determine the total fee. A copying fee shall not be charged or collected, or alternatively, it may be reduced, when it is determined by the Privacy Officer, based on a petition therefor, that the petitioning individual is indigent and that Department resources permit a waiver of all or part of the fee. An individual is deemed to be indigent when without income or resources sufficient to pay the fees.

(e) Special and additional services provided at the request of the individual, such as certification or authentication postal insurance and special mailing arrangement costs, will be charged to the individual in accordance with other published regulations of the Department pursuant to statute (for example, 31 U.S.C. 483a).

(f) This section applies only to individuals making requests under this part. All other persons shall remain subject to fees and charges prescribed by other and appropriate authorities.

§ 4b.12 Penalties.

(a) The Act provides, in pertinent part:

"Any person who knowingly and willfully requests or obtains any record concerning an individual from an agency under false pretences shall be guilty of a misdemeanor and fined not more than $5,000." (5 U.S.C. 552a(i)(3))

(b) A person who falsely or fraudulently attempts to obtain records under the Act also may be subject to prosecution under such other criminal statutes as 18 U.S.C. 494, 495 and 1001.

§ 4b.13 General exemptions.

(a) Individuals may not have access to records maintained by the Department but which were provided by another agency which has determined by regulation that such information is subject to general exemption under 5 U.S.C. 552a(j). If such exempt records are within a request for access, the Department will advise the individual of their existence and of the name and address of the source agency. For any further information concerning the record and the exemption, the individual must contact that source agency.

(b) The general exemptions determined to be necessary and proper with respect to systems of records maintained by the Department, including the parts of each system to be exempted, the provisions of the Act from which they are exempted, and the justification for the exemption, are as follows:

(1) *Individuals Identified in Export Administration Compliance Proceedings or Investigations—COMMERCE/DIBA-1.* Pursuant to 5 U.S.C. 552a(j)(2), these records are hereby determined to be exempt from all provisions of the Act, except 5 U.S.C. 552a (b), (c) (1) and (2), (e)(4) (A) through (F), (e) (6), (7), (9), (10), and (11), and (i). These exemptions are necessary to insure the proper functioning of the law enforcement activity, to protect confidential sources of information, to fulfill promises of confidentiality, to maintain the integrity of the law enforcement process, to avoid premature disclosure of the knowledge of criminal activity and the evidentiary bases of possible enforcement actions, to prevent interference with law enforcement proceedings, to avoid the disclosure of investigative techniques, and to avoid the endangering of law enforcement personnel. Section 7(c) of the Export Administration Act of 1969, as amended, also protects this information from disclosure.

(2) *Fisheries Law Enforcement Case File—COMMERCE/NOAA-11.* Pursuant to 5 U.S.C. 552a(j)(2), these records are hereby determined to be exempt from all provisions of the Act, except 5 U.S.C. a (b), (c) (1) and (2), (e)(4) (A) through (F), (e) (6), (7), (9), (10), and (11) and (i). These exemptions are necessary to insure the proper functioning of the law enforcement activity, to protect confidential sources of information, to fulfill promises of confidentiality, to prevent interference with law enforcement proceedings, to avoid the disclosure of investigative techniques, to avoid the endangering of law enforcement personnel, to avoid premature disclosure of the knowledge of criminal activity and the evidentiary bases of possible enforcement actions, and to maintain the integrity of the law enforcement process.

(3) *Investigative Records—Contract and Grant Frauds and Employee Criminal Misconduct—COMMERCE/DEPT-12.* Pursuant to 5 U.S.C. 552a(j)(2), these records are hereby determined to be exempt from all provisions of the Act, except 5 U.S.C. 552 a(b), (c) (1) and (2), (e)(4) (A) through (F), (e) (6), (7), (9), (10), and (11) and (i). These exemptions are necessary to insure the proper functions of the law enforcement activity, to protect confidential sources of information, to fulfill promises of confidentiality, to prevent interference with law enforcement proceedings, to avoid the disclosure of investigative techniques, to avoid the endangering of law enforcement personnel, to avoid premature disclosure of the knowledge of criminal activity and the evidentiary bases of possible enforcement actions, and to maintain the integrity of the law enforcement process.

§ 4b.14 Specific exemptions.

(a) Some systems of records under the Act which are maintained by the Department contain, from time-to-time, material subject to the exemption appearing at 5 U.S.C. 552a(k)(1), relating to national defense and foreign policy materials. The systems of records published in the FEDERAL REGISTER on this same date by the Department which are within this exemption are: COMMERCE/DIBA-2, COMMERCE/DIBA-3, COMMERCE/PAT-TM-5, COMMERCE/PAT-TM-8, COMMERCE/PAT-TM-9, COMMERCE/DEPT-12 and COMMERCE/DEPT-13. The Department hereby asserts a claim to exemption of such materials wherever they might appear in such systems or records, or any systems of records, at present or in the future. The materials would be exempt from 5 U.S.C. 552a(c)(3), (d) (e)(1), (e)(4) (G), (H) and (I) and (f). The reason therefor is to protect the materials required by Executive Order to be kept secret in the interest of the national defense and foreign policy.

(b) The specific exemptions determined to be necessary and proper with respect to systems of records maintained by the Department, including the parts of each system to be exempted, the provisions of the Act from which they are exempted, and the justification for the exemption, are as follows:

(1) *Exempt under 5 U.S.C. 552a(k)(1).* The systems of records exempt hereunder appear in subsection (a) of this section. The claims for exemption of COMMERCE/DEPT-12 and COMMERCE/DIBA-1 under this subsection are subject to the condition that the general exemption claimed in subsection 4b.13(b)(3) of this part is held to be invalid.

(2) *Exempt under 5 U.S.C. 552a (k)(2).* The systems of records exempt (some only conditionally), the sections of the Act from which exempted and the reasons herefor are as follows:

(i) Individuals Identified in Export Administration Compliance Proceedings of Investigations—COMMERCE/DIBA-1, but only on condition that the general exemption claimed in subsection 4b.13(b)(1) of this part is held to be invalid;

(ii) Individuals Involved in Export Transactions—COMMERCE/DIBA-2;

(iii) Fisheries Law Enforcement Case File—COMMERCE/NOAA-11, but only on condition that the general exemption claimed in § 4b.13(b)(2) is held to be invalid;

(iv) EEO Title VI Compliance and Complaints Files—COMMERCE/DEPT-6;

(v) Investigative Records—Contract and Grants Frauds and Employee Criminal Misconduct—COMMERCE/DEPT-12, but only on condition that the general exemption claimed in subsection 4b.13(b)(3) of this part is held to be invalid;

(vi) Investigative Records—Persons Associated with the Department, Ex-

cepting CSC Employee Records—COMMERCE/DEPT–13; and,

(vii) Litigation, Claims, and Administrative Proceeding Records—COMMERCE/DEPT–14.

The foregoing are exempted from 5 U.S.C. 552a(c)(3), (d), (e)(1), (e)(4)(G), (H), and (I) and (f). The reasons for asserting the exemption are to prevent subjects of investigation from frustrating the investigatory process, to insure the proper functioning and integrity of law enforcement activities, to prevent disclosure of investigatiove techniques, to maintain the ability to obtain necessary information, to fulfill commitments made to sources to protect their identities and the confidentiality of information and to avoid endangering these sources and law enforcement personnel. Special note is taken of the fact that the proviso clause in this exemption imports due process and procedural protections for the individual. The existence and general character of the information exempted will be made known to the individual to whom it pertains.

(3) *Exempt under* 5 U.S.C. 552a(k)(4). The systems of records exempt, the sections of the Act from which exempted, and the reasons therefor are as follows:

(i) Agricultural Census Records for 1964 (Partial), 1969, and 1974—COMMERCE/SESA–1;

(ii) Individual and Household Statistical Surveys and Special Census Studies Records—COMMERCE/SESA–3;

(iii) Minority-Owned Business Enterprises Survey Records—COMMERCE/SESA–4;

(iv) Population and Housing Census Records for 1960 and 1970—COMMERCE/SESA–5; and,

(v) Special Censuses of Population Conducted for State and Local Governments—COMMERCE/SESA–7.

The foregoing are exempted from 5 U.S.C. 552a(c)(3), (d), (e)(1), (e)(4)(G), (H), and (I) and (f). The reasons for asserting the exemption are to comply with the prescription of Title 13, United States Code, especially sections 8 and 9, and to avoid needless consideration of records whose present, solely statistical use comports fully with a basic purpose of the Act, namely, no adverse determinations may be made of these records as to any identifiable individual.

(4) *Exempt under 5 U.S.C. 552a(k)(5).* The systems of records exempt (some only conditionally), the sections of the Act from which exempted, and the reasons therefor are as follows:

(i) Indian Reservation Economic Development Planners and Applicants Records—COMMERCE/EDA–3;

(ii) Applications to U.S. Merchant Marine Academy (USMMA)—COMMERCE/MA–1;

(iii) Trustees for Ship Sales—COMMERCE/MA–13;

(iv) USMMA Midshipman Medical Files—COMMERCE/MA–17;

(v) USMMA Midshipman Personnel Files—COMMERCE/MA–18;

(vi) USMMA Non-Appropriated Fund Activity Employees—COMMERCE/MA–19;

(vii) USMMA Service Contractor Employees—COMMERCE/MA–20;

(viii) Applicants for the NOAA Corps—COMMERCE/NOAA–4;

(ix) Commissioned Officer Official Personnel Folders—COMMERCE/NOAA–7;

(x) Conflict of Interest Records, Appointed Officials—COMMERCE/DEPT–3;

(xi) EEO Title VI Compliance and Complaint Files—COMMERCE/DEPT–6;

(xii) Investigative Records—Contract and Grant Frauds and Employee Criminal Misconduct—COMMERCE/DEPT–12, but only on condition that the general exemption claimed in subsection 4b.13 (b)(3) of this part is held to be invalid;

(xiii) Investigative Records—Persons Associated with the Department, Excepting CSC Employee Records—COMMERCE/DEPT–13; and,

(xiv) Litigation, Claims, and Administrative Proceeding Records—COMMERCE/DEPT–14.

The foregoing are exempted from 5 U.S.C. 552a(c)(3), (d), (e)(1), (e)(4)(G), (H) and (I) and (f). The reasons for asserting the exemption are to maintain the ability to obtain candid and necessary information, to fulfill commitments made to sources to protect the confidentiality of information, to avoid endangering these sources and, ultimately, to facilitate proper selection or continuance of the best applicants or persons for a given position or contract. Special note is made of the limitation on the extent to which this exemption may be asserted. The existence and general character of the information exempted will be made known to the individual to whom it pertains.

(c) At the present time, the Department claims no exemption under 5 U.S.C. 552a(k)(3), (6) and (7).

APPENDIX A

OFFICIALS TO RECEIVE INQUIRIES, REQUESTS FOR ACCESS AND REQUESTS FOR CORRECTION OR AMENDMENT*

*For records in systems of records located in***	*Privacy Officer*
The Office of the Secretary and all departmental staff offices.	Director, Office of Organization and Management Systems, Main Commerce Building, Washington, D.C. 20230.
Domestic and International Business Administration.	Director, Office of Management and Systems, DIBA, Main Commerce Building, Washington, D.C. 20230.
Economic Development Administration	Director, Office of Public Affairs, EDA, Main Commerce Building, Washington, D.C. 20230.
Maritime Administration	Secretary of the Maritime Administration, Main Commerce Building, Washington, D.C. 20230.
National Bureau of Standards	Associate Director for Administration, NBS, Administration Building, Washington, D.C. 20234.
National Fire Prevention and Control Administration.	Administrative Officer, NFPCA, Washington, D.C. 20230.
National Oceanic and Atmospheric Administration—Inquiries only	
All except NOAA Corps	Assistant Administrator for Administration, NOAA, 6010 Executive Blvd., Rockville, Md. 20852.
NOAA Corps	Director, NOAA Corps, 6010 Executive Blvd., Rockville, Md. 20852.
Requests	
All, including NOAA Corps	Assistant Administrator for Administration, NOAA, 6010 Executive Blvd., Rockville, Md. 20852.
National Technical Information Service	Administrative Officer, NTIS, Springfield, Va. 22151.
Office of Minority Business Enterprise	Assistant Director, Field Operations and Administration, OMBE, Main Commerce Bldg., Washington, D.C. 20230.
Office of Telecommunications	Administrative Officer, OTEL, U.S. Department of Commerce, Washington, D.C. 20230.
Patent and Trademark Office	Assistant Commissioner for Administration, Patent and Trademark Office, Washington, D.C. 20231.
Social and Economic Statistics Administration.	Associate Administrator for Administration, SESA, FOB 3, Washington, D.C. 20233.
United States Travel Service	Executive Director, USTS, Main Commerce Bldg., Washington, D.C. 20230.

*National Oceanic and Atmospheric Administration subject to division of responsibilities noted below.

**If the location of the records within the Department is unknown, address the inquiry to the Privacy Officer for the Office of the Secretary and all Departmental staff offices.

APPENDIX B

OFFICIALS TO RECEIVE APPEALS FROM ADVERSE DETERMINATION ON CORRECTION OR AMENDMENT

For records in systems of records located in	*Privacy Appeals Officer*
The Office of the Secretary and all Departmental staff offices.	Assistant Secretary for Administration, Main Commerce Building, Washington, D.C. 20230.
Domestic and International Business Administration.	Assistant Secretary for Domestic and International Business, Main Commerce Building, Washington, D.C. 20230.
Economic Development Administration	Assistant Secretary for Economic Development, Main Commerce Building, Washington, D.C. 20230.
Maritime Administration	Assistant Secretary for Maritime Affairs, Main Commerce Building, Washington, D.C. 20230.
National Bureau of Standards	Director, National Bureau of Standards, Administration Building, Washington, D.C. 20234.
National Fire Prevention and Control Administration.	Administrator, National Fire Prevention and Control Administration, Washington, D.C. 20230.
National Oceanic and Atmospheric Administration.	Administrator, National Oceanic and Atmospheric Administration, Main Commerce Building, Washington, D.C. 20230.
National Technical Information Service	Director, National Technical Information Service, Main Commerce Building, Washington, D.C. 20230.
Office of Minority Business Enterprise	Director, Office of Minority Business Enterprise, Main Commerce Building, Washington, D.C. 20230.
Office of Telecommunications	Director, Office of Telecommunications, U.S. Department of Commerce, Washington, D.C. 20230.
Patent and Trademark Office	Commissioner, Patent and Trademark Office, Washington, D.C. 20231.
Social and Economic Statistics Administration.	Administrator, Social and Economic Statistics Administration, FOB 3, Washington, D.C. 20230.
United States Travel Service	Assistant Secretary for Tourism, Main Commerce Building, Washington, D.C. 20230.

APPENDIX C

SYSTEMS OF RECORDS NOTICED BY OTHER AGENCIES AND APPLICABLE TO THE DEPARTMENT

Category of records	*Other Federal agency*
Federal Personnel Records	Civil Service Commission.
Federal Employee Compensation Act Program.	Department of Labor.
Federal Motor Vehicle Accidents	General Services Administration.
Equal Employment Opportunity under E.O. 11246, as amended.	Department of Labor.
Foreign Service Officer Appraisals	Department of State.

APPENDIX D

FACSIMILE OF OFFICIAL FORM FOR INQUIRIES AND REQUESTS

[Reserved]

Effective date. These regulations shall be effective September 27, 1975.

Dated: July 25, 1975.

ROGERS MORTON,
Secretary of Commerce.

[FR Doc.75-19730 Filed 8-4-75;8:45 am]

DEPARTMENT OF COMMERCE

Office of the Secretary

PRIVACY ACT OF 1974

Notice of Systems of Records

Notice is hereby given that the Department of Commerce, in accordance with 5 U.S.C. 552a(e) (4) and (11), Sec. 3 of the Privacy Act of 1974 (Pub. L. 93-579) ("Act"), proposes to adopt the notice of systems of records set forth below. Although the Act requires only publication for comment of that portion of a notice which describes the "routine uses" of the particular system of records, the Department invites public comment on all parts of the notice.

Any person interested in this notice may submit written data, views, or arguments to the Privacy Act Task Force (Stop 206), Room 5892, U.S. Department of Commerce, 14th and E Streets, NW., Washington, D.C. 20230 on or before September 4, 1975. All written comments received from the public through said date will be considered by the Department before taking action on a final notice. The comments received also will be available for public inspection at the above address between the hours of 9 a.m. and 4 p.m. Monday thorugh Friday (except holidays), as received and until 4 p.m., September 1, 1975.

This notice was drafted and the files to be noticed were selected with major reliance on the "Guidelines and Responsibilities" for implementation of the Act published by the Office of Management and Budget (40 FR 28949, July 9, 1975).

The following remarks should clarify the principles on which the particular systems of records were selected for notice publication, as well as the contents of the notice.

The proposed notice has four distinct parts. The first part is a prefatory note of general routine uses applicable to all noticed systems of records and incorporated by reference into the notice of each particular system of records. The centralizing of these routine uses was occasioned by the desire to avoid unnecessary repetition which would hamper the public in its review and use of the proposed notice. The second part is a segregated note as to the exemption for national defense and foreign policy under 5 U.S.C. 552a(k)(1). It was concluded that isolation of this specific exemption would best underscore the essential importance of records so protected. The third part is a footnote chart of abbreviations used in the names of individual systems of records within the notice. Not all primary operating units of the Department are represented. The absence of any unit means that it had no system of records unique to itself. However, a unit may be covered under a system of records marked "COMMERCE/DEPT" (or under a Government-wide notice such as those listed in Appendix C to the proposed regulations published in the FEDERAL REGISTER this same date). Recourse to that part of a notice for a particular system of records which gives location may reveal such coverage. The fourth part is the listing of the one hundred systems or records determined to be subject ot the Act's requirement of published notice.

Especial note should be taken of the exclusion from the general routine uses and the routine uses of particular systems of records of certain disclosures authorized by the Act itself. They are: Disclosure of corrected or amended records, or notations of disagreement when requested corrections or amendments are denied, under 5 U.S.C. 552a(c)(4); disclosure to and at the request of the individual, of records which pertain to that individual, under 5 U.S.C. 552a(d); disclosures to the courts, under 5 U.S.C. 552a(g); disclosures to the Privacy Protection Study Commission, under sec. 5(e)(2) of the Act; and disclosures to the Office of Management and Budget in the course of its assistance and oversight responsibilities, under Sec. 6 of the Act. The Department submits that these disclosures are outside all the provisions of 5 U.S.C. 552a(b)(1) through (11), including the provision addressing routine uses. The very ommission of these provisions from the itemized permissive disclosures suggests exclusive and co-equal status, for the Congress could have included them quite readily if such were the intent. An alternative theory with respect to the first three of the five situations might be that the disclosures are constructively "pursuant to a written request by, or with the prior written consent of, the individual" inasmuch as they occur through the individual's own initiatives. If the tentative exclusion is reversed, these routine uses would be added to the list of general routine uses.

Three basic criteria were employed to determine those records which constitute a system of records under the Act requiring publication of notice in the FEDERAL REGISTER. All three are discussed in the publication of the Office of Management and Budget noted above. The first criterion is whether the record is an "official" record of the Department. The second criterion is whether information which pertains to an individual "is retrieved" by means of the name or other personal identifier assigned to that particular individual. The third criterion is whether a particular individual, with respect to whom information is retrieved by name or other personal identifier, is viewed in an entrepreneurial, as contrasted with a purely personal, capacity.

Applying these criteria to all records containing personal information as to individuals which were uncovered in a survey of Department files, many did not fall within the definition of "systems of records" in the Act. The one hundred notices of particular systems of records proposed below cover a substantial portion, but not all, of Department records containing information on individuals.

The primary reason why many records do not appear in the proposed notice is found in the very nature of the Department's responsibilities which involve relations with private and public corporations and bodies other than individuals. The Act is directed to individuals and personal information concerning them. To a major extent, information about individuals is maintained in the files of the Department only as a derivative of a relationship, contractual or otherwise, between the Department and a company or public body. In such cases, access to information about the individual is gained through the name of the company or body, a contract number, a project name or number or geographical designation, or a combination of these methods. Thus, the second criterion assumed greatest importance in selecting the records to be noticed.

The entrepreneurial standard, which is the third criterion set forth above, appeared second in frequency. The Department determined its presence both as to sole proprietorships offering goods and services to the Department and as to participants in Department programs. The former is self-explanatory. The latter is illustrated by technical advisors participating in some economic development programs sponsored by the Department. Although files might be maintained in the name of an individual, the Department views the individual only in a businessman capacity completely distinct from a personal capacity.

The first criterion, concerning "official" records, applied to files physically within the precincts of Department facilities but neither required in the conduct of any program or function for which the Department is responsible nor subject to Department control or dominion. It also covered standard research and reference authorities published by private and public sources. Both as to importance and number of records, this was the least important criterion.

The following listings serve to illustrate further the kinds of records falling outside the first and second criteria just discussed and, for that reason, not included in the proposed notice:

Unofficial records and public references

Employee recreation associations;

Employee blood donors;

Employees deciding to "give at the office" to community chest or united givers funds (except where the donation is effected through payroll deduction, in which case the information is covered by the Department's notice on employee attendance, leave and payroll: COMMERCE/DEPT-1*);

Telephone directories and address lists created and kept by individual employees at their own initiative to facilitate communications with other employees and nonemployees;

Lists are created and kept by individual employees as a service to other employees, usually within their immediate office, such as the scheduled expiration dates of driver's licenses for those employees whose position requires operation of a motor vehicle;

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* It is noted that U.S. Savings Bonds purchased through payroll deductions also are covered under the same notice.

Directories published by commercial concerns and public agencies and held by the Department as reference tools, such as Martindale-Hubbell's lists of attorneys and the Department of Labor's list of debarred Government contractors; and,

All publications of the National Technical Information Service sold at retail.

Retrieved by other than individual

Financial statements of individuals who are officers, directors or stockholders of corporations dealing with the Department, but which are filed by corporate name or contract number; and,

Correspondence filed only by date.

The concept of routine uses established by the Act deserves careful attention. The statutory definition indicated use of a record "compatible with the purpose for which it was collected." This signals a clear distinction between the original purpose and the compatible corollary use. Therefore, the Department has omitted from this notice any recital of primary or main purpose for the collection of information in the recital of routine uses. Another norm is whether the routine use involves transmittal of the record information outside the Department. If not, the use is not recorded under the routine use for a particular system of records. This has a special application to the Department in terms of 5 U.S.C. 552a(b)(4). The decision that the Department would be the "agency" responsible for publication of this notice and the regulations under the Act and the fact that the Bureau of the Census is one of the main line components of the Department have the effect of making record transfers to that Bureau subject to 5 U.S.C. 552a(b)(1), not 5 U.S.C. 552a(b)(4) or 5 U.S.C. 552a(b)(3). More generally, routine use by staffs in personnel, paperwork management, statistics, counsel and computer offices are not recited, either. The reasons are the strictly intra-Departmental character of the use and the view that such uses are immediately ancillary to the purpose for which the records were collected.

This notice does not include particular identification of certain systems of records, admittedly existing within the Department, due to the fact that other Federal agencies have assumed responsibility for publishing a Government-wide notice. The primary example is the publication of systems of records pertaining to Federal employee personnel records by the United States Civil Service Commission. The Department has listed all such known notices, and identified the publishing agencies, in Appendix C to the proposed regulations published in the FEDERAL REGISTER this same date.

This notice also does not include discussion of the application of general exemptions determined by other Federal agencies to apply to records or copies of records in the possession of the Department. However, the proposed regulations published in the FEDERAL REGISTER this same date state the procedure to be followed by the Department (15 CFR 4b.-13).

A number of the particular systems of records noticed indicate Social Security Numbers in the category of information and request an individual to provide such number when applying to the Department as a matter of right under the Act. The Department is not unaware of the provisions of sec. 7 of the Act. The fact is that some filing systems were designed with Social Security Numbers as one of the retrieval keys. In the event any individual declines to provide his or her number, the Department will make a reasonable effort to respond to the request submitted.

The Department has omitted a notice embracing experts or consultants engaged by the Department. This decision was made in the belief that such persons either are special employees covered by the general notice published by the United States Civil Service Commission or are subject to the entrepreneurial criterion discussed above.

Finally, the Department intends to solicit the public's views on its implementation of the Act during the Fall of 1976. A notice to that effect will be published in the FEDERAL REGISTER. Although not required, citizen comments should provide valuable insight as to the success, or shortcomings, of the Department's efforts to implement the Act fully.

Effective date. This notice shall be effective August 28, 1975.

Dated: July 25, 1975.

ROGERS MORTON,
Secretary of Commerce.

The Department proposes to adopt the following notice of systems of records:

NOTICE OF SYSTEMS OF RECORDS*

* The identification of the operating unit or units within the Department to which the particular system of records pertains appears as "COMMERCE/" followed by a designating abbreviation. The abbreviations and their meanings are as follows:

DEPT—Overall Department of Commerce (or at least multiple operating units presently, and a potential for more).

DIBA—Domestic and International Business Administration.

EDA—Economic Development Administration.

IATC—Interagency Auditor Training Center.

MA—Maritime Administration.

NBS—National Bureau of Standards.

NOAA—National Oceanic and Atmospheric Administration.

NTIS—National Technical Information Service.

PAT-TM—Patent and Trademark Office.

SESA—Social and Economic Statistics Administration.

USTS—United States Travel Service.

PREFATORY STATEMENT OF GENERAL ROUTINE USES

The following routine uses apply to, and are incorporated by reference into, each system of records set forth below.

1. In the event that a system of records maintained by the Department to carry out its functions indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether federal, state, local or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto.

2. A record from this system of records may be disclosed, as a routine use, to a federal, state or local agency maintaining civil, criminal or other relevant enforcement information or other pertinent information, such as current licenses if necessary to obtain information relevant to a Department decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant or other benefit.

3. A record from this system of records may be disclosed, as a routine use, to a federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant, or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

4. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate or administrative tribunal, including disclosures to opposing counsel in the course or settlement negotiations.

5. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving the individual when the individual is a constituent of the Member and has requested assistance from the Member with respect to the subject matter of the record.

6. A record in this system of records which contains medical information may be disclosed, as a routine use, to the medical advisor of any individual submitting a request for access to the record under the Act and 15 CFR Part 4b if, in the sole judgment of the Department, disclosure could have an adverse effect upon the individual, under the provision of 5 U.S.C. 552a(f)(3) and implementing regulations at 15 CFR 4b.6.

NATIONAL DEFENSE AND FOREIGN POLICY EXEMPTION

Some systems of records under the Act which are maintained by the Department contain, from time-to-time, material subject to the specific exemption authorized by 5 U.S.C. 552a(k)(1), relating to national defense and foreign policy materials. The systems of records noticed below, and also listed in 15 CFR 4b.14(a) of the proposed regulations published in the FEDERAL REGISTER this same date, which are subject to this determination of specific exemption under 5 U.S.C. 552

a(k)(1) are: COMMERCE/DIBA–2, COMMERCE/DIBA–3, COMMERCE/PAT–TM–5, COMMERCE/PAT–TM–8, COMMERCE/PAT–TM–9, COMMERCE/DEPT–12 and COMMERCE/DEPT–13. The Department hereby asserts a claim to exemption of such materials wherever they might appear in such systems of records, or any systems of records, at present or in the future. The materials would be exempt from 5 U.S.C. 552a (c)(3), (d), (e)(1), (e)(4) (G), (H), and (F) and (f). The reason therefor is to protect the material required by Executive Order to be kept secret in the interest of the national defense and foreign policy.

COMMERCE/DEPT-1.

System name: Attendance, Leave, and Payroll Records of Employees-COMMERCE/DEPT-1.

System location: a. For employees of Departmental Offices, DIBA, EDA, NFPCA, OMBE, and Regional Action Planning Commissions: Office of Financial Management Services, OS, U.S. Department of Commerce, 14th and Constitution Avenue, N.W., Washington, D.C. 20230, and Office of Organization and Management Systems (ADP Operations Division), use above address.

b. For employees of MARAD: Maritime Administration, Office of Personnel (Data Operations Division), 14th and Constitution Avenue, N.W., Washington, D.C. 20230.

c. For employees of NBS: National Bureau of Standards, Accounting Division (Payroll Section), Administration Building, Gaithersburg, Maryland (P.O. Washington, D.C. 20234).

d. For employees of NOAA: National Oceanic and Atmospheric Admin- istration, Personal Services Accounting Branch, 6010 Executive Boulevard, Rockville, Maryland 20852.

e. For employees of PAT-TM: Office of Finance (Employee Accounts Division), Patent and Trademark Office, 2021 Jefferson Davis Highway, Arlington, Virginia 22202.

f. For employees of SESA: Social and Economics Statistics Admin- istration, Federal Building 3, Washington, D.C. 20233, and following SESA Regional Offices: 1365 Peachtree Street, N.E., Atlanta Georgia 30309; 441 Stuart Street, Boston, Massachusetts 02116; 230 South Tryon Street, Charlotte, North Carolina 28202; 536 South Clark Street, Chicago, Illinois 60605; 1100 Commerce Street, Dallas, Texas 75202; 11011 West Sixth Avenue (P.O. Box 25207), Denver, Colorado 80225; 234 State Street, Detroit, Michigan 48226; One Gateway Center, 4th and State Streets, Kansas City, Kansas 66101; 1100 Wilshire Boulevard, Los Angeles, California 90024; 26 Federal Plaza, New York City, New York 10007; 600 Arch Street, Philadelphia, Pennsylvania 19106; and 1700 Westlake Avenue, Seattle, Washington 98109.

Categories of individuals covered by the system: All Commerce Department employees as categorized by organizational component in (a) through (f), above.

Categories of records in the system: Name, social security number and employee number, grade, step, and salary; organization (code), retirement or FICA data as applicable; Federal, state, and local tax deductions, as appropriate; IRS tax lien data; savings bond and charity deductions; regular and optional Government life insurance deduction(s), health insurance deduction and plan or code; cash award data; jury duty data; military leave data; pay differen- tials; union dues deductions; allotments, by type and amount; financial institution code and employee account number; leave status and leave data of all types (including annual, compensatory, jury duty, maternity, military, retirement disability, sick, transferred, and without pay); time and attendance records, including number of regular, overtime, holiday, Sunday, and other hours worked; pay period number and ending date; cost of living allowances; mailing address; co-owner and/or beneficiary of bonds, marital status and number of dependents; and 'Notification of Personnel Action'. The individual records listed herein are included only as pertinent or applicable to the individual employee.

Authority for maintenance of the system: Title 6, GAO Policy and Procedures Manual, pursuant to 31 U.S.C. 66(a) and sections 112(a) and 113 of the Budget and Accounting Procedures Act of 1950.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Transmittal of data to U.S. Treasury to effect issuance of paycheck to employees and distribution of pay according to employee directions for savings bonds, allotments, financial institutions, and other authorized purposes.

Reporting: tax withholding to Internal Revenue Service and appropriate State and local taxing authorities; FICA deductions to the Social Security Administration; dues deductions to labor unions; withholdings for health insurance to the insurance carriers and the U.S. Civil Service Commission; charity contribution deductions to agents of charitable institutions; annual W-2 statements to taxing authorities and the individual.

(When P.L. 93-579 becomes effective, it is anticipated that appropriate statements will be issued to employees, spouse-recipients, and the courts involved).

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the sytem:

Storage: Both manual and machine-readable.

Retrievability: By name and/or employee or social security number.

Safeguards: Physical, technical, and administrative security is maintained, with all storage equipment and/or rooms locked when not in use. Admittance, when open, is restricted to authorized personnel only. All payroll personnel and computer operators and programmers are instructed and cautioned on the confidentiality of the records.

Retention and disposal: Retained on site until after GAO audit, then disposed of, or transferred to Federal Records Storage Centers in accordance with the fiscal records program approval by GAO, as appropriate, or General Record Schedules of GSA.

System manager(s) and address: For records at Location (a): Director, Departmental Office of Financial Management Services, U.S. Department of Commerce, Washington, D.C. 20230.

For records at Location (b): (machine readable) Chief, Division of Data Operations, (manual) Chief, Division of Budget and Program Analysis, Maritime Administration, Washington, D.C. 20230;

For records at Location (c): Chief Accountant, Accounting Division, National Bureau of Standards, Administration Building, Gaithersburg, Maryland (P.O. Washington, D.C. 20234)

For records at Location (d): Chief, Personal Services Accounting Branch, National Oceanic and Atmospheric Administration, 6010 Executive Boulevard, Rockville, Maryland 20852;

For records at Location (e): Director, Office of Finance, Patent and Trademark Office, Washington, D.C. 20231; and

For records at Location (f): Associate Administrator for Administration, Federal Building 3, Washington, D.C. 20233.

Notification procedure: For records at Location (a), information may be obtained from: Director, Office of Organization and Management Systems, OS, U.S. Department of Commerce, Washington, D.C. 20230;

For records ar Location (b), information may be obtained from: Secretary, Maritime Administration, Washington, D.C. 20230;

For records ar Location (c), information may be obtained from: Associate Director for Administration, National Bureau of Standards, Gaithersburg, Maryland (p.O. Washington, D.C. 20234);

For records ar Location (d), information may be obtained from: Assistant Administrator for Administration, National Oceanic and Atmospheric Administration, 6010 Executive Boulevard, Rockville, Maryland 20852;

For records at Location (e), information may be obtained from: Assistant Commissioner for Administration, U.S. Patent and Trademark Office, Washington, D.C. 20231; and

For records at Location (f), information may be obtained from: Associate Administrator for Administration, Social and Economic Statistics Administration, Federal Building 3, Washington, D.C. 20233.

Requestor should provide name, social security number, and time or organization unit of employment pursuant to the inquiry provisions of the Department's Rules as published in this issue of the Federal Register.

Record access procedures: Requests from individuals should be addressed to: same address of the desired location as stated in the notification section above.

Contesting record procedures: The Department's rules for access, for contesting contents, and appealing initial determinations by the individual concerned appear in the Rules Section of this Federal Register. Use above address for desired location.

Record source categories: Subject individuals, supervisors, timekeepers, official personnel records, and IRS.

COMMERCE/DEPT-2.

System name: Accounts Receivable-COMMERCE/DEPT-2.

System location: a. For Departmental offices, DIBA, EDA, NFPCA, USTS, OMBE, and Regional Action Planning Commissions: Office of Financial Management Services, OS, U.S. Department of Commerce, 14th and Constitution Avenue, N.W., Washington, D.C. 20230, and Office of Organization and Management Systems (ADP Operations Division), use above address.

b. For MARAD: Maritime Administration, Office of Personnel (Date Operations Division), 14th and Constitution Avenue, N.W., Washington, D.C. 20230.

c. For NBS: National Bureau of Standards, Accounting Division, Administration Building, Gaithersburg, Maryland (P.O. Washington, D.C. 20234).

d. For NOAA: National Oceanic and Atmospheric Administration, Finance Division, 6010 Executive Boulevard, Rockville, Maryland 20852.

e. For PAT-TM: Office of Finance, Patent and Trademark Office, 2021 Jefferson Davis Highway, Arlington, Virginia 22202.

f. For SESA: Social and Economics Statistics Administration, Federal Building 3, Washington, D.C. 20233.

Categories of individuals covered by the system: Debtors owing money to the agency, including employees, former employees, business firms, general public, and institutions.

Categories of records in the system: Name and address; amount owed, and service, overpayment or other accounting therefor; invoice number, if any.

Authority for maintenance of the system: 5 U.S.C. 5701-09; FPMR 101-7; Treasury Fiscal Requirements Manual.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Billing debtors, reporting to Civil Service Commission, and routine uses per Prefatory Statement.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the sytem:

Storage: Manual and machine readable copy.

Retrievability: By name, and invoice number as appropriate.

Safeguards: Physical security, handling by authorized personnel only.

Retention and disposal: Retained until payment is received and account is audited, then disposed of in accordance with Records Control Schedule.

System manager(s) and address: For records at Location (a): Director, O/Financial Management Services, OS, U.S. Dept. of Commerce, Washington, D.C. 20230.

For records at Location (b): Chief, Division of Accounts, Maritime Administration, Main Commerce Building, Washington, D.C. 20230.

For records at Location (c): Chief, Accounting Division, National Bureau of Standards, Administration Building, Washington, D.C. 20234.

For records al Location (d): Chief, Finance Division, NOAA, 6010 Executive Blvd., Rockville, Md. 20852.

For records at Location (e): Chief, Office of Finance, Patent and Trademark Office, 2021 Jefferson Davis Highway, Arlington, Va. 22202.

For records at Location (f): Associate Administrator for Administration, Social and Economic Statistics Administration, Federal Building 3, Washington, D.C. 20233.

Notification procedure: For records at Location (a), information may be obtained from: Director, Office of Organization and Management Systems, OS, U. S. Department of Commerce, Washington, D.C. 20230;

For records at Location (b), information may be obtained from: Secretary, Maritime Adminsitration, Washington, D.C. 20230;

For records at Location (c), information may be obtained from: Associate Director for Administration, National Bureau of Standards, Gaithersburg, Maryland (P.O. Washington, D.C. 20234);

For records at Location (d), information may be obtained from: Assistant Administrator for Administration, National Oceanic and Atmospheric Administration, 6010 Executive Boulevard, Rockville, Maryland 20852.

For records at Location (e), information may be obtained from: Assistant Commissioner for Administration, U.S. Patent and Trademark Office, Washington, D.C. 20231; and

For records at Location (f), information may be obtained from: Associate Administrator for Administration, Social and Economic Statistics Administration, Federal Building 3, Washington, D.C. 20233.

Requestor should provide name and address, and invoice number as appropriate, pursuant to the inquiry provisions of the Deaprtment's Rules as published in this issue of the Federal Register.

Record access procedures: Requests from individuals should be addressed to: same adress as stated in the notification section above.

Contesting record procedures: The Department's rules for access, for contesting contents, and appealing initial determinations by the individual concerned appear in the Rules Section of this Federal Register. Use address.

Record source categories: Subject individual, contracting officer-as appropriate, accounting records.

COMMERCE/DEPT-3.

System name: Conflict of Interest Records, Appointed Officials-COMMERCE/DEPT-3.

System location: Office of General Counsel, Room 5876, U.S. Department of Commerce, Washington, D.C. 20230.

Categories of individuals covered by the system: Individuals, past and present, appointed by the President to Commerce Department offices and other senior level officers of the Department.

Categories of records in the system: Statements of personal and family shareholdings and other interests in business enterprises; copies of blind trust and other agreements pertaining to such interests; correspondence as to insulation of control of such interests; opinions of counsel; and confirmation materials.

Authority for maintenance of the system: 18 U.S.C. 306 and E.O. 11222 (May 8, 1965).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: See routine use paragraphs of Prefatory Statement.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the sytem:

Storage: Paper records in file folders.

Retrievability: Filed alphabetically by name.

Safeguards: Records are located in lockable metal file cabinets or in metal file cabinets in secured rooms or secured premises with access limited to those whose official duties require access.

Retention and disposal: Disposed of 2 years after separation of employee.

System manager(s) and address: Deputy General Counsel, Room 5870, U.S. Department of Commerce, Washington, D.C. 20230.

Systems exempted from certain provisions of the act: Pursuant to 5 U.S.C. 552a (k)(5), all investigatory material in the record which meets the criteria of 5 U.S.C. 552a(k) (5) is exempted from the notice, acces, and contest requirements (under 5 U.S.C. 552a(c)(3), (d), (e) (1), (e) (4) (G), (H), and (I) and (f)) of the agency regulations in order to fulfill commitments made to protect the confiden- tiality of sources, and to maintain access to sources of information which are necessary to determine suitability for employment.

COMMERCE/DEPT-4.

System name: Congressional Files-COMMERCE/DEPT-4.

System location: Office of the Assistant to the Secretary for Congressional Affairs, U.S. Department of Commerce, 14th and Constitution Avenue, N.W., Washington, D.C. 20230.

Categories of individuals covered by the system: Members of Congress.

Categories of records in the system: Biographical information from sources such as the Congressional Quarterly, Congressional Directory, biographies provided by Members' Offices, extracts from the Congressional Record, and correspondence between the Members and the Department.

Authority for maintenance of the system: 5 U.S.C. 301 and 44 U.S.C. 3101.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: None.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the sytem:

Storage: Maintained in paper form only.

Retrievability: Indexed by name of Member or State or Congressional District.

Safeguards: Records are located in lockable metal file cabinets or in metal file cabinets in secured rooms or secured premises with access limited to those whose official duties require access.

Retention and disposal: The records are retained in accordance with the Office's Record Control Schedule.

System manager(s) and address: Assistant to the Secretary for Conmgressional Affairs, U.S. Department of Commerce, 14th and Constitution Avenue, N.W., Washington, D.C. 20230.

Notification procedure: Information may be obtained from: Departmental Office of Organization and Management Systems, OS, U.S. Department of Commerce, 14th and Constitution Avenue, N.W., Washington, D.C. 20230. Requestor should provide name of Member pursuant to the inquiry provisions of the Department's Rules as published in this issue of the Federal Register.

Record access procedures: Requests from individuals should be addressed to: same adress as stated in the notification section above.

Contesting record procedures: The Department's rules for access, for contesting contents, and appealing initial determinations by the individual concerned appear in the Rules Section of this Federal Register. Use address.

Record source categories: Published Congressional reference materials and the Member, himself or herself.

COMMERCE/DEPT-5.

System name: Donors of Gifts and Bequests-COMMERCE/DEPT-5.

System location: a. For records of Departmental offices, EDA, SESA, OMBE, and USTS: Office of Financial Management Services, OS, U.S. Department of Commerce, Washington, D.C. 20230 and Office of Organization and Managment Systems (ADP Operations Division), use above address.

b. For records of MA: Office of Administration, U.S. Merchant Marine Academy, Kings Point, Long Island, N.Y. 11204.

c. For records of DIBA: Office of Budget, DIBA, U.S. Department of Commerce, Washington, D.C. 20230.

d. For records of NBS: Accounting Division, NBS, Administration Building, Gaithersburg, Maryland (mailing address: Washington, D.C. 20234).

e. For records of NOAA: Finance Division, NOAA, 6010 Executive Boulevard, Rockville, Maryland 20852.

f. For records of PAT-TM: Office of Finance, Patent and Trademark Office, 2021 Jefferson Davis Highway, Arlington, Virginia 22202.

Categories of individuals covered by the system: Any donor of gifts or bequests of funds, property, or services to Departmental offices or agencies.

Categories of records in the system: Name and address of donor; dollar amount of donations; value and description of non-cash donations; name and title of employee receiving gift or travel expenses as a result of the gift; and purposes for which gift or bequest was made.

Authority for maintenance of the system: 5 U.S.C. 608a-608c (1970).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: See routine use paragraphs of Prefatory Statement.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the sytem:

Storage: Both paper records in file folders and magnetic tape.

Retrievability: Filed chronologivally by date of transaction or serial number.

Safeguards: Physical, technical, and administrative security is maintained, with all storage equipment and/or rooms locked when not in use. Admittance, when open, is restricted to authorized personnel only.

Retention and disposal: Records are maintained permanently.

System manager(s) and address: For records at location (a): Director, Office of Financial Management Services, U.S. Department of Commerce, Washington, D.C. 20230.

For records at location (b): Assistant Superintendent for Administration, Office of Administration, U.S. Merchant Marine Academy, Kings Point, Long Island, N.Y. 11024.

For records at location (c): Director, Office of Budget, DIBA, U.S. Departmentof Commerce, Washington, D.C. 20230. For records at location (d): Chief, Accounting Division, NBS, Administration Building, Gaithersburg, Maryland. (Mailing address: Washington, D.C. 20234).

For records at location (e): Chief, Finance Division, NOAA, 6010 Executive Boulevard, Rockville, Maryland 20852.

For records at location (f): Finance Officer, Office of Finance, Patent and Trademark Office, 2021 Jefferson Davis Highway, Arlington, Va. 22202.

Notification procedure: For records at location (a), information may be obtained from: Director, Office of Organization and Management Systems, Room 5329, U.S. Department of Commerce, Washington, D.C. 20230;

For records at location (b), information may be obtained from: Secretary MA/MSB, Room 3099, U.S. Department of Commerce, Washington, D.C. 20236;

For records at location (c), information may be obtained from: Director, Office of Management and Systems, Room 3100, U.S. Department of Commerce, Washington, D.C. 20230;

For records at location (d), information may be obtained from: Associate Director for Administration, Room A1101, Administration Building, NBS, Gaithersburg, Md. (Mailing address: Washington, D.C. 20234);

For records at location (e), information may be obtained from: Associate Administrator for Administration, Room 908, Washington Science Center, NOAA, Rockville, Maryland 20852; and

For records at Location (f), information may be obtained from: Assistant Administrator for Administration, Room 11D27, CP3, U.S. Patent and Trademark Office, 2021 Jefferson Davis Highway, Arlington, Va. 22202.

Requestor should provide name and date of transaction, pursuant to the inquiry provisions of the Department's Rules as published in this issue of the Federal Register.

Record access procedures: Requests from individuals should be addressed to: same address as stated in the notification section above.

Contesting record procedures: The Department's rules for access, for contesting contents, and appealing initial determinatins by the individual concerned appear in the Rules Section of this Federal Register. Use above address.

Record source categories: Donors and subject employees.

COMMERCE/DEPT-6.

System name: EEO Title VI Compliance and Complaint Files-COMMERCE/DEPT-6.

System location: a. Office of Civil Rights, Economic Development Administration, Main Commerce Building, Washington, D.C. 20230.

b. Office of Civil Rights, Maritime Administration, Main Commerce Building, Washington, D.C. 20230.

Categories of individuals covered by the system: Non-Federal employees in maritime industry and on Commerce con- struction projects filing complaints under Title VI of the Civil Rights Act of 1964.

Categories of records in the system: Name, address, social security number, job title, wage rate, earnings, dates of employment, race, sex, work history, data on applications for employment, and complaint.

Authority for maintenance of the system: Title VI, Civil Rights Act of 1964.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Routine uses paragraphs of the Prefatory Statement, and forwarding to the U.S. Department of Labor and to Equal Employment Opportunity Commission.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the sytem:

Storage: Paper records in file folders.

Retrievability: Filed alphabetically by name.

Safeguards: Records are located in lockable metal file cabinets or in metal file cabinets in secured rooms or premises with access limited to those whose official duties require access.

Retention and disposal: Records are retained for 15 years and then destroyed.

System manager(s) and address: a. Director, Office of Civil Rights, Economic Development Admin- istration, Main Commerce Building, Washington, D.C. 20230.

b. Director, Office of Civil Rights, Maritime Administration, Main Commerce Building, Washington, D.C. 20230.

Notification procedure: a. Information may be obtained from: Director, Office of Public Affairs, Economic Development Administration, Main Commerce Building, Washington, D.C. 20230; and

b. Secretary, Maritime Administration, Main Commerce Building, Washington, D.C. 20230.

Requestor should provide name and address and date of complaint, in accordance with the inquiry provisions of the Department's Rules as published in this issue of the Federal Register.

Record access procedures: Requests from individuals should be addressed to: same address as stated in the notification section above.

Contesting record procedures: The Department's rules for access, for contesting contents, and appealing initial determinations by the individual concerned appear in the Rules Section of this Federal Register. Use above address.

Record source categories: Subject individual, fellow workers, and employer.

Systems exempted from certain provisions of the act: Pursuant to 5 U.S.C. 552a(k)(2) and (k)(5), all investigatory material in the record which meets the criteria of these subsections is exempted from the notice, access and contest requirements (under 5 U.S.C. 552a (c) (3), (d), (e) (1), (e) (4) (G), (H) and (I) and (f)) of the agency regulations in order to accomplish the implementation of Title VI of the Civil Rights Act of 1964.

COMMERCE/DEPT-7.

System name: Employee Accident Reports-COMMERCE/DEPT-7.

System location: a. For employees of Departmental Offices and NFPCA: Office of Administrative Services and Procurement, U.S. Department of Commerce, Washington, D.C. 20230.

b. For employees of DIBA: Office of Administrative Support, Domestic and International Business Administration, Washington, D.C. 20230.

c. For employees of EDA: Office Services Division,Economic Development Administration, Washington,D.C. 20230.

d. For employees of MARAD: Office of Domestic Shipping, Maritime Administration, Washington, D.C. 20230.

e. For employees of OMBE: Field Operations and Adminisration, Office of Minority Business Enterprise, Washington, D.C. 20230.

f. For employees of NBS; Safety and Fire Protection Section Administration Building, NBS, Gaithersburg, Md. (P.O. Washington, D.C. 20234).

g. For employees of NOAA: Administrative Operations Division, National Oceanic and Atmospheric Administration, 6010 Executive Blvd., Rockville, Md. 20852.

h. For employees of NTIS; Property Management Branch, Administrative Services Division, National Technical Information Service, 5285 Port Royal Rd., Springfield, Va. 22161.

i. For employees of PAT-TM: Office of General Services, U.S. Patent and Trademark Office, 2011 Jefferson Davis Highway, Arlington, Va. 22202.

j. For employees of SESA; Records and Facilities Branch, Federal Building 4, Social and Economic Statistics Administraiton, Washington, D.C. 20233.

k. For employees of OTEL; Administrative Services Office, Office of Telecommunications, 1325 G. St., N.W., Washington, D.C. 20005.

l. For employees of USTS; Office of Administration, United Stated Travel Service, 14th St, and Constitution Ave., N.W., Washington, D.C. 20230.

Categories of individuals covered by the system: All Department employees as categorized by organization component in (a) through (l), above, who have sustained occupational injury/ illness or who have been involved in a motor vehicle accident while on official Government business,

Categories of records in the system: Name; address; date and place of birth; sex; social security number; grade; location and description of accident or injury; driving permit or license data; physical condition at time of incident; insurance information; vehicle ownership and licensing data.

Authority for maintenance of the system: 29 U.S.C. 651-78, 28 U.S.C. 2671-2680, Executive Orders 11612 and 11807.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: See routine use paragraphs of Prefatory Statement. Also, accident reports involving government vehicles are disclosed to the General Services Administration; accident information may be disclosed to insurance carriers.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the sytem:

Storage: Paper records in file folders.

Retrievability: Filed alphabetically by name.

Safeguards: Records are located in lockable metal file cabinets with access limited to those whose official duties require access.

Retention and disposal: Disposed after 5 years.

System manager(s) and address: For records at Location (a); Co-ordinator for Occupational Safety and Health and Motor Management, Departmental Office of Administrative Services and Procurement, U.S. Department of Commerce, Washington, D.C. 20230.

For records at Location (b): Director, Office of Administrative Support, Domestic and International Business Administration, Washington, D.C. 20230.

For records at Location (c): Chief, Office Services Division, Economic Development Administration, Washington, D.C. 20230.

For records at Location (d): Safety Officer, Office of Domestic Shipping, Maritime Administration, Washington, D.C. 20230.

For records at Location (e): Safety Officer, Field Operations and Administration, Office of Minority Business Enterprise, Washington, D.C. 20230.

For records at Location (f): Chief, Safety and Fire Protection Section, Administration Building, NBS, Gaithersburg, Md. (P.O. Washington, D.C. 20234).

For records at Location (g): Safety Engineer, Administrative Operations Division, National Oceanic and Atmospheric Administration, Rockville, Md. 20852.

For records at Location (h); Chief, Property Management Branch, Administrative Services Division, Sills Building, National Technical Information Service, Springfield, Va. 22161.

For records at Location (i): Chief, Office of General Services, U.S. Patent and Trademark Office, Arlington, Va. 22202.

For records at Location (j): Chief, Records and Facilities Branch, Federal Building 4, Social and Economic Statistics Administration, Washington, D.C. 20233.

For records at Location (k): Safety Officer, Administrative Services Office, Office of Telecommunications, 1325 G St., N.W., Washington, D.C. 20233.

For records at Location (l): Director, Office of Administration, United States travel Service, 14th St. and Constitution Ave., N.W., Washington, D.c. 20230.

Notification procedure: For records at Location (a), information may be obtained from: Director, Office of Organization and Management Systems, OS, U.S. Department of Commerce, Washington, D.C. 20230;

For records at Location (b), information may be obtained from: Director, Office of Management and Systems, Domestic and International Business Administration, Washington, D.C. 20230;

For records at Location (c), information may be obtained from: Director, Office of Public Affairs, Economic Development Administration, Washington, D.C. 20230;

For records at Location (d), information may be obtained from: Secretary, Maritime Administration, Washington, D.C. 20230;

For records at Location (d), information may be obtained from: Assistant Director, Field Operations and Administration, Office of Minority Business Enterprise, Washington, D.C. 20230;

For records at Location (f), information may be obtained from: Associate Director for Administration, National Bureau of Standards, Gaithersburg, Md. (p.O. Washington, D.C. 20234);

For records at Location (g), information may be obtained from: Assistant Administrator for Administration, National Oceanic and Atmospheric Administration, Rockville, Md. 20852;

For records at Location (h), information may be obtained from: Assistant Director for Administration, National Technical Information Service, Springfield, Va. 22161;

For records at Location (i), information may be obtained from: Assistant Commissioner for Administration, U.S. Patent and Trademark Office, Washington, D.C. 20231;

For records at Location (j), information may be obtained from: Associate Director for Administration, Social and Economic Statistics Administration, Federal Building 3, Washington, D.C. 20233;

For records at Location (k), information may be obtained from: Administrative Office, Office of Telecommunications, 1325 G.St., N.W., Washington, D.C. 20005; and

For records at Location (l), information may be obtained from: Executive Director, United States Travel Service, Washington, D.C. 20230.

Requestor should provide name and approximate date of accident pursuant to the inquiry provisions of the Department's Rules as published in this issue of the Federal Register.

Record access procedures: Requests from individuals should be addressed to: same address of the desired location as stated in the notification section above.

Contesting record procedures: The Department's rules for access, for contesting contents, and appealing initial determinations by the individual concerned appear in the RulesSection of this Federal Register. Use above address for desired location.

Record source categories: Subject individual; others involved in accident; witnesses; employee's supervisor; and the safety officer.

COMMERCE/DEPT-8.

System name: Employee Applications for Motor Vehicle Operator's Card-COMMERCE/DEPT-8.

System location: a. For employees of Departmental offices, NFPCA, OMBE, OTEL, Regional Action Planning Commissions, and USTS: Office of Administrative Services and Procurement, U.S. Department of Commerce, Washington, D.C. 20230.

b. For employees of DIBA: Office of Administrative Support, Domestic and International Business Administration, Washington, D.C. 20230.

c. For employees of EDA: Office Services Division, Economic Development Administration, Washington, D.C. 20230.

d. For employees of MARAD: Office of Administrative Services, Maritime Administration, Washington, D.C. 20230; the following MARAD regional offices: 26 Federal Plaza, New York, N.Y. 10007; 701 Loyola Ave., New Orleans, La. 70150; 450 Golden Gate Ave., San Francisco, Calif. 94102; and the U.S. Merchant Marine Academy, Department of Public Works, Kings Point, L.I., N.Y. 11024.

e. For employees of NBS and NTIS: Safety and Fire Protection Section, Administration Building, Gaithersburg, Md. (P.O. Washington, D.C. 20234).

f. For employees of NOAA: Administrative Operations Division, National Oceanic and Atmospheric Administration, Rockville, Md. 20852.

g. For employees of PAT-TM: Offices of General Services, U.S. Patent and Trademark Office, Arlington, Virginia 22202.

h. For employees of SESA: Office of Administrative Services, Social and Economic Statistics Administration, Federal Building 4, Washington, D.C. 20233; and following SESA Regional Offices: 1365 Peachtree Street, N.E., Atlanta, Georgia 30309; 441 Stuart Street, Boston, Massachusetts 02116; 230 South Tryon Street, Charlotte, North Carolina 28202; 536 South Clark Street, Chicago, Illinois 60605; 1100 Commerce Street, Dallas, Texas 75202; 11011 West Sixth Avenue (P.O. Box 25207), Denver, Colorado 80225; 234 State Street, Detroit, Michigan 48226; One Gateway Center, 4th and State Streets, Kansas City, Kansas 66101; 1100 Wilshire Boulevard, Los Angeles, California 90024; 26 Federal Plaza, New York City, New York 10007; 600 Arch Street, Philadelphia, Pennsylvania 19106; and 1700 Westlake Avenue, Seattle, Washington 98109.

Categories of individuals covered by the system: All Department employees as categorized by organizational components in (a) through (h) above, who are seeking or holding a Federal vehicle operator permit.

Categories of records in the system: Name; position title; date and place of birth; physical characteristics; social security number, summary of driving record, including all arrests, traffic citations and accidents for the past five years; hearing and visual acuity examination report; road test results; and medical history.

Authority for maintenance of the system: 40 U.S.C. 471.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: See routine use paragraphs in the Prefatory Statement. Also, information is transmitted to the Department of Transportation with request for suitability check.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the sytem:

Storage: Paper records in file folders.

Retrievability: Filed alphabetically by name.

Safeguards: Records are located in lockable metal file cabinets with access limited to those whose official duties require access.

Retention and disposal: Disposed of when re-issued at the end of three years or upon employee's terminiation of employment.

System manager(s) and address: For records at Location (a): Co-ordinator for Occupational Safety and Health and Motor Management, Departmental Office of Administrative Services and Procurement, U.S. Department of COmmerce, Washington, D.C. 20230.

For records at Location (b): Director, Office of Administrative Support, Domestic and International Business Administration, Washington, D.C. 20230.

For records at Location (c): Chief, Office Services Division, Economic Development Administration, Washington, D.C. 20230.

For records at Location (d): Director, Office of Administrative Services, Office of Domestic Shipping, Maritime Administration, Washington, D.C. 20230.

For records at Location (e): Chief, Safety and Fire Protection Section, Administration Building, National Bureau of Standards, Gaithersburg, Md. (P.O. Washington, D.C. 20234).

For records at Location (f): Motor Fleet Manager, Administrative Operations Division, National Oceanic and Atmospheric Administration, Rockville, Md. 20852.

For records at Location (g): Chief, Office of General Services, U.S. Patent and Trademark Office, Arlington, Va. 22202.

For records at Location (h): Chief, Office of Administrative Services, Federal Building 4, Social and Economic Statistics Administration, Washington, D.C. 20233.

Notification procedure: For records at Location (a), information may be obtained from: Director, Office of Organization and Management Systems, OS, U.S. Department of Commerce, Washington, D.C. 20230.

For records at Location (b), information may be obtained from: Director, Office of Management and Systems, Domestic and International Business Administration, Washington, D.C. 20230.

For records at Location (c), information may be obtained from: Director, Office of Public Affairs, Economic Development Administration, Washington, D.C. 20230.

For records at Location (d), information may be obtained from: Secretary, Maritime Administration, Washington, D.C. 20230.

For records at Location (e), information may be obtained from: Associate Director for Administration, National Bureau of Standards, Gaithersburg, Maryland (P.O. Washington, D.C. 20234).

For records at Location (f), information may be obtained from: Assistant Administrator for Administration, National Oceanic and Atmospheric Administration, Rockville, Maryland 20852.

For records at Location (g), information may be obtained from: Assistant Commissioner for Administration, U.S. Patent and Trademark Office, Washington, D.C. 20231.

For records at Location (h), information may be obtained from: Associate Director for Administration, Social and Economic Statistics Administration, Federal Building 3, Washington, D.C. 20233.

Requestor should provide name, organizational unit, and approximate date of employement pursuant to the inquiry provisions of the Department's Rules as published in this issue of the Federal Register.

Record access procedures: Requests from individuals should be addressed to: same address of the desired location as stated in the notification section above.

Contesting record procedures: The Department's rules for access, for contesting contents, and appealing initial determinations by the individual concerned appear in the Rules Section of this Federal Register. Use above address.

Record source categories: Subject individual motor vehicle departments in individuals state, and National Driver Register of the Department of Transportation.

COMMERCE/DEPT-9.

System name: Employee Travel Records (Domestic and Foreign)-COMMERCE/DEPT-9.

System location: a. For employees of Departmental Offices, DIBA, EDA, NFPCA, OMBE, USTS, and Regional Action Planning Commissions; members of DOC Advisory Committees; and private citizens invited to visit the Department:

Paper records in office of Financial management Services, OS, and machine-readable records in ADP Operations Division, OOMS, both in Main Commerce Building, Washington, D.C. 20230.

b. For employees of MARAD: Division of Accounts, Maritime Administration, Main Commerce Building, Washington, D.C. 20230.

c. For employees of NBS: Acounting Division (Domestic) or Supply Division (Foreign), National Bureau of Standards, Administration Building, Washington, D.C. 20234.

d. For employees of NOAA: Travel and Transportation Branch, NOAA and Finance Division, National Oceanic and Atmospheric Administration, 6010 Executive Boulevard, Rockville, Maryland 20852.

e. For employees of PAT-TM: Office of General Services, Patent and Trademark Office, Arlington, Va. 22202.

f. For employees of SESA: Social and Economic Statistics Administration, Federal Building 3, Washington, D.C. 20233.

Categories of individuals covered by the system: Employees, Advisory Committee Members, and official guests of the Department.

Categories of records in the system: Name, address, social security number; destination, intinerary, mode and purpose of travel; dates; expenses including amounts advanced (if any), amounts claimed, and amounts reimbursed; travel orders, travel vouchers, receipts, and passport record card.

Authority for maintenance of the system: Budget & Accounting Act of 1921; Accounting & Auditing Act of 1950; and Federal Claim Collection Act of 1966.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Transmittal to U.S. Treasury for payment, to State Department for passports, and see routine use portion of Prefatory Statement.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the sytem:

Storage: Manual and machine readable paper copy.

Retrievability: Filed by name, social security number, or travel order number.

Safeguards: Records are located in lockable metal file cabinets or in metal file cabinets in secured rooms or secured premises with access limited to those whose official duties require access.

Retention and disposal: Retained according to GSA Federal Travel Regulations, and then disposed of according to unit's Records Control Schedule.

System manager(s) and address: For records at Location (a), Director, Office of Financial Management Services, and Chief, ADP Operations Division, OOMS, both in Main Commerce Building, Washington, D.C. 20230.

For records at Location (b), Chief, Division of Accounts, Maritime Administration, Washington, D.C. 20230.

For records at Location (c), Chief, Accounting Division (Domestic Travel) and Chief, Supply Division (Foreign Travel), National Bureau of Standards, Administration Building, Gaithersburg, Maryland 20234.

For records at Location (d), Chief, Travel and Transporta- tion, Finance Division, National Oceanic and Atmospheric Administration, 6010 Executive Boulevard, Rockville, Maryland 20852.

For records at Location (e), Director, Office of General Services, Patent and Trademark Office, Arlington, Virginia 22202.

For records at Location (f), Associate Administrator for Administration, Social and Economic Statistics Administration, Federal Building 3, Washington, D.C. 20233.

Notification procedure: For records at Location (a), information can be obtained from: Director, Office of Organization and Management Systems, OS, U.S. Department of Commerce, Wahington, D.C. 20230.

For records at Location (b), information can be obtained from: Secretary, Maritime Administration, Washington, D.C. 20230.

For records at Location (c), information can be obtained from: Associate Director for Administration, National Bureau of Standards, Gaithersburg, Maryland (P.O. Washington, D.C. 20234).

For records at Location (d), information can be obtained from: Assistant Administrator for Administration, National Oceanic and Atmospheric Administration, 6010 Executive Boulevard, Rockville, Maryland 20852.

For records at Location (e), information can be obtained from: Assistant Commissioner for Administration, U.S. Patent and Trademark Office, Washington, D.C. 20231.

For records at Location (f), information can be obtained from: Associate Administrator for Administration, Social and Economic Statistics Administration, Federal Building 3, Washington, D.C. 20233.

Requestor should provide name, travel order number, if known, and date of travel, in accordance with the inquiry provisions of the Department's Rules as published in this issue of the Federal Register.

Record access procedures: Requests from individuals should be address to: same address as stated in the notification section above.

Contesting record procedures: The Department's rules for access, for contesting contents, and appealing initial determinations by the individual concerned appear in the Rules Section of this Federal Register. Use above address.

Record source categories: Subject individual, supervisors, and finance (or accounting) office standard references.

COMMERCE/DEPT-10.

System name: Foreign Residence Requirement Waiver Applicants-COMMERCE/DEPT-10.

System location: Office of Personnel, U.S. Department of Commerce, 14th and Constitution Avenue, N.W., Washington, D.C. 20230.

Categories of individuals covered by the system: Applicant aliens seeking Departmental support for requests for waivers of the foreign residence requirement of Section 212(e) of the Immigration and Nationality Act, as amended.

Categories of records in the system: Name, alien registration number, country of current nationality, date and place of birth, education, dates and places of entry and type of visa for each entry into the U.S., location and dates of foreign residence between entries, date of acquisition of exchange-visitor status, dates and places of residence in the United States and in the country of the exchange-visitor's nationality, place of intended residence in the U.S., current residence and telephone number, prospective U.S. employer, report of sponsors0 of the exchange visit on the request for waiver, and reasons for request of waiver.

Authority for maintenance of the system: 8 U.S.C. 1182(e).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Forwarding of requests and supporting documentation with recommendation for waiver to the State Department. Forwarding of names of applicants to Exchange Visitor Program Sponsors and countries of nationality. Also see routine use paragraphs of Prefatory Statement.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the sytem:

Storage: Paper records in file folders.

Retrievability: Indexed alphabetically by name and calendar year of receipt of application.

Safeguards: Records are located in lockable metal file cabinets or in metal file cabinets in secured rooms or secured premises with access limited to those whose official duties require access.

Retention and disposal: Retained for nine years and then destroyed.

System manager(s) and address: Director, Office of Personnel, Room 5119, 14th and Constitution Avenue, N.W., Washingtonm D.C. 20230.

Notification procedure: Information may be obtained from: Director, Departmental Office of Organization and Management Systems, OS, Main Commerce Building, Washington, D.C. 20230. Requestor should provide name, date of application, and alien registration number, in accordance with inquiry provisions of the Department's Rules as published in this issue of the Federal Register.

Record access procedures: Requests from individuals should be addressed to: same adress as stated in the notification section above.

Contesting record procedures: The Department's rules for access, for contesting contents, and appealing initial determinations by the individual concerned appear in the Rules Section of this Federal Register. Use address.

Record source categories: Applicant, U.S. employer, Exchange Visitor Program sponsor, and embassy of country of nationality.

COMMERCE/DEPT-11.

System name: Freedom of Information Act Requests for Records-COMMERCE/DEPT-11.

System location: For locations, see paragraph 2, Appendix B, 15 CFR Part 4, Federal Register dated March 12, 1975, as amended, in the Federal Register of June 10, 1975..

Categories of individuals covered by the system: Individuals requesting copies of records from the Department of Commerce, including all primary operating units, under the pro- visions of the Freedom of Information Act, as amended.

Categories of records in the system: Name, address, and telephone number; description or identification of records requested, furnished, and/or denied; dates of request and response; amount of fees paid, reduced, or waived, if any; payment delinquencies, if any; petitions of indigency; appeals of denials; final determinations; and names and titles of denying officials and determining officials.

Authority for maintenance of the system: Freedom of Information Act, as amended.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Annual Report to the Congress under section (d) of the Freedom of Information Act, as amended, and available for public inspection at all times. Also see routine use paragraphs of the Prefatory Statement hereto.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the sytem:

Storage: Paper records in file folders.

Retrievability: Indexed chronologically by date received.

Safeguards: Records are located in lockable metal file cabinets or in metal file cabinets in secured rooms or secured premises with access limited to those whose official duties require access.

Retention and disposal: Records are retained in accordance with the Organizations' Records Disposal Schedule.

System manager(s) and address: The head of each Freedom of Information Act Control Desk listed by organizational component and address in paragraph 2, Appendix B, 15 CFR Part 4 is the System Manager for the records at that location.

Notification procedure: See Appendix B to the Privacy Act rules of the Department as published in this issue of the Federal Register for title and address of the responsible Privacy Officer. Requestor should provide name, address, and date or appropriate month and year in which the FOIA request was made.

Record access procedures: Requests from individuals should be addressed to: same adress as stated in the notification section above.

Contesting record procedures: The Department's rules for access, for contesting contents, and appealing initial determinations by the individual concerned appear in the Rules Section of this Federal Register. Use address.

Record source categories: Subject individuals and Department officers and employees engaged in processing or making determinations with respect to FOIA requests.

COMMERCE/DEPT-12.

System name: Investigative Records-Contract and Grant Frauds and Employee Criminal Misconduct-COMMERCE/DEPT-12.

System location: Departmental Office of Investigations and Security, OS, Main Commerce Building, Washington, D.C. 20230.

Categories of individuals covered by the system: When under or having been under investigation for suspected violation of criminal lawspast and present employees; employees and principal officers of contractors used by the Department; and principal officers and employees of organizations, firms, or institutions which are recipients or beneficiaries of grants, loans, or loan guarantee programs of the Department.

Categories of records in the system: Name; address; date and place of birth; citizenship; physical characteristics; employment and military service history; credit references and credit records; education; medical history; arrest records; Federal employee's relatives; dates and purpose of visits to foreign countries; passport numbers; names of spouses, relatives, references, and personal associates; activities; and conflict of interest, security, and suitability for employment.

Authority for maintenance of the system: Executive Order 11652; Title 18 U.S.C., including sections 201, 209, 287, 508, 602, 641, 643, 653, 654, 1001, 1719, 1913, 2071, and 2073.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: See routine use paragraphs in Prefatory Statement.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the sytem:

Storage: Paper records in file folders.

Retrievability: Filed alphabetically by name.

Safeguards: Locked cabinets in secured rooms or in guarded building, and used only by authorized screened personnel.

Retention and disposal: Investigative records are retained until cases are closed; other records are disposed of in accordance with the provision of the unit's Records Central Schedule.

System manager(s) and address: Director, Office of Investigatives and Security, OS, Main Commerce Building, Washington, D.C. 20230.

Systems exempted from certain provisions of the act: Pursuant to 5 U.S.C. 552a (j)(2), all information about an individual in the record which meets the criteria stated in 5 U.S.C. 552a (j)(2) are exempted from the notice, access, and contest requirements of the agency regulations and from all parts of 5 U.S.C. 552a except subsections (b), (c)(1) and (2), (e) (4)(A) through (F), (e)(6), (7),(9), (10), and (11), and (i) and pursuant to 5 U.S.C. 552a (k)(1), (k)(2) and (k)(5), on condition that the 5 U.S.C. 552a (j)(2) exemption is held to be invalid, all information and material in the record which meets the criteria of these three subsections are exempted from the notice, access, and contest requirements under (5 U.S.C. 552a (c) (3), (d), (e)(1), (e)(4) (G), (H), and (I) and (f)) of the agency regulations.

The exemption of this information and material is necessary in order to accomplish this law enforcement function of the agency, to prevent disclosure of classified information as required by Executive Order 11652, to assure the protection of the President, to prevent subjects of investigation from frustrating the investigatory process, to prevent the disclosure of investigative techniques, information, and to avoid endangering these sources and law enforcement personnel.

COMMERCE/DEPT-13.

System name: Investigative Records-Persons Associated with the Department, Excepting CSC Employee Records-COMMERCE/DEPT-13.

System location: Departmental Office of Investigations and Security, OS, Main Commerce Bldg., Washington, D.C. 20230.

Categories of individuals covered by the system: Nominees, members, and former members of public advisory committees, trade missions, and export councils; research associates; and guest workers. Employees of contractors used, or which may be used, by the Department on national security classified projects. Principal officers of some contractors used, or which may be used by the Depart- ment. Principal officers and some employees of organizations, firms, or institutions which are recipients or beneficiaries, or prospective recipients or beneficiaries, of grants, loans, or loan guarantee programs of the Department.

Categories of records in the system: Name; address; date and place of birth; citizenship; physical characteristics; employment and military service history; credit references and credit records; education; medical history; arrest records; Federal employee relatives; dates and purpose of visits to foreign countries; passport numbers; names of spouses, relatives, references, and personal associates; activities; and conflict of interest, security, and suitability materials.

Authority for maintenance of the system: Executive Orders 10450, 11478, 11652; 5 U.S.C. 7531-32; and Equal Employment Act of 1972.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: See routine use paragraphs in Prefatory Statement.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the sytem:

Storage: Paper records in file folders.

Retrievability: Filed alphabetically by name.

Safeguards: Locked cabinets in secure rooms in guarded building, and used only by authorized screened personnel.

Retention and disposal: Investigative records are retained until cases are closed; other records are disposed of in accordance with the provision of the unit's Records Central Schedule.

System manager(s) and address: Director, Office of Investigatives and Security, OS, Main Commerce Building, Washington, D.C. 20230.

Systems exempted from certain provisions of the act: Pursuant to 5 U.S.C. 552a (k) (1), (k) (2) and (k) (5), all information and material in the record which meets the criteria of these subsections are exempted from the notice, access, and contest requirements under (5 U.S.C. 552a (c) (3), (d), (e) (1), (e) (4) (G), (H), and (I) and (f)) of the agency regulations because of the necessity to exempt this information and material in order to accomplish this law enforcement function of the agency, to prevent disclosure of classified information as required by Executive Order 11652, to assure the protection of the President, to prevent subjects of investigation from frustrating the investigatory process, to prevent the disclosure of investigative techniques, to fulfull commitments made to protect the confidentiality of information, and to avoid endangering these sources and law enforcement personnel.

COMMERCE/DEPT-14.

System name: Litigation, Claims, and Administrative Proceeding Records- COMMERCE/DEPT-14.

System location: a. For matters involving EDA: Office of Chief Counsel, EDA, U.S. Department of Commerce, 14th and Constitution Avenue, N.W., Washington, D.C. 20230.

b. For matters involving MARAD: Maritime Administration, Office of General Counsel, U.S. Department of Commerce, 14th and Constitution Avenue, N.W., Washington, D.C. 20230.

c. For matters involving NBS: National Bureau of Standards, Office of Legal Adviser, Administration Building, Gaithersburg, Maryland (P.O. Washington, D.C. 20234).

d. For matters involving NOAA: National Oceanic and Atmospheric Administration, Office of General Counsel, 6010 Executive Boulevard, Rockville, Maryland 20852.

e. For matters involving PAT-TM: Patent and Trademark Office, Office of the Solicitor, 2021 Jefferson Davis Highway, Arlington, Virginia 22202.

f. For matters involving SESA: Social and Economic Statistics Administration, Associate Administrator for Administration, Federal Building 3, Washington, D.C. 20233.

g. For all other matters: Office of the General Counsel, U.S. Department of Commerce, 14th and Constitution Avenue, N.W., Washington, D.C. 20230.

Categories of individuals covered by the system: Persons making claims or bringing actions against the Department and persons the subject of the Department's claims and actions, including tort and property claims and civil contract issues (but excluding Federal Employee Compensation Act claimants). Persons suspected of violations of criminal and civil statutes in connection with Departmental programs and activities. Persons the subject of administrative proceedings where the Department is involved.

Categories of records in the system: Names, addresses, statements of claims and analyses thereof, investigatory reports, opinions of law, and pleadings, motions, depositions, rulings, opinions, and other litigation documentation.

Authority for maintenance of the system: 5 U.S.C 301; 44 U.S.C Section 3101; 42 U.S.C 3211; 31 U.S.C. 240; 28 U.S.C. 171; 28 U.S.C 1346(b), and all other authorities of the Department.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: See routine use paragraphs of the Prefatory Statement.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the sytem:

Storage: Paper records in file folders.

Retrievability: Filed alphabetically by name.

Safeguards: Records are located in lockable metal file cabinets or in metal file cabinets in secured rooms or secured premises with access limited to those whose official duties require access.

Retention and disposal: Records are disposed of according to unit's Record Control Schedule.

System manager(s) and address: For records at Location (a): Chief Counsel, Economic Development Administration, Department of Commerce, Washington, D.C. 20230.

For records at Location (b): General Counsel, Maritime Administration, Washington, D.C. 20230.

For records at Location (c): Legal Adviser, National Bureau of Standards, Gaithersburg, Maryland (P.O. Washington, D.C. 20234).

For records at Location (d): General Counsel, National Oceanic and Atmospheric Administration, 6010 Executive Boulevard, Rockville, Maryland 20852.

For records at Location (e): Solicitor, Patent and Trademark Office, Arlington, Virginia 22202.

For records at Location (f): Associate Administrator for Administration, Washington, D.C. 20233.

For records at Location (g): General Counsel, U.S. Department of Commerce, Washington, D.C. 20230.

Systems exempted from certain provisions of the act: Pursuant to 5 U.S.C. 552a (k)(2) and (k)(5), all investigatory material in the record which meets the criteria of these sub- sections is exempted from the notice, access, and contest requirements (under 5 U.S.C. 552a (c)(3), (d), (e)(1), (e)(4) (G), (H), and (I) and (f)) of the agency regulations in order for the Department's legal staff to properly perform its functions.

COMMERCE/DEPT-15.

System name: Private Legislation Claimants-Central Legislative Files-COMMERCE/DEPT-15.

System location: Office of the General Counsel, U.S. Department of Commerce, 14th and Constitution Avenue, N.W., Washington, D.C.20230.

Categories of individuals covered by the system: Individual claimants against the government seeking remedy through private relief bills in patent, contract, employee compensation, and other similar areas which involve the Department.

Categories of records in the system: Draft and formal relief bills, statements, and information as to the basis and validity of the claim, and correspondence with the claimant and the sponsor of the legislation.

Authority for maintenance of the system: 5 U.S.C. 301, Act of February 4, 1903, 32 STAT. 825.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: See routine use paragraphs of the Prefatory Statement.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the sytem:

Storage: Paper records in file folders.

Retrievability: iled alphabetically by name.

Safeguards: Records are located in lockable metal file cabinets or in metal file cabinets in secured rooms or secured premises with access limited to those whose official duties require access.

Retention and disposal: Records are retained according to the Office's Records Control Schedule.

System manager(s) and address: Assistnt General Counsel, Legislation, U.S. Department of Commerce, Washington, D.C. 20230.

Notification procedure: Information may be obtained from: Director, Office of Organization and Management Systems, OS, U.S. Department of Commerce, Washington, D.C. 20230. Requestor should provide name, social security number, date of claim, and name of bill, if any, pursuant to the inquiry provisions of the Department's Rules published in this issue of the Federal Register.

Record access procedures: Requests from individuals should be addressed to: same adress as stated in the notification section above.

Contesting record procedures: The Department's rules for access, for contesting contents, and appealing initial determinations by the individual concerned appear in the Rules Section of this Federal Register. Use address.

Record source categories: Subject claimaint; records of units of the Department primarily involved in the transaction; service or application on which the claim is founded; and the sponsoring member of Congress.

COMMERCE/DEPT-16.

System name: Property Accountability Files-COMMERCE/DEPT-16.

System location: a. Supply Management Division, Maritime Administration, Washington, D.C. 20230.

b. All libraries of the Department. For listing, see Directory of Libraries in the United States Department of Commerce, 1972, Department of Commerce, Washington, D.C.; or American Library Directory, biennial, R.R. Bowker Company, New York City.

Categories of individuals covered by the system: Employees, general public, institutions, and anyone who charges out books or other materials.

Categories of records in the system: Name, address or organizational unit, telephone number, title of book, and identification of property or equipment.

Authority for maintenance of the system: 5 U.S.C. 301; 44 U.S.C. 3101; 40 U.S.C. 481-92.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: See routine use paragraphs of Prefatory Statement.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the sytem:

Storage: Paper copy in file folders.

Retrievability: Filed alphabetically by name.

Safeguards: Records are located in lockable metal files cabinets or in metal file cabinets in secured rooms or secured premises with access limited to those whose official duties require access.

Retention and disposal: Retained until property is accounted for, then disposed of in accordance with unit's Record Control Schedule.

System manager(s) and address: For records at Location (a): Chief, Supply Management Division, Maritime Administration, Washington, D.C. 20230.

For records at Location (b): the head of the respective library.

Notification procedure: For records at Location (a): Director, Departmental Office of Organization and Management Systems, OS, Main Commerce Building, Washington, D0C. 20230.

For records at Location (b): Address communication to the library's parent organization (e.g., National Bureau of Standards) Attention: Privacy Officer, or use the Privacy Officer's Official position title and address as listed in Appendix B to the Depart- ment's rules which are published in this issue of the Federal Register.

Requestor should provide name and address pursuant to the inquiry provisions of the Department's Rules as published in this issue of the Federal Register.

Record access procedures: Requests from individuals should be addressed to: same adress as stated in the notification section above.

Contesting record procedures: The Department's rules for access, for contesting contents, and appealing initial determinations by the individual concerned appear in the Rules Section of this Federal Register. Use address.

Record source categories: Subject individual, book cards, and supply person providing the equipment.

COMMERCE/DEPT-17.

System name: Records of Cash Receipts-COMMERCE/DEPT-17.

System location: a. For Departmental offices, DIBA, OMBE, USTS, and EDA: Office of Financial Management Services (Receipts and Distribution Section), OS, U.S. Department of Commerce, 14th and Constitution Ave., N.W., Washington, D.C. 20230.

b. For MARAD: Maritime Administration, Office of Budget and Program Analysis (Division of Accounts), 14th and Constitution Ave., N.W., Washington, D.C. 20230.

c. For NOAA: National Oceanic and Atmospheric Administration, Assistant Administrator for Administration, 6010 Executive Boulevard, Rockville, Maryland 20852.

d. For PAT-TM: Patent and Trademark Office, Office of Finance, 2021 Jefferson Davis Highway, Arlington, Virginia 22202.

e. For SESA: Social and Economic Statistics Administration, Associate Administrator for Administration, Federal Building 3, Washington, D.C. 20233.

Categories of individuals covered by the system: Persons paying for goods or services, reimbursing overpayments, or otherwise delivering cash to the Department.

Categories of records in the system: Individual's name, the goods or service purchased, amount, date, check number, division or office, bank deposit, treasury deposit number.

Authority for maintenance of the system: 31 U.S.C. 66(a).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: See routine use paragraphs of the Prefatory Statement.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the sytem:

Storage: Manual and machine-readable.

Retrievability: Name and/or account or case number.

Safeguards: Records are located in lockable metal file cabinets or in metal file cabinets in secured rooms or secured premises with access limited to those whose official duties require access.

Retention and disposal: Permanently maintained.

System manager(s) and address: For records at Location (a): Director, Office of Financial Management Services, U.S. Department of Commerce, Washington, D.C. 20230.

For records at Location (b): Chief, Division of Accounts, Maritime Administration, Washinton, D.C. 20230.

For records at Location (c): Assistant Administrator for Administration, National Oceanic and Atmospherice Administration, 6010 Executive Boulevard, Rockville, Maryland 20852.

For records at Location (d): Director, office of Finance, Patent and Trademark Office, Washington, D.C. 20231.

For records at Location (e): Associate Administrator for Administration, Social and Economic Statistics Administration, Federal Building 3, Wasihington, D.C. 20233.

Notification procedure: For records at Location (a), information may be obtained from: Director, Office of Organization and Management Systems, OS, U.S. Department of Commerce, Washington, D.C. 20230;

For records at Location (b), information may be obtained from: Secretary, Maritime Administration, Washington, D.C. 20230;

For records at Location (c), information may be obtained from: Assisrant Administrator for Administration, National Oceanic and Atmospheric Administration, 6010 Executive Boulevard, Rockville, Maryland 20852;

For records at Location (d), information may be obtained from: Assistant Commissioner for Administration, Social and Economic Statistics Administration, Federal Building 3, Washington, D.C. 20233.

Requestor should provide name, address, date of receipt, and check number or case number pursuant to the inquiry provisions of the Department's Rules as published in this issue of the Federal Register.

Notification procedure: Requests from individuals should be addressed to: same address as stated in the notification section above.

Contesting record procedures: The Department's rules for access, for contesting contents, and appealing initial determinations by the individual concerned appear in the Rules Section of this Federal Register. Use above address.

Record source categories: Subject individual.

COMMERCE/DEPT-18.

System name: Unfair Labor Practice Charges/Complaints-COMMERCE/DEPT-18.

System location: a. For employees of Departmental Offices, EDA, NFPCA, OMBE, and Regional Action Planning Commissions: Office of Personnel, OS, U.S. Department of Commerce, 14th & Constitution Ave., N.W., Washington, D.C. 20230.

b. For Employees of DIBA: Domestic and International Business Administration, Office of Personnel, (Employee Relations Division), 14th and Constitution Avenue, N.W., Washington, D.C. 20230.

c. For employees of MARAD: Maritime Administration, Office of Personnel, 14th and Constitution Ave., N.W., Washington, D.C. 20230.

d. For employees of NBS: National Bureau of Standards, Personnel Division (Employee Relations and Development Section), Administration Building, Gaithersburg, Maryland (P.O. Washington, D.C. 20234).

e. For employees of NOAA: National Oceanic and Atmospheric Administration, Personnel Division, (Labor Management Relation Section), 6010 Executive Boulevard, Rockville, Maryland 20852.

f. For employees of PAT-TM: Patent and Trademark Office, Office of Personnel, (Employee Relations Division), 2021 Jefferson Davis Highway, Arlington, Virginia 22202.

g. For employees of SESA: Social and Economics Statistics, Personnel Division, (Employee Relations Services Branch), Federal Building 3, Washington, D.C. 20233.

Categories of individuals covered by the system: Commerce employees filing unfair labor practice charges/complaints.

Categories of records in the system: Formal charge and complaint; name, address, and other personal information about complainant, transcript of hearing (if held), and information about other personnel in complainant's work unit, as relevant.

Authority for maintenance of the system: Executive Order 11491, as amended; Rules and Regulations of the Assistant Secretary of Labor for Labor Management Relations.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: See routine use paragraphs of the Prefatory Statement. Information is also Transmitted to investigative officials of the Department of Labor as well as to the Federal Labor Relations Council for settlement of the complaint or appeal.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the sytem:

Storage: Paper records in file folders.

Retrievability: Name and Docket or Case number.

Safeguards: Records are located in lockable metal file cabinets or in metal file cabinets in secured rooms or secured premises with access limited to those whose official duties require access.

Retention and disposal: Records are retained indefinitely.

System manager(s) and address: For records at Location (a): Labor Relations Officer, Office of Personnel, U.S. Department of Commerce, Washington, D.C0 20230;

For records at Location (b): Chief, Employee Relations Division, Office of Personnel, Domestic and International Business Administration, Washington, D.C. 20230;

For records at Location (c): Chief, Office of Personnel, Maritime Administration, Washington, D.C. 20230.

For records at Location (d): Chief, Employee Relations and Develop- ment Section, Personnel Division, National Bureau of Standards, Administration Building, Gaithersburg, Maryland (P.O. Washington, D.C. 20234);

For records at Location (e): Chief, Labor Management Relations Section, Personnel Division, National Oceanic and Atmospheric Administration, 6010 Executive Blvd., Rockville, Maryland, Maryland 20852;

For records at Location (f): Chief, Employee Relations Division, Office of Personnel, Patent and Trademark Office, Washington, D.C. 20231;

For records at Location (g): Chief, Employee Relations and Services Branch, Personnel Division, Social and Economic Statistics Adminis- tration, Federal Building 3, Washington, D.C. 20233.

Notification procedure: For records at Location (a), information may be obtained from: Director, Office of Organization and Management Systems, OS, U.S. Department of Commerce, Washington, D.C. 20230;

For records at Location (b), information may be obtained from: Director, Office of Management and Systems, Domestic and International Business Administration, Washington, D.C. 20230;

For records at Location (c), information may be obtained from: Secretary, Maritime Administration, Washington, D.C. 20230;

For records at Location (d), information may be obtained from: Associate Director for Administration, National Bureau of Standards, Gaithersburg, Maryland (P.O. Washington, D.C. 20234);

For records at Location (e), information may be obtained from: Assistant Administrator for Administration, National Oceanic and Atmospheric Administration, 6010 Executive Boulevard, Rockville, Maryland 20852;

For records at Location (f), information may be obtained from: Assistant Commission for Administration, U.S. Patent and Trademark Office, Washington, D.C0 20231.;

For records at Location (g), information may be obtained from: Associate Administrator for Administration, Social and Economic Statistics Administration, Federal Building 3, Washington, D.C. 20233. Requestor should provide name, social security number, date of complaint, and organizational unit in which employed at the time of the complaint, pursuant to the inquiry provisions of the Department's Rules as published in this issue of the Federal Register.

Record access procedures: Requests from individuals should be addressed to: same adress as stated in the notification section above.

Contesting record procedures: The Department's rules for access, for contesting contents, and appealing initial determinations by the individual concerned appear in the Rules Section of this Federal Register. Use address.

Record source categories: Subject complainant, colleagues and supervisors of complainant and management officials.

COMMERCE/DEPT-19.

System name: Visitor Logs and Permits for Facilities Under Department Control-COMMERCE/DEPT-19.

System location: a. Maritime Administration: Beaumont Reserve Fleet, Beaumont, Texas; James River Reserve Fleet, Fort Eustis, Virginia; Reserve Fleet Division Office, New York City, New York;Suisan Bay Reserve Fleet, Benicia, California; and U.S. Merchant Marine Academy, Kings Point, New York.

b. National Bureau of Standards: Security Office, Administration Building, Rockville, Maryland 20234; and Security Office, Radio Building, NBS, Boulder, Colorado 80302.

Categories of individuals covered by the system: Non-Federal visitors, Federal personnel entering facilities after duty hours, and employees seeking parking and firearm permits.

Categories of records in the system: Name, address, place of birth, citizenship, physical characteristics, purpose of visit, affiliation, time in and time out, and as appropriate: license numbers; and records of violations.

Authority for maintenance of the system: 5 U.S.C. 301; 44 U.S.C. 3101.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: See routine use paragraphs of Prefatory Statement.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the sytem:

Storage: Paper records in file folders.

Retrievability: Filed alphabetically by name, or date and time.

Safeguards: Records are located in lockable metal file cabinets or in metal file cabinets in secured rooms or secured premises with access limited to those whose official duties require access.

Retention and disposal: Retained on site for five years, then disposed of in accordance with unit's Record Control Schedule.

System manager(s) and address: For records at Location (a): Security Officer, respective Reserve Fleet address; Reserve Fleet Division Reception Office Chief, Reserve Fleet Division, New York City, New York; and Special Assistant to Superintendent, U.S. Merchant Marine Academy, Commandant's Department, Kings Point, New York.

System manager(s) and address: For records at Location (b): Security Officer, Chief, Administrative Services Division, National Bureau of Standards, Washington, D.C. 20234.

Notification procedure: For records at Location (a), information may be obtained from: Secretary, Maritime Administration, Main Commerce Building, Washington, D.C. 20230.

For records at Location (b), information may be obtained from: Associate Director for Administration, National Bureau of Standards, Administration Building, Washington, D.C. 20234.

Requestors should provide name and address, date of visit or type of permit, as appropriate, in accordance with the inquiry provisions of the Department's rules as published in this issue of the Federal Register.

Record access procedures: Requests from individuals should be addressed to: same adress as stated in the notification section above.

Contesting record procedures: The Department's rules for access, for contesting contents, and appealing initial determinations by the individual concerned appear in the Rules Section of this Federal Register. Use address.

Record source categories: Subject individuals and employers.

COMMERCE/DIBA-1.

System name: Individuals Identified in Export Administration Compliance Proceedings or Investigations-COMMERCE/DIBA-1.

System location: Office of Export Administration, DIBA, 14th Street & Constitution Ave. N.W., U.S. Department of Commerce, Washington, D.C. 20230.

Categories of individuals covered by the system: Individuals identified in an export administration compliance proceeding or investigation. Individuals alleged to have violated the Export Administration regulations; established violators of the regulations; certain other individuals identified by the FBI or other investigating agency or individual in the investigative process such as those involved in organized crime; and individuals who have received warning letters.

Categories of records in the system: Reports from F.B.I., other law enforcement or investigative agencies, investigators, or informants; investigative and intelligence data; documented violations; warning letters. Includes any information on alleged or proven violators of the Export Administration Act.

Authority for maintenance of the system: Export Administration Act of 1969 (50 U.S.C. App. 2401 et seg.), as amended.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: See routine use paragraphs of the Prefatory Statement.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the sytem:

Storage: Maintained in paper form.

Retrievability: Information filed by case or subject file. All names are cross- referenced by name card file.

Safeguards: Records are located in lockable metal file cabinets or in metal file cabinets in secured rooms or secured premises with access limited to those whose official duties require access.

Retention and disposal: Retained for a reasonable period of time. Disposition is recorded.

System manager(s) and address: Director, Compliance Division, Office of Export Administration, DIBA, U.S. Department of Commerce, Washington, D.C. 20230.

Systems exempted from certain provisions of the act: Pursuant to 5 U.S.C. 552a (j)(2), all information about an individual in the record which meets the criteria stated in 5 U.S.C. 552a (j)(2) are exempted from the notice, access and contest requirements of the agency regulations and from all parts of 5 U.S.C. 552a except subsections (b), (c)(1) and (2), (e) (4) (A) through (F), (e)(6), (7), (9), (10), and (11), and (i), and pursuant to 5 U.S.C. 552a (k)(2) on condition that the 5 U.S.C. 552a(j)(2) exemption is held to be invalid, all investi- gatory material in the record which meet the criteria stated in 5 U.S.C. 552a (k)(2) are exempted from the notice, access, and contest requirements (under 5 U.S.C. 552a (c)(3), (d), (e)(1), (e)(4) (G), (H), and (I) and (f)) of the agency regulations because of the necessity to exempt this information and material in order to accomplish this law enforcement function of the agency, to prevent subjects of investigation from frustrating the investigatory process, to prevent the disclosure of investigative techniques, to fulfill commitments made to protect the confidentiality of sources, to maintain access to sources of information, and to avoid endangering these sources and law enforcement personnel. Section 7(c) of ths Export Administration Act of 1969, as amended, also protects this information and material from disclosure.

COMMERCE/DIBA-2.

System name: Individuals Involved in Export Transactions-COMMERCE/DIBA-2.

System location: Office of Export Development, DIBA, U.S. Department of Commerce, 14th St. and Constitution Ave., N.W., Washington, D.C. 20230.

Categories of individuals covered by the system: Individuals involved in export transactions. Information primarily is maintained on foreign companies and business officials, but includes U.S. citizens involved with or working for firms abroad.

Categories of records in the system: World Trade Directory Reports, reports and cables from U.S. foreign service posts, reports from investigative agencies.

Authority for maintenance of the system: 50 U.S.C. App. 2401 et seq. (Export Administration Act of 1969 as amended).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: See routine use paragraphs of the Prefatory Statement.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the sytem:

Storage: Paper records in file folders.

Retrievability: Filed alphabetically by individual's name.

Safeguards: Barlocked metal cabinets with combination. Some material is maintained in safes.

Retention and disposal: Disposed of after 5 years.

System manager(s) and address: Director, Export Information Division, Office of Export Develop- ment, DIBA, U.S. Department of Commerce, Washington, D.C. 20230.

Systems exempted from certain provisions of the act: Pursuant to 5 U.S.C. 552a(k) (2), law enforcement investigatory material is exempted from 5 U.S.C. 552a(c)(3), (d), (e)(1), (e) (4) (G), (H) an0d (I) and (f), to the extent the disclosure of such material would reveal the identity of a confidential source of information, in order to maintain the ability to obtain necessary information and to fulfill commitments made to sources that their identities would be kept confident.

Pursuant to 5 U.S.C. 552a(k) (1), material which is classified is exempted from 5 U.S.C. 552a(c)(3), (d), (e)(1), (e) (4) (G), (H) and (I) and (f) to prevent disclosures detrimental to national defense or foreign policy.

COMMERCE/DIBA-3.

System name: Individuals Involved in International Business Trade Complaints- COMMERCE/DIBA-3.

System location: Office of Export Development, DIBA, U.S. Department of Commerce, 14th St. and Constitution Ave., N.W., Washington, D.C. 20230.

Categories of individuals covered by the system: Individuals filing trade complaints (business disputes) against foreign firms, or against whom foreign firms file complaints through U.S. Embassies.

Categories of records in the system: Complaint and supporting documentation, record of the handling and disposition of the complaint,

and third party information (bank references, information obtained from other parties to the transaction, and commercial contacts of the individual).

Authority for maintenance of the system: 15 U.S.C. 1512.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: See routine use paragraphs of the Prefatory Statement. Also foreign governments obtain information on the disputants in order to check reliability of the firms involved, and Foreign firms involved in the dispute obtain information. This information is supplied to the foreign governments and foreign firms through the Department of State. The Department of State also uses information to check the credibility of the foreign firms involved in a dispute. Information is released to other executive branch agencies e.g., SBA, USDA, when a party to the dispute falls within their area of jurisdiction in an attempt to solve the dispute.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the sytem:

Storage: Paper records in file folders.

Retrievability: Name of American party to the dispute.

Safeguards: Metal cabinets with bar and combination lock.

Retention and disposal: Permanent.

System manager(s) and address: Director, Office of Export Development, DIBA, U.S. Department of Commerce, Washington, D.C. 20230.

Systems exempted from certain provisions of the act: Pursuant to 5 U.S.C. 552a(k) (1), material which is classified is exempted from 5 U.S.C. 552a(c)(3), (d), (e)(1), (e) (4) (G), (H) and (I) and (f), to prevent disclosures detrimental to national defense or foreign policy.

COMMERCE/DIBA-4.

System name: Members of U.S. Trade Missions-COMMERCE/DIBA-4.

System location: Office of International Marketing, DIBA, 14th St. and Constitution Ave. N.W., U.S. Department of Commerce, Washington, D.C. 20230.

Categories of individuals covered by the system: Individuals who are members of United States Trade Missions sponsored by the Department.

Categories of records in the system: Home address, date and place of birth, photographs, brief career history, social security number, citizenship, names of close relatives, and previous residences.

Authority for maintenance of the system: Delegation of Authority, dated June 25, 1962 from United States Information Agency under Section 5 (e) of Executive Order 11034 of June 25, 1962, as amended by Executive Order 11380 of November 8, 1967, insofar as said delegation pertains to U.S. participation in trade missions abroad under the Mutual Educational and Cultural Exchange Act of 1961, as amended (22 U.S.C. 2451 et seg.).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: See routine use paragraphs of Prefatory Statement.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the sytem:

Storage: Paper records in file folders.

Retrievability: By promotion theme of trade mission, location of trade mission and individual's name.

Safeguards: Records are locked in lockable metal file cabinets or in metal file cabinets in secured rooms or premises with access limited to those whose official duties require access.

Retention and disposal: File is retained for three years and then destroyed.

System manager(s) and address: Director, Special Activities Division, Office of International Marketing, DIBA, U.S. Department of Commerce, Washington, D.C. 20230.

Notification procedure: Information may be obtained from: Director, Office of Management and Systems, DIBA, Room 3100, U.S. Department of Commerce, Washington, D.C. 20230. Requestor should provide name and location of trade mission and individual's name pursuant to the inquiry provisions of the Department's Rules as published in this issue of the Federal Register.

Record access procedures: Requests from individuals should be addressed to: same address as stated in the notification section above.

Contesting record procedures: The Department's rules for access, for contesting contents, and appealing initial determinations by the individual concerned appear in the Rules Section of this Federal Register. Use address.

Record source categories: Subject individual and individual's company.

COMMERCE/DIBA-5.

System name: Membership Information: District and Regional Export Councils- COMMERCE/DIBA-5.

System location: Office of Export Development, President's Export Council Staff, 14th St. and Constitution Ave. N.W., U.S. Department of Commerce, Washington, D.C. 20230.

Categories of individuals covered by the system: Present, former and potential members of the District Export Councils and Regional Export Councils.

Categories of records in the system: Address, date and place of birth, brief career history, education, special qualifications for appointment, and record of appointment. Miscellaneous material such as photographs, press releases and resumes are maintained on some members.

Authority for maintenance of the system: 15 U.S.C. 1512.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: See routine use paragraphs of Prefatory Statement.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the sytem:

Storage: Paper records in file folders.

Retrievability: Filed by name of committee or may be filed by name of individual.

Safeguards: Records are located in lockable metal file cabinets or in metal cabinets in secured rooms or premises with access limited to those whose official duties require access.

Retention and disposal: Retained for active councils. Retired when councils terminate.

System manager(s) and address: Director, Office of Management and Systems, DIBA, Room 3100, U.S. Department of Commerce, Washington, D.C. 20230.

Notification procedure: Information may be obtained from: Director, Office of Management and Systems, DIBA, Room 3100, U. S. Department of Commerce, Washington, D.C. 20230. Requestor should provide name of individual and council pursuant to the inquiry provisions of the Department's Rules as published in this issue of the Federal Register.

Record access procedures: Requests from individuals should be addressed to: same adress as stated in the notification section above.

Contesting record procedures: The Department's rules for access, for contesting contents, and appealing initial determinations by the individual concerned appear in the Rules Section of this Federal Register. Use address.

Record source categories: Subject individual and individual's company.

COMMERCE/DIBA-6.

System name: National Defense Executive Reserve Personnel Folders-COMMERCE/DIBA-6.

System location: Office of Industrial Mobilization, Bureau of Domestic Commerce, DIBA, 14th St. and Constitution Ave. N.W., U.S. Department of Commerce, Washington, DC. 20230 and Office of Export Administration, Bureau of East-West Trade, 14th St. and Constitution Ave. N.W., U.S. Department of Commerce, Washington, D.C. 20230.

Categories of individuals covered by the system: Individuals from the business community selected to assume responsibility for industrial production, construction, and distribution in the event of national emergencies.

Categories of records in the system: Security clearance and investigation data, statement of under- standing, request for appointment, appointment affidavits, and biographical data.

Authority for maintenance of the system: E.O. 11179 of September 22, 1964.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: See routine use paragraphs of Prefatory Statement.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the sytem:

Storage: Paper forms and index cards.

Retrievability: Filed alphabetically by individual's name.

Safeguards: Records are located in lockable metal file cabinets or in metal file cabinets in secured rooms or premises with access limited to those whose official duties require access.

Retention and disposal: Retained until two years after individual's resignation or death and then discarded.

System manager(s) and address: Director, Office of Industrial Mobilization, DIBA, U.S. Department of Commerce, Washington, D.C. 20230.

Emergency Planning Officer, Bureau of East-West Trade, Office of Export Administration, U.S. Department of Commerce, Washington, D.C. 20230.

Notification procedure: Information may be obtained from: Director, Office of Management and Systems, DIBA, Room 3100, U.S. Department of Commerce, Washington, D.C. 20230. Requestor should provide name of individual pursuant to the inquiry provisions of the Department's Rules as published in this issue of the Federal Register.

Record access procedures: Requests from individuals should be addressed to: same adress as stated in the notification section above.

Contesting record procedures: The Department's rules for access, for contesting contents, and appealing initial determinations by the individual concerned appear in the Rules Section of this Federal Register. Use address.

Record source categories: Subject individual.

COMMERCE/DIBA-7.

System name: Overseas Assignments for DIBA's Office of Field Operations- COMMERCE/DIBA-7.

System location: Office of Field Operations, Domestic and International Business Administration, U.S. Department of Commerce, Washington, D.C. 20230.

Categories of individuals covered by the system: Trade Specialists employed by DIBA's District Offices and Regional Offices and Trade Specialists on Overseas Assignment.

Categories of records in the system: Form DIB-716 'Overseas Assignments Data (OFO Personnel Only)'. This form contains information on date of birth, U.S. Passport Type and No., position title, grade, private business experience, previous U.S. Government overseas assignments, foreign language proficiency, etc.

Authority for maintenance of the system: The delegation of authority, dated June 25, 1962, from the United States Information Agency under Section 5 (e) of Executive Order 11034 of June 25, 1962, as amended by Executive Order 11380 of November 8, 1967, insofar as said delegation pertains to U.S. partici- pation in trade missions abroad under the Mutual Educational and Cultural Exchange Act of 1961, as amended (22 U.S.C. 2451 et seg.); The foreign Assistance Act of 1961, as amended (22 U.S.C. 2151 et seg.), and Section 302 of Executive Order 10973 of November 3, 1961, issued pursuant thereto, relating to drawing the attention of private enterprise to investment opportunities abroad.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: See routine use paragraphs of Prefatory Statement.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the sytem:

Storage: Paper record in file folders.

Retrievability: Filed by name or geographic district or region.

Safeguards: Records are located in lockable metal file cabinets or in metal file cabinets in secured rooms or premises with access limited to those whose official duties require access.

Retention and disposal: Indefinitely.

System manager(s) and address: Deputy National Export Markerting Director, Office of Field Operations, DIBA, U.S. Department of Commerce, Washington, D.C. 20230.

Notification procedure: Information may be obtained from: Director, Office of Management and Systems, DIBA, Room 3100, U.S. Department of Commerce, Washington, D.C. 20230. Requestor should provide name of individual and assignment location pursuant to the inquiry provisions of the Department's Rules as published in this issue of the Federal Register.

Record access procedures: Requests from individuals should be addressed to: same adress as stated in the notification section above.

Contesting record procedures: The Department's rules for access, for contesting contents, and appealing initial determinations by the individual concerned appear in the Rules Section of this Federal Register. Use address.

Record source categories: Subject individual.

COMMERCE/EDA-1.

System name: Applicants Resumes For EDA-Funded Planning Grantee Positions- COMMERCE/EDA-1.

System location: Office of Development Organizations, EDA, U.S. Department of Comemrce, 14th St. & Constitution Ave., N.W., Washington, D.C. 20230 and the following Regional Offices: Atlantic-600 Arch Street, Room 10424, Philadelphia, Pa. 19106; Midwestern-32 West Randolph Street, Room 1025, Chicago, Illinois 60601; Rocky Mountain-Suite 505, Title Building, 909 17th Street, Denver, Colorado 80202; Southeastern-Suite 555, 1401 Peachtree Street, N.E., Atlanta, Georgia 30309; Southwestern-American Bank Tower, Suite 600, 221 West 6th Street, Austin, Texas 78701; and Western-Lake Union Building, Suite 500, 1700 West Lake Avenue North, Seattle, Washington 98109.

Categories of individuals covered by the system: Applicants for planning grantee positions funded by EDA.

Categories of records in the system: Contains name; address; telephone number; education; work experience; references.

Authority for maintenance of the system: 42 U.S.C. 3151, 3152, 3211.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: See routine use paragraphs in the Prefatory Statement.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the sytem:

Storage: Paper records file folders.

Retrievability: Filed alphabetically by name.

Safeguards: Maintained in metal file cabinets in a secure office or in secured premises with access limited to those whose official duties require access.

Retention and disposal: Disposed of at systems manager's request.

System manager(s) and address: Director, Office of Development Organizations, EDA, U.S. Department of Commerce, 14th St. & Constitution Ave., N.W., Washington, D.C. 20230.

Notification procedure: Information may be obtained from: Director, Office of Public Affairs, EDA, U.S. Department of Commerce, Room 7019, 14th St. and Constitution Ave., N.W., Washington, D.C. 20230. Requestor should provide: name, pursuant to the inquiry provisions of the Department's Rules as published in this issue of the Federal Register.

Record access procedures: Requests from individuals should be addressed to: same address as stated in the notification section above.

Contesting record procedures: The Department's rules for access, for contesting contents and appealing initial determinations by the individual concerned appear in the Rules Section of this Federal Register. Use above address.

Record source categories: Subject individual.

COMMERCE/EDA-2.

System name: Indian Industrial Development Intern Records-COMMERCE/EDA-2.

System location: Special Assistant for Indian Affairs, EDA, U.S. Department of Commerce, 14th St. & Constitution Ave., N.W., Washington, D.C. 20230.

Categories of individuals covered by the system: Indians who participated in Industrial Development Intern Program.

Categories of records in the system: School transcripts; previous employment records; training records; performance evaluations by participating industrialists; employment records since completion of program.

Authority for maintenance of the system: 42 U.S.C. 3211.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: See routine use paragraphs in the Prefatory Statement.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the sytem:

Storage: Paper records in file folders.

Retrievability: Filed chronologically by years and alphabetically by individual names and states.

Safeguards: Maintained in metal file cabinets in a secure office or in secured premises with access limited to those whose official duties require access.

Retention and disposal: Disposed of when 5 years old.

System manager(s) and address: Special Assistant for Indian Affairs, EDA, U.S. Department of Commerce, 14th St. & Constitution Ave., N.W., Washington, D.C. 20230.

Notification procedure: Information may be obtained from: Director, Office of Public Affairs, EDA U.S. Department of Com-

merce, 14th St. and Constitution Ave., N.W., Room 7019, Washington, D.C. 20230. Requestor should provide: name; year(s) participated in the program; and state, pursuant to the inquiry provisions of the Department's Rules as published in this issue of the Federal Register.

Record access procedures: Requests from individuals should be addressed to: same address as stated in the notification section above.

Contesting record procedures: The Department's rules for access, for contesting contents and appealing initial determinations by the individual concerned appear in the Rules Section of this Federal Register. Use above address.

Record source categories: Subject individuals; sponsoring agencies; participating employers.

COMMERCE/EDA-3.

System name: Indian Reservation Economic Development Planners and Applicants Records-COMMERCE/EDA-3.

System location: Special Assistant for Indian Affairs, EDA, U.S. Department of Commerce 14th St. & Constitution Ave., N.W., Washington, D.C. 20230.

Categories of individuals covered by the system: Applicants for and those hired as Indian reservation economic development planners.

Categories of records in the system: Date and place of birth; marital status; previous employment; training information; schooling; arrest record; performance evaluations of planners on the job.

Authority for maintenance of the system: 42 U.s.C. 3211.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: See routine use paragraphs in the Prefatory Statement.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the sytem:

Storage: Paper records in file folders.

Retrievability: Filed by region, reservation, state, and planner's name.

Safeguards: Maintained in metal file cabinets in a secure office or in secured premises with acces limited to those whose official duties require access.

Retention and disposal: Disposed of after one year.

System manager(s) and address: Special Assistant for Indian Affairs, EDA, Department of Commerce, 14th St. & Constitution Ave., N.W., Washington, D.C. 20230.

Systems exempted from certain provisions of the act: Pursuant to 5 U.S.C. 552a(k) (5), the interview notes, correspondence, and other investigatory material in this records system which would reveal the identity of a confidential source are exempted from the access and contest requirements of the agency procedures (under 5 U.S.C. 552a(c)(3), (d), (e)(1), (e)(4) (G), (H) and (I) and (f)). Sources of information in the system have been explicitly promised that their identity will be kept confidential. These information sources are necessary in order to select the best qualified applicants for positions. This exemption is made in accordance with agency rules published in the rules section of this Federal Register.

COMMERCE/IATC-1.

System name: Auditor Trainee Registrants-COMMERCE/IATC-1.

System location: Interagency Auditor Training Center, Woodmont Building, 8120 Woodmont Avenue, Bethesda, Maryland 20014.

Categories of individuals covered by the system: Individuals, past and present, who have registered as an enrollee at the Training Center.

Categories of records in the system: &Name; date of birth; social security number; phone; address; occupation; position; grade level; and education.

Authority for maintenance of the system: Government Employees Training Act of 1958; Executive Order 11348, April 20, 1976; and Intergovernmental Cooperation Act of 1968 (P.L. 90-557).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: See routine use paragraphs of Prefatory Statement.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the sytem:

Storage: Paper records in flie floders.

Retrievability: Indexed by name and year of attendance.

Safeguards: Records are located in lockable metal file cabinets or in metal file cabinets in secured rooms or secured premises with access limited to those whose official duties require access.

Retention and disposal: Records are maintained indefinitely.

System manager(s) and address: Director, IATC, Woodmont Building, Room 607, 8120 Woodmont Avenue, Bethesda, Maryland 20014.

Notification procedure: Information may be obtained from: address same as above. Requestor should provide name and dates of attendance pursuant to the inquiry provisions of the Department's Rules as published in this issue of the Federal Register.

Record access procedures: Requests from individuals should be addressed to: Director, Office of Organization and Management Systems, OS, Department of Commerce, Washington, D.C. 20230.

Contesting record procedures: The Department's rules for access, for contesting contents, and appealing initial determinations by the individual concerned appear in the Rules Section of this Federal Register. Use address.

Record source categories: Individuals on whom the record is maintained.

COMMERCE/MA-1.

System name: Applications to U.S. Merchant Marine Academy (USMMA)-COMMERCE/MA-1.

System location: Office of Admissions, U.S. Merchant Marine Academy, Kings Point, Long Island, N.Y. 11204.

Categories of individuals covered by the system: Applicants for admission to the Academy.

Categories of records in the system: Contains name; address; name of nominating Congressman and his congressional district; social security number; citizenship; color of hair and eyes; sex; marital status; scholastic background; names of relatives who attended the Academy; high school record; personality record (compiled by high school authorities); seaman's experience; military service data; and biographical sketch. (Form: KP 2-65).

Authority for maintenance of the system: Merchant Marine Act of 1936; 46 U.S.C 216 (b)(1) (1971).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: See routine use paragraphs of Prefatory Statment.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the sytem:

Storage: Paper records in file folders.

Retrievability: Filed alphabetically by last name.

Safeguards: Access to and use of these records is limited to those persons whose official duties require such access. Personnel screening is employed to prevent unauthorized disclosure.

Retention and disposal: If admitted, the application becomes part of the Midshipman's Personnel Record for permanent retention. The file is transferred to the Federal Records Center after 5 years. If not admitted, it is retained for one year and destroyed.

System manager(s) and address: Director, Office of Admissions, see address above.

Systems exempted from certain provisions of the act: Pursuant to 5 U.S.C. 552a(k)(5), all investigatory material in the record which meets the criteria of 5 U.S.C. 552a(k)(5) is exempted from the notice, access, and contest requirements (under 5 U.S.C. 552a(c)(3), (d), (e)(1), (e)(4) (G), (H), and (I) and (f)) of the agency regulations in order to fulfill commitments made to protect the confidentiality of sources, and to maintain access to sources of information which are necessary to determine applicant's suitability for civilan employment and military service.

COMMERCE/MA-2.

System name: Cadet Files, State Merchant Marine Academies-COMMERCE/MA-2.

System location: Office of Maritime Manpower, Maritime Administration, U.S. Department of Commerce, Washington, D.C. 20230.

Categories of individuals covered by the system: Current and former cadets enrolled in the State Maritime Academies.

Categories of records in the system: Name; date of birth; marital status; number of dependents; military service; number of arrests and convictions; date of change in pay; reenrollment or reinstatement; disenrollment; non-subversive activities; no-strike statement; and date of graduation.

Authority for maintenance of the system: 46 U.S.C 1383,1387 (1970).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: See routine use paragraphs of Prefatory Statement.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the sytem:

Storage: Paper records in file folders.

Retrievability: Filed alphabetically by last name.

Safeguards: Records are located in lockable file cabinets or in metal file cabinets in secured rooms or secured premises with access limited to those whose official duties require access.

Retention and disposal: The records are transferred to the Federal Records Center one year after graduation or termination and disposed of 60 years after date of enrollment.

System manager(s) and address: Director, Office of Maritime Manpower, see address above.

Notification procedure: Information may be obtained from: Secretary MA/MSB, Room 3099, U.S. Department of Commerce, Washington, D.C., 20230. Requestor should provide Cadet's name and State School attended, pursuant to the inquiry provisions of the Department's Rules as published in this issue of the Federal Register.

Record access procedures: Requests from individuals should be addressed to: same adress as stated in the noufication section above.

Contesting record procedures: The Department's rules for access, for contesting contents, and appealing initial determinations by the individual concerned appear in the Rules Section of this Federal Register. Use address.

Record source categories: The subject student.

COMMERCE/MA-3.

System name: Citizenship Statements and Affidavits-COMMERCE/MA-3.

System location: Division of Reserve Fleet, Room 6628, U.S. Department of Commerce, Washington, D.C. 20230, for bidders on surplus vessels; and Citizenship Officer, Office of the General Counsel, MA, Room 4898, U.S. Department of Commerce, Washington, D.C. 20230, for all other programs.

Categories of individuals covered by the system: Officers and shareholders of non-personal applicants and individual applicants.

Categories of records in the system: Name; date and place of birth; nationality; and nationalization data.

Authority for maintenance of the system: Merchant Marine Act of 1936; 46 U.S.C. 11,802, 803, 1114 (1970).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: See routine use paragraphs of Prefatory Statements.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the sytem:

Storage: Paper records in file folders.

Retrievability: Filed alphabetically by applicants name; name of individual or vessel name.

Safeguards: Records are located in lockable metal file cabinets or in metal file cabinets in secured rooms or secured premises with access limited to those whose official duties require access.

Retention and disposal: The records are transferred to the Federal Records Center after 5 years where they are retained indefinitely.

System manager(s) and address: Chief, Divison of Reserve Fleet and Citizenship Office, Office of the General Counsel, addresses are same as above.

Notification procedure: Information may be obtained from: Secretary MA/MSB, Room 3099, U.S. Department of Commerce, Washington, D.C. 20230. Requestor should provide name of applicant, or name of individual, or name of vessel, the program under which filed and the date, pursuant to the inquiry provisions of the Department's Rules as published in this issue of the Federal Register.

Record access procedures: Requests from individuals should be addressed to: same address as stated in the notification section above.

Contesting record procedures: The Department's rules for access, for contesting contents, and appealing initial determinations by the individual concerned appear in the Rules Section of this Federal Register. Use address.

Record source categories: The applicant and the individual.

COMMERCE/MA-4.

System name: General Agent's Protection and Indemnity and Record Seaman's Insurance: WSA and NSA-COMMERCE/MA-4.

System location: Office of Marine Insurance, Room 3618, U.S. Department of Commerce, Washington, D.C. 20230.

Categories of individuals covered by the system: Individuals (e.g., seamen, passengers, stevedores) filing claims against general agents for death, disability, loss of personal effects, detention and repatriation and property damage.

Categories of records in the system: Claimant's name; address; mariner's document number; sea service record; disciplinary records; selective service classification; names of parents; marriage and divorce data; social security number; alien registration and citizenship data; medical information; next- of-kin; wages per month; birth date; witness statements; investi- gator's report; names of counsel; and executors and administrators of estates. (Forms: MA-574, MA-570, MA-26 and 27).

Authority for maintenance of the system: Merchant Marine Act of 1936, 46 C.F.R. 320 (1974); 5 U.S.C. 301, 302 (1970); 44 U.S.C. 3101 (1970).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: To evaluate and award money for filed claims, negotiate settlements, to contest or to initiate lawsuits. Users are the Office of Marine Insurance; adjustors and attorneys acting for the government; Office of Federal Employees Compensation in the Department of Labor; and the Marine Index Bureau, 17 Battery Place, N.Y., N.Y. (a contract service centralizing data on seamen claims). Also see the routine use paragraphs in the Prefatory Statement.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the sytem:

Storage: Paper records in file folders.

Retrievability: Filed alphabetically by Seaman's name and vessel's name.

Safeguards: Records are located in lockable metal file cabinets or in metal file cabinets in secured rooms or secured premises with access limited to those whose official duties require access.

Retention and disposal: The records are transferred to the Federal Records Center after one year where they are retained indefinitely.

System manager(s) and address: Director, Office of Marine Insurance, see above address.

Notification procedure: Information may be obtained from: Secretary MA/MSB, Room 3099, U.S. Department of Commerce, Washington, D.C. 20230. Requestor should provide Seaman's name, vessel name, and date of incident, pursuant to the inquiry provisions of the Department's Rules as published in this issue of the Federal Register.

Record access procedures: Requests from individuals should be addressed to: same adress as stated in the notification section above.

Contesting record procedures: The Department's rules for access, for contesting contents, and appealing initial determinations by the individual concerned appear in the Rules Section of this Federal Register. Use address.

Record source categories: The seaman; his or her attorney; adjustors; investigators; attorneys; Office of Marine Insurance; witness; and the Marine Index Bureau.

COMMERCE/MA-5.

System name: Marine Training School Registrants-COMMERCE/MA-5.

System location: MA regional offices: Eastern-26 Federal Plaza, New York, N.Y. 10007; Central-701 Loyola Ave., New Orleans, La. 70150; Marine Academy, Kings Point, Long Island, N.Y. 11024.

Categories of individuals covered by the system: Each seafarer enrolling in an agency training course.

Categories of records in the system: Name; address; position title; owner's document number; social security number; certificate number; sponsoring organization; course completed; date of course completion; course grade; date of birth; and telephone number. (Forms: MA-1005 and 1006A).

Authority for maintenance of the system: Merchant Marine Act of 1936; 46 U.S.C. 1126(b) (5) (c) (1971).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: In addition to the routine uses referenced in the Prefatory Statement, the information is used by the U.S. Coast Guard for verification of attendance and performance.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the sytem:

Storage: Paper records in file folders.

Retrievability: Filed alphabetically by student's name.

Safeguards: Records are located in lockable metal file cabinets or in metal file cabinets in secured rooms or secured premises with access limited to those whose duties require access.

Retention and disposal: The records are transferred to the Federal Records Center one year after Graduation or termination and disposed of 60 years after date of enrollment.

System manager(s) and address: Training Facility Registrar where the training was taken, see address above.

Notification procedure: Information may be obtained from: Secretary MA/MSB, Room 3099, U.S. Department of Commerce, Washington, D.C. 20230. Requestor should provide name, date and facility attended, course description, pursuant to the inquiry provisions of the Department's Rules as published in this issue of the Federal Register.

Record access procedures: Requests from individuals should be addressed to: same adress as stated in the notification section above.

Contesting record procedures: The Department's rules for access, for contesting contents, and appealing initial determinations by the individual concerned appear in the Rules Section of this Federal Register. Use address.

Record source categories: The student and the training instructors.

COMMERCE/MA-6.

System name: Medical Records of Seamen Treated in Overseas Military Hospitals- COMMERCE/MA-6.

System location: Office of Maritime Manpower, Room 4099, U.S. Department of Commerce, Washington, D.C. 20230.

Categories of individuals covered by the system: All seamen who were treated in Military hospitals overseas during the Vietnam conflict.

Categories of records in the system: Name; social security number; name of vessel; medical history; treatment provided; and diagnosis.

Authority for maintenance of the system: 5 U.S.C. 301, 302 (1970); 44 U.S.C. 3101 (1970).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: See routine use in paragraphs in the Prefatory Statement.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the sytem:

Storage: Paper records in file folders.

Retrievability: Filed alphabetically by last name of patient.

Safeguards: Records are located in lockable file cabinets or in metal file cabinets in secured or secured premises with access limited to those whose official duties require access.

Retention and disposal: The records are transferred to the Federal Records Center one month after receipt from the military where they are retained indefinitely.

System manager(s) and address: Director, Office of Maritime Manpower, see above address.

Notification procedure: Information may be obtained from: Secretary MA/MSB, Room 3099, U.S. Department of Commerce, Washington, D.C. 20230. Requestor should provide name of seaman and approximate dates of treatment, pursuant to the inquiry provisions of the Department's Rules as published in this issue of the Federal Register.

Record access procedures: Requests from individuals should be addressed to: same adress as stated in the notification section above.

Contesting record procedures: The Department's rules for access, for contesting contents, and appealing initial determinations by the individual concerned appear in the Rules Section of this Federal Register. Use address.

Record source categories: The seaman, the medical staff of the treating facility.

COMMERCE/MA-7.

System name: National Defense Executive Reserve-COMMERCE/MA-7.

System location: Division of Emergency Plans, Room 3716, U.S. Department of Commerce, Washington, d.C. 20230.

Categories of individuals covered by the system: Nominees and members of the National Defense Executive Reserve.

Categories of records in the system: Name; address; date and place of birth; any physical handicap; military service; education; experience in Federal service; present and previous employment; marital status; dates and places of residence since 1937; citizenship; social security number; business and residence telephone numbers; and security clearance. (Form: MA-634).

Authority for maintenance of the system: 50 U.S.C. 2153; and E.O. 11179 of September 22, 1964.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: See routine use paragraphs of the Prefatory Statement.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the sytem:

Storage: Paper records in file folders.

Retrievability: Filed alphabetically by last name.

Safeguards: Records are located in lockable metal file cabinets or in metal file cabinets in secured rooms or secured premises with access limited to those whose official duties require access.0

Retention and disposal: Records are retained while nomination is pending and during the original three year appointment or any three year extension thereof and then destroyed.

System manager(s) and address: Chief, Division of Emergency Plans, see above address.

Notification procedure: Information may be obtained from: Secretary MA/MSB, Room 3099, U.S. Department of Commerce, Washington, D.C. 20230. Requestor should provide name, pursuant to the inquiry provisions of the Department's Rules as published in this issue of the Federal Register.

Record access procedures: Requests from individuals should be addressed to: same adress as stated in the notification section above.

Contesting record procedures: The Department's rules for access, for contesting contents, and appealing initial determinations by the individual concerned appear in the Rules Section of this Federal Register. Use address.

Record source categories: The individual, the investigator performing personal and security investigation and sources contacted by the investigator.

COMMERCE/MA-8.

System name: Non-Attorney Practitioner Applications and 'Section 807 Reports'- Commerce/MA-8.

System location: Office of the Secretary MA/MSB, Room 3099, U.S. Department of Commerce, Washington, D.C. 20230.

Categories of individuals covered by the system: Those representing others in agency proceedings.

Categories of records in the system: Name; address; compensation paid; expenses incurred; exact nature of the representation; education; experience; employment history for last five years; date and place of birth; citizenship; past Federal service; involvement in litigation alleging fraud; and Communist, Fascist, etc. affiliations. (Form: MA-327).

Authority for maintenance of the system: Merchant Marine Act of 1936; 46 U.S.C 807 (1970).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: See routine use paragraphs of Prefatory Statement.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the sytem:

Storage: Paper records in file folders.

Retrievability: Filed alphabetically by name of practitioner and by name of principal.

Safeguards: Records are located in lockable metal file cabinets or in metal file cabinets in secured rooms or secured premises with access limited to to those whose official duties require access.

Retention and disposal: Records are retained indefinitely.

System manager(s) and address: Secretary MA/MSB, see above address.

Notification procedure: Information may be obtained from: Secretary MA/MSB, see above address. Requestor should provide name of practitioner, pursuant to the inquiry provision of the Department's Rules as published in this isssue of the Federal Register.

Record access procedures: Requests from individuals should be addressed to: same adress as stated in the notification section above.

Contesting record procedures: The Department's rules for access, for contesting contents, and appealing initial determinations by the individual concerned appear in the Rules Section of this Federal Register. Use address.

Record source categories: The practitioner and his or her principal.

COMMERCE/MA-9.

System name: Seaman Awards and Nominations, for Service, Valor, etc.-COMMERCE/MA-9.

System location: Office of Maritime Manpower, Room 4099, U.S. Department of Commerce, Washington, D.C. 20230.

Categories of individuals covered by the system: Seamen nominated for and given awards for service, valor, etc.

Categories of records in the system: Name; address; date of birth; mariner's document number; social security number; names of ships

and dates of service; and possibly: medical information; and personal recommendations. (Forms: MA-1005 and 1006A).

Authority for maintenance of the system: Merchant Marine Medals Act; 46 U.S.C. 249 (1970).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: See routine use paragraphs of the Prefatory Statement.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the sytem:

Storage: Paper records in file folders.

Retrievability: Filed alphabetically by name of seaman or vessel.

Safeguards: Records are located in lockable metal file cabinets or in metal file cabinets in secured rooms or secured premises with access limited to those whose official duties require access.

Retention and disposal: Records are transferred to the Federal Records Center after one year, where they are retained for 75 years with the individual's medical records.

System manager(s) and address: Director, Office of Maritime Manpower, see above address.

Notification procedure: Information may be obtained from: Secretary MA/MSB, Room 3099, U; S. Department of Commerce, Washington, D.C. 20230. Requestor should provide seaman's name and name of vessel, pursuant to the inquiry provisions of the Department's Rules as published in this issue of the Federal Register.

Record access procedures: Requests from individuals should be addressed to: same adress as stated in the notification section above.

Contesting record procedures: The Department's rules for access, for contesting contents, and appealing initial determinations by the individual concerned appear in the Rules Section of this Federal Register. Use address.

Record source categories: The seaman, his or her co-workers and witnesses to incidents.

COMMERCE/MA-10.

System name: Seamen's Employment Analysis Records-COMMERCE/MA-10.

System location: Division of Data Operations, Room SB-087, U.S. Department of Commerce, Washington, D.C. 20230.

Categories of individuals covered by the system: Current and recent merchant seamen.

Categories of records in the system: Social security number; date of birth; records of U.S. Coast Guard issued documents; voyage employment information (e.g., port and date signed on); and maritime schools attended.

Authority for maintenance of the system: 46 U.S.C. 1122(a) and 1126.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: See routine use paragraphs of the Prefatory Statement.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the sytem:

Storage: Records are stored on magnetic tape.

Retrievability: Filed by social security number.

Safeguards: In addition to technical securities, the records are located in secured rooms or premises with access limited to those whose official duties require access.

Retention and disposal: Basic biographical data are retained indefinitely; discharge records are destroyed two years from date of discharge.

System manager(s) and address: Director, Office of Maritime Manpower, Room 4099, U.S. Department of Commerce, Washington, D.C. 20230.

Notification procedure: Information may be obtained from: Secretary MA/MSB, Room 3099, U.S. Department of Commerce, Washington, D.C. 20230. Requestor should provide name and social security number pursuant to the inquiry provisions of the Department's Rules as published in this issue of the Federal Register.

Record access procedures: Requests from individuals should be addressed to: same adress as stated in the notification section above.

Contesting record procedures: The Department's rules for access, for contesting contents, and appealing initial determinations by the individual concerned appear in the Rules Section of this Federal Register. Use address.

Record source categories: Magnetic tape is produced from information received from the U.S. Coast Guard.

COMMERCE/MA-11.

System name: Seamen's Unclaimed Wages (Vietnam Conflict)-COMMERCE/MA-11.

System location: Division of Accounts, Room 3075 and Automated Data Processing Operations Division, Room 1830, U.S. Department of Commerce, Washington, D.C. 20230.

Categories of individuals covered by the system: Seamen owed wages for service aboard Government vessels operated by general agents.

Categories of records in the system: Name; name of vessel; social security number; employing general agent; and wages due and owing.

Authority for maintenance of the system: 31 U.S.C. 65-67 (1970).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: In addition to routine uses specified in the Prefatory Statement, these records are disclosured to the U.S. Treasury for the purpose of reporting wages owed.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the sytem:

Storage: Paper records in file folders and on magnetic tape.

Retrievability: Paper records are filed alphabetically by name. Magnetic tape is indexed by social security number.

Safeguards: Paper records are secured in lockable metal file cabinets. Magnetic tapes are subject to technical securities. Both forms of records are located in secured areas with access limited to those whose official duties require access.

Retention and disposal: Both forms of records are retained until such time the claim is resolved or the wages are disbursed.

System manager(s) and address: Chief, Division of Accounts or Chief, Automated Data Processing Operations Division, see above addresses.

Notification procedure: Information may be obtained from: Secretary MA/MSB, Room 3099, U.S. Department of Commerce, Washington, D.C. 20230. Requestor should provide name and social security number, pursuant to the inquiry provisions of the Department's Rules as published in this issue of the Federal Register.

Record access procedures: Requests from individuals should be addressed to: same adress as stated in the notification section above.

Contesting record procedures: The Department's rules for access, for contesting contents, and appealing initial determinations by the individual concerned appear in the Rules Section of this Federal Register. Use address.

Record source categories: The general agents.

COMMERCE/MA-12.

System name: Shipyard Labor Supply and Demand Programs-COMMERCE/MA-12.

System location: Automated Data Processing Operations Division, Room SB-087, U.S. Department of Commerce, 20230.

Categories of individuals covered by the system: Production workers in selected shipyards.

Categories of records in the system: Name; social security number; skill level; seniority; general employment data; age; and shipyards worked.

Authority for maintenance of the system: 46 U.S.C. 1121(c) (1970).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: See routine use paragraphs of the Prefatory Statement.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the sytem:

Storage: Records are stored on magnetic tape.

Retrievability: Filed by social security number.

Safeguards: In addition to maintenance of technical securities, the tapes are located in secured areas with access limited to those whose official duties require access.

Retention and disposal: Records are retained for one year and destroyed.

System manager(s) and address: Director, Office of Maritime Manpower, Room 4099, U.S. Department of Commerce, Washington, D.C. 20230.

Notification procedure: Information may be obtained from: Secretary MA/MSB, Room 3099, U.S. Department of Commerce, Washington, D.C. 20230. Requestor should provide name, social security number, badge number and shipyard location, pursuant to the inquiry provisions of the Department's Rules as published in this issue of the Federal Register.

Record access procedures: Requests from individuals should be addressed to: same adress as stated in the notification section above.

Contesting record procedures: The Department's rules for access, for contesting contents, and appealing initial determinations by the individual concerned appear in the Rules Section of this Federal Register. Use address.

Record source categories: Employing shipyard.

COMMERCE/MA-13.

System name: Trustees for Ship Sales-COMMERCE/MA-13.

System location: Division of Ship Management, Room 6086, U.S. Department of Commerce, Washington, D.C. 20230.

Categories of individuals covered by the system: Individual trustees and executives of non-personal entity trustees.

Categories of records in the system: Name, address; vessel name; settlor of the trust; detailed financial information on individual trustees; and personal information on executives of corporate, etc. trustees. (Forms: MA-579, MA-580).

Authority for maintenance of the system: Shipping Act of 1916; 46 U.S.C. 802 (1971).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: See routine use paragraphs of the Prefatory Statement.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the sytem:

Storage: Paper records in file folders.

Retrievability: Filed alphabetically by name of trustee.

Safeguards: Records are located in lockable metal file cabinets or in metal file cabinets in secured rooms or secured premises with access limited to those whose official duties require access.

Retention and disposal: Records are renewed annually and are retained permanently.

System manager(s) and address: Chief, Division of Ship Management, see above address.

Systems exempted from certain provisions of the act: All investigatory material in the record which meets the criteria of 5 U.S.C. 552a(k)(5) is exempted from the notice, access, and contest requirements (under 5 U.S.C 552a(c)(3), (d), (e)(1), (e)(4) (G), (H), and (I) and (f)) of the agency regulations in order to fulfill commitments made to protect the confidentiality of sources, and to maintian access to sources of information which are necessary to make determinations or the award of Federal contracts.

COMMERCE/MA-14.

System name: USMMA Graduates-COMMERCE/MA-14.

System location: Office of External Affairs, U.S. Merchant Marine Academy, Kings Point, N.Y. 11024.

Categories of individuals covered by the system: All graduates of USMMA.

Categories of records in the system: Name; address (home and business); telephone numbers (home and business); vocation; class year; social security number; employer's name and address; years of maritime service, at sea and ashore; military service; marine licenses; honors and awards; and union affiliation.

Authority for maintenance of the system: 46 U.S.C. 1126 (1970).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: To make employment referrals and to compile statistical reports for Congress on the professional progress of the graduates. The user is the Director, Office of External Affairs and his immediate administrative staff, prospective employers, and Members of Congress. Also see the routine use paragraphs of the Prefatory Statement.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the sytem:

Storage: Paper records in file folders and some basic information is on magnetic tape.

Retrievability: Filed alphabetically by name.

Safeguards: Records are located in lockable metal file cabinets or in metal file cabinets in secured rooms or secured premises with access limited to those whose official duties require access. Records on tape are also subject to technical securities.

Retention and disposal: The records have been kept since 1965 on all graduates since 1942. These records are kept indefinitely.

System manager(s) and address: Director, Office of External Affairs, see above address.

Notification procedure: Information may be obtained from: Secretary MA/MSB, Room 3099, U.S. Department of Commerce, Washington, D.C. 20230. Requestor should provide name, pursuant to the inquiry provisions of the Department's Rules as published in this issue of the Federal Register.

Record access procedures: Requests from individuals should be addressed to: same address as stated in the notification section above.

Contesting record procedures: The Department's rules for access, for contesting contents, and appealing initial determinations by the individual concerned appear in the Rules Section of this Federal Register. Use address.

Record source categories: The graduates' questionnaire.

COMMERCE/MA-15.

System name: USMMA Midshipmen Account Records-COMMERCE/MA-15.

System location: Budget and Accounts Officer, U.S. Merchant Marine Academy, Kings Point, New York 11024.

Categories of individuals covered by the system: All current midshipmen.

Categories of records in the system: Name, social security number, mailbox number, and all of the debts and credits of the midshipmen to the Academy.

Authority for maintenance of the system: The Merchant Marine Act of 1936, 46 U.S.C. 216(b)(4) (1971).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: See routine use paragraphs in the Prefatory Statement.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the sytem:

Storage: Computer card.

Retrievability: Filed alphabetically by name.

Safeguards: Records are located in lockable metal file cabinets or in metal file cabinets in secured rooms or in secured premises with access limited to those whose official duties require access.

Retention and disposal: Maintained for one year after graduation or separation, and then destroyed.

System manager(s) and address: Budget and Accounts Officer, see above address.

Notification procedure: Information may be obtained from Secretary MA/MSB, Room 3099, U.S. Department of Commerce, Washington, D.C. 20230. Requestor should provide name of midshipman and dates of attendance pursuant to the inquiry provisions of the Department's Rules as published in the Federal Register.

Record access procedures: Requests from individuals should be addressed to: same adress as stated in the notification section above.

Contesting record procedures: The Department's rules for access, for contesting contents, and appealing initial determinations by the individual concerned appear in the Rules Section of this Federal Register. Use address.

Record source categories: The midshipman himself, the suppliers of midshipman equipment, and the Budget and Accounts Office personnel.

COMMERCE/MA-16.

System name: USMMA Midshipman Grade Transcripts-COMMERCE/MA-16.

System location: U.S. Merchant Marine Academy, Kings Point, N.Y. 11024.

Categories of individuals covered by the system: All present and past midshipmen.

Categories of records in the system: Name; social security number, courses taken, grades received, and cumulative average.

Authority for maintenance of the system: The Merchant Marine Act of 1936; and 46 U.S.C. 216(b) (1) (1970).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Sent to other schools or employers when requested by the midshipman. Users are the midshipman, the Academy registrar, other schools and employers. Also see routine use paragraphs of the Prefatory Statement.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the sytem:

Storage: Paper records in file folders.

Retrievability: Filed alphabetically by Midshipman's name.

Safeguards: Records are located in lockable metal file cabinets in secured rooms or secured premises with access limited to those whose official duties require access.

Retention and disposal: Records are retained indefinitely.

System manager(s) and address: Registrar, U.S. Merchant Marine Academy, see above address.

Notification procedure: Information may be obtained from: Secretary MA/MSB, Room 3099, U.S. Department of Commerce, Washington, D.C. 20230. Requestor should provide name of midshipman, pursuant to the inquiry provisions of the Department's Rules as published in this issue of the Federal Register.

Record access procedures: Requests from individuals should be addressed to: same adress as stated in the notification section above.

Contesting record procedures: The Department's rules for access, for contesting contents, and appealing initial determinations by the individual concerned appear in the Rules Section of this Federal Register. Use address.

Record source categories: The midshipman, his instructors, the Registrar's Staff.

COMMERCE/MA-17.

System name: USMMA Midshipman Medical Files-COMMERCE/MA-17.

System location: Medical Department, U.S. Merchant Marine Academy, Kings Point, New York 11024.

Categories of individuals covered by the system: All Midshipmen.

Categories of records in the system: Complete medical history prior to and during enrollment at the Academy.

Authority for maintenance of the system: The Merchant Marine Act of 1936; and 46 U.S.C. 216(b) (1971).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: See routine use paragraphs in the Prefatory Statement.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the sytem:

Storage: Paper records in file folders.

Retrievability: Filed alphabetically by midshipman name.

Safeguards: Records are located in lockable metal file cabinets or in metal file cabinets in secured rooms or in secured premises with access limited to those whose official duties require access.

Retention and disposal: If appointed, record is retained for sixty years; and if not appointed, the record is retained for one year and destroyed.

System manager(s) and address: Medical Officer, U.S. Merchant Marine Academy. See above address.

Systems exempted from certain provisions of the act: Pursuant to 5 U.S.C. 552a(k) (5), all investigatory material in the record which meets the criteria of 5 U.S.C. 552a(k) (5) is exempted from the notice, access, and contest requirements (under 5 U.S.C. 552a(c) (3), (d), (e) (1), (e) (4) (G), (H), and (I) and (f)) of the agency regulations in order to fulfill commitments made to protect the confidentiality of sources, and to maintain access to sources of information which are necessary to determine suitability for civilian employment and military service.

COMMERCE/MA-18.

System name: USMMA Midshipman Personnel Records- COMMERCE/MA-18.

System location: Office of the Commandant of Midshipman, U.S. Merchant Marine Academy, Kings Point, New York 11024.

Categories of individuals covered by the system: All current and former midshipmen since inception of the Academy in 1942.

Categories of records in the system: Nomination to U.S. Merchant Marine Academy; College Board Scores; high school transcript; name; address; social security number; parent's names and address and occupation; relatives who attended USMMA; number of brothers and sisters; medical report; height; weight; color of hair; color of eyes; complexion; commendations; record of disciplinary cases; resignation notice; graduation certification; and report of deficiencies.

Authority for maintenance of the system: The Merchant Marine Act of 1936 and 46 U.S.C. 216(b) (1970).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: See routine use paragraphs in the Prefatory Statement.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the sytem:

Storage: Paper records in file folders.

Retrievability: Filed alphabetically by midshipman's name.

Safeguards: Records are located in lockable metal file cabinets or in metal file cabinets in secured rooms or in secured premises with access limited to those whose official duties require access.

Retention and disposal: Records are maintained permanently.

System manager(s) and address: Commandant of Midshipmen, see above address.

Systems exempted from certain provisions of the act: Pursuant to 5 U.S.C, 552a(k) (5), all investigatory material in the record which meets the criteria of 5 U.S.C. 552a(k) (5) is exempted from the notice, access, and contest requirements (under 5 U.S.C. 552a(c) (3), (d), (e) (1), (e) (4) (G), (H), and (I) and (f)) of the agency regulations in order to fulfill commitments made to protect the confidentiality of sources, and to maintain access to sources of information which are necessary to determine suitablilty for civilian employment and military service.

COMMERCE/MA-19.

System name: USMMA Non-Appropriated Fund Employees-COMMERCE/MA-19.

System location: Department of Administrative Services, U.S. Merchant Marine Academy, Kings Point, N.Y. 11024.

Categories of individuals covered by the system: All current and former employees of non-appropriated fund activities since 1970.

Categories of records in the system: Name; telephone number; social security number; address; date of birth; height; weight; birthplace; employment history; special qualifications; education summary; references; personnel actions showing positions held and salary paid; insurance coverage; and letters of commendation or reprimand.

Authority for maintenance of the system: The Merchant Marine Act of 1936, and 46 U.S.C. 216(b) (1971).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: See routine use paragraphs in the Prefatory Statement.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the sytem:

Storage: Paper records in file folders.

Retrievability: Filed alphabetically by Midshipman's name.

Safeguards: Records are located in lockable metal file cabinets in secured rooms or secured premises with access limited to those whose official duties require access.

Retention and disposal: Records are retained indefinitely.

System manager(s) and address: Head, Department of Administrative Services, see above address.

Systems exempted from certain provisions of the act: Pursuant to 5 U.S.C. 552a(k)(5), all investigatory material in the record which meets the criteria of 5 U.S.C. 552a(k)(5) is exempted from the notice, access, and contest requirements (under 5 U.S.C. 552a(c)(3), (d), (e)(1), (e)(4) (G), (H), and (I) and (f)) of the agency regulations in order to fulfill commitments made to protect the confidentiality of sources, and to maintain access to sources of information which are necessary to determine suitability for employment.

COMMERCE/MA-20.

System name: USMMA Service Contractor Employees-COMMERCE/MA-20.

System location: Administrative Services Office, U.S. Merchant Marine Academy, Kings Point, N.Y. 11024.

Categories of individuals covered by the system: Officers and employees of firms, or individuals, holding service contracts.

Categories of records in the system: Name; address; education; experience; professional background; and business references.

Authority for maintenance of the system: 5U.S.C. 301; 44 U.S.C 3101.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: See routine use paragraphs of the Prefatory Statement.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the sytem:

Storage: Paper records in file folders.

Retrievability: Filed alphabetically by contractor name.

Safeguards: Records are located in lockable metal file cabinets or in metal file cabinets in secured rooms or secured premises with access limited to those whose official duties require access.

Retention and disposal: The records are retained for one year.

System manager(s) and address: Administrative Services Officer and Contracting Officer, Administrative Services Office, see above address.

Systems exempted from certain provisions of the act: Pursuant to 5 U.S.C 552a(k)(5), all investigatory material in the record which meets the criteria of 5 U.S.C. 552a(k)(5) is exempted from the notice, access, and contest requirements (under 5 U.S.C. 552a(c)(3), (d), (e)(1), (e)(4) (G), (H), and (I) and (f)) of the agency regulations in order to fulfill commitments made to protect the confidentiality of sources, and to maintain access to sources of information which are necessary to determine whether to award federal contracts for maintenance and other services. 0

Commerce/MA-21.

System name: Waivers of Liability to Board Reserve Fleet Vessels-Commerce/MA-21.

System location: Beaumont Reserve Fleet, Beaumont, Texas; James River Reserve Fleet, Fort Eustis, Virginia; and Suisun Bay Reserve Fleet, Benicia, California.

Categories of individuals covered by the system: All individuals boarding Reserve Fleet Vessels.

Categories of records in the system: Name, affiliation, date, and signature. (Form: MA-118).

Authority for maintenance of the system: 50 U.S.C. 1744-45 (1970).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: See routine use paragraphs in Prefatory Statement.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the sytem:

Storage: Paper records in file folders.

Retrievability: Filed alphabetically by name.

Safeguards: Records are located in lockable metal file cabinets or metal file cabinets in secured rooms or in secured premise with access limited to those whose official duties require access.

Retention and disposal: Records are maintained for three years and then destroyed.

System manager(s) and address: The chief of the particular Regional Office: Eastern-26 Federal Plaza, New York, New York 10007; Central-701 Loyola Avenue, New Orleans, Louisiana 70150; Western-450 Golden Gate Avenue, San Francisco, California 94102; and U.S. Merchant Marine Academy-Kings Point, Long Island, New York 11024.

Notification procedure: Information may be obtained from: Secretary MA/MSB, Room 3099, U.S. Department of Commerce, Washington, D.C. 20230. Requestor should provide the name of the visitor, pursuant to the inquiry provisions of the Department's Rules as published in this issue of the Federal Register.

Record access procedures: Requests from individuals should be addressed to: same adress as stated in the notification section above.

Contesting record procedures: The Department's rules for access, for contesting contents, and appealing initial determinations by the individual concerned appear in the Rules Section of this Federal Register. Use address.

Record source categories: The subject individual.

COMMERCE/NBS-1.

System name: NBS Guest Workers-COMMERCE/NBS-1.

System location: Personnel Division, National Bureau of Standards, U.S. Department of Commerce, Washington, D.C. 20234.

Categories of individuals covered by the system: Guest workers pursuing individual scientific or technical projects.

Categories of records in the system: Agreement between NBS and guest worker; name; citizenship; social security number; supervisor; arrival and departure dates; date of securtiy assurance; conditions; and facilities to be made available.

Authority for maintenance of the system: 31 STAT. 1449 as amended.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: See routine use paragraphs in the Prefatory Statement.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the sytem:

Storage: Paper records in file folders.

Retrievability: Filed alphabetically by name.

Safeguards: Records are located in lockable metal file cabinets with access limited to those whose official duties require access.

Retention and disposal: The records are disposed 5 years after guest worker terminates.

System manager(s) and address: Personnel Officer, Administration Building, National Bureau of Standards, Washington, D.C. 20234.

Notification procedure: Information may be obtained from: Associate Director for Administration, Room 1105, Administration Building, National Bureau of Standards, Washington, D.C. 20234. Requestor should provide name and approximate date of affiliation, pursuant to the inquiry provisions of the Department's Rules as published in this issue of the Federal Register.

Record access procedures: Requests from individuals should be addressed to: same adress as stated in the notification section above.

Contesting record procedures: The Department's rules for access, for contesting contents, and appealing initial determinations by the individual concerned appear in the Rules Section of this Federal Register. Use address.

Record source categories: Subject individuals; operating officials making the facilities available.

COMMERCE/NBS-2.

System name: Inventors of Energy-Related Processes and Devices-COMMERCE/NBS-2.

System location: Office of Energy-Related Inventions, Institute for Applied Technology, National Bureau of Standards, Washington, D.C. 20234.

Categories of individuals covered by the system: Inventors submitting ideas for evaluation by NBS; NBS employees signing Statements of Nondisclosure.

Categories of records in the system: Name, address, and telephone number of the persons submitting ideas or inventions for evaluation; name and title of NBS employees signing Statements of Nondisclosure.

Authority for maintenance of the system: 88 STAT. 1894.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: In addition to the routine uses referenced in the Prefatory Statement, the information is used in correspondence with the inventor requesting the evaluation of interested third parties, evaluation of technical and commercial feasibility, reports to the Energy Research and Development Administration, and statistical and analytical data not including restricted information.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the sytem:

Storage: Paper records in file folders.

Retrievability: Filed alphabetically by name.

Safeguards: Records are located in lockable metal file cabinets; access to all files is restricted to those persons requiring access for evaluation purposes and who have either signed a Statement of Nondisclosure, have permission pursuant to a written contract with NBS, or have written authorization of the legal advisor; an exception to this would be a valid request made under the Freedom of Information Act for information that is not 1) a trade secret or 2) commercial or financial information that is privileged or confidential and therefore falling within the exemption set out in the Act, 5 USC 552 (b)(4).

Retention and disposal: Currently all records are retained indefinitely.

System manager(s) and address: Chief, Office of Energy-Related Inventions, Institute for Applied Technology, National Bureau of Standards, Washington, D.C. 20234.

Notification procedure: Information may be obtained from: Associate Director for Administration, Room 1105, Administration Building, National Bureau of Standards, Washington, D.C. 20234. Requestor should provide name and additional factual data as appropriate, pursuant to the inquiry provisions of the Department's Rules as published in this issue of the Federal Register.

Record access procedures: Requests from individuals should be addressed to: same adress as stated in the notification section above.

Contesting record procedures: The Department's rules for access, for contesting contents, and appealing initial determinations by the individual concerned appear in the Rules Section of this Federal Register. Use address.

Record source categories: Subject individuals.

COMMERCE/NBS-3.

System name: Research Associates-COMMERCE/NBS-3.

System location: Office of Programs, Administration Building, National Bureau of Standards, U.S. Department of Commerce, Washington, D.C. 20234.

Categories of individuals covered by the system: Research Associates.

Categories of records in the system: Personal history statement, conflict of interest statement, titles of publications authored or coauthored by Research Associates.

Authority for maintenance of the system: 31 STAT. 1449 as amended.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: See routine use paragraphs in the Prefatory Statement.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the sytem:

Storage: Paper records in file folders.

Retrievability: Filed alphabetically by name.

Safeguards: Records are located in lockable metal file cabinets with access limited to those whose official duties require access.

Retention and disposal: Records are disposed following the termination of employment of the research associate.

System manager(s) and address: Industrial Liaison Officer, Office of Programs, Administration Building, National Bureau of Standards, Washington, D.C. 20234.

Notification procedure: Information may be obtained from: Associate Director for Administration, Room 1105, Administration Building, National BUreau of Standards, Washington, D.C. 20234. Requestor should provide name and approximate date of affiliation, pursuant to the inquiry provisions of the Department's Rules as published in this issue of the Federal Register.

Record access procedures: Requests from individuals should be addressed to: same adress as stated in the notification section above.

Contesting record procedures: The Department's rules for access, for contesting contents, and appealing initial determinations by the individual concerned appear in the Rules Section of this Federal Register. Use address.

Record source categories: Subject individual.

COMMERCE/NBS-4.

System name: Participants in Clinical Dental Project-COMMERCE/NBS-4.

System location: Dental and Medical Materials Section, National Bureau of Standards, U.S. Department of Commerce, Washington, D.C. 20234.

Categories of individuals covered by the system: NBS employees and spouses who have volunteered to participate in program.

Categories of records in the system: Name; date and place of birth; business address and phone number; drug sensitivity data; dental work limitations; home address and phone number; age; sex; and race.

Authority for maintenance of the system: 31 STAT. 1449 as amended.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: See routine use paragraphs in the Prefatory Statement.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the sytem:

Storage: Paper records in file folders.

Retrievability: Indexed by name and project.

Safeguards: Records are located in steel file cabinets in secured rooms with access limited to those whose official duties require access.

Retention and disposal: Currently records are retained indefinitely.

System manager(s) and address: Chief, Dental and Medical Materials Sections, National Bureau of Standards, Washington, D.C. 20234.

Notification procedure: Information may be obtained from: Associate Director for Administration, Room 1105, Administration Building, National Bureau of Standards, Washington, D.C. 20234. Requestor should provide--name and the title of the project, pursuant to the inquiry provisions of the Department's Rules as published in this issue of the Federal Register.

Record access procedures: Requests from individuals should be addressed to: same adress as stated in the notification section above.

Contesting record procedures: The Department's rules for access, for contesting contents, and appealing initial determinations by the individual concerned appear in the Rules Section of this Federal Register. Use address.

Record source categories: Subject individual; clinical examiner.

COMMERCE/NBS-5.

System name: Participants in Human Factors Studies-COMMERCE/NBS-5.

System location: Human Factors Laboratory, Bowman House, National Bureau of Standards, U.S. Department of Commerce, Washington, D.C. 20234.

Categories of individuals covered by the system: Individuals who have served as subjects in Human Factors Laboratory experiments and studies.

Categories of records in the system: Name and social security number of the participant; participant's availability for additional experiments; name and description of the study; and signature of the participant, parent, or guradian certifying voluntary participation; and acceptance of the terms of the research participant's agreement.

Authority for maintenance of the system: 31 STAT. 1449 as amended.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: See routine use paragraphs in the Prefatory Statement.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the sytem:

Storage: Paper records in file folders.

Retrievability: Filed alphabetcially by name.

Safeguards: Maintained in a steel filing cabinet in a secured building with access limited to Human Factors Laboratory Staff.

Retention and disposal: Records maintained during course of study and destroyed three years after completion of the study.

System manager(s) and address: Chief, Human Factors Section, Center for Consumer Product Technology, National Bureau of Standards, Washington, D.C. 20234.

Notification procedure: Information may be obtained from: Associate Director for Administration, Room 1105, Administration Building, National Bureau of Standards, Washington, D.C. 20234. Requestor should provide name and the title of experiment, pursuant to the inquiry provisions of the Department's Rules as published in this issue of the Federal Register.

Record access procedures: Requests from individuals should be addressed to: same adress as stated in the notification section above.

Contesting record procedures: The Department's rules for access, for contesting contents, and appealing initial determinations by the individual concerned appear in the Rules Section of this Federal Register. Use address.

Record source categories: Subject individual.

COMMERCE/NBS-6.

System name: Participants in Psychoacoustic Experiments-COMMERCE/NBS-6.

System location: Psychoacoustics Laboratory, Sound Building, National Bureau of Standards, Washington, D.C. 20234.

Categories of individuals covered by the system: Applicants and participants in psychoacoustic experiments.

Categories of records in the system: Name, age, and sex; hearing history; strip chart recording of hearing sensitivity both before and after participation in the experiment; responses to questions and test related to material learned during the experiment.

Authority for maintenance of the system: 84 STAT. 1590.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: See routine use paragraphs in the Prefatory Statement.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the sytem:

Storage: Paper questionaires and strip chart recordings in file folders.

Retrievability: Indexed by experiment, date, and then by participant's name.

Safeguards: Maintained in locked metal cabinet, in locked room, accessible only to authorized personnel.

Retention and disposal: Disposed after ten years.

System manager(s) and address: Chief, Sound Section, National Bureau of Standards, Washington, D.C. 20234.

Notification procedure: Information may be obtained from: Associate Director for Administration, Room 1105, Administration Building, National Bureau of Standards, Washington, D.C. 20234. Requestor should provide name and approximate date of experiment, pursuant to the inquiry provisions of the Department's Rules as published in this issue of the Federal Register.

Record access procedures: Requests from individuals should be addressed to: same adress as stated in the notification section above.

Contesting record procedures: The Department's rules for access, for contesting contents, and appealing initial determinations by the individual concerned appear in the Rules Section of this Federal Register. Use address.

Record source categories: Subject individuals.

COMMERCE/NBS-7.

System name: Employees External Radiation Exposure Records-COMMERCE/NBS-7.

System location: Health Physicics Section, National Bureau of Standards, Washington, D.C. 20234.

Categories of individuals covered by the system: Individuals working with radioactive materials and machines who may be exposed to ionizing radiation.

Categories of records in the system: Name, social security number, date of birth, organizational unit, and amount of radiation received.

Authority for maintenance of the system: 10 CFR 20.403 and 20.405.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: See routine use paragraphs in the Prefatory Statement. Also, film from badges is sent monthly to the U.S. Army for determination of amount of radiation exposure.

Information involving exposure levels, incidents, and amounts of overexposure is submitted to the Nuclear Regulatory Commission. In the event of serious overexposure, information would be disclosed to the Bethesda (Maryland) Naval Medical Center, employee's family physician, and other appropriate medical authorities.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the sytem:

Storage: Paper records in file folders and film.

Retrievability: Filed alphabetically by name.

Safeguards: Records are located in lockable metal file cabinets with access limited to those whose official duties require access.

Retention and disposal: Currently, records are retained indefinitely.

System manager(s) and address: Chief, Health Physics Section, National Bureau of Standards, Washington, D.C. 20234.

Notification procedure: Information may be obtained from: Associate Director for Administration, Room 1105, Administration Building, National Bureau of Standards, Washington, D.C. 20234. Requestor should provide name, social security number, and date of employment, pursuant to the inquiry provisions of the Department's Rules as published in this issue of the Federal Register.

Record access procedures: Requests from individuals should be addressed to: same adress as stated in the notification section above.

Contesting record procedures: The Department's rules for access, for contesting contents, and appealing initial determinations by the individual concerned appear in the Rules Section of this Federal Register. Use address.

Record source categories: Subject individuals and U.S. Army.

COMMERCE/NOAA-1.

System name: Applicants for Federal Permits to Take, Buy, or Transport Endangered Species for Specific Purposes-COMMERCE/NOAA-1.

System location: Marine Mammal and Endangered Species Division, National Marine Fisheries Service, Washington, D.C. 20235.

Duplicate portions of the system may be located in the Regional Offices of the National Marine Fisheries Services at: Federal Building, 14 Elm Street, Gloucester, Massachusetts 01930; Duval Building, 9450 Gandy Boulevard, St. Petersburg, Florida 33702; 300 South Ferry Street, Terminal Island, California 90731; Lake Union Building, 1700 Westlake Avenue North, Seattle, Washington 98109; and P.O. Box 1668, Juneau, Alaska 99801.

Categories of individuals covered by the system: Applicants for permits to take, import, export, or transport or sell in interstate or foreign commerce endangered species either for scientific purposes, enhancement of propagation or enhancement of survival, or to minimize undue economic hardship.

Categories of records in the system: Name and address; professional or business affiliation; educational and professional background; other qualifications, and the activities conducted by the individual(s) authorized by permit.

Authority for maintenance of the system: Endangered Species Act of 1973; 16 U.S.C. 1531-1543 10(a), 10(b), and 11 (f).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: See routine use paragraphs of Prefatory Statement. Also the system constitutes a public record, and it is available for any individual to examine.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the sytem:

Storage: Paper copy in file books.

Retrievability: Filed alphabetically by applicant names and file numbers.

Safeguards: Records are located in lockable metal file cabinets or in metal file cabinets in secured rooms or in secured premises.

Retention and disposal: Records are maintained indefinitely.

System manager(s) and address: Director, National Marine Fisheries Service, National Oceanic and Atmospheric Administration, U.S. Department of Commerce, Washington, D.C. 20235.

Notification procedure: Information may be obtained from: Assistant Administrator for Administration, National Oceanic and Atmospheric Administration, 6010 Executive Boulevard, Rockville, Maryland 20852. Requestor should provide name and address pursuant to the inquiry provisions of the Department's Rules as published in this issue of the Federal Register.

Record access procedures: Requests from individuals should be addressed to: same adress as stated in the notification section above.

Contesting record procedures: The Department's rules for access, for contesting contents, and appealing initial determinations by the individual concerned appear in the Rules Section of this Federal Register. Use address.

Record source categories: Subject individual applicants, public comments on an application, reviews by NMFS offices, and reports from Federal agents and observers on activities conducted under permit authority.

COMMERCE/NOAA-2.

System name: Applicants for Hardship Exemptions under Marine Mammal Protection Act of 1972-COMMERCE/NOAA-2.

System location: Marine Mammal and Endangered Species Division, National Marine Fisheries Service, National Oceanic and Atmospheric Administration, U.S. Department of Commerce, Washington, D.C. 20235.

Duplicate portions of the system are located in Regional Offices of the National Marine Fisheries Service at: Federal Building, 14 Elm Street, Gloucester, Massachusetss 01930; Duval Building, 9450 Gandy Boulevard, St. Petersburg, Florida 33702; 300 South Ferry Street, Terminal Island, California 90731;Lake Union Building, 1700 Westlake Avenue North, Seattle, Washington 98109; and P.O. Box 1668, Juneau, Alaksa 99801.

Categories of individuals covered by the system: Applicants for exemptions from the provisions of the Marine Mammal Protection Act0 of 1972, on the basis of undue economic hardship.

Categories of records in the system: Name and address; professional or business affiliation; educational and professional background; other qualifications of the individual; and the activities conducted by an individual as authorized by exemption, economic, and financial information indicating the degree of anticipated economic hardship.

Authority for maintenance of the system: Marine Mammal Protection Act of 1972 (16 U.S.C. 1361-1407), and regulations (50 CFR 216.31) promulgated under Section 112 of the Act, and in accordance with Section 101(c).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: See routine use paragraphs of the Prefatory Statement. Also the system constitutes a public record, and it is available for any individual to examine.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the sytem:

Storage: Paper copy in file books.

Retrievability: Filed alphabetically by applicant names and file numbers.

Safeguards: Records are located in lockable metal file cabinets or in metal file cabinets in secured rooms or secured premises.

Retention and disposal: Records are maintained indefinitely.

System manager(s) and address: Director, National Marine Fisheries Service National Oceanic and Atmospheric Administration, U.S. Department of Commerce, Washington, D.C. 20235.

Notification procedure: Information may be obtained from: Assistant Administrator for Administration, National Oceanic and Atmospheric Administration, 6010 Executive Boulevard, Rockville, Maryland 20852. Requestor should provide name and address pursuant to the inquiry provisions of the Department's Rules as published in this issue of the Federal Register.

Record access procedures: Requests from individuals should be addressed to: same adress as stated in the notification section above.

Contesting record procedures: The Department's rules for access, for contesting contents, and appealing initial determinations by the individual concerned appear in the Rules Section of this Federal Register. Use address.

Record source categories: Subject individual applicants, public comments on an application, reviews of an application by National Marine Fisheries Service Offices, and reports from Federal agents and observers on activities conducted under exemption authority.

COMMERCE/NOAA-3.

System name: Applicants for Marine Mammal Scientific Research and Display Permits-COMMERCE/NOAA-3.

System location: Marine Mammal and Endangered Species Division, National Marine Fisheries Service, National Oceanic and Atmospheric Administration, U.S. Department of Commerce, Washington, D.C. 20235.

Duplicate portions of the system are located in Regional Offices of the National Marine Fisheries Service at: Federal Building, 14 Elm Street, Gloucester, Massachusetts 01930; Duval Building, 9450 Gandy Boulevard, St. Petersburg, Florida 33702; 300 South Ferry Street, Terminal Island, California 90731; Lake Union Building, 1700 Westlake Avenue North, Seattle, Washington 98109; and Box 1668, Juneau, Alaska 99801.

Categories of individuals covered by the system: Applicants for permits to take or import marine mammals for the purposes of scientific research and public display.

Categories of records in the system: Name and address; professional or business affiliation; educational and professional background; and the activities conducted by an individual as authorized by permit.

Authority for maintenance of the system: Marine Mammal Protection Act of 1972 (16 U.S.C. 1361-1407), and is specifically solicited in accordance with regulations (50 C.F.R. 216.31) promulgated as authorized by Section 112 of the Act.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: See routine use paragraphs of the Prefatory Statement. Also the system constitutes a public record, and it is available for any individual to examine all records within the system.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the sytem:

Storage: Paper copy in file books.

Retrievability: Filed alphabetically by applicant names and file numbers.

Safeguards: Records are located in lockable metal file cabinets or in metal file cabinets in secured rooms or secured premises.

Retention and disposal: Records are maintained indefinitely.

System manager(s) and address: Director, National Marine Fisheries Service, National Oceanic and Atmospheric Administration, U.S. Department of Commerce;, Washington, D.C. 20235.

Notification procedure: Information may be obtained from: Assistant Administrator for Administration, National Oceanic and Atmospheric Administration, 6010 Executive Boulevard, Rockville, Maryland 20852. Requestor should provide name and address pursuant to the inquiry provisions of the Department's Rules as published in this issue of the Federal Register.

Record access procedures: Requests from individuals should be addressed to: same adress as stated in the notification section above.

Contesting record procedures: The Department's rules for access, for contesting contents, and appealing initial determinations by the individual concerned appear in the Rules Section of this Federal Register. Use address.

Record source categories: Subject individual applicants, public comments on an application, reviews by NMFS Offices and the U.S. Marine Mammal Commission; and reports from Federal agents and observers on activities conducted under permit authority.

COMMERCE/NOAA-4.

System name: Applicants For the NOAA Corps-COMMERCE/NOAA-4.

System location: Office of the Director, NOAA Corps, National Oceanic and Atmospheric Administration, Rockville, Maryland 20852.

Categories of individuals covered by the system: Applicants for appointment in the NOAA Corps.

Categories of records in the system: Name, social security number, letters of reference, physical examiniations, college transcripts, statements of prior military sevice, recruiting officer's appraisal, personal resumes, and similar data necessary to be considered for a commission in the NOAA Corps.

Authority for maintenance of the system: 33 U.S.C. 853t and 854, 33 U.S.C. 853i; 853j; 853j-l; 853t; 854; 854a-1.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: See routine use paragraphs of Prefatory Statement. Also to respond to the applicant, Members of Congress, or others with a valid interest who may inquire as to the status of the application or who may request reconsideration of a rejected application.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the sytem:

Storage: Paper records in file folders.

Retrievability: Filed alphabetically by name.

Safeguards: Records are maintained in secured room. Access only on the authority of the Director, NOAA Corps or the Chief/Deputy Chief, Commissioned Personnel Division.

Retention and disposal: Destroyed after approximately six months if rejected, unless applicant indicates a desire for reconsideration.

System manager(s) and address: Director, NOAA Corps, National Oceanic and Atmospheric Administration, Rockville, Maryland 20852.

Systems exempted from certain provisions of the act: Pursuant to 5 U.S.C. 552a(k) (5), all investigatory material in the record which meets the criteria of 5 U.S.C. 552a(k) (5) is exempted from the notice, access, and contest requirements (under 5 U.S.C. 552a(c)(3), (d), (e)(1), (e)(4) (G), (H), and (I) and (f))of the agency regulations in order to fulfill commitments made to protect the confiden- tiality of sources, and to maintain access to sources of information which are necessary to determine employee's suitability for employment in the NOAA Corps.

COMMERCE/NOAA-5.

System name: Applicants for Threatened Species Permits-COMMERCE/NOAA-5 (Note: A system now being established to be in operation by late September 1975).

System location: Marine Mammal and Endangered Species Division, National Marine Fisheries Service, National Oceanic and Atmospheric Administration, U.S. Department of Commerce, Washington, D.C. 20235.

Duplicate portions of the system may be located in the Regional Offices of the National Marine Fisheries Service at: Federal Building, 14 Elm Street, Gloucester, Massachusetts 01930; Duval Building, 9450 Gandy Boulevard, St. Petersburg, Florida 33702; 300 South Ferry Street, Terminal Island, California 90731; Lake Union Building, 1700 Westlake Avenue North, Seattle, Washington 98109; and P.O. Box 1668, Juneau, Alaska 99801.

Categories of individuals covered by the system: Applicants for permits to engage in activities involving threatened species which are otherwise prohibited by protective regulations. Protective regulations for threatened species may allow exceptions by permit to prohibited acts.

Categories of records in the system: Name and address; profession or business affiliation; educational and professional background; other qualifications; and the activities conducted by the individual(s) as authorized by permit.

Authority for maintenance of the system: The Endangered Species Act of 1973 (16 U.S.C. 1531-1543).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: See routine use paragraphs of the Prefatory Statement. Also, the system constitutes a public record, and it is available for any individual to examine.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the sytem:

Storage: Paper copy in file books.

Retrievability: Filed alphabetically by applicant names and file numbers.

Safeguards: Records are located in lockable metal file cabinets or in metal file cabinets in secured rooms or secured premises.

Retention and disposal: Records are maintained indefinitely.

System manager(s) and address: Director, National Marine Fisheries Service, National Oceanic and Atmospheric Administration, U.S. Department of Commerce, Washington, D.C . 20235.

Notification procedure: Imformation may be obtained from: Assistant Administrator for Administration, National Oceanic and Atmospheric Administration, 6010 Executive Buolevard, Rockville, Maryland 20852. Requestor should provide name and address pursuant to the inquiry provisions of the Department's Rules as published in this issue of the Federal Register.

Record access procedures: Requests from individuals should be addressed to: same adress as stated in the notification section above.

Contesting record procedures: The Department's rules for access, for contesting contents, and appealing initial determinations by the individual concerned appear in the Rules Section of this Federal Register. Use address.

Record source categories: Subject individual applicants, public comments on an application, reviews of an application by National Marine Fisheries Service Offices, and reports from Federal agents and observers on activities conducted under permit authority.

COMMERCE/NOAA-6.

System name: Commissioned Officers Official Travel Orders Folders-COMMERCE/NOAA-6.

System location: Office of the Director, NOAA Corps, National Oceanic and Atmospheric Administration, Rockville, Maryland 20852.

Categories of individuals covered by the system: Commissioned officers of the NOAA Corps (active, retired, and deceased) and former officers separated within previous six months.

Categories of records in the system: Name, grade, social security number, estimated travel cost, dates of transfer, assignment locations, and type of duty.

Authority for maintenance of the system: 37 U.S.C.; 33 U.S.C. 857-5, 857a, 855.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: See routine use paragraphs of the Prefatory Statement. Also the record is sent to the organization to which officer is assigned such as branches of the U.S. Military Service, branches of foreign Military Services, World Weather Organization, etc.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the sytem:

Storage: Paper records in file folders.

Retrievability: Filed alphabetically by name.

Safeguards: Records are maintained in a locked space. Access only on the authority of the Director, NOAA Corps, or the Chief/Deputy Chief, Commissioned Personnel Division.

Retention and disposal: Retained as separate file on all active duty offices. Incorporated into the Official Personnel File of retired and deceased officers and retained. Incorporated into the Official Personnel File of separated officers and after six months transferred to the National Personnel Records Center, St. Louis, Missouri 63118.

System manager(s) and address: Director, NOAA corps, see above address.

Notification procedure: Information may be obtained from: Assistant Administrator for Administration, 6010 Executive Boulevard, Rockville, Maryland 20852. Requestor should provide full name, social security number, date of birth, and dates of service, pursuant to the inquiry provisions of the Department's Rules as published in this issue of the Federal Register.

Record access procedures: Requests from individuals should be addressed to: same adress as stated in the notification section above.

Contesting record procedures: The Department's rules for access, for contesting contents, and appealing initial determinations by the individual concerned appear in the Rules Section of this Federal Register. Use address.

Record source categories: Subject individual's Official Personnel Record and from the approved recommendations of the Officer Assignment Board.

COMMERCE/NOAA-7.

System name: Commissioned Officer Official Personnel Folders-COMMERCE/NOAA-7.

System location: Office of the Director, NOAA Corps (NC), National Oceanic and Atmospheric Administration, Rockville, Maryland 20852.

Categories of individuals covered by the system: Commissioned Officers of the NOAA Corps (active, retired, and deceased) and former commissioned officers separated within previous six months.

Categories of records in the system: Name, social security number; selective service number; promotion history; history of assignments; performance evaluations; date of birth; education; prior employment history; prior uniformed service; pay and allowance data; relatives; references; commenda- tions; discipline; insurance; medical evaluations; and similar personal information.

Authority for maintenance of the system: 33 U.S.C. 853a-t; 854a-a-2; 855; 856; 857; 857-1-5; 857a; 858; 864; 865; 872; 873; 874; 875; 876.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: See routine use paragraphs of the Prefatory Statement. Specific information is also provided to Selective Service System, Veterans Administration, Federal Housing Administration, Social Security Administration, Public Health Service, Department of Defense elements, Internal Revenue Service, (Federal and local governments), and to the organization to which officer is assigned such as branches of U.S. Military Service, branches of foreign military services, World Weather Organizations, etc.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the sytem:

Storage: Paper records in file folders.

Retrievability: Filed alphabetically by name.

Safeguards: Records are maintained in secured area. Access only on the authority of the Director, NOAA Corps or the Chief/Deputy Chief, Commissioned Personnel Division.

Retention and disposal: Records retained indefinitely on active, retired, and deceased officers; discharged officer's records are retained for approximately 6 months, then transferred to the National Personnel Records Center, St. Louis, Missouri 63118.

System manager(s) and address: Director, NOAA Corps, see above address.

Systems exempted from certain provisions of the act: Pursuant to 5 U.S.C. 552a(k) (5), all investigatory material in the record which meets the criteria of 5 U.S.C. 552a(k) (5) is exempted from the notice, access, and contest requirements (under 5 U.S.C. 552a(c)(3), (d), (e)(1), (e)(4) (G), (H), and (I) and (f))of the agency regulations in order to fulfill commitments made to protect the confiden- tiality of sources, and to maintain access to sources of information which are necessary to determine applicant's suitability for employment in the NOAA Corps.

COMMERCE/NOAA-8.

System name: Commissioned Officers Retired Payroll-COMMERCE/NOAA-8.

System location: Office of the Director, NOAA Corps, NOAA, Rockville, Md. 20852.

Categories of individuals covered by the system: Commissioned officers of the NOAA Corps who are entitled to retired pay, and the survivors of deceased active duty and retired officers who are entitled to a survivor's annuity.

Categories of records in the system: Name; social security number; amount of gross retired pay or survival annuity; amount of federal income tax withheld; amount of VA reduction; amount of survivor benefit cost deducted; miscellaneous deductions; and net retired pay or annuity.

Authority for maintenance of the system: 33 U.S.C. 853a-h; 853j-l-t; 854a-2; 856; 857-2; 857-5; 872; 873. Authorities for Payroll Records - 5 U.S.C. 301; 552; Chap. 55; 31 U.S.C. 550; 628; 31 U.S.C. 52; 15 U.S.C. 1511; 37 U.S.C. 201 (Pay for Commissioned Officers); 5 App. Reorg. Plan No. 4 of 1970.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: See routine use paragraphs of the Prefatory Statement.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the sytem:

Storage: Manual, flat-paper computer print-out.

Retrievability: Filed by month and year.

Safeguards: Records are maintained in a secured area. Access only by authority of the Director, NOAA Corps or the Chief, Program Planning, Liaison and Training Division.

Retention and disposal: Retained 3 years and then destroyed.

System manager(s) and address: Director, NOAA Corps, see above address.

Notification procedure: Information may be obtained from: Assistant Administrator for Admin- istration, 6010 Executive Boulevard, Rockville, Maryland 20852. Requestor should provide full name, grade, social security number and branch of service, pursuant to the inquiry provisions of the Department's Rules as published in this issue of the Federal Register.

Record access procedures: Requests from individuals should be addressed to: same adress as stated in the notification section above.

Contesting record procedures: The Department's rules for access, for contesting contents, and appealing initial determinations by the individual concerned appear in the Rules Section of this Federal Register. Use address.

Record source categories: Information is a print-out from the computerized retired pay system maintained by the Commanding Officer, U.S. Navy Finance Center, 240 East Ninth Street, Cleveland, Ohio 44199, who maintains, under contract, the pay accounts of retired NOAA Corps officers and their annuitants.

COMMERCE/NOAA-9.

System name: Commissioners of International Fishery Commissions-COMMERCE/NOAA-9.

System location: Office of International Fisheries, NMFS, NOAA, Page Building 02, U.S. Department of Commerce, 3300 Whitehaven, Washington, D.C. 20007.

Categories of individuals covered by the system: Past and present commissioners of international fisheries commissions, e.g., the Inter-American Tropical Tuna Commission, the North Pacific Fur Seal Commission.

Categories of records in the system: Biographical data; education; past work experience; and positions previously held.

Authority for maintenance of the system: 5 U.S.C. 301; 44 U.S.C. 3101, and other relevant statutes and international conventions.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: See routine use paragraphs of the Prefatory Statement.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the sytem:

Storage: Notebook of forms.

Retrievability: Listing is alphabetical by name.

Safeguards: List is in file cabinet in room which is locked when unoccupied.

Retention and disposal: Indefinite retention.

System manager(s) and address: Senior Policy Analyst, Office of International Fisheries, F4, NMFS, NOAA, Commerce, Washington, D.C.

Notification procedure: Information may be obtained from: Assistant Administrator for Adminis- tration, NOAA, 6010 Executive Boulevard, Rockville, Maryland 20852. Requestor should provide name and address, pursuant to the inquiry provisions of the Department's Rules as published in this issue of the Federal Register.

Record access procedures: Requests from individuals should be addressed to: same adress as stated in the notification section above.

Contesting record procedures: The Department's rules for access, for contesting contents, and appealing initial determinations by the individual concerned appear in the Rules Section of this Federal Register. Use address.

Record source categories: Subject individual.

COMMERCE/NOAA-10.

System name: Employee Production Records-COMMERCE/NOAA-10.

System location: Field Finance Offices (Boulder, Colo.; Kansas City, Mo.; Miami, Fla.; and Rockville, Md.) of NOAA Finance Division, 6010 Executive Blvd., Rockville, Md. 20852 and Microfilming Unit, Technical Services Branch, National Climatic Center, NOAA, Federal Building, Asheville, N.C. 28801.

Categories of individuals covered by the system: NOAA employees.

Categories of records in the system: Employee output in workload units; number of records filmed each work day by each employee.

Authority for maintenance of the system: 5 U.S.C. 301; 33 U.S.C. 3101.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: See routine use paragraphs of the Prefatory Statement.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the sytem:

Storage: Paper records in file folders.

Retrievability: Filed alphabetically by name.

Safeguards: Records are kept in offices locked during non-working hours.

Retention and disposal: Records are retained until superseded by current data and then destroyed.

System manager(s) and address: As appropriate: Chief, Field Finance Officers or Director, National Climatic Center, see above addresses.

Notification procedure: Information may be obtained from: Assistant Administrator for Administration, NOAA, 6010 Executive Boulevard, Rockville, Maryland 20852. Requestor should provide name, place of employment (name and location of office, division, branch, and section), dates employed, and social security number, pursuant to the inquiry provisions of the Department's Rules as published in this issue of the Federal Register.

Record access procedures: Requests from individuals should be addressed to: same adress as stated in the notification section above.

Contesting record procedures: The Department's rules for access, for contesting contents, and appealing initial determinations by the individual concerned appear in the Rules Section of this Federal Register. Use address.

Record source categories: Compiled from organization work sheets and from logs posted by employees.

COMMERCE/NOAA-11.

System name: Fisheries Law Enforcement Case File-COMMERCE/NOAA-11.

System location: Law Enforcement Division, NMFS, 3300 Whitehaven Street, N.W. National Oceanic and Atmospheric Administration, U.S. Department of Commerce, Washington, D.C. 20007.

Categories of individuals covered by the system: Violators and alleged violators of the criminal and/or civil provisions of certain laws (listed in the Authority section of this notice) and the regulations issued thereunder, within the responsibility of the Secretary of Commerce.

Categories of records in the system: 1. Information compiled for the purpose of identifying individual criminal and/or civil offenders and alleged offenders and consisting of identifying data and notations of arrests, the nature and disposition of criminal or civil charges, sentencing, confinement, release, parole and probation status, and fines and penalties assessed;

2. Information compiled for the purpose of a criminal or civil investigation, including reports of informants and investigators, and associated with an identifiable individual;

3. Reports identifiable to an individual compiled at any stage of the process of enforcement of the criminal and civil laws from arrest or indictment through release from supervision, and the imposition of civil sanctions through administrative and/or judicial process; and

4. Investigatory material compiled for law enforcement purposes other than the material covered above;

Authority for maintenance of the system: Reorganization Plan No. 4 of 1970; Certain sections of Titles 15, 16, 18, and 22 of the United States Code, and relevant treaty, international convention, and/or agreements of which there are approximately 20. (Example: International Convention for the Regulation of Whaling (TIAS 1849) cf. 16 U.S.C. 916).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: See routine use paragraphs in Prefatory Statement. Also, for making administrative determinations with respect to an identifiable individual in connection with administrative and judicial proceedings against such individual. In instances where judicial proceedings are determined appropriate, such information is trans- mitted to the Attorney General, or his representative, for prose- cution. Such information is also given to the Marine Mammal Commission in response to their inquiries.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the sytem:

Storage: Paper records in file folders.

Retrievability: Filed alphabetically by individual's name and is also given an identifying case number at its initiation.

Safeguards: Employees are informed of the Departmental rule of conduct regarding unauthorized disclosure of information contained in official records. All Special Agents receive a security clearance, granted by the Department of Commerce, after an investigation. The files of the Law Enforcement Division which relate to information concerning an identifiable individual are maintained in locked, metal file cabinets.

Retention and disposal: All records of this Division are subject to the retention and disposal procedures set forth in NOAA Directives Manual 62-10, et seq.

System manager(s) and address: Chief, Law Enforcement Division, National Marine Fisheries Service, National Oceanic and Atmospheric Adminsitration, U.S. Depart- ment of Commerce, 3300 Whitehaven Street, N.W., Page 2 Building, Suite 426, Washington, D.C. 20007.

Systems exempted from certain provisions of the act: Pursuant to 5 U.S.C. 552a (j)(2), all information about an individual in the record which meets the criteria stated in 5 U.S.C. 552a (j)(2) are exempted from the notice, access and contest requirements of the agency regulations and from all parts of 5 U.S.C. 552a except subsections (b), (c)(1) and (2), (e) (4) (A) through (F), (e)(6), (7), (9), (10), and (11), and (i), and pursuant to 5 U.S.C. 552a (k)(2), on condition that the 5 U.S.C. 552a(j)(2) exemption is held to be invalid, all investigatory material in the record which meet the criteria stated in 5 U.S.C. 552a (k)(2) are exempted from the notice, access, and contest requirements (under 5 U.S.C. 552a (c)(3), (d), (e)(1), (e)(4) (G), (H), and (I) and (f)) of the agency regulations because of the necessity to exempt this information and material in order to accomplish this law enforcement function of the agency, to prevent subjects of investigation from frustrating the investigatory process, to prevent the disclosure of investigative techniques, to fulfill commitments made to protect the confidentiality of sources, to maintain access to sources of information, and to avoid endangering these sources and law enforcement personnel.

COMMERCE/NOAA-12.

System name: Fisherman's Catch Statistics-COMMERCE/NOAA-12.

System location: Statistics & Market News Division, NMFS, NOAA, U.S. Department of Commerce, 3300 Whitehaven Street, Washington, D.C. 20007.

Categories of individuals covered by the system: Business firms related to fishing industries; commercial fishing vessels; commercial fishermen; and marine recreational fishermen.

Categories of records in the system: Business firm sales figures; commercial fishing vessel catches by quantity, value, species, and fish size; commercial fisherman catches by quantity, value, species, and fishing gear; and marine recreational fisherman catches by species.

Authority for maintenance of the system: Fish and Wildlife Act as amended (16 U.S.C. 742 et seq.).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: See routine use paragraphs in the Prefatory Statement.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the sytem:

Storage: Paper copy, punch cards, mag-tape, and disc files.

Retrievability: Coded firm name, vessel number, coded individual (a State code system), and in the case of marine sport fishermen, by surname. 9CPersonnel indoctrination and screening; secured offices; and entrance into the computer system to obtain individual records would require detailed knowledge of inhouse ADP procedures by a skilled computer programmer.

Retention and disposal: Records are permanently maintained.

System manager(s) and address: Chief, Statistics and Market News Division (F23), see above address.

Notification procedure: Information may be obtained from: Assistant Administrator for Administration, NOAA, 6010 Executive Boulevard, Rockville, Maryland 20852. Requestor should provide name pursuant to the inquiry provisions of the Department's Rules as published in this issue of the Federal Register.

Record access procedures: Requests from individuals should be addressed to: same adress as stated in the notification section above.

Contesting record procedures: The Department's rules for access, for contesting contents, and appealing initial determinations by the individual concerned appear in the Rules Section of this Federal Register. Use address.

Record source categories: Individual recreational fishermen, commercial fishermen, and firms.

COMMERCE/NOAA-13.

System name: Guest Workers at National Geophysical and Solar-Terrestrial Data Center-COMMERCE/NOAA-13.

System location: National Geophysical and Solar-Terrestrial Data Center, EDS/NOAA, RB03, Room A123, Boulder, Colorado 80302.

Categories of individuals covered by the system: People that are visiting NGSDC as Guest Workers to use the data files.

Categories of records in the system: Name; address; length of visit; type of work they are doing; and education.

Authority for maintenance of the system: 5 U.S.C. 301 and 44 U.S.C. 3301.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: See routine use paragraphs in the Prefatory Statement.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the sytem:

Storage: Paper records in file folders.

Retrievability: Filed alphabetically by name.

Safeguards: Records are located in metal file cabinets which are locked after hours. Access is limited to those whose official duties require access.

Retention and disposal: Records are retained for 3 years.

System manager(s) and address: Administrative Officer, NGSDC, see above address, RB03, Room A-123.

Notification procedure: Information may be obtained from: Assistant Administrator for NOAA, 6010 Executive Blvd., Rockville, Maryland 20852. Requestor should provide name pursuant to the inquiry provisions of the Department's Rules as published in this issue of the Federal Register.

Record access procedures: Requests from individuals should be addressed to: same adress as stated in the notification section above.

Contesting record procedures: The Department's rules for access, for contesting contents, and appealing initial determinations by the individual concerned appear in the Rules Section of this Federal Register. Use address.

Record source categories: Subject individual.

COMMERCE/NOAA-14.

System name: Individuals Engaged in Weather Modification Activities-COMMERCE/NOAA-14.

System location: EM5 Office of Weather Modification, NOAA, U.S. Department of Commerce, 6010 Executive Blvd., Rockville, Md. 20852.

Categories of individuals covered by the system: Individuals and associations involved in weather modification operations.

Categories of records in the system: Individual's name and address; type of weather modification activity; location and duration of project; and equipment used.

Authority for maintenance of the system: P.L. 92-205; 15 CFR Part 908.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: See routine use paragraphs in the Prefatory Statement. Also information is made available to anyone who so requests.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the sytem:

Storage: Paper records in file folder.

Retrievability: Filed sequentially by chronology.

Safeguards: Records are located in lockable metal file cabinets or in metal file cabinets in secured rooms or secured premises which are limited to those whose official duties require access.

Retention and disposal: Records are maintained indefinitely.

System manager(s) and address: Office of the Director, Office of Weather Modification, see above address.

Notification procedure: Information may be obtained from: Assistant Administrator for Administration, 6010 Executive Boulevard, Rockville, Maryland 20852. Requestor should provide–name, address, date(s) of project etc., pursuant to the inquiry provisions of the Department's Rules as published in this issue of the Federal Register.

Record access procedures: Requests from individuals should be addressed to: same adress as stated in the notification section above.

Contesting record procedures: The Department's rules for access, for contesting contents, and appealing initial determinations by the

individual concerned appear in the Rules Section of this Federal Register. Use address.

Record source categories: Information is provided by the individual or association involved.

COMMERCE/NOAA-15.

System name: Sales Agents Authorized to Retail NOAA Aeronautical and Nautical-Charts- COMMERCE/NOAA-15.

System location: National Ocean Survey, Distribution Division, 6501 Lafayette Avenue, Riverdale, Maryland 20840.

Categories of individuals covered by the system: Authorized Chart Sales Agents for the sale of aeronautical and nautical charts.

Categories of records in the system: Applications relative to the appointment; name of agent; and signed contracts.

Authority for maintenance of the system: 4691 U.S. Act of June 3, 1844, of the revised statute.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: See routine use paragraphs in the Prefatory Statement.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the sytem:

Storage: Paper records in file folders.

Retrievability: Indexed by city and state.

Safeguards: Records are located in lockable metal file cabinets or in metal file cabinets in secured rooms or secured premises with access limited to those whose official duties require access.

Retention and disposal: Records are retained indefinitely.

System manager(s) and address: Chief, Distribution Division, National Ocean Survey, see above address.

Notification procedure: Information may be obtained from: Assistant Administrator for Administration, NOAA, 6010 Executive Blvd., Rockville, Maryland 20852. Requestor should provide city and state address as well as name, pursuant to the inquiry provisions of the Department's Rules as published in this issue of the Federal Register.

Record access procedures: Requests from individuals should be addressed to: same adress as stated in the notification section above.

Contesting record procedures: The Department's rules for access, for contesting contents, and appealing initial determinations by the individual concerned appear in the Rules Section of this Federal Register. Use address.

Record source categories: Subject individual.

COMMERCE/NOAA-16.

System name: Scientist-Researchers in GATE (Global Atmospheric Research Program Atlantic Tropical Equipment)-COMMERCE/NOAA-16.

System location: NOAA, EM6 Office of World Weather Programs, 6010 Executive Blvd., Rockville, Maryland 20852.

Categories of individuals covered by the system: Research meteorologists and ocean scientists participating in the Global Atmospheric Research Program Atlantic Tropical Experiment (GATE).

Categories of records in the system: Names of individual scientists; their research institutions and research programs; and their addresses.

Authority for maintenance of the system: Ministerial requirement necessitated by NOAA's appointment, as lead agency for the U.S. participation in 'GATE'; Presidential memorandum dated July 5, 1968 to DOC; 5 U.S.C. 301; and 44 U.S.C. 3101.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: See routine use paragraphs in the Prefatory Statement. Data is also used to summarize and evaluate the U.S. GATE Research Program for the World Meteorological Organization incorporation into the International summary.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the sytem:

Storage: Paper records in file folders.

Retrievability: Indexed by name of principal scientist.

Safeguards: Records are located in lockable metal file cabinets or in metal file cabinets in secured rooms or secure premises with access limited to those whose official duties require access.

Retention and disposal: Records maintained indefinetly.

System manager(s) and address: Director, GATE Project Office, see above address.

Notification procedure: Information may be obtained from: Assistant Administrator for Administration, NOAA, 6010 Executive Blvd., Rockville, Maryland 20852. Requestor should provide--name and address etc., pursuant to the inquiry provisions of the Department's Rules as published in this issue of the Federal Register.

Record access procedures: Requests from individuals should be addressed to: same adress as stated in the notification section above.

Contesting record procedures: The Department's rules for access, for contesting contents, and appealing initial determinations by the individual concerned appear in the Rules Section of this Federal Register. Use address.

Record source categories: Subject individuals.

COMMERCE/NTIS-1.

System name: Customer Account Records-COMMERCE/NTIS-1.

System location: Administrative Services Division, Room 1018, NTIS, Springfield, Va. 22151.

Categories of individuals covered by the system: All persons who order and/or purchase materials from NTIS.

Categories of records in the system: Name; address; items ordered; items sent; amount of purchases, date received; date sent; NTIS deposit account; whether collectible or not.

Authority for maintenance of the system: 15 U.S.C. 1151-57 (1970); 41 U. S. C. 104 (1920).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: See routine use paragraphs of Prefatory Statement.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the sytem:

Storage: Paper records in file folders and computer tapes.

Retrievability: Filed alphabetically by name and address.

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Records aremetal file cabinets in secured rooms or premises with access limited to those whose official duties require access.

Retention and disposal: Paper records are retained indefinitely. Computer tapes are retained for 2 years and destroyed.

System manager(s) and address: Chief, Administrative Division, NTIS, U. S. Department of Commerce, Springfield, Va. 22151.

Notification procedure: Information may be obtained from: Deputy Director, NTIS, Main Commerce Building, 14th and Constitution Ave., N. W., Washington, D.C. 20230. Requestor should provide name and address in accordance with the inquiry provisions of the Department's rules as published in this issue of the Federal Register.

Record access procedures: Requests from individuals should be addressed to: same address as stated in the notification section above.

Contesting record procedures: The Department rules for access, for contesting contents and appealing initial determinations by the individual concerned appear in the Rules Section of this Federal Register. Use above address.

Record source categories: Subject individuals and NTIS transaction files.

COMMERCE/NTIS-2.

System name: Individuals Interested in NTIS Publications, a Mailing List-COMMERCE/NTIS-2.

System location: Administrative Services Division, Room 1018, NTIS, Springfield, Va. 22151.

Categories of individuals covered by the system: All persons who have requested that they be placed on the mailing list, including regular publication customers.

Categories of records in the system: Name; address; date of last order; customer code number; amount of money spent at NTIS; NTIS deposit account number; amount on deposit; total charge to date; when subscription expires; which publications they receive.

Authority for maintenance of the system: 15 U.S.C. 1151-57 (1970).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: See routine use paragraphs of Prefatory Statement.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the sytem:

Storage: Mailing labels and computer tape.

Retrievability: Filed alphabetically by name and address code.

Safeguards: Records are located in lockable metal file cabinets or in metal file cabinets in secured rooms or premises with access limited to those whose official duties require access.

Retention and disposal: Records are updated monthly and retained indefinitely.

System manager(s) and address: Chief, Administrative Service Division, NTIS, U. S. Department of Commerce, Springfield, Va. 22151.

Notification procedure: Information may be obtained from: Deputy Director, NTIS, Main Commerce Building, 14th and Constitution Ave., N.W., Washington, D.C. 20230. Requestor should provide name and address, in accordance with the inquiry provisions of the Department's rules as published in this issue of the Federal Register.

Record access procedures: Requests from individuals should be addressed to: same address as stated in the notification section above.

Contesting record procedures: The Department rules for access, for contesting contents and appealing initial determinations by the individual concerned appear in the Rules Section of this Federal Register. Use above address.

Record source categories: Subject individuals and NTIS transaction files.

COMMERCE/PAT-TM-1.

System name: Attorneys and Agents Registered to Practice Before the Office-COMMERCE/ PAT-TM-1.

System location: Office of the Solicitor, Patent and Trademark Office, 2021 Jefferson Davis Highway, Arlington, Virginia 22202, and Office of Computer Services, Patent and Trademark Office, 2021 Jefferson Davis Highway, Arlington, Virginia 22202.

Categories of individuals covered by the system: Attorneys and agents who are registered to practice before the Patent and Trademark Office in patent cases, and applicants for such registration to practice.

Categories of records in the system: Biographical information, personal and professional qualifications, character and fitness reports, undertakings of former examiners, current address, and status information.

Authority for maintenance of the system: 35 U.S.C. 1, 6, and 31.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: See Prefatory Statement paragraphs on Routine Uses. Also, a public roster of the registered individuals is published periodically.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the sytem:

Storage: Paper records in file folders and magnetic tape.

Retrievability: Filed alphabetically by name or registration number.

Safeguards: Buildings employ security guards. Records are maintained in areas accessible only to authorized personnel who are properly screened, cleared, and trained.

Retention and disposal: Records pertaining to registrants are retained during the lifetime of the registrant and then transferred to the Federal Records Holding Center. Records pertaining to applicants for registration are retained for 10 years and then transferred to the Federal Records Holding Center.

System manager(s) and address: Chairman, Committee on Enrollment, U.S. Patent and Trademark Office, Washington, D.C. 20231.

Notification procedure: Information may be obtained from Assistant Commissioner for Administration, U.S. Patent and Trademark Office, Washington, D.C. 20231. Requestor should provide name, address, and date of application, if known, pursuant to the inquiry provisions of the Department's Rules as published in this issue of the Federal Register.

Record access procedures: Requests from individuals should be addressed to: same address as stated in the notification section above.

Contesting record procedures: The Department's rules for access, for contesting contents, and appealing initial determinations by the individual concerned appear in the Rules Section of this Federal Register. Use above address.

Record source categories: Subject individuals.

COMMERCE/PAT-TM-2.

System name: Complaints, Investigations and Disciplinary Proceedings Relating to Registered Patent Attorneys and Agents-COMMERCE/PAT-TM-2.

System location: Office of the Solicitor, Patent and Trademark Office, 2021 Jefferson Davis Highway, Arlington, Virginia 22202.

Categories of individuals covered by the system: Attorneys and agents registered to practice before the Patent and Trademark Office in patent cases, and disbarred or suspended attorneys and agents.

Categories of records in the system: Complaints and information obtained during investigations and disciplinary proceedings.

Authority for maintenance of the system: 35 U.S.C. 1, 6, and 32.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: See routine use paragraphs of Prefatory Statement.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the sytem:

Storage: Paper records in file folders.

Retrievability: Filed alphabetically by name.

Safeguards: Buildings employ security guards. Records are maintained in areas accessible only to authorized personnel who are properly screened, cleared, and trained.

Retention and disposal: Records are permanent. They are retained in active files until investigation is closed or disciplinary proceeding is completed, held an additional 5 or 10 years in inactive files and subsequently retired to the Federal Records Holding Center.

System manager(s) and address: Solicitor, U.S. Patent and Trademark Office, Washington, D.C. 20231.

Notification procedure: Information may be obtained from: Assistant Commissioner for Administration, U.S. Patent and Trademark Office, Washington, D.C. 20231. Requestor should provide name and identification data pursuant to the inquiry provisions of the Department's Rules as published in this issue of the Federal Register.

Record access procedures: Requests from individuals should be addressed to: same address as stated in the notification section above.

Contesting record procedures: The Department's rules for access, for contesting contents, and appealing initial determinations by the individual concerned appear in the Rules Section of this Federal Register. Use above address.

Record source categories: Subject individuals, clients of same, witnesses in disciplinary proceedings, and court opinions.

COMMERCE/PAT-TM-3.

System name: Contestants (i.e., Inter Partes) in Trademark Registration Proceedings-COMMERCE/PAT-TM-3.

System location: Trademark Trial and Appeal Board, U.S. Patent and Trademark Office, 2021 Jefferson Davis Highway, Arlington, Virginia 22202.

Categories of individuals covered by the system: Trademark applicants and persons who believe they would be injured by registration of applicant's trademark.

Categories of records in the system: Information concerning conflicting rights of trademark applicant or registrant and opposing party to exclusive use of the trademark.

Authority for maintenance of the system: 15 U.S. Code, 1063, 1064, 1066, 1067, 1070, and 1092.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: See routine use paragraphs of Prefatory Statement.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the sytem:

Storage: Paper records in file folders.

Retrievability: Serial number and registration number (indexed to applicant's name.)

Safeguards: Records are located in lockable metal file cabinets or in metal file cabinets in secured rooms or secured premise with access limited to those whose official duties require access.

Retention and disposal: Destroyed 20 years after termination of proceedings.

System manager(s) and address: Chairman, Trademark Trial and Appeal Board, U.S. Patent and Trademark Office, Washington, D.C. 20231.

Notification procedure: Information may be obtained from: Assistant Commissioner for Administration, Patent and Trademark Office, Washington, D.C. 20231. Requestor should provide name and address, and name of other party, if known, in accordance with the inquiry provisions of the Department's rules, as published in this issue of the Federal Register.

Record access procedures: Requests from individuals should be addressed to: same address as stated in the notification section above.

Contesting record procedures: The Department's rules for access, for contesting contents, and appealing initial determinations by the individual concerned appear in the Rules Section of this Federal Register. Use above address.

Record source categories: Subject applicants and adverse parties.

COMMERCE/PAT-TM-4.

System name: Employee Production Records-COMMERCE/PAT-TM-4.

System location: Office of Program Planning and Evaluation, Patent and Trademark Office, 2021 Jefferson Davis Highway, Arlington, Virginia 22202.

Categories of individuals covered by the system: Employees of the Patent and Trademark Office.

Categories of records in the system: Employee name and number, position and grade level, time in duty status, time on leave, duty hours distributed by task, receipt date of oldest item in processing queue, beginning and ending balances of work in process, work volumes compiled by organization and in some organizations by individuals, and comparative data on current production compared with earlier periods.

Authority for maintenance of the system: 5 U.S.C. 301 and 35 U.S.C. 6.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: See routine use paragraphs of Prefatory Statement.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the sytem:

Storage: Paper records in file folders, and microfilm.

Retrievability: Filed by organization; cross referenced for access by name.

Safeguards: Buildings employ security guards. Records are maintained in areas accessible only to authorized personnel who are properly screened, cleared, and trained.

Retention and disposal: Held approximately 5 years in paper, then converted to micro- film, and retained permanently.

System manager(s) and address: Supervisory Information Systems Analyst, Office of Program Planning and Evaluation, U.S. Patent and Trademark Office, Washington, D.C.

Notification procedure: Information may be obtained from Assistant Commissioner for Administration, U.S. Patent and Trademark Office, Washington, D.C. 20231. Requestor should provide name and number, in accordance with the inquiry provisions of the Department's rules, as published in this issue of the Federal Register.

Record access procedures: Requests from individuals should be addressed to: same address as stated in the notification section above.

Contesting record procedures: The Department's rules for access, for contesting contents, and appealing initial determinations by the individual concerned appear in the Rules Section of this Federal Register. Use above address.

Record source categories: Subject individuals and their supervisors.

COMMERCE/PAT-TM-5.

System name: Government Employee Invention Rights-COMMERCE/PAT-TM-5.

System location: Office of the Solicitor, Patent and Trademark Office, 2021 Jefferson Davis Highway, Arlington, Virginia 22202.

Categories of individuals covered by the system: Government employees who are inventors or non-government employees who are joint inventors together with a government employee inventor.

Categories of records in the system: Invention rights questionnaires including information as to the inventor's employment status and his official duties and respon- sibilities at the time the invention was made, title determinations, appeals to the Commissioner, and petitions for reconsideration.

Authority for maintenance of the system: 35 U.S.C. 1 and 6, and E.O. 10096, dated January 23, 1959.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: See paragraphs on routine uses in the Prefatory Statement to these notices.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the sytem:

Storage: Paper records in file folders.

Retrievability: Filed alphabetically by name and case number.

Safeguards: Buildings employ security guards. Records are maintained in areas accessible only to authorized personnel who are properly screened, cleared, and trained.

Retention and disposal: Records are permanent and are retained in the Patent and Trademark Office.

System manager(s) and address: Head, Office of Government Employee Inventions, Office of the Solicitor, U.S. Patent and Trademark Office, Washington, D.C. 20231.

Systems exempted from certain provisions of the act: Pursuant to 5 U.S.C. 552a(k) (1), Government Employee Invention Rights records which relate to applications or inventions subject to a secrecy order pursuant to 35 U.S.C, 181 or are otherwise subject to security classification pursuant to E.O. 11652 or the A.E.C. Act of 1954, are exempted from the notification, access, and contest requirements of the agency procedures (under 5 U.S.C. 552a (c)(3), (d), (e)(1), (e)(4) (G), (H) and (I) and (f)). This exemption is made to prevent disclosure of information which might be detrimental to national security and in accordance to agency rules, which are published in the Rules Section of this Federal Register.

COMMERCE/PAT-TM-6.

System name: Non-registered Persons Rendering Assistance to Patent Applicants- COMMERCE/PAT-TM-6.

System location: Office of the Solicitor, Patent and Trademark Office, 2021 Jefferson Davis Highway, Arlington, Virginia 22202.

Categories of individuals covered by the system: Persons other than registered attorneys or agents who have been paid for rendering assistance (excluding clerical or drafting) to patent applicants in the preparation of patent applications.

Categories of records in the system: Declarations of assistance received, including names and addresses of persons rendering such assistance.

Authority for maintenance of the system: 35 U.S.C. 1, 6, and 33, and 5 U.S.C. 301.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Providing notice to patent applicants, by Solicitor's staff, regarding whether or not the persons from whom assistance was received are registered to practice before the Office. Used by Solicitor's Staff for investigative and statistical purposes. Also, see paragraphs on routine uses in Prefatory statement.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the sytem:

Storage: Paper records in file folders.

Retrievability: Filed alphabetically by name.

Safeguards: Buildings employ security guards. Records are maintained in areas accessible only to authorized personnel who are properly screened, cleared, and trained.

Retention and disposal: Records are retained during the pendency of the application involved and disposed of 10 years after the termination of proceedings therein.

System manager(s) and address: Solicitor, U.S. Patent and Trademark Office, Washington, D.C. 20231.

Notification procedure: Information may be obtained from Assistant Commissioner for Administration, U.S. Patent and Tradematk Office, Washington, D.C. 20231. Requestors should provide name and address, and name of patent applicants, in accordance with the inquiry provisions of the Department's rules as published in this issue of the Federal Register.

Record access procedures: Requests from individuals should be addressed to: same address as stated in the notification section above.

Contesting record procedures: The Department's rules for access, for contesting contents, and appealing initial determinations by the individual concerned appear in the Rules Section of this Federal Register. Use above address.

Record source categories: Patent applicants who have received and paid for services by the individuals on whom the records are maintained.

COMMERCE/PAT-TM-7.

System name: Parties involved in Patent Interference Files-COMMERCE/PAT-TM-7.

System location: Board of Patent Interferences, U.S. Patent and Trademark Office, 2021 Jefferson Davis Highway, Arlington, Virginia 22202.

Categories of individuals covered by the system: Applicants for patent and patentees who become involved in a conflict involving the question of priority of invention.

Categories of records in the system: Preliminary statements, motions, and testimony, including information relating to the applicant's or patentee's name, age, citizenship, residence, educational and work background, physical and mental health and other matters which may arise during the taking of testimony. Information concerning the applicant's or patentee's activities relating to conception and reduction to practice of the contested subject matter.

Authority for maintenance of the system: 35 U.S.C. 1, 6, 23, 24, and 135.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Prior to termination of the interference proceedings, and thereafter until a patent has issued (except in cases involving a patent), information concerning these records is provided outside the Office only upon authorization of the applicants or owners of the applications involved or when necessary to carry out the provisions of any Act of Congress or in such special circumstances as may be determined by the Commissioner. Subsequent to such termination in cases involving a patent or after issuance of a patent, the records are open to public inspection. Also see routine use paragraphs of the Prefatory Statement.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the sytem:

Storage: Paper records in file folders.

Retrievability: Filed by Interference Number, cross-indexed to the names of the parties.

Safeguards: Records are located in lockable metal file cabinets or in metal file cabinets in secured rooms or secured premises with access limited to those whose official duties require access.

Retention and disposal: Records of cases that reach the hearing stage are transferred to the Federal Records Center after 10 years and offered to National Archives after 40 years. Records of cases that are abandoned before the hearing stage are transferred to the Federal Records Center and destroyed after 40 years.

System manager(s) and address: Chairman, Board of Patent Interferences, see address above.

Notification procedure: Information may be obtained from: Assistant Commissioner for Administration, U.S. Patent and Trademark Office, Washington, D.C. 20231. Requestors should provide name and address, and Interference Number, if known, pursuant to the inquiry provisions of the rules of the Department as published in this issue of the Federal Register.

Record access procedures: Requests from individuals should be addressed to: same address as stated in the notification section above.

Contesting record procedures: The Department's rules for access, for contesting contents and appealing initial determinations by the individual concerned appear in the Rules Section of this Federal Register. Use above address.

Record source categories: Applicants for patent and patentees, the patent attorneys or agents authorized by such persons to represent them, and witnesses and other parties involved in the taking of testimony.

COMMERCE/PAT-TM-8.

System name: Patent Application Files-COMMERCE/PAT-TM-8 (Note: This notice is broken down, where indicated, into three subsystems relating to the status of the files: a. Pending; b. Abandoned; and c. Patented.)

System location: a. Patent and Trademark Office, 2021 Jefferson Davis Highway, Arlington, Va. 22202; b. Abandoned Files Unit, Patent and Trademark Office, Arlington, Va. 22202; c. Record Branch, Patent Search Division, Patent and Trademark Office, Arlington, Va. 22202.

Categories of individuals covered by the system: Applicants for patent, including inventors, legal representatives for deceased or incapacitated inventors, and other persons authorized by law to make applications for patent.

Categories of records in the system: Oath or declaration of applicant including name, citizenship, residence, post-office address and other information pertaining to the applicant's activities in connection with the invention for which a patent is sought. Statements containing various kinds of information with respect to inventors who are deceased or incapacitated, or who are unavailable or unwilling to make application for patent.

Authority for maintenance of the system: 35 U.S.C. 1, 6, and 115; 5 U.S.C. 301.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: a. Information concerning these records is provided outside the Office only upon authorization of the applicant or owner of the application or when necessary to carry out the provisions of any Act of Congress or in such special circumstances as may be determined by the Commissioner, e.g., secrecy order files under 35 U.S.C. 181. b. Same as a., except where application is referred to in a U.S. Patent, in which case the record is open to public inspection. c. Records are open to public inspection.

All three subsystems are also subject to the routine use paragraphs of the Prefatory State.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the sytem:

Storage: Paper records in file folders.

Retrievability: Subsystems a and b filed aplhabetically by name and serial number; Subsystem c filed by Patent Number.

Safeguards: Records are maintained in areas accessible only to authorized personnel who are properly screened, cleared, and trained. (Note: The records of subsystem c are open to public inspection.)

Retention and disposal: a. Records are retained indefinitely; b. Records are transferred to the Federal Records Center after 5-6 years where they are retained indefinitely; and c. Records are transferred to the Federal Records Center 8-10 years after patenting and ultimately transferred to National Archives.

System manager(s) and address: a. Assistant Commissioner for Patents, U.S. Patent and Trademark Office, Washington, D.C. 20231; b. Director, Office of General Services, U.S. Patent and Trademark Office, Washington, D.C. 20231; c. Director, Office of Patent and Trademark Services, U.S. Patent and Trademark Office, Washington, D.C. 20231.

Systems exempted from certain provisions of the act: Pursuant to 5 U.S.C. 552a(k) (1), Patent Applications, to the extent that they are subject to a secrecy order pursuant to 35 U.S.C. Section 181 or are otherwise subject to security classification pursuant to E.O. 11652 or the A.E.C. Act of 1954 are exempted from the notification, access and contest requirements of the agency procedures (under 5 U.S.C. 552a (c)(3), (d), (e)(1), (e)(4)(G), (H) and (I) and (f)). procedures. This exemption is made to prevent disclosure of information which might be detrimental to national security and in accordance to agency rules published in the Rules Section of this Federal Register.

COMMERCE/PAT-TM-9.

System name: Patent Application Secrecy Order Files-COMMERCE/PAT-TM-9.

System location: Patent Examining Operation, Group 220, Patent and Trademark Office, 2021 Jefferson Davis Highway, Arlington, Virginia 22202.

Categories of individuals covered by the system: Applicants including inventors, legal representatives for deceased or incapacitated inventors, and other persons authorized by law to make applications for patent.

Categories of records in the system: Identification of patent application and applicant including application serial number, filing date, title of invention, applicant's or inventor's address and addresses of applicant's duly appointed representatives.

Authority for maintenance of the system: 35 U.S.C., 1, 6, and 181 through 183.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Referral to authorized government agencies under 35 U.S.C., Section 181 for determination of the requirement for a secrecy order, and notification of the applicant or his duly appointed representative of such secrecy order. Also see routine use paragraphs of the Prefatory Statement.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the sytem:

Storage: Paper records in file folders.

Retrievability: Filed by serial number of applicant, cross-indexed to name of applicant.

Safeguards: Buildings employ security guards. Records are maintained in areas accessible only to authorized personnel who are properly screened, cleared, and trained, plus storage in a locked vault.

Retention and disposal: Retained in Office for an indefinite period and permanently retired to Federal Records Holding Center.

System manager(s) and address: Director of Patent Examining Group 220, U.S. Patent and Trademark Office, Washington, D.C. 20231.

Systems exempted from certain provisions of the act: Pursuant to 5 U.S.C. 552a(k) (1), Patent Applications, to the extent that they are subject to a secrecy order pursuant to 35 U.S.C. Section 181 or are otherwise subject to security classification pursuant to E.O. 11652 or the A.E.C. Act of 1954 are exempted from the notification, access and contest requirements of the agency procedures (under 5 U.S.C. 552a (c)(3), (d), (e)(1), (e)(4) (G), (H) and (I) and (f)). This exemption is made to prevent disclosure of information which might be detri-

mental to national security and in accordance to agency rules published in the Rules Section of this Federal Register.

COMMERCE/PAT-TM-10.

System name: Patent Assignment Records-COMMERCE/PAT-TM-10.

System location: Office of Patent and Trademark Services, Assignment Division, Patent and Trademark Office, 2021 Jefferson Davis Highway, Arlington, Virginia 22202.

Categories of individuals covered by the system: Persons who have given or received property rights under an application for patent or a patent by means of a written instrument recorded in the Patent and Trademark Office. Deceased or incapacitated inventors and their legal representatives.

Categories of records in the system: Assignments, grants, mortgages, liens, encumbrances, licenses, and other instruments affecting title. Letters testamentary and other court certificates and orders. Assignment records relating to pending or abandoned applications are maintained in confidence, in accordance with 35 U.S.C. 122, while those relating to patents are open to public inspection.

Authority for maintenance of the system: 35 U.S.C. 1, 6, and 261.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: With respect to those records open to public inspection only, maintaining public search facility and providing certified abstracts of title and copies of instruments to members of the public. Also see the routine use paragraphs of the Prefatory Statement.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the sytem:

Storage: Microfilm reels, index card files.

Retrievability: Filed by name, application serial number, patent number.

Safeguards: Building employs security guards. Records subject to confidence requirements are maintained in areas accessible only to authorized personnel who are properly screened, cleared and trained.

Retention and disposal: Records are permanent and are retained in the Patent and Trademark Office.

System manager(s) and address: Recording Officer, Assignment Division, U.S. Patent and Trademark Office, Washington, D.C. 20231.

Notification procedure: Information may be obtained from: Assistant Commissioner for Administration, U.S. Patent and Trademark Office, Washington, D.C. 20231. Requestors should provide name, and Application Serial Number or Patent Number if known, in accordance with the inquiry provisions of the Department's rules as published in this issue of the Federal Register.

Record access procedures: Requests from individuals should be addressed to: same address as stated in the notificaiton section above.

Contesting record procedures: The Departments rules for access, for contesting contents and appealing initial determinations by the individual concerned appear in the Rules Seciton of this Federal Register. Use above address.

Record source categories: Persons who have submitted written instruments to the Patent and Trademark Office for recording.

COMMERCE/PAT-TM-11.

System name: Patent Deposit Accounts System-COMMERCE/PAT-TM-11.

System location: Receipts Control Division, Office of Finance, Patent and Trademark Office, 2021 Jefferson Davis Highway, Arlington, Va. 22202; and Office of Computer Services, same address.

Categories of individuals covered by the system: Registered patent attorneys and agents and other members of the public who maintain deposit accounts to pay the cost of services rendered by the Patent and Trademark Office.

Categories of records in the system: Name, account number, and financial transactions with the Office.

Authority for maintenance of the system: 35 U.S.C. 1, 6, and 41.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: See routine use paragraphs of the Prefatory Statement.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the sytem:

Storage: Microfilm, magnetic tape.

Retrievability: Filed by name, account number.

Safeguards: Buildings employ security guards. Records are maintained in areas accessible only to authorized personnel who are properly screened, cleared, and trained.

Retention and disposal: Records are retained for three years and then transferred to the Federal Records Holding Cenetr.

System manager(s) and address: Director, Office, of Finance, U.S. Patent and Trademark Office, Washington, D.C. 20231.

Notification procedure: Information may be obtained from: Assistant Commissioner for Administration, U.S. Patent and Trademark Office, Washington, D0C. 20231. Requestors should provide name and account number in accordance with the inquiry provisions of the Department's rules, as published in this issue of the Federal Register.

Record access procedures: Requests from individuals should be addressed to: same address as stated in the notification section above.

Contesting record procedures: The Department's rules for access, for contesting contents and appealing intital determinations by the individual concerned appear in the Rules Section of this Federal Register. Use above address.

Record source categories: Subject individuals.

COMMERCE/PAT-TM-12.

System name: Patent Examiner Testimony Files – COMMERCE/PAT-TM-12.

System location: Office of the Solicitor, Patent and Trademark Office, 2021 Jefferson Davis Highway, Arlington, Va. 22202.

Categories of individuals covered by the system: Employees and former employees who have testified in court actions in regard to duties performed while employed by the Patent and Trademark Office.

Categories of records in the system: Name, address, employment status, education, work experience, and other matters which might be raised in the course of a deposition or other testimony.

Authority for maintenance of the system: 35 U.S.C. 1 and 6; 5 U.S.C. 301.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Historical, statistical, and legal research by Solicitor's Staff. Also see routine use paragraphs of the Prefatory Statement.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the sytem:

Storage: Paper copy.

Retrievability: Filed alphabetically by name.

Safeguards: Buildings employ security guards. Records are maintained in areas accessible only to authorized personnel who are properly screened, cleared, and trained.

Retention and disposal: Records are retained during the pendency of litigation and disposed of 10 years after the termination thereof.

System manager(s) and address: Solicitor, U.S. Patent and Trademark Office, Washington D.C. 20231

Notification procedure: Information may be obtained from: Assistant Commissioner for Administration, U.S. Patent and Trademark Office, Washington, D.C. 20231. Requestor should provide name and date(s) of testimony if known, in accordance with the inquiry provisions of the Department's rules as published in this issue of the Federal Register.

Record access procedures: Requests from individuals should be addressed to: same address as stated in the notification section above.

Contesting record procedures: The Department's rules for access, for contesting contents and appealing initial determinations by the individual concerned appear in the Rules Section of this Federal Register. Use above address.

Record source categories: Subject individuals and their co-workers.

COMMERCE/PAT-TM-13.

System name: Patent Subscription Service System - COMMERCE/PAT-TM-13.

System location: U.S. Patent and Trademark Office, Office of Patent and Trade- mark Services, 2021 Jefferson Davis Highway, Arlington, Virginia 22202.

Categories of individuals covered by the system: Persons subscribing to copies of patents, trademarks, designs, defensive publications, and related publications issued in certain classes or subclasses.

Categories of records in the system: Name of subscriber, Deposit Account Number, address, classes or subclasses subscribed to, total number of subclasses subscribed to; and initial payment per year. Weekly listings of patent, trademark, design, defensive publication, and related publication numbers for each subscription order.

Authority for maintenance of the system: 35 U.S.C. 41, 5 U.S.C. 301.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: See routine use paragraphs in the Prefatory Statement.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the sytem:

Storage: On magnetic tape and computer print out.

Retrievability: By subscriber's name and account number.

Safeguards: Maintained in areas accessible only to authorized personnel in building protected by security guards non-business hours.

Retention and disposal: Retained as long as active; disposed of upon termination.

System manager(s) and address: Director of Office of Patent and Trademark Services U.S. Patent and Trademark Office, Washington, D.C. 20231.

Notification procedure: Information may be obtained from: Assistant Commissioner for Administration, U.S. Patent and Trademark Office, Washington, D.C. 20231. Requestor should provide name and Deposit Account Number in accordance with the inquiry provisions of the Department's Rules as published in this issue of the Federal Register.

Record access procedures: Requests from individuals should be addressed to: same address as stated in the notification section above.

Contesting record procedures: The Department's rules for access, for contesting contents and appealing initial determinations by the individual concerned appear in the Rules Section of this Federal Register. Use above address.

Record source categories: Subject individuals.

COMMERCE/PAT-TM-14.

System name: Petitioners for License to File for Foreign Patents-COMMERCE/PAT-TM-14.

System location: Patent Examining Operation, Group 220, Patent and Trademark Office, 2021 Jefferson Davis Highway, Arlington, Va. 22202.

Categories of individuals covered by the system: Petitioners for license to file a patent application in any foreign country.

Categories of records in the system: Petitioner's name, address, and description of subject matter, or, where a corresponding U.S. application has been filed, identification of applicant including application serial number, filing date, title to invention, applicant's address and addresses of applicant's duly appointed representatives.

Authority for maintenance of the system: 35 U.S.C. 1, 6, and 184.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: See routine use paragraphs in the Prefatory Statement.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the sytem:

Storage: Paper copy.

Retrievability: By number assigned called P number and by serial number related to P number when additional matter is submitted in connection with a corresponding U.S. application, cross-indexed to petitioner's name.

Safeguards: Buildings employ security guards. Records are maintained in areas accessible only to authorized personnel who are properly screened, cleared and trained.

Retention and disposal: Retained in Office for an indefinite period and permanently retired to Federal Records Holding Center.

System manager(s) and address: Director of Patent Examining Group 22, U.S. Patent and Trademark Office, Washington, D.C. 20231.

Notification procedure: Information may be obtained from: Assistant Commissioner for Administration, U. S. Patent and Trademark Office, Washington, D.C. 20231. Requestor should provide name, and serial number or P number if known, in accordance with the inquiry provisions of the Department's Rules as published in this issue of the Federal Register.

Record access procedures: Requests from individuals should be addressed to: same address as stated in the notification above.

Contesting record procedures: The Department's rules for access, for contesting contents and appealing initial determinations by the individual concerned appear in the Rules Section of this Federal Register. Use above address.

Record source categories: Subject individuals or their duly appointed representatives.

COMMERCE/PAT-TM-15.

System name: Trademark Application Files-COMMERCE/PAT-TM-15.

System location: Trademark Examining Operation, Patent and Trademark Office, 2021 Jefferson Davis Highway, Arlington, Va. 22202.

Categories of individuals covered by the system: Applicants seeking registration of their Trademarks.

Categories of records in the system: Statement of applicant including name, residence address and citizenship, specimens of the trademark, and information con- cerning its use and ownership, as required by statute in applica- tions for registration of trademarks.

Authority for maintenance of the system: 15 U.S.C. 1051-1127.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: See routine use paragraphs in the Prefatory Statement. Trademark applications are open to the public.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the sytem:

Storage: Paper copy.

Retrievability: Filed by serial number of application, and registration number (indexed to name of applicant).

Safeguards: Buildings employ security guards. Records are maintained in areas accessible only to authorized personnel who are properly screened, cleared and trained.

Retention and disposal: Destroyed 2 years after application is abandoned or registration is cancelled or expires.

System manager(s) and address: Director of Trademark Examining Operation, U.S. Patent and Trademark Office, Washington, D.C. 20231.

Notification procedure: Information may be obtained from: Assistant Commissioner for Administration, U.S. Patent and Trademark Office, Washington, D.C. 20231. Requestor should provide name, and serial number and/or registration number if known, in accordance with the inquiry provisions of the Department's Rules as published in this issue of the Federal Register.

Record access procedures: Requests from individuals should be addressed to: same address as stated in the notification section above.

Contesting record procedures: The Department's rules for access, for contesting contents and appealing initial determinations by the individual concerned appear in the Rules Section of this Federal Register. Use above address.

Record source categories: Subject individual or his or her attorney.

COMMERCE/PAT-TM-16.

System name: Trademark Assignment Records-COMMERCE/PAT-TM-16.

System location: Office of Patent and Trademark Services, Assignment Division, Patent and Trademark Office, 2021 Jefferson Davis Highway, Arlington, Va. 22202.

Categories of individuals covered by the system: Persons who have given or received rights relating to a re- gistered trademark, or a trademark for which an application to register has been filed, by means of a written instrument recorded in the Patent and Trademark Office. Deceased or incapacitated owners of such trademarks and their legal representatives.

Categories of records in the system: Assignments and other instruments relating to registered trademarks or trademarks for which an application to register has been filed. Letters testamentary and other court certificates and orders.

Authority for maintenance of the system: 35 U.S.C. 1 and 6, 15 U.S.C. 1060.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Providing title reports or copies of recorded instruments by Assignment Division Staff to authorized officials of the Office. Maintaining public search facility, and providing certified abstracts of title and copies of instruments to members of the public on request. See routine use paragraphs of the Prefatory Statement.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the sytem:

Storage: Microfilm reels, index card files.

Retrievability: Filed by name, Application Serial Number, Registration Number.

Safeguards: Buildings employ security guards. Records are maintained in areas accessible only to authorized personnel who are properly screenedg cleared and trained.

Retention and disposal: Records are permanent and are retained in the Patent and Trademark Office.

System manager(s) and address: Recording Officer, Assignment Division, U.S. Patent and Trade- mark Office, Washington, D.C. 20231.

Notification procedure: Information may be obtained from: Assistant Commissioner for Administration, U.S. Patent and Trademark Office, Washington, D.C. 20231. Requestor should provide name, and application serial number or registration number if known, in accordance with the inquiry provisions of the Department's Rules as published in this issue of the Federal Register.

Record access procedures: Requests from individuals should be addressed to: same address as stated in the notification section above.

Contesting record procedures: The Department's rules for access, for contesting contents and appealing initial determinations by the individual concerned appear in the Rules Section of this Federal Register. Use above address.

Record source categories: Subject individuals who have submitted written instruments to the Patent and Trademark Office for recording.

COMMERCE/SESA-1.

System name: Argiculture Census Records for 1964 (partial), 1969 and 1974-COMMERCE/SESA-1.

System location: Social and Economic Statistics Administration, Federal Building 3, Washing- ton, D.C. 20233 and Bureau of the Census, 1201 East 10th Street, Jeffersonville,Indiana 47103.

Categories of individuals covered by the system: Farm operators and family members.

Categories of records in the system: Age, race, residence, ethnic groups, off-farm employment, income.

Authority for maintenance of the system: 13 U.S.C. 142.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: These data maintained by the Bureau of the Census are used solely for statistical purposes. Publications of the Bureau do not contain data that couldidentify any particular establishment or individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the sytem:

Storage: Magnetic tape, microform, punch card, paper hard copy.

Retrievability: Retrieved by unique serial identification numbers internal to the Bureau.

Safeguards: All employees are subject to the restrictions, penalties, and prohibitions of Title 13, U.S.C. Employees are also regularly advised of the regulations issued pursuant to Title 13, governing the confidentiality of the data.

Retention and disposal: Retention and disposal practices are in accordance with approved General Services Administration schedules. Generally, records are retained for periods of 5 to 7 years, unless a longer period is necessary for statistical purposes or for permanent archival retention.

System manager(s) and address: Director, Bureau of the Census, Federal Building 3, Washington, D.C. 20233.

Systems exempted from certain provisions of the act: Pursuant to 5 U.S.C., 552 a (k) (4), this record is exempted from the notification, access and contest requirements of the agency procedures (under 5 U.S.C. 552a (c)(3), (d), (e)(1), (e)(4) (G),(H) and (I) and (f)). This exemption is applicable as the data are maintained by the Bureau of the Census solely as statistical records as required under Title 13 U.S.C. and are not used in whole or in part in making any determination about an identifiable individual. This exemption is made in accordance to agency rules published in the rules section of this Federal Register.

COMMERCE/SESA-2.

System name: Employee Productivity Measurement Records-COMMERCE/SESA-2.

System location: Social and Economic Statistics Administration, Federal Building 3, Washing- ton, D.C. 20233 and Bureau of the Census, 1201 East 10th Street, Jeffersonville,Indiana 47103 and Bureau of the Census, Personal Census Service Branch, Pittsburg, Kansas 66762. Also at the following Regional Offices: Atlanta-1365 Peachtree Street, N.E., Rm. 625, 30309; Boston-441 Stuart Street, 10th Floor, 02116; Charlotte-230 S. Tryon Street, Suite 800, 28202; Chicago-536 S. Clark Street, Rm. 1085, 60605; Dallas-1100 Commerce Street, Rm. 3C54, 75202; Denver-11011 W. 6th. Avenue, P.O. Box 25207, 80225; Detroit-234 State Street, Rm. 2100, 48226; Kansas-4th and State Streets, One Gateway Center, 66101; Los Angeles-11000 Wilshire Boulevard, Rm. 11209, 90024; New York-26 Federal Plaza, Rm. 4102, 10007; Philadelphia-600 Arch Street, Rm. 9244, 19106; Seattle-1700 Westlake Avenue, North, 98109.

Categories of individuals covered by the system: SESA employees.

Categories of records in the system: Name, employee number, rate of pay, supervisor, organization unit, location, type of work performed, time work accomplished, work units processed, production-standard and percent performance, number and types of errors and error rates, work units accepted and rejected, and similar information on employee and work group productivity.

Authority for maintenance of the system: 5 U.S.C. 301.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: See routine use paragraph in the Prefatory Statement.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the sytem:

Storage: Magnetic tape, paper copy, microform.

Retrievability: Retrieved by name or employee number and/or program or interviewer code.

Safeguards: Tape under EDP security, sensitive material is held in locked file cabinets.

Retention and disposal: Records retained for 5 years.

System manager(s) and address: Associate Administrator for Administration, Social and Economic Statistics Administration, Federal Building 3, Washington, D.C. 20233.

Notification procedure: Information may be obtained from: same address as stated in the system manager section above. Requestor should provide name, employee number and/or program or interviewer code, pursuant to the inquiry provisions of the Department's Rules as published in this issue of the Federal Register.

Record access procedures: Requests from individuals should be addressed to: same address as stated in the notification section above.

Contesting record procedures: The Department rules for access, for contesting contents and appealing initial determinations by the individual concerned appear in the Rules Section of this Federal Register. Use above address.

Record source categories: Subject individuals, timekeepers, supervisors, and managers.

COMMERCE/SESA-3.

System name: Individual and Household Statistical Surveys and Special Studies Records-COMMERCE/SESA-3.

Security classification: Social and Economic Statistics Administration, Federal Building 3, Washington, D.C. 20233 and Bureau of the Census, 1201 East 10th Street, Jeffersonville, Indiana 47103 and National Archives and Records Services, Washington National Records Center, Washington, D.C. 20409.

Categories of individuals covered by the system: Individuals in families and households designated for statistical sample surveys and special studies.

Categories of records in the system: Age, sex, race, education, marital status, residence, family income, birth expectations, employment, ethnic origin, relationship to head of household, mobility status, and similar social, economic, and demographic characteristics of individuals.

Authority for maintenance of the system: 13 U.S.C. 6, 8, and 181; 31 U.S.C. 686; 12 U.S.C. 1701Z-1, Z(f), and Z(g); 16 U.S.C. 742d(4), (5); 23 U.S.C. 307(a); 29 U.S.C. 1 and 9; 42 U.S.C. 242c, 282(5); 49 U.S.C. 1605.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: These data maintained by the Bureau of the Census are used solely for statistical purposes. Publications do not contain data that could identify any particular establishment or individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the sytem:

Storage: Paper copy, punch card, magnetic tape, and microform.

Retrievability: Unique serial identification numbers internal to the Bureau of the Census.

Safeguards: All employees are subject to the restrictions, penalties, and prohibitions of Title 13, U.S.C. Employees are also regularly advised of the regulations issued pursuant to Title 13, U.S.C. governing the confidentiality of the data.

Retention and disposal: Retention and disposal practices are in accordance with approved GSA schedules. Generally, records are retained for periods of 5 to 7 years, unless a longer period is necessary for statistical purposes or for permanent archival retention.

System manager(s) and address: Director, Bureau of the Census, Federal Building 3, Washington, D.C. 20233.

Systems exempted from certain provisions of the act: Pursuant to 5 U.S.C., 552a (k) (4), this record is exempted from the notification, access and contest requirements of the agency procedures (under 5 U.S.C. 552a (c)(3), (d), (e)(1), (e)(4) (G),(H) and (I) and (f)). This exemption is applicable as the data are maintained by the Bureau of the Census solely as statistical records as required under Title 13 U.S.C. and are not used in whole or in part in making any determination about an identifiable individual. This exemption is made in accordance to agency rules published in the rules section of this Federal Register.

COMMERCE/SESA-4.

System name: Minority-Owned Business Enterprises Survey Records-COMMERCE/SESA-4.

System location: National Archives and Records Service, Washington National Records Center, Washington, D.C. 20409 and General Services Administration, Federal Records Center, Suitland, Maryland 20233 and Social and Economic Statistics Administration, Federal Building 3, Washington, D.C. 20233.

Categories of individuals covered by the system: Female and minority persons who are sole proprietors, partners, or shareholders of small business corporations.

Categories of records in the system: Name, social security number, sex, race, whether Spanish surname, receipts of business, geographic area, legal form of business. Name and social security number are deleted from partners and stockholders once other data are coded. Data include number, geographic dispersion, and economic characteristics of minority business enterprises.

Authority for maintenance of the system: 13 U.S.C. 131 and 132.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: These data maintained by the Bureau of the Census are used solely for statistical purposes. Publications do not contain data that could identify any particular establishment or individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the sytem:

Storage: Paper copy and magnetic tape.

Retrievability: Filed by Name and social security number.

Safeguards: All employees are subject to the restrictions, penalties, and prohibitions of Title 13, U.S.C. Employees are also regularly advised of the regulations issued pursuant to Title 13, U.S.C. governing the confidentiality of the data.

System manager(s) and address: Director, Bureau of the Census, Federal Building 3, Washington, D.C. 20233.

Systems exempted from certain provisions of the act: Pursuant to 5 U.S.C., 552a(k) (4), this record is exempted from the notification, access and contest requirements of the agency procedures (under 5 U.S.C. 552a (c)(3), (d), (e)(1), (e)(4) (G),(H) and (I) and (f)). This exemption is applicable as the data are maintained by the Bureau of the Census solely as statistical records as required under Title 13 U.S.C. and are not used in whole or in part in making any determination about an identifiable individual. This exemption is make in accordance to agency rules published in the rules section of this Federal Register.

COMMERCE/SESA-5.

System name: Population and Housing Census Records for 1960 and 1970-COMMERCE/SESA-5.

System location: Social and Economic Statistics Administration, Federal Building 3, Washington, D.C.00 20233 and Bureau of the Census 1201 East 10th street, Jeffersonville, Indiana 47103.

Categories of individuals covered by the system: All persons counted during the Censuses of Population and Housing taken in 1960 and 1970.

Categories of records in the system: Records contain population information on age; sex; race or color; marital status and family relationships; citizenship and ethnic origin; education and veteran status, income, occupation and employment; and housing information on occupancy, vacancy, utilization, plumbing, structural and financial characteristics and equipment, fuels and appliances, and similar social, economic, and demographic characteristics.

Authority for maintenance of the system: 13 U.S.C. 141.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: These records are maintained and used solely for statistical purposes and are confidential under 13 U.S.C 8 and 9. Publications do not contain data that could identify any particular establishment or individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the sytem:

Storage: Microform, paper copy, magnetic tape, punch cards.

Retrievability: Information is retrieved by the use of unique serial identification numbers internal to the Bureau of the Census.

Safeguards: All employees are subject to the restrictions, penalties, and prohibitions of Title 13, U.S.C. Employees are also regularly advised of the regulations issued pursuant to Title 13, U.S.C. governing the confidentiality of the data. Access to records is controlled and restricted to employees.

Retention and disposal: Records are preserved, pursuant to 44 U.S.C. 3101 and 3105.

System manager(s) and address: Director, Bureau of the Census, Federal Building 3, Washington, D.C. 20233.

Systems exempted from certain provisions of the act: Pursuant to 5, U.S.C., 552a(k) (4), this record is exempted from the notification, access and contest requirements of the agency procedures (under 5 U.S.C. 552a (c)(3), (d), (e)(1), (e)(4) (G),(H) and (I) and (f)). This exemption is applicable as data are maintained by the Bureau of the Census solely as statistical records as required under Title 13 U.S.C. and are not used in whole or in part in making any determination about an identifiable individual. This exemption is made in accordance to agency rules published in the rules section of this Federal Register.

COMMERCE/SESA-6.

System name: Population Census Personal Service Records for 1900 and All Subsequent Decennial Censuses-COMMERCE/SESA-6.

System location: Bureau of the Census, Personal Census Services Branch, Pittsburg, Kansas 66762.

Categories of individuals covered by the system: All persons ever counted during decennial censuses of population (1900-1970).

Categories of records in the system: Name, address, relationship to head of household, date of birth, marital status, occupation and education data, race of household members, and other similar characteristics as reported in each census.

Authority for maintenance of the system: 13 U.S.C. 8.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: See paragraphs on routine use in Prefatory Statement. Also, searches performed at the request of subject individual under procedures published in the 15 CFR Part 60 and in accordance with 13 U.S.C. 8 to provide proof of age, citizenship, proof of relationship, and limited use for genealogical purposes.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the sytem:

Storage: Microform.

Retrievability: Indexed by numerical coding of surname on SOUNDEX system and by township, county, and state.

Safeguards: All employees are subject to the restrictions, penalties, and prohibitions of Title 13, U.S.C. Employees are also regularly advised of the regulations issued pursuant to Title 13, U.S.C. governing the confidentiality of the data.

Retention and disposal: Records are retained indefinitely.

System manager(s) and address: Director, Bureau of the Census, Federal Building 3, Washington, D.C. 20233.

Notification procedure: Information may be obtained from: Bureau of the Census, Personal Census Services Branch, Pittsburg, Kansas 66762. Requestor should provide name of parents or head of household, names of spouses, date of birth, place of birth, and street, county and state address for the particular Census years to be searched, pursuant to the inquiry provisions of the Department's Rules as published in this issue of the Federal Register.

Record access procedures: Requests from individuals should be addressed to: same address as stated in the notification section above.

Contesting record procedures: The Departments rules for access, for contesting contents and appealing initial determinations by the individual concerned appear in the Rules Section of this Federal Register. Use above address.

Record source categories: Subject individual, original schedules of 1900 Census and all sub- sequent Censuses of Population.

COMMERCE/SESA-7.

System name: Special Censuses of Population Conducted for State and Local Government-COMMERCE/SESA-7.

System location: Social and Economic Statistics Administration, Federal Building 3, Washington, D.C. 20233 and Bureau of the Census, 1201 East 10th Street, Jeffersonville, Indiana 47103.

Categories of individuals covered by the system: Residents counted in the area requesting a census.

Categories of records in the system: Address, name, age, race, sex, relatinship to head of household, and occasionally other related social, economic, and demographic characteristics.

Authority for maintenance of the system: 13 U.S.C. 8.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: These data maintained by the Bureau of the Census are used solely for statistical purposes. Publications do not contain data that could identify any particular establishment or individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the sytem:

Storage: Magnetic tape, paper copy.

Retrievability: Records are retrieved by name and address.

Safeguards: All employees are subject to the restrictions, penalties, and prohibitions of Title 13, U.S.C. Employees are also regularly advised of the regulations issued pursuant to Title 13, U.S.C. governing the confidentiality of the data.

Retention and disposal: Tapes retained for 90 days after processing, then erased, paper copy is retained for 2 years, then destroyed.

System manager(s) and address: Director, Bureau of the Census, Federal Building 3, Washington, D.C. 20233.

Systems exempted from certain provisions of the act: Pursuant to 5 U.S.C., 552a (k) (4), this record is exempted from the notification, access and contest requirements of the agency procedures (under 5 U.S.C. 552a (c)(3), (d), (e)(1), (e)(4) (G),(H) and (I) and (f)). This exemption is applicable as the data are maintained by the Bureau of the Census solely as statistical records as required under Title 13 U.S.C. and are not used in whole or in part in making any determination about an identifiable individual. This exemption is made in accordance to agency rules published in the rules section of this Federal Register.

COMMERCE/USTS-1.

System name: Employees Individual Performance Report-COMMERCE/USTS-1.

System location: International Division, USTS, U.S. Department of Commerce, 14th and Constitution Ave., N.W., Washington, D.C. 20230.

Categories of individuals covered by the system: Employees in USTS field offices.

Categories of records in the system: Name, performance rating expressed in percentage.

Authority for maintenance of the system: 5 U.S.C. 4303.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: See routine use paragraphs of Prefatory Statement.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the sytem:

Storage: Paper records in file folders.

Retrievability: Filed alphabetically by employee's name.

Safeguards: Records are located in lockable metal file cabinets or in metal file cabinets in secured rooms or premises with access limited to those whose official duties require access.

Retention and disposal: Records are disposed upon the individual's termination of employment.

System manager(s) and address: Director, International Division, USTS, Room 1513, 14th and Constitution Ave., N.W., Washington, D.C. 20230

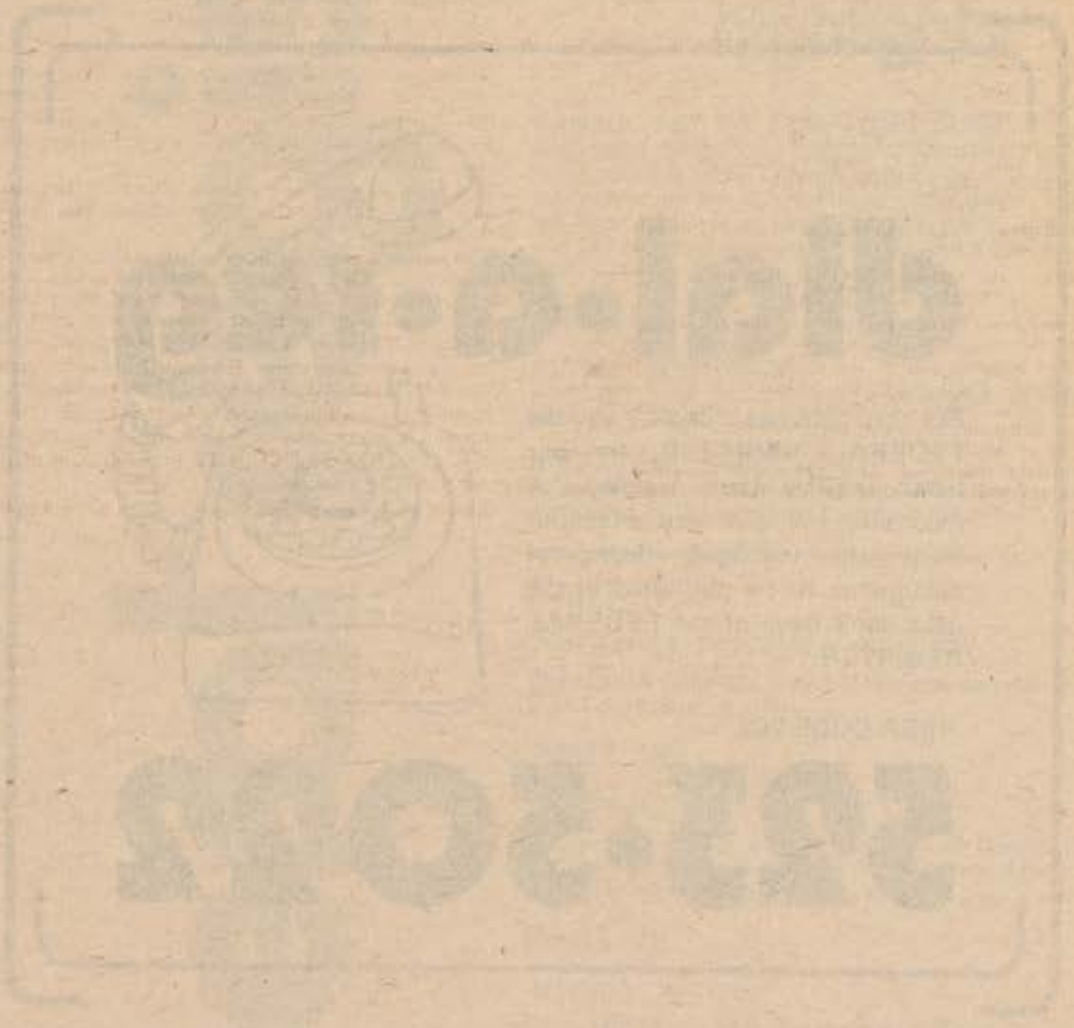
Notification procedure: Information may be obtained from: Executive Director, USTS, Main Commerce Building, Washington, D.C. 20230. Requestor should provide name and time period as appropriate in accordance with the inquiry provisions of the Department's rules as published in this issue of the Federal Register.

Record access procedures: Requests from individuals should be addressed to : same address as stated in the notification section above.

Contesting record procedures: The Department rules for access, for contesting contents and appealing initial determinations by the individual concerned appear in the Rules Section of this Federal Register. Use above address.

Record source categories: Supervisors of subject individuals. /*

[FR Doc.75-19731 Filed 8-4-75;8:45 am]



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