AUTHENTICATED
U.S. GOVERNMENT
INFORMATION
GPO

Vol. 40—No. 245
12-19-75
PAGES
58845-59185

federal register

FRIDAY, DECEMBER 19, 1975

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federal register

Area Code 202 Phone 523–5240

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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 5—Administrative Personnel

CHAPTER I—CIVIL SERVICE COMMISSION

PART 213—EXCEPTED SERVICE

Department of Commerce

Section 213.3314 is amended to show that one position of Special Assistant to the Assistant Secretary for Economic Development is reestablished under Schedule C.

Effective on December 19, 1975, § 213.3314(q)(11) is amended as set out below:

§ 213.3314 Department of Commerce.

* * * * *

(q) *Office of the Assistant Secretary for Economic Development.* * * *

(11) One Special Assistant to the Assistant Secretary.

(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.75-34255 Filed 12-18-75;8:45 am]

PART 213—EXCEPTED SERVICE

Equal Employment Opportunity Commission

Section 213.3377 is amended to show that one position of Secretary to the Executive Assistant to the Chairman is excepted under Schedule C.

Effective on December 19, 1975, § 213.3377(j) is added as set out below:

§ 213.3377 Equal Employment Opportunity Commission.

* * * * *

(j) One Secretary to the Executive Assistant to the Chairman.

(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.75-34256 Filed 12-18-75;8:45 am]

PART 213—EXCEPTED SERVICE

Department of Health, Education, and Welfare

Section 213.3316 is amended to show that one position of Confidential Assistant to the Under Secretary has been reestablished and excepted under Schedule C.

Effective on December 19, 1975, § 213.3316(a)(6) is amended as set out below:

§ 213.3316 Department of Health, Education, and Welfare.

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

(6) Four Confidential Assistants to the Under Secretary.

(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.75-34257 Filed 12-18-75;8:45 am]

PART 213—EXCEPTED SERVICE

United States International Trade Commission

Section 213.3339 is amended to show that one position of Staff Assistant to a Commissioner is expected under Schedule C.

Effective on December 19, 1975, § 213.3339(m) is added as set out below:

§ 213.3339 United States International Trade Commission.

* * * * *

(m) One Staff Assistant to a Commissioner.

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

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

[FR Doc.75-34258 Filed 12-18-75;8:45 am]

PART 213—EXCEPTED SERVICE

National Aeronautics and Space Administration

Section 213.3348 is amended to show a title change in the position of Associate Administrator for Manned Space Flight to Associate Administrator for Space Flight.

Effective on December 19, 1975, is amended as set out below.

§ 213.3348 National Aeronautics and Space Administration.

* * * * *

(g) Associate Administrator for Space Flight.

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

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

[FR Doc.75-34259 Filed 12-18-75;8:45 am]

Title 7—Agriculture

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

[Lemon Regulation 18]

PART 910—LEMONS GROWN IN CALIFORNIA AND ARIZONA

Limitation of Handling

This regulation fixes the quantity of California-Arizona lemons that may be shipped to fresh market during the weekly regulation period Dec. 21–27, 1975. It is issued pursuant to the Agricultural Marketing Agreement Act of 1937, as amended, and Marketing Order No. 910. The quantity of lemons so fixed was arrived at after consideration of the total available supply of lemons, the quantity of lemons currently available for market, the fresh market demand for lemons, lemon prices, and the relationship of season average returns to the parity price for lemons.

§ 910.318 Lemon Regulation 18.

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

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

(i) The committee has submitted its recommendation with respect to the quantity of lemons it deems advisable

to be handled during the ensuing week. Such recommendation resulted from consideration of the factors enumerated in the order. The committee further reports the demand for lemons remains easier this week as the trade continues to buy with caution. Average f.o.b. price was $6.31 per carton the week ended December 13, 1975, compared to $7.98 per carton the previous week. Track and rolling supplies at 230 cars were up 60 cars from last week.

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

(3) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this regulation until 30 days after publication hereof in the FEDERAL REGISTER (5 U.S.C. 553) because the time intervening between the date when information upon which this regulation is based became available and the time when this regulation must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. The committee held an open meeting during the current week, after giving due notice thereof, to consider supply and market conditions for lemons and the need for regulation; interested persons were afforded an opportunity to submit information and views at this meeting; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after such meeting was held; the provisions of this regulation, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such lemons; it is necessary, in order to effectuate the declared policy of the act, to make this regulation effective during the period herein specified; and compliance with this regulation will not require any special preparation on the part of persons subject hereto which cannot be completed on or before the effective date hereof. Such committee meeting was held on December 16, 1975.

(b) *Order.* (1) The quantity of lemons grown in California and Arizona which may be handled during the period December 21, 1975, through December 27, 1975, is hereby fixed at 150,000 cartons.

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

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

Dated: December 18, 1975.

Charles R. Brader, Deputy Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[FR Doc.75-34549 Filed 12-18-75;11:41 am]

CHAPTER X—AGRICULTURAL MARKETING SERVICE (MARKETING AGREEMENTS AND ORDERS; MILK), DEPARTMENT OF AGRICULTURE

[Milk Order No. 60]

PART 1060—MILK IN THE MINNESOTA-NORTH DAKOTA MARKETING AREA

Order Suspending Certain Provisions

This order of suspension is issued pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and of the order regulating the handling of milk in the Minnesota-North Dakota marketing area.

Notice of proposed rulemaking was published in the FEDERAL REGISTER (40 FR 56674) concerning a proposed suspension of certain provisions of the order. Interested persons were afforded opportunity to file written data, views, and arguments thereon.

After consideration of all relevant material, including the proposal set forth in the aforesaid notice, data, views, and arguments filed thereon, and other available information, it is hereby found and determined that for the months of December 1975, January and February 1976, the following provisions of the order do not tend to effectuate the declared policy of the Act:

The provisions to be suspended are as follows:

§ 1060.13 [Amended]

1. The parts of paragraph (c)(1) that read, "During March through June" and "During the months of July through February such handler may divert an aggregate quantity not exceeding 50 percent of the milk of all such producers whose milk has been received at a pool plant(s) for at least 3 days during the month."

2. The parts of paragraph (c)(2) that read, "During March through June" and "During the months of July through February such handler may divert an aggregate quantity not exceeding 50 percent of the milk of all such producers whose milk has been received at his pool plant(s) for at least 3 days during the month."

STATEMENT OF CONSIDERATION

This suspension action will permit unlimited diversion of producer milk under the Minnesota-North Dakota order during the months of December 1975 and January and February 1976.

The order provides that during any month of July through February a cooperative association may divert for its account a total quantity of milk not in excess of 50 percent of the milk of all member producers whose milk has been received at a pool plant(s) for at least 3 days during the month. Similarly, a handler in his capacity as the operator of a pool plant, may divert for his account the milk of producers (other than a member of a cooperative association that is a diverting handler during the same month) in a total quantity not exceeding 50 percent of the milk of all such producers whose milk has been received at his pool plant(s) for at least 3 days during the month. Provision is made for unlimited diversion during the months of March through June.

The purpose of the diversion provisions is to facilitate the orderly and efficient disposition of the market's reserves. The direct movement of milk from a producer's farm to a nonpool plant for disposition in manufacturing avoids the unnecessary expense of handling involved if the milk were required to be delivered first to the pool plant where normally received and then transferred to the nonpool plant.

This suspension action requested by Land O'Lakes, Inc., also has the support of Mid-America Dairymen, Inc., and the National Farmers Organization. The three cooperatives together represent a majority of producers supplying the fluid market.

This temporary suspension will extend for 3 additional months the period in which unlimited diversion is permitted. This action is needed under the circumstances applicable in the months of December 1975, and January and February, 1976. Heavy milk supplies on the market will necessitate movements to nonpool plants for manufacturing during these months in excess of the diversion limitations presently provided in the order.

If no suspension action is taken, inefficient handling would be necessary to assure producer milk status for a large quantity of the reserve milk handled under the order. Much of the milk that could be diverted directly from farms to nonpool plants for manufacture would need to move instead through pool supply plants to qualify as producer milk and then to nonpool plants. This would involve hauling to and from supply plants instead of single hauls from farms to nonpool plants. Also, it would involve the cost of handling the milk through supply plants.

A hearing has been held to consider modifications and/or merging of this order and certain other orders (39 FR 37164). This temporary suspension action is taken as an interim modification of the order pending the outcome of the hearing proceeding.

It is hereby found and determined that thirty days' notice of the effective date hereof is impractical, unnecessary and contrary to the public interest in that:

(a) This suspension is necessary to reflect current marketing conditions and to maintain orderly marketing conditions in the marketing area in that under the circumstances described herein, the most efficient method of handling the market's reserve milk supply is movement directly from producers' farms to milk manufacturing plants. This suspension will allow such handling on an unlimited basis during December 1975 and January and February 1976, while the dairy farmers involved retain producer status. Interim action is necessary pending any amendatory procedures based upon a hearing held in November 1974, at which the diversion provisions of this order were reviewed.

(b) This suspension does not require of persons affected substantial or extensive preparation prior to the effective date; and

(c) Notice of proposed rulemaking was given interested parties and they were afforded opportunity to file written data, views or arguments concerning this suspension. No views were received in opposition to the proposed suspension.

Therefore, good cause exists for making this order effective with respect to producer milk deliveries during December 1975, and January and February 1976.

It is therefore ordered, That the aforesaid provisions of the order are hereby suspended for the months of December 1975, and January and February 1976.

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

Effective date: December 19, 1975.

Signed at Washington, D.C., on December 15, 1975.

RICHARD L. FELTNER,
Assistant Secretary.

[FR Doc.75-34274 Filed 12-18-75;8:45 am]

Title 10—Energy

CHAPTER I—NUCLEAR REGULATORY COMMISSION

PART 20—STANDARDS FOR PROTECTION AGAINST RADIATION

PART 50—LICENSING OF PRODUCTION AND UTILIZATION FACILITIES

Change of Terminology for "As Low As Practicable" Limits

On May 5, 1975, the Nuclear Regulatory Commission published in the FEDERAL REGISTER its decision in the rule making proceeding concerning numerical guides for design objectives and limiting conditions for operation to meet the criterion "as low as practicable" for radioactive material in light-water-cooled nuclear power reactor effluents, including amendments of 10 CFR Part 50 which became effective June 4, 1975.

In its decision, the Commission noted that during the pendency of the rule making, the International Commission on Radiological Protection, in ICRP Publication No. 22 has replaced the phrase "as low as practicable" with "as low as is reasonably achievable" in its recommendation on dose limitation. The Commission, in its decision, endorsed the attempt to make this basic concept of radiation protection more understandable and directed the staff to prepare and issue for public comment a proposed rule that would substitute the currently accepted phrasing "as low as is reasonably achievable" for the older, less precise terminology where it appears in the regulations.

In accordance with the Commission's directive the staff prepared proposed amendments of 10 CFR Parts 20 and 50 which would substitute the term "as low as is reasonably achievable" for the term "as low as practicable."

The notice of proposed rule making was published in the FEDERAL REGISTER on August 6, 1975 (40 FR 33029) inviting public comments by October 6, 1975.

Only one comment was received. The commenter expressed the view that some confusion and problems of practical application would result from the words "other societal and socioeconomic considerations" in the proposed amendments of §§ 20.1(c) and 50.34a(a). The commenter indicated that questions would be raised as to whether the quoted words are within the regulatory and statutory public health and safety concepts and whether the words really add anything to the regulations.

It is the Commission's view that the words "other societal and socioeconomic considerations" are consistent with the recommendation on dose limitation of the International Commission on Radiological Protection in ICRP Publication No. 22, serve to clarify the term "as low as is reasonably achievable", and should be included in the amendments.

Notice is hereby given that the proposed amendments are adopted without change and are set forth below.

Pursuant to the Atomic Energy Act of 1954, as amended, the Energy Reorganization Act of 1974, as amended, and sections 552 and 553 of title 5 of the United States Code, the amendments to Title 10, Chapter I, Code of Federal Regulations, Parts 20 and 50 set forth below are published as a document subject to codification.

Effective Date. These amendments become effective on January 19, 1976.

(Sec. 161, Pub. L. 83-703, 68 Stat. 948 (42 U.S.C. 2201); Sec. 201(f), Pub. L. 93-438, 88 Stat. 1243 (42 U.S.C. 5841))

Dated at Bethesda, Maryland this 20th day of November 1975.

For the Nuclear Regulatory Commission.

LEE V. GOSSICK,
Executive Director for Operations.

1. Section 20.1 of 10 CFR Part 20 is amended by revising paragraph (c) to read as follows:

§ 20.1 Purpose.

* * * * *

(c) In accordance with recommendations of the Federal Radiation Council, approved by the President, persons engaged in activities under licenses issued by the Nuclear Regulatory Commission pursuant to the Atomic Energy Act of 1954, as amended, and the Energy Reorganization Act of 1974 should, in addition to complying with the requirements set forth in this part, make every reasonable effort to maintain radiation exposures, and releases of radioactive materials in effluents to unrestricted areas, as low as is reasonably achievable. The term "as low as is reasonably achievable" means as low as is reasonably achievable taking into account the state of technology, and the economics of improvements in relation to benefits to the public health and safety, and other societal and socioeocnomic considerations, and in relation to the utilization of atomic energy in the public interest.

2. Section 50.34a of 10 CFR Part 50 is amended by revising paragraph (a) to read as follows:

§ 50.34a Design objectives for equipment to control releases of radioactive material in effluents—nuclear power reactors.

(a) An application for a permit to construct a nuclear power reactor shall include a description of the preliminary design of equipment to be installed to maintain control over radioactive materials in gaseous and liquid effluents produced during normal reactor operations, including expected operational occurrences. In the case of an application filed on or after January 2, 1971, the application shall also identify the design objectives, and the means to be employed, for keeping levels of radioactive material in effluents to unrestricted areas as low as is reasonably achievable. The term "as low as is reasonably achievable" as used in this part means as low as is reasonably achievable taking into account the state of technology, and the economics of improvements in relation to benefits to the public health and safety and other societal and socioeconomic considerations, and in relation to the utilization of atomic energy in the public interest. The guides set out in Appendix I provide numerical guidance on design objectives for light-water-cooled nuclear power reactors to meet the requirement that radioactive material in effluents released to unrestricted areas be kept as low as is reasonably achievable. These numerical guides for design objectives and limiting conditions for operation are not to be construed as radiation protection standards.

* * * * *

§ 50.36a and Appendix I [Amended]

3. Section 50.36a and Appendix I of 10 CFR Part 50 are amended by changing the term "as low as practicable" to "as low as is reasonably achievable" wherever it appears.

(Sec. 161, Pub. L. 83-703, 68 Stat. 948 (42 U.S.C. 2201); Sec. 201(f), Pub. L. 93-438, 88 Stat. 1243 (42 U.S.C. 5841)).

[FR Doc.75-34316 Filed 12-18-75;8:45 am]

Title 12—Banks and Banking

CHAPTER III—FEDERAL DEPOSIT INSURANCE CORPORATION

SUBCHAPTER B—REGULATIONS AND STATEMENTS OF GENERAL POLICY

PART 329—INTEREST ON DEPOSITS

To Permit Payment of a Time Deposit or Portion Thereof Without Penalty Prior to Maturity in Certain Cases Involving the Death of the Depositor(s) or Owner(s)

Correction

In FR Doc. 75-33431 appearing at page 57664 in the issue for Thursday, December 11, 1975, the effective date was omitted from the preamble and should appear in the second column, at the end of the second full paragraph, as follows:

"The amendment will be effective December 15, 1975, and will apply to all withdrawals made on or after that date irrespective of the fact that the depositor died prior thereto."

CHAPTER V—FEDERAL HOME LOAN BANK BOARD

[No. 75-1146]

SUBCHAPTER C—FEDERAL SAVINGS AND LOAN SYSTEM

PART 545—OPERATIONS

Mobile Facilities

DECEMBER 15, 1975.

The Federal Home Loan Bank Board on October 1, 1975, proposed amendments to § 545.14-4 of the Rules and Regulations for the Federal Savings and Loan System (12 CFR 545.14-4) for the purpose of clarifying certain provisions in the mobile facility regulations, to distinguish the mobile facility from the site where it conducts association business, and to require a description of the proposed facility, sites, and any improvements thereon in the application for Board approval of the mobile facility. Notice of such proposed Rulemaking was published in the FEDERAL REGISTER on October 8, 1975, (40 FR 47150) with an invitation for interested persons to submit written comments by November 10, 1975.

On the basis of its consideration of all relevant material presented by interested persons and otherwise available, the Board deems it desirable to adopt the proposed amendments as proposed, with one technical change to reflect the present name of the form referred to in § 545.14-4(d).

Accordingly, the Board hereby amends § 545.14-4 by deleting paragraph (c)(1) and renumbering paragraphs (c) (2), (3), (4), (5), and (6) as (c) (1), (2), (3), (4), and (5), respectively, and revising renumbered subdivisions (c) (1), (2), (4), and (5) and paragraph (d) thereof to read as set forth below.

Since these amendments clarify existing regulations and apply to rules of Board procedure or practice, the Board hereby finds that publication of the amendments for the 30-day period specified in 12 CFR 508.14 and 5 U.S.C. 553 (d) prior to the effective date thereof is unnecessary and hereby provides that said amendments shall become effective December 22, 1975.

§ 545.14-4 Mobile facility.

* * * * *

(c) *Action by the Board.* Each application by a Federal association which is an eligible association under the provisions of paragraph (b) of this section will be considered or processed pursuant to the provisions of this section. The Board's approval of any such application will be subject to the following provisions and any other conditions, requirements, and limitations the Board may specify in a particular case:

(1) The mobile facility shall be operated at two or more sites approved by the Board, each of which, at the time of filing of the application for permission to establish and operate the mobile facility, shall be more than 10 miles from the site of any home or branch office or agency of any other institution the accounts of which are insured by the Federal Savings and Loan Insurance Corporation, unless the applicant establishes to the satisfaction of the Board that a shorter distance is justified;

(2) Such facility shall transact association business at the same site on the same day or days (not to exceed 3 days) of each week, during such hours, aggregating a total of not less than 4 hours a day, as the association's board of directors may from time to time determine, but no association business shall be conducted at any site in the absence of such facility;

* * * * *

(4) The mobile facility shall not remain at any site during non-business hours, with the exception of the night before and the night following a day on which the facility is at the site to transact association business; and

(5) Without prior approval by the Board, operation of such facility shall not be continued at a site after the expiration of such period of time as the Board may prescribe with respect to operation of the facility at such site.

(d) *Application form; supporting information.* An application for permission to establish and operate a mobile facility shall be in form prescribed by the Board and shall be supported in accordance with the prescribed "Facility Application" form. Such application shall show that there is a need for such facility in the geographic area and at each proposed site and that it is not feasible to establish a full-time office there. Such application shall also contain a description of the proposed mobile facility and the proposed sites, including any improvements (such as affixed shell structures) planned for such sites. An application shall be deemed to be complete when the foregoing requirements of this paragraph (d) have been met.

* * * * *

(Sec. 5, 48 Stat. 132, as amended; 12 U.S.C. 1464. Reorg. Plan No. 3 of 1947, 12 FR 4981, 3 CFR, 1943-48 Comp., p. 1071)

By the Federal Home Loan Bank Board.

J. J. FINN,
Secretary.

[FR Doc.75-34239 Filed 12-18-75;8:45 am]

Title 14—Aeronautic and Space

CHAPTER I—FEDERAL AVIATION ADMINISTRATION, DEPARTMENT OF TRANSPORTATION

[Docket No. 75-NE-15; Amdt. 39-2462]

PART 39—AIRWORTHINESS DIRECTIVES

Sikorsky Model S-61L, S-61N and S-61NM Helicopters Certificated in All Categories

Pursuant to the authority delegated to me by the Administrator (31 FR 13697) an amendment to Amendment 39-2327 (40 FR 33434), AD 75-17-33, was adopted on October 2, 1975, and made effective immediately as to all known United States operators of Sikorsky Model S-61L, S-61N, and S-61NM helicopters. The amendment adopted on October 2, 1975, incorporated Sikorsky telegram SST6120CC036.1, dated October 2, 1975, into Amendment 39-2327, AD 75-17-33, as part of Sikorsky Service Bulletin No. 61B20-20, and extended the compliance time to November 3, 1975.

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 amendment effective immediately as to all known U.S. operators of Sikorsky Model S-61L, S-61N, and S-61NM helicopters by individual telegrams, dated October 3, 1975. These conditions still exist and the amendment to Amendment 39-2327, AD 75-17-33, is hereby published in the FEDERAL REGISTER as an amendment to § 39.13 of Part 39 of the Federal Aviation Regulations to make it effective as to all persons.

Amendment 39-2327 (40 FR 33434), AD 75-17-33, required modifications on Sikorsky Model S-61 helicopters equipped with sliding baggage doors by October 3, 1975. Subsequent to the issuance of Amendment 39-2327, it was determined that an error in Service Bulletin No. S61B20-20 dated August 15, 1975, will preclude proper installation of the required stops to limit the travel of the bearing cage. Therefore, this telegram amends the AD to extend the compliance time to November 3, 1975, in lieu of October 3, 1975, and to include Sikorsky telegram SST6120 CC036.1, dated October 2, 1975, as part of Sikorsky Service Bulletin No. S61B20-20. This amends Amendment 39-2327 (40 FR 33434), AD 75-17-33.

This amendment becomes effective December 19, 1975, for all persons except those to whom it was made effective immediately by telegram dated October 3, 1975.

This amendment is made 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)).

Issued in Burlington, Massachusetts, on December 9, 1975.

QUENTIN S. TAYLOR,
Director, New England Region.

[FR Doc.75-34171 Filed 12-18-75;8:45 am]

[Docket No. 74-NE-34; Amdt. 39-2461]

PART 39—AIRWORTHINESS DIRECTIVES

Sikorsky S-61L, S-61N and S-61NM Type Helicopters Certificated in All Categories

Amendment 39-1167 (36 FR 4689), AD 71-06-02, as amended by Amendment 39-1271 (36 FR 16186), Amendment 39-1948 (39 FR 31626) and Amendment 39-1978 (39 FR 34649) established, and then revised, a schedule of replacement times for components of S-61L and S-61N type helicopters certificated in all categories. After issuing Amendment 39-1978, a Type Certificate was granted to the manufacturer for a new model helicopter, the S-61NM, having a type design utilizing major components of model S-61L and S-61N helicopters. The manufacturer has also developed, and obtained approval of, new and modified parts and their replacement times, and has obtained approval of increased replacement times for other components. Therefore, AD 71-06-02 is being superseded by a new AD to include the model S-61NM and to add new components and replacement times to the schedule by referring to the latest revision of the Sikorsky Service Bulletin, No. 61B General-1F.

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 thirty (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:

SIKORSKY AIRCRAFT. Applies to S-61L, S-61N, and S-61NM helicopters certificated in all categories.

Compliance required as indicated.

As a result of the completion of a recent engineering evaluation program and the development of additional substantiating data, a new schedule of replacement times has been established for the components of S-61 helicopters.

(a) After the effective date of this AD, the replacement of S-61 components must be accomplished in accordance with the schedule of Section 2C of Sikorsky Service Bulletin No. 61B General-1F dated October 20, 1975, or later FAA approved revisions.

(b) The manufacturer's specifications and procedures identified and described in this directive are incorporated herein and made a part hereof pursuant to 5 U.S.C. 552(a)(1).

All persons affected by this directive who have not already received these documents from the manufacturer may obtain copies upon request to Sikorsky Aircraft, Stratford, Connecticut 06602. These documents may also be examined at FAA, New England Region, 12 New England Executive Park, Burlington, Massachusetts 01803, and at FAA Headquarters, 800 Independence Avenue, SW., Washington, D.C. 20591. A historical file on this AD which includes the incorporated material in full is maintained by the FAA at its Headquarters in Washington, D.C., and at the FAA, New England Region, Burlington, Massachusetts.

This supersedes Amendment 39-1167 (36 FR 4689), AD 71-06-02 as amended by Amendment 39-1271 (36 FR 16186), Amendment 39-1948 (39 FR 31626), and Amendment 39-1978 (39 FR 34649).

This amendment becomes effective January 2, 1976.

This amendment is made 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 Section 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)).

Issued in Burlington, Massachusetts, on December 9, 1975.

QUENTIN S. TAYLOR,
Director, New England Region.

[FR Doc.75-34172 Filed 12-18-75;8:45 am]

[Airspace Docket No. 75-SO-133]

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

Designation of Transition Area

On October 21, 1975, a notice of proposed rulemaking was published in the FEDERAL REGISTER (40 FR 49101), stating that the Federal Aviation Administration was considering an amendment to Part 71 of the Federal Aviation Regulations that would designate the Lexington, N.C., transition area.

Interested persons were afforded an opportunity to participate in the rulemaking through the submission of comments. All comments received were favorable except those submitted by the United States Air Force (USAF). The USAF objected on the basis that a portion of the transition area would be within two VFR Low Altitude Training Routes. The centerlines of these routes are located approximately four miles southwest of the Lexington Municipal Airport and have been in existence for some time. To negate the use of these two routes, which provide invaluable aircrew training, would have a serious impact on the USAF mission.

A review of the proposal, in light of the comments received, disclosed the following:

1. Military aircraft operating on the training routes must have a ceiling of 3,000 feet and visibility of 5 miles. With these weather minimums, both military and civil aircraft in the vicinity of Lexington will be operating on a "see and be seen" basis, in accordance with Federal Aviation Regulations, Part 91.

2. The designation of the transition area does not preclude the USAF from utilizing the airspace involved.

Therefore, the objection by the USAF to the designation of the Lexington, N.C., transition area is not valid from an aeronautical standpoint.

In consideration of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0901 GMT, January 29, 1976, as hereinafter set forth.

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

LEXINGTON, N.C.

That airspace extending upwards from 700 feet above the surface within a 5.5-mile radius of Lexington Municipal Airport (latitude 35°46'47" N., longitude 80°18'20" W.)

Issued in East Point, Ga., on December 4, 1975.

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

PHILLIP M. SWATEK,
Director, Southern Region.

[FR Doc.75-34177 Filed 12-18-75;8:45 am]

[Airspace Docket No. 75-EA-70]

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

Alteration of Transition Area

The Federal Aviation Administration is amending section 71.181 of Part 71 of the Federal Aviation Regulations so as to alter the Gloucester, Va., Transition Area (40 FR 500).

The Gloucester, Virginia, 700-foot floor transition area is currently in effect on a full-time basis. Night landing minima are not authorized by the instrument approach procedure to Gloucester Airport. The airspace action proposed herein would alter the time designation of the Gloucester transition area so as to be consistent with the hours that the instrument approach procedure is authorized, which would be sunrise to sunset.

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

In view of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective December 19, 1976, as follows:

1. Amend § 71.181 of Part 71, Federal Aviation Regulations so as to alter the description of the Gloucester, Virginia 700-foot floor transition area as follows: In the text, following "excluding the portion within the West Point, Va., transition area." add, "This transition area shall be in effect from sunrise to sunset, daily.".

Issued in Jamaica, N.Y., on December 3, 1975.

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

DUANE W. FREER,
Director, Eastern Region.

[FR Doc.75-34178 Filed 12-18-75;8:45 am]

[Airspace Docket No. 75-EA-71]

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

Alteration of Transition Area

The Federal Aviation Administration is amending section 71.181 of Part 71 of the Federal Aviation Regulations so as to alter the Ocean City, Md., Transition Area (40 FR 558).

The VOR-B special instrument approach procedure for Ocean City Airport, Ocean City, Md., has been revised. The revision includes a one-degree change in the final approach course and will require alteration of the Ocean City, Md., transition area description to reflect this change.

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

In view of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective December 19, 1975, as follows:

1. Amend Section 71.181 of Part 71 of the Federal Aviation Regulations so as to amend the description of the Ocean City, Md. Transition Area by deleting, "097°" and by inserting, "096°" in lieu thereof.

Issued in Jamaica, N.Y., on December 3, 1975.

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

DUANE W. FREER,
Director, Eastern Region.

[FR Doc.75-34179 Filed 12-18-75;8:45 am]

[Airspace Docket No. 75-EA-77]

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

Alteration of Transition Area

The Federal Aviation Administration is amending section 71.181 of Part 71 of the Federal Aviation Regulations so as to alter the Wakefield, Va., Transition Area (40 FR 608).

A pending change to the NDB instrument approach procedure to Runway 20 at Wakefield Municipal Airport, Wakefield, Virginia, will require a change in the 700-foot floor transition area description. Essentially, the airspace action would reduce the size of the existing transition area extension and would reorient the final approach course ten degrees west of the present bearing.

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

In view of the foregoing, Part 71 of the Federal Aviation Regulations is amended, effective 0901 GMT January 29, 1976, as follows:

1. Amend § 71.181 of Part 71, Federal Aviation Regulations by altering the description of the Wakefield, Virginia 700-foot floor transition area by deleting, "and within 3.5 miles each side of the 024° bearing from the Wakefield RBN lat. 36°58'59" N., long. 77°00'05" W., extending from the 5-mile radius area to 11.5 miles northeast of the RBN." and by substituting therefor, "and within 3 miles each side of the 013° bearing from the Wakefield RBN lat. 36°58'59" N., long. 77°00'05" W. extending from the 5-mile radius area to 8.5 miles northeast of the RBN.".

Issued in Jamaica, N.Y., on December 3, 1975.

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

DUANE W. FREER,
Director, Eastern Region.

[FR Doc.75-34180 Filed 12-18-75;8:45 am]

[Airspace Docket No. 75-WA-26]

PART 75—ESTABLISHMENT OF JET ROUTES AND AREA HIGH ROUTES

Jet Route Revocation

The purpose of this amendment to Part 75 of the Federal Aviation Regulations is to revoke the small segment of J/HL 552 that is within the State of Maine. The Canadian Ministry of Transport will revoke their portion of this route, effective January 29, 1976, and has requested that simultaneous action be taken by the Federal Aviation Administration.

Because this action merely revokes a relatively small segment of a Canadian high level route, it is a minor matter on which the public would have no particular desire to comment. Therefore, notice and public procedure thereon are unnecessary.

In consideration of the foregoing, Part 75 of the Federal Aviation Regulations is amended, effective 0901 GMT, January 29, 1976, as hereinafter set forth.

In § 75.100 (41 FR 704) Jet Route No. 552, (title and text) is revoked.

This amendment is made under the authority of Sec. 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 December 10, 1975.

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

[FR Doc.75-34170 Filed 12-18-75;8:45 am]

[Docket HM-128; Amdt. No. 103-27]

PART 103—TRANSPORTATION OF DANGEROUS ARTICLES AND MAGNETIZED MATERIALS

Carriage of Certain Hazardous Materials on Cargo-Only Aircraft as Only Means of Transportation

Correction

In FR Doc. 75-33834 appearing at page 58284 in the issue of Tuesday, December 16, 1975, make the following correction: On page 58285, § 103.19(a), the fifth line should have appeared immediately after the second line.

CHAPTER II—CIVIL AERONAUTICS BOARD

SUBCHAPTER A—ECONOMIC REGULATIONS

[Regulation ER-941, Amdt. 5]

PART 240—INSPECTION OF ACCOUNTS AND PROPERTY

Interpretation

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., December 16, 1975.

Part 240 of the Board's Economic Regulations provides for inspection of certain properties of air carriers, foreign air carriers, and ticket agents. Section 240.1(c) prescribes the format for the identification card and credentials to be issued to Board employees authorized to perform such inspections.

This editorial amendment is being issued to change the format of the credentials slightly, in order to make it clear that the designated employees are special agents or auditors "of the Civil Aeronautics Board." No change is being made in the substantive authority of persons issued such credentials.

This editorial amendment is issued by the undersigned pursuant to delegation of authority from the Board to the General Counsel, in 14 CFR 385.19, and shall become effective on January 8, 1976. Procedures for review of this amendment are set forth in Subpart C of Part 385 (14 CFR 385.50 through 385.54).

Accordingly, the Board hereby revises § 240.1(c) to read as follows:

§ 240.1 Interpretation.

* * * * *

(c) The issuance in the form set forth below of an identification card and credentials to any such employee shall be construed to be an order and direction of the Board to such individual to inspect and examine lands, buildings, equipment, accounts, records, and memorandums in accordance with the authority conferred on the Board by the Act.

UNITED STATES OF AMERICA, CIVIL AERONAUTICS BOARD, WASHINGTON, D.C.

Number _____
Expires _____

[photo]

This is to certify that _____, whose signature and photograph appear hereon is a duly designated _____ of the Civil Aeronautics Board and is authorized and directed to perform the duties of said office in accordance with the laws of the United States and regulations thereunder, and his authority will be respected accordingly.

_____
Signature

By authority of the Civil Aeronautics Board.

_____
Secretary
CIVIL AERONAUTICS BOARD

Name _____
Date Issued _____
Number _____
Height _____
Weight _____
Hair _____
Eyes _____
Date of Birth _____

The holder hereof is authorized to investigate violations of the Federal Aviation Act, as amended, collect evidence in cases in which the regulatory authority of the Civil Aeronautics Board is or may be involved and perform other duties imposed upon him by law.

Under the Federal Aviation Act and Part 240 of the Economic Regulations of the Civil Aeronautics Board (14 CFR Part 240), the duly accredited special agents and auditors of the Board are empowered at all times to obtain access to all lands, buildings and equipment of any air carrier or foreign air carrier and to inspect, examine, and make notes and copies of all accounts, records, memoranduma, documents, papers and correspondence kept or required to be kept by any air carrier, foreign air carrier or ticket agent.

The issuance of these credentials to the holder hereof constitutes an order and direction on the part of the Civil Aeronautics Board to such individual to carry out these duties as aforesaid and as more fully described in Part 240 of the Board's Economic Regulations.

Failure to honor these credentials will result in penalties as provided by law.

UNITED STATES OF AMERICA,
CIVIL AERONAUTICS BOARD,
WASHINGTON, D.C.

(Sec. 204(a) of the Federal Aviation Act of 1958, as amended, 72 Stat. 743; 49 U.S.C. 1324.)

By the Civil Aeronautics Board:

Effective: January 8, 1976.

Adopted: December 16, 1975.

[SEAL] JAMES C. SCHULTZ,
General Counsel.

[FR Doc.75-34252 Filed 12-18-75;8:45 am]

Title 17—Commodity and Securities Exchanges

CHAPTER II—SECURITIES AND EXCHANGE COMMISSION

[Release Nos. 33-5654, 34-11917, 35-19296, IC-9080, AS-185]

PART 210—FORM AND CONTENT OF FINANCIAL STATEMENTS, SECURITIES ACT OF 1933, SECURITIES EXCHANGE ACT OF 1934, PUBLIC UTILITY HOLDING COMPANY ACT OF 1935, AND INVESTMENT COMPANY ACT OF 1940

Subpart A—Accounting Series Releases

FINANCIAL REPORTING PRACTICES OF BANK HOLDING COMPANIES AND BANKS

In Securities Act Release No. 5620[1] the Commission proposed amendment of Article 9 of Regulation S-X [17 CFR 210.9-01 to 210.9-05] to conform certain reporting practices of bank holding companies and banks to generally accepted accounting principles as practiced in other industries. Comments on the proposal have been received and considered and with one modification the proposed amendment is now adopted. Regulation S-X which specifies the form and content of financial statements is amended by adding to the provisions applicable to banks (Rule 9-05) [§ 210.9-05] three subparagraphs relating to reporting of reserves for loan losses, classification of unearned income, and classification of certain debt instruments, sometimes referred to as capital debt.

As noted in Release 33-5620 these changes had been discussed from time to time with representatives of the banking community, Federal bank regulatory authorities, the American Institute of Certified Public Accountants, and the Internal Revenue Service. In addition, because of concerns that the change in reporting loan loss reserves would adversely affect the reserve accumulated for tax purposes, the Chief Accountant requested and received from the Internal Revenue Service a letter which said, in part:

> The Service has no requirement that the financial statements conform to the books in the case of additions to the bad debt reserves for banks already on the reserve method. We would deem it appropriate, however, that, if material, the disparity between the amount shown on the books and the amount shown on the financial statements be disclosed to the shareholder by way of a footnote or other method and the two amounts reconciled on the books.

The letters commenting on the proposal were favorable. It was suggested that the rule should provide for disclosure of the difference between the loan loss reserve stated on the financial statements and the reserve accumulated for tax purposes if material and such a change has been made. In addition the proposal to reclassify capital debt has been changed to make it clear that it includes subordinated indebtedness.

In connection with the provision that bonds, notes and debentures be reported as liabilities rather than capital, the recent proposal of the Federal bank regulatory authorities to amend their periodic Report of Condition (Call Report) reclassifies such debt in a similar manner. The description of that proposed revision states that the change "does not necessarily imply any supervisory change in the treatment of these notes by the banking agencies."

Commission action. The Commission hereby amends § 210.9-05 of 17 CFR Chapter II by the addition of new paragraphs (e), (f) and (g) as given below.

§ 210.9-05 Financial statements and schedules of banks.

* * * * *

(e) The valuation portion of the reserve for loan losses shall be reported as a deduction from loans receivable, the deferred tax portion as a deferred tax item, and the contingency portion as a part of undivided profits. If materially different from the valuation portion, the reserve accumulated under the Internal Revenue Code provisions shall be disclosed in a note and the two amounts reconciled.

(f) Bonds, notes, debentures and similar debt (including subordinated indebtedness) shall be reported as liabilities. Debt instruments may not be grouped with stockholders' equity under the caption "Capital."

(g) Unearned income shall be reported as a deduction from loans receivable.

(Secs. 6, 7, 8, 10 and 19(a) (15 U.S.C. 77f, 77g, 77h, 77j, 77s), Securities Act of 1933; secs. 12, 13, 15(d) and 23(a) (15 U.S.C. 78l,

[1] Notice of the proposed amendments was made in Securities Act Release No. 5620, Securities Exchange Act Release No. 11672, Public Utility Holding Company Act Release No. 19186 and Investment Company Act Release No. 8951, dated September 24, 1975. [40 FR 46117.]

78m, 78o(d), 78w), Securities Exchange Act of 1934; secs. 5(b), 14 and 20(a) (U.S.C. 79e, 79n, 79t), Public Utility Holding Company Act of 1935; secs. 8, 30, 31(c) and 38(a) (15 U.S.C. 80a-8, 80a-29, 80a-30(c), 80a-37(a)), Investment Company Act of 1940)

These amendments shall be effective with respect to financial statements filed after January 15, 1976, although they may be applied in statements filed prior to that time.

By the Commission.

GEORGE A. FITZSIMMONS,
Secretary.

DECEMBER 11, 1975.

[FR Doc.75-34238 Filed 12-18-75;8:45 am]

Title 19—Customs Duties

CHAPTER I—UNITED STATES CUSTOMS SERVICE

[T.D. 75-315]

PART 4—VESSELS IN FOREIGN AND DOMESTIC TRADES

LASH-Type Barges

Section 4.81(g) of the Customs Regulations (19 CFR 4.81(g)) sets forth a simplified permit-to-proceed procedure for LASH-type barges which requires, among other things, that the barges be sealed. However, it has been determined that it is often hazardous to comply with the sealing requirements of that section. In view of this determination and the determination that the reporting and manifesting requirements set forth elsewhere in § 4.81(g) provide satisfactory control of the barges and the cargo thereon, it has been decided to eliminate the sealing requirement as unnecessary.

Accordingly, Part 4 of the Customs Regulations (19 CFR Part 4) is amended in the following manner:

§ 4.81 [Amended]

1. Paragraph (g) of § 4.81 of the Customs Regulations (19 CFR 4.81(g)) is amended by deleting the word "sealed" from the first sentence of that paragraph; by deleting the last six words, "and the barge shall be resealed", in subparagraph (1) of that paragraph; and by deleting subparagraph (5) of that paragraph in its entirety.

2. Paragraph (a) of § 4.81a of the Customs Regulations (19 CFR 4.81a(a)) is amended by deleting the second sentence. (R.S. 251, as amended, sec. 624, 46 Stat. 759 (19 U.S.C. 66, 1624))

Inasmuch as this amendment merely relaxes present requirements and requires no public initiative, notice and public procedure thereon is found to be unnecessary, and good cause exists for dispensing with a delayed effective date under the provisions of 5 U.S.C. 553.

Effective date. This amendment will become effective December 19, 1975.

VERNON D. ACREE,
Commissioner of Customs.

Approved: December 8, 1975.

DAVID R. MACDONALD,
Assistant Secretary of the Treasury.

[FR Doc.75-34209 Filed 12-18-75;8:45 am]

Title 21—Food and Drugs

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

SUBCHAPTER B—FOOD AND FOOD PRODUCTS

[Docket No. 75F-0095]

PART 121—FOOD ADDITIVES

Subpart F—Food Additives Resulting From Contact With Containers or Equipment and Food Additives Otherwise Affecting Food

Sanitizing Solutions

The Commissioner of Food and Drugs is amending § 121.2547 *Sanitizing solutions* (21 CFR 121.2547) to provide for safe use of isopropyl alcohol as an optional ingredient in sanitizing solutions, effective December 19, 1975.

Notice was given by publication in the FEDERAL REGISTER of July 8, 1975 (40 FR 28656), that a food additive petition (FAP 5H3086) was filed by Ashland Chemical Co., Division of Ashland Oil, Inc., 5200 Blazer Pkwy., P.O. Box 2219, Columbus, OH 43216, proposing that § 121.2547(b)(9) be amended to provide for safe use of isopropyl alcohol as noted above.

The Commissioner, having evaluated the data in the food additive petition and other relevant material, concludes that the regulations should be amended as set forth below.

Therefore, under the Federal Food, Drug, and Cosmetic Act (sec. 409(c)(1), 72 Stat. 1786 (21 U.S.C. 348(c)(1))) and under authority delegated to the Commissioner (21 CFR 2.120), § 121.2547 is amended by revising paragraph (b)(9) as follows:

§ 121.2547 Sanitizing solutions.

* * * * *

(b) * * *

(9) An aqueous solution containing *n*-alkyl (C_{12}–C_{16}) benzyldimethylammonium chloride compounds having average molecular weights of 351–380 and consisting principally of alkyl groups with 12–16 carbon atoms with or without not over 1 percent each of groups with 8 and 10 carbon atoms. Additionally, the aqueous solution may contain isopropyl alcohol as an optional ingredient.

* * * * *

Any person who will be adversely affected by the foregoing order may at any time on or before January 19, 1976, file with the Hearing Clerk, Food and Drug Administration, Rm. 4-65, 5600 Fishers Lane, Rockville, MD 20852, written objections thereto. Objections shall show wherein the person filing will be adversely affected by the order, specify with particularity the provisions of the order deemed objectionable, and state the grounds for the objections. If a hearing is requested, the objections shall state the issues for the hearing, shall be supported by grounds factually and legally sufficient to justify the relief sought, and shall include a detailed description and analysis of the factual information intended to be presented in support of the objections in the event that a hearing is held. Six copies of all documents shall be filed and should be identified with the Hearing Clerk docket number found in brackets in the heading of this order. Received objections may be seen in the above office during working hours, Monday through Friday.

Effective date. This order shall become effective December 19, 1975.

(Sec. 409(c)(1), 72 Stat. 1786 (21 U.S.C. 348(c)(1)).)

Dated: December 11, 1975.

WILLIAM F. RANDOLPH,
Acting Associate Commissioner for Compliance.

[FR Doc.75-34207 Filed 12-18-75;8:45 am]

Title 26—Internal Revenue

CHAPTER I—INTERNAL REVENUE SERVICE, DEPARTMENT OF THE TREASURY

[T.D. 7393]

SUBCHAPTER A—INCOME TAX

[Income Tax Regs.]

PART 8—TEMPORARY INCOME TAX REGULATIONS UNDER SECTION 3 OF THE ACT OF OCTOBER 26, 1974 (PUBLIC LAW 93-483)

SUBCHAPTER B—ESTATE AND GIFT TAXES

[Estate Tax Regs.]

PART 24—TEMPORARY ESTATE TAX REGULATIONS UNDER SECTION 3 OF THE ACT OF OCTOBER 26, 1974 (PUBLIC LAW 93-483)

Transfers for Public, Charitable and Religious Uses

This document contains temporary income tax regulations (26 CFR Part 8) and estate tax regulations (26 CFR Part 24) under section 2055(e)(3) of the Internal Revenue Code of 1954 as added by section 3, Act of Oct. 26, 1974 (P.L. 93-483). These temporary regulations are to remain in force and effect until superseded by permanent regulations.

Section 2055(e)(2)(A) of the Code disallows an estate tax deduction for certain transfers to charity if the transfer is not in the form either of a charitable remainder trust that complies with section 664 of the Code or a pooled income fund that complies with section 642(c)(5) of the Code.

The new amendment to section 2055 is a relief provision which, in certain limited cases, extends until December 31, 1975, the transitional period originally allowed under the Tax Reform Act of 1969 to amend or conform a trust to the provisions of section 664 of the Code.

The relief provision applies to any interest for charitable purposes which passes under a will executed before September 21, 1974, or by an inter vivos trust created after July 31, 1969, and before September 21, 1974. The will or trust must be amended to meet the requirements of section 2055(e)(2)(A) by December 31, 1975, or judicial proceedings to amend the will or trust must be begun by that date.

The temporary regulations apply the relief provision to inter vivos transfers created after July 31, 1969, which are irrevocable at the date of death. However, in general, a trust amended pursuant to these temporary regulations is treated as a charitable remainder trust

from the date it would be deemed created under section 664.

The temporary regulations make provision for judicial reformation as well as nonjudicial reformation by agreement of the parties provided the agreement is binding on all parties.

The temporary regulations provide that the amending procedure under section 2055(e)(3) is available only to charitable interests which, but for the disqualifying provisions of section 2055(e)(2)(A), otherwise qualify for a deduction under section 2055. A charitable interest cannot be created by the use of this relief provision.

Amendments to the regulations. In order to prescribe temporary income tax regulations (26 CFR Part 8) relating to charitable remainder trusts and temporary estate tax regulations (26 CFR Part 24) relating to transfers for public, charitable and religious uses pursuant to section 2055 of the Internal Revenue Code of 1954, as amended by section 3 of the Act of Oct. 26, 1974 (Pub. L. 93-483, 88 Stat. 1457), the following temporary regulations are hereby adopted:

1. A new § 8.1 is added as follows:

§ 8.1 Charitable remainder trusts.

(a) *Certain wills and trusts in existence on September 21, 1974.* In the case of a will executed before September 21, 1974, or a trust created (within the meaning of applicable local law) after July 31, 1969, and before September 21, 1974, which is amended pursuant to section 2055(e)(3) and § 24.1 of this Chapter (Temporary Estate Tax Regulations), a charitable remainder trust resulting from such amendment will be treated as a charitable remainder trust from the date it would be deemed created under § 1.664-1(a)(4) and (5) of this chapter (Income Tax Regulations), whether or not such date is after September 20, 1974.

(b) *Certain transfers to trusts created before August 1, 1969.* Property transferred to a trust created (within the meaning of applicable local law) before August 1, 1969, whose governing instrument provides that an organization described in section 170(c) receives an irrevocable remainder interest in such trust shall be deemed transferred to a trust created on the date of such transfer, provided that the transfer occurs after July 31, 1969 and prior to October 18, 1971, and pursuant to an amendment provided in § 24.1 of this chapter (Temporary Estate Tax Regulations), the transferred property and any undistributed income therefrom is severed and placed in a separate trust as of the date of the amendment.

2. A new § 24.1 is added as follows:

§ 24.1 Special rules applicable in the case of certain wills and trusts in existence on September 21, 1974.

(a) In general, in the case of a will executed before September 21, 1974, or a trust created (within the meaning of applicable local law) after July 31, 1969, and before September 21, 1974, if—

(1) At the time of the decedent's death a deduction is not allowable solely because of the failure of an interest in property which passes or has passed from the decedent to a person, or for a use, described in section 2055(a) to meet the requirements of section 2055(e)(2)(A), and

(2) The governing instrument is amended or conformed in accordance with this paragraph so that the interest is in a trust which is a charitable remainder annuity trust or a charitable remainder unitrust (described in section 664) or a pooled income fund (described in section 642(c)(5)), or the governing instrument is treated under paragraph (h) of this section as if it were amended, a deduction shall nevertheless be allowed.

(b) An amendment or conformation pursuant to this section must be made before January 1, 1976, or, if later, on or before the 30th day after the date on which judicial proceedings begun before January 1, 1976 (which are required to amend or conform the governing instrument) become final.

(c) A governing instrument may be amended or conformed under this section only where:

(1) The transfer is not in trust but passes under a will executed before September 21, 1974;

(2) The transfer is in the form of a testamentary trust created under a will executed before September 21, 1974;

(3) The transfer was in trust, which was created (within the meaning of applicable local law) after July 31, 1969, and before September 21, 1974, but only if, at the time of the creation of the trust, the governing instrument provides that an organization described in section 170(c) receives an irrevocable remainder interest in such trust;

(4) Property was transferred inter vivos after July 31, 1969, and before October 18, 1971, to a trust created (within the meaning of applicable local law) before August 1, 1969, which trust provides that an organization described in section 170(c) receives an irrevocable remainder interest in such trust, and the transferred property and any undistributed income therefrom is severed and placed in a separate trust before the applicable date specified in paragraph (b) of this section. An instrument governing a transfer under this subparagraph (4), which is amended pursuant to this section shall be treated as having made such transfer to a trust deemed created on the date of such transfer;

(5) In the case of a transfer to a pooled income fund made before September 21, 1974 (or a transfer made under a will which was executed before September 21, 1974), the instrument governing the transfer fails to satisfy the requirements of § 1.642(c)-5(b).

However, a governing instrument may not be amended pursuant to this section unless, at the time of the decedent's death, the interest is an irrevocable remainder interest for which a deduction, but for section 2055(e)(2)(A), would be allowable under section 2055(a) and the regulations thereunder. The provisions of section 508(d)(2)(A) (relating to disallowance of certain charitable, etc., deductions) shall not apply to such interest if the governing instrument is amended so as to comply with the requirements of section 508(e) (relating to governing instruments) by the applicable date described in paragraph (b) of this section.

(d) The decree resulting from any judicial proceedings begun to amend a governing instrument pursuant to paragraph (a) of this section must be binding, under local law, on all parties having an interest in the bequest or transfer as well as the fiduciary of the decedent's estate and trustee of the trust to be amended. In the event local law does not require judicial proceedings to amend or conform a governing instrument, a deduction may nevertheless be allowed if the governing instrument is amended or conformed by nonjudicial agreement between all parties having an interest in the bequest or transfer as well as the fiduciary of the decedent's estate and trustee of the trust to be amended provided that the agreement is binding, under local law, on all such parties. The judicial proceedings or nonjudicial agreement must also account for any distributions made from the deemed date of creation to the date of the amendment in the following manner:

(1) Where the amount of the distributions which would have been made by the trust to a recipient had the amendment pursuant to paragraph (a) of this section been in effect since the creation of the trust exceeds the amount of the distributions made by the trust prior to the amendment, the trust must pay an amount equal to such excess to the recipient;

(2) Where the amount of the distributions made to the recipient prior to the amendment pursuant to paragraph (a) of this section exceeds the amount of the distributions which would have been made by such trust if the amended provisions of such trust had been in effect from the time of creation of such trust, the recipient must pay an amount equal to such excess to the trust.

See § 1.664-1(d)(4) for rules relating to the year of inclusion in the case of an underpayment to a recipient and the allowance of a deduction in the case of an overpayment to a recipient.

(e) Where a charitable remainder trust (as described in § 1.664-1(a)(1)(iii)(a)) results from an amendment pursuant to this section, the trust will be treated as a charitable remainder trust for all purposes from the date it would be deemed created under § 1.664-1(a)(4) and (5), whether or not such date is after September 20, 1974. Subject to the limitations imposed by section 6511, the estate tax charitable deduction is allowable and the charitable remainder trust is exempt from Federal income taxation. For application of certain excise

taxes pursuant to section 4947(a)(2), see § 53.4947-1(c)(1)(iii) and (c)(6). In amending a governing instrument pursuant to paragraph (a) of this section, the exchange of a noncharitable beneficiary's interest in an unqualified transfer in trust for an interest in a qualified transfer in trust will not be treated as an act of self-dealing (described in section 4941) or a taxable expenditure (described in section 4945).

(f) If, on the due date for filing the estate tax return (including any extensions thereof), proceedings to amend or conform a governing instrument pursuant to paragraph (a) of this section have not become final, such return shall be filed with the tax computed as if no deduction were allowable under this section. When the proceedings to amend or conform such instrument have become final (within the applicable date described in paragraph (b) of this section), a deduction shall be allowed upon the filing of a claim for credit or refund (within the limitations of section 6511). In the case of a credit or refund as a result of an amendment, or conformation made pursuant to this section, no interest shall be allowed for the period prior to the expiration of the 180th day after the date on which the claim for credit or refund is filed.

(g) If a governing instrument is amended under this section then, except as provided in paragraph (h)(2) of this section, the amount of the deduction allowable under this section shall be the amount that equals the value of the interest which, under the rules of section 2055 (including the rules governing disclaimers) passes to, or for the use of, an organization described in section 2055(a).

(h)(1) In the case of a will executed before September 21, 1974, or a trust created (within the meaning of applicable local law) before such date and after July 31, 1969, that creates an interest for which a deduction would be allowable under section 2055(a) but for section 2055(e)(2)(A), if the date of death of the decedent is prior to January 1, 1976, and if on or before the filing date of the estate tax return (including any extension thereof)—

(i) The interest is in a charitable trust which, if a deduction under section 2055(a) had been allowed, would be in a trust described in section 4947(a)(1), or

(ii) Such interest passes directly to a person or for a use described in section 2055(a) (as, for example, by reason of the termination of an intervening interest),

the governing instrument shall be treated as if it were amended or conformed pursuant to paragraph (a) of this section and a deduction shall be allowed. See section 508(d)(2) and § 1.508(b) for the disallowance of such a deduction in the case of an interest in a trust described in section 4947(a)(1) if the governing instrument fails to meet the requirements of section 508(e) by the end of the taxable year of the trust in which the filing date of the estate tax return occurs. A governing instrument treated as amended under this paragraph may not thereafter be amended. The provisions of this paragraph shall not apply if the requirements of subdivision (i) or (ii) of this paragraph (h)(1) are satisfied as a result of an amendment of a dispositive provision of the governing instrument occurring since the date of death of the decedent.

(2) The amount of the deduction for a transfer which is treated under this paragraph as if it were amended will be determined as if the transfer were a charitable remainder annuity trust which provides an annuity of 6 percent of the initial fair market value payable from the date of death—

(i) In the case of a transfer providing a life estate, for the expected lives of the noncharitable beneficiaries as determined on the date of death of the decedent, or

(ii) In the case of a transfer providing a term of years, for the term of years as expressed in the governing instrument, but not to exceed 20 years.

Any distributions made to a recipient from the date of death of the decedent to the date on which the transfer is deemed to be amended (i.e., the date the transfer satisfies the requirements of paragraph (h)(1) of this section) must be taken into account under this subparagraph (2) in determining the amount of the deduction to the extent that the adjustments in such distributions required by paragraph (d) of this section, determined as if the charitable remainder annuity trust were deemed created at the date of death of the decedent, have not been made on or before the filing date of the estate tax return.

Because of the need for immediate guidance with respect to the provisions contained in this Treasury decision, it is found impracticable to issue it with notice and public procedure thereon under subsection (b) of section 553 of title 5 of the United States Code or subject to the effective date limitation of subsection (d) of that secion.

(Sections 2055(e)(3) and 7805 of the Internal Revenue Code of 1954 (68A Stat. 917; 26 U.S.C. 7805).)

DONALD C. ALEXANDER,
Commissioner of Internal Revenue.

Approved: December 15, 1975.

CHARLES M. WALKER,
Assistant Secretary of the Treasury.

[FR Doc.75-34204 Filed 12-16-75;11:23 am]

Title 29—Labor

SUBTITLE A—OFFICE OF THE SECRETARY OF LABOR

PART 97—SPECIAL FEDERAL PROGRAMS AND RESPONSIBILITIES UNDER THE COMPREHENSIVE EMPLOYMENT AND TRAINING ACT

Indian Manpower Programs; Allowable Federal Costs; New Limitations Thereon

On October 9, 1975, the Department published at 40 FR 47744 three proposed amendments to 29 CFR 97.161 *Allowable Federal costs* for the Indian Manpower programs under the Comprehensive Employment and Training Act of 1973, as amended, 29 U.S.C. 801.

The Department accepted comments on the proposed amendments until November 12, 1975. Only three comments were received. One comment suggested that the proposed travel regulations be clarified without specifying what was not clear. The Department, however, believes that the proposed regulation is clear, and in the absence of specific suggestions is making no change. Two comments objected to the proposed regulation on space valuation as unduly restrictive. The Department has relaxed this requirement by revising § 97.161(f)(6)(i).

Accordingly 29 CFR 97.161 is amended as set forth below.

This revision shall become effective on January 19, 1976.

Signed at Washington, D.C., this 15th day of December, 1975.

JOHN T. DUNLOP,
Secretary of Labor.

§ 97.161 Allowable Federal costs.

* * * * *

(b) * * *

(3) No funds grants under this subpart may be used, either directly or indirectly, for purposes of obtaining consulting or technical assistance subgrants or contracts without prior written approval of the Division of Indian Manpower Programs. Requests for approval of such subgrants or contracts shall contain a detailed explanation as to the need for such consultant or technical assistance services and a reason why such services cannot be provided without such subgrants or contracts. The request shall also include a resume of the qualifications of the proposed consulting or technical assistance organization. The total proposed costs of such services must be reasonable in relation to the total administrative costs of the prime sponsor's grant.

* * * * *

(f) * * *

(6) * * *

(i) * * * The value of space owned by a prime sponsor or a member of a consortium and used for purposes of a section 302 program may be an allowable cost chargeable to the grant if the cost is approved in advance as reasonable by the Division of Indian Manpower Programs.

* * * * *

(f) * * *

(7) *Travel regulations.* The following travel regulations apply to all prime sponsors:

(i) *Advance approval.* All grantee, subgrantee or contractor payments for travel by employees, consultants, and members of boards or councils shall be approved in advance by the responsible official designated by the grantee.

(ii) *Out-of-State travel.* All out-of-State travel (in the case of multistate grantees, all travel out of the geographic

area of the grant) must be specifically approved in writing in advance by the Division of Indian Manpower Programs.

(iii) *Travel outside the geographic area of the grant* must be for programmatic purposes, viz.: job development, contract negotiations, administration of subgrants and contracts, etc. Travel outside the geographic area of the grant for nonprogrammatic purposes, viz.: training sessions, conferences, board meetings, consultation, etc., must be specifically approved in writing, in advance by the Division of Indian Manpower Programs.

(iv) *Travel policies.* All grantees, subgrantees and contractors are required to follow the travel policies set forth in the Standardized Government Travel Regulations (SGTR). Where a grantee, subgrantee or contractor has more restrictive requirements, the latter shall be followed.

(v) *Mileage costs.* Mileage costs for the use of privately owned automobiles shall be paid in accordance with prevailing rates in the community. In no event, however, shall the rates exceed those provided for in the SGTR.

(vi) *First-class travel.* Less than first-class travel accommodations shall be used in all instances except when:

(A) These accommodations do not exist or are not available within a reasonable time;

(B) Less than first-class travel would result in high overall costs because of required routing, time urgency, baggage differential, or other factors; or

(C) The physical condition of the traveler or other extenuating circumstances require the use of first-class travel.

(vii) *Per diem rates.* (A) Per diem rates shall be established by the prime sponsor based on the following factors:

(1) Cost of meals and lodging in the locality;

(2) Availability of meals and lodging at temporary duty locations without charge, or at nominal costs; and

(3) Extended duty at a place where the traveler may obtain accommodations at reduced rates.

(B) In no event shall per diem rates exceed the maximum established by the Standardized Government Travel Regulations for travel within the Continental United States and by the Civilian Personnel Per Diem Bulletin (Department of Defense) for travel within or to Hawaii and Puerto Rico.

[FR Doc.75-34296 Filed 12-18-75;8:45 am]

CHAPTER II—OFFICE OF THE ASSISTANT SECRETARY FOR LABOR-MANAGEMENT RELATIONS, DEPARTMENT OF LABOR

PART 204—STANDARDS OF CONDUCT

Reporting Requirements

On page 19993 of the FEDERAL REGISTER of May 7, 1975, there was published an amendment which revoked §§ 204.3 through §§ 204.25 and inserted a new §§ 204.3. Section 204.3 provides that labor organizations subject to Executive Order 11491 as amended by Executive Order 11616 file the same reports and on the same forms as required for labor organizations in the private sector under Parts 402, 403 and 408 of Chapter IV of Title 29. Labor organizations subject to the Executive Order were advised to continue to report on the G forms until such time as the revised LM forms were approved. Notice is hereby given that the LM forms are approved and labor organizations subject to the Executive Order shall file reports in accordance with 29 CFR 204.3.

Copies of the reporting forms are filed herewith and are available from the Office of Labor-Management Standards Enforcement, Room N5603, Department of Labor, 3rd and Constitution Avenue, NW., Washington, D.C. 20216.[1]

Effective date. The use of LM reporting forms as required by 29 CFR 204.3 is effective December 31, 1975. I find the following is good cause for not giving thirty days notice after publication in the FEDERAL REGISTER.

The regulation was published on May 7, 1975, and the proposed forms and instructions were published in the FEDERAL REGISTER on December 3, 1974, for notice and comment. There have subsequently been no important substantive changes in the forms or the instructions.

Pursuant to section 207 of the LMRDA labor organizations have ninety days from the end of their fiscal year to file the reports required by section 201 of the Act; consequently, a waiver of the 30-day delayed effective date will not impose an undue burden on the labor organizations.

In order to achieve a uniform basis for reporting and statistical data, use of the revised forms is required from the beginning of the calendar year. Approximately 70 percent of the reporting labor organizations have a fiscal year ending December 31.

The stock of the current labor organization annual report forms is virtually exhausted and is therefore insufficient to supply all the labor organizations whose fiscal year ends on December 31.

Weighing the inconvenience to the unions and the benefits to the Government, I find, pursuant to 5 U.S.C. 553 (d)(3), this is good cause for requiring use of the LM forms for reporting information effective on December 31, 1975.

Signed at Washington, D.C. this 16th day of December, 1975.

PAUL J. FASSER, Jr.,
Assistant Secretary of Labor for Labor-Management Relations.

[FR Doc.75-34297 Filed 12-18-75;8:45 am]

[1] Forms filed as part of the original document.

CHAPTER IV—OFFICE OF LABOR-MANAGEMENT STANDARDS ENFORCEMENT

LABOR ORGANIZATIONS

Reports

On pages 41934 and 41935 of the FEDERAL REGISTER of December 3, 1974, there was published a notice of proposed amendments to §§ 402.1, 402.3, and 402.4 of Part 402; § 403.4 of Part 403; §§ 408.6 and 408.8 of Part 408, of Chapter IV, Title 29.

The change to §§ 402.1 and 402.3 deleted dates which are no longer applicable to the filing of reports. Section 403.4 was changed to apply to labor organizations subject solely to Executive Order 11491, as amended, as well as to Postal Unions.

Section 408.6 was changed to provide for the filing of Form 1A, if required, at the same time the annual financial report was filed on behalf of a labor organization in Trusteeship.

Section 408.8 was changed to clarify the use of the Form 15A at the time a trusteeship is terminated.

In addition, in § 402.4 it was proposed to use a new Form 1A for reporting certain amendments to the information reports; and to make certain other changes in the LM—1, LM—2, LM—3, and LM—16 and to the instructions for completing the required forms.

The following are among the changes that were made on the reporting forms and in the instructions in response to comments received after publication of the proposed forms and instructions on December 3, 1974, in the FEDERAL REGISTER (39 FR 41934). An item for providing additional information was added on Forms LM–1 and LM–1A in response to comments in order to reduce the need for attaching separate sheets. A definition of "work permits" and "transfer fees" was added to the instructions for Forms LM–1, LM–2 and LM–3 to clarify the type of information desired in the question on those forms pertaining to fees and dues required. The question concerning the next regular election of officers which had previously been added to Forms LM–2 and LM–3 has also been added to the Form LM–1A. In response to several comments, a cash reconciliation worktable was added to the instructions for the Form LM–3 to assist filers in determining whether they have correctly filled out the financial information section of the form. The instructions for completing column (E) "fair market value" of Schedule 5 "fixed assets" on Form LM–2 was separated into "Cash on hand" and "Cash in banks" to provide separate information on these two categories of cash as is done in the present Form LM–2 in order to facilitate the collection of statistical data and "Statement C—Cash" was changed accordingly. In response to a comment objecting to our treatment of mortgages as inadequate, the definition of mortgages was made less restrictive.

A number of minor editorial changes were also made in the forms and the instructions. The name of the Office of Labor-Management and Welfare-Pension Reports was changed to the Office of Labor-Management Standards Enforcement and the ZIP code was changed to reflect a reorganization and relocation of the Office. The letters "LM" before file numbers were dropped since they will no longer be used. On the statements on Form LM–2 a "cents" column was added with "XX" in it to make it clear to filers that amounts are to be given in dollars only. On Form LM–3 Item 42 "loans made by your organization" and Item 43 "payments for benefits" were reversed so that the order in which these items are listed would be the same as on the Form LM–2. Clarifying language was added at several places including Item 20 on Form LM–2 and Item 18 on Form LM–3 concerning the filing of Form LM–1A, LM–2, and LM–3; and regarding the city, county, and state where the union is chartered to operate.

The following comments are among those that were considered but were not acted upon. An objection was received to the concept of Form LM–1A which was rejected since it has been determined that Form LM–1A will perform a vital function in providing more accessible updating for public disclosure purposes of the information provided on Form LM–1 and will permit the disposal of outdated annual reports. Significant changes in format and information on Forms LM–2 and LM–3 were suggested so that the gathering of information for estimating Gross National Product could be improved. In general these comments were rejected because computer printouts could provide much of the requested information. The proposed instructions for reporting of expenses of union-used cars were objected to on the basis that they impose too great of a burden on the reporting unions. No changes were made to these instructions as the information requested has always been required but has not been specifically set forth. An objection to the question requiring unions to report any discovery of a loss or shortage of union funds or other property was rejected because the question will provide needed information. A request to extend the filing period and to increase the $10,000 base at which salaries to employees must be itemized was rejected since these matters are established by statute.

Copies of these forms, which are filed herewith, are available from the Office of Labor-Management Standards Enforcement, Room N–5603, Department of Labor, 3rd and Constitution Avenue NW., Washington, D.C. 20216.[1]

Effective date. These amendments and the requirements for the use of the reporting forms shall be effective on December 31, 1975. I find that the following constitutes good cause for making these regulations and use of the forms effective less than 30 days after publication in the FEDERAL REGISTER:

The regulations and proposed forms and instructions were published in the FEDERAL REGISTER on December 3, 1974, for notice and comment, and there have subsequently been no important substantive changes in the forms or the instructions.

Pursuant to section 207 of the LMRDA labor organizations have ninety days from the end of their fiscal year to file the reports required by section 201 of the Act; consequently, a waiver of the 30-day delayed effective date will not impose an undue burden on the labor organizations.

In order to achieve a uniform basis for reporting and statistical data, use of the revised forms is required from the beginning of the calendar year. Approximately 70% of the reporting labor organizations have a fiscal year ending December 31.

The stock of the current labor organization annual report forms is virtually exhausted, and is therefore insufficient to supply all the labor organizations whose fiscal year ends on December 31.

Weighing the inconvenience to the unions and the benefits to the government, I find, pursuant to 5 U.S.C. 553(d)(3), there is good cause for making these amendments to the regulations and the requirement for the use of the reporting forms effective on December 31, 1975.

Interested persons were invited to submit written comments before January 10, 1976. No written objections were received to the proposed regulations and they are hereby adopted without change and are set forth below.

Signed at Washington, D.C., this 16th day of December 1975.

PAUL J. FASSER, Jr.,
Assistant Secretary of Labor for Labor-Management Relations.

PART 402—LABOR ORGANIZATION INFORMATION REPORTS

§§ 402.1, 402.3 [Amended]

1. Sections 402.1 and 402.3 of Part 402 are amended by deleting from both sections the words "not later than December 14, 1959, or" and "whichever is later."

2. Section 402.4 of Part 402, Chapter IV, Title 29 is revised to read as follows:

§ 402.4 Subsequent reports.

Every labor organization shall update the information filed in its information report (Form LM–1), by filing two copies of Form LM–1A, entitled "Report of Current Status: Labor Organization Information Supplement," together with two copies of any documents called for by that form, at the time such labor organization files its first annual financial report following the effective date of this section as amended. Subsequently, two copies of a Form LM–1A together with documents prescribed by the instructions to that form shall be filed for each reporting period in which there have been changes in the constitution and bylaws or in the practices or procedures for which separate statements must be filed pursuant to subsection 201(a)(5) (A) through (M) of the Labor-Management Reporting and Disclosure Act. Such subsequent reports shall be filed when the labor organization files its annual financial report as provided in Part 403 of this chapter. Reports on Form LM–1A shall be signed by the president and treasurer or corresponding principal officers of the labor organization filing the reports.

PART 403—LABOR ORGANIZATION ANNUAL FINANCIAL REPORTS

§ 403.4 [Amended]

3. Section 403.4(b) of Part 403, Chapter IV, Title 29 is amended by adding the words "subject solely to Executive Order 11491, as amended, or" after the words "A local labor organization" in the first clause.

PART 408—LABOR ORGANIZATION TRUSTEESHIP REPORTS

4. Section 408.6 of Part 408, Chapter IV, Title 29 is revised to read as follows:

§ 408.6 Amendments to the Labor Organization Information Report filed by or on behalf of the subordinate labor organization.

During the continuance of a trusteeship, the labor organization which has assumed trusteeship over a subordinate labor organization, shall file with the Office of Labor-Management and Welfare-Pension Reports on behalf of the subordinate labor organization any change in the information required by Part 402 of this chapter by filing the Form LM–1A, if required, at the same time it files the annual financial report referred to in § 408.5.

5. Section 408.8 of Part 408, Chapter IV, Title 29 is revised to read as follows:

§ 408.8 Terminal trusteeship information report.

There shall be filed at the same time that the terminal trusteeship financial report is filed a terminal trusteeship information report on Form LM–16. If in answer to Item 6 of Form LM–16, there was (a) a convention or other policy determining body to which the subordinate organization sent delegates or would have sent delegates if not in trusteeship or (b) an election of officers of the labor organization assuming trusteeship, Form LM–15A should be used to report the required information with respect thereto.

(Sections 201, 208, 301, 73 Stat. 524, 529, 530, 29 U.S.C. 431, 438, 461 and Secretary's Order No. 11–72 (May 12, 1972))

[FR Doc.75–34298 Filed 12–18–75;8:45 am]

[1] Forms filed as part of the original document.

Title 33—Navigation and Navigable Waters

CHAPTER I—COAST GUARD, DEPARTMENT OF TRANSPORTATION

[CGD 75–052]

PART 117—DRAWBRIDGE OPERATION REGULATIONS

Passaic River, N.J.

This amendment changes the regulations for the Gregory Avenue drawbridge across the Passaic River, mile 14.0, to

permit the draw to be maintained in a permanently closed position. This amendment was circulated as a public notice dated April 9, 1975 by the Commander, Third Coast Guard District, and was published in the FEDERAL REGISTER as a notice of proposed rule making (CGD 75-052) on April 4, 1975, (40 FR 15093). Five responses were received. Three had no objection, while two objected. A thorough on-site survey of these objections found them to be without substantial foundation. The objectors were requested to comment again based on these findings. No response was received from either of them.

Accordingly, Part 117 of Title 33 of the Code of Federal Regulations is amended by revising paragraph (f) (2) of § 117.225 to read as follows:

§ 117.225 Navigable waters in the State of New Jersey; bridges where constant attendance of draw tenders is not required.

* * * * *

(f) * * *

(2) *Passaic River.* Passaic and Bergen Counties highway bridges at Gregory Avenue, Second Street and West Eighth Street, Passaic. The draws need not open for the passage of vessels, and paragraphs (b) through (e) of this section shall not apply to these bridges.

* * * * *

(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))

Effective date. This revision shall become effective on January 19, 1976.

Dated: December 12, 1975.

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

[FR Doc.75-34225 Filed 12-18-75;8:45 am]

Title 43—Public Lands: Interior

CHAPTER II—BUREAU OF LAND MANAGEMENT

APPENDIX—PUBLIC LAND ORDERS

[Public Land Order 5564; AA-890]

ALASKA

Revocation of Executive Order No. 2553; Amendment of Public Land Order No. 5554

By virtue of the authority vested in the President, and pursuant to Executive Order No. 10355 of May 26, 1952 (17 FR 4831), and section 14(h) of the Alaska Native Claims Settlement Act of December 18, 1971, 85 Stat. 688, 704 (hereinafter referred to as the Act), it is ordered as follows:

1. Executive Order No. 2553 of March 21, 1917, which withdrew lands in Alaska, covered by U.S. Survey No. 484 in connection with the U.S. Wireless Telegraph Service, is hereby revoked in its entirety, except as to the following described lands, which are now under the jurisdiction of the Federal Aviation Administration:

SEWARD MERIDIAN

T. 28 S., R. 19 W. (Fractional), U.S. Survey No. 484;
Beginning at M.C. No. 1 of U.S. Survey No. 484; thence S. 88°29' E., 3,564 ft. to Corner No. 1, the true point of beginning; thence S. 55°26' E., 175 ft. to Corner No. 2; thence N. 35°17' E., 125 ft. to Corner No. 3; thence N. 55°26' W., 175 ft. to Corner No. 4; thence S. 35°17' W., 125 ft. to the point of beginning; containing approximately ½ acre.

2. Public Land Order No. 5554 of December 10, 1975, withdrawing certain lands so that the Natives of Kodiak, Inc., may select from those lands under the provisions of section 14(h)(3) of the Act, is hereby amended to include the lands revoked in paragraph 1 of this order, and the said lands are expressly made subject to all of the terms and conditions of that order. The total areas described in Public Land Order No. 5554, as amended by this order, still aggregate approximately 46,080 acres, of which the Natives of Kodiak, Inc., may select no more than 23,040 acres.

JACK O. HORTON,
Assistant Secretary of the Interior.

DECEMBER 16, 1975.

[FR Doc.75-34214 Filed 12-18-75;8:45 am]

[Public Land Order 5563]

ALASKA

Amendment of Executive Order No. 5389, as Amended

By virtue of the authority vested in the President and pursuant to Executive Order No. 10355 of May 26, 1952 (17 FR 4831), it is ordered as follows:

Executive Order No. 5389 of July 7, 1930, as amended by Public Land Order No. 399 of August 20, 1947, which withdrew certain public lands in Alaska containing hot or medicinal springs, is hereby further amended and modified to the extent necessary to permit the withdrawal of lands under sections 11(a)(3) and 14(h) of the Alaska Native Claims Settlement Act of December 18, 1971, 85 Stat. 688, 696, 704, and selections under sections 12 or 14(h) of that Act, and all withdrawals heretofore made pursuant to sections 11(a)(3) or 14(h) of that Act, and not revoked, are hereby affirmed as of the date of this order.

JACK O. HORTON,
Assistant Secretary of the Interior.

DECEMBER 16, 1975.

[FR Doc.75-34213 Filed 12-18-75;8:45 am]

[Public Land Order 5562]

ALASKA

Amendment of Executive Order No. 5327, as Amended

By virtue of the authority vested in the President and pursuant to Executive Order No. 10355 of May 26, 1952 (17 FR 4831), it is ordered as follows:

Executive Order No. 5327 of April 15, 1930, as amended, which withdrew deposits of oil shale and lands containing such deposits owned by the United States, so far as it relates to lands in the State of Alaska, is hereby further amended and modified to the extent necessary to permit the withdrawal of lands under sections 11(a)(3) and 14(h) of the Alaska Native Claims Settlement Act of December 18, 1971, 85 Stat. 688, 696, 704, and selections under sections 12 or 14 of that Act, and all withdrawals heretofore made pursuant to sections 11(a)(3) or 14(h) of that Act and not revoked, are hereby affirmed as of the date of this order.

JACK O. HORTON,
Assistant Secretary of the Interior.

DECEMBER 16, 1975.

[FR Doc.75-34212 Filed 12-18-75;8:45 am]

[Public Land Order 5561]

ALASKA

Withdrawal for Classification or Reclassification of Some Areas Withdrawn by Section 11 of Alaska Native Claims Settlement Act

By virtue of the authority vested in the President and pursuant to Executive Order No. 10355 of May 26, 1952 (17 FR 4831), it is ordered as follows:

1. Except as otherwise provided in paragraph 3 of this order, all those lands withdrawn by section 11(a)(1) of the Alaska Native Claims Settlement Act of December 18, 1971, 85 Stat. 688, 696, (hereinafter referred to as the Act), and all those lands withdrawn by the Secretary of the Interior under the provisions of section 11 of the Act which are withdrawn as of December 16, 1975, are hereby further withdrawn from settlement, entry, location, or disposal under the public land laws including the mining and mineral leasing laws and from selection by the State of Alaska under the Alaska Statehood Act, 72 Stat. 339, but not from disposal under the Act. The lands are reserved for the purpose of completing the administration of the Act.

2. On March 31, 1976, all those lands not under pending application for Native selection shall become available for State selection unless otherwise provided in any statute, regulation, court decree, contract, or public land order.

3. Public Land Order No. 5252 of September 16, 1972, which identifies lands that may be selected by the State of Alaska following selection by the appropriate regional corporations, is not affected by this order.

4. Prior to the conveyance of any lands described in paragraph 1 of this order, the lands shall remain subject to administration by the Secretary of the Interior under applicable laws and regulations and his authority to make contracts and to grant leases, permits, rights-of-way, or easements shall not be impaired by this order. Applications for leases under the Mineral Leasing Act,

supra, will be rejected until this order is modified or the lands are appropriately classified to permit mineral leasing.

JACK O. HORTON,
Assistant Secretary of the Interior.

DECEMBER 16, 1975.

[FR Doc.75-34211 Filed 12-18-75;8:45 am]

Title 47—Telecommunication

CHAPTER I—FEDERAL

[FCC 75-1336]

COMMUNICATIONS COMMISSION

PART 0—COMMISSION ORGANIZATION

Privacy Act of 1974

1. The subject amendment is designed to further implement the Privacy Act of 1974, Pub. L. 93-579, December 31, 1974, 5 U.S.C. 552a by providing a means of administrative review in the event that a determination is made denying an individual access to his or her records. The Commission feels that such an opportunity to seek administrative review is consuming alternative course of action preferable to the more costly and time set out in the Act which requires a person who has had his or her request for access rejected to seek relief through the district courts of the United States.

2. Authority to amend Commission Rules is contained in sections 4(i), (j) and 303(r) of the Communications Act, as amended, 47 U.S.C. 154(i), (j) and 303(r).

3. Because the subject amendment is procedural in nature, compliance with the prior notice and effective date requirements of 5 U.S.C. 553 is not required.

4. In view of the foregoing, *It is ordered*, That the amendment to Part 0 of the rules set out below is adopted, effective December 24, 1975.

Adopted: December 9, 1975.

Released: December 16, 1975.

(Secs. 4, 5, 303, 48 Stat., as amended, 1066, 1068, 1082 (47 U.S.C. 154, 155, 303))

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

Section 0.555(e) is added to read as follows:

§ 0.555 Disclosure of record information to individuals.

* * * * *

(e) In the event that a determination is made denying an individual access to his or her records for any reason, such individual may either:

(1) Seek administrative review of the adverse determination. Such a request shall be in writing and should be addressed to the system manager who made the initial decision. In addition, the request for review shall state specifically why the initial decision should be reversed.

(2) Seek judicial relief in the district courts of the United States pursuant to paragraph (g)(1)(B) of the Act.

[FR Doc.75-34241 Filed 12-18-75;8:45 am]

[Docket No. 20360; RM-2342]

PART 73—RADIO BROADCAST SERVICES

FM Broadcast Stations, Table of Assignments, Calif.

1. The Commission has before it for consideration the notice of proposed rulemaking adopted February 14, 1975 (40 FR 7945), inviting comments on a proposal to assign Channel 265A to Palm Springs, California, as its second FM channel assignment. This proceeding was instituted by a petition from KPSI Radio Corporation, licensee of AM Station KPSI, Palm Springs. Supporting comments were filed by the petitioner. No oppositions were submitted.

2. Palm Springs, population 20,936,[1] is located in Riverside County, population 459,074, approximately 110 miles east of Los Angeles and 87 miles north of the United States-Mexico boundary. It is a popular tourist center in the Upper Coachella Valley in Riverside County. Local aural service is provided by three AM stations—KCMJ (Class II, unlimited-time), KDES (Class III, unlimited-time); and KPSI (Class IV, unlimited-time) licensed to petitioner; and FM Station KDES-FM (Channel 284). Channel 265A could be assigned to Palm Springs in conformity with the Commission's minimum mileage separation requirements.

3. Petitioner has adduced sufficient evidence to support the assignment of a second FM channel to Palm Springs. Relevant economic data were set forth in the notice. Certain additional facts are provided by petitioner regarding Palm Springs' significant growth during the last few years. We are told that as of 1972, the city's permanent population was 23,100 and in 1973, that total had risen to 25,850. From 1970 to 1973, Palm Springs' population increased 23.5% according to data furnished by petitioner. The city also continues to be an important tourist center as evidenced by statistics furnished regarding airport passenger traffic and retail sales.

4. The assignment of Channel 265A to Palm Springs will cause preclusion on co-Channel 265A as stated in the notice, affecting four cities without FM assignments. Each of the affected cities, however, either already receives adequate service from nearby stations or will receive city-grade service from the assignment herein. In addition, Channel 292A would be available for future assignment to any of the communities should there be a demand.

[1] Population figures are from the 1970 U.S. Census, unless otherwise indicated.

5. The present assignment will result in an intermixture of classes of channels at Palm Springs. However, as petitioner notes, a facility site can be selected on high terrain so as to achieve parity of coverage area with the existing Class C channel. Thus we do not believe that an undesirable competitive situation would result. Petitioner has reaffirmed its intention to apply for a construction permit and to build a station promptly if its application is granted.

6. We believe that the public interest would be served by the assignment of Channel 265A to Palm Springs as a second FM channel. Pursuant to the United States-Mexican FM Broadcasting Agreement, Mexican concurrence has been obtained.

7. In view of the foregoing and pursuant to authority contained in sections 4(i), 5(d)(1), 303(g) and (r) and 307(b) of the Communications Act of 1934, as amended, and § 0.281(b)(6) of the Commission's rules; *it is ordered*, That effective January 30, 1976, the FM Table of Assignments, § 73.202(b) of the rules is amended to read as follows for the city listed below:

City:	*Channel No.*
Palm Springs, Calif.	265A, 284

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

(Secs. 4, 5, 303, 307, 48 Stat., as amended, 1066, 1068, 1082, 1083 (47 U.S.C. 154, 155, 303, 307))

Adopted: December 11, 1975.

Released: December 16, 1975.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] WALLACE E. JOHNSON,
Chief, Broadcast Bureau.

[FR Doc.75-34242 Filed 12-18-75;8:45 am]

Title 49—Transportation

CHAPTER III—FEDERAL HIGHWAY ADMINISTRATION, DEPARTMENT OF TRANSPORTATION

SUBCHAPTER B—FEDERAL MOTOR CARRIER SAFETY REGULATIONS

[Docket No. MC-67; Notice No. 75-26]

PART 391—FEDERAL MOTOR CARRIER SAFETY REGULATIONS

Intrastate Drivers of Vehicles Transporting Combustible Liquids; Correction

In FR Doc. 75-31889 appearing at page 54796 in the FEDERAL REGISTER of November 26, 1975, the section numbers reading § 391.69 at line 8 and § 391.69 at line 10 in the third column are corrected to read § 391.71 and § 391.71 consecutively.

Dated: December 11, 1975.

ROBERT A. KAYE,
Director, Bureau of Motor Carrier Safety.

[FR Doc.75-34196 Filed 12-18-75;8:45 am]

proposed rules

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

DEPARTMENT OF THE TREASURY

Customs Service

[19 CFR Part 152]

CERTAIN FOOTWEAR

Determination of the American Selling Price

Notice is hereby given that under the authority of R.S. 251, as amended (19 U.S.C. 66), sections 336, 624, 46 Stat. 701, as amended, 759 (19 U.S.C. 1336, 1624), and 77A Stat. 332 (19 U.S.C. 1202 (Schedule 7, Part 1, Subpart A, Headnote 3(b), Tariff Schedules of the United States)), it is proposed to amend section 152.24 of the Customs Regulations (19 CFR 152.24) to set forth procedures for determining the American selling price of footwear classifiable under item 700.60, Tariff Schedules of the United States (19 U.S.C. 1202).

Section 152.24(a) of the Customs Regulations provides that the value of certain types of footwear provided for in item 700.60, Tariff Schedules of the United States, shall be appraised on the basis of the American selling price of like or similar domestic footwear. The proposed amendment provides that in order to ensure consideration of their merchandise in making a determination regarding the existence or nonexistence of an American selling price, domestic producers of such footwear should furnish the Area Director, New York Seaport Area with catalogs, price lists, and, if requested by the Area Director, samples of their footwear products to enable the United States Customs Service to make the most accurate determination possible in regard to the applicability of an American selling price. The proposal would also require importers of footwear classifiable under item 700.60, Tariff Schedules of the United States, to furnish the appropriate Customs officer at the port of entry with a sample from the first commercial shipment of each make of such footwear. The samples would then be forwarded to the Area Director, New York Seaport Area, for determination of the American selling price.

Once the Area Director has made a determination regarding the existence or nonexistence of an American selling price, the proposed amendment provides that the importer or domestic producers may, if they disagree with the determination, request that the Area Director seek advice or guidance from Headquarters, United States Customs Service.

Accordingly, it is proposed to amend § 152.24 of the Customs regulations (19 CFR 152.24) by adding a new paragraph (c) to read as follows:

§ 152.24 American selling price.

* * * * *

(c) *Determination of American selling price of footwear classifiable under item 700.60, Tariff Schedules of the United States.*—(1) *Submission of samples, catalogs, and price lists by domestic producers.* In order to ensure consideration of their merchandise in making a determination regarding the existence or nonexistence of an American selling price, domestic producers of footwear of the same class or kind as that classifiable under item 700.60, Tariff Schedules of the United States (19 U.S.C. 1202), should furnish the Area Director, New York Seaport Area, with all catalogs and price lists covering such footwear. If any catalogs or price lists furnished to the Area Director have been revised or amended, such revisions or amendments should be forwarded promptly to the Area Director, New York Seaport Area. At the request of the Area Director, New York Seaport Area, domestic producers should furnish samples of footwear of the same class or kind as that provided for in item 700.60. Accompanying the catalogs and price lists shall be a certification by the domestic producer, in substantially the following form, verifying that the footwear products covered are freely offered for sale for domestic consumption at the prices shown:

CERTIFICATION

I hereby certify that the enclosed information on production and price of footwear truly and accurately represents a presently produced article, freely offered for sale for domestic consumption to all purchasers at _____ (place where the greatest number of individual sales takes place), in the ordinary course of trade, in the usual wholesale quantities, without restrictions as to the disposition, use, or resale price of the merchandise by the purchasers.

I further certify that I will submit information regarding any change in the status of this product as it occurs.

_____
(signed)

_____
(title)

_____
(company)

_____
(date)

The Area Director may, at his discretion, request the Regional Director (Investigations) to verify by investigation all representations made in regard to any samples, catalogs, and price lists submitted.

(2) *Submission of samples by importers.* Importers of footwear classifiable under item 700.60, Tariff Schedules of the United States, shall furnish the appropriate Customs officer at the port of entry with a sample from the first commercial shipment of each make of such footwear imported into the United States. The samples will then be forwarded to the Area Director, New York Seaport Area, for determination of the American selling price.

(3) *Notification of Area Director's determination.* When the Area Director, New York Seaport Area, has determined the American selling price applicable to a particular sample, or has determined that the footwear is not like or similar to a domestic product, and therefore not subject to appraisement on the basis of American selling price, he shall notify the importer and domestic producers of such footwear of this determination. He shall not provide information with respect to the manufacturer, importer, or price of the imported product.

(4) *Examination of samples.* Within 15 days of notification of the Area Director's determination in regard to the applicability of an American selling price, the importer and domestic producers shall have an opportunity to examine representative samples of the footwear submitted by the importer and domestic producers which were considered by the Area Director in making his determination.

(5) *Request by importer or domestic producers that the Area Director seek internal advice.* The importer or domestic producers may, if they disagree with the Area Director's determination regarding the applicability of an American selling price, request that the Area Director seek internal advice from Headquarters, United States Customs Service, in accordance with the procedures set forth in section 177.11 of this chapter, provided the request by the importer or the domestic producers is received within 30 days of notification of the Area Director's determination.

Data, views, or arguments with respect to the foregoing proposal may be addressed to the Commissioner of Customs, Attention: Regulations Division, Washington, D.C. 20229. To ensure consideration of such communications, they must be received not later than January 19, 1976.

Written material or suggestions submitted will be available for public inspection in accordance with § 103.8(b) of the Customs Regulations (19 CFR

103.8(b)), at the Regulations Division, Headquarters, United States Customs Service, Washington, D.C. during regular business hours.

G. R. DICKERSON,
Acting Commissioner of Customs.

Approved: November 5, 1975.

DAVID R. MACDONALD,
Assistant Secretary of the Treasury.

[FR Doc.75-34210 Filed 12-18-75;8:45 am]

Internal Revenue Service

[26 CFR Parts 1, 20]

TRANSFERS FOR PUBLIC, CHARITABLE AND RELIGIOUS USES

Notice of Proposed Rule Making

Notice is hereby given that the regulations set forth in tentative form below are proposed to be prescribed by the Commissioner of Internal Revenue, with the approval of the Secretary of the Treasury or his delegate. Prior to the final adoption of such regulations, consideration will be given to any comments pertaining thereto which are submitted in writing (preferably six copies) to the Commissioner of Internal Revenue, Attention: CC:LR:T, Washington, D.C. 20224, by January 23, 1976. Pursuant to 26 CFR 601.601 (b), designations of material as confidential or not to be disclosed, contained in such comments, will not be accepted. Thus, persons submitting written comments should not include therein material that they consider to be confidential or inappropriate for disclosure to the public. It will be presumed by the Internal Revenue Service that every written comment submitted to it in response to this notice of proposed rule making is intended by the person submitting it to be subject in its entirety to public inspection and copying in accordance with the procedures of 26 CFR 601.702(d)(9). Any person submitting written comments who desires an opportunity to comment orally at a public hearing on these proposed regulations should submit a request, in writing, to the Commissioner by Jan. 23, 1976. In such case, a public hearing will be held, and notice of the time, place, and date will be published in a subsequent issue of the FEDERAL REGISTER, unless the person or persons who have requested a hearing withdraw their requests for a hearing before notice of the hearing has been filed with the Office of the Federal Register. The proposed regulations are to be issued under the authority contained in sections 2055 (e) (3) and 7805 of the Internal Revenue Code of 1954 (68A Stat. 917; 26 U.S.C. 7805).

DONALD C. ALEXANDER,
Commissioner of Internal Revenue.

This document contains proposed amendments to the Income Tax Regulations (26 CFR Part 1) and the Estate Tax Regulations (26 CFR Part 20) to conform such regulations to the provisions of section 2055 (e) (3) as added by section 3, Act of Oct. 26, 1974 (P.L. 93-483).

Section 2055 (e) (2) (A) of the Code disallows an estate tax deduction for certain transfers to charity if the transfer is not in the form either of a charitable remainder trust that complies with section 664 of the Code or a pooled income fund that complies with section 642 (c) (5) of the Code.

The new amendment to section 2055 is a relief provision which, in certain limited cases, extends until December 31, 1975, the transitional period originally allowed under the Tax Reform Act of 1969 to amend or conform a trust to the provisions of section 664 of the Code.

The relief provision applies to any interest for charitable purposes which passes under a will executed before September 21, 1974, or by an intervivos trust created after July 31, 1969, and before September 21, 1974. The will or trust must be amended to meet the requirements of section 2055 (e) (2) (A) by December 31, 1975, or judicial proceedings to amend the will or trust must be begun by that date.

The proposed regulations apply the relief provision to inter vivos transfers created after July 31, 1969, which are irrevocable at the date of death. However, in general, a trust amended pursuant to these temporary regulations is treated as a charitable remainder trust from the date it would be deemed created under section 664.

The proposed regulations make provision for judicial reformation as well as nonjudicial reformation by agreement of the parties provided the agreement is binding on all parties.

The proposed regulations provide that the amending procedure under section 2055(e)(3) is available only to charitable interests which, but for the disqualifying provisions of section 2055(e)(2)(A), qualify for a deduction under section 2055. A charitable interest cannot be created by the use of this relief provision.

Proposed amendments to the regulations. To conform the Income Tax Regulations (26 CFR Part 1) and the Estate Tax Regulations (26 CFR Part 20) to the provisions of section 3 of the Act of Oct. 26, 1974 (Pub. L. 93-483, 88 Stat. 1457), such regulations are amended as follows:

PARAGRAPH 1. Paragraph (f) of § 1.664-1 is amended by revising the heading of subparagraph (3) and by adding a new subparagraph (4) at the end thereof. These revised and added provisions read as follows:

§ 1.664-1 Charitable remainder trusts.

* * * * *

(f) *Effective Date.* * * *

(3) *Amendment of certain trusts created after July 31, 1969.* * * *

(4) *Certain wills and trusts in existence on September 21, 1974.* (i) In the case of a will executed before September 21, 1974, or a trust created (within the meaning of applicable local law) after July 31, 1969, and before September 21, 1974, which is amended pursuant to section 2055 (e) (3) and § 20.2055-2(g), a charitable remainder trust resulting from such amendment will be treated as a charitable remainder trust from the date it would be deemed created under § 1.664-1(a) (4) and (5), whether or not such date is after September 20, 1974.

(ii) Property transferred to a trust created (within the meaning of applicable local law) before August 1, 1969, whose governing instrument provides that an organization described in section 170(c) receives an irrevocable remainder interest in such trust shall be deemed transferred to a trust created on the date of such transfer, provided that the transfer occurs after July 31, 1969, and prior to October 18, 1971, and pursuant to an amendment provided in § 20.2055-2(g), the transferred property and any undistributed income therefrom is severed and placed in a separate trust as of the date of the amendment.

PAR. 2. Section 20.2055 is amended by adding a new paragraph (3) at the end of subsection (e) and by amending the historical note. These added and amended provisions read as follows:

§ 20.2055 **Statutory provisions; transfers for public, charitable and religious uses.**

SEC. 2055. *Transfers for public, charitable and religious uses.*

* * * * *

(e) Disallowance of deductions in certain cases. * * *

(3) In the case of a will executed before September 21, 1974, or a trust created before such date, if a deduction is not allowable at the time of the decedent's death because of the failure of an interest in property which passes from the decedent to a person, or for a use, described in subsection (a), to meet the requirements of subparagraph (A) of paragraph (2) of this subsection, and if the governing instrument is amended or conformed on or before December 31, 1975, or, if later, on or before the 30th day after the date on which judicial proceedings begun on or before December 31, 1975 (which are required to amend or conform the governing instrument), become final, so that the interest is in a trust which is a charitable remainder annuity trust, a charitable remainder unitrust (described in section 664), or a pooled income fund (described in section 642(c)(5)), a deduction shall nevertheless be allowed. The Secretary or his delegate may, by regulation, provide for the application of the provisions of this paragraph to trusts whose governing instruments are amended or conformed in accordance with this paragraph, and such regulations may provide for any adjustments in the application of the provisions of section 508 (relating to special rules with respect to section 501(c)(3) organizations), subchapter J (relating to estate, trusts, beneficiaries, and decedents), and chapter 42 (relating to private foundations) to such trusts made necessary by the application of this paragraph. If, by the due date for the filing of an estate tax return (including any extension thereof), the interest is in a charitable trust which, upon allowance of a deduction would be described in section 4947(a)(1), or the interest passes directly to a person or for a use described in subsection (a), a deduction shall be allowed as if the governing instrument was amended or conformed under this paragraph. If the amendment or conformation of the governing instrument is

made after the due date for the filing of the estate tax return (including any extension thereof), the deduction shall be allowed upon the filing of a timely claim for credit or refund (as provided for in section 6511) of an overpayment resulting from the application of this paragraph. In the case of a credit or refund as a result of an amendment or conformation made pursuant to this paragraph, no interest shall be allowed for the period prior to the expiration of the 180th day after the date on which the claim for credit or refund is filed.

* * * * *

(Sec. 2055 as amended by sec. 1, Act of Aug. 6, 1956 (Pub. L. 1011, 84th Cong., 70 Stat. 1075); sec. 30(d), Technical Amendments Act 1958 (72 Stat. 1631); sec. 201(d), Tax Reform Act 1969 (83 Stat. 560); sec. 101(c), Excise Estate, and Gift Tax Adjustment Act 1970 (84 Stat. 1836); sec. 3, Act of Oct. 26, 1974 (Pub. L. 93-483, 88 Stat. 1457))

PAR. 3. § 20.2055-2 is amended by adding a sentence at the end of paragraph (a) and by adding a new paragraph (g) immediately following § 20.2055-2(f). These added and amended provisions read as follows:

§ 20.2055-2 Transfers not exclusively for charitable purposes.

(a) *Remainders and similar interests.* * * * See paragraph (g) of this section for special rules relating to certain wills and trusts in existence on September 21, 1974.

* * * * *

(g) *Special rules applicable in the case of certain wills and trusts in existence on September 21, 1974.* (1) In general, in the case of a will executed before September 21, 1974, or a trust created (within the meaning of applicable local law) after July 31, 1969, and before September 21, 1974, if—

(i) At the time of the decedent's death a deduction is not allowable solely because of the failure of an interest in property which passes or has passed from the decedent to a person, or for a use, described in section 2055(a) to meet the requirements of section 2055(e)(2)(A), and

(ii) The governing instrument is amended or conformed in accordance with this paragraph so that the interest is in a trust which is a charitable remainder annuity trust or a charitable remainder unitrust (described in section 664) or a pooled income fund (described in section 642(c)(5)), or the governing instrument is treated under paragraph (g)(8) of this section as if it were amended, a deduction shall nevertheless be allowed.

(2) An amendment or conformation pursuant to this paragraph must be made before January 1, 1976, or, if later, on or before the 30th day after the date on which judicial proceedings begun before January 1, 1976 (which are required to amend or conform the governing instrument) become final.

(3) A governing instrument may be amended or conformed under this paragraph only where:

(i) The transfer is not in trust but passes under a will executed before September 21, 1974;

(ii) The transfer is in the form of a testamentary trust created under a will executed before September 21, 1974;

(iii) The transfer was in trust, which was created (within the meaning of applicable local law) after July 31, 1969, and before September 21, 1974, but only if, at the time of the creation of the trust, the governing instrument provides that an organization described in section 170(c) receives an irrevocable remainder interest in such trust;

(iv) Property was transferred inter vivos after July 31, 1969, and before October 18, 1971, to a trust created (within the meaning of applicable local law) before August 1, 1969, which trust provides that an organization described in section 170(c) receives an irrevocable remainder interest in such trust, and the transferred property and any undistributed income therefrom is severed and placed in a separate trust before the applicable date specified in paragraph (g)(2) of this section. An instrument governing a transfer under this subdivision (iv), which is amended pursuant to this paragraph, shall be treated as having made such transfer to a trust deemed created on the date of such transfer;

(v) In the case of a transfer to a pooled income fund made before September 21, 1974 (or a transfer made under a will which was executed before September 21, 1974), the instrument governing the transfer fails to satisfy the requirements of § 1.642(c)-5(b).

However, a governing instrument may not be amended pursuant to this paragraph unless, at the time of the decedent's death, the interest is an irrevocable remainder interest for which a deduction, but for section 2055(e)(2)(A), would be allowable under section 2055(a) and the regulations thereunder. The provisions of section 508(d)(2)(A) (relating to disallowance of certain charitable, etc., deductions) shall not apply to such interest if the governing instrument is amended so as to comply with the requirements of section 508(e) (relating to governing instruments) by the applicable date described in paragraph (g)(2) of this section.

(4) The decree resulting from any judicial proceedings begun to amend a governing instrument pursuant to paragraph (g)(1) of this section must be binding, under local law, on all parties having an interest in the bequest or transfer as well as the fiduciary of the decedent's estate and trustee of the trust to be amended. In the event local law does not require judicial proceedings to amend or conform a governing instrument, a deduction may nevertheless be allowed if the governing instrument is amended or conformed by nonjudicial agreement between all parties having an interest in the bequest or transfer as well as the fiduciary of the decedent's estate and trustee of the trust to be amended, provided that the agreement is binding, under local law, on all such parties. The judicial proceedings or nonjudicial agreement must also account for any distributions made from the deemed date of creation to the date of the amendment in the following manner:

(i) Where the amount of the distributions which would have been made by the trust to a recipient had the amendment pursuant to paragraph (g)(1) of this section been in effect since the creation of the trust exceeds the amount of the distributions made by the trust prior to the amendment, the trust must pay an amount equal to such excess to the recipient;

(ii) Where the amount of the distributions made to the recipient prior to the amendment pursuant to paragraph (g)(1) of this section exceeds the amount of the distributions which would have been made by such trust if the amended provisions of such trust had been in effect from the time of creation of such trust, the recipient must pay an amount equal to such excess to the trust.

See § 1.664-1(d)(4) for rules relating to the year of inclusion in the case of an underpayment to a recipient and the allowance of a deduction in the case of an overpayment to a recipient.

(5) Where a charitable remainder trust (as described in § 1.664-1(a)(1)(iii)(a)) results from an amendment pursuant to this paragraph, the trust will be treated as a charitable remainder trust for all purposes from the date it would be deemed created under § 1.664-1(a)(4) and (5), whether or not such date is after September 20, 1974. Subject to the limitations imposed by section 6511, the estate tax charitable deduction is allowable and the charitable remainder trust is exempt from Federal income taxation. For the application of certain excise taxes pursuant to section 4947(a)(2) see § 53.4947-1(c)(1)(iii) and (c)(6). In amending a governing instrument pursuant to paragraph (g)(1) of this section, the exchange of a noncharitable beneficiary's interest in an unqualified transfer in trust for an interest in a qualified transfer in trust will not be treated as an act of self-dealing (described in section 4941) or a taxable expenditure (described in section 4945).

(6) If, on the due date for filing the estate tax return (including any extensions thereof), proceedings to amend or conform a governing instrument pursuant to paragraph (g)(1) of this section have not become final, such return shall be filed with the tax computed as if no deduction were allowable under this paragraph. When the proceedings to amend or conform such instrument have become final (within the applicable date described in paragraph (g)(2) of this section), a deduction shall be allowed upon the filing of a claim for credit or refund (within the limitations of section 6511). In the case of a credit or refund as a result of an amendment or conformation made pursuant to this paragraph, no interest shall be allowed for the period prior to the expiration of the 180th day after the date on which the claim for credit or refund is filed.

(7) If a governing instrument is amended under this paragraph, then, except as provided in paragraph (g)(8)(ii) of this section, the amount of the deduction allowable under this section

shall be the amount that equals the value of the interest which, under the rules of section 2055 (including the rules governing disclaimers) passes to, or for the use of, an organization described in section 2055(a).

(8)(i) In the case of a will executed before September 21, 1974, or a trust created (within the meaning of applicable local law) before such date and after July 31, 1969, that creates an interest for which a deduction would be allowable under section 2055(a) but for section 2055(e)(2)(A), if the date of death of the decendent is prior to January 1, 1976, and if on or before the filing date of the estate tax return (including any extension thereof)—

(A) The interest is in a charitable trust which, if a deduction under section 2055(a) had been allowed, would be in a trust described in section 4947(a)(1), or

(B) Such interest passes directly to a person or for a use described in section 2055(a) (as, for example, by reason of the termination of an intervening interest),

the governing instrument shall be treated as if it were amended or conformed pursuant to paragraph (g)(1) of this section and a deduction shall be allowed. See section 508(d)(2) and § 1.508–2 (b) for the disallowance of such a deduction in the case of an interest in a trust described in section 4947(a)(1) if the governing instrument fails to meet the requirements of section 508(e) by the end of the taxable year of the trust in which the filing date of the estate tax return occurs. A governing instrument treated as amended under this subdivision (i) may not thereafter be amended. The provisions of this subparagraph shall not apply if the requirements of subdivision (A) or (B) of this subdivision (ii) are satisfied as a result of an amendment of a dispositive provision of the governing instrument occurring since the date of death of the decedent.

(ii) The amount of the deduction for a transfer which is treated under this paragraph as if it were amended will be determined as if the transfer were a charitable remainder annuity trust which provides an annuity of 6 percent of the initial fair market value payable from the date of death—

(A) In the case of a transfer providing a life estate, for the expected lives of the noncharitable beneficiaries as determined on the date of death of the decedent, or

(B) In the case of a transfer providing a term of years, for the term of years as expressed in the governing instrument, but not to exceed 20 years.

Any distributions made to a recipient from the date of death of the decedent to the date on which the transfer is deemed to be amended (*i.e.*, the date the transfer satisfies the requirement of paragraph (g)(8)(i) of this section) must be taken into account under this subdivision (ii) in determining the amount of the deduction, to the extent that the adjustments in such distributions required by paragraph (g)(4) of this section, determined as if the charitable remainder annuity trust were deemed created at the date of death of the decedent, have not been made on or before the filing date of the estate tax return.

[FR Doc.75-34203 Filed 12-16-75;11:23 am]

DEPARTMENT OF THE INTERIOR

Geological Survey

[30 CFR Part 250]

DILIGENCE IN OUTER CONTINENTAL SHELF OIL AND GAS OPERATIONS

OCS Order and Guidelines

To insure diligence in the development and production of oil and gas resources from the Outer Continental Shelf, the regulations found in 30 CFR 250.12 have been proposed to be amended to clarify the intent of granting suspension of operations or production.

In order to implement the modified regulations, it is proposed to issue an OCS Order for each active OCS area outlining the specific requirements under which the Area Oil and Gas Supervisor may approve a suspension of production. Also, it is further proposed to provide guidelines to all Area Oil and Gas Supervisors to assure uniformity of enforcement of the provisions of the OCS Order.

Interested persons are invited to submit written comments, suggestions, and objections concerning the proposed OCS Order and guidelines to the Director, U.S. Geological Survey, National Center, Mail Stop 101, 12201 Sunrise Valley Drive, Reston, Virginia 22092, on or before January 19, 1976.

W. A. RADLINSKI,
Acting Director.

DECEMBER 12, 1975.

[FR Doc.75-34198 Filed 12-18-75;8:45 am]

[30 CFR Part 250]

OUTER CONTINENTAL SHELF

Regulation of Operations

The Department of the Interior has undertaken a complete review of applicable regulations and lease terms to determine what changes could be made to ensure that lessees show adequate diligence in the exploration, development, and production of oil and gas from OCS lands under lease.

This review indicated that the Department has sufficient authority to assure diligence on the OCS under existing regulations. However, it became apparent that clarification of some of the regulations is needed. In order to accomplish this, it is proposed to amend 30 CFR 250.12 to clarify and prescribe certain standards of conduct regarding suspensions of production of oil and gas leases in the Outer Continental Shelf. The proposed amendments: (1) formally recognize the Oil and Gas Supervisor's authority to grant a suspension of production if one is necessary to comply with provisions of the National Environmental Policy Act of 1969, 83 Stat. 852,42 U.S.C. 4321–4335, and (2) specifically provide the conditions under which an Oil and Gas Supervisor must terminate a suspension. The proposed amendments are issued pursuant to the Outer Continental Shelf Lands Act (43 U.S.C. 1331–1343).

Upon adoption of the amended regulations, an OCS Order will be issued in each active OCS area to provide more specific implementation actions. To insure clarification of intent and uniformity of enforcement, guidelines further elaborating on the proposed OCS Order will be furnished to the Area Oil and Gas Supervisors.

Comments on the proposed amendment to the regulations are invited. Interested persons may submit written comments, suggestions, and objections to the Director, U.S. Geological Survey, National Center, Mail Stop 101, 12201 Sunrise Valley Drive, Reston, Virginia 22092, on or before January 19, 1976. The proposed Order and guidelines are being published concurrently as a Notice with an invitation to comment.

It is proposed that § 250.12 be amended by adding a a sentence to paragraph (d)(1) which describes those actions that will result in a termination of a suspension of operations or production in paragraph (d), and by adding a new paragraph (d)(4) which recognizes the Oil and Gas Supervisor's authority to grant a suspension of operation of production to comply with the National Environmental Policy Act as follows:

§ 250.12 **Regulation of Operations.**

* * * * *

(d) * * *

(1) * * * A suspension of operations or production shall terminate prior to the end of the period originally granted by the Supervisor when proper development of the lease ceases to be facilitated by the suspension; or adequate transportation facilities become available to the lease; or when the circumstances which justified the granting of the suspension no longer exist.

* * * * *

(4) The Supervisor is authorized, either in writing or orally with written confirmation, to suspend any operation, including production, to facilitate the preparation of environmental impact statements or analyses or for any other purpose necessary for the implementation of the National Environmental Policy Act of 1969, 83 Stat. 852, 42 U.S.C 4321 et seq.

It is hereby certified that the economic and inflationary impacts of these proposals have been carefully evaluated in accordance with OMB Circular A-107.

JACK W. CARLSON,
Assistant Secretary of the Interior.

DECEMBER 12, 1975.

[FR Doc.75-34197 Filed 12-18-75;8:45 am]

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

[7 CFR Part 993]

HANDLING OF DRIED PRUNES PRODUCED IN CALIFORNIA

Proposed Amendment of Administrative Rules and Regulations

Notice is hereby given of a proposal to revise paragraph (a) of § 993.128 of Subpart—Administrative Rules and Regulations (7 CFR 993.101–993.174). The subpart is operative pursuant to the marketing agreement, as amended, and Order No. 993, as amended (7 CFR Part 993), regulating the handling of dried prunes produced in California. The amended marketing agreement and order are effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674).

The proposal was recommended by the Prune Administrative Committee and would revise some of the boundaries of the seven independent producer election districts in § 993.128(a). The districts are for the purpose of obtaining nominations for producer members to represent independent producers on the Committee. The proposal would shift Napa and Stanislaus Counties from their current districts (Districts 3 and 6, respectively) to District 4, with which they are contiguous and, for the most part, culturally similar. By making this realignment, the seven districts will have insofar as practicable, equal representation by number of independent producers and production of dried prunes by such producers as required by § 993.28.

Consideration will be given to any written data, views, or arguments pertaining to the proposal which are received by the Hearing Clerk, United States Department of Agriculture, Room 112, Administration Building, Washington, D.C. 20250 not later than January 2, 1976. All written submissions made pursuant to this notice should be made in quadruplicate and will be made available for public inspection at the office of the Hearing Clerk during regular business hours (7 CFR 1.27(b)).

The proposal is to revise paragraph (a) of § 993.128 of Subpart—Administrative Rules and Regulations (7 CFR 933.101–993.174) to read as follows:

§ 993.128 **Nominations for membership.**

(a) *Districts.* In accordance with the provisions of § 993.28, the districts referred to therein are described as follows:

(1) *District No. 1.* That portion of Sutter County south of a line extending along Nuestro Road, easterly to the Yuba County line and westerly to the Colusa County line.

(2) *District No. 2.* The county of Butte, and all that portion of Sutter County not included in District No. 1.

(3) *District No. 3.* The counties of Del Norte, Humboldt, Lake, Marin, Mendocino, Siskiyou, Sonoma, and Trinity.

(4) *District No. 4.* The counties of Alameda, Contra Costa, Napa, San Francisco, San Mateo, Santa Cruz, Solano, Stanislaus, and that portion of Santa Clara County north of a straight line extending along Miramonte Avenue, northeasterly to the Stanislaus County line, and southwesterly to the Santa Cruz County line.

(5) *District No. 5.* The counties of Monterey, San Benito, and all that portion of Santa Clara County not included in District No. 4.

(6) *District No. 6.* The counties of Amador, Fresno, Merced, Placer, Sacramento, San Joaquin, San Luis Obispo, Tulare, Yuba, and all the counties in the area not included in Districts Nos. 1 through 5, inclusive, and in District No. 7.

(7) *District No. 7.* The counties of Colusa, Glenn, Shasta, Tehama, and Yolo.

* * * * *

Dated: December 16, 1975.

CHARLES R. BRADER,
Deputy Director,
Fruit and Vegetable Division.

[FR Doc.75-34247 Filed 12-18-75;8:45 am]

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

[14 CFR Part 71]

[Airspace Docket No. 75-SO-125]

TRANSITION AREA

Notice of Proposed Designation

The Federal Aviation Administration is considering an amendment to Part 71 of the Federal Aviation Regulations that would designate the New Port Richey, Fla., transition area.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Federal Aviation Administration, Southern Region, Air Traffic Division, P.O. Box 20636, Atlanta, Ga. 30320. All communications received on or before January 19, 1976, will be considered before action is taken on the proposed amendment. No hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Administration officials may be made contacting the Chief, Airspace and Procedures Branch. Any data, views or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in light of comments received.

The official docket will be available for examination by interested persons at the Federal Aviation Administration, Southern Region, Room 645, 3400 Whipple Street, East Point, Ga.

The New Port Richey transition area would be designated as:

That airspace extending upward from 700 feet above the surface within a 5-mile radius of the West Pasco Airport (Lat. 28°11'15" N., Long. 83°37'50" W.).

The proposed designation is required to provide controlled airspace protection for IFR operations at the West Pasco Airport. An instrument approach procedure to the airport, utilizing the St. Petersburg VORTAC, is proposed in conjunction with the designation of the transition area. If the proposed designation is acceptable, the airport operating authorization will be changed from VFR to IFR.

Issued in East Point, Ga., on October 6, 1975.

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

PHILLIP M. SWATEK,
Director, Southern Region.

[FR Doc.75-34181 Filed 12-18-75;8:45 am]

[Airspace Docket No. 75-SO-154]

[14 CFR Part 71]

TRANSITION AREA

Notice of Proposed Designation

The Federal Aviation Administration is considering an amendment to Part 71 of the Federal Aviation Regulations that would designate the Manteo, N.C., transition area.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Federal Aviation Administration, Southern Region, Air Traffic Division, P.O. Box 20636, Atlanta, Ga. 30320. All communications received on or before January 19, 1976, will be considered before action is taken on the proposed amendment. No hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Administration officials may be made by contacting the Chief, Airspace and Procedures Branch. Any data, views or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in light of comments received.

The official docket will be available for examination by interested persons at the Federal Aviation Administration, Southern Region, Room 645, 3400 Whipple Street, East Point, Ga.

The Manteo transition area would be designated as:

That airspace extending upwards from 700 feet above the surface within a 5-mile radius of Manteo Airport (latitude 35°55'07" N., longitude 75°41'43" W.); within 3 miles each side of the 343° bearing from the Manteo RBN (latitude 35°54'56" N., longitude 75°41'42" W.), extending from the 5-mile radius area to 8.5 miles north of the RBN.

The proposed designation is required to provide controlled airspace for IFR operations at Manteo Airport. A prescribed instrument approach procedure to this airport, utilizing the Manteo (private) nondirectional radio beacon, is proposed in conjunction with the designation of this transition area.

Issued in East Point, Ga., on December 4, 1975.

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

PHILLIP M. SWATEK,
Director, Southern Region.

[FR Doc.75-34182 Filed 12-18-75;8:45 am]

[Airspace Docket No. 75-EA-75]

[14 CFR Part 71]

DESIGNATION OF TRANSITION AREA

Notice of Proposed Rule Making

The Federal Aviation Administration is considering amending § 71.181 of Part 71 of the Federal Aviation Regulations so as to designate a Berlin, N.J., Transition Area.

A new VOR instrument approach procedure has been developed for Kettlerun Airpark, Berlin, New Jersey, to provide controlled airspace for IFR arrivals and departures at Kettlerun Airpark, and will require designation of a 700-foot floor transition area.

Interested parties may submit such written data or views as they may desire. Communications should be submitted in triplicate to the Director, Eastern Region, Attn: Chief, Air Traffic Division, Department of Transportation, Federal Aviation Administration, Federal Building, John F. Kennedy International Airport, Jamaica, New York 11430. All communications received on or before January 19, 1976, will be considered before action is taken on the proposed amendment. No hearing is contemplated at this time, but arrangements may be made for informal conferences with Federal Aviation Administration officials by contacting the Chief, Airspace and Procedures Branch, Eastern Region.

Any data or views 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.

The official docket will be available for examination by interested parties at the Office of Regional Counsel, Federal Aviation Administration, Federal Building, John F. Kennedy International Airport, Jamaica, New York.

The Federal Aviation Administration, having completed a review of the airspace requirements for the terminal area of Berlin, New Jersey, proposes the airspace action hereinafter set forth:

1. Amend § 71.181 of Part 71 of the Federal Aviation Regulations by designating a Berlin, New Jersey transition area as follows:

BERLIN, N.J.

That airspace extending upward from 700 feet above the surface within a 7-mile radius of the center 39°49'20" N., 74°53'35" W. of Kettlerun Airpark, Berlin, N.J. and within 2 miles each side of the Millville, N.J. VORTAC 011° radial, extending from the 7-mile radius area to 13 miles north of the VORTAC.

Issued in Jamaica, N.Y., on December 3, 1975.

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

DUANE W. FREER,
Director, Eastern Region.

[FR Doc.75-34183 Filed 12-18-75;8:45 am]

[Airspace Docket No. 75-CE-18]

[14 CFR Part 71]

ALTERATION OF FEDERAL AIRWAY

Notice of Proposed Rule Making

The Federal Aviation Administration (FAA) is considering an amendment to Part 71 of the Federal Aviation Regulations that would cap Federal Airway V-13W at 9,000 feet MSL between Des Moines and Fort Dodge, Iowa, to accommodate operations in the Boone Military Operations Area.

Interested persons may participate in the proposed rule making by submitting such written data, views or arguments as they may desire. Communications should identify the airspace docket number and be submitted in triplicate to the Director, Central Region, Attention: Chief Air Traffic Division, Federal Aviation Administration, 601 E. 12th Street, Kansas City, Mo. 64106. All communications received on or before January 19, 1976 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, AGC-24, 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.

Request for copies of this Notice of Proposed Rule Making should be addressed to the Federal Aviation Administration, Office of Information Services, Attention: Public Information Center, AIS-230, 800 Independence Avenue, S.W., Washington, D.C. 20591.

The proposed amendment would cap Federal Airway V-13W at 9,000 feet MSL between Des Moines and Fort Dodge, Iowa, to accommodate operations within the Boone Military Operations Area which would be used by Iowa Air National Guard units for air combat and air intercept training.

Little or no inconvenience to en route traffic is anticipated as a result of this action. The great majority of traffic utilizing this airway operates at or below 8,000 feet MSL.

Issued in Washington, D.C., on December 15, 1975.

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

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

[FR Doc.75-34184 Filed 12-18-75;8:45 am]

[EDR-288B; Docket 28422]

CIVIL AERONAUTICS BOARD

[14 CFR Part 288]

EXEMPTION OF AIR CARRIERS FOR MILITARY TRANSPORTATION

Extension of Time

DECEMBER 15, 1975.

The Board, by circulation of Notice of Proposed Rulemaking EDR-288, dated October 20, 1975, published at 40 FR 49794, October 24, 1975, gave notice that it has under consideration an amendment of Part 288 of its Economic Regulations (14 CFR Part 288). The amendment would adjust the minimum rates for Logair and Quicktrans domestic cargo charters performed by air carriers for the Department of Defense and contracted for by the Military Airlift Command (MAC). Interested persons were invited to participate in the rulemaking by submission of twelve (12) copies of written data, views, or arguments to the Docket Section of the Board on or before November 24, 1975, and reply comments on or before December 9, 1975. By EDR-288A, the time for filing comments and reply comments was extended until December 8, 1975, and December 22, 1975, respectively.

By letter dated December 12, 1975, MAC has requested an additional extension of time for filing reply comments until January 5, 1976. In support of the request, MAC states that as of the date of its letter, it had not as yet received a copy of the comments filed in the proceeding by Saturn Airways, and does not expect to be in receipt of such comments before December 15 so that it would be unable to analyze the comments and prepare a response by the date reply comments are presently due. In addition, MAC requests the extension because of unexpected additional work resulting from the negotiations presently under way in the Transatlantic, Transpacific, and Latin American Service Mail Rates Investigation, Docket 26487. MAC, therefore, requests an extension of time for filing reply comments until January 5, 1976.

The undersigned finds that good cause has been shown for an extension of time for filing reply comments.

Accordingly, pursuant to the authority delegated in Section 385.20(d) of the Board's Organization Regulations (14 CFR Part 385), the undersigned hereby extends the time for submitting reply comments to January 5, 1976.

(Sec. 204(a) of the Federal Aviation Act of 1958, as amended, 72 Stat. 743, 49 U.S.C. 1324).

[SEAL] SIMON J. EILENBERG,
Acting Associate General Counsel, Rules.

[FR Doc.75-34253 Filed 12-18-75;8:45 am]

CONSUMER PRODUCT SAFETY COMMISSION

[16 CFR Part 1700]

[Petition Nos. PP 75-4, 5, 6]

HUMAN PRESCRIPTION DRUGS IN ORAL DOSAGE FORMS

Proposed Exemptions From Child Protection Packaging Requirements

The purpose of this document is to propose exempting three drug preparations (described below) from 16 CFR 1700.14(a)(10), which prescribes child-resistant packaging requirements for human prescription drugs in oral dosage forms.

BACKGROUND

In the FEDERAL REGISTER of April 16, 1973 (38 FR 9431), and under provisions of the Poison Prevention Packaging Act of 1970 (15 U.S.C. 1471), the Commissioner of the Food and Drug Administration promulgated a regulation (21 CFR 295.2(a)(10)), effective April 16, 1974, establishing child protection packaging requirements for human prescription drugs in oral dosage forms. This action followed a determination that the degree or nature of hazard to children in the availability of these substances, by reason of their packaging, was such that special packaging was required to protect children from serious personal injury or serious illness resulting from handling, using, or ingesting these substances and that the required special packaging was technically feasible, practicable, and appropriate.

In the document's preamble, the Commissioner announced that he would consider requests for exemptions from the packaging requirements and, if reasonable grounds were furnished, would publish proposed exemptions in the FEDERAL REGISTER.

Effective May 14, 1973, section 30(a) of the Consumer Product Safety Act (15 U.S.C. 2079(a)) transferred functions under the Poison Prevention Packaging Act of 1970 to the Consumer Product Safety Commission.

Subsequently, on August 7, 1973 (38 FR 21247), the Consumer Product Safety Commission revised and transferred the regulations under the Poison Prevention Packaging Act of 1970 (21 CFR Part 295 became 16 CFR Part 1700). Accordingly, the exemptions proposed below involve 16 CFR 1700.14(a)(10) instead of 21 CFR 295.2(a)(10).

PETITION

On July 18, 1974, the Consumer Product Safety Commission received a petition (dated June 13, 1974) from Lederle Laboratories, Pearl River, N.Y., requesting three exemptions from the packaging requirements of § 1700.14(a)(10). Reasons given in support of the exemptions were that special packaging is unavailable and an accidental ingestion would not pose a hazard to a child.

The petitioner requests that the following be exempted:

1. *Achromycin V Pediatric Drops.* This drug is a liquid, flavored preparation for oral administration, containing 1,000 mg of tetracycline hydrochloride in a 10-cc plastic bottle with dropper fixture built into the neck finish. The company conducted acute oral toxicity studies in adult, weanling, and newborn rats to determine a median lethal dosage. Results indicated an LD50 of 3,827 mg/kg of tetracycline hydrochloride in newborn rats.

The petitioner's extrapolation of these data in rats to a 20-kg child ingesting the entire contents of one bottle results in a dosage of 50 mg/kg, which would represent one-sixtieth of the dose that caused no deaths and only minor signs of toxicity in newborn rats.

Data for children younger than 5 years of age from the National Clearinghouse for Poison Control Centers for the period 1969 through 1973 reveal 79 ingestions of the product with no hospitalizations or fatalities reported.

2. *Declomycin Pediatric Drops.* This drug is a liquid, flavored preparation containing 600 mg of demethylchlortetracycline hydrochloride in a 10-cc bottle with separate dropper.

Results of toxicity studies conducted by the company in adult, weanling, and newborn rats indicate an acute oral LD50 of 2,107 mg/kg in newborn rats. The petitioner's extrapolation of these data obtained in rats to a 20-kg child's ingestion of the entire contents results in a dosage of 30 mg/kg, which would represent one-thirtieth of the dose that caused no deaths and only minor signs of toxicity in newborn rats.

Data for children younger than 5 years of age obtained from the National Clearinghouse for Poison Control Centers for the period 1969 through 1973 reveal 55 ingestions of the product with no hospitalizations or fatalities reported.

3. *Nilstat Oral Drops.* This drug is a liquid, flavored preparation containing 4,800,000 units of nystatin in a 48-cc bottle with separate dropper.

Acute oral toxicity studies of the product conducted by the company in dosages of up to 5,000,000 units of nystatin per kg resulted in few signs of toxicity and no deaths in the tested population of adult, weanling, and newborn rats.

Data from the National Clearinghouse for Poison Control Centers for the period 1969 through 1973 reveal 63 ingestions of the product and a similar one also containing nystatin with no hospitalizations of fatalities reported.

(Copies of the petition and the briefing document thereon prepared by CPSC staff may be seen in the Office of the Secretary, 10th floor, 1750 K Street NW., Washington, D.C.)

CONCLUSIONS AND PROPOSAL

Having considered the petition, information pertinent to the requested exemptions obtained by CPSC staff, and reports from the National Clearinghouse for Poison Control Centers, and having consulted, pursuant to section 3 of the Poison Prevention Packaging Act of 1970, with the Technical Advisory Committee on Poison Prevention Packaging, established in accordance with section 6 of the act, the Consumer Product Safety Commission concludes that exemptions covering the above-described products should be proposed as set forth below.

The Commission's decision to propose the exemptions is based principally on (1) human experience data that indicate the lack of serious personal injury or serious illness involving the subject substances and (2) acute oral toxicity studies conducted in laboratory rats that demonstrate minimal toxicity for these substances.

The Commission finds no substantial basis for the petitioner's claim of special packaging unavailability since various forms of child-resistant packaging suitable for these types of containers have passed the protocol standards for testing special packaging (16 CFR 1700.20).

The Commission emphasizes that this proposal is limited to exempting only from the child-resistant packaging requirements for prescription drugs imposed by § 1700.14(a)(10) and is further limited to only those products described below.

Accordingly, pursuant to provisions of the Poison Prevention Packaging Act of 1970 (secs. 2(4), 3, 5, Pub. L. 91-601, 84 Stat. 1670-72; 15 U.S.C. 1471(4), 1472, 1474) and under authority vested in the Commission by the Consumer Product Safety Act (sec. 30(a), Pub. L. 92-573, 86 Stat. 1231; 15 U.S.C. 2079(a)), the Commission proposes that 16 CFR 1700.14(a)(10) be amended by adding three new subdivisions (ix), (x), and (xi), as follows:

§ 1700.14 Substances requiring special packaging.

(a) * * *

(10) *Prescription drugs.* Any drug for human use that is in a dosage form intended for oral administration and that is required by Federal law to be dispensed only by or upon oral or written prescription of a practitioner licensed by law to administer such drug shall be packaged in accordance with the provisions of § 1700.15 (a), (b), and (c), except for the following:

* * * * *

(ix) Achromycin V Drops, Pediatric, containing no more than 1,000 milligrams of tetracycline hydrochloride per package and no other substances subject to special packaging requirements under this section.

(x) Declomycin Drops, Pediatric, containing no more than 600 milligrams of demethylchlortetracycline hydrochloride per package and no other substances subject to special packaging requirements under this section.

(xi) Nilstat Oral Drops, containing no more than 4,800,000 units of nystatin per package and no other substances subject to special packaging requirements under this section.

* * * * *

Because the Commission finds merit in the petitioner's exemption requests, publication of this proposal in the FEDERAL REGISTER shall have the effect of suspending 16 CFR 1700.14(a)(10) only as it applies to the drugs described above pending review of comments and completion of action on this proposal. This proposal

shall in no other way abrogate or restrict the special packaging requirements for human prescription oral drugs.

Interested persons are invited to submit, on or before February 17, 1976, written comments regarding this proposal. Comments received after this date will be considered to the extent practicable. Comments and any accompanying data or material should be submitted, preferably in five copies, addressed to the Secretary, Consumer Product Safety Commission, Washington, D.C. 20207. Comments may be accompanied by a memorandum or brief in support thereof. Received comments and accompanying data may be seen in the Office of the Secretary, 10th floor, 1750 K Street NW., Washington, D.C., during working hours Monday through Friday.

Dated: December 15, 1975.

SHELDON D. BUTTS,
Acting Secretary,
Consumer Product Safety Commission.

[FR Doc.75-34192 Filed 12-18-75;8:45 am]

FEDERAL COMMUNICATIONS COMMISSION

[47 CFR Part 76]

[Docket No. 20561]

CABLE TELEVISION SYSTEM

Definition of System and Creation of Classes; Extension of Time

1. The Motion Picture Association of America, Inc., (MPA) has requested a further extension of time to file reply comments in the captioned proceeding (40 FR 55868) from December 19, 1975 to January 15, 1976. By Order of November 20, 1975 we granted an earlier request for an extension of time by MPA from the original due date of November 28, 1975 until December 19, 1975.

2. In support of its instant request, MPA urges that: this proceeding encompasses four separate and complex subjects; it has taken a substantial amount of time to review and analyze the voluminous comments filed herein; MPA is losing the services of present house counsel and must retain outside counsel who will need additional time to prepare reply comments; and the Christmas-New Year's holidays permit fewer available working days for the preparation of reply comments.

3. In view of the foregoing, it appears that good cause exists for the requested time extension.

Accordingly, it is ordered, That the date for filing reply comments in the captioned proceeding is extended to January 15, 1976.

This action is taken by the Chief, Cable Television Bureau pursuant to authority delegated by § 0.288(a) of the Commission's Rules.

Adopted: December 11, 1975.

Released: December 12, 1975.

FEDERAL COMMUNICATIONS COMMISSION

[SEAL] DAVID D. KINLEY,
Chief, Cable Television Bureau.

[FR Doc.75-34246 Filed 12-18-75;8:45 am]

FEDERAL RESERVE SYSTEM

[12 CFR Part 225]

[Reg. Y]

BANK HOLDING COMPANIES

Purchase or Redemption by Bank Holding Companies of Their Own Shares

The Board of Governors has become aware of a number of instances in which bank holding companies have redeemed or repurchased a substantial portion of their outstanding voting shares in connection with a transfer of control of the holding company. Typically, such cases involve closely held holding companies, and the funds used to repurchase the outstanding shares are borrowed by the holding company, either from a third party or from the selling shareholder himself. Following the repurchase or redemption, the selling shareholder transfers the few remaining shares he holds to a new purchaser for nominal or minimum consideration. The new purchaser thus acquires control of a holding company encumbered with indebtedness that substantially represents the cost of acquisition of the holding company itself.

In such cases, the repurchase or redemption of shares by the holding company serves no corporate purpose; rather, it is intended solely to facilitate a transfer of control by the controlling shareholder or shareholder group. In certain cases that have come to the Board's attention, moreover, the volume of debt incurred by the holding company involved in such a "bootstrapping" transaction has rendered the holding company insolvent or has caused it to be in unsafe or unsound condition. The Board recognizes that there are many legitimate reasons why bank holding companies may wish to repurchase or redeem their own shares, and believes that a requirement that holding companies obtain prior Board approval for all such transactions may be unduly burdensome and unnecessary to cure the "bootstrapping" problem. For this reason, the Board has determined to initiate this rulemaking proceeding to propose a requirement that bank holding companies give prior notification to the appropriate Federal Reserve Bank of an intention to repurchase or redeem shares where the consideration to be paid, when aggregated with the consideration paid for all other repurchases or redemptions during the preceeding five years, would equal 10 per cent of the holding company's current net worth. The Board may, as an alternative, consider imposing such a prior notice requirement with respect to all proposed repurchases or redemptions by bank holding companies, or, alternatively, with respect to those involving the incurring of debt or a transfer of control.

Where such notice discloses that consummation of the proposed repurchase or redemption would violate applicable law or would create an unsafe or unsound condition in the holding company, the Board would, in appropriate cases, invoke its authority under the Financial Institutions Supervisory Act of 1966 (section 8 (b) of the Federal Deposit Insurance Act) to institute cease-and-desist proceedings against the company in order to prevent the repurchase or redemption.

For the foregoing reasons, the Board proposes to amend Regulation Y as follows:

Part 225 of Regulation Y is amended by adding thereto a new § 225.6, as follows:

§ 225.6 Corporate practices.

(a) *Purchase or redemption by a bank holding company of its own shares.* No bank holding company shall purchase or redeem any shares of its outstanding voting securities without giving at least 60 days prior notice thereof to its Federal Reserve Bank if the consideration to be paid for such purchase or redemption, when aggregated with the consideration paid for all other such purchases or redemptions over the preceding five-year period, would equal 10 per cent or more of said holding company's consolidated net worth as of the date of such notice. The 60-day period shall begin to run from the date such notice is received by the Reserve Bank, which shall promptly acknowledge receipt thereof in writing. Each notice filed hereunder shall furnish the following information: (1) the title of the security to be purchased or redeemed, (2) the number of shares of that security to be purchased or redeemed, the total number of such shares outstanding as of the date of the notice, and the number of all other such shares purchased or redeemed over the preceding five-year period, (3) the consideration to be paid for the shares to be purchased or redeemed, and the consideration paid for all other such shares purchased or redeemed over the preceding five-year period, (4) the date upon which or the period of time during which the purchase or redemption will occur, (5) the names of the persons from whom the shares are to be purchased or redeemed, and the names of persons from whom all other such shares were purchased, (6) if debt is to be incurred or has been incurred by the company or a subsidiary in connection with the purchase or redemption or any other such purchase or redemption over the preceding five years, a description of the terms of the debt, including the identity of the obligee, and the interest rate, maturity and repayment schedule of the debt, (7) if a transfer of control is involved, a description of the terms of the transfer, including the identity of the transferee and a copy of any agreements relating to such transfer, and (8) a current and pro forma consolidated balance sheet of the holding company. The Reserve Bank may permit a purchase or redemption to be accomplished prior to the expiration of the 60-day period if it determines that the repurchase or redemption would not constitute an unsafe or unsound practice and would not violate any applicable law, rule, regulation or order, or any condition imposed by, or written agreement with, the Board.

This notice of proposed rulemaking is issued under the authority of sections 5(b) and 5(c) of the Bank Holding Company Act of 1956, as amended (12 U.S.C. 1844(c) and (d)), and section 8(b) of

the Federal Deposit Insurance Act, as amended (12 U.S.C. 1818(b)).

To aid in the consideration of this matter by the Board, interested persons are invited to submit relevant data, views, or arguments in writing on the proposal and the alternatives described above, to the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551, to be received not later than January 15, 1976. Such material will be made available for inspection and copying upon request except as provided in § 261.6(a) of the Board's Rules Regarding Availability of Information (12 CFR 261.6(a)).

By order of the Board of Governors, December 10, 1975.

[SEAL] THEODORE E. ALLISON,
Secretary of the Board.

[FR Doc.75-34228 Filed 12-18-75;8:45 am]

FEDERAL TRADE COMMISSION

[16 CFR Part 443]

HEALTH SPAS

Extension of Time To Propose Disputed Issues of Fact on Proposed Trade Regulation Rule

Notice of opportunity to propose disputed issues of fact regarding the proposed Trade Regulation Rule concerning Health Spas was published in the FEDERAL REGISTER on August 18, 1975 (40 FR 34615). The Notice also set forth the text of the proposed rule and a statement of reason for the proposed rule.

In response to a motion by Commission staff counsel supporting the Health Spa Rule, the Presiding Officer has determined, pursuant to the authority of Section 1.13(c)(1) of the Commission's Procedures and Rules of Practice, to extend the time for proposing disputed issues of fact for a period of ninety days beyond the present closing date of December 19, 1975. Accordingly, the record in this matter will remain open for that purpose until March 18, 1976.

Proposed disputed issues of fact concerning the proposed Rule should be filed with the Special Assistant Director for Rulemaking, Bureau of Consumer Protection, Federal Trade Commission, Washington, D.C. 20580.

Issued: December 16, 1975.

ROGER J. FITZPATRICK,
Presiding Officer.

[FR Doc.75-34194 Filed 12-18-75;8:45 am]

DEPARTMENT OF LABOR

Wage and Hour Division

[29 CFR Parts 723, 724, 725]

[Administrative Order No. 641]

INDUSTRY COMMITTEES FOR VARIOUS INDUSTRIES IN PUERTO RICO

Appointment To Investigate Conditions and Recommend Minimum Wage Rates; Notice of Hearings

1. Pursuant to section 5 of the Fair Labor Standards Act of 1938, as amended (29 U.S.C. 205), Reorganization Plan No. 6 of 1950 (3 CFR 1949-53 Comp., p. 1004), and 29 CFR 511, I hereby appoint the following industry committees for the indicated industries:

Committee Number	*Industry*
129-A	Education industry in Puerto Rico
129-B	Hospital and related institutions industry in Puerto Rico
130	Laundry and cleaning industry in Puerto Rico

2. These industries are defined as follows:

(a) The education industry in Puerto Rico is defined as follows: The operation of preschools, elementary or secondary schools, or institutions of higher education, or schools for mentally or physically handicapped or gifted persons, regardless of whether public or private or operated for profit or not for profit: *Provided, however,* That the industry shall not include any activity to which the Fair Labor Standards Act of 1938 would have applied prior to the Fair Labor Standards Amendments of 1966.

(b) The hospital and related institutions industry in Puerto Rico is defined as follows: The performance of activities in connection with the operation of hospitals, nursing homes, sanitariums, rest homes, convalescent homes, and related institutions primarily engaged in the care of persons who are sick, aged, or the mentally ill or defective who reside on the premises of such institutions, regardless of whether or not such a hospital or institution is public or private or operated for profit or not for profit: *Provided, however,* That the industry shall not include any activity to which the Fair Labor Standards Act of 1938 would have applied prior to the Fair Labor Standards Amendments of 1966.

(c) The laundry and cleaning industry in Puerto Rico is defined as follows: Laundering, dry cleaning, and incidental work such as repair of clothing and fabrics on which such work is done and the work done in family and commercial power laundries, linen supply and industrial launderers, diaper services, self-service laundries, hand laundries, cleaning and dyeing plants, and rug cleaning and repairing plants:

Provided, however, That the industry shall not include any activities to which the Fair Labor Standards Act of 1938 would have applied prior to the Fair Labor Standards Amendments of 1966.

3. Pursuant to section 8 of the Fair Labor Standards Act of 1938 (29 U.S.C. 208), Reorganization Plan No. 6 of 1950 (3 CFR 1949-1953 Comp., p. 1004), and 29 CFR Part 511, I hereby:

(a) Convene the above-appointed industry committees;

(b) Refer to the industry committees the question of the minimum rates of wages to be fixed for the above-mentioned industries in Puerto Rico,

(c) Give notice of the hearings to be held by the several committees at the times and place indicated. The committees shall investigate conditions in the industries, and the committees, or any authorized subcommittee thereof, shall hear witnesses and receive such evidence as may be necessary or appropriate to enable the committees to perform their duties and functions under the aforementioned Act.

Industry Committee No. 129-A will meet in executive session to commence its investigation at 9 a.m. and begin its public hearing at 10 a.m. on Monday, March 1, 1976. Following this hearing Industry Committee No. 129-B will immediately convene to conduct its investigation and begin its public hearing.

Industry Committee No. 130 will meet in executive session to commence its investigation at 9 a.m. and begin its public hearing at 10 a.m. on Monday, March 8, 1976.

The hearings will take place in the offices of the Wage and Hour Division on the seventh floor of the Condominio San Albert Building, 1200 Ponce de Leon Avenue, Santurce, Puerto Rico.

4. The rate or rates recommended by the committees shall not exceed the rates prescribed by section 6(b) of the Act, namely, $2.20 an hour during the year beginning January 1, 1976, nor $2.30 an hour after December 31, 1976.

Each industry committee shall recommend to the Administrator of the Wage and Hour Division of the Department of Labor the highest minimum wage rates for the industry which it determines, having due regard to economic and competitive conditions, will not substantially curtail employment in the industry, and will not give any industry in Puerto Rico a competitive advantage over any industry in the United States outside of Puerto Rico, the Virgin Islands or American Samoa; except that each committee shall recommend the minimum rates prescribed in section 6(b), unless there is substantial documentary evidence including pertinent unabridged profit and loss statements and balance sheets for a representative period of years which establishes that the industry or a predominant portion thereof, is unable to pay the wage.

5. Whenever an industry committee finds that a higher minimum wage may be determined for employees engaged in certain activities in the industry than may be determined for other employees in that industry, the committee shall recommend such reasonable classifications within the industry as it determines to be necessary for the purpose of fixing for each classification the highest minimum wage rate that can be determined for it under the principles set forth herein and in 29 CFR 511.10 which will not give a competitive advantage to any group in the industry. No classification shall be made, however, and no minimum wage rate shall be fixed solely on a regional basis or on the basis of age or sex. In determining whether there should be classifications within an industry, in making such classification, and in determining the minimum wage rates for such classifications, the industry committee shall consider, among other relevant factors, the following: (a) Competitive conditions as affected by transportation, living, and production costs; (b) wages

established for work of like or comparable character by collective labor agreements negotiated between employers and employees by representatives of their own choosing; and (c) wages paid for work of life or comparable character by employers who voluntarily maintain minimum wage standards in the industry.

6. The Administrator shall prepare an economic report for the industry committees containing such data as he is able to assemble pertinent to the matters referred to them. Copies of such reports may be obtained at the national and Puerto Rican offices of the Wage and Hour Division of the U.S. Department of Labor as soon as they are completed and prior to the hearings. The industry committees shall take official notice of the facts stated in the economic reports to the extent that they are not refuted at the hearing.

7. The procedure of industry committees shall be governed by 29 CFR Part 511. Interested persons wishing to participate in the hearings shall file prehearing statements, as provided in 29 CFR 511.8 containing the data specified in that section not later than 10 days before the first hearing date set for each committee as set forth in this notice of hearing, i.e., February 20, 1976 for matters to be considered by Industry Committees No. 129–A and 129–B; and February 27, 1976 for matters to be considered by Industry Committee No. 130.

Signed at Washington, D.C. this 16th day of December 1975.

JOHN T. DUNLOP,
Secretary of Labor.

[FR Doc.75-34295 Filed 12-18-75;8:45 am]

notices

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

DEPARTMENT OF STATE

Agency for International Development

ADVISORY COMMITTEE ON VOLUNTARY FOREIGN AID

Notice of Meeting

Pursuant to Executive Order 11769 and the provisions of Section 10(1) (2), Public Law 92-463, Federal Advisory Committee Act, notice is hereby given of the meeting of the Advisory Committee on Voluntary Foreign Aid which will be held on January 16, 1976, from 9:30 a.m. to 12:30 p.m. and 2:00 p.m. to 4:00 p.m., in Room 5951, New State Building, 21st and Virginia Avenue NW., Washington, D.C.

The purpose of the meeting is to consider the findings, recommendations and implications of the Filer Commission Report as they relate to voluntary agencies, A.I.D. and the Advisory Committee, and such other matters related to the foreign assistance advisory concerns of the Committee as may be appropriate.

The session will be open to the public. Any interested person may attend, appear before, or file statements with the Committee in accordance with procedures established by the Committee and to the extent time available for the meeting permits. Written statements may be filed before or after the meeting.

Mrs. Harriett S. Crowley will be the A.I.D. representative at the meeting. Information concerning the meeting may be obtained from Mr. Robert S. McClusky, Telephone: AC 202-632-1892. Persons desiring to attend the meeting should enter the New State Building through the 21st Street entrance.

Dated: December 16, 1975.

HARRIETT S. CROWLEY,
Acting Assistant Administrator for Population and Humanitarian Assistance.

[FR Doc.75-34229 Filed 12-18-75;8:45 am]

[Amdt. to Delegation of Authority No. 98]

DEPUTY ADMINISTRATOR AND ASSISTANT ADMINISTRATORS

Delegation of Authority

Pursuant to the authority delegated to me by Delegation of Authority No. 104 of November 3, 1961, as amended, from the Secretary of State (25 F.R. 10608) and in accordance with the provisions of section 624(b) of the Foreign Assistance Act of 1961, as amended (22 U.S.C. 2384), it is directed as follows:

In the event of the absence, death, resignation, or disability of the Administrator, the following designated officers of the Agency for International Development shall, in the order of succession indicated, act as Administrator:

(1) Deputy Administrator,

(2) Assistant Administrator for Program and Policy Coordination,

(3) Assistant Administrator for Program and Management Services,

(4) Assistant Administrator, International Development Coordination.

(5) Assistant Administrator, Bureau for Latin America,

(6) Assistant Administrator, Bureau for Near East,

(7) Assistant Administrator, Bureau for Asia,

(8) Assistant Administrator, Bureau for Africa.

This Delegation of Authority amends and supersedes Delegation of Authority No. 98 of September 28, 1973 (38 FR 27628, October 5, 1973).

This Delegation of Authority is effective immediately.

Dated: November 11, 1975.

DANIEL PARKER,
Administrator.

[FR Doc.75-34176 Filed 12-18-75;8:45 am]

DEPARTMENT OF THE TREASURY

Office of the Secretary

(APP-2-04-O:D:T VK/RF)

INDUSTRIAL VEHICLE TIRES FROM CANADA

Antidumping Proceeding Notice

On November 13, 1975, information was received in proper form pursuant to sections 153.26 and 153.27, Customs Regulations (19 CFR 153.26 and 153.27), indicating a possibility that industrial vehicle tires from Canada, are being, or are likely to be, sold at less than fair value within the meaning of the Antidumping Act, 1921, as amended (19 U.S.C. 162 et seq.).

For purposes of this notice, the term industrial vehicle tires means press-on, solid, rubber tires, cured or bonded to steel base bands, used on off-the-highway work vehicles, whether or not self-propelled.

There is evidence on record concerning injury to or likelihood of injury to or prevention of establishment of an industry in the United States. Available information indicates substantial declines in the ratio of profit to sales and in employment levels in the domestic industry over the period 1974-1975. Other information indicates that imports of the subject merchandise from Canada commenced in April 1975 and during the period April-October 1975 obtained 4 percent of the United States market. The share of the U.S. market held by domestic manufacturers correspondingly declined during the same period. Also information indicates that domestic manufacturers are being undersold by the Canadian exporters on most sizes of industrial vehicle tires.

Having conducted a preliminary investigation as required by § 153.29 of the Customs Regulations (19 CFR 153.29) and having determined as a result thereof that there are grounds for so doing, the U.S. Customs Service is instituting an inquiry to verify the information submitted and to obtain the facts necessary to enable the Secretary of the Treasury to reach a determination as to the fact or likelihood of sales at less than fair value.

A summary of information from all sources is as follows: The information received tends to indicate that the prices of merchandise sold for eploration to the United States are less than the prices for home consumption.

This notice is published pursuant to § 153.30 of the Customs Regulations (19 CFR 153.30).

JAMES B. CLAWSON,
Acting Assistant Secretary of the Treasury.

DECEMBER 15, 1975.

[FR Doc.75-34186 Filed 12-18-75;8:45 am]

MELAMINE IN CRYSTAL FORM FROM JAPAN

Antidumping Proceeding Notice

On November 14, 1975, information was received in proper form pursuant to sections 153.26 and 153.27, Customs Regulations (19 CFR 153.26, 153.27), indicating the possibility that melamine in crystal form from Japan is being, or is likely to be, sold at less than fair value within the meaning of the Antidumping Act, 1921, as amended (19 U.S.C. 160 et seq.) (referred to in this notice as "the Act").

There is evidence on record concerning injury or likelihood of injury to or prevention of establishment of an industry in the United States. This information indicates that a significant increase in U.S. market share on the part of Japanese imports has occurred, while the share of the U.S. market held by domestic producers has suffered a corresponding decline. Other information indicates that the capacity utilization of the U.S. industry has declined substantially over the period CY 1974-September 1975. Also information indicates that the margin by which domestic producers are being undersold by Japanese imports would be eliminated were the price differential between prices in the Japanese home mar-

ket and for export to the United States eliminated.

Having conducted a preliminary investigation as required by § 153.29 of the Customs Regulations (19 CFR 153.29) and having determined as a result thereof that there are grounds for so doing, the U.S. Customs Service is instituting an inquiry to verify the information submitted and to obtain the facts necessary to enable the Secretary of the Treasury to reach a determination as to the fact or likelihood of sales at less than fair value.

A summary of price information received from all sources is as follows: The information received tends to indicate that the merchandise sold for export to the United States are less than the prices for home consumption.

This notice is published pursuant to § 153.30 of the Customs Regulations (19 CFR 153.30).

JAMES B. CLAWSON,
Acting Assistant
Secretary of the Treasury.

DECEMBER 12, 1975.

[FR Doc.75-34187 Filed 12-18-75;8:45 am]

DEPARTMENT OF DEFENSE

Office of the Secretary

DDR&E HIGH ENERGY LASER REVIEW GROUP

Notice of Closed Meetings

Pursuant to the provisions of Section 10 of Appendix I, Title 5, United States Code, notice is hereby given that closed meetings of the DDR&E High Energy Laser Review Group will be held at 0830 on Tuesday and Wednesday, January 27 and 28, 1976, in Adelphi, Maryland. The purpose is to review matters pertaining to the Department of Defense high energy laser program.

The subject matter of the meetings is classified in accordance with subparagraph (1) of Section 552(b) of Title 5 of the U.S. Code.

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

DECEMBER 16, 1975.

[FR Doc.75-34254 Filed 12-18-75;8:45 am]

JUSTICE DEPARTMENT

FEDERAL ADVISORY COMMITTEE ON FALSE IDENTIFICATION

Meeting

Notice is hereby given in accordance with the Federal Advisory Committee Act (Pub. L. 92-463, 5 USC Appendix I) that the tenth meeting of the Federal Advisory Committee on False Identification will be held at 9:30 a.m., Thursday, January 8, 1976, at the Briefing and Conference Center of the Department of Justice (opposite Room 1315), 10th and Constitution Avenue, NW., Washington, D.C.

The Committee was established by the Attorney General to study the criminal use of false identification at Federal, state, and local levels and to recommend measures to prevent such use.

At the plenary session of the January 8th meeting, the Committee will begin considering possible solutions to the criminal use of false identification. A list of many potential solutions will be distributed to Committee members. This list will contain summaries of solutions, and relevant information concerning their cost, time of implementation, administrative difficulty and other data. Members will then be asked to vote to rank these solutions according to preference so that the most desirable ones may be identified for further investigation. Following the plenary session each of the Committee's five Task Forces will continue their deliberations. Each agency or organization (or individual, if applicable) which is a member of the Committee will have one vote regardless of the number of representatives it sends to the Committee's meetings. An exception will be made only in cases where such a procedure clearly would be unfair. For example, both the Passport Office and the Visa Office of the State Department will have one vote each, despite the fact that both are a part of the State Department. Similarly, both the Social Security Administration and the Division of Vital Statistics, Department of Health, Education and Welfare (HEW), will have one vote, although both are a part of HEW. Any comments on such a voting procedure or objections thereto, should be made in writing to David J. Muchow at the address below, on or before January 8, 1976. A copy of the Committee's membership list is available upon request.

The meeting, which will adjourn at approximately 2:00 p.m., is open to the public. The Committee welcomes a broad spectrum of ideas from the public to assist the Committee in its efforts to protect each citizen's right to privacy and to aid in preventing the criminal use of false identification.

Further information concerning this meeting may be obtained from David J. Muchow, General Crimes Section, Criminal Division, Department of Justice, Room 516, Federal Triangle Building, 315 9th Street, NW., Washington, D.C. 20530, telephone (202) 739-3738. Minutes of the meeting will be available for public inspection two weeks after the meeting in Room 516, Federal Triangle Building.

RICHARD L. THORNBURGH,
Assistant Attorney General.

[FR Doc.75-34195 Filed 12-18-75;8:45 am]

Law Enforcement Assistance Administration

ADVISORY COMMITTEE TO THE ADMINISTRATOR ON STANDARDS FOR THE ADMINISTRATION OF JUVENILE JUSTICE

Meeting

Notice is hereby given that the Advisory Committee to the Administrator on Standards for the Administration of Juvenile Justice, a subdivision of the National Advisory Committee on Juvenile Justice and Delinquency Prevention, will meet on Thursday, January 8, 1976, at the Ramada Inn, New Orleans Airport, 1021 Airline Highway, Kenner, Louisiana. The meeting is scheduled to begin at 9:00 a.m. and will adjourn by 5:00 p.m.

Discussion will focus on draft standards concerning the jurisdiction and organization of the family court, the right of juveniles to be represented by counsel in proceedings before the family court, the appropriate delinquency jurisdiction of the Federal courts, and alternative strategies for implementing the standards on juvenile justice and delinquency prevention.

The meeting will be open to the public.

For further information, please contact: Milton L. Luger, Assistant Administrator of the Law Enforcement Assistance Administration for the Office of Juvenile Justice and Delinquency Prevention, 633 Indiana Avenue, NW., Room 446, Washington, D.C. 20531.

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

[FR Doc.75-34193 Filed 12-18-75;8:45 am]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

MID-ATLANTIC OUTER CONTINENTAL SHELF OFFSHORE NEW JERSEY AND DELAWARE

Notice of Public Hearing Regarding Proposed Mid-Atlantic Oil and Gas Lease Sale Offshore New Jersey and Delaware

In accordance with 43 CFR 3301.4, a public hearing will be held beginning at 9:00 a.m., on January 27, 1976, in the Grand Ballroom of the Sheraton Deauville Hotel and Motor Inn located on Boardwalk at Brighton in Atlantic City, New Jersey, for the purpose of receiving comments and suggestions relating to a proposed Mid-Atlantic oil and gas lease sale offshore New Jersey and Delaware. The hearing will extend through January 30, 1976, if necessary.

The hearing will provide the Secretary with additional information from both public and private sectors to help evaluate fully the potential effects of the possible offering of 154 tracts on the total environment, marine resources, recreation, economic, and other resources in the Mid-Atlantic area during the exploration, development, and production phases of the leasing program.

The hearing will also provide the Secretary, under Section 102(2)(C) of the National Environmental Policy Act of 1969, with the opportunity to receive additional comments and views of interested State and local agencies.

A draft envrionmental statement concerning the proposed lease sale (OCS Sale No. 40) was made available to the public on December 10, 1975. Single copies of this statement can be obtained at the New York Outer Continental Shelf Office, Bureau of Land Management, Six World Trade Center, Suite 600D, New York, New York 10048, and from the Office of Public Affairs, Bureau of Land Management (130), Washington, D.C. 20240.

Copies of the draft environment statement are also available for review in the following public libraries: New York Public Library, 5th Avenue and 42nd Street, New York City; Nassau Library System, Garden City, Long Island, New York; Suffolk Cooperative Library System, Bellport, Long Island, New York; Free Library of Philadelphia, Logan Square, Philadelphia, Pennsylvania; Wilmington Institute Free Library and New Castle County Free Library, Wilmington, Delaware; Rehoboth Beach Public Library, Rehoboth Beach, Delaware; Enoch Pratt Free Library, Baltimore, Maryland; Eastern Shore Area Library, Salisbury, Maryland; Trenton Free Public Library, Trenton, New Jersey; Atlantic City Free Public Library, Atlantic City, New Jersey; and Norfolk Public Library System, Norfolk, Virginia.

Interested individuals, representatives of organizations, and public officials wishing to testify at the hearing are requested to contact the Manager, New York Outer Continental Shelf Office, Bureau of Land Management, at the above address by 4:45 p.m., January 19, 1976. Written comments from those unable to attend the hearing also should be addressed to the Manager, New York Outer Continental Shelf Office, Bureau of Land Management, at the above address. The Department will accept written testimony and comments on the draft environmental statement until February 12, 1976. This should allow ample time for those unable to testify at the hearing to make their views known and for the submission of supplemental materials by those presenting oral testimony. Time limitations make it necessary to limit the length of oral presentations to ten minutes. An oral statement may be supplemented, however, by a more complete written statement which may be submitted to the hearing officer at the time of presentation of the oral statement. Written statements presented in person at the hearing will be considered for inclusion in the hearing record. To the extent that time is available after presentation of oral statements by those who have given advance notice, the hearing officer will give others present an opportunity to be heard.

After testimony and comments have been received and analyzed, a final environmental statement will be prepared.

CURT BERKLUND,
Director, Bureau of Land Management.

Approved: December 17, 1975.

ROYSTON C. HUGHES,
Assistant Secretary of the Interior.

[FR Doc.75-34365 Filed 12-18-75;8:45 am]

Bureau of Reclamation

[INT-FES 75-102]

NUECES RIVER PROJECT, TEXAS

Notice of Availability of Final Environmental Statement

Pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969, the Deartment of the Interior has prepared a final environmental statement for the authorized Nueces River Project, Texas.

The environmental statement concerns a water storage project for the purposes of municipal and industrial water supplies plus fish and wildlife and recreation benefits. Choke Canyon Dam would be located on the Frio River in Live Oak County, Texas.

Copies are available for inspection at the following locations:

Office of Assistant to the Commissioner—Ecology, Room 7620, Bureau of Reclamation, Department of the Interior, Washington, D.C. 20240, telephone (202) 343-4991

Division of Engineering Support, Technical Services Branch, E&R Center, Denver Federal Center, Denver, Colorado 80225, telephone (303) 234-3007.

Office of the Regional Director, Bureau of Reclamation, Herring Plaza, Box H-4377, Amarillo, Texas 79101, telephone (806) 376-2404

Austin Planning Office, Bureau of Reclamation, Post Office Box 1946, Austin, Texas 78767, telephone (512) 397-5641

Single copies of the final statement may be obtained on request to the Commissioner of Reclamation, Regional Director, or Austin Planning Officer. Please refer to the statement number above.

Dated: December 16, 1975.

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

[FR Doc.75-34223 Filed 12-18-75;8:45 am]

Fish and Wildlife Service

COYOTE DAMAGE CONTROL: CATTLE, SHEEP AND GOATS

Report on Emergency Use of M-44 Devices During October 1975

Notice is hereby given on the emergency use of M-44 devices by the Department of Interior's operational predator damage control program for the month of October. This use is in compliance with the experimental use permit (No. 6704-EXP-6G) issued by the Environmental Protection Agency pursuant to section 5 of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) as amended (7 U.S.C. 135-135k), and in accordance with 40 CFR 162.19, as promulgated in the FEDERAL REGISTER on January 31, 1974 (39 FR 3939). This report is made pursuant to FEDERAL REGISTER notice of June 20, 1974 (39 FR 2216G).

Actual M-44 use of October 1975 is as follows:

M-44.—Emergency use, October 1975

State	Number of counties	Number of ranches	Number of cattle, sheep, and goats, protected	Number of M-44's used
Arizona	3	20	1,582	248
Nevada	1	1	1,000	20
New Mexico	12	38	15,017	952
Montana	16	30	17,282	486
Oklahoma	1	1	60	24
Oregon	7	21	2,503	166
Texas	29	131	33,823	1,294
Utah	1	3	155	30
Wyoming	2	4	2,251	76
Total	72	235	73,673	3,315

The M-44 device took 280 coyotes on 105 of 235 emergency areas. Other species taken with this device included 14 red foxes, 5 gray foxes, 5 feral dogs, 17 raccoons, 10 opossums, 4 skunks, 2 ringtails, and 1 armadillo.

All of the above use of M-44 devices as a supplemental tool to attempt to resolve coyote depredation on cattle, sheep and goats was conducted by trained Service personnel in accordance with the "Procedure For Advance Identification and Approval of Areas For the Possible Emergency Use of Sodium Cyanide Delivered by the M-44 Device for the Control of Depredating Canids", as it appears in the FEDERAL REGISTER, Volume 39, No. 120, Thursday, June 20, 1974.

GEORGE W. MILIAS,
Acting Director U.S. Fish and Wildlife Service.

DECEMBER 15, 1975.

[FR Doc.75-34175 Filed 12-18-75;8:45 am]

ENDANGERED SPECIES PERMIT

Notice of 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 (P.L. 93-205).

Applicant:

Texas Memorial Museum, Vertebrate Paleontology Laboratory, University of Texas at Austin, Austin, Texas 78757.

Wann Langston, Jr., Director

OMB NO. 43-R1075

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 salvage carcasses of dead or mortally injured specimens of Alligator mississippiensis in Texas for preservation for scientific purposes and to salvage from domestic zoo collections the remains of any other species of crocodilians defined as endangered or threatened species for preservation as scientific specimens

3. APPLICANT. (Name, complete address and phone number of individual, business, agency, or institution for which permit is requested)
Wann Langston, Jr., Director
Vertebrate Paleontology Laboratory
Texas Memorial Museum
University of Texas at Austin
Route 4 Box 189
Austin, Texas 78757 (512)836-0440ext253

4. IF "APPLICANT" IS AN INDIVIDUAL, COMPLETE THE FOLLOWING
☒ MR. ☐ MRS. ☐ MISS ☐ MS.
HEIGHT: 5'10" WEIGHT: 175
DATE OF BIRTH: 7/10/1921
COLOR HAIR: red-gray COLOR EYES: blue
PHONE NUMBER WHERE EMPLOYED: (512) 836-0440 ex.253
SOCIAL SECURITY NUMBER: 444-28-7214
OCCUPATION: Museum Director-Research Scientist
ANY BUSINESS, AGENCY, OR INSTITUTIONAL AFFILIATION HAVING TO DO WITH THE WILDLIFE TO BE COVERED BY THIS LICENSE/PERMIT
Texas Memorial Museum, an administrative unit of The University of Texas at Austin

5. IF "APPLICANT" IS A BUSINESS, CORPORATION, PUBLIC AGENCY, OR INSTITUTION, COMPLETE THE FOLLOWING
EXPLAIN TYPE OR KIND OF BUSINESS, AGENCY, OR INSTITUTION
N/A
NAME, TITLE, AND PHONE NUMBER OF PRESIDENT, PRINCIPAL OFFICER, DIRECTOR, ETC.
N/A
IF "APPLICANT" IS A CORPORATION, INDICATE STATE IN WHICH INCORPORATED
N/A

6. LOCATION WHERE PROPOSED ACTIVITY IS TO BE CONDUCTED
Salvage collecting throughout the State of Texas; collection will be housed at the Vertebrate Paleontology Laboratory of the Texas Memorial Museum in Austin

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)
Texas permits contingent upon receipt of federal permit (alligators only). Attachment 1.

9. CERTIFIED CHECK OR MONEY ORDER (If applicable) PAYABLE TO THE U.S. FISH AND WILDLIFE SERVICE ENCLOSED IN AMOUNT OF
not required

10. DESIRED EFFECTIVE
10/15/75 or earlier

11. DURATION NEEDED
two 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.
Attachment 2 [50 CFR §17-22]

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) E. Wann Langston Jr. DATE August 13, 1975

3-200
10/74

Wann Langston, Jr.,

TEXAS MEMORIAL MUSEUM—THE UNIVERSITY OF TEXAS AT AUSTIN

Balcones Research Center, Bldg. #6, Route 4, Box 189, Austin, Texas 78757.

August 13, 1975.

MR. GENE HESTER/*Permits, U.S. Fish and Wildlife Service, P.O. Box 19183, Washington, D.C. 20036.*

DEAR MR. HESTER: Herewith is the application for a permit to salvage alligator specimens in Texas which you were kind enough to discuss with me during my recent visit to Washington. As I read the instruction sheet (FS-9 Act. 74) other crocodilians can be included in this single application, although the primary purpose is to obtain a permit for alligators. I have accordingly added the taxa of crocodilians which appear on page 2 of 50 CFR 17 (subpart B). It is my impression, however, that other crocodilians, especially the American crocodile (*Crocodylus acutus*) are classed as endangered, but I fail to find these on the lists available to me. As it is hoped that this institution may act as a depository for specimens of all crocodilian species that may become available as salvage specimens, if there is in fact a more extensive list, I should like to have a copy, so that I can apply for additional permits if required.

I presume that since this permit is for scientific research no fee will be charged.

I hope the accompanying material is in order, but should you have questions that can be cleared up by phone, please call me at (512) 836-0440 ext. 253.

I enjoyed our brief conversation, which clarified a number of questions that had been bothering me. Thanks for your time.

Sincerely yours,

WANN LANGSTON, JR.,
Director, Vertebrate Paleontology Laboratory.

ATTACHMENT 1

ITEM #8 (Form 3-200). The State of Texas currently requires a permit to collect and hold living or dead specimens of *Alligator mississippiensis*. This permit may be issued only if a required federal permit has been granted (state permits are issued only to individuals). I have discussed the possibility that a federal permit may not be required under P.L. 93-205 to engage in salvage of dead or dying animals inside the State of Texas, but I am informed that the State Attorney General has ruled that a federal permit is necessary in any case. The Texas Fish and Wildlife Department is willing to cooperate with us in all respects once the necessary permits are in hand. Upon receipt of the federal permit, I will apply for the required Texas documents. These provisions apply only to the American alligator, no state permit being required for salvage of zoo specimens of other species.

ATTACHMENT 2

ITEM #12 (Form 3-200). Reference 50 CFR #17-22.

17-22(1). This application requests permission to salvage specimens of the American alligator (*Alligator mississippiensis*), a threatened and endangered species. Owing to the accidental and uncertain occurrences of salvage specimens, it is impossible to estimate the number or condition of specimens to be obtained. Since this is a conservation practice, it is hoped to accumulate as many specimens as possible.

17-22(2). A salvage specimen is an animal already dead by natural or accidental causes either in the wild or in captivity.

17-22(3). This application does not anticipate removal of living wildlife from its natural habitats or from zoo collections, so 17-22(3) does not apply.

17-22(4). As the permit would include captive animals in zoos, the origin of the individuals includes the total range of *A. mississippiensis*. It should be noted, however, that the geographic origin of such animals is usually uncertain or unknown prior to 1973.

17-22(5). Specimens obtained under this permit will be permanently preserved either as wet preservations or skeletal preparations by the Texas Memorial Museum, an administrative unit of The University of Texas at Austin. The specimens will be located at the Museums Vertebrate Paleontology Laboratory which is situated at the University's Balcones Research Center. The address of the Laboratory is Route 4, Box 189, Austin, Texas 78757.

The Vertebrate Paleontology Laboratory maintains the largest comparative osteological research collection of extant species in the south-central U.S. The collection now numbering about 3,650 catalogued specimens with essential data is actively curated and professionally supervised according to currently accepted standards of systematics collection management. Specimens in the collection are available for study by qualified researchers, are used in class demonstrations at the University and where wet preservations are involved, may be used for dissection in anatomical studies.

17-22(6). Live material is not to be covered by this permit, so 17-22(6) does not apply.

17-22(7). There are no contracts relating to the subject of this application. I am assured of the full cooperation of the Texas Parks and Wildlife Department (see copy of letter attached). The Department will issue a Texas permit to collect and keep salvage specimens once a federal permit has been obtained. They will notify the Laboratory when specimens are discovered and will deliver carcasses to the Laboratory when convenient.

17-22(8). Salvage specimens become available from time to time but there is at present no program for preserving their remains for scientific research; salvable specimens in Texas are simply being destroyed. However, since the alligator is a threatened species in Texas, it is important to insure the preservation of as large a sample as possible (there is at present no significant statistical sample of preserved material at any museum in the state). It is by analyses and comparisons of large samples of crocodilians that the paleontologist (for example) can have a better basis for inferences about extinct crocodilians.

To be included under this permit are also certain other species of crocodilians classed as endangered. Only specimens which die in captivity are involved. These include the following: Crocodile, Cuban (*Crocodylus rhombifer*), Crocodile, Morelet's (*C. moreletii*), Crocodile, Nile (*C. niloticus*), Crocodile, Orinoco (*C. intermedius*), Gavial (*Gavialis gangeticus*), Yacare (*Caiman yacare*). Zoo mortality in these species is apparently not very high, but when a death occurs, it is important to have a valid permit to conserve the remains before they are destroyed.

Addendum to Application for Federal Fish and Wildlife Permit to salvage specimens of *Alligator mississippiensis* and other threatened or endangered species of crocodiles. [50 CFR 17.22(a) (8) (iii)]

The proposed salvage operations will over the years provide a pool of statistical material of *Alligator mississippiensis* and other species of crocodilians. The statistical data will provide a better idea of morphological variability in the species than now exists. Such data can be expected to contribute to the solution of systematic questions concerning the possible existence of morphologically definable populations in the American alligator. These data will also provide a useful guide to the estimation of variability in extinct crocodilian populations which is of great importance to paleontologists.

Specimens which are suitable may be used in studies of the gross anatomy of crocodilians with a view to learning more about the functional morphology of the species and by inference adding to the overall body of knowledge about extinct crocodilians.

Stomach contents, when available in carcasses, will provide additional information on the relationship between individual size, seasonality, and preferred diet of *Alligator mississippiensis* in the wild.

The essential need now is to preserve specimens (see 50 CFR 17.22(c) (3)) so that these will be available for scientific research in the future.

WANN LANGSTON, Jr.

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 NW., 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 January 19, 1976, will be considered.

Dated: December 15, 1975.

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

[FR Doc.75-34301 Filed 12-18-75;8:45 am]

OUTER CONTINENTAL SHELF

Guidelines to OCS Order No. 14

Introduction. The purpose of OCS Order No. "14" is to assure diligence in the development of the OCS's natural resources by allowing limited suspensions of operations or production while the operator is waiting for the installation of equipment or granting of permits necessary for the production or transportation of oil and gas from a lease. The standards in the Order are to be strictly applied, and a suspension should be granted only if the supervisor is satisfied that it will promote the development of the lease.

Although the supervisor may approve a request for suspension on several separate grounds, it is not intended that separate suspensions should be granted each time an operator meets the requirements of a separate category. For example, if an operator is waiting for equipment, but will also need a permit, whenever possible he should be required to do both at the same time, and should not get separate or successive suspensions for each.

Some of the types of factors that reflect on the operator's good faith and his actions to expedite production from the lease are listed below. These and other similar factors should be considered by the supervisor when he decides whether to grant a suspension request.

For ease of reading, the relevant part of the draft Order is repeated within quotation marks, before the associated guidelines are presented.

SUSPENSIONS OF PRODUCTION TO FACILITATE PROPER DEVELOPMENT

A. . . . is waiting for completion of drilling platform construction and installation or delivery of equipment or facilities which are necessary for production and for which the lessee has signed a contract that specifies a delivery date; or

Guidelines. 1. Incomplete construction, or undeliverd equipment or facilities, is not by itself sufficient justification for granting a suspension. The operator shall show to the satisfaction of the supervisor:

(a) that the undelivered or incompletely installed equipment is essential for producing oil and gas from the lease; and

(b) that the operator has made a timely and diligent effort to obtain the equipment;

(c) that the delivery or completion date in the contract is reasonable. To decide whether the time for delivery or completion stated in the contract is reasonable, the supervisor should compare it with the time needed to perform similar contracts. Of course, he shall also consider any other information that may aid him in making his determination.

2. As a condition for the suspension, the supervisor shall require the operator to continue doing any useful activity that will promote the early production of oil and gas from lease.

B. has pending before any Federal, State or local government authority, an application for a permit which is necessary before the lessee can produce oil or gas from the lease; or

Guidelines. 1. When granting suspensions under this provision it is important for the supervisor to be sure the provision is not being abused. The operator must show to the satisfaction of the supervisor that a bona fide application with a reasonable chance of success is involved. Successive applications made within a short period of time on the same or nearly the same terms as applications for permits or prices previously denied should not, for example, be considered bona fide applications.

2. Whenever possible, if more than one permit or license is necessary before the lessee can produce from the lease, the supervisor shall require that the operator submit all of the applications at the earliest possible time. Separate consecutive suspensions should not normally be granted for different applications when such applications can be acted upon during a single suspension period.

3. If other useful activity can be performed while the application is under review, and the investment in that activity will not be lost if the application is not granted, the supervisor should require that the useful activity be continued while the permit application is pending.

C. has submitted to the Department of the Interior a development plan or unitization agreement for the lease and is waiting for the Department to complete action on the plan or agreement; or

Guidelines. 1. The operator must show to the satisfaction of the supervisor that a bona fide application or agreement with a reasonable chance of success is involved.

2. If other activity can be done while the permit application is under review, and the investment in such activity will not be lost if the permit is not granted, the supervisor shall require that the useful activity be continued while the permit application is pending.

D. has submitted to the Department of the Interior and is actually conducting a geological and geophysical exploration or development program that includes drilling to develop sufficient reserves to produce either from the lease alone or in connection with other leases. For purposes of receiving a suspension under this provision, drilling activity on one lease may be determined by the supervisor to be activity on all leases which are to be considered as a unit for purposes of providing sufficient reserves to establish economic justification for the construction

of a pipeline necessary to transport such reserves from the subject leases.

Guidelines. 1. The purpose of this provision is to allow a suspension of a lease while the lessee is actively attempting to prove up enough reserves to justify a pipeline. To grant a suspension under these conditions, the supervisor shall require a report from the lessee showing:

(a) the specific leases to be considered as a unit for purposes of justifying the construction of a pipeline.

(b) the quantity of reserves already found on each lease.

(c) the minimum quantity of reserves required to justify the pipeline.

(d) an economic analysis showing how the estimated minimum quantity of reserves was determined and the assumptions used in arriving at the determination.

2. Mere proposals for further exploration do not meet the requirements of this section.

SUSPENSION OF PRODUCTION BECAUSE OF LACK OF TRANSPORTATION FACILITIES

A. . . . is waiting for the completion of pipeline construction, or delivery of pipeline equipment or facilities which are necessary for the transportation of oil and gas and for which the lessee has signed a contract that specifies the completion or delivery date, or

Guidelines. 1. An incomplete pipeline or undelivered equipment or facilities is not by itself sufficient justification for granting a suspension. The operator shall show to the satisfaction of the supervisor:

(a) that the undelivered or incompletely installed equipment is essential for producing oil and gas from the lease; and

(b) that the operator has made a timely and diligent effort to obtain the equipment; and

(c) that the delivery or completion date in the contract is reasonable. To decide whether the time for delivery or completion stated in the contract is reasonable, the supervisor should compare it with the time needed to perform similar contracts. He should also consider any other information that may aid him in making this determination.

2. As a condition for the suspension, the supervisor shall require the operator to continue doing any activity that will promote the early production of oil and gas from the lease.

B. . . . has pending before any Federal, State, local government authority an application or a permit which is necessary before the lessee can transport oil and gas from the lease, or

1. The operator must show to the satisfaction of the supervisor that a bona fide application with a reasonable chance of success is involved. Successive applications made within a short period of time on the same or nearly the same items as applications for permits or prices previously denied should not, for example, be considered bona fide applications.

2. Whenever possible, if more than one permit or license is necessary before the lessee can produce from the lease, the supervisor shall require that the operator submit all of the applications at the earliest possible time. Separate consecutive suspensions should not normally be granted for different applications can be acted upon during a single suspension period.

3. If other useful activity can be performed while the application is under review, and the investment in that activity will not be lost if the application is not granted, the supervisor should require that the useful activity be continued while the permit application is pending.

C. . . . has a contract to use an existing pipeline, but is unable to use the pipeline for reasons beyond the lessee's control.

Guidelines. 1. The operator must show that he has not caused or contributed to his inability to use the pipeline. Suspension of rights to operate by State agencies or acts of God may justify a suspension under this section.

2. If a suspension is granted, the supervisor shall require the operator to seek alternative means of transportation.

UNITED STATES
DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY
CONSERVATION DIVISION

OCS ORDER NO. 14

EFFECTIVE _____

APPROVAL OF SUSPENSIONS OF PRODUCTION

This Order is established pursuant to the authority prescribed in 30 CFR 250.11 and in accordance with 30 CFR 250.12(d).

If the supervisor in his discretion approves a request for suspension of production pursuant to 30 CFR 250.12(d)(1) and (11), the terms of the lease will not be deemed to expire as long as the suspension remains in effect.

The supervisor may not approve a request for a suspension to facilitate proper development or for lack of transportation facilities unless he is satisfied that the lessee: (1) has made the request in good faith; and (2) is taking and will continue to take all reasonable actions to expedite the production of oil and gas from the lease.

1. *Suspension of Production to Facilitate Proper Development.* A lease on which a well has been drilled and determined by the supervisor to be capable of being produced in paying quantities according to the provisions of OCS Order No. 4 and thereafter temporarily abandoned or permanently plugged and abandoned is being properly developed if the lessee:

A. Is waiting for completion of drilling platform construction and installation, or delivery of equipment or facilities which are necessary for production and for which the lessee has signed a contract that specifies a delivery date; or

B. Has pending before any Federal, State, or local government authority, an application for a permit which is necessary before the lessee can produce oil or gas from the lease; or

C. Has submitted to the Department of the Interior a development plan or unitization agreement for the lease and is waiting for the Department to complete action on the plan or agreement; or

D. Has submitted to the Department of the Interior and is actually conducting a geological and geophysical exploration or development program, that includes drilling to develop sufficient reserves to produce either from the lease alone, or in connection with other leases. For purposes of receiving a suspension under this provision, drilling activity on one lease may be determined by the supervisor to be activity on all leases which are to be considered as a unit for purposes of providing sufficient reserves to establish economic justification for the construction of a pipeline necessary to transport such reserves from the subject lease.

2. *Suspension of Production Because of Lack of Transportation Facilities.* A lease on which a well has been drilled and determined by the supervisor to be capable of being produced in paying quantities, according to the provisions of OCS Order No. 4, and thereafter temporarily abandoned or permanently plugged and abandoned, cannot be produced because of lack of transportation facilities if the lessee:

A. Is waiting for the completion of pipeline construction, or delivery of pipeline equipment or facilities which are necessary for the transportation of oil and gas and for which the lessee has signed a contract that specifies the completion or delivery date; or

B. Has pending before any Federal, State, or local government authority an application or a permit which is necessary before the lessee can trasport oil and gas from the lease; or

C. Has a contract to use an existing pipeline, but is unable to use the pipeline for reasons beyond the lessee's control.

Oil and Gas Supervisor

Approved: December 12, 1975.

EDDIE R. WYATT,
Acting Chief, Conservation Division.

[FR Doc.75-34199 Filed 12-18-75;8:45 am]

INDIANA DUNES NATIONAL LAKESHORE ADVISORY COMMISSION

Notice of Meeting

Notice is hereby given in accordance with the Federal Advisory Committee Act that a meeting of the Indiana Dunes National Lakeshore Advisory Commission will be held at 10:00 a.m., CST, on Friday, January 16, 1976,, at the Red Lantern Inn Banquet Room, Lake Front Drive, Beverly Shores, Indiana.

The Commission was established by Public Law 89-761 to meet and consult with the Secretary of the Interior on matters related to the administration and development of the Indiana Dunes National Lakeshore.

The members of the Commission are as follows:

Mr. William L. Lieber (Chairman)
Mrs. Anna R. Carlson
Mr. Harry W. Frey
Mrs. Ione F. Harrington
Mr. John A. Hillenbrand II
Mr. Harold G. Rudd
Mr. John R. Schnurlein
Mr. George H. Williams (Secretarial Consultant)

Matters to be discussed at this meeting include:

1. Status of Lakeshore construction contracts.

2. Status of Congressional legislation on expansion of Indiana Dunes National Lakeshore.

3. Plans for dedication of West Beach facilities.

4. State Park/Lakeshore joint ventures.
5. Coordination between State of Indiana, city of Gary, Northwestern Indiana Regional Planning Commission and National Park Service regarding West Beach facilities relating to the problem of egress and ingress.
6. Bicentennial comprehensive plan and status.
7. Land Acquisition Report.

The meeting will be open to the public. It is expected that about 90 persons will be able to attend the session in addition to commission members. Interested persons may make written statements. Such requests should be made to the official listed below prior to the meeting.

Further information concerning this meeting may be obtained from James R. Whitehouse, Superintendent, Indiana Dunes National Lakeshore, Route 2, Box 139-A, Chesterton, Indiana 46304, telephone area code 219, 926-7561.

Minutes of the meeting will be available for public inspection three weeks after the meeting at the office of the Indiana Dunes National Lakeshore located at the intersection of State Park Road and U.S. Highway 12 (Kemil Road), Chesterton, Indiana.

MERRILL D. BEAL,
Regional Director, Midwest Region, National Park Service.

Dated: December 9, 1975.

[FR Doc.75-34232 Filed 12-18-75;8:45 am]

PEAKS OF OTTER SEWAGE TREATMENT, BLUE RIDGE PARKWAY, VA.

Notice of Informal Public Meeting

Due to the failure of present sewage treatment measures to meet Environmental Protection Agency requirements, the National Park Service has scheduled a public meeting for the purpose of identifying viable alternative sewage treatment methods and their respective impacts on the human environment at the Blue Ridge Parkway's Peaks of Otter Recreation Area, Milepost 86, near Bedford, Virginia.

National Park Service representatives will be available at the Bedford Municipal Building on January 13 and 14, 1976, between the hours of 10 a.m. and 8 p.m. for the purpose of receiving comments and recommendations from interested citizens. Preparation of an environmental assessment and determination whether an environmental impact statement will be required will follow this public consultation.

A summary of preliminary data and identified alternatives is available upon request from the Superintendent, Blue Ridge Parkway, P.O. Box 7606, Asheville, North Carolina 28807.

Dated November 25, 1975.

ROBERT STANTON,
Acting Regional Director, Southeast Region.

[FR Doc. 75-34230 Filed 12-18-75;8:45 am]

[INT-FES-75-103]

JENSEN UNIT, CENTRAL UNIT PROJECT

Notice of Availability of Final Environmental Statement

Pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969, the Department of the Interior has prepared a final environmental statement concerning the Jensen Unit, Central Utah Project. The project would develop water for irrigation in the vicinity of Jensen, Utah, and municipal water to augment existing supplies to Vernal and other nearby northeastern Utah towns in Ashley Valley.

Copies are available for inspection at the following locations:

Office of Assistant to the Commissioner—Ecology, Room 7620, Bureau of Reclamation, Department of the Interior, Washington, D.C. 20240 Telephone (202) 343-4991
Division of Engineering Support, Technical Services and Publications Branch, E&R Center, Denver Federal Center, Denver, Colorado 80225 Telephone (303) 234-3006
Office of the Regional Director, Bureau of Reclamation, Federal Building, 125 South State Street, Salt Lake City, Utah 84111 Telephone (801) 524-5404
Utah Activities Office, P.O. Box 1338, 168 West 100 North, Provo, Utah 84601 Telephone (801) 374-7222

Single copies of the final environmental statement may be obtained on request to the Commissioner of Reclamation or the Regional Director. Please refer to the statement number above.

Dated: December 16, 1975.

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

[FR Doc.75-34222 Filed 12-18-75;8:45 am]

Office of the Secretary

[INT DES 75-64]

PROPOSED DOLORES NATIONAL WILD AND SCENIC RIVER, COLORADO

Notice of Availability of Draft Environmental Statement

Pursuant to Section 102(2)(C) of the National Environmental Policy Act, the Bureau of Outdoor Recreation and the Forest Service have prepared a draft environmental statement for the proposed Dolores National Wild and Scenic River in Colorado.

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

Comments are invited and should be submitted to the Regional Director, Bureau of Outdoor Recreation, Post Office Box 25387, Denver Federal Center, Denver, Colorado 80225, within 45 days. Copies of the draft statement are available for inspection at the following locations:

Office of Information, Bureau of Outdoor Recreation, Room 4427, Department of the Interior, Washington, D.C. 20240, Telephone (202) 343-5726
Office of Information, Forest Service, Room 3219, Department of Agriculture (South Bldg.), Washington, D.C. 20250, Telephone (202) 447-3760
Office of Regional Director, Bureau of Outdoor Recreation, Denver Federal Center, P.O. Box 25387, Denver, Colorado 80225, Telephone (303) 234-2634
U.S.D.A., Forest Service, Rocky Mountain Region, 11177 West 8th Avenue, Lakewood, Colorado 80225, Telephone (303) 234-3711
Colorado State Clearinghouse, Division of Planning, 615 Columbine Building, 1845 Sherman Street, Denver, Colorado 80203
Areawide Clearinghouse, District 10 Regional Planning Commission, 107 South Cascade, Box 341, Montrose, Colorado 81401
Areawide Clearinghouse, Colorado West Council of Governments, 1400 Access Road, P.O. Box 341, Rifle, Colorado 81650
Durango Public Library, 1188 2nd Avenue, Durango, Colorado 81301
Dolores Public Library, 420 Central Avenue, Dolores, Colorado 81323
Dolores County Library, Dove Creek High School, Dove Creek, Colorado 81324
Cortez Public Library, 700 E. Montezuma Avenue, Cortez, Colorado 81321
Grand Junction—Mesa County Public Library, 521 White Avenue, Grand Junction, Colorado 81501
Denver Public Library, Conservation Library, 1357 Broadway, Denver, Colorado 80203
U.S. Forest Service, San Juan National Forest Headquarters, Oliger Building, 1474 Main Street, Durango, Colorado 81301
Bureau of Land Management, District Office, Highway 550 South, Montrose, Colorado 81401
San Miguel County Courthouse, 315 W. Colorado Avenue, Telluride, Colorado 81435
Grand County Courthouse, 125 E. Center Street, Moab, Utah 84532
Utah State Clearinghouse, Utah State Planning Coordinator, 118 State Capitol Building, Salt Lake City, Utah 84114
Southeastern Utah Association of Governments, 109 South Carbon Avenue, Price, Utah 84501

Single copies are available to the public and may be obtained by writing to the Regional Director, Bureau of Outdoor Recreation, Post Office Box 25387, Denver Federal Center, Denver, Colorado 80225. Please refer to the statement number shown above.

Dated: December 16, 1975.

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

[FR Doc.75-34224 Filed 12-18-75;8:45 am]

[INT DES 75-61]

MASTER PLAN FOR UPPER ST. CROIX NATIONAL SCENIC RIVERWAY, MINNESOTA AND WISCONSIN

Notice of Availability of Draft Environmental Statement

Pursuant to Section 102(2)(C) of the National Environmental Policy Act of 1969, the Department of the Interior has prepared a draft environmental statement for a master plan for Upper St.

Croix National Scenic Riverway, Minnesota and Wisconsin.

The statement considers the management and use of Upper St. Croix National Scenic Riverway, Minnesota and Wisconsin.

Written comments on the environmental statement are invited and will be accepted for a period of forty-five (45) days following publication of this notice. Comments should be addressed to the Superintendent, Upper St. Croix National Scenic Riverway.

Copies of the draft environmental statement are available from or for inspection at the following locations:

Midwest Regional Office, National Park Service, 1709 Jackson Street, Omaha, Nebraska 68102
Minnesota-Wisconsin Boundary Commission, 619 Second Street, Hudson, Wisconsin 54016
Superintendent, St. Croix National Scenic Riverway, P.O. Box 579, St. Croix Falls, Wisconsin 54024

Dated: December 11, 1975.

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

[FR Doc.75-34231 Filed 12-18-75;8:45 am]

DEPARTMENT OF AGRICULTURE

[Designaiton Number A275]

Farmers Home Administration

WASHINGTON

Designation of Emergency Areas

The Secretary of Agriculture has determined that farming, ranching, or aquaculture operations have been substantially affected in Chelan County, Washington, as a result of a severe hailstorm and cloudburst July 7, 1975.

Therefore, the Secretary has designated this area as eligible for Emergency loans pursuant to the provisions of the Consolidated Farm and Rural Development Act, as amended by Public Law 94-68, and the provisions of 7 CFR 1832.3(b) including the recommendation of Governor Daniel J. Evans that such designation be made.

Applications for Emergency loans must be received by this Department no later than February 9, 1976, for physical losses and September 9, 1976, for production losses, except that qualified borrowers who receive initial loans pursuant to this designation may be eligible for subsequent loans. The urgency of the need for loans in the designated area makes it impracticable and contrary to the public interest to give advance notice of proposed rule making and invite public participation.

Done at Washington, D.C., this 12th day of December, 1975.

FRANK B. ELLIOTT,
Administrator, Farmers Home Administration.

[FR Doc.75-34208 Filed 12-18-75;8:45 am]

Forest Service

[Region 3]

COCONINO NATIONAL FOREST ADVISORY COMMITTEES

Notice of Meeting

The GRAZING ADVISORY BOARD COMMITTEE will meet at the Holiday Inn, Flagstaff, Arizona, on January 21, 1976.

The purpose of this meeting is:

1. Selection of Chairman
2. Review and adoption of new By-Laws
3. Reduction of permitted livestock on the Boynton Canyon Allotment
4. General

The meeting will be open to the public. Persons who wish to attend should notify the Forest Supervisor's Office, Telephone 774-5261, Ext. 1400.

The committee has established the following rules for public participation:

The meeting is open to all grazing permittees and the general public.

WILLIAM L. HOLMES,
Acting Forest Supervisor.

DECEMBER 12, 1975.

[FR Doc.75-34284 Filed 12-18-75;8:45 am]

PROPOSED DOLORES NATIONAL WILD AND SCENIC RIVER

Notice of Availability of Draft Environmental Statement

CROSS REFERENCE: For a document issued jointly by the Forest Service, Department of Agriculture, and the Department of the Interior on the subject of the proposed Dolores National Wild and Scenic River, see FR Doc. 75-34224 appearing in the notices section of this issue under the Office of the Secretary, Department of the Interior.

[Department Organization Order 10-3]

DEPARTMENT OF COMMERCE

ASSISTANT SECRETARY FOR DOMESTIC AND INTERNATIONAL BUSINESS

Organization

This order effective November 17, 1975 supersedes the materials appearing at 39 FR 27484 of July 29, 1974, 40 FR 12534 of March 19, 1975, and 40 FR 42765 of September 16, 1975.

Section 1. Purpose.—.01 This order prescribes the scope of authority of the Assistant Secretary for Domestic and International Business and prescribes the general functions of the Domestic and International Business Administration (DIBA). The organizational structure of DIBA and the assignment of functions therein are prescribed in Department Organization Order 40-1.

.02 This revision incorporates the provisions of previous amendments; reflects the establishment of the position of Deputy Assistant Secretary for Field Operations (subparagraph 3.03f.) restores a delegation inadvertently omitted (subparagraph 4.01 1.); delegates to the Assistant Secretary for Domestic and International Business certain of the Secretary's authorities under the Trade Act of 1974 and Executive Order 11846 (subparagraphs 4.01y. and 4.01z.); and deletes the delegation with respect to adjustment assistance certification of firms and communities and studies and information activities under Section 264 of the Trade Act of 1974.

Section 2. Administrative designation.—The position of Assistant Secretary of Commerce, established by Public Law 80-191 (15 U.S.C. 1505), shall continue to be designated the Assistant Secretary for Domestic and International Business. The Assistant Secretary is appointed by the President by and with the advice and consent of the Senate.

Section 3. Scope of Authority.—.01 The Domestic and International Business Administration is hereby continued as a primary operating unit of the Department of Commerce.

.02 The Assistant Secretary for Domestic and International Business shall be the head of the Domestic and International Business Administration.

.03 The Assistant Secretary for Domestic and International Business shall be assisted by the *Deputy Assistant Secretary for Domestic and International Business* who shall perform such duties as the Assistant Secretary shall assign, and shall assume the duties of the Assistant Secretary during the latter's absence. In addition, the Assistant Secretary shall be assisted by the following DIBA officials in carrying out his responsibilities:

a. The *Deputy Assistant Secretary for International Economic Policy and Research.*

b. The *Deputy Assistant Secretary for Domestic Commerce.*

c. The *Deputy Assistant Secretary for International Commerce* who shall also be the *National Export Expansion Coordinator.*

d. The *Deputy Assistant Secretary for Resources and Trade Assistance.*

e. The *Deputy Assistant Secretary for East-West Trade.*

f. The *Deputy Assistant Secretary for Field Operations.*

Section 4. Delegation of Authority. .01 Pursuant to the authority vested in the Secretary of Commerce, and subject to such policies and directives as the Secretary may prescribe, the Assistant Secretary, DIB, is hereby delegated the authority of the Secretary of Commerce under:

a. The Act of February 14, 1903 (15 U.S.C. 1512 et seq.; 15 U.S.C. 171 et seq.) as amended, to foster, promote, and develop the foreign and domestic commerce of the United States, and related provisions;

b. The Defense Production Act of 1950, as amended (50 U.S.C. App. 2061 et seq.), conferred on the Secretary under Executive Order 10480, dated August 14, 1953, as amended, including authority to issue or modify orders restricting surface

transportation and discharge of certain commodities or for the prohibition of movement of American carriers to certain designated destinations, which authority has heretofore been implemented by the issuance of Transportation Orders T–1 and T–2, except the authority to create new agencies within the Department of Commerce;

c. Headnote 2, subpart B, part 6, schedule 6 of the Tariff Schedules of the United States (19 U.S.C. 1202) relating to the development, maintenance, and publication of a list of bona fide motor-vehicle manufacturers, and authority to promulgate rules and regulations pertaining thereto under Section 501(2) of Title V of the Automotive Products Trade Act of 1965 (19 U.S.C. 2031);

d. Executive Order 11490 of October 28, 1969, as it relates to the development of national emergency preparedness plans and programs concerning production functions and to the regulation and control of exports and imports under the jurisdiction of the Department, in support of national security, foreign policy, and economic stabilization objectives;

e. The National Security Act of 1947 (50 U.S.C. 401 et seq.), as amended, as it relates to mobilization preparedness responsibilities assigned thereunder;

f. The Strategic and Critical Materials Stock Piling Act (50 U.S.C. 98–98h), as amended, with respect to the acquisition of stocks of materials for defense purposes;

g. Executive Order 11179 of September 22, 1964, as amended by Executive Order 11725 of June 27, 1973, with respect to the establishment and training of the National Defense Executive Reserve;

h. Executive Order 10421 of December 31, 1952, providing for the physical security of facilities important to the national defense;

i. The Foreign Assistance Act of 1961, as amended (22 U.S.C. 2151 et seq.), 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;

j. 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. participation in trade missions abroad under the Mutual Educational and Cultural Exchange Act of 1961, as amended (22 U.S.C. 2451 et seq.);

k. The Act of October 18, 1962, as amended (46 U.S.C. 1122b), which authorized mobile trade fairs;

l. The China Trade Act of 1922, as amended (15 U.S.C. 141 et seq.), and Section 941 of the Internal Revenue Code of 1954, as amended (26 U.S.C. 941), as it relates to certification of special dividend distributions.

m. Section 4221 of the Internal Revenue Code of 1954, as amended, and the Tariff Act of 1930, as amended (19 U.S.C. 1309), insofar as they relate to findings with respect to exemptions from taxes and import duties on supplies and equipment for aircraft;

n. Section 402 of the Act of June 30, 1949 (40 U.S.C. 512) as it relates to the authority of the Secretary of Commerce with respect to the importation of foreign excess property, Section 601 of the Act of June 30, 1949 (40 U.S.C. 473) relating to the importation into the U.S. of surplus property sold in foreign areas before July 1, 1949, as delegated to the Secretary of Commerce pursuant to F.L.C. Reg. 8 (44 CFR 308.15);

o. The Educational Scientific and Cultural Materials Importation Act of 1966 (19 U.S.C. 1202);

p. Headnote 6(d) of Schedule 7, part 2, subpart E of the Tariff Schedule of the United States (19 U.S.C. 1202), added by Public Law 89–805, pertaining to the allocation of quotas for duty-free importation into the customs territory of the United States of watches and watch movements, among producers located in the Virgin Islands, Guam, and American Samoa, respectively;

q. The Export Administration Act of 1969 (50 U.S.C. App. 2401 et seq.), as amended, and extended by the Equal Export Opportunity Act (Public Law 92–412, 86 Stat. 644), and the Export Administration Act Amendments of 1974 (Public Law 93–500, 88 Stat. 1552) and the authority under those Acts delegated to the Secretary of Commerce by Executive Order 11533 of June 4, 1970, as continued in effect by Executive Orders 11683 of August 29, 1972, 11798 of August 14, 1974, and 11818 of November 5, 1974, except that the following power, authority, and discretion shall be reserved to the Secretary:

1. The determinations required by section 7(c) with respect to the publication or disclosure of confidential information obtained under the provisions of the Act, and

2. The submission of reports to the President and to the Congress required by Section 10 of the Act;

r. Executive Order 10978 of December 5, 1961 regarding the Presidential "E" Award, "E" Certificate of Service, and "E Star" Award, except final selection of recipients;

s. Executive Order 11322 of January 5, 1967, and Executive Order 11419 of July 29, 1968, as they relate to the exportation from the United States of commodities and products to or on behalf of Southern Rhodesia.

t. Executive Order 11651 of March 3, 1972, regarding Textile Trade Agreements;

u. The Act of October 27, 1972 (Public Law 92–598; 84 Stat. 271) relating to the participation of the U.S. in the International Exposition on the Environment to be held in Spokane, Washington, in 1974;

v. The Foreign Investment Study Act of 1974 (Public Law 93–479, 88 Stat. 1450), which provides for a comprehensive, overall study of foreign direct investments in the United States. The functions thereunder shall be carried out in close coordination with the Bureau of Economic Analysis (Department Organization Order 35–1A, subparagraph 3.01 d.), including thereunder to the extent feasible the division or assignment of responsibilities. Any regulations established to carry out functions under the Act and reports to be submitted to the Congress are to be issued by the Secretary;

w. Section 6 of the Federal Water Pollution Control Act amendments of 1972 (Public Law 92–500; 86 Stat. 816; 33 U.S.C. 1251 nt. (Supp. III 1973)) relating to the preparation of a report from the Secretary of Commerce to the President and to the Congress on the effects of pollution abatement on international trade;

x. Executive Order 11858, of May 7, 1975, relating to foreign investment in the United States;

y. Sections 135 and 104 of the Trade Act of 1974 (88 Stat. 1978, 19 U.S.C. 2101 et seq.) and Section 4(d) of Executive Order 11846 of March 27, 1975, relating to industry policy and sector advisory committtees and the identification of product sectors of manufacturing; and

z. Sections 5(b) and 5(c) of Executive Order 11846 of March 27, 1975, relating to quantitative import restrictions and monitoring imports under orderly marketing agreements.

.02 The Assistant Secretary may exercise other authorities of the Secretary as applicable to performing the functions assigned in this order.

.03 The Assistant Secretary may redelegate his authority, subject to such conditions in the exercise of such authority as he may prescribe.

Section 5. Functions.—The Assistant Secretary, acting as such and as head of DIBA, shall be the principal officer of the Department to conduct Commerce activities aimed at promoting progressive business policies and growth and at strengthening the international economic position of the United States. In this respect he shall:

a. Propose general Federal policies for the Secretary to establish for promoting the business economy;

b. Develop and implement new programs to accomplish national objectives for improving and expanding the economic strength of the United States.

c. Conduct Commerce programs involving the expansion of international commerce, including research, analysis and the development of program and policy initiatives in the areas of international trade, finance and investment; expansion of East-West trade and other commercial relations; promotion of business-consumer relations; competitive assessment; domestic and international labor-management relations; import quota administration; export administration; the collection, analysis and dissemination of selected information on various industries, commodities and markets; the preparation and execution of plans for industrial mobilization readiness; and participation in domestic and international trade fairs and exhibitions as is necessary to the performance of DIBA's functions.

d. Consult with and encourage cooperation and participation of the business community in the Department's domestic and international business programs;

e. Coordinate the Department's domestic and international business programs with other Federal agencies; and

f. Provide executive secretariat services and administrative support to the Foreign-Trade Zones Board.

Section 6. Savings Provision.—All rules, regulations, orders, determinations, authorizations, contracts, grants, agreements, proceedings, hearings, investigations, or other actions issued, undertaken, pending or entered into by or for DIBA shall continue and remain in full force and effect until they expire in due course or are revoked or amended by appropriate authority.

GUY W. CHAMBERLIN, Jr.,
Acting Assistant Secretary for Administration.

[FR Doc.75-34267 Filed 12-18-75;8:45 am]

[DEPARTMENT ORGANIZATION ORDER 10-4; Amendment 1]

ASSISTANT SECRETARY FOR ECONOMIC DEVELOPMENT

Organization

This order effective November 17, 1975 amends the material appearing at 40 FR 56702 of December 4, 1975.

Department Organization Order 10-4, dated September 30, 1975, is hereby amended as shown below. The purpose of this amendment is to revise the delegation to the Assistant Secretary for Economic Development made under Chapters 3 and 4 of the Trade Act of 1974 so that the Assistant Secretary can certify firms and communities as eligible to receive adjustment assistance and conduct studies and information activities under Section 264 of the Act.

Section 4. Delegation of Authority.—Subparagraph .01e. is revised to read as follows:

"e. Chapters 3 and 4 of Title II of the Trade Act of 1974 (P.L. 93-618, 88 Stat. 1978, 19 U.S.C. 2101 et seq.) as they pertain to the certification of eligibility of firms and communities to apply or be considered for adjustment assistance, the termination of such certification, the provision of adjustment assistance to such firms and communities as are certified eligible to apply or be considered for adjustment assistance, and the studies, information activities, and assistance in preparation of petitions required under Section 264 of the Act in response to investigations and affirmative findings of the International Trade Commission, except that reports to be submitted to the President shall be issued by the Secretary."

GUY W. CHAMBERLIN, Jr.,
Acting Assistant Secretary for Administration.

[FR Doc.75-34268 Filed 12-18-75;8:45 am]

[Department Organization Order 35-1B]

BUREAU OF ECONOMIC ANALYSIS

Organization

Section 1. Purpose.—.01 This order prescribes the organization and assignment of functions within the Bureau of Economic Analysis (BEA).

.02 The only significant change made in BEA's organization and assignment of functions is the creation of the Management Services Division to provide administrative support services to BEA (paragraph 8.01).

Section 2. Organization Structure.—The organization structure and line of authority of BEA shall be as depicted in the attached organization chart. A copy of the chart is on file with the original of this document with the Office of the Federal Register.

Section 3. Office of the Director.—.01 The *Director of the Bureau of Economic Analysis* shall develop policies and plans for and direct and manage the operations of BEA.

.02 The *Deputy Director* shall assist the Director in all aspects of the management of BEA, and perform the duties of the Director during the latter's absence.

.03 Staff Elements. a. The *Chief Statistician* shall monitor and improve the data sources and statistical estimating techniques used in the work of BEA, and advise the Director in these fields.

b. The *Chief Economist* shall analyze economic developments and problems, advise the Director with regard to them, and with regard to the economic research program of BEA.

Section 4. Associate Director for National Economic Accounts.—The *Associate Director for National Economic Accounts* shall plan and coordinate the systems of national economic accounts maintained by BEA, including the national income and product, wealth, government, and input-output accounts, and advise the Director in this field. The Associate Director shall have and coordinate the following units:

.01 The *Government Division* shall maintain, improve, and interpret the Federal, State, and local government accounts of the United States within the economic accounting framework; cooperate in the translation of the unified budget into economic accounting terms for publication in the Budget of the United States and the Economic Report of the President; prepare forecasts of Government receipts and expenditures for use in BEA's analyses of the economic outlook; and conduct research in the quantitative study of public finance.

.02 The *Interindustry Economics Division* shall maintain, improve, and interpret (1) the input-output accounts of the United States which show the flows of goods and services from each industry to other industries and to final markets in the economy, and the gross national product originating in each industry for given years, and (2) the time series of the gross national product originating in each of the industries of the Nation; conduct research in input-output techniques, including regional input-output techniques; and prepare special studies of the economic repercussions of changes in consumer, investment, foreign, and Government markets on the output of the Nation's industries and the incomes originating in them.

.03 The *National Income and Wealth Division* shall maintain, improve, and interpret the national income and product and wealth accounts of the United States, including national income, by type of income, industrial source and legal form; gross national product and its components; personal income and its components, disposition, and size distribution; the sources and uses of savings; national wealth by type of asset and ownership; and do research in the techniques required to interpret the national income and product and wealth accounts.

Section 5. Associate Director for National Analysis and Projections.—The *Associate Director for National Analysis and Projections* shall plan and coordinate the national economic analysis and projection programs of BEA, including the development of econometric models of the United States economy and the preparation of econometric forecasts; monitor econometric techniques used in BEA; coordinate BEA activities which relate to the overall effort of the Government to study the problems of economic growth; and advise the Director in these fields. The Associate Director shall have and coordinate the following units:

.01 The *Business Outlook Division* shall maintain, improve, and interpret data on past, current, and prospective domestic business investment in new plant and equipment; conduct designated surveys required to correct this information; maintain and improve econometric models of the U.S. economy designed to forecast short- and long-term changes in economic activity, and to assess the likely impact on economic activity of alternative fiscal, monetary, and other Government economic policies; and study problems relating to the Nation's economic growth.

.02 The *Current Business Analysis Division* shall conduct a continuing study of current business activity; prepare and publish in the *Survey of Current Business* regular interpretations of the business situation; conduct research required for assembling (for publication in the *Survey* and its *Business Statistics Supplement*) a detailed and comprehensive set of data produced by BEA and other agencies for use in evaluating the business situation; and be responsible for coordinating the press releases of BEA.

.03 The *Statistical Indicators Division* shall develop and publish reports such as *Business Conditions Digest, Defense Indicators*, and *Long-Term Economic*

Growth; conduct research relating to the system of economic indicators (leading, coincident, and lagging) and to the methods and applications of seasonal and other time series adjustments; conduct analysis relating to the behavior of economic indicators; and provide services relating to the seasonal adjustment of time series.

Section 6. Associate Director for Regional Economics.—The *Associate Director for Regional Economics* shall plan and coordinate the regional economic measurement and analysis program of BEA and advise the Director in this field. The Associate Director shall have and coordinate the following units:

.01 The *Regional Economic Analysis Division* shall maintain and improve regional economic projections; conduct research in regional economics, with special attention to the factors determining the levels and rates of growth of regional economic activity; develop analytical techniques for regional economic impact studies; and conduct special analyses of regional economics in cooperation with Government agencies and private groups.

.02 The *Regional Economic Measurement Division* shall maintain and improve the regional economic accounts of the United States including personal income by type of income and industrial source for each of the States, metropolitan areas, and counties of the Nation; conduct research in regional economic measurement techniques; and maintain a regional economic information system.

Section 7. Associate Director for International Economics.—The *Associate Director for International Economics* shall plan and coordinate the international economic program of BEA and advise the Director in this field. The Associate Director shall have and coordinate the following units:

.01 The *Balance of Payments Division* shall maintain, improve, and interpret the balance of payments accounts of the United States and their current and capital components, including detail by foreign geographic area, to aid in understanding the effects of the balance of payments on the U.S. economy, and the role of the United States in the world economy; conduct designated surveys to obtain basic data necessary to construct the balance of payments accounts, including surveys of the foreign transactions of Government agencies; conduct research in the techniques required to interpret the balance of payments accounts; and prepare forecasts of the balance of payments of the United States.

.02 The *Foreign Demographic Analysis Division* shall conduct specialized studies of the population, manpower, economics, and social systems of foreign countries, involving the compilation and evaluation of relevant data; prepare estimates and projections; and prepare special analytical and interpretive reports and monographs.

.03 The *International Investment Division* shall maintain, improve, and interpret data on United States direct investments abroad, foreign direct investments in the United States, and income flows associated with such investments, including the transactions of foreign affiliates; conduct designated surveys required to obtain this information; conduct research in the techniques required to interpret international investment; and maintain and develop a data system on U.S. direct investments.

Section 8. Support Divisions.—.01 The *Management Services Division* shall provide budget, management analysis, and local administrative services; and shall arrange for and facilitate the provision of other administrative management services by the Office of the Secretary, including financial accounting and personnel services.

.02 The *Computer Systems and Services Division* shall maintain, coordinate, and improve the use of automatic data processing equipment by BEA, including the conduct of feasibility studies; prepare automatic data processing systems and programs; and provide data processing services for BEA.

Effective date: October 24, 1975.

GUY W. CHAMBERLIN, JR.,
Acting Assistant Secretary for Administration.

[FR Doc.75-34271 Filed 12-18-75;8:45 am]

[Department Organization Order 35-2A: Amendment 1]

BUREAU OF THE CENSUS

Department Organization Order

This order effective November 18, 1975 amends the material appearing at 40 FR 42765 of September 16, 1975.

Department Organization Order 35-2A, dated August 4, 1975, is hereby amended as shown below. The purpose of this amendment is to update the citation on the Executive Order regarding collection of census information for emergency planning purposes.

Section 3. Delegation of Authority.—Subparagraph .01c is revised to read as follows:

"c. Section 904 of Executive Order 11490, which directs the Secretary to provide for the collection and reporting of census information on the status of human and economic resources, including population, housing, agriculture, manufacture, mineral industries, business, transportation, foreign trade, construction, and governments, as required for emergency planning purposes; and otherwise plan for and maintain a capability for damage assessment purposes, as set forth therein."

GUY W. CHAMBERLIN, JR.,
Acting Assistant Secretary for Administration.

[FR Doc.75-34272 Filed 12-18-75;8:45 am]

[Department Organization Order 40-1]

DOMESTIC AND INTERNATIONAL BUSINESS ADMINISTRATION

Organization

This order effective November 17, 1975 supersedes the materials appearing at 40 FR 8978 of March 4, 1975, 40 FR 12532 of March 19, 1975, 40 FR 31651 of July 28 March 19, 1975, 40 FR 31651 of July 28, 1975 and 40 FR 56705 of December 4, 1975.

Section 1. Purpose.—.01 This order prescribes the organization and assignment of functions within the Domestic and International Business Administration (DIBA). Department Organization Order 10-3 prescribes the functions of DIBA and the scope of authority of the Assistant Secretary for Domestic and International Business.

.02 This revision incorporates the provisions of prior amendments, reflects the establishment of the position of Deputy Assistant Secretary for Field Operations and a new field structure in the Office of Field Operations: District and Satellite Offices in place of Regional and District Offices (Section 10 and paragraph 10.06 and Exhibit 2 respectively); provides for the realignment of functions in the Bureau of East-West Trade and changes in office names (Section 9.); abolishes the Office of Trade Adjustment Assistance because of the transfer of adjustment assistance certification of firms and communities and other functions to the Economic Development Administration; and provides Bureau status for International Economic Policy and Research because of its line functions (Section 5.).

Section 2. Organization and Structure.—The principal organization structure and line of authority of DIBA shall be as depicted in the attached organization chart (Exhibit 1). A copy of the chart is on file with the original of this document with the Office of the Federal Register.

Section 3. Office of the Assistant Secretary for Domestic and International Business.—.01 The *Assistant Secretary for Domestic and International Business* determines policy, directs the programs and is responsible for all activities of DIBA.

.02 The *Deputy Assistant Secretary for Domestic and International Business* shall perform such duties as the Assistant Secretary shall assign; shall carry out the Assistant Secretary's responsibilities in connection with the Defense Production Act of 1950 as amended and extended; shall be the principal assistant and advisor to the Assistant Secretary on public affairs, and administrative matters; shall direct the activities of the Office of Public Affairs and the Directorate of Administrative Management; and shall assume the duties of the Assistant Secretary during the latter's absence.

Section 4. Staff Offices.—.01 The *Office of Public Affairs* shall advise DIBA officials and organizational elements on

all public affairs and information service matters; provide centralized information services for DIBA; conduct and be responsible for all DIBA publications programs, consonant with the provisions of Department Organization Order 20-9, "Office of Publications"; provide speech writing and scheduling services for DIBA; and maintain liaison for DIBA with the Departmental Office of Publications, the Departmental Office of Communications, and the news and trade media consonant with the provisions of Department Organization Order 15-3, "Office of Communications."

.02 The *Directorate of Administrative Management* shall provide administrative management services for all DIBA organizational components. The functions of the Directorate shall be carried out through the principal organizational elements as prescribed below:

a. The *Office of Personnel* shall develop and administer personnel management programs including recruitment, placement, employee development, classification, labor-management relations, equal employment opportunity, and employee relations and provide liaison with the Departmental Office of Personnel.

b. The *Office of Management and Systems* shall provide management, organization and systems analysis, including management studies and surveys and organizational planning studies; conduct a position management program; coordinate ADP systems development and the DIBA program management information system; perform the committee management, directives management, records disposition management, forms management, files management, and reports management functions for DIBA; coordinate GAO and Departmental audits within DIBA; coordinate DIBA activity under the Freedom of Information Act and the Privacy Act of 1974; and provide liaison with the Departmental Office of Organization and Management Systems.

c. The *Office of Administrative Support* shall provide administrative and support services including personnel, physical and document security, safety, correspondence control, and space management; shall provide procurement liaison; and shall coordinate and process communications between the Department of Commerce and posts abroad, consistent with any administrative agreements between the Assistant Secretary for Domestic and International Business and the Assistant Secretary for Administration.

d. The *Office of Budget* shall develop the DIBA program structure and program memorandum; assess program effectiveness; formulate, present, and execute the budget for DIBA; effect financial and budgetary controls; prepare budget reports; and provide liaison with the Departmental Office of Budget and Program Analysis.

Section 5. Bureau of International Economic Policy and Research.—The *Deputy Assistant Secretary for International Economic Policy and Research* shall determine the objectives of the Bureau—a mainline component of DIBA—assist and advise the Assistant Secretary in the research, analysis and formulation of international economic and commercial programs and policies relating to trade, finance and investment, and competitive assessment; shall initiate and review research studies on developments affecting U.S. trade and commercial interests abroad and provide statistical information and analysis on the foreign trade of the U.S. and of foreign countries; shall be responsible for development and coordination of policy formulation within DIBA; represent the Department in international trade and other negotiations; and supervise the Department's interagency policy role in such organizations as the National Security Council, the Council on International Economic Policy, the Office of the Special Trade Representative, and the National Advisory Council on International Monetary and Financial Policies. The Deputy Assistant Secretary shall be assisted by a Deputy Director who shall perform the functions of the Deputy Assistant Secretary in the latter's absence. The functions of the Bureau shall be carried out through its principal organizational elements as prescribed below:

.01 The *Office of International Trade Policy* shall be responsible for the development and implementation of the Department's positions on all aspects of U.S. international trade policy, including trade legislation and International Trade Commission findings, trade negotiations, consultations with industry, and trade and commercial policy relations with individual countries, regional economic groupings, and international organizations. For all such trade policy matters, the Office shall represent the Department on interagency committees, and in international meetings on trade policy matters; analyze and comment on relevant legislative proposals; prepare the Department's positions on International Trade Commission findings, bilateral trade policy issues and bilateral trade negotiations; manage the consultations with U.S. industry in support of multilateral trade negotiations; analyze and act on international trnsportation and insurance problems affecting U.S. business; maintain relationships and representation with business and trade groups; and, through appropriate channels, make representations to foreign governments on behalf of U.S. business on the maintenance of their full rights under the terms of treaties and international agreements of the United States. In carrying out these responsibilities, the Office shall coordinate international trade policy issues among the DIBA components.

.02 The *Office of International Finance and Investment* shall be responsible for the development and implementation of the Department's policies relating to international investment, finance, monetary affairs, U.S. and foreign taxation, standards, patent and copyright protection, and related matters arising from the international commercial and invetsment operations of U.S. firms. The Office shall also carry out DIBA's responsibilities for the conduct of a study of foreign direct investment in the United States in 1974.

.03 The *Office of Competitive Assessment* shall assess the competitiveness of American industry in domestic and international markets. This shall include studies of specific industries, sectors, and functions of the American economy and major foreign economies for the purpose of anticipating shifts in competitive conditions, and analyses of key competitive factors within and across industries in the U.S. and abroad.

.04 The *Office of Economic Research* shall conduct research studies on developments affecting U.S. trade and commercial interests abroad; shall be responsible for the development and coordination of econometric models concerned with longer-term U.S. trade and invetsment projections; and shall serve as liaison with U.S. Government research and intelligence agencies as well as with private research groups.

.05 The *Office of Foreign Investment in the United States* shall obtain, consolidate and analyze information on foreign investment in the United States; improve procedures for the collection and dissemination of information on such foreign investment; based on close observation of foreign investment in the U.S., prepare reports and analyses of trends and significant developments in appropriate categories of such investment; compile data and prepare evaluations of significant inward investment transactions; submit to the interagency Committee on Foreign Investment in the United States, appropriate reports, analyses, data and recommendations on foreign investment in the U.S.; and obtain information and assistance from other Federal departments and agencies in order to carry out the Secretary's functions and activities under Executive Order 11858.

Section 6. Bureau of International Commerce (BIC). The *Deputy Assistant Secretary for International Commerce* shall assist and advise the Assistant Secretary on export expansion, and shall serve as National Export Expansion Coordinator. Within the framework of overall DIBA goals, the Deputy Assistant Secretary shall determine the objectives of the Bureau—a mainline component of DIRA—formulate policies and programs for achieving those objectives, and direct the execution of Bureau programs. The Deputy Assistant Secretary shall provide a coordinated DIBA response to the economic situation and business opportunities in Near East countries including Saudi Arabia, Iran, Egypt, Israel, Lebanon, Syria, Iraq, Jordan, Kuwait, the United Arab Emirates, Libya, Morocco, Tunisia, and Algeria. The Deputy Assistant Secretary shall be assisted by a *Deputy Director* who shall perform the functions of the Deputy Assistant Secretary in the latter's absence. The functions of the Bureau shall be carried out through its principal organizational elements as prescribed below:

.01 The *Office of Market Planning* shall provide principal planning and strategy development for the Bureau; shall develop and review the Bureau's role, objectives, and operating plans on a worldwide basis; shall identify those sectors of U.S. industry with the greatest

export growth potential and examine foreign markets offering the greatest export opportunities to U.S. industry; shall develop guidelines for allocation of resources for DIBA-sponsored export programs; shall establish "intensive promotion cycles" for BIC export expansion activities; shall measure and evaluate Bureau programs; shall be responsible for programs to represent the interests of the Department to other agencies with regard to the official representation of U.S. commercial interests abroad; and shall coordinate country commercial programs and the Office of Field Operations/BIC agreement.

.02 The *Office of Export Development* shall conduct activities in the United States designed to stimulate export marketing in all segments of the domestic economy which have the capability to export; shall develop promotional activities for increasing national awareness of export potentials and benefits, and for improving Government/business cooperation in export development; shall be the focal point for the export expansion activities involving DIBA district offices; shall provide information on commercial participants in world trade and furnish specific trade investment opportunities to U.S. businessmen; shall assist qualified U.S. firms in achieving maximum participation in major systems and development projects abroad; shall provide coordination for DIBA participation in domestic trade fairs; shall encourage foreign direct capital investments and licensing by foreign firms in the United States; and shall provide information and other services consistent with U.S. balance of payments policies and objectives to U.S. firms undertaking investments overseas.

.03 The *Office of International Marketing* shall provide overseas marketing assistance to U.S. companies through a variety of informational and promotional techniques; shall plan and implement individual country programs to support the marketing needs of U.S. business on a targeted industry, product, and market basis, and shall maintain appropriate information services for all such activities; shall direct the exhibitions program at commercial trade fairs and U.S. trade centers; and shall have responsibility for carrying out any activities resulting from the participation of the United States in the International Exposition on the Environment at Spokane, Washington.

Section 7. Bureau of Resources and Trade Assistance.—The *Deputy Assistant Secretary for Resources and Trade Assistance* shall determine the objectives of the Bureau—a mainline component of DIBA—formulate the policies and programs for achieving those objectives, and direct execution of the programs. The Deputy Assistant Secretary shall be assisted by a *Deputy Director* who shall perform the functions of the Deputy Assistant Secretary in the latter's absence. The functions of the Bureau shall be carried out through its principal organizational elements as prescribed below:

.01 The *Office of Import Programs* shall deal with import problems involving industries experiencing difficulties from import competition and on problems in the field of international trade in primary commodities. For such import-impacted industries, and as otherwise required, it shall maintain interagency relationships and coordinate legislative comment, international negotiations, and representation with business and trade groups. It shall process applications for duty free importation of educational, scientific and cultural materials; process applications to import foreign excess property into the United States; perform staff work pertaining to the allocation of watches and watch movements among producers in the Virgin Islands, Guam, and American Samoa; provide executive secretarial services and administrative support to the Foreign-Trade Zones Board; analyze information pertaining to international trade in selected industrial products and analyze developments affecting U.S. imports of or international trade in primary commodities; and represent the Department in U.S. Government participation in international agreements and arrangements on commodities and industrial products.

.02 The *Office of Textiles* shall conduct studies and analyses of the fiber, textile and apparel sector of the industrial economy; provide interpretive data on trends affecting the sector's economic stability, and recommend appropriate Government action to improve the economic position of the sector; participate in administration and negotiation of international and bilateral textile agreements; and coordinate interagency relations, legislative comment, and liaison with relevant industry and trade groups.

Section 8. The Bureau of Domestic Commerce.—The *Deputy Assistant Secretary for Domestic Commerce* shall determine the objectives of the Bureau—a mainline component of DIBA—formulate policies and programs for achieving those objectives, and direct execution of the Bureau's programs. The Deputy Assistant Secretary shall be assisted by a *Deputy Director* who shall perform the functions of the Deputy Assistant Secretary in the latter's absence. The functions of the Bureau shall be carried out through its principal organizational elements as prescribed below:

.01 The *Office of Industrial Mobilization* shall perform national defense and industrial mobilization functions, as follows: assist in achieving, through administration of priorities and allocations and other means, an adequate supply of strategic, critical, and other products and materials for defense and defense-supporting activities and essential civilian needs, including the timely completion of current military, atomic energy, and space programs for production, construction, and research and development; and participate in the development of national plans to assure maximum readiness of the industrial resources of the United States, including the means for administering them, to meet any future demands of any national emergency.

.02 The *Office of Business and Legislative Issues* shall provide analyses and quantitative assessments of domestic business and legislative issues that support, supplement or complement activities of other elements of the Domestic and International Business Administration, the Department, or other agencies of the Government engaged in developing and evaluating domestic business policy options.

.03 The *Office of Business Research and Analysis* shall collect, maintain, and analyze domestic and international data on individual commodities and industries, such as production, pricing, inventories, marketing, labor, financing, taxation, and location and size of companies, exclusive of data related to the fiber, textile, and apparel sector of the industrial economy, which shall be the responsibility of the Bureau of Resources and Trade Assistance. (The fiber, textile and apparel sector of the industrial economy shall be the responsibility of the Bureau of Domestic Commerce insofar as required for the administration of the Defense Production Act of 1950, as amended.) This information will be used in support of policy decisions and program actions by the Bureau of Domestic Commerce, the Department of Commerce, and other areas of the Government. The Office shall monitor problem commodities for short supply export controls.

The Office shall also certify U.S. firms as "bona fide motor-vehicle manufacturers" qualified to trade under the provisions of the U.S.-Canadian Automotive Agreement, and prepare the President's Annual Report to Congress concerning implementation of the Automotive Products Trade Act of 1965.

.04 The *Office of Ombudsman for Business* shall serve as a focal point for business assistance, consultation, and advice; receive and respond to inquiries from business and industry, the Congress, other agencies of the Government, and the public; identify and take action to clarify business concerns involving Government policies and programs; serve as the Department's contact in consumer affairs matters with other Government agencies, business and public organizations. In carrying out its functions, the Office shall not represent, intervene on behalf of, or otherwise seek to assist business and individuals on specific matters, cases, or issues before Federal regulatory agencies or before Federal departments exercising a regulatory function with respect thereto; nor shall it participate in, intervene in regard to, or in any way seek to influence, the negotiation or renegotiation of the terms of contracts between business and the Government.

Section 9. The Bureau of East-West Trade.—The *Deputy Assistant Secretary for East-West Trade,* shall determine the objectives of the Bureau—a mainline component of DIBA—formulate policies and programs for achieving those objectives and direct execution of the programs. The Deputy Assistant Secretary (DAS) shall be assisted by a *Deputy Director* who shall perform the functions of the DAS in the latter's absence. (The Office of the DAS shall include a *Hearing Commissioner* who shall conduct hearings and perform other duties with re-

spect to administrative compliance proceedings involving Export Administration violations cases, in accordance with the rules set forth in the Export Administration Regulations.) The objectives, policies and programs of the Bureau of East-West Trade shall relate to the U.S.S.R., People's Republic of China, Poland, Romania, Czechoslovakia, Hungary, Bulgaria, Albania, East Germany, the Soviet zone of Berlin, Cuba, Mongolia and certain other areas of the world with similar economic/political structures, and, where necessary for export administration purposes, shall relate to other countries. The Office shall provide necessary secretariat and support services to the Export Administration Review Board and to the Advisory Committee on Export Policy. The functions of the Bureau shall be carried out through its principal organizational elements as prescribed below:

.01 The *Office of East-West Trade Development* shall, with regard to the countries and areas specified, be responsible for developing and implementing program recommendations with regard to trade and other commercial relations; preparing market assessments on Centrally Planned Economy (CPE) countries; gathering information bearing on commercial relations and providing advisory services and information for U.S. firms or industrial groups; developing and disseminating studies of market potential for U.S. trade with these countries and areas; developing and executing programs for U.S. trade promotional events and trade missions to the specified countries and areas; and coordinating activities relating to foreign commercial services and commercial representation in these countries.

.02 The *Office of East-West Country Affairs* shall maintain familiarity with and develop and disseminate information and advice on the economic and political conditions and policies and the U.S. trade and commercial relations with the countries and areas listed in Section 9; maintain contacts on East-West trade matters with foreign government officials in the U.S.; develop and provide country information and advice to other elements of the Bureau, the Department, the U.S. chairmen of joint trade commissions and members of interagency committees; and provide executive secretariat services to U.S. joint commercial commissions.

.03 The *Office of East-West Policy and Planning* shall formulate, analyze and make recommendations about legislative and policy issues arising in East-West trade activities; coordinate East-West trade policy review with international trade, finance and other organizations; monitor and maintain liaison with East-West trade-related national and international organizations; propose and monitor contracts for analyses of East-West trade matters and develop and provide statistical data services for the Bureau.

.04 The *Office of Export Administration* shall administer and, in conjunction with the Department's Office of the General Counsel, enforce the regulations and programs required to carry out Departmental responsibilities under the Export Administration Act of 1969, as amended; develop policies and measures for the administration of U.S. exports of commodities and technical data; seek, in collaboration with other Federal agencies, the adoption by foreign countries of such controls over their exports as will assist the policies of the United States with respect to trade between the free world and the specified countries and areas, and with such other areas as national security, foreign policy and short supply may require; shall have coordinating responsibilities for all short supply activities within DIBA and provide secretariat and support services to the Operating Committee of the Advisory Committee on Export Policy, and Technical Advisory Committees established under the Export Administration Act of 1969, as amended.

Section 10. Office of Field Operations.—The *Deputy Assistant Secretary for Field Operations* shall head the Office which shall serve as the Department's principal medium of contact with the business community at local levels for the functions listed below, most of which will be performed through District Offices and subordinate Satellite Offices located throughout the country (Exhibit 2). A copy of Exhibit 2 is on file with the original of this document with the Office of the Federal Register.

.01 Ascertaining the needs and desires for information and assistance relevant to the private economy that fall within the scope of Commerce's responsibilities, arranging or participating in the effective delivery of Commerce's business-related information products, and assisting in the planning and design of additional business information;

.02 Providing local assistance and service to business communities in utilizing information and related business aids of Commerce and of other agencies, and performing the field work and services involved in the programs of DIBA, and for other organizations of Commerce as may be arranged from time to time;

.03 Promoting participation of the general business community in the rsolution of economic and business problems of the Nation;

.04 Publishing the "Commerce Business Daily"; and

.05 Through the District or Satellite Offices located in the ten Uniform Federal Regional Council Cities, serving as the Department's principal coordinator at the regional level for Federal Preparedness Planning, Crisis Management and Emergency Operations. Accordingly, the Office Directors in the ten cities (i.e., Boston, New York, Philadelphia, Atlanta, Chicago, Dallas, Kansas City, Denver, San Francisco and Seattle), having been designated Regional Emergency Coordinators, acting in accordance with instructions and guidance issued by the Director, Departmental Office of Emergency Readiness, through the Office of Field Operations, shall represent the Secretary and shall be the principal advisory and contact point for the Department for emergency readiness matters in their respective areas.

GUY W. CHAMBERLIN, Jr.,
Acting Assistant Secretary for Administration.

[FR Doc.75-34273 Filed 12-18-75;8:45 am]

[Department Organization Order 25-5A; Amendment 3]

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

Organization

This order effective November 19, 1975 further amends the materials appearing at 39 FR 27486 of July 29, 1974, 40 FR 36608 of August 21, 1975 and 40 FR 42764 of September 16, 1975.

Department Organization Order 25-5A, dated July 9, 1974, is hereby further amended as shown below. The purpose of this amendment is to delegate to the Administrator of NOAA the authority pertaining to disaster warnings that was delegated to the Secretary of Commerce by the Secretary of Housing and Urban Development.

Section 3. Delegation of Authority.—A new subparagraph .01cc. is added to read as follows:

"cc. The functions relating to section 202 of the Disaster Relief Act of 1974 (42 U.S.C. 5132) specified in the delegation of authority from the Secretary of Housing and Urban Development (40 FR 42769), effective September 16, 1975, which pertains to disaster warnings for meteorological catastrophes."

GUY W. CHAMBERLIN, Jr.,
Acting Assistant Secretary for Administration.

[FR Doc.75-34270 Filed 12-18-75;8:45 am]

[Department Organization Order 20-7; Amendment 1]

OFFICE OF ORGANIZATION AND MANAGEMENT SYSTEMS

Organization

This order effective November 23, 1975, amends the material appearing at 37 FR 6416 of March 29, 1972.

Department Organization Order 20-7, dated March 19, 1972, is hereby amended as shown below.

The purpose of this amendment is to establish a new Information Management Division. The recent growth in the requirements placed on the Department in the area of information management, including the Federal Advisory Committee Act, the Freedom of Information Act as amended, and the Privacy Act of 1974, have made necessary the establishment of a separate organizational entity to handle this area of responsibility.

Section 5. Organization.—A new paragraph .05 is added to read:

".05 The *Information Management Division* shall develop policies, procedures, standards, and relevant rules and orders to assure Department compliance with the provisions of the Freedom of Information Act as amended, the Privacy Act of 1974, and the Federal Ad-

visory Committee Act; monitor policy compliance by units of the Department; review the units' implementation of the rules and orders; function as the focal point in coordination with the Department's Office of General Counsel for the Department's administration of the three statutes; and serve as the principal staff component of the Department on information management and committee management functions."

GUY W. CHAMBERLIN, Jr.,
Acting Assistant Secretary for Administration.

[FR Doc.75-34269 Filed 12-18-75;8:45 am]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Center for Disease Control

IMMUNIZATION PRACTICES ADVISORY COMMITTEE

Meeting

In accordance with section 10(a)(2) of the Federal Advisory Committee Act (Pulbic Law 92-463), the Center for Disease Control announces the following Committee meeting:

Name: Immunization Practices Advisory Committee. Dates: January 29-30, 1976. Place: Room 207, Building 1, Center for Disease Control, 1600 Clifton Road NE., Atlanta, Georgia 30333. Time: 8:30 a.m. Type of Meeting: Open.

Contact Person: H. Bruce Dull, M.D., Executive Secretary of Committee, Building 1, Room 2118, Center for Disease Control, 1600 Clifton Road NE., Atlanta, Georgia 30333. Phone: 283-3701 (FTS) or 404-633-3311, ext. 3701.

Purpose: The Committee is charged with advising on the appropriate uses of immunizing agents for public health practice.

Agenda: The Committee will consider the current status of polio vaccine in the prevention and control of polio in the United States. It will also continue its regular review of recommendations on the use of vaccines in public health practice.

Agenda items are subject to change as priorities dictate.

The meeting is open to the public for observation and participation. A roster of members and other relevant information regarding the meeting may be obtained from the contact person listed above.

Dated: December 9, 1975.

DAVID SENCER,
Director, Center for Disease Control.

[FR Doc.75-34221 Filed 12-18-75;8:45 am]

Food and Drug Administration

[Docket No. 75N-0259]

EXEMPTIONS FROM PERFORMANCE STANDARDS FOR ELECTRONIC PRODUCTS

Meeting

The Commissioner of Food and Drugs announces a meeting to be held January 29, 1976 to discuss development of a protocol with United States Government departments and agencies to facilitate procurement of electronic products for which exemption from performance standards is sought.

The Commissioner issued in the FEDERAL REGISTER of September 30, 1975 (40 FR 44846) a proposed rule to establish procedures for manufacturers to apply for exemptions from performance standards issued under the Radiation Control for Health and Safety Act of 1968. According to the act, such exemptions may be granted to manufacturers of electronic products intended for use by United States Government departments or agencies provided there are procurement specifications governing radiation emissions and provided the product is of a type used solely or predominantly by United States Government departments or agencies.

Since publication of the proposal, it has become apparent that the proposed procedures may result in excessive procurement delays if the procuring Federal agency and the Bureau of Radiological Health (the Bureau) have not previously discussed the procurement specifications in those instances when the procuring agency expects there would be a conflict with standards issued under the act. Presently, there are standards for television receivers, microwave ovens, cold-cathode gas discharge tubes, diagnostic x-ray systems, cabinet x-ray systems (including baggage inspection systems), and laser products.

The Bureau desires to establish a protocol with United States Government departments and agencies whereby there could be consultation with the Bureau during development of procurement specifications for products regulated under the act. Such consultation would involve determination of the need for an exemption, the option of issuing a variance instead of an exemption, and radiation safety criteria to be incorporated in the procurement specifications if an exemption is required. Early discussions between the procuring agency and the Bureau would be advantageous to both the agency and the manufacturer to whom the contract is eventually awarded, since it will facilitate the processing of exemption applications when they are warranted.

A meeting to discuss interagency protocols described above will be held on January 29, 1976, at 9 a.m., in Rm. 416 of the Bureau of Radiological Health, 12720 Twinbrook Parkway, Rockville, MD 20852. This meeting is limited to representatives of United States Government departments and agencies that foresee a need for electronic products that may not meet Federal radiation safety standards issued under the Radiation Control for Health and Safety Act of 1968. United States Government departments or agencies that plan to send an individual representative to the meeting should so indicate in writing to the Bureau of Radiological Health (HFX-460), 5600 Fishers Lane, Rockville, MD 20852. If the Bureau has not been contacted by January 9, 1976, it will be assumed that the agency will not be represented at the meeting.

Dated: December 12, 1975.

SAM D. FINE,
Associate Commissioner for Compliance.

[FR Doc.75-34206 Filed 12-18-75;8:45 am]

[Docket No. 75N-0075]

NATIONAL SHELLFISH SAFETY PROGRAM

Procedures for Promulgating Final Regulations

In the FEDERAL REGISTER of June 19, 1975 (40 FR 25916), the Commissioner of Food and Drugs issued proposed rules to ensure the safety and wholesomeness of fresh and frozen molluscan shellfish (oysters, clams, and mussels) sold in interstate commerce. The comment period was to close October 17, 1975, but was extended to November 13, 1975 by a notice published in the FEDERAL REGISTER of November 7, 1975 (40 FR 52051). This notice is to inform the public that the Commissioner will issue a revised proposed regulation which will provide for a 90-day comment period, and he will hold public hearings prior to publication of the final regulation.

The Commissioner has made a preliminary review of the comments received in response to the June 19, 1975 proposal and has concluded that there is considerable confusion about the intent and interpretation of the proposed regulations. In the interest of developing regulations that are understandable, reasonable, and enforceable, the Commissioner has decided to issue a revised proposed regulation that will incorporate his tentative conclusions.

The preamble to the revised proposed regulation will summarize each type of comment submitted in response to the proposal and the Commissioner's tentative conclusions on each type of comment. A comprehensive articulation of the reasons for the Commissioner's decision on each issue will accompany his tentative conclusions.

No specific date has been set for publication of the revised proposed regulation because of uncertainties about the time required to deal with all the issues raised by the comments received. However, it is intended that publication will be sometime during the summer of 1976.

During the comment period after the forthcoming revised proposed regulation, public hearings will be held to permit interested persons to present data, information, and views on this matter. The time, date, place, and procedures for these public hearings will be announced in subsequent notices published in the FEDERAL REGISTER.

The final regulation will be based upon substantive information presented at the public hearings and the comments received in response to the revised proposed regulation.

Until such time as a final regulation becomes effective, the Food and Drug Administration's participation in the National Shellfish Sanitation Program will continue on the same basis as it has in the past.

Dated: December 17, 1975.

SAM D. FINE,
Associate Commissioner for Compliance.

[FR Doc.75-34521 Filed 12-18-75;9:17 am]

Office of Education

NATIONAL ADVISORY COUNCIL ON ADULT EDUCATION

Cancelled Meeting

Notice is hereby given of the cancellation of the meeting of the Executive Committee of the National Advisory Council on Adult Education, January 3, 1976, Room 323, Pennsylvania Bldg., 425 13th Street, NW., Washington, D.C. which was published in the FEDERAL REGISTER on November 17, 1975, Volume 40, No. 222, page 53296.

Signed at Washington, D.C. on December 16, 1975.

GARY A. EYRE,
Executive Director, National Advisory Council on Adult Education.

[FR Doc.75-34216 Filed 12-18-75;8:45 am]

ADVISORY COUNCIL ON WOMEN'S EDUCATIONAL PROGRAMS

Notice of Public Meetings of the Advisory Council on Women's Educational Programs

Notice is hereby given, pursuant to Public Law 92-463, that the next meeting of the Legislation Committee of the Advisory Council on Women's Educational Programs will be held from 1:00 p.m. to 6:00 p.m. on January 6, 1976, in Room 817 of the Riviere Building at 1832 M Street, N.W., Washington, D.C., and that the next meeting of the Council's Executive Committee will be held from 9:00 a.m. to 1:00 p.m. on January 7, 1976, at the same address.

The Advisory Council on Women's Educational Programs is established pursuant to Public Law 93-380 Section 408(f)(1). The Council is mandated to (a) advise the Commissioner with respect to general policy matters relating to the administration of the Women's Educational Equity Act of 1974; (b) advise and make recommendations to the Assistant Secretary concerning the improvement of educational equity for women; (c) make recommendations to the Commissioner with respect to the allocation of any funds pursuant to Section 408 of Public Law 93-380, including criteria developed to insure an appropriate distribution of approved programs and projects throughout the Nation; and (d) develop criteria for the establishment of program priorities.

The meetings of both committees shall be open to the public. The agenda for the Legislation Committee will include discussions of the Women's Educational Equity Act of 1974 and of other pending education legislation.

The agenda for the Executive Committee meeting will include a discussion of plans and policies.

Records will be kept of all Council proceedings and will be available at the Council offices at Suite 821, 1832 M Street, N.W., Washington, D.C.

Signed at Washington, D.C. on December 16, 1975.

JOY R. SIMONSON,
Executive Director.

[FR Doc.75-34233 Filed 12-18-75;8:45 am]

Office of the Assistant Secretary for Health

NATIONAL PROFESSIONAL STANDARDS REVIEW COUNCIL

Notice of Meeting

In accordance with section 10(a)(2) of the Federal Advisory Committee Act (Public Law 92-463), announcement is made of the following Council meeting:

Name: National Professional Standards Review Council. Date and Time: January 12, 1976 (10:00 a.m. to 5:00 p.m.), January 13, 1976 (9:00 a.m. to 1:00 p.m.). Place: Auditorium (first floor), DHEW North Building, 330 Independence Avenue SW., Washington, D.C.

Purpose of Meeting: The Council was established to advise the Secretary of Health, Education, and Welfare on the administration of Professional Standards Review (Title XI, Part B, Social Security Act). Professional Standards Review is the procedure to assure that the services for which payment may be made under the Social Security Act are medically necessary and conform to appropriate professional standards for the provision of quality health care. The Council's agenda will include discussion of a variety of issues relevant to the implementation of the PSRO program.

Meeting of the Council is open to the public. Public attendance is limited to space available.

Any member of the public may file a written statement with the Council before, during, or after the meeting. To the extent that time permits, the Council Chairman may allow public presentation of oral statements at the meeting.

All communications regarding this Council should be addressed to William D. Coughlan, Staff Director, National Professional Standards Review Council, Office of Quality Standards, Room 16A-09, Parklawn Building, 5600 Fishers Lane, Rockville, Maryland 20852.

Dated: December 11, 1975.

WILLIAM B. MUNIER,
Executive Secretary, National Professional Standards Review Council.

[FR Doc.75-34250 Filed 12-18-75;8:45 am]

Office of Education

TEACHER CORPS PROJECTS

Notice of Closing Date for Receipt of Applications

Notice is hereby given that pursuant to the authority contained in Part B-1 of The Education Professions Development Act (Title V of the Higher Education Act of 1965, as amended, 20 U.S.C. 1101-1107a), applications are being accepted for Teacher Corps projects for Fiscal Year 1976. Applications must be received by the Application Control Center on or before January 21, 1976.

A. *Applications sent by mail.* An application sent by mail should be addressed as follows: U.S. Office of Education, Grant and Procurement Management Division, Application Control Center, 400 Maryland Avenue SW., Washington, D.C. 20202, Attention: 13.489. An application sent by mail will be considered to be received on time by the Application Control Center if:

(1) The application was sent by registered or certified mail not later than January 16, 1976, as evidenced by the U.S. Postal Service postmark on the wrapper or envelope, or on the original receipt from the U.S. Postal Service; or

(2) The application is received on or before the closing date by either the Department of Health, Education, and Welfare, or the U.S. Office of Education mail rooms in Washington, D.C. In establishing the date of recipt, the Commissioner will rely on the time-date stamp of such mail rooms or other documentary evidence of receipt maintained by the Department of Health, Education, and Welfare, or the U.S. Office of Education.

B. *Hand delivered applications.* An application to be hand delivered must be taken to the U.S. Office of Education Application Control Center, Room 5673, Regional Office Building Three, 7th and D Streets SW., Washington, D.C. Hand delivered applications will be accepted daily between the hours of 8:00 a.m. and 4:00 p.m., Washington, D.C. time except Saturdays, Sundays, or Federal holidays. Applications will not be accepted after 4:00 p.m. on the closing date.

C. *Program information and forms.* Information and application forms may be obtained from the Teacher Corps, 400 Maryland Avenue SW., Washington, D.C. 20202.

D. *Applicable regulations.* The regulations applicable to this program include the Office of Education General Provisions Regulations (45 CFR Part 100a). Funding criteria applicable to this program were published in the FEDERAL REGISTER.

(Catalog of Federal Domestic Assistance Number 13.489; Teacher Corps—Operations and Training)

(20 U.S.C. 1101-1107a)

Dated: December 17, 1975.

T. H. BELL,
U.S. Commissioner of Education.

[FR Doc.75-34583 Filed 12-18-75;9:50 am]

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Federal Disaster Assistance Administration

OKLAHOMA

[FDAA-491-DR]
[NFD-314]

Notice of Major Disaster and Related Determinations

Pursuant to the authority vested in the Secretary of Housing and Urban Development by the President under Executive Order 11795 of July 11, 1974, and delegated to me by the Secretary under Department of Housing and Urban Development Delegation of Authority, Docket No. D-74-285; and by virtue of the Act of May 22, 1974, entitled "Disaster Relief Act of 1974" (88 Stat. 143); notice is hereby given that on December 10, 1975, the President declared a major disaster as follows:

I have determined that the damage in certain areas of the State of Oklahoma resulting from severe storms and tornadoes occurring on December 5, 1975, is of sufficient severity and magnitude to warrant a major disaster declaration under Public Law 93-288. I therefore declare that such a major disaster exists in the State of Oklahoma.

Notice is hereby given that pursuant to the authority vested in the Secretary of Housing and Urban Development under Executive Order 11795, and delegated to me by the Secretary under Department of Housing and Urban Development Delegation of Authority, Docket No. D-74-285, I hereby appoint Mr. Joe D. Winkle, HUD Region VI, to act as the Federal Coordinating Officer for this declared major disaster.

I do hereby determine the following areas of the State of Oklahoma to have been adversely affected by this declared major disaster:

The Counties of:

Latimer	Tulsa

Dated: December 10, 1975.

THOMAS P. DUNNE,
Administrator, Federal Disaster Assistance Administration.

(Catalog of Federal Domestic Assistance No. 14.701, Disaster Assistance.)

[FR Doc.75-34276 Filed 12-18-75;8:45 am]

WASHINGTON

[FDAA-492-DR]
[NFD-315]

Notice of Major Disaster and Related Determinations

Pursuant to the authority vested in the Secretary of Housing and Urban Development by the President under Executive Order 11795 of July 11, 1974, and delegated to me by the Secretary under Department of Housing and Urban Development Delegation of Authority, Docket No. D-74-285; and by virtue of the Act of May 22, 1974, entitled "Disaster Relief Act of 1974" (88 Stat. 143); notice is hereby given that on December 13, 1975, the President declared a major disaster as follows:

I have determined that the damage in certain areas of the State of Washington resulting from severe storms and flooding beginning about November 30, 1975, is of sufficient severity and magnitude to warrant a major disaster declaration under Public Law 93-288. I therefore declare that such a major disaster exists in the State of Washington.

Notice is hereby given that pursuant to the authority vested in the Secretary of Housing and Urban Development under Executive Order 11795, and delegated to me by the Secretary under Department of Housing and Urban Development Delegation of Authority, Docket No. D-74-285, I hereby appoint Mr. William H. Mayer, HUD Region X, to act as the Federal Coordinating Officer for this declared major disaster.

I do hereby determine the following areas of the State of Washington to have been adversely affected by this declared major disaster:

The Counties of:

Grays Harbor	Skagit
King	Snohomish
Lewis	Whatcom

Dated: December 13, 1975.

THOMAS P. DUNNE,
Administrator, Federal Disaster Assistance Administration.

(Catalog of Federal Domestic Assistance No. 14.701, Disaster Assistance.)

[FR Doc.75-34277 Filed 12-18-75;8:45 am]

Office of the Secretary

[Docket No. D-75-395]

ACTING SECRETARY OF HOUSING AND URBAN DEVELOPMENT

Order of Succession

During any period when, by reason of absence, disability, or vacancy in office, neither the Secretary of Housing and Urban Development nor the Under Secretary is available to exercise the powers or perform the duties of the Office of the Secretary, the appointees to the positions listed below are authorized to act as Secretary with all the powers, functions, and duties assigned to or vested in him: *Provided*, That none of the named officials shall act as Secretary unless all of the appointees listed before such official's title in this designation are unable to act by reason of absence, disability, or vacancy in the office:

1. General Counsel.
2. Assistant Secretary for Policy Development and Research.
3. Assistant Secretary for Community Planning and Development.
4. Assistant Secretary for Housing Production and Mortgage Credit—FHA Commissioner.
5. Assistant Secretary for Housing Management.
6. Assistant Secretary for Fair Housing and Equal Opportunity.
7. Assistant Secretary for Administration.
8. Assistant Secretary for Legislative Affairs.

This designation supersedes the designation effective December 23, 1969 (34 FR 20360, December 30, 1969) and the designation effective October 9, 1973 (38 FR 27853, October 9, 1973).

(Sec. 7(d) of the Department of HUD Act, 42 U.S.C. 3535(d); Executive Order 11274, 31 FR 5243; Executive Order 11490, 34 FR 17567)

Effective date. This order is effective December 19, 1975.

CARLA A. HILLS,
Secretary of Housing and Urban Development.

[FR Doc.75-34275 Filed 12-18-75;8:45 am]

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

SOUTHERN REGION AIR TRAFFIC CONTROL ADVISORY COMMITTEE

Notice of Meeting

Notice is hereby given that the Southern Region Air Traffic Control Advisory Committee will hold a meeting at 9 a.m. est, January 29, 1976, at the Aviation Hall, Air Host Inn, Atlanta Airport, Atlanta, Georgia. The following agenda items are scheduled for this meeting:

1. Terminal Control Areas
2. Military Operations Areas and Low Level Operations
3. Significant ATC Procedural Changes
4. Atlanta ARTCC Delay Reduction Program
5. Warning and Restricted Area Utilization
6. Expanded Radar Service Program
7. ATC Automation
8. Atlantic Offshore Routes
9. 25 kHz Frequency Assignment Plan

The meeting will be open to the public. Interested persons are invited to attend the meeting and participate by making oral or written statements concerning the respective topics, their substance, and issues. Written statements should be submitted in duplicate to the Federal Aviation Administration, Southern Region, Air Traffic Division, P.O. Box 20636, Atlanta, Ga. 30320 and will be made a part of the record of the proceedings. Persons wishing to make oral statements at the meeting must notify Mr. Lonnie D. Parrish, Chairman, Southern Region Air Traffic Control Advisory Committee, by January 14, 1976, that they desire to be heard and indicate the amount of time requested for their initial statements. Presentations will be scheduled on a first come, first served basis as time permits. Requests for further information should be made to the Chairman, Southern Region Air Traffic Control Advisory Committee.

Issued in East Point, Ga., on December 4, 1975.

LONNIE D. PARRISH,
Chairman, Southern Region Air Traffic Control Advisory Committee.

[FR Doc.75-34173 Filed 12-18-75;8:45 am]

National Highway Traffic Safety Administration

[Docket No. EX75-27; Notice 1]

BRITISH LEYLAND U.K. LTD.

Petition for Temporary Exemption From Federal Motor Vehicle Safety Standards

The Truck and Bus Division of British Leyland U.K. Limited, Leyland, Preston PR5 15N, England, has petitioned for an exemption until April 1, 1976, from four Federal motor vehicle safety standards for eight double-decker buses. The basis for the petition is that British Leyland is otherwise unable to sell a motor vehicle whose overall level of safety is equivalent to or exceeds the overall level of safety of non-exempted motor vehicles (49 CFR 555.6(d)).

Petitioner intends to supply eight prototype model double-decker buses to the Metropolitan Transit Authority of New York City for use in a demonstration project funded by the State of New York and the U.S. Department of Transportations' Urban Mass Transit Administration. The purpose of the project is to evaluate public acceptance of the double-decker concept as well as the benefits of rider safety, economics, and service that

buses of this type provide. They will be placed in regularly scheduled service on short-haul, high-density MTA inner-city bus routes. If the project is successful, it is contemplated that additional orders will be placed, but for vehicles that are engineered for total compliance with the Federal standards. If the project is unsuccessful, MTA will not withdraw the buses from service, but will continue to operate them through the remainder of their service life. The buses are adaptations of the company's "Atlantean" AN–68 model which is represented as having "a proven record of safe operation based on millions of passenger miles of service."

In accordance with the regulations, British Leyland has provided (i) a detailed analysis of how the vehicle provides in its opinion, an overall level of safety equivalent to or exceeding the overall safety of non-exempted vehicles, including a description of how its bus fails to meet the four standards from which it requests exemption, (ii) comparative test results showing the extent of failure to meet the standards and (iii) descriptions of safety features that the bus offers that are not required by the Federal standards. Each standard will be discussed separately below.

Standard No. 102, *Transmission Shift Sequence, Starter Interlock and Transmisison Braking Effect.* Paragraph § 3.1.2 requires a supplemental braking effect when the bus speed is below 25 mph. The bus meets the requirement in its home-market configuration. Its contract with MTA, however, specifies that the buses be equipped with a special five-speed automatic transmission to provide a smoother and more comfortable ride for the passengers. With this transmission, however, the supplemental braking effect is not available until the vehicle speed is 23 mph or lower. Petitioner submits that the usual operating speed of the vehicle will be 10 mph to 20 mph and that there will be no diminution of safety. Even in the 23 mph to 25 mph range, petitioner argues that the difference is so slight as to be negligible. Passenger protection should be enhanced with the automatic transmission which is smoother than the standard one and "will provide substantially greater protection to standing passengers against the hazard of losing balance and being jolted as the vehicle shifts gears."

Standard No. 108, *Lamps, Reflective Devices, and Associated Equipment.* The bus is said to meet the Federal vehicle lighting standard in all respects except for photometrics of the combination rear stop, turn signal, back up and tail lamps, and the front side marker lamps. Although the vehicle meets ECE requirements, British Leyland estimates that in general the intensity levels set by Standard No. 108 are 20 percent higher. A precise comparative evaluation is difficult because the photometric test points of the ECE and US systems differ. The company argues that, given the condition under which the vehicles will operate, an equivalent level of safety is provided, saying the buses will be operated "over streets which are well lighted and where vehicle traffic is subject to a maximum degree of control, the small variation in candle power between these lamp units and those required by the standard would produce no measureable difference in operational safety."

Motor Vehicle Safety Standard No. 121, *Air Brake Systems.* There are several aspects of this standard that concern the petitioner.

A. S5.3.1 *Stopping Distances.* This paragraph requires in part that air braked vehicles stop from 20 mph within 54 feet, on wet pavement, when loaded to GVWR, or at unloaded vehicle weight plus 500 pounds. The British Leyland buses require 70 feet when laden, and 57 feet when unladen, otherwise there will be lock-up at the rear axle. Petitioner believes that its level of performance is equivalent to that of non-exempted buses.

B. S5.3.3 *Brake Actuation Time.* This paragraph requires that front and rear air brake systems be capable of actuation to emergency stopping pressure (60 psi) within 0.40 second from the first movement of the service brake control by the operator. The rear brake system on the British Leyland bus requires 0.46 second, and petitioner argues that the 0.06 second difference is marginal. The front brake system, however, requires only 0.18 second, exceeding the minimum of 0.40 second by a margin of 0.22 second, and petitioner thus argues that the overall system provides a level of safety equivalent to that provided by conforming vehicles.

C. S5.3.4 *Brake Release Time.* This paragraph measures brake release performance in terms of the time required for air pressure in the brake chambers to fall from 95 psi to 5 psi. This must occur in not more than 0.55 second. Petitioner's rear brake system exceeds this by 0.25 second. However, petitioner can comply when the range is 60 psi to 5 psi. It claims that the maximum air pressure level consistent with safe braking performance for its vehicle is the range between 30 and 45 psi, and "thus, in actual operation, petitioner's vehicles provide equivalent performance to those which meet the S5.3.4 specification in this respect."

D. S5.1.2.1 *Reservoirs.* The combined volume of British Leyland's service and emergency brake reservoirs does not conform to the capacity specification of this paragraph, but the combined capacity of the three reservoirs in its system allegedly exceeds the capacity level of the single reservoir system used in complying vehicles. Petitioner believes that the independent functioning by each reservoir system provides a higher level of safety than the single reservoir system found in most American buses.

Motor Vehicle Safety Standard No. 217, *Bus Window Retention and Release.* Petitioner requests an exemption from requirements pertaining to number and location of emergency exits. It argues that the standard is inappropriate as applied to the upper level of double-decker buses. The buses are fitted with three "emergency exits" on the upper level which are hinged "push-out" type window exits of sufficiently large dimensions (57¾" x 24¾") to permit rapid egress by passengers. On the lower level, emergency exits of an identical nature, number and size are found. The bus is also equipped with entry/exit doors at its middle and front sections which are sufficiently wide (3 feet 8 inches) to permit rapid egress by a double stream of passengers. Petitioner claims that it provides a total area of emergency egress of 8,702 square inches, almost double the emergency exit area required by this standard, and thus provides an equivalent overall level of safety.

With respect to safety features not required by Federal standards, British Leyland states that its channel section steel undercarriage is stronger than the "standard American transit bus [which] is built with an aluminum understructure." The British Leyland engine is separated from the passenger compartment by a full-width steel bulkhead while in the American bus the engine is integral to the main vehicle structure. The vehicle is thus able, according to British Leyland, to withstand greater stress and impact force than the counterpart American transit bus. Wider doors, one-step entry/exit platform, and a fire extinguisher are other safety features mentioned.

The company argues that an exemption would be in the public interest and consistent with the objective of the National Traffic and Motor Vehicle Safety Act because of superior carrying capacity and fuel economy that the buses provide.

This notice of receipt of a petition for a temporary exemption is published in accordance with the NHTSA regulations on this subject (49 CFR 555.7), and does not represent any agency decision or other exercise of judgment concerning the merits of the petition.

Interested persons are invited to submit comments on the petition for exemption of British Leyland U.K. Ltd. Comments should refer to the docket number and be submitted to: Docket Section, National Highway Traffic Safety Administration, Room 5108, 400 Seventh Street, SW., Washington, D.C. 20590. It is requested but not required that five copies be submitted.

All comments received before the close of business on the comment closing date indicated below will be considered. The application and supporting materials, and all comments received, are available for examination in the docket both before and after the closing date. Comments received after the closing date will also be filed and will be considered to the extent practicable. Notice of final action on the petition will be published in the FEDERAL REGISTER.

Comment closing date: January 19, 1976.

(Sec. 3, Pub. L. 92–548, 86 Stat. 1159 (15 U.S.C. 1410); delegations of authority at 49 CFR 1.51 and 49 CFR 501.8)

Issued on December 15, 1975.

ROBERT L. CARTER,
Associate Administrator,
Motor Vehicle Programs.

[FR Doc.75-34217 Filed 12-18-75;8:45 am]

CIVIL AERONAUTICS BOARD

[Order 75-12-69; Docket 28632]

SOCIETE ANONYME BELGE D'EXPLOITATION DE LA NAVIGATION AERIENNE

Order of Investigation and Suspension

Adoped by the Civil Aeronautics Board at its office in Washington, D.C. on the 5th day of December, 1975

By tariff revisions filed pursuant to an order from the Government of Belgium for effect December 19, 1975, Societe Anonyme Belge d'Exploitation de la Navigation Aerienne (Sabena) proposes reduced fares from the United States to Belgium during the period April 1 through December 31, 1976, for persons of Belgian heritage. The fares, proposed at a discount of 50 percent from the round-trip normal economy fare, are intended to promote travel to Belgium during the commemoration of the 25th anniversary of King Baudouin's coronation, and would be available only to persons born in Belgium but now residing permanently abroad, children or grandchildren of native-born Belgians, and their spouses. The proposal carriers a 14/45-day minimum/maximum-stay requirement, with the additional stipulation that the date of at least one of several listed commemorative events be included in the stay.[1]

Upon consideration of all relevant matters, the Board has concluded that the proposed fares may be unjust, unreasonable, unjustly discriminatory, unduly preferential, unduly prejudicial, or otherwise unlawful, and should be investigated. The Board further concludes that the fares should be suspended pending investigation.

Extension of a special discount to a limited group of U.S. residents based upon their national origin presents a *prima facie* case of unjust discrimination which is inconsistent with U.S. law. Moreover, to the extent the Government of Belgium, and Sabena, wish to promote observance of King Baudouin's 25th coronation anniversary, the promotional fares adopted by the members of the International Air Transport Association (IATA), including both the U.S.-and Belgian-flag cariers, and approved by both Governments, would appear to provide an adequate facility for the promotion of such travel.

Accordingly, pursuant to the Federal Aviation Act of 1958, as amended, and particularly sections 204(a), 403, 801 and 1002(j) thereof,

It is ordered, That:

1. An investigation be instituted to determine whether the provisions in Rule 296, on 10th Revised Page 82-F, to Passenger Fares Tariff No. PF-4, C.A.B. No. 44, issued by Air Tariffs Corporation, Agent, and practices affecting such provisions, are or will be unjust, unreasonable, unjustly discriminatory, unduly preferential, unduly prejudicial, or otherwise unlawful, and, if found to be unlawful, to take appropriate action to prevent the use of such provisions or rules, regulations, or practices;

2. Pending hearing and decision by the Board, the tariff provisions specified in paragraph 1 above are suspended and their use deferred from December 19, 1975 to and including December 19, 1976, unless otherwise ordered by the Board, and that no changes be made therein during the period of suspension except by order or special permission of the Board;

3. The suspension ordered in paragraph 2, above shall not stay the cancellation of 8th and 9th Revised Pages 82-F to Passenger Fares Tariff No. PF-4, C.A.B. No. 44;

4. This order shall be submitted to the President[2] and shall become effective on December 19, 1975;

5. The investigation ordered herein be assigned for hearing before an Administrative Law Judge of the Board at a time and place hereafter to be designated;

6. Copies of this order be filed in the aforesaid tariff and be served upon Societe Anonyme Belge d'Exploitation de la Navigation Aerienne; and

7. Except to the extent granted herein, the complaint of Pan American World Airways, Inc., in Docket 28562, be and hereby is dismissed.

This order will be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

[SEAL] EDWIN Z. HOLLAND,
Secretary.

[FR Doc.75-34251 Filed 12-18-75;8:45 am]

[1] Pan American World Airways, Inc., has submitted a late-filed complaint against the proposed fares, requesting suspension and investigation on the grounds of unjust discrimination.

[2] This order was submitted to the President on December 5, 1975.

CIVIL SERVICE COMMISSION

FARM CREDIT ADMINISTRATION

Revocation of Authority To Make Noncareer Executive Assignment

Under authority of § 9.20 of Civil Service Rule IX (5 CFR 9.20), the Civil Service Commission revokes the authority of the Farm Credit Administration to fill by noncareer executive assignment in the excepted service the position of Deputy Director of Credit Service, Credit Service.

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

[FR Doc.75-34260 Filed 12-18-75;8:45 am]

FEDERAL EMPLOYEES PAY COUNCIL

Notice of Meeting

Pursuant to section 10(a)(2) of the Federal Advisory Committee Act, Public Law 92-463, notice is hereby given that the Federal Employees Pay Council will meet at 2:00 p.m. on Wednesday, January 7, 1976. This meeting will be held in room 5A06A of the U.S. Civil Service Commission building, 1900 E Street, NW., and will consist of continued discussions on future comparability adjustments for the statutory pay systems of the Federal Government, which are defined in section 5301 of title 5, United States Code.

The Chairman of the U.S. Civil Service Commission is responsible for the making of determinations under section 10(d) of the Federal Advisory Committee Act as to whether or not meetings of the Federal Employees Pay Council shall be open to the public. He has determined that this meeting will consist of exchanges of opinions and information which, if written, would fall within exemptions (2) or (5) of 5 U.S.C. 552(b). Therefore, this meeting will not be open to the public.

For the President's Agent:

RICHARD H. HALL,
Advisory Committee Management Officer for the President's Agent.

[FR Doc.75-34266 Filed 12-18-75;8:45 am]

FEDERAL ENERGY ADMINISTRATION

Grant of Authority To Make Noncareer Executive Assignment

Under authority of § 9.20 of Civil Service Rule IX (5 CFR 9.20), the Civil Service Commission authorizes the Federal Energy Administration to fill by noncareer executive assignment in the excepted service the position of Associate Director for Policy Evaluation, Office of Nuclear Affairs, Office of the Administrator.

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

[FR Doc.75-34262 Filed 12-18-75;8:45 am]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Revocation of Authority To Make Noncareer Executive Assignment

Under authority of § 9.20 of Civil Service Rule IX (5 CFR 9.20), the Civil Service Commission revokes the authority of the Department of Health, Education, and Welfare to fill by noncareer executive assignment in the excepted service the position of Director, Professional Standards Review Office, Office of the Secretary.

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

[FR Doc.75-34261 Filed 12-18-75;8:45 am]

DEPARTMENT OF THE NAVY

Grant of Authority To Make Noncareer Executive Assignment

Under authority of § 9.20 of Civil Service Rule IX (5 CFR 9.20), the Civil Serv-

ice Commission authorizes the Department of the Navy to fill by noncareer executive assignment in the excepted service the position of Deputy Assistant Secretary of the Navy (Manpower), Assistant Secretary of the Navy (M&RA).

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

[FR Doc.75-34263 Filed 12-18-75;8:45 am]

DEPARTMENT OF THE TREASURY

Grant of Authority To Make Noncareer Executive Assignment

Under authority of § 9.20 of Civil Service Rule IX (5 CFR 9.20), the Civil Service Commission authorizes the Department of the Treasury to fill by noncareer executive assignment in the excepted service the position of Special Consultant to the Secretary for Public Affairs, Immediate Office of the Secretary, Office of the Secretary.

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

[FR Doc.75-34264 Filed 12-18-75;8:45 am]

DEPARTMENT OF THE TREASURY

Grant of Authority To Make Noncareer Executive Assignment

Under authority of § 9.20 of Civil Service Rule IX (5 CFR 9.20), the Civil Service Commission authorizes the Department of the Treasury to fill by noncareer executive assignment in the excepted service the position of Deputy Assistant Secretary (Legislative Affairs) and Special Assistant to the Secretary, Office of the Assistant Secretary (Legislative Affairs), Office of the Secretary.

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

[FR Doc.75-34265 Filed 12-18-75;8:45 am]

COUNCIL ON ENVIRONMENTAL QUALITY

ENVIRONMENTAL IMPACT STATEMENTS

Notice of Availability

Environmental impact statements received by the Council on Environmental Quality from December 8 through December 12, 1975. The date of receipt for each statement is noted in the statement summary. Under Council Guidelines the minimum period for public review and comment on draft environmental impact statements in forty-five (45) days from this FEDERAL REGISTER notice of availability (February 2, 1976). The thirty (30) day period for each final statement begins on the day the statement is made available to the Council and to commenting parties.

Copies of individual statements are available for review from the originating agency. Back copies will also be available at cost from the Environmental Law Institute, 1346 Connecticut Avenue, Washington, D.C. 20036.

DEPARTMENT OF AGRICULTURE

Contact: Dr. Fowden G. Maxwell, Coordinator of Environmental Quality Activities, Office of the Secretary, U.S. Department of Agriculture, Room 359-A, Washington, D.C. 20250, 202-447-3965.

SOIL CONSERVATION SERVICE

Draft

Mud Creek Watershed, Cullman County, Ala., December 8: The proposed plan is for watershed protection and flood prevention in Cullman County, Alabama. The project entails the application of land treatment measures on 2,350 acres of cropland, 3,720 acres of pastureland, and 4.7 miles of channel work. Adverse impacts include increased sedimentation and stream turbidity, and the loss of 69 acres of flood plain forest. Temporary increases in air and noise pollution would also result. (ELR Order No. 51772.)

Cadron Creek Watersheds, several counties Ark., December 8: The proposed project consists of watershed protection, flood prevention, and recreation for North Fork Cadron Creek, East Fork Cadron Creek, and Lower Cadron Creek Watersheds. Adverse impacts include the inundation of 1,163 acres by sediment pools and 3,922 acres by detention pools, and the relocation of 15 people. Project activities will decrease woodland habitat by 989 acres. (ELR Order No. 51769.)

Middle Walnut Watershed Project, several counties Kans., December 12: Proposed is a project for watershed protection, flood prevention, and public recreation in Butler, Cowley, Sedgwick, and Sumner Counties, Kansas. Adverse impacts of the project include the elimination of agricultural use and terrestrial wildlife habitat use of 518 acres, the interruption of agricultural and terrestrial wildlife habitat, use of 1,225 acres by periodic flooding, the elimination of 167 acres of agricultural land for dams and spillways, and the relocation of 15 persons. (ELR Order No. 51811.)

Choctaw Bayou Watershed, West Baton Rouge County, La., Point Coupee, La., Iberville, La., December 8: The proposed plan consists of land treatment and structural measures on 110,000 acres of land to provide flood protection and improve drainage in the Choctaw Bayou over a 50-year period. Adverse impacts include increase in soil erosion and a temporary lowering of water quality. A potential loss of 1,200 acres of forest land and habitat could occur as a result of the project. (ELR Order No. 51773.)

Crabtree Creek Watershed, Durham County, N.C., Wake County, N.C., December 8: The proposed action involves the completion of a watershed project in Wake and Durham Counties, North Carolina for flood prevention. Adverse effects include the loss of 817 acres of wildlife habitat and the permanent inundation of 16 miles of perennial and intermittent channels. The clearing and permanent inundation of 1.3 acres in Schenck Memorial Forest Natural Area will also result, as well as the destruction of Cool Mill Site. (ELR Order No. 51776.)

Bush River Watershed Project, Prince Edward County, Va., December 8: Proposed is a project for watershed protection, flood prevention, water supply, and fish and wildlife development in Prince Edward County, Virginia. The project will consist of land treatment on 19,810 acres of the watershed and eight dams. Project implementation will result in inundation of 26 miles of streams and the inundation or restricted use of 3,076 acres of land presently in forest land, cropland, and pastureland. Terrestrial wildlife habitat will also be reduced. (ELR Order No. 51771.)

DEPARTMENT OF DEFENSE

ARMY CORPS

Contact: Dr. C. Grant Ash, Office of Environmental Policy Development, Attn: DAEN-CWR-P, Office of the Chief of Engineers, U.S. Army Corps of Engineers, 1000 Independence Avenue, SW., Washington, D.C. 20314, 202-693-6795.

Draft

John Martin Dam and Reservoir, Arkansas River, Bent County, Colo., December 9: This statement concerns the identification of those impacts resulting from the continuing operation and maintenance program at John Martin Dam and Reservoir and the anticipated effects resulting from implementation of the updated John Martin Master Plan (November 1974). Adverse effects have been the development of sterile sediment beds, erosion of the shoreline and barren sediment beds, and some inundation of vegetation. (Albuquerque District) (ELR Order No. 51784.)

Panama City Harbor and Grand Lagoon, Maintenance, Bay County, Fla., December 9: Proposed is the continued maintenance to the authorized depths of the Federal navigation channels into Panama City Harbor and Grand Lagoon, Florida. Maintenance dredging will result in a temporary increase of turbidity, and the loss of non-motile organisms inhabiting the channel and disposal areas. There will also be an increase in potential sources of pollution associated with the growth of channel traffic and industrial development. (Mobile District) (ELR Order No. 51785.)

Great Lakes-St. Lawrence Seaway, Winter Program, Michigan, December 9: (ELR Order No. 51790.)

Abiquiu Dam and Reservoir, O&M, Rio Arriba County, N. Mex., December 10: Proposed is the continued operation and maintenance of Abiquiu Dam and Reservoir for flood damage reduction and sediment retention. The project also includes the development of recreation facilities and zoning of project lands. Approximately 1,500 acres of interspersed grassland and juniper woodland would be converted to a standing aquatic system, and archeological sites may be inundated. (Albuquerque District) (ELR Order No. 51800.)

Final

Foster City Development, San Mateo County, Calif., December 12: The Estero Municipal Improvement District, Foster City has applied for a Dept. of the Army Permit to place approximately 2,470,000 cu. yds. of fill on 5 areas totalling 382 acres in Foster City, San Mateo County. The 5 areas are proposed to be used for residential, city center, and light industrial development. The alteration of land use would eliminate wildlife habitat, and increase the chance of air quality degradation. (San Francisco District) Comments made by: USDA, HEW, HUD, DOI, DOT, EPA, AHP, and State and local agencies. (ELR Order No. 51813.)

Napa River Flood Control Project, Napa County, Calif., December 12: The proposed flood control project entails channel widening and realignment, dredging, riprap on portions of the riverbanks, and construction of concrete step-walls through the central urban area of the city of Napa, California. Acquisition of 577 acres of former tidelands will be used to mitigate permanent loss of fish and wildlife due to degradation, permanent removal of 10 buildings (3 residential and 7 commercial), temporary loss of foliage due to the removal of plant materials, and temporary construction disruption (including noise, traffic congestion and loss of recrea-

tional opportunity). (San Francisco District) Comments made by: DOT, USCG, USDA, DOC, HEW, HUD, DOI, EPA, AHP. (ELR Order No. 51815.)

Allatoona Dam and Lake, Bartow, Cherokee, and Cobb Counties, Ga., December 10: The project involves the continuation and maintenance of an existing multipurpose dam and reservoir located on the Etowah River in Barton, Cherokee and Cobb Counties. The project provides flood control, hydroelectrical power generation, recreational opportunities and regulation of stream flow for navigation. Adverse impacts include those of large releases of water for short periods of time as a result of peak power production, and of discharges in late summer containing low dissolved oxygen levels and causing concern downstream. (Mobile District) Comments made by: EPA, DOI, DOC, DOT, USDA, HUD, and State agencies. (ELR Order No. 51797.)

Dworshak Dam and Reservoir, Clearwater County, Idaho, December 10: The proposed action is the completion, operation, and management of Dworshak Dam and Reservoir, a multiple-purpose water resource project located in Clearwater County. The project has been under construction since 1963 and is 84% complete. Project purposes are flood control and power production with additional benefits to recreation. Adverse impacts are the loss of 54 miles of river, and negative effects on aesthetics and recreation with reservoir drawdown. (Walla Walla District) Comments made by: DOI, USCG, EPA, FPC, USDA, PRBC, and State and local agencies, and one individual. (ELR Order No. 51798.)

Marquette and Presque Isle Harbors, Maintenance, Michigan, December 10: The statement concerns continued maintenance dredging of Marquette Harbor and Presque Isle Harbor in Marquette, Michigan in order to afford continued use of the harbor. Adverse impacts include: air and water contamination, disruption of the benthic habitat, increased turbidity, and in the case of an on-land disposal facility for Presque Harbor, altered land use. (St. Paul District) Comments made by: EPA, USDA, HEW, DOC, DOI, DOT, and State and local agencies, and individuals. (ELR Order No. 51795.)

Berry's Creek Embankment and Facilities, Permit, Bergen County, N.J., December 12: The statement concerns the issuance of a permit to the New Jersey Sports and Exposition Complex to construct an embankment and other facilities in the Hackensack Meadowlands, adjacent to Berry's Creek. Approximately 35 acres of mercury contaminated marsh will be permanently lost due to activities within Berry's Creek Tidal Marsh. Development of the sports complex will result in increased economic development of the area along with increased noise and air pollution from the traffic volume and parking facility. The elimination of some marsh area would necessitate a change in the habitat of native terrestrial wildlife and birds. (New York District) Comments made by: HUD, AHP, HEW, FPC, DOC, EPA, DOI, DOT, and State and local agencies. (ELR Order No. 51808.)

Huron Harbor, Operations and Maintenance, Erie County, Ohio, December 10: The project entails maintenance of the 3523-foot west pier, the 1450-foot east breakwater, the 200-foot steel sheet pile shore protection and the existing 25-foot project depth in the lake approach and entrance channel. Polluted sediments dredged from the harbor will be deposited in an open lake dumping site in 1975 and in a diked disposal facility (now under construction) in 1976. Adverse impacts include annual disruption of the aquatic ecosystem, adverse effects upon water quality, recreation, aesthetics, and boat traffic during dredging. (Buffalo District) Comments made by: EPA, DOI, USDA, DOT. (ELR Order No. 51796.)

Wishart Point, Maintenance Dredging, Accomack County, Va., December 10: The statement concerns the maintenance dredging of a channel 60 feet wide and 6 feet deep from the Delaware Bay-Chesapeake Bay Waterway at Four Mouths through Balcast Narrows and across Powell's Bay and Bogues Bay to Wishart Point, a distance of about 2 miles. Adverse impacts include removal of organisms at the site of dredging and disturbance of disposal site. (Norfolk District) Comments made by: EPA, DOI, DOC, USCG, AHP, and State agencies. (ELR Order No. 51794.)

Tacoma Harbor Project, Washington, Pierce County, Wash., December 10: Proposed is the maintenance dredging of Tacoma Harbor. Three sections of the Blair Waterway will be dredged to a depth of 40 feet; dredged spoil will be placed behind dikes on an 82 acres disposal site. Adverse impacts will include the effects upon the benthic community. (Seattle District) Comments made by: OEO, EPA, NMFS, DOC, DOI, USCG, HUD, and State and local agencies. (ELR Order No. 51793.)

ENVIRONMENTAL PROTECTION AGENCY

Contact: Mr. Sheldon Meyers, Director, Office of Federal Activities, Room 3630 Waterside Mall, Washington, D.C. 20460, 202-755-0940.

Draft

Water Quality Program (Phase I), San Francisco Bay, Calif., December 12: Proposed is a Water Quality Management Plan designed to eliminate six shallow shoreline discharges of treated, chlorinated sewage from the eastern shore of Lower and South San Francisco Bay. The existing Irvington and Newark sewage treatment plants will be abandoned and replaced by untreated sewage pump stations. New discharge locations will increase the transport and dispersion of pollutants from the Lower Bay to the Central Bay and Pacific Ocean. Adverse effects include damage to bottom organisms, and traffic disruption and other construction associated impacts. (ELR Order No. 51807.)

FEDERAL MARITIME COMMISSION

Draft

Cargo Transport, U.S. Gulf/Atlantic to Far East, December 8: The statement concerns FMC's investigation of the transport of containerized cargoes between various U.S. Atlantic/Gulf and Far East ports. The proceeding, Docket No. 73-38: Council of North American Shipping Association, et. al. v. American Mail Lines Ltd. et. al. was instituted to determine if transport of these cargoes by rail to and from Far East ports under joint rail-water through rates is contrary to sections of the Shipping Act, 1916 and violative of Section 8 of the Merchant Marine Act of 1920. By the Rail-water mode less energy is consumed but pollutant emissions would increase by approximately 2,891 short tons over the U.S. (ELR Order No. 51774.)

FEDERAL POWER COMMISSION

Contact: Dr. Richard F. Hill, Acting Advisor on Environmental Quality, 441 G Street NW., Washington, D.C. 20426, 202-386-6084.

Final

Helms Project, Calif., December 10: This action entails consideration of an application for license and amendment of license by Pacific Gas and Electric Company to construct a pumped storage project to be located in California. Adverse impacts of the project would include removal of 300 acres of Sierra N.F. from commercial timber production, loss of aquatic habitat and biota, increased public use of certain areas, aesthetic impacts on this rather pristine area, and disturbance of wildlife during construction. Comments made by: AHP, USDA, COE, DOC, DOI, DOT, EPA, NRC, and State agencies, private groups, and individuals. (ELR Order No. 51804.)

DEPARTMENT OF HEW

Contact: Mr. Charles Custard, Acting Director, Office of Environmental Affairs, Office of the Assistant Secretary for Administration and Management, Room 3718 HEW-North, Washington, D.C. 20202, 202-963-4456.

Final

U.S. Navy Aqueduct, Florida Keys, Dade, and Monroe Counties, Fla., December 12: The statement concerns a proposal for the U.S. Navy to turn their water supply system over to the Florida Keys Aqueduct Authority (FKAA) so that FKAA may expend the capacity of the present system to meet the needs of the rest of the Keys. The property consists of 289.11 acres in Dade County where wells are located and related equipment used to obtain and transport the water to the Florida Keys. Providing additional fresh water to the Keys will permit a human population increase in Monroe County that will bring about land development and associated air and water pollution. Comments made by: USDA, GSA, DOI, DOT, EPA, DOC, and State and local agencies. (ELR Order No. 51814.)

DEPARTMENT OF HUD

Contact: Mr. Richard H. Broun, Director, Office of Environmental Quality, Room 7258, 451 7th Street, S.W., Washington, D.C. 20410, 202-755-6308.

Final

Inner Harbor West Urban Renewal, Baltimore, Baltimore County, Md., December 9: Proposed is a project for urban renewal encompassing 68 acres of land bordering on the southern end of the Central Business District of Baltimore. Roughly 1,300 housing units are planned of which approximately 80 to 100 units are slated for rehabilitation under the City's homesteading project. There are potential noise problems associated with automobile and truck traffic should I-395 be constructed. There will also be a potential negative impact on the housing market. Comments made by: DOI, HEW, DOC, EPA, and State agencies. (ELR Order No. 51786.)

Cromwell Road Low-Rent Housing, Chattanooga, Hamilton County, Tenn., December 11: The Chattanooga Housing Authority is requesting an Annual Contribution Contract (ACC) for 200 units of low-rent public housing to meet the need for replacement housing as a result of displacement by an Urban Renewal Project. The units are to be built on a 90 acre tract on Cromwell Road in Chattanooga, Tennessee. Adverse impacts include those associated with the nearby airport and railroad, the absence of water and sewer facilities, lack of adequate recreation facilities in the immediate area, and the lack of public transportation to serve the project. Comments made by: EPA, TVA, HEW, USDA, DOI, and State agencies. (ELR Order No. 51806.)

Section 104(h). The following are Community Development Block Grant statements prepared and circulated directly by applicants pursuant to section 104(h) of the 1974 Housing and Community Development Act. Copies may be obtained from the office of the appropriate local chief executive. (Copies are not available from HUD.)

Draft

Water & Sewer Project, Brawley Co. Water District, Imperial County, Calif., December 8: The proposed project consists of installation of water and sewer facilities to service the area encompassed by the Brawley Water County District, California. The district en-

tails approximately 316 acres and would particularly affect the Central Imperial County area. Adverse effects include minor disruptions during construction, possible increased population, and air quality deterioration. (ELR Order No. 51778.)

Low-Income Multi-Service Center, Livermore, Alameda County, Calif., December 9: The proposed project is construction of an office building and development of relative off-street parking area in Livermore, California, to serve the Low-Income Multi-Service Center. Adverse effects will consist of increased levels of noise and air pollution. (ELR Order No. 51791.)

Edenvale 11th Addition, Eden Prairie, Hennepin County, Minn., December 8: Proposed is the provision by HUD of mortgage insurance for single family homes and multifamily housing projects, Edenvale Planned Unit Development, Eden Prairie. Adverse effects of development are removal of farm land from production and increased demand for facilities and services. Increase in noise pollution and auto traffic are also expected, as well as disturbance of the ecological system by construction. (ELR Order No. 51781.)

Charles H. Wilson Regional Park, Torrance, Calif., Los Angeles County, Calif., December 10: The statement concerns a Community Development Block Grant to the City of Torrance for the development of Charles H. Wilson Community Park. The 44 acre site is part of a Heavy Manufacturing zoned 46.6 acre parcel. Adverse impacts expected from the project include increased traffic, noise and congestion in the area. (ELR Order No. 51805.)

Final

Water Line Extension, Marshall County, Tenn., December 8: The project is the construction of a 9.3 mile long water line extension in Marshall County, Tennessee. The service area encompasses approximately 3,945 acres and 250 people. Construction of the line will require the disruption of Springplace Road (F.A.S. 4329) in four places and the crossing of existing fence rows and private driveways. Comments made by: EPA, USDA, and State and local agencies. (ELR Order No. 51779.)

NW Texarkana Sewer Mains, Tex., December 12: The project seeks to provide sewer utilities to the residents in the area north of I-30, east of Summerhill Road, and west of Richmond Road excluding the Richmond Pines subdivision. The sewer mains will collect into one main running roughly north-south parallel to Cowhorn Creek ending at I-30 until completion of the Cowhorn Creek Outfall. Adverse impacts of the project include the disturbance of area ecology, the silting in Cowhorn Creek, site scaring, traffic disruption, construction noise, and air quality degradation, all of which are expected to be temporary. Comments made by: COE, EPA, and State agencies. (ELR Order No. 51812.)

DEPARTMENT OF INTERIOR

Contact: Mr. Bruce Blanchard, Director Environmental Project Review, Room 7260, Department of the Interior, Washington, D.C. 20240, 202-343-3891.

BUREAU OF LAND MANAGEMENT

Draft

OCS Sale No. 40, Mid-Atlantic States, New Jersey and Delaware, December 10: The statement concerns the leasing of 154 tracts (876,750 acres) of Outer Continental Shelf lands. The tracts are located offshore New Jersey and Delaware 54 to 108.5 miles from shore. All tracts offered pose some degree of pollution risk to the environment due to accidental or chronic oil spillage. Socioeconomic effects from onshore development may cause ocal problems. (ELR Order No. 501792.)

Final

OCS Lease Sale, Gulf of Mexico, December 12: The statement concerns the lease sale of 135 tracts offshore Texas, Louisiana, Mississippi, Alabama, and Florida which would add 698,077 acres under federal lease in the Gulf. Development of the tracts would require an estimated 150 to 400 wells from 20 to 50 platforms and require 50 to 100 miles of pipeline. The possibility of an oil spill will be increased. Comments made by: EPA, DOC, DOD, ERDA, DOI, and State agencies. (ELR Order No. 51809.)

BUREAU OF RECLAMATION

Draft

Narrows Unit, Pick-Sloan Missouri Basin Program, Morgan County, Colo., December 9: This project entails construction of Narrows Dam and Reservoir to store and regulate flows in the South Platte River, and to provide irrigation, flood control, recreation, fish and wildlife enhancement, and municipal and industrial needs. Adverse impacts include the inundation of 15.5 miles of natural stream and 15,000 acres of agriculture and wildlife lands, and the loss of vegetation in the reservoir. Approximately 220 families will be displaced. (ELR Order No. 51788.)

Final

Completion of Lyman Project, Wyo., December 9: The proposed action is the construction of an earthfill dam on Smiths Fork to complete southwestern Wyoming's Lyman Project. The adverse effects of this project would include the direct loss of 300 acres of diverse wildlife habitat for numerous species, the inundation of about 172 acres of timber, the elimination of 1.8 miles of fishery habitat, an increase in evaporation loss of 25 acre-feet annually, short-term increases in sedimentation, esthetic degradation in the area, and possible minor earth slipouts in the dam embankment. Comments made by: AHP, USDA, USA, EPA, HEW, HUD, DOI, and State and local agencies and private groups. (ELR Order No. 51787.)

DEPARTMENT OF TRANSPORTATION

Contact: Mr. Martin Convisser, Director, Office of Environmental Affairs, 400 7th Street, S.W., Washington, D.C. 20590, 202-426-4357.

Draft

Motor Carrier Reform Act, December 5: The proposed Motor Carrier Reform Act is intended to bring about a more efficient use of resources by motor carriers regulated by the Interstate Commerce Commission. The statement indicates that enactment would result in the conservation of fuel and decreased traffic congestion. (ELR Order No. 51768.)

FEDERAL HIGHWAY ADMINISTRATION

Draft

I-70 Widening, Kansas City, Wyandotte County Kans., December 10: Proposed is the widening of Interstate 70 from 94th Street to 10th Street in Kansas City. The improvement would consist of the addition of one lane in each direction between I-435 and I-635 and two lanes in each direction between I-635 and I-670. An additional 50 acres of land will be required for right-of-way, and from 2 to 52 families will be displaced. Construction disruption will result. (ELR Order No. 51803.)

US-36 Improvement, Kansas-Mo. State Line West, Brown, and Doniphan Counties, Kans. December 12: Proposed is the improvement of US-36, extending from the Kansas-Missouri State Line at St. Joseph, Missouri, to a point one mile east of the Brown-Doniphan County Line and one mile south of the existing US-36. Adverse effects include the removal of 1,600 acres of cropland from production, the acquisition of private residences with resultant displacement of people, and increases in noise and air pollution. (ELR Order No. 51810.)

West Cornhusker Highway, Lincoln, Lancaster County, Nebr., December 8: The proposed roadway improvement involves the upgrading and reconstruction of a 1.3 mile segment of West Cornhusker Highway and North West First Street in Lincoln, Nebraska. Construction will require an additional 12 acres of right-of-way and will require the relocation of twelve families and two businesses. A 4(f) statement is included concerning Oak Lake Park. (ELR Order No. 51770.)

SH 63, Ashland, Saunders County, Nebr., December 10: The statement concerns the reconstruction of State Highway 63 to provide a more direct, flood free, all-weather route to Ashland, Nebraska. The segment will be from 0.86 to 3.6 miles long and require six to 52 acres of right-of-way, depending upon the alternative chosen. Adverse impacts include dislocation of families and businesses, water pollution during construction, and vegetation loss. (ELR Order No. 51802.)

U.S. 220, I-85 to I-40 (Supplement), Guilford County, N.C., December 8: Proposed is a freeway connection between I-85 and I-40 in Greensboro, North Carolina. The 1.83 mile project will provide an at-grade intersection at the northern end until a future freeway extension is constructed. Adverse impacts include the disruption and relocation of 44 families, 3 businesses, and 1 church, the commitment of 87 acres of land, and the relocation of approximately 50 cemetery graves. (ELR Order No. 51780.)

Final

I-70, Dosstero-West (I 70-2(11)), Garfield and Eagle Counties, Colo., December 10: Proposed is the design and construction of a 20 mile section of Interstate 70 beginning about two miles east of Glenwood Springs and extending easterly to near Gypsum, Colorado. Adverse impacts of the project include encroachments into the Colorado River in certain areas of the canyon, displacement of small picnic areas, and physical changes in the canyon from rock cuts, excavation, and tunnels, or construction of long and high bridges. A 4(f) statement is included. Comments made by: HUD, COE, DOI, USDA, DOT, and State and local agencies. (ELR Order No. 51801.)

Final

S.R. 500, Melbourne, Florida, Brevard County, Fla., December 8: Proposed is the reconstruction of six miles of S.R. 500 from two to four lanes. Adverse impacts will include the taking of additional right-of-way, and the displacement of people; noise levels will increase. A 4(f) statement will be filed for the encroachment upon Melbourne Country Club and Babcock Park. Comments made by: USDA, DOI, HEW, EPA, and State and local agencies. (ELR Order No. 51775.)

I-474, Peoria and Tazewell, Peoria, and Tazewell Counties, Ill. December 12: The project involves the construction of I-474, a four lane highway facility in Peoria and Tazewell Counties. I-474 will be the complimentary interstate beltline route for I-74 in the greater Peoria area. Adverse impacts are the displacement of families, increased air and noise pollution, and the use of land for right-of-way purposes. Comments made by: HUD, DOI, USDA, EPA, DPT, and State and local agencies. (ELR Order No. 51816.)

Skipanon Bridge, S.H. 105, Warrenton, Clatsop County, Oreg., December 8: The proposed project will remodel or replace the Skipanan River Bridge at Warrenton. The existing bridge, containing a floatout span, has been found to be in violation of the original 1916

Federal permit which required fast-opening bascule bridge, opening on demand. Three alternatives and involve minor disturbance to the river streambed during involve repeated disturbance to the river streambed during construction. Long term alteration of upstream river use boating and development activities may occur. (85 pages) Comments made by: COE, DOC, DOI, EPA, and State and local agencies, and private groups. (ELR Order No. 51782.)

Washington Forest Highway 7, Snohomish Co., Snohomish County, Wash., December 8: The statement refers to the proposed construction of Washington Forest Highway 7, Mountain Loop Highway, beginning at Barlon Pass in Snohomish County, and extending northerly 23 miles connecting to SR 530 in Darrington. The purpose of the road is to provide good access between Granit Falls and Darrington, completing an 85 mile scenic loop highway. Adverse impacts include the permanent loss of 75 acres of vegetation and wildlife habitat, the temporary loss of 160 acres, and some increase in stream turbidity. Thirteen families will be displaced and a total of 52 lots will be taken. (Region 10) Comments made by: EPA, DOI, USDA, DOC, COE, and State agencies, organizations, and individuals. (ELR Order No. 51783.)

I-64 Appalachian Corridor "L", Raleigh County, W. Va. December 8: The statement discusses the anticipated social, economic, and environmnetal effects of seven proposed alternates schemes for I-64, Beckley to Bragg, and WVA Turnpike, Appalachian Corridor "L" from Beckley to Bradley. Adverse effects of the projects will be right-of-way acquisition, increased levels of air, noise and water pollution, and disturbance to wildlife. The exact number of miles, acres and displacements will not be known until one option is chosen. Comments made by: HEW, FPC, COE, AHP, USDA, DOC, EPA, DOI, and State and local agencies. (ELR Order No. 51777.)

FEDERAL AVIATION ADMINISTRATION

The Council has been requested by the Department of Transportation to clarify DOT's intention, concerning the release and circulation, on November 13, 1975 of the EIS for the Concorde.

The EIS was released by the Secretary at the time he announced his decision to hold a public hearing on January 5, 1976, and to make a final decision within thirty days thereafter. However, it was not DOT's intention to file the EIS formally as a final statement at that time. The Final EIS, revised if necessary, will be filed with CEQ subsequent to the public hearing.

Comments on the EIS released by the Department on November 13 may be submitted to DOT until January 13, 1976. The thirty day minimum review period for the final EIS will begin as of the date that it is formally filed by DOT with CEQ.

GARY L. WIDMAN,
General Counsel.

[FR Doc.75-34226 Filed 12-18-75;8:45 am]

ENVIRONMENTAL PROTECTION AGENCY

[FRL-467-6]

APPROVAL AND PROMULGATION OF IMPLEMENTATION PLANS

Notice of Public Hearings

Correction

In FR Doc. 75-33284, appearing at page 57711, in the issue for Thursday, December 11, 1975, the date and Federal Register citation in the first line of the first paragraph should read "October 21, 1975 (40 FR 49103)".

FEDERAL COMMUNICATIONS COMMISSION

RADIO TECHNICAL COMMISSION FOR MARINE SERVICES

Notice of Renewal

The Federal Communications Commission has determined that renewal of the Radio Technical Commission for Marine Services (RTCM) as an advisory committee of the Federal Government is necessary and in the public interest. Pursuant to the Federal Advisory Committee Act (P.L. 92-463), notice of renewal is hereby provided.

The purpose of the RTCM is to advance the art and science of marine telecommunications through study, investigation, appropriate recommendations to the Federal Government and industry, and promotion of ideas and exchange of information. The RTCM has been renewed for an additional two-year period extending until January 1, 1978.

FEDERAL COMMUNICATIONS COMMISSION
VINCENT J. MULLINS,
Secretary.

[FR Doc.75-34240 Filed 12-18-75;8:45 am]

STANDARD BROADCAST APPLICATIONS READY AND AVAILABLE FOR PROCESSING

Notice is hereby given, pursuant to § 1.571(c) of the Commission's rules, that on January 23, 1976, the standard broadcast applications listed in the attached Appendix will be considered as ready and available for processing. Pursuant to § 1.227(b)(1) and § 1.591(b) of the Commission's rules, an application, in order to be considered with any application appearing on the attached list or with any other application on file by the close of business on January 22, 1976, which involves a conflict necessitating a hearing with any application on this list, must be substantially complete and tendered for filing at the offices of the Commission in Washington, D.C., by the close of business on January 22, 1976. The attention of prospective applicants is directed to the fact that some contemplated proposals may not be eligible for consideration with an application appearing in the attached Appendix by reason of conflicts between the listed applications and applications appearing in previous notices published pursuant to § 1.571(c) of the Commission's rules.

The attention of any party in interest desiring to file pleadings concerning any pending standard broadcast applications, pursuant to section 309(d)(1) of the Communications Act of 1934, as amended, is directed to § 1.580(i) of the Commission's rules for provisions governing the time for filing and other requirements relating to such pleadings.

Adopted: December 10, 1975.

Released: December 12, 1975.

FEDERAL COMMUNICATIONS COMMISSION,
VINCENT J. MULLINS,
Secretary.

APPENDIX

BP-19826	NEW, Lake Isabella, Calif. John M. Ridenour Req: 1140 kHz, 500 W, Day.
BP-19863	WDCF, Dade City, Fla. Dade City Radio, Inc. Has: 1350 kHz, 1 kW, Day. Req: 1350 kHz, 500 W, 1 kW-LS, DA-N, U.
BP-20002	WUCR, Sparta, Tenn. WUCR, Incorporated Has: 860 kHz, 250 W, Day. Req: 860 kHz, 1 kW, Day.
BP-20019	WIZO, Franklin, Tenn. Harpeth Valley Broadcasting Co., Inc. Has: 1380 kHz, 1 kW, Day. Req: 1380 kHz, 5 kW, DA-Day.
BP-20020	KSDN, Aberdeen, S. Dak. Green Bay Broadcasting Co. Has: 930 kHz, 1 kW, DA-N, U. Req: 930 kHz, 1 kW, 5 kW-LS, DA-2, U.
BP-20021	WUNN, Mason, Mich. Family Life Broadcasting System Has: 1110 kHz, 250 W, Day. Req: 1110 kHz, 1 kW, DA-Day.
BP-20023	WANB, Waynesburg, Pa. Commonwealth Broadcasters, Inc. Has: 1580 kHz, 250 W, Day. Req: 1580 kHz, 500 W (250 W-CR), Day.
BP-20028	WWIT, Canton, N.C. WWIT, Inc. Has: 970 kHz, 1 kW, Day. Req: 970 kHz, 5 kW, Day.
BP-20029	WKKQ, Hibbing, Minn. Jerry J. Collins Has: 1060 kHz, 1 kW, Day. Req: 1060 kHz, 10 kW (5 kW-CH), Day.
BP-20030	NEW, Lancaster, Wis. Bert R. Peterson Req: 1280 kHz, 500 W, Day.
BP-20032	NEW, Saltville, Va. Childress of Virginia Req: 1600 kHz, 5 kW, Day.
BP-20033	NEW, Minocqua, Wis. Lakeland Communications, Inc. Req: 1570 kHz, 1 kW, Day.
BP-20034	NEW, Conway, S.C. Kingston Broadcasting Company, Inc. Req: 1050 kHz, 5 kW, DA-Day.
BP-20035	NEW, Calhoun, Ga. Cherokee Broadcasting Co. Req: 900 kHz, 1 kW, Day.
BP-20040	NEW, Southwest City, Mo. George C. Lackey Req: 1140 kHz, 250 W, Day.

BP-20044 WFTO, Fulton, Miss.
Itawamba County Broadcasting Co., Inc.
Has: 1330 kHz, 1 kW, Day.
Req: 1330 kHz, 2.5 kW, Day.

[FR Doc.75-34245 Filed 12-18-75;8:45 am]

[Report No. 784]

MOTOR CARRIER SERVICES INFORMATION

Applications Accepted for Filing

DECEMBER 15, 1975.

The applications listed herein have been found, upon initial review, to be acceptable for filing. The Commission reserves the right to return any of these applications, if upon further examination, it is determined they are defective and not in conformance with the Commission's Rules and Regulations or its policies.

Final action will not be taken on any of these applications earlier than 31 days following the date of this notice, except for radio applications not requiring a 30 day notice period (see § 309(c) of the Communications Act of 1934) or as otherwise noted. Unless specified to the contrary, comments or petitions may be filed concerning any of these applications within 30 days of the date of this notice.

In order for an application filed under Part 21 of the Commission's Rules (Domestic Public Radio Services) to be considered mutually exclusive with any other such application appearing herein, it must be substantially complete and tendered for filing by whichever date is earlier: (a) the close of business one business day preceding the day on which the Commission takes action on the previously filed application; or (b) within 60 days after the date of the public notice listing the first prior filed application (with which the subsequent application is in conflict) as having been accepted for filing. In common carrier radio services other than those listed under Part 21, the cut-off date for filing a mutually exclusive application is the close of business one business day preceding the day on which the previously filed application is designated for hearing. With limited exceptions, an application which is subsequently amended by a major change will be considered as a newly filed application for purposes of the cut-off rule. [See § 1.227(b)(3) and 21.30(b) of the Commission's Rules.]

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

APPLICATIONS ACCEPTED FOR FILING:

DOMESTIC PUBLIC LAND MOBILE RADIO SERVICE:

20963-CD-P-(3)-76, Burlington, Brighton & Wheatland Telephone Company (KUO636), C.P. to replace transmitter operating on 158.10 MHz at Loc. No. 1: McHenry Street, 1.73 miles South of Burlington; additional facilities to operate on 158.10 MHz at a new Loc. No. 4: Hwy. E, 2 mi. E. of Somers; and same facilities at a new Loc. No. 5: Near County Trunk, 2.25 miles NW. of Delavan, Wisconsin.

20964-CD-P-76, South Georgia Telephone Company (KIY751), C.P. to relocate and change antenna system operating on 152.54 MHz located at 200 Martin Street, Folkston, Georgia.

20965-CD-P-(2)-76, General Telephone Company of the Southwest (KLB326), C.P. to change antenna system operating on 152.63 MHz and for additional facilities to operate on 152.81 MHz located 1 mi. NE. of Sutton County Courthouse in Sonora, Texas.

20966-CD-P-(2)-76, Susquehanna Mobile Communications, Inc. (KGC599), C.P. to change antenna system operating on 454.-250 and 454.275 MHz at Loc. No. 1: WHP-TV Site, Blue Mountain near Harrisburg, Pennsylvania.

20967-CD-P-(5)-76, Aircall, Inc. (KIY779), C.P. to change antenna system operating on 152.24 MHz at Loc. No. 1: On top of Spivey Mountain, Asheville; chg. antenna system operating on 454.100 MHz at Loc. No. 2: 216 Haywood Street, Asheville; additional facilities operating on 152.24 MHz at a new Loc. No. 3: High Hickory Knob, 2.5 miles South of Swannanoa; additional facilities oper. on 152.24 MHz at new Loc. No. 4: Chambers Mountain, 2 miles N. of Clyde; and same facilities at a new Loc. No. 5: Jumpoff Mountain, 3 miles West of Hendersonville, North Carolina.

20968-CD-P-76, Simon Rubinsky (KRS640), C.P. for additional facilities to operate on 158.70 MHz at a new Loc. No. 3: Hwy. No. 281, 2 mi. S. of Edinburg, Texas.

20969-CD-P-76, Camden Mobile Communications, Inc. (KUO643), C.P. to relocate and change antenna system operating on 152.03 MHz located on Hwy. 97, 0.7 mi. N. of Camden, South Carolina.

20970-CD-P-76, Harvey Jacquin d.b.a. Radio Communications Company (KSV972), C.P. to relocate and change antenna system operating on 454.275 MHz located 2.5 miles NNW. of Union, Missouri.

20971-CD-P-(2)-76, James W. Corn d.b.a. Omnicom (KOF914), C.P. to relocate and change antenna system operating on 454.05 and 454.30 MHz, Control located 1314 North Russell, Missoula, Montana.

20972-CD-P-76, General Telephone Company of the Northwest, Inc. (KTS244), C.P. for additional facilities to operate on 454.625 MHz located at 13013 NE. 65th Street, Kirkland, Washington.

20973-CD-TC-76, Romain Telephone Company, Inc. Consent to Transfer of Control from Romain Telephone Company, Inc., Transferor to Great Southwest Telephone Corporation, Transferee. Station: KLB755, Plains, Texas.

POINT TO POINT MICROWAVE RADIO SERVICE:

1314-CF-P-76, The Mountain States Telephone and Telegraph Company (new), Oak Creek, Colorado. Lat. 40°16'33" N., Long. 106°57'25" W. C.P. for a new station on frequency 2121.6V MHz toward Oil Well Hill passive reflector on azimuth 246.5°, and from passive reflector to Mt. Werner, Colorado on azimuth 44.1°.

1315-CF-P-76, Same (WHB70), Mt. Werner, 5.1 Miles East of Steamboat Springs, Colorado. Lat. 40°27'20" N., Long. 106°44'23" W. C.P. to change coordinates, add frequency 2171.6V MHz toward Oil Well Hill passive reflector on azimuth 224.3°, and from passive reflector to a new station at Oak Creek, Colorado on azimuth 66.5°.

1316-CF-P-76, Southwestern Bell Telephone Company (KOA62), 4 Miles SW. of Beeville, Texas. Lat. 28°23'14" N., Long. 97°48'43" W. C.P. to add frequency 4090V MHz toward Orange Grove, Texas on azimuth 207.9°.

1317-CF-P-76, Same (KOA63), 7.2 Miles NW of Orange Grove, Texas. Lat. 28°00'50" N., Long. 98°02'04" W. C.P. to add frequencies 3710H MHz toward Rabb, Texas on azimuth 122.1°, and 4050V MHz toward Beeville, Texas on azimuth 27.8°.

1318-CF-P-76, Same (KOA64), Rabb, 5 Miles NW. of Robstown, Texas. Lat. 27°50'20" N., Long. 97°43'15" W. C.P. to add frequencies 3750H MHz toward Orange Grove, Texas on azimuth 302.2°, and 3750H MHz toward Corpus Christi, Texas on azimuth 99.0°.

1319-CF-P-76, Same (KKW21), 401 North Broadway, Corpus Christi, Texas. Lat. 27°47'35" N., Long. 97°23'48" W. C.P. to add frequency 3710H MHz toward Rabb, Texas on azimuth 279.1°.

1329-CF-P-76, Michigan Bell Telephone Company (KYZ99), 0.9 Mile South of Perkins, Michigan. Lat. 45°57'48"N., Long. 87°04'22" W. C.P. to add antenna and frequencies 3730V, 3810V, 3890V, 3970V MHz toward Escanaba, Michigan on azimuth 178.0°; 4050H MHz toward LaBranch, Michigan on azimuth 254.7°; and 3730H, 3810H, 3890H, 4130H MHz toward Forsyth, Michigan on azimuth 334.6°; modify antenna and receive station data.

1330-CF-P-76, Same (KQI64), 1005 First Street, Escanaba, Michigan. Lat. 45°44'40" N., Long. 87°03'43" W. C.P. to add antenna and frequencies 3770V, 3850V, 3930V, 4010V MHz toward Perkins, Michigan on azimuth 358.0°; modify receive station data.

1331-CF-P-76, Same (KQI65), Forsyth, 2 Miles NE. of Little Lake, Michigan. Lat. 46°18'27" N., Long. 87°18'32" W. C.P. to modify receive station data and add frequencies 3770H, 3850H, 3930H MHz toward Perkins, Michigan on azimuth 154.4°, and 3770H, 3850H, 3930H, 4170H MHz toward Marquette, Michigan on azimuth 346.0°.

1332-CF-P-76, Same (KQE89), 200 North Third Street, Marquette, Michigan. Lat. 46°32'41" N., Long. 87°23'40" W. C.P. to add antenna and frequencies 3730H, 3810H, 3890H MHz toward Forsyth, Michigan on azimuth 166.0°; modify receive station data.

1333-CF-P-76, Michigan Bell Telephone Company (KQO78), 0.9 Miles NW of LaBranche, Michigan. Lat. 45°53'01" N., Long. 87°29'06" W. C.P. to add frequencies 4090H, 4170H MHz toward Perkins, Michigan on azimuth 74.4°, and 4090H MHz toward Iron Mountain, Michigan on azimuth 261.2°.

1334-CF-P-76, Same (KQA32), On Millie Hill, Iron Mountain, Michigan. Lat. 45°49'17" N., Long. 88°02'42" W. C.P. to add frequencies 4050H, 4130H MHz toward LaBranche, Michigan on azimuth 80.8°.

1323-CF-MP-76, Southern Pacific Communications Co. (WAU252), 0.3 Miles SW of Cooksville, Maryland. Lat. 39°19'06" N., Long. 77°01'33" W. Mod. C.P. to add 6226.9V towards Crownsville, Maryland on azimuth 132.1 degrees and to delete 6345.5H towards American University, Washington D.C.

1324-CF-MP-76, Same (WAU268), 210 North Charles Street, Baltimore, Maryland. Lat. 39°17'29" N., Long. 76°36'55" W. Mod. C.P. to change frequency and polarization on 5974.8V to 6236.9H towards Crownsville, Maryland on azimuth 180.6 degrees and to increase antenna structure height.

1326-CF-MP-76, Same (WAU271), Southern end of Bacon Ridge Road, Crownsville Maryland. Lat. 39°01'50" N. Long. 76°-37'08" W. Mod. C.P. to add 5945.2V towards Cooksville, Maryland and to change frequency and polarization on 6197.2V to 6004.5H towards Baltimore, Maryland on azimuth 0.6 degrees.

1327-CF-MP-76, Same (WAU272), 7600 Preston Drive, Landover, Maryland. Lat. 38°56'15" N., Long. 76°51'42" W. Mod. C.P. to change frequency and polarization on 5974.8H to 6197.2V towards Washington, D.C. on azimuth 256.3 degrees.

1328-CF-MP-76, Same (WAU273), 1301 K Street NW., Washington, D.C. Lat. 38°54'-10" N., Long. 77°02'33" W. Mod. C.P. to change frequency 10755V to 5974.8V towards Landover, Maryland on azimuth 76.1 degrees and to delete 10755V towards American University, increase antenna height.

1338-CF-P-76, American Microwave & Communications, Inc. (KQIA5), Bates, 5.5 miles NE of Iron River, Michigan. Lat. 46°06'08" N., Long. 88°32'30" W. CP to change frequencies to 6041.6H MHz, 6100.9H MHz and 6160.2H MHz toward Covington, Michigan.

1339-CF-P-76, Same. (KQL46), 0.5 mile West of Covington, Michigan. Lat. 46°32'02" N., Long. 88°32'37" W. C.P. to change frequencies to 6278.8H MHz, 6808.4V MHz, 6338.1H MHz and 6397.4H MHz toward Bergland, Michigan.

1340-CF-P-76, Same. (KQM30), 1.25 miles SW of Houghton, Michigan. Lat. 47°06'35" N., Long. 88°35'50" W. C.P. to change frequencies to 6041.6H MHz, 6100, 9H MHz & 6160.2H MHz toward Calumet, Michigan; change to 6041.6V MHz, 6100.9V MHz and 6160.2V MHz toward L'Anse, Michigan.

1341-CF-P-76, Same. (KQM32), Bergland, Michigan. Lat. 46°40'37" N., Long. 89°34'45" W. C.P. to add 5952.6V MHz, 6041.6H MHz, 6100.9H MHz and 6160.2H MHz toward Ironwood, Michigan.

1342-CF-P-76, Same. (KQN97), Ironwood, Michigan. Lat. 46°25'45" N., Long. 90°08'-51" W. C.P. to change frequencies to 6308.-4H MHz and 6367.7H MHz toward Ashland, Wisconsin.

1343-CF-P-76, Same. (new), 940 36th Street, Wyoming, Michigan. Lat. 42°53'55" N., Long. 85°41'18" W. C.P. for a new station on 5974.8V MHz toward Walker, Michigan.

1344-CF-P-76, Same. (WAH..28), 6.1 Miles West of Walker, Michigan. Lat. 42°58'31" N., Long. 85°47'27" W. C.P. to add 6197.2H MHz toward Muskegon, Michigan.

1345-CF-P-76, Eastern Microwave, Inc. (KEM35), Ingraham Hill, 3.3 Miles SSW of Binghamton, New York. Lat. 42°03'43" N., Long. 75°57'03" W. C.P. to add 6137.9V MHz, via power split, toward a new point of communication at Owego, New York.

MAJOR AMENDMENTS:

1265-CF-P-76, United States Transmission Systems, Inc. (new), Owings, South Carolina. Amended to change 6226.9V to 5945.2V towards Moore, South Carolina; correct coordinates to read Lat. 34°38'44" N. Long. 82°07'29" W.

[FR Doc.75-34244 Filed 12-18-75;8:45 am]

[FCC 75-1347]

AGREEMENTS BETWEEN SHORT-SPACED FM STATIONS

Commission Reaffirms Policy

DECEMBER 15, 1975.

Section 73.213(a) of our rules provides for an increase in the authorized facilities (height above average terrain and effective radiated power) of existing FM stations which are presently separated from other co-channel or first-adjacent channel FM stations by a distance less than the minimum distance required by section 73.207 of the rules. In essence, section 73.213(a) specifies the maximum spaced FM stations based upon the prescribed mileage bracket applicable to the particular FM stations. In adopting this rule, we rejected the proposal of permitting such an increase in facilities solely on the basis of an agreement between the short-spaced stations. However, in paragraph 19 of our *Fourth Report and Order* in Docket No. 14185, 40 FCC 868 (1964), we agreed to consider, on an *ad hoc* basis, increases in the facilities of short-spaced FM stations beyond the maximum facilities provided for in section 73.213(a) of the rules, where a mutual agreement exists between the stations. As stated in paragraph 19 of that document, this agreement must include a showing as to how the public interest will be served by full implementation of the agreement.

Since 1964, we have received numerous applications with accompanying agreements proposing facilities which are in excess of the maximums permitted by section 73.213(a) of the rules. At this point, we feel that it is necessary to reaffirm our intention to adhere to the policy that a public interest showing be part of any such proposal. We continue to believe that this policy is consistent with our stated intention of an efficient and orderly development of the FM broadcast service. Consequently, in order to simplify the processing of these applications and aid applicants who are contemplating entering into such an agreement, we are issuing this Public Notice to clarify the guidelines which are used in evaluating a particular agreement.

We will take into consideration the additional areas and populations which will receive primary service assuming *full* implementation of the agreement. By contrast, we will also consider the areas and populations which will receive interference[1] as a result of the mutual increases in facilities. In this regard, it will be necessary to determine the availability of other aural services to the interference areas created by full implementation of the agreement. Once the initial application is granted to increase facilities in line with an agreement found to be in the public interest, subsequent applications for incremental increases in authorized facilities looking toward full implementation of the agreement will be routinely granted.

In no event will a proposal be favorably considered which provides for facilities in excess of maximum power and antenna heghaimilittt
antenna height limitations set forth in section 73.211(b) of the rules. Furthermore, it must be reiterated that the agreements contemplated in the *Fourth Report and Order, supra*, pertain only to increases in facilities and *not* transmitter permissible facilities for existing short-site relocations. Therefore, notwithstanding any restriction contained in an agreement to the contrary, the relocation of transmitter sites will continue to be governed by section 73.213(f)(2)(ii) of the rules. In this regard, site change proposals falling within the applicant's present mileage bracket will be routinely granted with facilities up to the maximum contemplated by such agreement.

It should also be noted that these guidelines are only general in nature and do not, in any way, preclude us from requesting additional information when warranted. In addition, we wish to reemphasize that these agreements are intended only to provide a limited means by which some existing FM stations, authorized under previous allocation standards, may increase their facilities; agreements will not be favorably considered where an applicant proposes, for the first time, to create a mileage separation shortage under section 73.207(a) of the rules. The provision for such agreements does not constitute a departure from the FM allocation standards set forth in our *First Report and Order* in Docket No. 14185, 33 FCC 309 (1962). Accordingly, except for the limited provision for agreements discussed herein, FM allocation, including the nature and extent of interference protection accorded commercial FM stations, will continue to be determined solely by the mileage separation, power, and antenna height limitations set forth in sections 73.207, 73.211 and 73.213 of the rules, without regard to the concept of protected and interfering contours previously employed.

Action by the Commission December 9, 1975. Commissioners Wiley (Chairman), Lee, Reid, Hooks, Quello, Washburn and Robinson.

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

[FR Doc.75-34243 Filed 12-18-75;8:45 am]

[1] For the purposes of these showings only, the normally protected service area is considered to be the area within the 1 mV/m (60 dBu) contour, and interference within the service area is considered to exist when the ratio of desired to undesired signals is less than 10 to 1 for co-channel stations and less than 2 to 1 for first-adjacent channel stations. The F (50,50) curves should be used for service contours, and the F (50,10) curves should be used for interfering contours.

FEDERAL ENERGY ADMINISTRATION

CASES FILED WITH THE OFFICE OF EXCEPTIONS AND APPEALS

Week of November 28 to December 5, 1975

Notice is hereby given that during the week of November 28 to December 5, 1975, the appeals and applications for exception or other relief listed in the Appendix to this notice were filed with the Federal Energy Administration's Office of Exceptions and Appeals.

Under the FEA's procedural regulations, 10 CFR, Part 205, any person who will be aggrieved by the FEA action sought in such cases may file with the FEA written comments on the application within ten days of service of notice, as prescribed in the procedural regulations. For purposes of those regulations, the date of service of notice shall be deemed to be the date of publication of this notice or the date of receipt by an aggrieved person of actual notice, whichever occurs first.

MICHAEL F. BUTLER,
General Counsel.

DECEMBER 12, 1975.

APPENDIX.—*List of cases received by the Office of Exceptions and Appeals, Nov. 28-Dec. 5, 1975*

Date	Name of applicant	Case No.	Location	Type of submission
1975				
Dec. 1	Benton Airport. (If granted: Benton Airport would receive an increase in its base period use of aviation fuel based on an increase in services at Benton Airport.)	FEE-2096	Benton, Kans.	Exception to increase its base period use of aviation fuel.
Do.	E&C Aero Services, Inc. (If granted: E&C Aero Services, Inc., would receive an increase in its base period use of aviation fuel based on increased demand for the product at E&C Aero Services, Inc.)	FEE-2097	St. Louis, Mo.	Do.
Do.	Edgington Oil Co. (If granted: Edgington Oil Co. would receive an extension of the entitlement exception relief granted in FEA's Sept. 18, 1975, decision and order.)	FEE-2089	Long Beach, Calif.	Extension of FEA's entitlement exception relief, Edgington Oil Co., 2 FEA, par. 83,276 (Sept. 18, 1975).
Do.	Fletcher Oil & Refining Co. (If granted: Fletcher Oil & Refining Co. would receive an extension of the entitlement exception relief granted in FEA's Nov. 11, 1975, decision and order.)	FEE-2094	Wilmington, Calif.	Extension of FEA's entitlement exception relief, Fletcher Oil & Refining Co., 2 FEA, par. —— (Nov. 11, 1975).
Do.	Golden Flame Fuel Co. (If granted: Golden Flame Fuel Co. would be permitted to increase its selling price for fuel oil. The exception request is based on the firm's assertion that its May 15, 1973, margin on fuel oil sales is low.)	FEE-2098	Uniontown, Pa.	Price exception (sec. 212.93).
Do.	Mount Hawley Aviation, Inc. (If granted: Mt. Hawley Aviation, Inc., would receive an increase in its base period use of aviation fuel based on exceptional growth in air traffic experienced at the Mount Hawley Airport.)	FEE-2095	Peoria, Ill.	Exception to increase its base period use of aviation fuel.
Do.	NGL Supply, Inc. (C&H Refinery, Inc.). (If granted: NGL Supply, Inc., would receive an extension of the entitlement exception relief granted in FEA's Nov. 14, 1975, decision and order.)	FEE-2092	Washington, D.C.	Extension of FEA's entitlement exception relief, NGL Supply, Inc., 2 FEA, par. —— (Nov. 14, 1975).
Do.	Placid Refining Co. (If granted: Placid Refining Co. would receive an extension of the stay relief granted in FEA's Oct. 17, 1975, decision and order pending the determination of its appeal.)	FES-0036	——do——	Extension of FEA's Oct. 17, 1975, decision and order, Placid Refining Co., 2 FEA, par. —— (Oct. 17, 1975).
Do.	Pryor Oil Co. (If granted: Pryor Oil Co. would be assigned a new supplier to replace its base period supplier, Triton, Inc.)	FEE-2101	Griffin, Ga.	Exception to change suppliers based on the supplier's decreased allocation fraction.
Do.	Pryor Oil Co. (If granted: Pryor Oil Co. would be permitted to replace the existing supplier of motor gasoline at various Federal installations under an 8(a) contract.)	FEE-2102	——do——	Exception to change suppliers under an 8(a) contract.
Do.	Rock Island Refining Corp. (If granted: Rock Island Refining Corp. would not be required to purchase entitlements for its receipts of old oil in excess of the adjusted national old oil supply ratio for the months of December 1975, and January and February 1976.)	FEE-2093	Indianapolis, Ind.	Exception to FEA's entitlements program.
Do.	Union Oil Co. of California. (If granted: Union Oil Co. of California would be permitted to increase its May 15, 1973, selling price for JP-4 aviation fuel on the basis that its May 15, 1973, selling price was below competitive levels.)	FEE-2100	Los Angeles, Calif.	Price exception (sec. 212.82).
Do.	Wallack Brothers Co. (If granted: Wallack Brothers Co. would be assigned a new, lower-priced supplier of Varsol I.)	FEE-2099	New Haven, Conn.	Exception to change suppliers.
Do.	Wickett Refining Co. (If granted: FEA's Oct. 24, 1975, decision and order would be rescinded and Wickett Refining Co. would not be required to purchase entitlements for its receipts of old oil in excess of the adjusted national old oil supply ratio.)	FEA-0078	Fort Worth, Tex.	Appeal of FEA's exception decision and order, Wickett Refining Co., 2 FEA par. 83, 343 (Oct. 24, 1975).
Dec. 2	Arizona Fuels Corp. (If granted: Arizona Fuels Corp. would be assigned a supply of crude oil from Tenneco Oil Co. to increase the level of operation of its Fredonia, Ariz., refinery.)	FEE-2090	Salt Lake City, Utah.	Exception to Dec. 1 rule for crude oil supplier/purchaser relationships (§1.63(a)).
Do.	Lakeside Refining Co. (If granted: Lakeside Refining Co. would not be required to purchase entitlements for its receipts of old oil in excess of the adjusted national old oil supply ratio.)	FEE-2078	Kalamazoo, Mich.	Exception to the old oil entitlements program.
Dec. 3	Charter Oil Co. (If granted: Charter Oil Co. would be permitted to file amended forms FEA P-102-M-O for the months of January through June 1975 to receive an adjustment in its entitlement purchase obligation.)	FEE-2091	Jacksonville, Fla.	Exception to the reporting requirements of the old oil entitlements program.
Do.	Kerr-McGee Corp. (If granted: The decision and order issued by the FEA Office of Regulatory Programs on Sept. 26, 1975, would be rescinded and Kerr-McGee Corp. would receive an increased allocation of crude oil under the refiners' buy/sell list to account for its expanded refinery capacity.)	FEA-0079	Oklahoma City, Okla.	Appeal of the crude oil allocation order issued by the FEA on Sept. 26, 1975.
Do.	New England Petroleum Corp. (If granted: New England Petroleum Corp. would receive an extension of the entitlement relief granted in FEA's Nov. 17, 1975 Decision and Order.)	FEE-2103	Washington, D.C.	Extension of FEA's entitlement exception relief, New England Petroleum Corp., 2 FEA par. — (Nov. 17, 1975).
Dec. 4	Berry Holding Co. (If granted: FEA's November 10, 1975 Interpretation would be rescinded and certain wells owned by the Berry Holding Co. would qualify as stripper wells under 10 CFR 210.32.)	FEA-0080	Taft, Calif.	Appeal of FEA's Nov. 10, 1975 Interpretation pertaining to classification as a stripper well.
Do.	Exxon Co., USA (If granted: FEA's November 17, 1975 Decision and Order which granted exception relief from the Entitlements Program to the New England Petroleum Corp. would be rescinded. FEA's November 17, 1975 Decision and Order which was issued to New England Petroleum Corp. would be stayed pending final determination of Exxon's appeal.)	FEA-0081, FES-0085	Washington, D.C.	Appeal of FEA's Nov. 17, 1975 Decision and Order, New England Petroleum Corp., 2 FEA, par. — (Nov. 17, 1975.) Stay requested.
Do.	NGL Supply, Inc. (If granted: NGL Supply, Inc. would receive an extension of the entitlement exception relief granted in FEA's Nov. 14, 1975 Decision and Order.)	FEE-2104	Tulsa, Okla.	Extension of FEA's entitlement exception relief, NGL Supply, Inc., 2 FEA, par. — (Nov. 14, 1975).
Do.	North American Petroleum. (If granted: North American Petroleum would receive a stay of its obligations to purchase entitlements in November pending the sale of its October entitlements.)	FES-0087	Abilene, Tex.	Request for a stay of entitlement purchase obligation.

[FR Doc.75-34062 Filed 12-15-75;9:25 am]

FOOD INDUSTRY ADVISORY COMMITTEE

Notice of Meeting

Pursuant to the provisions of the Federal Advisory Committee Act (Public Law 92-463, 86 Stat. 770) notice is hereby given that the Food Industry Advisory Committee will meet Tuesday, January 13, 1976 at 1:30 p.m., Westward V Room, The Americana Hotel, Miami Beach, Florida.

The Committee was established to advise the Administrator, FEA, about foodservice interests and problems as these relate to national energy conservation programs.

The agenda is as follows:

1. Chairman's report, a. New membership, b. Proposed 1976 focus.
2. Energy conservation updates, a. Current status, b. Future emphasis.
3. Task force reports, a. Energy consumption data, b. Future Planning, c. Audit programs, d. Transportation, e. Retail grocery stores, f. Foodservice operations, g. Industrial education.
4. General discussion.

The meeting is open to the public. The Chairman of the Committee is empowered to conduct the meeting in a fashion that will, in his judgment, facilitate the orderly conduct of business. Any member of the public who wishes to file a written statement with the Committee will be permitted to do so, either before or after the meeting. Members of the public who wish to make oral statements should inform Lois Weeks, Director, Advisory Committee Management, (202) 961-7022, at least 5 days before the meeting and reasonable provision will be made for their appearance on the agenda.

Further information concerning this meeting may be obtained from the Advisory Committee Management Office.

Minutes of the meeting will be made available for public inspection at the Federal Energy Administration, Washington, D.C.

Issued at Washington, D.C. on December 17, 1975.

MICHAEL F. BUTLER,
General Counsel.

[FR Doc.75-34519 Filed 12-18-75;9:11 am]

INDUSTRIAL EDUCATION SUBCOMMITTEE OF THE FOOD INDUSTRY ADVISORY COMMITTEE

Notice of Meeting

Pursuant to the provisions of the Federal Advisory Committee Act (Public Law 92-463, 86 Stat. 770) notice is hereby given that the Industrial Education Subcommittee to the Food Industry Advisory Committee will meet Tuesday, January 13, 1976 at 9:30 a.m., at the Sea View Motel, 9909 Collins Avenue, Miami Beach, Florida.

The Committee was established to advise the Administrator, FEA, about foodservice interests and problems as these relate to national energy conservation programs.

The agenda is as follows:

1. Distribution of the guide to energy conservation for food service.
2. State energy conservation seminar for food service.
3. Distribution of energy audit for meat packing and baking.

The meeting is open to the public. The Chairman of the Subcommittee is empowered to conduct the meeting in a fashion that will, in his judgment, facilitate the orderly conduct of business. Any member of the public who wishes to file a written statement with the Subcommittee will be permitted to do so, either before or after the meeting. Members of the public who wish to make oral statements should inform Lois Weeks, Director, Advisory Committee Management, (202) 961-7022 at least 5 days before the meeting and reasonable provision will be made for their appearance on the agenda.

Further information concerning this meeting may be obtained from the Advisory Committee Management Office.

Minutes of the meeting will be made available for public inspection at the Federal Energy Administration, Washington, D.C.

Issued at Washington, D.C. on December 17, 1975.

MICHAEL F. BUTLER,
General Counsel.

[FR Doc.75-34520 Filed 12-18-75;9:12 am]

FEDERAL MARITIME COMMISSION

CERTIFICATES OF FINANCIAL RESPONSIBILITY (OIL POLLUTION)

Notice of 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 Production) pursuant to Part 542 of Title 46 CFR.

Certificate No.	*Owner/operator and vessels*
01113	A/S J. Ludwig Mowinckels Rederi: *Fosna.*
01229	Belships Co., Ltd. Skibs-A/S: *Belcargo.*
01248	Dampskibs A/S Avenir, Skibs A/S Beaumont, Skibs A/S Beaulieu, Skibs A/S Beaufort, Skibs A/S Seattle: *Beaumont.*
01303	Prince Line Ltd.: *Cairnleader.*
01533	Henry Nielsen OY/AB: *Altano.*
02001	Rederiaktiebolaget Transatlantic: *Gunnar Carlsson.*
02039	Gryf Deep Sea Fishing Co. *Delfin.*
02243	Astramar Compania Argentina De Navegacion Sociedad Anonima Comercial: *Astradiego.*
02472	Texasgulf Inc: *TG 25, TG 26.*
02712	Tarpon Towing, Inc.: *RT 87, RT 98.*
02859	Cosmos Marine Development Corp. Liberia: *Cosmos Bellatrix.*
03004	Rederi Ab Soya: *Don Juan.*
03276	Universe Tankships, Inc.: *Universe Monitor.*
03420	Dainichi Kaiun Kabushiki Kaisha: *Nitten Maru.*
03453	Kyosei Kisen Kabushiki Kaisha: *Seian Maru.*
03482	Ryutsu Kaiun K.K.: *Ryutai Maru.*
03501	Osaka Shosen Mitsui Senpaku K.K.: *Alkuds.*
03503	Shofuki Kisen K.K.: *Shizuoka Maru, Shimane Maru.*
03730	Brown & Root, Inc.: *BAR 363, BAR 364, BAR 355, BAR 356, BAR 357.*
03733	Great Lakes Dredge & Dock Co.: *No. 130.*
03737	Interocean Shipping Co.: *Allegro.*
03836	Splosna Plovba: *Nova Gorica.*
03883	Ohio Barge Line, Inc.: *OBL 923, OBL 924, OBL 925.*
03915	Mobil Oil Corp.: *Mobil Legend.*
04080	Port Arthur Towing Co.: *Sissie Crawford.*
04212	Nilo Barge Line, Inc.: *James F. Towey.*
04580	Marine Transport Lines, Inc.: *Oswego Courage, Oswego Guardian.*
04767	Texaco, Inc.: *Texaco Barge 809.*
05027	Westwind Africa Line Ltd.: *Desert Wind.*
05046	Magnolia Marine Transport Co.: *MM-26.*
05091	Dansk Esso A/S: *Esso Danica.*
05470	Charter Transport Line, Inc.: *Witshuttle.*
05581	Latvian Shipping Co.: *Pavel Parenago.*
05676	International Barge Inc.: *BW 1933, BW 1934.*
05736	Flota Cubana De Pesca: *Rio Arimao.*
05792	Korea Wonyang Fisheries Co. Ltd.: *Kwang Myong 92, Kwang Myong 95, Kwang Myong 96.*
05816	Allan B. Hyde and Meade D. Hyde: *Hybur Trader.*
05946	Nihon Daigaku Co.: *Nihon University.*
05998	Navarion Shipping & Transport Co., Ltd.: *Prosperity, Agility.*
06169	Empresa De Navegacao Alianca S/A: *Amaralina, Botafogo.*
06248	Commercial Corporation "Sovryhflot": *Zaraisk.*
06359	Malaysian International Shipping Corp.: *Berhad, Bunga Selasih.*
06676	Overseas Maritime Ltd.: *Mari Boeing, Jamaica Farewell.*
06814	Navegadora Tropica S.A.: *Demarg.*
06934	Chevron Navigation Corp.: *Chevron Antwerp.*
07151	Sea Containers Chartering Ltd.: *Captain Paddon, Londis.*
07255	Teh Tung Steamship Co., Ltd.: *Mount Rui.*
07526	Marine Equipment Supplies, Inc.: *Santa Fe Mariner 3.*
07766	Transworld Shipping & Trading Co. Ltd.: *Pacific Queen.*
08426	Michele Amoruso & Figli: *Amoruso VI.*
08414	I.P.R. Services Ltd.: *Cardiff Clipper, London Clipper, Teesside Clipper.*
08468	Multinational Gas & Petrochemical Co.: *Global Gas.*
08854	Interessentskapet Saga Stripe: *Osco Stripe.*
08457	Louisiana Towboat Co., Inc.: *Mr. Jeffrey.*
08658	Il Woo Marine Co., Ltd.: *Kotoku Maru.*
08765	Landmo Shipping Services Ltd.: *Daghestan.*
08859	Miryung Navigation Co., Ltd.: *Protea.*
09024	Veb Fischkombinat Rostock: *Peter Kast.*
09031	Union Mechling Corp.: *Margaret C.*
09164	Aquanaves, C.A.: *Aquanaves I, Aquanaves II.*
09206	Societe Navale Chargeurs Delmas-vieljeux: *Dina.*

Certificate No.	Owner/operator and vessels
09211	Crowley Maritime Corp.: *ZBO 280.*
09244	System Fuels, Inc.: *SFI 41, SFI 42, SFI 43, SFI 44.*
09423	Teh-Hu Cargocean Management Co. Ltd.: *Glorius.*
09760	Amoco Transport Co.: Ocean Challenger.
09763	Atlas Maritime Co., S.A.: Al Bilad.
09785	San Diego Transportation Co.: 419.
09991	Laurel Ltd.: *Crown Hope.*
10006	Taiyosuisan Kabushiki Kaisha: *Taiyo Maru No. 8.*
10214	Arco Iris Naviera S.A.: *Kalimantan IBV.*
10297	Imec Naviera Co. S.A.: *Icelander.*
10303	Almare Societa Di Navigazione S.P.A.: *Almare Seconda.*
10381	Oceanic Tankers Corp.: *Oceanic Erin.*
10423	Merry Shipping Co., Inc: *Royal Lancer, Number 128, Number 137, Chief.*
10395	Union Partenreederei MS Bremerhaven: *Bremerhaven.*
10453	International Shipping Management Inc: *Alnafdi.*
10506	Henry Stephens Shipping Co., Ltd.: *Ifewara.*
10532	Bulgarian Tanker Fleet: *Toundja.*
10548	Burgess Oil Co., Inc.: *Tide Mar 20.*
10565	Robbins Towing Co.: *Hornet.*
10601	Green Bay Transportation Co.: *Grand Bay.*
10603	Zapata Product Tankers, Inc.: *Zapata Patriot, Zapata Ranger, Zapata Courier.*
10620	Chevaby (Shipping) S.A.: *Chevalier Darby.*
10660	Universal Navigation Corp., Inc.: *Oriental Sovereign.*
10663	G.D.M. Barge Co., Inc.: *GDM–10, GDM–30.*
10665	Dampskibsaktieselskabet Laly: *Lyra.*
10666	Empresa Flota Atunera De Cuba: *Aguajt, Aguja, Albacora, Dorado, Alecrin, Anchoa, Arenque, Arigua, Bajonao, Bonito, Castero, Cubera, Damero, Emperador, Jurel, Liseta, Machuelo, Mero, Medregal, Merluza, Pargo, Rascasio, Robalo, Sierra, Jagua.*
10675	Gibraltar Strait Shipping Inc.: *Pedtrade.*
10688	Regent Orchid Shipping, Inc.: *Regent Ranger.*
10689	Regent Cherry Shipping, Inc.: *Regent Radiance.*
10690	Partrederiet Bravo VI: *Mette Bravo.*
10691	Agelikos Astir Corp.: *Angelic Star.*
10694	Sidomar Societe Anonyme: *Konkordia.*
10702	K/S Talisman: *Talisman.*
10704	Interoceanos Armadora S.A.: *Kavo Xiflas.*
10711	Hampel, Inc.: *Like One.*
10712	Lovar Compania Naviera S.A.: *Bravo Maria.*
10715	Mal Di Testa, Inc.: *Mal Di Testa.*
10716	Cherokee Shipping Corp.: *Libra.*
10718	Smit-Lloyd B.V.: *Smit Lloyd 46.*
10719	Fontana Shipping Inc.: *Samos Sun.*
10720	Delta Marine Drilling Co.: *Delta Nine.*
10725	Lindinger Nimbus K/S: *Lindinger Nimbus.*
10727	Pothitos, Shipping Co. S.A.: *Michalis.*
10728	Wall Shipping Corp.: *Bluebird.* bird.
10729	Dragon Navigation S.A.: *Seishin.*
10730	Montlake Navigation, S.A.: *Wen Kon.*
10732	Hvalfangerselskapet "Gobus" A/S: *Lancelot.*
10733	Kinsuke Okinaka: *Tokuei Maru No. 28.*
10734	Donga Sangsa Co., Ltd.: *Dong Bo No. 37.*
10735	Glory Ocean Transport S.A.: *Glory Ocean.*
10736	Freighters Navigation Corp.: *Aristomachos.*
10739	Glenarm Financiera Panama S.A.: *Olympic Breeze.*
10741	Corona Steamship S.A.: *Caribbean Ace.*
10743	Ever Humanity Line S.A.: *Ever Humanity.*
10744	A/S Shipping Engagement: *Ragni Berg.*
10745	Partrederiet Carita: *Carita.*
10746	Cydonia Shipping Corp.: *Adelefotis.*
10747	Garden Jupiter Shipping Ltd.: *Garden Jupiter.*
10748	Seapath Navigation Co. Ltd.: *Elbella.*
10749	Crown Zellerbach Corp.: *Oliver J. Olson III, J. Whitney.*
10752	Juana Oya Perez: *Fragana.*
10754	Banner Enterprises Corp.: *Master Michael.*
10755	Cape Bauld Shipping Co. S.A.: *Hamburger Wappen.*
10756	Calliroy Navigation S.A.: *Aristides.*
10757	Ogden Loire Transport Inc.: *Ogden Loire.*
10759	Indo Pacific Carriers Inc: *Hawaiian Patriot.*
10760	FMC Corp.: *Hull No. GTT–1, Hull No. GTT–2.*
10761	Rederiet For M/S Silva: *Silva.*
10762	Flagship Cruises Ltd.: *Kungsholm.*

By The Commission.

FRANCIS C. HURNEY,
Secretary.

[FR Doc.75-34287 Filed 12-18-15;8:45 am]

[Independent Ocean Freight Forwarder License No. 1404]

FAR EXPRESS CO.

Order of Revocation

By letter dated November 3, 1975, Fabio A. Ruiz R. d/b/a Far Express Company, 2310 Galiano Street, Coral Gables, Florida 33134 was advised by the Federal Maritime Commission that Independent Ocean Freight Forwarder License No. 1404 would be automatically revoked or suspended unless a valid surety bond was filed with the Commission on or before December 2, 1975.

Section 44(c), Shipping Act, 1916, provides that no independent ocean freight forwarder license shall remain in force unless a valid bond is in effect and on file with the Commission. Rule 510.9 of Federal Maritime Commission General Order 4, further provides that a license will be automatically revoked or suspended for failure of a licensee to maintain a valid bond on file.

Fabio A. Ruiz R. d/b/a Far Express Company has failed to furnish a valid surety bond.

By virtue of authority vested in me by the Federal Maritime Commission as set forth in Manual of Orders, Commission Order No. 201.1 (revised) Section 5.01(c) (dated 6/30/75);

It is ordered, That Independent Ocean Freight Forwarder License No. 1404, issued to Fabio A. Ruiz R. d/b/a Far Express Company, be returned to the Commission for cancellation.

It is further ordered, That Independent Ocean Freight Forwarder License No. 1404 be and is hereby revoked effective December 2, 1975.

It is further ordered, That a copy of this Order be published in the FEDERAL REGISTER and served upon Fabio A. Ruiz R. d/b/a Far Express Company.

LEROY F. FULLER,
Director, Bureau of Certification and Licensing.

[FR Doc.75-34286 Filed 12-18-75;8:45 am]

SAN FRANCISCO PORT COMMISSION AND INTERMODAL CARGO SERVICES, INC.

Notice of Agreement Filed

Notice is hereby given that the following agreement has been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 1100 L Street NW., Room 10126; or may inspect the agreement at the Field Offices located at New York, N.Y., New Orleans, Louisiana, San Francisco, California, and Old San Juan, Puerto Rico. Comments on such agreements, including requests for hearing, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C., 20573, on or before January 8, 1976. 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:

Richard A. Bobier, Chief Counsel, Port of San Francisco, Ferry Building, San Francisco, California 94111.

Agreement No. T-3197, between the San Francisco Port Commission (Port) and Intermodal Cargo Services, Inc., (ICS), is a five-year agreement for the operation by ICS of an off-dock eastbound container consolidation freight station and distribution center at Pier 26, San Francisco, California, for the distribution, consolidation and storage of OCP container cargo. ICS will collect monthly storage for the Port using rates quoted in Port of San Francisco Tariff 3-C. ICS will collect all other charges ac-

cording to the rates published in the San Francisco Bay Carloading Tariff No. 1-C and Tariff No. 2-C.

By Order of the Federal Maritime Commission

FRANCIS C. HURNEY,
Secretary.

Dated: December 16, 1975.

[FR Doc.75-34285 Filed 12-18-75;8:45 am]

FEDERAL POWER COMMISSION

NATIONAL GAS SURVEY COORDINATING COMMITTEE

Meeting

Conference Room 5200, Federal Power Commission, Union Plaza Building, 825 North Capitol Street, NE., Washington, D.C. 20426, January 20, 1976, 9:30 a.m.

Presiding: Mr. Frederick W. Lawrence, Director, National Gas Survey; Mr. Allan R. Rexinger, Coordinating Committee, Coordinating Representative and Secretary, Federal Power Commission.

1 Call to Order—Mr. Frederick W. Lawrence.

2 Introductory Remarks—The Honorable Richard L. Dunham, Chairman, Federal Power Commission.

3 Introduction of Coordinating Committee Chairman—Dr. John J. Schanz, Jr., Resources for the Future, 1755 Massachusetts Avenue, NW., Washington, D.C., and Introduction of Coordinating Committee Vice Chairman—Mr. Harry Perry, National Economic Research Associates, Inc., 1211 Connecticut Avenue, NW., Washington, D.C.

4 Work Status Report of Technical Advisory Committees on (a) Supply, (b) Transmission, Distribution & Storage, (c) Conservation, (d) Finance, (e) Curtailment Strategies, and (f) Research & Development—Dr. John J. Schanz, Jr.

5 Discussion of (a) Common Problems, (b) Staffing, (c) Performance, (d) Assumptions and Methodologies—Dr. John J. Schanz, Jr.

6 Preparation, Processing and Review of Drafts and Final Reports—Dr. John J. Schanz, Jr.

7 National Gas Survey Time Table—Mr. Frederick W. Lawrence.

8 Discussion of Advisory Committee Input to Next Executive Advisory Committee Meeting—Dr. John J. Schanz, Jr.

9 Discussion of Scheduling Next Executive Advisory Committee Meeting Date—Dr. John J. Schanz, Jr.

10 Scheduling of Next Coordinating Committee Meeting Date—Mr. Frederick W. Lawrence.

11 Other Business—Mr. Frederick L. Lawrence.

12 Adjournment—Mr. Frederick W. Lawrence.

This meeting is open to the public. Any interested person may attend, appear before, or file statements with the committee—which statements, if in written form, may be filed before or after the meeting, or if oral, at the time and in the manner permitted by the committee.

KENNETH F. PLUMB,
Secretary.

[FR Doc.75-34189 Filed 12-18-75;8:45 am]

NATIONAL GAS SURVEY; SUPPLY-TECHNICAL ADVISORY TASK FORCE-FOREIGN GAS SUPPLY

Meeting

Conference Room 5200, Federal Power Commission, Union Plaza Building, 825 North Capitol Street, NE., Washington, D.C. 20426. January 7, 1976, 9:30 a.m.

Presiding: Randolph E. Mathura, Coordinating Representative and Secretary, Federal Power Commission.

1 Call to Order and Introductory Remarks—Randolph E. Mathura.

2 Introduction of Technical Advisory Task Force Chairman—George D. Carameros, Jr., Executive Vice President, The El Paso Company, Houston, Texas, and Introduction of Technical Advisory Task Force Vice Chairman—Amanullah R. Khan, Executive Advisor, International Programs, Institute of Gas Technology, Chicago, Illinois.

3 Task Force Working Session—George D. Carameros, Jr.

(a) Review Workscope and Define Objectives.

(b) Develop Work Plan and Completion Dates.

(c) Assignment of Work to Committee Members.

(d) Selection of Next Meeting Date.

(e) Discussion of Administrative and Other Matters.

(f) Comments and Discussion from Non-Task Force Attendees.

4 Adjournment—Randolph E. Mathura.

This meeting is open to the public. Any interested person may attend, appear before, or file statements with the committee—which statements, if in written form, may be filed before or after the meeting, or if oral, at the time and in the manner permitted by the committee.

KENNETH F. PLUMB,
Secretary.

[FR Doc.75-34190 Filed 12-18-75;8:45 am]

[Docket No. RI75-129]

C. CRADY DAVIS ET AL.

Settlement

DECEMBER 16, 1975.

Take notice that on December 3, 1975 C. Crady Davis, et al., ("Owners"), Southern Union Gathering Company ("Gathering Company"), and the Staff of the Federal Power Commission ("Staff"), filed with the Presiding Administrative Law Judge documents designed to settle this proceeding. The Presiding Administrative Law Judge certified the record in the case to the Commission on December 5, 1975 (issued December 9, 1975).

In the Settlement Documents, the parties recite, inter alia, that the basic contract under which Owners sell gas from four wells in the San Juan Basin Area to Gathering Company was terminated pursuant to its own terms, effective 11:59 p.m., April 30, 1973; that in July 1974 Owners and Gathering Company began a series of discussions relating to the execution of a renewal contract; that these discussions were not successful; and that on March 20, 1975, Owners filed a unilateral rate increase to the national new gas rate established by FPC Opinion No. 699-H, alleging that Gathering Company was guilty of failure to negotiate in good faith to formulate a renewal contract and that as a result Owners were eligible for the new gas rate; and that Gathering Company denied that it failed to negotiate in good faith towards formulation of a renewal contract.

On April 17, 1975 the Commission issued an order suspending Owners' unilateral rate increase until September 20, 1975. On April 18, 1975 the Commission issued an order in this proceeding setting Owners' unilateral rate increase for hearing. A hearing was held on July 9 and 10, 1975.

The documents filed by the parties further recite that after the hearing Owners and Gathering Company had a series of discussions concerning settlement of the matters in dispute. As a result of these discussions and a change in the circumstances which Gathering Company previously felt prevented it from executing a renewal contract acceptable to Owners, Gathering Company and Owners executed a renewal contract, dated as of September 20, 1975, covering the subject sale and a Drilling Agreement, dated September 20, 1975, obligating Owners to drill two new wells on the dedicated acreage. Owners filed the renewal contract with the Commission as a supplement to their Rate Schedule on November 28, 1975.

All of the parties have requested the Commission to find that the rate increase filed by Owners is just and reasonable. They have also requested the Commission to determine the effective date of such just and reasonable rate, Owners and Gathering Company contending that the proper effective date is September 20, 1975, the effective date of the renewal contract between Owners and Gathering Company, and the Staff contending that the proper effective date is November 28, 1975, the date on which the renewal contract was filed with the Commission.

Any person desiring to comment on said certification should file comments thereon with the Federal Power Commission, 825 North Capitol Street, NE., Washington, D.C. 20546, in accordance with §§ 1.8 and 1.10 of the Commission's rules of practice and procedure (18 CFR 1.8, 1.10). All such comments should be filed on or before December 22, 1975. Replies to comments should be filed on or before January 5, 1976. Comments will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make commentors parties to the proceeding. Copies of this filing are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.75-34368 Filed 12-18-75;8:45 am]

[Docket No. ER76-329]

CENTRAL VERMONT PUBLIC SERVICE CORP.

Supplemental Filing

DECEMBER 17, 1975.

Take notice that on December 10, 1976, Central Vermont Public Service Corporation tendered for filing revenue comparisons for the 12 months ending December 31, 1976, the 12 months succeeding the proposed effective date, and revenue comparisons for calendar year 1974, the test year in the company's current rate proceeding, Docket E-9040. This filing comprises a supplement of the company's fuel clause filing of December 2, 1976.

The company states that copies of this filing have been sent to all parties receiving the filing of December 2, 1976.

Any person desiring to be heard or to protest said filing should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street, NE., Washington, D.C. 20426, in accordance with §§ 1.8 and 1.10 of the Commission's rules of practice and procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before December 24, 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 available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.75-34370 Filed 12-18-75;8:45 am]

[Docket No. ER76-123]

FLORIDA POWER CORP.

Supplemental Filing and of Settlement Rates

DECEMBER 17, 1975.

Take notice that on December 10, 1975, the Florida Power Corporation (Florida Power) tendered for filing updated studies for the 12 month period ending September 30, 1975 (Period I) and for calendar year 1976 (Period II). Florida Power states that this satisfies deficiency assessed by the Federal Power Commission in its letter of September 29, 1975, to the company whereby the Commission notified the company that in its filing of September 12, 1975, its submittal of Period I data failed to meet the regulation requiring data from the most recent 12 consecutive months for which actual data are available (See 18 CFR 35.13(b)(4)(iii)).

On December 10, 1975, Florida Power also tendered for filing settlement rates to the following rural electric cooperatives: Seminole Electric Cooperative, Inc., Clay Electric Cooperative, Inc., Glades Electric Cooperative, Inc., Suwannee Valley Electric Cooperative, Inc., Sumter Electric Cooperative, Inc., Central Florida Electric Cooperative, Inc., Withlacoochee Electric Cooperative, Inc., Talquin Electric Cooperative, Inc., TriCounty Electric Cooperative, Inc., and Peace River Electric Cooperative, Inc.; to the following municipal customers: Alachua, Bartow, Bushnell, Chattahoochee, Fort Meade, Lake Helen, Leesburg, Mount Dora, Newberry, Ocala, Quincy, Wauchula, and Williston, Florida; and to one investor-owned utility, Reedy Creek Utility Co., Inc.

Florida Power states that the settlement rates involve an increase over present rates of $5.4 million, or 8.7 percent on the 1975 basis used for the settlement. Florida Power requests a waiver of the Commission's notice requirements to permit these rates to become effective on January 1, 1976.

Florida Power states that copies of this filing were sent to its wholesale customers and the Florida Public Service Commission.

Any person desiring to be heard or to make any protests with reference to said filing should, on or before December 23, 1975, file with the Federal Power Commission, Washington, D.C. 20426, petitions to intervene or protest in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Persons wishing to participate as a party in any hearing therein must file petitions to intervene in accordance with the Commission's rules. The documents filed by Florida Power are on file with the Commission and available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.75-34371 Filed 12-18-75;8:45 am]

OFFICE OF THE FEDERAL REGISTER

HOW TO USE THE FEDERAL REGISTER

Public Briefings

"The FEDERAL REGISTER—What It Is and How to Use It" will be the topic of two briefings to be offered by the Office of the Federal Register on January 21 and 22, 1976. These sessions will begin at 9:30 a.m. and will be held in the FEDERAL REGISTER Conference Room, 8th Floor, 1100 L Street, N.W., Washington, DC. The briefings are open to the general public and Federal agency personnel and should be helpful to anyone who uses the FEDERAL REGISTER.

The sessions will last approximately 2 hours and will cover the following areas:

1. A brief history of the FEDERAL REGISTER.
2. The difference between legislation and regulations.
3. An introduction to the finding aids of the Office of the FEDERAL REGISTER.
4. The relationship of the FEDERAL REGISTER and the CODE OF FEDERAL REGULATIONS.
5. Important elements of a typical FEDERAL REGISTER document.

In addition, attendees will undertake a practical, problem-solving exercise. There will be ample time for questions.

The Office of the Federal Register does not interpret specific agency regulations and the sessions will not provide a forum for the discussion of substantive questions. Rather, the briefings are designed as an introduction for the person who discovers that he or she must use Federal Register publications to keep track and to gain an understanding of Federal regulations.

Space is limited and reservations are required. If additional briefings are necessary to accommodate all persons wishing to attend, a schedule will be announced. Reservations will be accepted by mail or by telephone on 202-523-5240. Mail reservations to: Ms. Denise Normandin, Office of the Federal Register, National Archives and Records Service, Washington, DC 20408.

FRED J. EMERY,
Director of the Federal Register.

DECEMBER 15, 1975.

[FR Doc.75-34088 Filed 12-18-75;8:45 am]

FEDERAL RESERVE SYSTEM

CHEMICAL NEW YORK CORP.

Proposed Acquisition of Van Deventer & Hoch

Chemical New York Corporation, New York, New York, has applied, pursuant to § 4(c)(8) of the Bank Holding Company Act (12 U.S.C. 1843(c)(8)) and § 225.4(b)(2) of the Board's Regulation Y, for permission to acquire voting shares of Van Deventer & Hoch, Glendale, California. Notices of the application were published on October 29 and November 3, 1975 in the Los Angeles Times and the Wall Street Journal, respectively, newspapers circulated in Glendale, California.

Applicant states that the proposed subsidiary would engage in the following activities: 1) serving as investment adviser, as defined in Section 2(a)(20) of the Investment Company Act of 1940, to an investment company registered under the Act; 2) providing portfolio investment advisory and portfolio investment management services; 3) furnishing general economic information and advice, general economic statistical forecasting services and industry studies; and 4) acting in an agency capacity with respect to both discretionary accounts (managing agency accounts) and accounts where the approval of the client would be necessary before any investment change is made. Applicant states that such activities have been specified by the Board in § 225.4(a) of Regulation Y as permissible for bank holding companies, subject to Board approval of individual proposals in accordance with the procedures of § 225.4(b).

Interested persons may express their views on the question whether consummation of the proposal can "reasonably be expected to produce benefits to the public, such as greater convenience, in-

creased competition, or gains in efficiency, that outweigh possible adverse effects, such as undue concentration of resources, decreased or unfair competition, conflicts of interests, or unsound banking practices." Any request for a hearing on this question should be accompanied by a statement summarizing the evidence the person requesting the hearing proposes to submit or to elicit at the hearing and a statement of the reasons why this matter should not be resolved without a hearing.

The application may be inspected at the offices of the Board of Governors or at the Federal Reserve Bank of New York.

Any views or requests for hearing should be submitted in writing and received by the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551, not later than January 13, 1976.

Board of Governors of the Federal Reserve System, December 11, 1975.

[SEAL] GRIFFITH L. GARWOOD,
Assistant Secretary of the Board.

[FR Doc.75-34227 Filed 12-18-75;8:45 am]

BEAVER BANCSHARES, INC.

Formation of Bank Holding Company

Beaver Bancshares, Inc., Beaver, Oklahoma, has applied for the Board's approval under section 3(a)(1) of the Bank Holding Company Act (12 U.S.C. 1842(a)(1)) to become a bank holding company through acquisition of 80 per cent or more of the voting shares of The Bank of Beaver City, Beaver, Oklahoma. The factors that are considered in acting on the application are set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

The application may be inspected at the office of the Board of Governors or at the Federal Reserve Bank of Kansas City. Any person wishing to comment on the application should submit views in writing to the Reserve Bank, to be received no later than January 5, 1976.

Board of Governors of the Federal Reserve System, December 17, 1975.

[SEAL] GRIFFITH L. GARWOOD,
Assistant Secretary of the Board.

[FR Doc.75-34535 Filed 12-18-75;10:41 am]

FIDUCIARY INVESTMENT COMPANY OF NEW JERSEY

Formation of Bank Holding Company

Fiduciary Investment Company of New Jersey, Newark, New Jersey, has applied for the Board's approval under section 3(a)(1) of the Bank Holding Company Act (12 U.S.C. 1842(a)(1)) to become a bank holding company through acquisition of 50.2 per cent or more of the voting shares of Security National Bank of New Jersey, Newark, New Jersey. The factors that are considered in acting on the application are set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

The application may be inspected at the office of the Board of Governors or at the Federal Reserve Bank of New York. Any person wishing to comment on the application should submit views in writing to the Reserve Bank, to be received not later than January 5, 1976.

Board of Governors of the Federal Reserve System, December 17, 1975.

[SEAL] GRIFFITH L. GARWOOD,
Assistant Secretary of the Board.

[FR Doc.75-34536 Filed 12-18-75;10:41 am]

UNITED MISSOURI BANCSHARES, INC.

Acquisition of Bank

United Missouri Bancshares, Inc., Kansas City, Missouri, has applied for the Board's approval under section 3(a)(3) of the Bank Holding Company Act (12 U.S.C. 1842(a)(3)) to acquire 100 per cent of the voting shares (less directors' qualifying shares) of The Park Bank of St. Joseph, Missouri, St. Joseph, Missouri. The factors that are considered in acting on the application are set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

The application may be inspected at the office of the Board of Governors or at the Federal Reserve Bank of Kansas City. Any person wishing to comment on the application should submit views in writing to the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551, to be received not later than January 7, 1976.

Board of Governors of the Federal Reserve System, December 16, 1975.

[SEAL] GRIFFITH L. GARWOOD,
Assistant Secretary of the Board.

[FR Doc.75-34537 Filed 12-18-75;10:41 am]

INTERNATIONAL TRADE COMMISSION

[Investigation No. 337-TA-7]

CERTAIN ELECTRONIC AUDIO AND RELATED EQUIPMENT

Notice of Deletion

This notice is in reference to a Notice of Prehearing Conference and Rescheduled Hearing for United States International Trade Commission Investigation No. 337-TA-7, Certain Electronic Audio and Related Equipment, issued by me as presiding officer on Thursday, November 20, 1975, and published in the FEDERAL REGISTER on Wednesday, November 26, 1975 (40 FR 54883).

The following words are hereby ordered to be deleted from the above-cited Notice of Prehearing Conference and Rescheduled Hearing:

. . . and, if so whether or not an exclusion order or a cease and desist order should be issued.

Issued: December 11, 1975.

DANIEL MINCHEW,
Presiding Officer,
U.S. International Trade Commission.

[FR Doc.75-34205 Filed 12-18-75;8:45 am]

[Investigation No. 337-TA-16]

CERTAIN ANGOLAN ROBUSTA COFFEE

On December 12, 1975, the United States International Trade Commission received a motion (United States International Trade Commission Motion Docket No. M-170) from counsel for complaints to withdraw the complaint and terminate Investigation No. 337-TA-16, Certain Angolan Robusta Coffee, as a settlement between the parties to the investigation has been reached. The Commission has also been informed by counsel for complainants that a stipulation and order of dismissal with prejudice of the antitrust action in the United States District Court for the Southern District of New York (74 Civ. 5191 (L.F.M.)), an action containing many issues similar to those before the Commission, has been ordered.

Upon the basis of these aforementioned actions, I hereby order as follows:

(1) The necessity to respond to numbers one through five of Presiding Officer's Intructions issued by me on December 9, 1975, is postponed indefinitely;

(2) Number six of the above-mentioned Presiding Officer's Instructions need not be responded to, as it is subsumed by the following orders;

(3) The complainants submit by December 16, 1975, all documents which constitute the settlement before the United States District Court for the Southern District of New York in 74 Civ. 5191 (L.F.M.) and the proposed settlement before the Commission in this investigation and any other documents relevant thereto but not received by the Commission;

(4) The complainants submit by December 16, 1975, all stipulations, judgments, and orders issued by Judge McMahon in the above-cited United States District Court for the Southern District of New York action;

(5) All parties other than the moving parties submit by December 23, 1975, their responses to the United States International Trade Commission Motion Docket No. M-170;

(6) All parties submit by December 23, 1975, a brief and possible stipulations regarding procedures to be followed in the Commission's consideration of Motion Docket No. M-170; and

(7) All parties submit by December 23, 1975, briefs on the effect of the settlement agreement, and the effect of a possible termination by the Commission of its investigation, on the public interest.

Dated: December 15, 1975.

WILL E. LEONARD,
Presiding Officer.

[FR Doc.75-34299 Filed 12-18-75;8:45 am]

[337-TA-10]

CERTAIN ULTRA-MICROTOME FREEZING ATTACHMENTS

Notice of Hearing

Notice is hereby given that the United States International Trade Commission

will hold a public hearing under Section 337 of the Tariff Act of 1930, as amended (88 Stat. 2053), in connection with investigation 337-TA-10, Certain Ultra-Microtome Freezing Attachments, January 9, 1976, at 10 a.m., e.s.t., at the U.S. International Trade Commission Building located at 701 E Street NW., Washington, D.C., for the purpose of allowing complainant American Optical Corporation to show cause why the investigation should not be terminated.

Requests from interested parties and persons for appearances at the hearing should be received by the Secretary of the U.S. International Trade Commission, in writing, at his office in Washington, D.C. 20436, not later than January 2, 1976.

Any objection and request for reconsideration of this action must be filed on or before December 29, 1975. Such objection and request for reconsideration shall be accompanied by a statement setting forth the facts relied upon in support of such objection and request and shall be served on the other parties to this investigation.

Notice of the institution of the investigation was published in the FEDERAL REGISTER on August 19, 1974 (39 FR 29975), with an assigned docket number 337-L-74. By notice published in the FEDERAL REGISTER on June 4, 1975 (40 FR 24076), this investigation was assigned new docket number 337-TA-10.

By Order of the Commission.

Issued: December 16, 1975.

KENNETH R. MASON,
Secretary.

[FR Doc.75-34300 Filed 12-18-75;8:45 am]

NUCLEAR REGULATORY COMMISSION

ADVISORY COMMITTEE ON REACTOR SAFEGUARDS

Availability of Reports

Copies of certain reports required to be made available to the public pursuant to Sections 10(d) and 13 of the Federal Advisory Committe Act (Public Law 92-463), with respect to the Nuclear Regulatory Commission's Advisory Committee on Reactor Safeguards, have been filed with the Library of Congress. These reports are available for public inspection at the Library of Congress, Special Forms Reading Room, Main Building, First Street and Independence Avenue, SE., Washington, D.C. 20545, and the Nuclear Regulatory Commission's Public Document Room, 1717 H Street, NW., Washington, D.C., during working hours Monday through Friday.

Dated: December 16, 1975.

JOHN C. HOYLE,
Advisory Committee Management Officer.

[FR Doc.75-34330 Filed 12-18-75;8:45 am]

[Docket No. P-558-A]

SAN DIEGO GAS AND ELECTRIC CO.

Notice of Receipt of Partial Application for Construction Permits and Facility Licenses: Time for Submission of Views on Antitrust Matters

The San Diego Gas and Electric Company, pursuant to Section 103 of the Atomic Energy Act of 1954, as amended, has filed one part of an application, dated Ocotber 29, 1975, in connection with their plans to construct and operate two generating units utilizing two pressurized water reactors. Each reactor will be designed for initial operation at approximately 2800 megawatts thermal, with a net electrical output of approximately 900 megawatts. The facility, designated as the Sundesert Nuclear Plant, Units 1 and 2, will be located in Riverside County, California, about 16 miles southwest of Blythe, California, and 50 miles north-northwest of Yuma, Arizona. 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.

The remaining portion of the application consisting of a Preliminary Safety Analysis Report accompanied by an Environmental Report, pursuant to Section 2.101 of Part 2, is expected to be filed in July, 1976. Upon receipt of the remaining portions of the application dealing with radiological health and safety and environmental matters, separate notices of receipt will be published by the Commission including an appropriate notice of hearing.

The San Diego Gas and Electric Company has invited other Southern California utilities to participate in the ownership and capacity of these units. As utilities indicate their interest, additional antitrust information will be submitted for them.

A copy of the partial application is available for public inspection at the Commission's Public Document Room, 1717 H Street, N.W., Washington, D.C. 20555; the Palo Verde Valley District Library, 125 West Chanslorway, Blythe, California 92255; the Federal Archives and Records Center, 24000 Avila Road, Laguna, California 92677; and the U.S. Nuclear Regulatory Commission, Region V, Inspection and Enforcement, 1990 North California Boulevard, Walnut Creek, California 94596. Docket No. P-558-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 February 3, 1976.

Dated at Bethesda, Maryland, this 1st day of December, 1975.

For the Nuclear Regulatory Commission.

ROBERT A. CLARK,
Chief Gas Cooled Reactors Branch Division of Reactor Licensing.

[FR Doc.75-32815 Filed 12-4-75;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 December 15, 1975 (44 U.S.C. 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 through this release.

Further information about the items on this daily list may be obtained from the Clearance Office, Office of Management and Budget, Washington, D.C. 20503, (202-395-4529), or from the reviewer listed.

NEW FORMS

U.S. COMMISSION ON CIVIL RIGHTS

Supporting Statement for State Advisory Committees, Case Studies of Desegregated Districts:
200, 201, 202A, 202J, single-time, desegregated school districts, Joan Turek, Sunderhauf, M. B.

National Survey of School Superintendents', Mayors', and Chambers' of Commerce Perceptions of School Desegregation:
203A, 203C, single-time, school superintendents, Joan Turek, Sunderhauf, M. B.

DEPARTMENT OF AGRICULTURE

Food and Nutrition Service:
Child Care Food Program Regulations, 7 CFR 226, on occasion, nonprofit institutions, Human Resources Division, Lowry, R. L., 395-3532.

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Office of Education: Teacher Questionnaire for Career Awareness/Migrant Education, OE 462, single-time, teachers, Joan Turek.

DEPARTMENT OF THE INTERIOR

National Park Service: National Environmental Study Area (NESA) Application, single-time, teachers, administrators, Lowry, R. L., 395-3772.

EXTENTIONS

DEPARTMENT OF AGRICULTURE

Rural Electrification Administration: Financial and Statistical Report for Telephone Borrowers, REA 479, quarterly, REA telephone borrowers, Lowry, R. L., 395-3772.
Agricultural Marketing Service: Weekly Apple Truck Shipments, FY-351, weekly, apple shippers, Lowry, R. L., 395-3772.
Mainland Sugar Production and Marketing Report, Domestic Beet Processors, SU-70, monthly, sugar beet processors, Lowry, R. L., 395-3772.
Sugar Deliveries by Type of Buyer (and Class of Product on a Geographical Basis, SU64, quarterly, distributors of sugar, Lowry, R. L., 395-3772.

PHILLIP D. LARSEN,
Budget and Management Officer.

[FR Doc.75-34343 Filed 12-18-75;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 December 12, 1975 (44 U.S.C. 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 through this release.

Further information about the items on this daily list may be obtained from the clearance office, office of management and budget Washington, D.C. 20503, (202-395-4529), or from the reviewer listed.

NEW FORMS

VETERANS ADMINISTRATION

Agreement for Paying Delinquent Loan Payments:
26-6392, on occasion, obligor, Caywood, D.P., 395-3443.
Loan Service Report, 26-6808, on occasion mortgagor, Caywood, D. P., 395-3443.

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

Questionnaire on Quality of Life:
Other (See SF-83), quality of life, energy and science division, George Hall, 395-3810.

DEPARTMENT OF COMMERCE

Economic Development Administration:
Indian Lignite Manpower Study, ED-367Q, single-time, Indian adults on reservations, Strasser, A., 395-5867.

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

National Institutes of Health:
NIH Training Questionnaire Ph.D. Programs, OASH 1209, single-time, chairmen medical schools, Dick Eisinger, 395-6140.

DEPARTMENT OF HOUSING, AND URBAN DEVELOPMENT

Policy Development and Research:
"Integrating Handicapped", single-time, handicapped individuals, community and veterans affairs division, Sunderhauf, M. B., 395-3532.

REVISIONS

VETERANS ADMINISTRATION

Request for Estate Information:
FL 27-439, on occasion, estate holders, Caywood, D. P., 395-3443.

DEPARTMENT OF COMMERCE

Bureau of Census:
National Prisoner Statistics-Admission and Release Report, NPS-2, NPS-3, on occasion, state correctional agencies, Marsha Traynham, 395-4529.

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Office of Human Development:
Preparation of Grant Application (Program Narrative), OS 21 73, annually, state human service, Lowry, R. L., 395-3772.

DEPARTMENT OF LABOR

Employment Standards Administration:
Application for Farm Labor Contractor Identification Card, WH-412, annually, migrant agricultural workers, Lowry, R. L., 395-3772.
Doctor's Certificate, WH-415, annually, migrant agricultural workers, Harry B. Sheftel, 395-5870.
Vehicle Mechanical Inspection Report, WH-414, annually, migrant agricultural workers, Harry B. Sheftel, 395-5870.

EXTENSIONS

DEPARTMENT OF AGRICULTURAL

Food and Nutrition Service:
Regulations-Special Food Service Program for Children, on occasion, service institutions, Marsha Traynham, 395-4529.
Agricultural Stabilization and Conservation Service:
Certificate of Use of Sugar for Livestock Feeding or Distillation of Alcohol, SU23, on occasion, sugar importers/processors, Marsha Traynham, 395-4529.
Agricultural Marketing Service:
Application for License (to Inspect, Classify, Sample, Grade and-or Weigh Warehoused Commodities), TW-53, on occasion, grain firms, bankers, lawyers, Marsha Traynham, 395-4529.
Application for Classification and Market News Services (Cotton Information), ON-210, annually, cotton improvement groups, Marsha Traynham, 395-4529.
Application for Cotton or Linters Classifiers Examination and Chemists or Samplers License, CN-247, on occasion, applicants, Marsha Traynham, 395-4529.
Forest Service:
Aircraft Description and Pilot Qualifications, 6300-35, annually, private airlines, Marsha Traynham, 395-4529.

DEPARTMENT OF COMMERCE

Bureau of East-West Trade:
Shipments Which Transit Country Group Y or Z Enroute to any Other Destination, ECR 370.9, on occasion, commercial exporters, Marsha Traynham, 395-4529.

DEPARTMENT OF THE INTERIOR

Bureau of Sport Fisheries and Wildlife:
Goose Productivity Study Envelope, 3-185, annually, waterfowl hunters, Lowry, R. L., 395-3772.

PHILLIP D. LARSEN,
Budget and Management Officer.

[FR Doc.75-34341 Filed 12-18-75;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 December 11, 1975 (44 U.S.C. 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 through this release.

Further information about the items on this daily list may be obtained from the Clearance Office, Office of Management and Budget, Washington, D.C. 20503, (202-395-4529), or from the reviewer listed.

NEW FORMS

UNITED STATES INTERNATIONAL TRADE COMMISSION

Household Earthen and China Table and Kitchen Articles:
single-time,
purchasers,
Caywood, D. P., 395-3443.

GENERAL SERVICES ADMINISTRATION

Report of Concessions Operations (non-Cafeteria):
R9-1232,
monthly,
concessionaires in Federal buildings,
Lowry, R. L., 395-3772.

DEPARTMENT OF COMMERCE

Maritime Administration:
Survey of Measurements for State Radiation Control Programs,
NBS-1054,
single-time,
radiation control program,
Harry B. Sheftel, 395-5870.

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Office of Education:
Vocational Training and Placement of the Severely Handicapped Program Survey, OE9053, 1, 2, single-time, professional organizations, George Hall, 395-6140.
Social Security Administration:
Provider Audit Cost Report, SSA-3208, quarterly, Blue Cross plans, Caywood, D. P., 395-3443.

DEPARTMENT OF LABOR

Manpower Administration:
Senior Community Service Employment Program Quarterly Progress Report, ETA 5-140, quarterly, project grantees, Lowry, R. L., 395-3772.

REVISIONS

UNITED STATES INTERNATIONAL TRADE COMMISSION

Household Earthen Table and Kitchen Articles, (Importers), annually, importers, Evinger, S. K., 395-3710.
Household Earthen Table and Kitchen Articles, annually, domestic manufacturers, Evinger, S. K., 395-3710.

VETERAN'S ADMINSTRATION

Direct Loan Closing Sheet, 26-6937, on occasion, Loan Closer, Caywood, D. P., 395-3443.
Application for Predischarge Education Program, 22-1990P, on occasion, servicemen or servicewomen, Caywood, D. P., 395-3443.
Request for Determination of Loan Guaranty Eligibility Unmarried Surviving Spouses, VA26-1817, on occasion, unmarried widows or widowers, Caywood, D. P., 395-3443.
Application for Designation as Fee Appraiser for Mobile Home Loans, 26-6681A, on occasion, Fee Appraiser, Caywood, D. P., 395-3443.

EXTENSIONS

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service:
North Central States Shipping Point Turkey Price Report, weekly, turkey shippers, Marsha Traynham, 395-4529.

DEPARTMENT OF COMMERCE

Economic Development Administration:
Market and Capacity Information Report of EDA Loan Applicants (Under Sec. 702), ED 220T, on occasion, business entities, Lowry, R. L., 395-3772.

Bureau of Census:
Opinions About the 1974 Census of Agriculture, S-333A, S-333B, single-time, farms, Hulett, D. J., Lowry, R. L., 395-4730.

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Housing Production and Mortgage:
Supplement to Subscription Agreement—Cooperative Management-Type, etc., FHA-3232A, on occasion, applicants, Community and Veterans Affairs Division, 395-3532.

DEPARTMENT OF LABOR

Wage and Hour and Public Contracts Division (ESA):
Petition for Approval of Adjustments in Wages, Salaries, or Other Compensation, WSLD-2, on occasion, any business firm having employees, Marsha Traynham, 395-4529.
Request for a Ruling (Wage and Salary Stabilization Regulations), WSLD-1, on occasion, any business firm having employees, Marsha Traynham, 395-4529.

DEPARTMENT OF THE INTERIOR

Bureau of Mines:
Data for milling plant, 6-1182-X, on occasion, new milling plants, Marsha Traynham, 395-4529.

PHILLIP D. LARSEN,
Budget and Management Officer.

[FR Doc.75-34342 Filed 12-18-75;8:45 am]

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-11919; File No. SR-MCC-75-3]

MIDWEST CLEARING CORPORATION

Self-Regulatory Organizations; Proposed Rule Change

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934, 15 U.S.C. 78s(b)(1), as amended by Pub. L. No. 94-29, 16 (June 4, 1975), notice is hereby given that on November 24, 1975, the above-mentioned self-regulatory organization filed with the Securities and Exchange Commission a proposed rule change as follows:

STATEMENT OF THE TERMS OF SUBSTANCE OF THE PROPOSED RULE CHANGE

OLD RULE

Proxies and Communications to Holders of Eligible Securities

Rule 12. Notice to Participants

Section 1. When the Corporation is advised of a proposed meeting of holders of an eligible security, the Corporation will request from each Participant with a clearing free or loan free position in the security as of the close of business on the record date therefor advice as to the number of proxies desired by such Participant. Unless the Participant responds within the period specified in the request, proxies and proxy materials will not be sent to that Participant. Notices to Participants hereunder may be combined with notices by MSTC to MSTC Participants.

Transmittal of Proxies

Section 2. When the Corporation receives a timely response to a request made pursuant to Section 1, the Corporation will use its best efforts to obtain the requested number of executed proxies through MSTC, in the manner provided for in the MSTC Rules, and to cause such proxies to be transmitted to the requesting Participant, together with one copy of any related proxy materials and reports. It shall be the responsibility of the Participant to obtain additional copies of such materials and reports, if desired, from the issuer or transfer agent.

Communications Not Related to Meetings

Section 3. The Corporation may establish such procedures as it deems appropriate for the transmittal to Participants of communications to holders of eligible securities not made in connection with any proposed meeting.

Responsibility of Corporation

Section 4. The Corporation shall have no responsibility or obligation to Participants or others in respect of proxies or communications to holders of eligible securities except to use its best efforts to act in accordance with this Rule. Without limiting the generality of the foregoing, the Corporation shall have no responsibility in the event that the Corporation is unable to obtain through MSTC sufficient quantities of executed proxies or other materials to permit transmittal to all requesting Participants.

PROPOSED RULE

Proxies and Communications to Holders of Eligible Securities

Rule 12. Notice to Participants

Section 1. When the Corporation is advised of the proposed proxy record date of an eligible security sufficiently in advance of the record date therefor, the Corporation will use its best efforts to effect the transfer of all certificates held by the Corporation representing such security into the name of the Corporation's nominee. Upon the receipt of the proposed proxy record date, the Corporation will forward to the corporate secretary of the issuer an address verification form to confirm the correctness of the name and address of the corporate secretary/proxy dispersing agent. Failure of the corporate secretary to respond to this notification will result in subsequent materials being directed to this same corporate secretary. The Corporation will provide notification to its participants of the upcoming record date through their daily reports (Net Position and Activity Report) for each day, five days prior to the cut-off date and such notification shall continue to and inclusive of the record date. Notices to participants hereunder may be combined with notices by MSTC to MSTC Participants.

Transmittal of Proxies

Section 2. Upon receipt of the address verification from the corporate secretary, or in lieu of receipt of such verification (Note 1) the Corporation will prepare as of record date a listing called the Beneficial Participant Holders List, indicating those MCC participants and the respective number of clearing free and loan free position shares for which MCC held shares registered in its nominee name (Kray & Co.) over the record date. This listing will indicate the full name of the participant and the total MCC free position holdings in conjunction with and inclusive of MSTC free position shares of that Participant. The Corporation will forward this listing along with the executed Omnibus Proxy to the corporate secretary/proxy dispersing agent for the agent's further communication/distribution between his organization and the MCC participants. It shall be the responsibility of the corporate secretary/proxy dispersing agent to communicate directly with the MCC participant/beneficial shareholder. Initial distribution of materials and reports are the responsibility of the issuer, and any additional copies of such material should be requested by the participant from the issuing corporation.

Communications Not Related to Meetings

Section 3. Will remain unchanged.

Responsibility of Corporation

Section 4. The Corporation shall have no responsibility or obligation to participants, or others in respect of proxies or communications to holders of eligible securities except to use its best efforts to act in accordance with this rule. Without limiting the generality of the foregoing, the Corporation shall have no responsibility in the event that (i) the Corporation receives insufficient notice of a proposed meeting to permit action in accordance with Section 1; (ii) the Corporation is unable to effect transfer

of all the certificates into the name of the Corporation's nominee prior to record date; or (iii) the Corporation is unable to forward the Omnibus Proxy and the Beneficial Holders Participant Listing or other materials to the issuer of proxy dispersing agent in adequate time to permit distribution of the materials, and reports to the Corporation's participants.

(b) The proposed rule changes does not affect any other rule of the Midwest Clearing Corporation.

(c) No prior filings have been submitted.

Statement of Basis and Purpose

MCC hereby proposes to incorporate an omnibus proxy system for its proxy processing as it relates to participant free positions and corporate issuer notification. The proposed rule change would thereby correlate with Rule 7 of the Midwest Securities Trust Company—an already existing Securities and Exchange Commission approved Rule. The omnibus proxy procedure would improve the flow of information to the beneficial shareholder. MCC's omnibus proxy procedure would facilitate the processing of proxies among central certificate depositories in situations in which one depository is holding positions on behalf of another depository's participants.

MCC's current Rule calls for MCC to act as a distribution agent for the corporate issuer/dispersing agent as it relates to proxy processing. Upon receipt of a proposed meeting of shareholders of an eligible issue, MCC takes the underlying steps to insure that all underlying securities are registered in nominee name. On, or immediately after the Record Date, MCC contacts, via written communication and telephone follow-up, each participant having a free position in that eligible issue and solicits advice as to the number of proxies desired by such participant. If the participant does not respond, MCC takes no further action. Given a timely response from the participant, MCC solicits the requested number of proxies from the issuer and redistributes executed proxies to the participants. At this point it is the participant's responsibility for any other processing of these proxy materials as it relates to their customers.

Under the proposed rule change, MCC would be implementing an omnibus proxy system. This system would call for MCC to notify its participants on each day, beginning five (5) days prior to the Proxy Record Date, of the upcoming Proxy Record Date. The notification would occur through the participants' daily MCC report. MCC would also solicit an address vertification from the corporate issuer/dispersing agent. On or immediately after the Record Date, MCC will produce a Beneficial Participants Holding list which indicates each participant by symbol, full participant name, and the participant's free position. This list, along with an executed omnibus proxy, would be sent to the corporate issuer/dispersing agent based upon previous name and address information and/or updates received as a result of our prior Record Date solicitation. The omnibus proxy assignment would charge the corporate issuer/dispersing agent with the distribution and solicitation of proxy materials directly between himself and the MCC participant. Whenever MCC would be holding physical shares for the account of participants from other clearing corporations'/trust companies' participants, the omnibus proxy and Beneficial Participant Holding Report of MCC's nominee would assign the applicable voting rights to the other clearing corporation/trust company by means of our Omnibus Proxy Notice and Listing. The other clearing corporation/trust company would in turn reassign these voting rights to their appropriate participant.

MCC has not received any comments on the proposed rule change.

MCC does not perceive any burdens imposed on competition.

On or before January 23, 1976, or within such longer period (i) as the Commission may designate up to 90 days of such date if it finds such longer period to be appropriate and publishes its reasons for so finding or (ii) as to which the above-mentioned self-regulatory organization consents, the Commission will:

(a) By order approve such proposed rule change or,

(b) Institute proceedings to determine whether the proposed rule change should be disapproved.

Interested persons are invited to submit written data, views and arguments concerning the foregoing. Persons desiring to make written submissions should file 6 copies thereof with the Secretary of the Commission, Securities and Exchange Commission, Washington, D.C. 20549. Copies of the filing with respect to the foregoing and of all written submissions will be available for inspection and copying in the Public Reference Room, 1100 L Street NW., Washington, D.C. Copies of such filing will also be available for inspection and copying at the principal office of the above-mentioned self-regulatory organization. All submissions should refer to the file number referenced in the caption above and should be submitted on or before January 9, 1976.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.

[SEAL] GEORGE A. FITZSIMMONS,
Secretary.

DECEMBER 12, 1976.

[FR Doc.75-34237 Filed 12-18-75;8:45 am]

[Release No. 34-11920; File No. SR-MSTC-75-3]

MIDWEST SECURITIES TRUST COMPANY

Self-Regulatory Organizations; Proposed Rule Change

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934, 15 U.S.C. 78s(b)(1), as amended by Pub. L. No. 94-29, 16 (June 4, 1975), notice is hereby given that on November 24, 1975, the above-mentioned self-regulatory organization filed with the Securities and Exchange Commission a proposed rule change as follows:

STATEMENT OF THE TERMS OF SUBSTANCE OF THE PROPOSED RULE CHANGE

Agreement with Respect to a Comprehensive Securities Depository System

This Agreement, made this ____ day of ----------, 1975, between Midwest Stock Exchange, Inc. (hereinafter referred to as "MSE"), and American National Bank & Trust Company, Continental Illinois National Bank and Trust Company of Chicago, The First National Bank of Chicago, Harris Trust and Savings Bank and The Northern Trust Company (hereinafter sometimes referred to collectively as the "Banks"),

Witnesseth:

Whereas, as of May 9, 1973, the parties hereto entered into a Memorandum of Understanding (the "1973 Memorandum") contemplating the establishment by MSE, with the assistance of the Banks, of a securities depository to be known as Midwest Securities Trust Company ("MSTC"), and the participation of the Banks therein;

Whereas, MSE, with its own funds, has since established MSTC, and certain Banks have commenced participation therein, on a limited basis;

Whereas, the parties hereto desire to cancel and rescind the 1973 Memorandum, but to provide for continued and increased participation by the Banks in MSTC;

Whereas, the Banks desire to increase their participation MSTC, but to ensure that the operations and services of MSTC remain compatible with their needs, the Banks each desire representation on its board of directors;

Whereas, the By-Laws of MSTC (pertinent provisions of which are attached as Exhibit A hereto and incorporated herein by referance) provide for five Class B Directors, some or all of whom may be selected by MSTC participants which are not members of MSE, depending on the extent of the utilization by such participants of the services of MSTC;

Whereas, it is anticipated that the Banks may be unable, during the two years following the date of this Agreement, to utilize the services of MSTC to an extent sufficient to permit each Bank to be represented on its Board of Directors; and

Whereas, to induce the Banks to continue and increase their participation in MSTC, MSE is willing to appoint as Class B Directors of MSTC persons nominated by the Banks, as hereinafter set forth;

Now, Therefore, in consideration of the foregoing, and the mutual covenants and agreements hereinafter set forth, the parties hereto agree as follows:

1. Not less than seventy-five days before the annual meeting of shareholders of MSTC in the years 1967 and 1977, each Bank shall designate, in a written notice to MSE, one candidate for election as a Class B Director of MSTC.

2. MSE, as sole shareholder of MSTC, shall nominate for election as Class B Directors of MSTC, in accordance with its by-laws, those candidates designated by the Banks pursuant to Section 1 hereof.

3. In the event that persons in addition to the candidates designated by the banks are nominated for election as Class B Directors of MSTC, MSE will cast any votes to which it may be entitled under Article III, Section 2 of the By-Laws of MSTC for the candidates designated by the Banks, and shall, unless instructed otherwise in a written no-

tice signed by all of the Banks, distribute its votes equally among said candidates.

4. If, during the term of this Agreement, a person other than a candidate designated by a Bank pursuant hereto shall be elected a Class B Director of MSTC, MSE shall use its best efforts to cause the By-Laws of MSTC to be amended so as to increase the number of Class B Directors to a number sufficient to provide representation for each Bank, provided that the number of Class A Directors shall be increased simultaneously so that Class A Directors shall continue to constitute a majority of the directors of MSTC. In the event that the By-Laws of MSTC are so amended, MSE shall appoint, to fill any vacancies among the Class B Directors created thereby, persons designated in writing by those Banks not then represented on the board of directors of MSTC, provided that such persons shall have been approved by a majority of the Class B Directors then in office, in accordance with Article III, Section 8 of the By-Laws of MSTC.

5. If, during the term of this Agreement, a vacancy shall occur among the Class B Directors of MSTC, and any Bank shall cease, by reason thereof, to be represented on the board of directors of MSTC, MSE shall appoint to fill such vacancy, a person designated in writing by such Bank, provided that such person shall have been approved by a majority of the remaining Class B Directors, in accordance with Article III, Section 8 of the By-Laws of MSTC.

6. This Agreement shall terminate immediately prior to the annual meeting of shareholders of MSTC for the year 1978, and shall be of no further force or effect thereafter. In the event that any of the Banks shall cease to be a participant of MSTC prior to said annual meeting, this Agreement shall terminate, as between MSE and such Bank, on the date on which such Bank ceases to be a participant of MSTC.

7. Notices and other communications hereunder shall be in writing and shall be deemed to have been duly given if delivered manually or mailed by registered mail, postage prepaid, to the address shown below, or such other address as such addressee shall have designated in writing to the party giving such notice or communication:

If to MSE:
Midwest Stock Exchange, Inc., 120 South LaSalle Street, Chicago, Illinois 60693, Attn: President.

If to the Banks:
American National Bank & Trust Company, 33 North LaSalle Street, Chicago, Illinois 60690 Attn: Mr. Perry Callas.
Continental Illinois National Bank and Trust Company of Chicago, 231 South LaSalle Street, Chicago, Illinois 60693, Attn: Mr. Gerald M. Czarnecki.
The First National Bank of Chicago, One First National Plaza, Chicago, Illinois 60670, Attn: Mr. Richard Wood.
Harris Trust and Savings Bank, 111 West Monroe Street, Chicago, Illinois 60690, Attn: Mr. Robert H. Long.
The Northern Trust Company, 50 South LaSalle Street, Chicago, Illinois 60675, Attn: Mr. Stuart Hamilton.

8. This Agreement shall be binding on and enforceable against the parties hereto and their respective successors and assigns, provided that this Agreement may not be assigned by any party without the prior written consent of the others, except in connection with a merger or consolidation or a sale of all or substantially all of the assets of such party.

9. If any party hereto shall be prohibited from performing any obligation hereunder, or if the performance of any such obligation shall become impracticable, by reason of any legislation or rule or regulation of governmental authority, or any action by any court or other governmental agency, such party shall to that extent be discharged of its obligations hereunder.

10. The construction and performance of this Agreement shall be governed by the laws of the State of Illinois.

11. This Agreement constitutes the entire understanding of the parties relating to the subject matter hereof and supersedes all prior understandings and agreement, whether written or oral, relating to said subject matter, including, without limitation, the 1973 Memorandum, which is hereby expressly cancelled and rescinded.

In witness whereof, the parties hereto have executed this Agreement, by their duly authorized officers, as of the date first set forth above.

Midwest Stock Exchange, Inc.

By _____

American National Bank and Trust Company

By _____

Harris Trust and Savings Bank

By _____

Continental Illinois National Bank and Trust Company of Chicago

By _____

The First National Bank of Chicago

By _____

The Northern Trust Company

By _____

Midwest Securities Trust Company Proposed Amendment to Article III, Section 2 of By-laws

Section 2. Number, Tenure and Election. The board of directors of the Corporation shall be composed of six Class A Directors and five Class B Directors. Except as expressly provided otherwise in this Article III, the powers, rights, duties and obligations of Class A Directors and Class B Directors shall be identical. Each director shall hold office until the next annual meeting of shareholders or until his succesor shall have been elected and qualified. The Class A Directors shall be appointed by the sole shareholder of the Corporation, the Midwest Stock Exchange, and shall be selected with a view towards providing fair representation for the interests of said Exchange and of those members of said Exchange which are participants of the Corporation. Class B Directors shall be selected and appointed as follows:

1. Not less than sixty days before each annual meeting of shareholders, the sole shareholder shall nominate (by delivering to the Secretary of the Corporation a list of nominations) five individuals for election as Class B Directors. Within five days thereafter, the Secretary shall mail copies of the list of nominations to each participant of the Corporation which is not a member of the Midwest Stock Exchange ("Non-Member Participant"). Non-Member Participants shall have the right to nominate additional persons by filing with the Secretary, not less than thirty days prior to the annual meeting, a petition signed by not less than three Non-Member Participants. No petition shall nominate more than five individuals, and no participant shall sign petitions nominating, in the aggregate, more than five individuals.

2. In the event that no nominating petition is filed within the time prescribed above, the sole shareholder shall, at the annual meeting, appoint as Class B Directors the individuals named in the list of nominations mailed to Non-Member Participants: provided that if any such individual shall at that time be unable or unwilling to serve, that individual's position shall be left vacant until the first meeting of directors following the annual meeting of shareholders, and the sole shareholder shall thereafter appoint, to fill the vacancy, such individual as a majority of the other Class B Directors shall approve.

3. In the event that one or more nominating petitions are filed within the prescribed time, the Class B Directors shall be selected by an election, to be conducted as follows:

(a) Not less than twenty days prior to the annual meeting, the Secretary shall transmit to each Non-Member Participant a ballot setting forth the names of all nominees, including those nominated by petition, and the number of votes to which the Non-Member Participant is entitled, determined as hereinafter set forth.

(b) The number of votes to which each Non-Member Participant shall be entitled shall be determined as follows:

(i) There shall be determined, for each Non-Member Participant, (A) the ratio (expressed as a percentage) between the aggregate fees paid to the Corporation by the Non-Member Participant during the Corporation's most recent fiscal year and the total fees paid by all participants during such fiscal year; and (B) the ratio (expressed as a percentage) between the average value of the securities held by the Non-Member Participant in depository free or pledged positions with the Corporation during such fiscal year (determined by taking the average of the values of the securities so held as of the close of each month during such fiscal year) and the average value of the securities so held by all participants during such fiscal year (determined in the same manner).

(ii) The percentages determined in accordance with clauses (b) (i) (A) and (b) (i) (B), above, shall be added together, and each Non-Member Participant shall be entitled to that number of votes which bears the same proportion to 1,000 as the sum of such percentages bears to 100%. The total number of votes to which Non-Member Participants in the aggregate shall be entitled in any election of Class B directors shall be the number (not exceeding 2,000) determined pursuant to the preceding sentence.

(iii) If the aggregate number of votes to which all Non-Member Participants are entitled shall be less than 1,000, the sole shareholder shall be entitled to as many votes as the difference between 1,000 and the number of votes to which all Non-Member Participants are entitled, and the Secretary shall provide

to the sole shareholder an appropriate ballot.

(c) Each Non-Member Participant (and the sole shareholder, if the sole shareholder shall be entitled to vote) shall have the right to cast the number of votes to which it shall be entitled for as many nominees as there are positions to be filled, or to cumulate said votes, and to give one nominee as many votes as the number of positions multiplied by the number of said votes, or to distribute its votes on the same principle among as many nominees as it shall desire.

(d) At the annual meeting, the sole shareholder shall appoint as Class B Directors the five individuals receiving the highest number of votes in ballots returned to the Secretary prior to the time of the annual meeting.

MIDWEST SECURITIES TRUST COMPANY PROPOSED AMENDMENT TO ARTICLE III, SECTION 8 OF BY-LAWS

Section 8. Vacancies. Any vacancy occurring in the board of directors and any directorship to be filled by reason of an increase in the number of directors may be filled by election at an annual meeting or at a special meeting of shareholders called for that purpose; provided, however, that no person shall be elected to fill any vacancy among the Class B Directors, or any newly created Class B directorship, unless such person shall have been approved by a mapority of the Class B Directors then in office.

STATEMENT OF BASIS AND PURPOSE

The proposed changes are designed to build a strong MSTC based upon active support from both the broker/dealers and institutions. It recognizes the requirements of the banks to participate in the policy decisions of MSTC as they commit the assets under their control to this institution. It also lays the groundwork for a "user controlled" board satisfying the requirements of the amendments of the 1934 Act.

The proposed agreement with the Chicago clearing house banks would enhance MSTC's capacity to function as a trust company and facilitate further immobilization of the stock certificates by providing a practicable basis for the banks to become active participants.

The amendments to the MSTC By-Laws are designed to promote the prompt and accurate clearance and settlement of securities transactions by fostering cooperation and coordination with persons engaged in the clearance and settlement of securities transactions. Moreover, by providing a practicable basis for active bank participation, the amendments remove impediments and perfect the mechanism of a national system for the prompt and accurate clearance and settlement of securities transactions. Finally, the amendments provide for a fair representation of the shareholder participants in the section of directors and administration of MSTC's affairs.

The cancelling of the previous memorandum of understanding on a comprehensive securities depository system is made necessary by the adoption of a successor agreement.

Other than discussions with the clearing house banks on terms of the agreement, no other comments were solicited nor received.

MSTC does not believe that the proposed changes would impose any burden on competition.

On or before January 23, 1976, or within such longer period (i) as the Commission may designate up to 90 days of such date if it finds such longer period to be appropriate and publishes its reasons for so finding or (ii) as to which the above-mentioned self-regulatory organization consents, the Commission will:

(a) By order approve such proposed rule change, or

(b) Institute proceedings to determine whether the proposed rule change should be disapproved.

Interested persons are invited to submit written data, views and arguments concerning the foregoing. Persons desiring to make written submissions should file 6 copies thereof with the Secretary of the Commission, Securities and Exchange Commission, Washington, D.C. 20549. Copies of the filing with respect to the foregoing and of all written submissions will be available for inspection and copying in the Public Reference Room, 1100 L Street NW., Washington, D.C. Copies of such filing will also be available for inspection and copying at the principal office of the above-mentioned self-regulatory organization. All submissions should refer to the file number referenced in the caption above and should be submitted on or before January 9, 1976.

For the Commission by the Division of Market Regulation, pursuant to delegated authority.

[SEAL] GEORGE A. FITZSIMMONS,
Secretary.

DECEMBER 12, 1975.

[FR Doc.75-34235 Filed 12-18-75;8:45 am]

[File No. 500-1]

CONTINENTAL VENDING MACHINE CORP.

Notice of Suspension of Trading

DECEMBER 15, 1975.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock of Continental Vending Machine Corporation being traded otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

Therefore, pursuant to Section 12(k) of the Securities Exchange Act of 1934, trading in such securities otherwise than on a national securities exchange is suspended, for the period from December 16, 1975 through December 25, 1975.

By the Commission.

[SEAL] GEORGE A. FITZSIMMONS,
Secretary.

[FR Doc.75-34234 Filed 12-18-75;8:45 am]

[Release No. 34-11922; Filed No. SR-NYSE-75-10]

NEW YORK STOCK EXCHANGE, INC.

Proposed Rule Changes

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934, 15 U.S.C. 78s(b)(1), as amended by Pub. L. No. 94-29, 16 (June 4, 1975), notice is hereby given that on November 3, 1975, the above-mentioned self-regulatory organization filed with the Securities and Exchange Commission proposed rule changes as follows:

STATEMENT OF THE PROPOSED RULE CHANGES

The following is the proposed text of proposed amendments to the Rules and Procedures of Stock Clearing Corporation:

1. Add the following at the end of Rule 1:

The term "Special Representative" has the meaning specified in Rule 39.

2. Amend Rule 7 as follows:

Renumber Section 10 as Section 11 and add a new Section 10 as follows:

"Sec. 10. A Special Representative may submit, on any business day in accordance with the time schedules established or from time to time determined by the Corporation, odd-lot transaction data, which may reflect the netted results of other transactions, as to the rights and obligations of a Clearing Member which calls for the delivery of Cleared Securities and is between Clearing Members, notwithstanding the fact that the rights and obligations do not represent transactions compared under the foregoing sections of this Rule, provided that the data submitted regarding the transaction meets the requirements specified in the Procedures. The obligations of the Clearing Member reflected in such odd-lot transaction data shall be deemed to have been confirmed and acknowledged by the Clearing Member designated by the Special Representative as a party thereto and to have been adopted by such Clearing Member and, for the purposes of these Rules and determining the rights and obligations between the Corporation and any such Clearing Member under these Rules, shall be valid and binding upon such Clearing Member to the same extent as any transaction, and shall be deemed to be transactions, compared under this Rule. A Clearing Member which has been so designated by a Special Representative shall resolve any differences or claims regarding the rights and obligations reflected in the odd-lot transaction data submitted by the Special Representative with the Special Representative, and the Corporation shall have no responsibility in respect thereof or to adjust its records or the accounts of the Clearing Member in any way, otherwise than pursuant to the instructions of the Special Representative."

3. Amend Rule 11, Section 10 as follows:

"Sec. 10. A CNNS Security shall be removed from the list of CNS Securities

(a) immediately upon receipt by the Corporation of written notice from DTC that the security is no longer an Eligible Security under DTC's rules or (b) upon a determination by the Corporation that rights in respect of the security may expire, including the right to convert, exchange or tender the security for other securities or property and other rights of a similar nature, and such removal shall be promptly communicated to all Clearing Members by the Corporation. In such event, the Corporation shall, on the first Settlement Date on which such securities are not deliverable through the facilities of DTC and on each subsequent Settlement Date for any CNS Contracts entered in the CNS Accounting Operation prior to the effective date of removal, match with respect to each such Settlement Date opening Short and Long Positions in such security in that manner which the Corporation in its discretion may provide, issue receive and deliver security orders in respect thereof for each such day, which orders shall have the same status as security balance orders issued in connection with the Balance Order Accounting Operation and will be subject to those provisions of these Rules pertaining to such security balance orders unless otherwise specified by the Corporation and close out such positions in the CNS System by journal entry. Any CNS Contracts not entered into the CNS Accounting Operation prior to the effective date of removal, shall be deemed to be Balance Order Contracts and shall be settled in the Balance Order System under Rules 8, 9 and 10; *provided, however, that any such CNS Contract submitted by a Special Representative may, in the Corporation's discretion, be returned to the Special Representative in which case it shall not be settled through the facilities of the Corporation.*

4. Amend Rule 20, Section 5(b) as follows:

"(b) If the Time of Insolvency occurs when a Balance Order Accounting Operation covering transactions effected by the insolvent Clearing Member on a day prior to that on which the Time of Insolvency occurs has not been completed, the Corporation, in its discretion, may determine either (i) that such transactions shall be excluded from such incompleted Balance Order Accounting Operation or CNS Accounting Operation, in which case the exchange tickets covering such transactions which have been delivered to the Corporation shall be returned to the Clearing Member who issued the same *and any odd-lot transaction data submitted to the Corporation by a Special Representative under Section 10 of Rule 7 shall be returned to the Special Representative*, or (ii) that such of the transactions of the insolvent Clearing Member as have been compared by the Corporation *or submitted to the Corporation under Section 10 of Rule 7* shall be included in such incompleted Balance Order Accounting Operation or CNS Accounting Operation and that such Operation shall be completed by the Corporation, in which case the provisions of Section 6 of this Rule shall apply to the security balance orders and the actions to be taken with respect thereto when the same are issued on completion of such Balance Order Accounting Operation and to the Completion of the CNS Accounting Operation; provided, however, that the Corporation shall not be required to handle any incompleted Balance Order Accounting Operation in the same manner as any incompleted CNS Accounting Operation."

5. Add the following new Rule 39:

"Rule 39. The Corporation may accept or rely upon any instruction given to the Corporation by a Clearing Member including wire transmission, physical delivery or delivery by other means of instructions recorded on magnetic tape or other media or of facsimile copies of instructions, in form acceptable to the Corporation and in accordance with the Procedures, which reasonably is understood by the Corporation to have been delivered to the Corporation by the Clearing Member, and the Corporation shall have no responsibility or liability for any errors which may occur, without negligence on the Corporation's part, in the course of transmission or recording of any transmissions or which may exist in any magnetic tape, document or other media so delivered to the Corporation.

"The Corporation may accept and rely upon any instruction given to the Corporation by a Special Representative, including wire transmission, physical delivery or delivery by other means of instructions, in form acceptable to the Corporation and in accordance with the Procedures, which reasonably is understood by the Corporation to have been delivered to the Corporation by the Special Representative, provided that such instruction does not relate to the Comparison Operation, and the Corporation shall have no responsibility or liability for any errors which may occur, without negligence on the Corporation's part, in the course of transmission or recording of transmission or which may exist in any magnetic tape, document or other media so delivered to the Corporation and the Corporation shall be entitled to act pursuant to any such instruction as though such instruction had been received from the Clearing Member for which the Special Representative is acting.

"Any Clearing Member delivering instructions as provided above, or on whose behalf a Special Representative shall deliver instructions as provided above, shall indemnify the Corporation, and any of its employees, officers, directors, shareholders, agents, Settling Members and Non-Members who may sustain any loss, liability or expense as a result of (a) any act done in reliance upon the authenticity of any instruction received by the Corporation, (b) the inaccurancy of the information contained therein or (c) effecting transactions in reliance upon such information or instruction against any such loss, liability or expense so long as such transactions are effected in accordance with such information and instructions even though they be inaccurate or not authentic and so long as the person asserting a right to indemnification shall not have knowledge of such inaccuracy or lack of authenticity at the time of the event or events giving rise to such loss, liability or expense.

"Notwithstanding the foregoing, the Corporation will not act upon any instruction purporting to have been given by a Clearing Member or a Special Representative which is received by wire transmission or in the form of facsimile copies or magnetic tape or media other than written instructions or from a Special Representation commencing one business day after the Corporation receives written notice from the Clearing Member that the Corporation shall not accept such instructions until such time as the Clearing Member shall withdraw such notice.

"For the purposes of these Rules a Special Representative shall be Carlisle DeCoppett & Co., but only to the extent that firm, or its partners, act as odd-lot dealers under the rules of the Exchange."

6. Amend the first paragraph on page 17 of the SCC Procedures as follows:

ACCOUNTING OPERATION

Compared trades generated by the Comparison Operation *and transactions deemed to be transactions compared under SCC Rule 7 by reason of Section 10 of said Rule 7* enter either the Balance Order Accounting Operation or the CNS Accounting Operation. The Balance Order Accounting Operation includes all Balance Order Securities except for transactions in Balance Order Securities for which receive and deliver security orders are issued which identify the original purchaser and seller and are issued at original contract money (e.g. Special Trades).

7. Amend the first paragraph of Section B on page 19 of the SCC Procedures as follows:

B. *CNS ACCOUNTING OPERATION.* All compared trades in CNS Securities (excluding Special Trades) are processed through the CNS Accounting Operation. This includes transactions compared on the T+1, T+2 and Added Trade Contract Lists. Purchases and sales are summarized on a Compared Trade Summary (see Figure 16). This report lists the CNS Contracts in each security originally listed in the T+1, T+2 and Added Trade Contract Lists *as well as transactions submitted to SCC by a Special Representative.*

8. Add the following paragraph at the end of Section B on page 19 of the SCC Procedures:

"The CNS Compared Trade Summary will reflect the transaction data submitted by Special Representatives (i.e. the share and money balance for each CNS Security) as a single item as provided to SCC by the Special Representative. The letter "C" in the first column of the Compared Trade Summary will identify such items. Each "As Of" trade submitted to SCC by a Special Representative will appear on the Compared Trade

Summary as an individual trade, will be identified as "As Of", and will show the original trade date."

STATEMENT OF BASIS AND PURPOSE

The Basis and purpose of the foregoing rule changes is as follows:

PURPOSE OF PROPOSED RULE CHANGES

Odd-lot transactions effected on the Exchange are compared and netted by Carlisle De Coppett & Co. ("Carlisle"). Under existing procedures netted data is submitted to The Depository Trust Company ("DTC") and DTC, pursuant to its Rules, adjusts the accounts of DTC Participants in accordance with Carlisle's instructions. Carlisle acts as a Special Representative under DTC's Rules (see DTC Rule 6). The purpose of the proposed rule changes is to permit odd-lot transactions in securities which are eligible for the SCC CNS System to be settled through the CNS System rather than through DTC. As a consequence of this change, odd-lot transactions, already having been subject to some netting by Carlisle, will be netted with CNS positions. In addition, there will be a reduction in the number of deliveries which must be made. It is expected that the inclusion of odd-lot transactions in the CNS System will reduce the operations work required in the offices of SCC Clearing Members and reduce their expenses.

BASIS UNDER THE ACT FOR ADOPTING THE PROPOSED RULE CHANGES

(a) Not Applicable.

(b) The proposed rule changes relate to the Exchange's wholly-owned subsidiary, SCC and SCC's capacity to facilitate the prompt and accurate clearance and settlement of securities transactions.

(c) Not Applicable.

COMMENTS RECEIVED FROM MEMBERS, PARTICIPANTS OR OTHERS ON PROPOSED RULE CHANGES

Solicitation of comments was comments was commenced with this filing. No comments have been received.

BURDEN ON COMPETITION

None.

On or before January 23, 1975, or within such longer period (i) as the Commission may designate up to 90 days of such date if it finds such longer period to be appropriate and publishes its reasons for so finding or (ii) as to which the above-mentioned self-regulatory organization consents, the Commission will:

(A) by order approve such proposed rule changes, or

(B) institute proceedings to determine whether the proposed rule changes should be disapproved.

Interested persons are invited to submit written data, views and arguments concerning the foregoing. Persons desiring to make written submissions should file 6 copies thereof with the Secretary of the Commission, Securities and Exchange Commission, Washington, D.C. 20549. Copies of the filing with respect to the foregoing and of all written submissions will be available for inspection in the Public Reference Room, 1100 L Street, N.W., Washington, D.C. Copies of such filing will also be available for inspection at the principal office of the above-mentioned self-regulatory organization. All submissions should refer to the file number referenced in the caption above and should be submitted on or before 15 days after the date of this publication.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.

[SEAL] GEORGE A. FITZSIMMONS,
Secretary.

DECEMBER 12, 1975.

[FR Doc.75-34236 Filed 12-18-75;8:45 am]

DEPARTMENT OF LABOR

Employment and Training Administration

EMPLOYMENT TRANSFER AND BUSINESS COMPETITION DETERMINATIONS UNDER THE RURAL DEVELOPMENT ACT

Notice of Applications

The organizations listed in the attachment have applied to the Secretary of Agriculture for financial assistance in the form of grants, loans, or loan guarantees in order to establish or improve facilities at the locations listed for the purposes given in the attached list. The financial assistance would be authorized by the Consolidated Farm and Rural Development Act, as amended, 7 USC 1924 (b), 1932, or 1942(b).

The Act requires the Secretary of Labor to determine whether such Federal assistance is calculated to or is likely to result in the transfer from one area to another of any employment or business activity provided by operations of the applicant. It is permissible to assist the establishment of a new branch, affiliate or subsidiary, only if this will not result in increased unemployment in the place of present operations and there is no reason to believe the new facility is being established with the intention of closing down an operating facility.

The Act also prohibits such assistance if the Secretary of Labor determines that it is calculated to or is likely to result in an increase in the production of goods, materials, or commodities, or the availability of services or facilities in the area, when there is not sufficient demand for such goods, materials, commodities, services, or facilities to employ the efficient capacity or existing competitive commercial or industrial enterprises, unless such financial or other assistance will not have an adverse effect upon existing competitive enterprises in the area.

The Secretary of Labor's review and certification procedures are set forth at 29 CFR Part 75, published January 29, 1975 (40 FR 4393). In determining whether the applications should be approved or denied, the Secretary will take into consideration the following factors:

1. The overall employment and unemployment situation in the local area in which the proposed facility will be located.

2. Employment trends in the same industry in the local area.

3. The potential effect of the new facility upon the local labor market, with particular emphasis upon its potential impact upon competitive enterprises in the same area.

4. The competitive effect upon other facilities in the same industry located in other areas (where such competition is a factor).

5. In the case of applications involving the establishment of branch plants or facilities, the potential effect of such new facilities on other existing plants or facilities operated by the applicant.

All persons wishing to bring to the attention of the Secretary of Labor any information pertinent to the determinations which must be made regarding these applications are invited to submit such information in writing within two weeks of publication of this notice to: Deputy Assistant Secretary for Employment and Training, 601 D Street, NW., Washington, D.C. 20213.

Signed at Washington, D.C. this 15th day of December, 1975.

BEN BURDETSKY,
Deputy Assistant Secretary for Employment and Training.

Applications received during the week ending December 12, 1975

Name of applicant	Location of enterprise	Principal product or activity
New England Steel Co., Inc.	South Windham, Maine.	Steel castings and hot rolled steel bars.
Van Wyck International Corp.	Castile, N.Y.	Manufacture of heat element household appliances.
Tencor, Inc.	Hopewell, N.J.	Tennis court rentals and instruction.
Owens-Illinois, Inc.	Oswego County, N.Y.	Manufacture of glass containers for brewing industry.
Pedigree Pet Products, Inc.	Naguabo, P.R.	Canned dogfood and catfood.
Findlay Refractories Co. of Pennsylvania.	Washington, Pa.	Large cast refractory block and special refractory shapes for use in melting furnaces, coke ovens, and reactors.
Cliffside Motor Inn.	Harpers Ferry, W. Va.	Motel and restaurant.
Alyeska, Inc.	Bruceton Mills, W. Va.	Land development and sales.
Beach Cycle & Supply Co. Inc.	Gulfport, Miss.	Lawn and turf equipment.
James W. Akridge d.b.a. Big Cliffy Services & Supply.	Big Cliffy, Ky.	Farm supplies and machinery repair.
Sonoco Products Co. (tenant of the town of Mount Olive).	Mount Olive, N.C.	Spirally wound paper tubes.
Southern Belle Dairy Co., Inc.	Somerset, Ky.	Milk and milk related products.
Custom Fabricators, Inc.	Johnson City, Tenn.	Heavy custom metal work and machine shop work.
Haberslaw Hardware & Distributing Co.	Cornelia, Ga.	Hardware, furniture, and building materials.
Johnson Development Corp.	Smithfield, N.C.	Industrial building (rental).

Applications received during the week ending December 12, 1975

Name of applicant	Location of enterprise	Principal product or activity
The Streat Corp.	Nicholls, Ga.	Children's coats.
Joseph W. Best d.b.a. Kelly and Best	Clinton, N.C.	Wholesale distribution of seeds.
Reeves Hardware Co.	Clayton, Ga.	Hardware and furniture.
Commercial Vinyls, Inc.	New Castle, Ind.	Vinyl coated wall coverings.
Church Point Industries, subsidiary of Garan, Inc.	Church Point, La.	Manufacture of boys casual jeans.
Oklahoma-Kansas Grain Corp.	Catoosa, Okla.	Wheat and soybean and other grains or farm products.
Edgar H. Schuler d.b.a. MBC Co. & AAA, Inc.	Great Bend, Kans.	Sales of industrial equipment and construction of low cost housing sub-divisions.
Frohwein & Sons, Inc.	State Center and Colo, Iowa.	Corn and soybeans and livestock feeds.
MACSI Corp.	Monroe City, Mo.	Magnesium and lead diecastings.
Resources Partnership	St. George, Utah	Motel and restaurant.
Lyle Sign Co. (tenant of city of De Smet)	De Smet, S. Dak.	Manufacturer of traffic, street, and interstate signs.
Rus-tique Brik West, Ltd.	Fountain, Colo.	Concrete brick.
Edward James, Jr. and Johanna R. Mitchell d.b.a. Wilderness House.	Sonora, Calif.	Retail sales of sporting goods and equipment.
Whiting Motor Co.	St. Johns, Ariz.	Shopping center.
Virginia F. LaRue and William A. Bixler	Tonto Basin, Ariz.	Recreational trailer park.
Gary A. Thrasher, D.V.M., d.b.a. Coronado Veterinary Clinic.	Sierra Vista, Ariz.	Veterinary clinic.
United Mobile Homes, Inc.	Gila Indian Reservation, Ariz.	Manufacture mobile homes.
Life Resources, Inc., and Valley Evaporating Co.	Yakima, Wash.	Processing and distribution of dehydrated fruits.
Carlo Ciaramitaro and Augustus Ciulla	Gloucester, Mass.	Buying and selling fish; dockage for commercial fishing vessels.
Herbert Block Co., Inc., subsidiary of W. G. Bush & Co.	Shelbyville, Tenn.	Manufacturer of concrete block and retail and wholesale of brick.
Gleason Clay Products, division subsidiary of W. G. Bush & Co.	Gleason, Tenn.	Manufacture of brick.
Ruger Equipment, Inc.	Uhrichsville, Ohio	Manufacturing and selling of material-handling equipment.
Lee Cordova Chevrolet, Inc.	Santa Rosa, N. Mex.	Automotive sales and service.
Diemakers, Inc. (tenant to Monroe City)	Monroe City, Mo.	Diecasting of zinc and aluminum alloys.
Kuhlman Diecasting, Inc. (tenant to Monroe Industrial Park).	do.	Do.
Foxley & Co. (tenant of Ordway)	Ordway, Colo.	Beef packing plant.
James Karl Lothmann	Yuma County, Ariz.	Motel.
Gay Pine Products, Inc. (tenant of Quitman).	Quitman, Miss.	Wooden cut stock and glued-up solid wooden cores for the flush door industry.
Edison Textiles, Inc.	Edison, Ga.	Children's playwear.
Microecology Products Corp.	Cartersville, Ga.	Manufacture chemicals for the medical industry.

[FR Doc.75-34220 Filed 12-18-75;8:45 am]

MIGRANT AND OTHER SEASONALLY EMPLOYED FARMWORKERS PROGRAMS

Selection of Potential Sponsors: Corrections

In FR Doc. 75-31522 appearing at page 54352 in the issue for Friday, November 21, 1975, (notice of the selection of potential sponsors for migrant and other seasonally employed farmworker programs under the Comprehensive Employment and Training Act of 1973, section 303), make the following changes:

1. On page 54353, paragraph 2(b) is corrected by changing the date from "January 15, 1975" to "January 15, 1976".

2. On page 54354, a transposition of lines obscured the due dates set forth in paragraph 4(b). For this reason, the due dates have been extended and paragraph 4 is reprinted in its entirety with the revised dates:

4. *Resolicitation.* In the following States no designation of potential sponsors has been made because no Funding Request was received.

Maine	Wyoming
West Virginia	Nevada
Utah	

Pursuant to 29 CFR 97.216(b), the Secretary has made the following determinations for these States:

(a) The Secretary intends to initiate, after January 5, 1976, negotiations for a Fiscal Year 1976, section 303 program in the State (i) with the current section 303 program sponsor, if any, provided that the sponsor's present performance is adequate and, if these negotiations fail, (ii) with the CETA title I prime sponsor whose jurisdiction contains the largest number of migrant and seasonal farmworkers.

(b) The Secretary invites organizations eligible under § 97.205 which are interested in receiving a grant for section 303 programs in the listed States to submit Funding Requests to the address given in 29 CFR 97.214(a) on or before January 19, 1976. Such organizations must also submit to the same address a notice of intent to submit a Funding Request for the State; the notice of intent must be received before close of business January 5, 1976, or the Funding Request will not be considered. A preapplication for federal assistance form is not required.

(c) In those States for which a timely notice of intent has been received, the Secretary will not begin negotiations for a section 303 program until a Funding Request has been received and the priority set forth in paragraph 4(a) above, has been re-examined in light of the new Funding Request.

(d) Funding Requests shall be prepared in accordance with the requirements of 29 CFR 97.213 and 97.214.

Inquiries regarding the content of this announcement are to be directed to the address listed below:

U.S. Department of Labor, Employment and Training Administration, Patrick Henry Building, Room 7122, 601 D Street, NW., Washington, D.C. 20213.
Attn: Charles I. Carter, Chief, Division of Farmworker Programs.

Signed at Washington, D.C., this 5th day of December 1975.

PIERCE A. QUINLAN,
Associate Manpower Administrator, Office of Manpower Development Programs.

[FR Doc.75-34174 Filed 12-18-75;8:45 am]

Office of the Secretary

[TA-W-203]

CORNING GLASS WORKS

Negative Determination Regarding Eligibility To Apply for Worker Adjustment Assistance

In accordance with Section 223 of the Trade Act of 1974 the Department of Labor herein presents the results of TA-W-203: investigation regarding certification of eligibility to apply for worker adjustment assistance as prescribed in Section 222 of the Act.

The investigation was initiated on October 2, 1975 in response to a worker petition received on October 2, 1975 which was filed by the American Flint Glass Workers Union on behalf of workers formerly producing glass bulbs for monochrome television picture tubes at the Albion, Michigan plant of Corning Glass Works, Corning, New York.

The notice of investigation was published in the FEDERAL REGISTER on October 15, 1975 (40 FR 48415). No public hearing was requested and none was held.

The information upon which the determination was made was obtained principally from officials of Corning Glass, its customers, the U.S. International Trade Commission, the Department of Commerce, industry analysts and Department files.

In order to make an affirmative determination and issue a certification of eligibility to apply for adjustment assistance, each of the group eligibility requirements of Section 222 of the Trade Act of 1974 must be met:

(1) that a significant number or proportion of the workers in such workers' firm or an appropriate subdivision of the firm have become totally or partially separated, or are threatened to become totally or partially separated,

(2) that sales or production, or both, of such firm or subdivision have decreased absolutely, and

(3) that increases of imports of articles like or directly competitive with articles produced by such workers' firm or an appropriate subdivision thereof contributed importantly to such total or partial separation, or threat thereof, and to such decline in sales or production.

For purposes of paragraph (3), the term "contributed importantly" means a cause which is important but not necessarily more important than any other cause.

SIGNIFICANT TOTAL OR PARTIAL SEPARATIONS

The average number of production workers at the Albion plant declined 63.6 percent in the first nine months of 1975 compared to the like period in 1974. Employment of production workers of Albion ceased in the third quarter of 1975.

SALES OR PRODUCTION, OR BOTH, HAVE DECREASED ABSOLUTELY

Sales at the Albion plant declined 40.6 percent in the first nine months of 1975 compared to the first nine months of 1974. Production declined 57.7 percent in the first nine months of 1975 compared to the first nine months of 1974. The plant ceased production in the third quarter of 1975.

INCREASED IMPORTS CONTRIBUTED IMPORTANTLY

Imports of glass bulbs for monochrome televisions are reported with glass bulbs for color televisions, other cathode ray tube glass, and miscellaneous electronic and lighting glass. Imports of these products have represented less than one percent of domestic production and consumption from 1970 through 1974.

Customer officials and knowledgeable industry representatives report extremely limited imports of glass bulbs for monochrome televisions. International trade in glass bulbs is limited by their low unit value of manufacture relative to their high shipping cost.

No customers of the Albion plant had purchased imported glass bulbs before the plant closed. The high shipping costs of glass bulbs prevented customers from purchasing imported bulbs. Declines in purchases from the Albion plant were attributed to the decline in the domestic monochrome television industry.

CONCLUSION

After careful review of the facts obtained in the investigation, I conclude that increases of imports like or directly competitive with glass bulbs for monochrome television picture tubes produced at the Albion, Michigan plant of Corning Glass Works, Corning, New York did not contribute importantly to the total or partial separations of the workers at such plant.

Signed at Washington, D.C. this 5th day of December 1975.

GLORIA G. PRATT,
Director, Office of Foreign Economic Policy.

[FR Doc.75-34288 Filed 12-18-75;8:45 am]

[TA-W-204]

FAIRFOOT SHOE COMPANY, INC.

Certification Regarding Eligibility To Apply for Worker Adjustment Assistance

In accordance with Section 223 of the Trade Act of 1974 the Department of Labor herein presents the results of TA-W-204; investigation regarding certification of eligibility to apply for worker adjustment assistance as prescribed in Section 222 of the Act.

The investigation was initiated on October 2, 1975 in response to a worker petition received on October 2, 1975 which was filed by the Boot and Shoe Workers Union on behalf of workers and former workers producing women's footwear at the Bedford, Pa. plant of Fairfoot Shoe Company, Incorporated, a division of Evy Footwear Company, Inc., New York, New York.

The notice of investigation was published in the FEDERAL REGISTER on October 30, 1975 (40 FR 50585). No public hearing was requested and none was held.

The information upon which the determination was made was obtained principally from officials of Fairfoot Shoe Company, its customers, the U.S. Department of Commerce, the U.S. International Trade Commission, industry analysts, American Footwear Industries Association, and Department files.

In order to make an affirmative determination and issue a certification of eligibility to apply for adjustment assistance, each of the group eligibility requirements of Section 222 of the Trade Act of 1974 must be met:

(1) That significant number or proportion to the workers in such workers' firm or an appropriate subdivision of the firm have become totally or partially separated, or are threatened to become totally or partially separated.

(2) That sales or production, or both, of such firm or subdivision have decreased absolutely, and

(3) That increases of imports of articles like or directly competitive with articles produced by such workers' firm or an appropriate subdivision thereof contributed importantly to such total or partial separation, or threat thereof, and to such decline in sales or production.

For purposes of paragraph (3), the term "contributed importantly" means a cause which is important than any other cause.

SIGNIFICANT TOTAL OR PARTIAL SEPARATIONS

The average number of production workers declined 16 percent in the first three quarters of 1975 compared to the like period in 1974.

SALES OR PRODUCTION, OR BOTH, HAVE DECREASED ABSOLUTELY

Production at the Bedford, Pennsylvania plant declined 17 percent in the first three quarters of 1975 compared to the first three quarters of 1974. Sales declined 27 percent in the first three quarters of 1975 compared to the first three quarters of 1974.

INCREASED IMPORTS CONTRIBUTED IMPORTANTLY

Imports of articles like or directly competitive with those produced at Fairfoot Shoe Company increased from 167 million pairs in 1970 to 189 million pairs in 1974. Imports increases from 105 percent of domestic production in the first half of 1974 to over 123 percent the first half of 1975.

The ratios of imports to domestic consumption and production increased from 40 percent and 66 percent, respectively, in 1970 to 51 percent and 104 percent, respectively, in 1974.

Customers reduced purchased of Fairfoot's Shoes in favor of lower-priced imports. Reduced sales of women's dress footwear by Fairfoot led to rapidly declining production at Fairfoot.

Thus increasing penetration of imports of women's footwear in the domestic market contributed importantly to the total or partial separations of workers at Fairfoot Shoe Company, Bedford, Pennsylvania.

CONCLUSION

After careful review of the facts obtained in the investigation, I conclude that increases of imports like or directly competitive with women's footwear produced at the Bedford, Pennsylvania plant of Fairfoot Shoe Company contributed importantly to the total or partial separation of the workers of that plant. In accordance with the provisions of the Act, I make the following certification:

All hourly, piecework, and salaried workers engaged in employment related to the production of women's footwear at the Bedford, Pennsylvania plant of Fairfoot Shoe Company who became totally or partially separated from employment on or after November 8, 1974 are eligible to apply for adjustment assistance under Title II, Chapter 2 of the Trade Act of 1974.

Signed at Washington, D.C., this 9th day of December 1975.

JAMES F. TAYLOR,
Director, Planning and Evaluation Staff.

[FR Doc.75-34293 Filed 12-18-75;8:45 am]

[TA-W-189]

LAKE MANUFACTURING CO.

Negative Determination Regarding Eligibility To Apply for Worker Adjustment Assistance

In accordance with Section 223 of the Trade Act of 1974 the Department of Labor herein presents the results of TA-W-189; investigation regarding certification of eligibility to apply for worker adjustment assistance as prescribed in Section 222 of the Act.

The investigation was initiated on September 26, 1975 in response to a worker petition received on September 26, 1975 which was filed by the Amalgamated Clothing Workers Union on behalf of workers formerly producing ladies slacks at the Easton, Pennsylvania plant of Lake Manufacturing Company.

The notice of investigation was published in the FEDERAL REGISTER on October 7, 1975 (40 FR 46372). No public hearing was requested and none was held.

The information upon which the determination was made was obtained principally from officials of Lake Manufacturing Company, its customers, the U.S. Department of Commerce, the U.S. International Trade Commission, the National Cotton Council of America, industry analysts, and Department files.

In order to make an affirmative determination and issue a certification of eligibility to apply for adjustment assistance, each of the group eligibility requirements of Section 222 of the Trade Act of 1974 must be met:

(1) That a significant number or proportion of the workers in such workers' firm or an appropriate subdivision of the firm have become totally or partially separated, or are threatened to become totally or partially separated,

(2) That sales or production, or both, of such firm or subdivision have decreased absolutely, and

(3) That increases of imports of articles like or directly competitive with articles produced by such workers' firm or an appropriate subdivision thereof contributed importantly to such total or partial separation, or threat thereof, and to such decline in sales or production.

For purposes of paragraph (3), the term "contributed importantly" means a cause which is important but not necessarily more important than any other cause.

Without regard as to whether the other criteria are satisfied, the investigation reveals that the third criterion has not been met.

Lake Manufacturing Company produced ladies slacks made of woven and knit natural and man-made fibers. Imports of ladies slacks like or directly competitive with those produced at Lake Manufacturing Company are included in the category of women's, misses, and children slacks. Imports decreased from 144 million units in 1972 to 110 units in 1974. The ratios of imports to domestic consumption and production decreased from 40.7 percent and 68.7 percent, respectively in 1972 to 32.5 percent and 48.2 percent in 1974.

The evidence developed by the Department's investigation indicated that customers of Lake Manufacturing Company decreased purchases because of fashion changes, styling requirements and the company's inability to meet delivery schedules. These customers did not report shifting purchases from Lake Manufacturing to foreign sources.

Additionally, increased costs and difficulties in obtaining basic materials caused cutbacks in production. Shortly thereafter, the company laid off employees. The continuing decline in sales associated with a reduction in orders for ladies slacks is attributable to the general downturn in the economy. The plant closed in January 1975.

Conclusion

After careful review of the facts obtained in the investigation, I conclude that increases of imports like or directly competitive with ladies slacks produced at the Easton, Pennsylvania plant of Lake Manufacturing Company did not contribute importantly to the total or partial separations of the workers at such plant.

Signed at Washington, D.C. this 9th day of December 1975.

James F. Taylor,
Director,
Planning and Evaluation Staff.

[FR Doc.75-34289 Filed 12-18-75;8:45 am]

[TA-W-196, 235]

LOUIS GOLDSMITH, INC.

Negative Determination Regarding Eligibility To Apply for Worker Adjustment Assistance

In accordance with Section 223 of the Trade Act of 1974 the Department of Labor herein presents the results of TA-W-196, 235: investigation regarding certification of eligibility to apply for worker adjustment assistance as prescribed in Section 222 of the Act.

The investigation was initiated on September 26, 1975 in response to a worker petition received on September 26, 1975 which was filed by the Amalgamated Clothing Workers of America on behalf of workers formerly producing men's suits and trousers at the Souderton, Pennsylvania plant of Louis Goldsmith, Inc., a division of Kayser-Roth Corp., a subsidiary of Gulf & Western Corp. The investigation was expanded on October 14, 1975 in response to a worker petition received on October 14, 1975 which was filed by the Amalgamated Clothing Workers of America on behalf of workers formerly producing men's suits and sportcoats at the firm's Philadelphia, Pennsylvania plant.

The notices of investigation were published in the Federal Register (40 FR 46373;49828) on October 7 and 24, 1975. No public hearing was requested and none was held.

The information upon which the determination was made was obtained principally from officials of Louis Goldsmith, its customers, the U.S. Department of Commerce, the National Cotton Council of America, industry analysts, and Department files.

In order to make an affirmative determination and issue a certificate of eligibility to apply for adjustment assistance, each of the group eligibility requirements of Section 222 of the Trade Act of 1974 must be met:

(1) That a significant number or proportion of the workers in such workers' firm or an appropriate subdivision on the firm have become totally or partially separated, or are threatened to become totally or partially separated,

(2) That sales or production, or both, of such firm or subdivision have decreased absolutely, and

(3) That increases of imports of articles like or directly competitive with articles produced by such workers' firm or appropriate subdivision thereof contributed importantly to such total or partial separation, or threat thereof, and to such decline in sales or production.

For purposes of paragraph (3), the term "contributed importantly" means a cause which is important but not necessarily more important than any other cause.

Significant Total or Partial Separations

The average number of hourly workers employed at Louis Goldsmith's Philadelphia, Souderton, Norristown and Sassamansville plants declined 34 percent, 12 percent, 4 percent and 19 percent, respectively, in the first nine months (five months in the case of Souderton which closed in May 1975) of 1975, compared to the like peirod in 1974.

Sales or Production, or Both, Have Decreased Absolutely

Production at Goldsmith's Philadelphia, Souderton and Norristown plants declined 25 percent, 30 percent and 39 percent, respectively, from 1973 to 1974, while production increased 5 percent at the Sassamansville plant. In the first nine months (five months in the case of Souderton) of 1975, production at the Philadelphia, Souderton and Sassamansville plants declined 38 percent, 22 percent and 32 percent, respectively, while production at the Norristown plant increased 42 percent, compared to the like periods in 1974.

Increased Imports Contributed Importantly

From 1973 to 1974, imports of men's tailored suits, trousers and overcoats decreased absolutely and as a ratio to domestic production and consumption. During the same period, imports of men's tailored sportcoats decreased absolutely but increased as a ratio to domestic production and consumption.

In the first seven months of 1975, imports of men's tailored suits and trousers increased absolutely while imports of men's tailored sportcoats and overcoats decreased absolutely when compared with the like period in 1974.

Declines in production and employment at Goldsmith's Philadelphia, Norristown and Sassamansville plants were caused by the company's loss of sales to domestic competitors. Major customers reduced purchases from Goldsmith in 1974 and 1975 because of frequent and significant price increases on the part of Goldsmith. Those customers shifted orders to other domestic suppliers who offered menswear of comparable quality and styling at substantially lower prices.

The Souderton plant was used exclusively as a contract sewing facility for Raewin Clothes, Inc., another division of Kayser-Roth, from June 1974 to May 1975. During that period, Raewin's sales fell substantially as some of their customers shifted orders to other domestic manufacturers because of dissatisfaction with the quality and styling of Raewin's products. Because of persistent loss of sales to domestic competitors and overcapacity at Goldsmith's remaining plants, officials of Kayser-Roth decided to close the Souderton facility in May 1975.

Conclusion

After careful review of the facts obtained in the investigation, I conclude that increases of imports like or directly competitive with men's tailored suits, sportcoats, trousers and overcoats produced at the Philadelphia, Souderton, Norristown and Sassamansville, Pennsylvania plants of Louis Goldsmith, Inc. did not contribute importantly to the total or partial separation of the workers at such plants.

Signed at Washington, D.C. this 5th day of December 1975.

James F. Taylor,
Director,
Planning and Evaluation Staff.

[FR Doc.75-34290 Filed 12-18-75;8:45 am]

[TA-W-195]

RAEWIN CLOTHES, INC.

Negative Determination Regarding Eligibility To Apply for Worker Adjustment Assistance

In accordance with Section 223 of the Trade Act of 1974 the Department of Labor herein presents the results of TA-W-195: investigation regarding certification of eligibility to apply for worker adjustment assistance as prescribed in Section 222 of the Act.

The investigation was initiated on September 26, 1975 in response to a worker petition received on September 26, 1975 which was filed by the Amalgamated Clothing Workers of America on behalf of workers formerly producing men's suiting coats and trousers at the Quakertown, Pennsylvania plant of Raewin Clothes, Inc., a division of Kayser-Roth Corp., a subsidiary of Gulf & Western Corp.

The notice of investigation were published in the FEDERAL REGISTER (40 FR 46374) on October 7, 1975. No public hearing was requested and none was held.

The information upon which the determination was made was obtained principally from officials of Raewin Clothes, its customers, the U.S. Department of Commerce, the National Cotton Council of America, industry analysts, and Department files.

In order to make an affirmative determination and issue a certification of eligibility to apply for adjustment assistance, each of the group eligibility requirements of Section 222 of the Trade Act of 1974 must be met:

(1) That a significant number or proportion of the workers in such workers' firm or an appropriate subdivision of the firm have become totally or partially separated, or are threatened to become totally or partially separated.

(2) That sales or production, or both, of such firm or subdivision have decreased absolutely, and

(3) That increases of imports of articles like or directly competitive with articles produced by such workers' firm or an appropriate subdivision thereof contributed importantly to such total or partial separation, or threat thereof, and to such decline in sales or production.

For purposes of paragraph (3), the term "contributed importantly" means a cause which is important but not necessarily more important than any other cause.

SIGNIFICANT TOTAL OR PARTIAL SEPARATIONS

The average number of production workers employed at the Quakertown plant declined 11 percent from 1973 to 1974 and declined 56 percent in the first half of 1975 compared to the like period in 1974.

SALES OR PRODUCTION, OR BOTH, HAVE DECREASED ABSOLUTELY

Production at the Quakertown plant declined 16 percent from 1973 to 1974 and declined 85 percent in the first half of 1975 compared to the like period in 1974.

INCREASED IMPORTS CONTRIBUTED IMPORTANTLY

From 1973 to 1974, imports of men's tailored suits decreased absolutely and as a ratio to domestic production and consumption. During the same period, imports of men's tailored sportcoats decreased absolutely but increased as a ratio to domestic production and consumption.

In the first seven months of 1975, imports of men's tailored suits increased absolutely while imports of men's tailored sportcoats decreased absolutely when compared with the like period in 1974.

Raewin sales and production were influenced by the quality and styling of its output and the recession. Notwithstanding increased levels of imports of suits and sportcoats there is no indication that increased import competition was an important factor in the decline in sales or production of the Quakertown facility.

Kayser-Roth Corp., the parent firm of Raewin Clothes, decided to close the Quakertown facility in June 1975 after Raewin proved ineffective in competing with other domestic manufacturers of menswear. Major customers of Raewin Clothes substantially reduced orders in recent seasons because of unpopular styling and poor quality of Raewin's products and because of decreased demand associated with the recession. Those customers that were dissatisfied with Raewin's products shifted purchases to other domestic rather than foreign manufacturers.

CONCLUSION

After careful review of the facts obtained in the investigation, I conclude that increases of imports like or directly competitive with men's tailored suits and sportcoats produced by Raewin Clothes, Inc. did not contribute importantly to the total or partial separation of the workers of such firm.

Signed at Washington, D.C. this 5th day of December 1975.

JAMES F. TAYLOR,
Director,
Planning and Evaluation Staff.

[FR Doc.75-34291 Filed 12-18-75;8:45 am]

[TA-W-188]

WEBSTER CLOTHES, INC.

Negative Determination Regarding Eligibility To Apply for Worker Adjustment Assistance

In accordance with Section 223 of the Trade Act of 1974 the Department of Labor herein presents the results of TA-W-188; investigation regarding certification of eligibility to apply for worker adjustment assistance as prescribed in Section 222 of the Act.

The investigation was initiated on September 26, 1975 in response to a worker petition received on that date which was filed by the Amalgamated Clothing Workers of America on behalf of workers and former workers producing men's suits, sportcoats and pants at the Westminster, Maryland plant of Webster Clothes Inc., Baltimore, Maryland.

The notice of investigation was published in the FEDERAL REGISTER (40 FR 46376) on October 7, 1975. No public hearing was requested and none was held.

The information upon which the determination was made was obtained principally from officials of Webster Clothes, its customers, the U.S. Department of Commerce, the U.S. International Trade Commission, industry analysts, and Department files.

In order to make an affirmative determination and issue a certification of eligibility to apply for adjustment assistance, each of the group eligibility requirements of Section 222 of the Trade Act of 1974 must be met:

(1) That a significant number or proportion of the workers in such workers' firm or an appropriate subdivision of the firm have become totally or partially separated, or are threatened to become totally or partially separated,

(2) That sales or production, or both, of such firm or subdivision have decreased absolutely, and

(3) That increases of imports of articles like or directly competitive with articles produced by such workers' firm or an appropriate subdivision thereof contributed importantly to such total or partial separation, or threat thereof, and to such decline in sales or production.

For purposes of paragraph (3), the term "contributed importantly" means a cause which is important but not necessarily more important than any other cause.

SIGNIFICANT TOTAL OR PARTIAL SEPARATIONS

Employment remained stable from 1972 through 1973. In 1974, the average number of production workers decreased 24 percent. The plant closed in October 1974.

SALES OR PRODUCTION, OR BOTH, HAVE DECREASED ABSOLUTELY

Production at the Westminster, Maryland plant declined 40 percent from fiscal 1973 to fiscal 1974. Sales data were not available as the company only produced on order from Webster Clothes. Sales data were equal to production data.

INCREASED IMPORTS CONTRIBUTED IMPORTANTLY

Imports of men's and boys' suits, like or directly competitive with those produced at the Westminster, Maryland plant increased relatively from 1971 to 1973 then declined in 1974.

The ratios of imports to domestic production and consumption of men's and boys' suits increased from 6.0 and 5.7 percent, respectively in 1971 to 10.5 and 9.5 percent, respectively in 1973. The ration of imports to production declined slightly from 1973 to 1974; then increased sharply from 7.7 percent in the

first 7 months of 1974 to 22.1 percent for the same period in 1975.

Imports of men's and boys' sportcoats increased from 1971 to 1974.

The ratios of imports to domestic production and consumption of men's and boys' sportcoats increased from 12.9 and 11.4 percent, respectively in 1971 to 22.3 and 18.2 percent in 1974. The ratio of imports to production increased from 24.5 percent in the first seven months of 1974 to 36.7 percent in the first seven months of 1975.

Imports of men's and boys' trousers increased from 1971 to 1972 then declined thereafter.

The ratios of imports to domestic production and consumption of men's and boys' trousers increased from 16.3 and 14.0 percent, respectively, in 1971 to 25.7 and 20.5 percent in 1972 then declined thereafter to 19.7 and 16.4 percent, respectively in 1974.

The evidence developed by the Department's investigation indicated that the ceasing of production of Webster Clothes' manufacturing division was attributable to the impending sale of their rented plant in Westminster, Maryland to the city of Westminster and their lack of new capital to start up operations elsewhere. The sale was consummated in January, 1975. Webster Clothes' divestiture of its manufacturing operations was also based on a decision to try to compete more successfully as a retail business. Webster currently sells goods supplied by other domestic manufacturers and avoids costly piece good commitments and gains the ability to take quick advantage of retail fashion changes.

CONCLUSION

After careful review of the facts obtained in the investigation, I conclude that increases of imports like or directly competitive with men's suits, sportcoats and pants produced at the Westminster, Maryland plant did not contribute importantly to the total or partial separations of the workers at such plant.

Signed at Washington, D.C. this 4th day of December 1975.

JAMES F. TAYLOR,
Director,
Planning and Evaluation Staff.

[FR Doc.75-34292 Filed 12-18-75;8:45 am]

Wage and Hour Division

INSTITUTIONS OF HIGHER EDUCATION

Certificates Authorizing Employment of Students at Subminimum Wages

Notice is hereby given that pursuant to section 14 of the Fair Labor Standards Act of 1938, as amended, the regulation on employment of full-time students at subminimum wages (29 CFR 519), and Administrative Order No. 621 (36 FR 12819), the institutions of higher education listed in this notice have been granted authority to employ their full-time students outside of the individual student's regularly scheduled hours of instruction at hourly rates not less than 85 percent of the applicable statutory minimum rate specified under section 6 of the Act.

The regulation provides for the authority to be effective on the date a properly completed application is forwarded to the Wage and Hour Division provided applicable conditions of the regulation are met. After review by the Division, the authority may be continued in effect for up to one year from the date the application was forwarded to the Division. The expiration date of the authority granted to a particular institution of higher education listed in this notice occurs between June 20, 1976 and November 20, 1976, inclusive.

The terms and conditions of the regulation further limit the authority to employ full-time students at subminimum wages to not more than 20 hours per week when school is in session, prohibit subminimum wage employment in unrelated trades or businesses such as apartment houses, stores, or other businesses not primarily catering to the students of the institution, and prohibit the hiring of full-time students at subminimum wages for work in a unit or units of the campus where abnormal labor conditions, such as a strike or lockout exist. The authority does not excuse noncompliance with higher standards applicable to full-time students under any other Federal law, State law, local ordinance, or union or other agreement.

Alabama Lutheran Academy & College, Selma, AL.
Alabama, University of, Birmingham, AL.
Alliance College, Cambridge Springs, PA.
American Christian College, Tulsa, OK.
Andrews University, Berrien Springs, MI.
Aquinas Junior College, Nashville, TN.
Asbury Theological Seminary, Wilmore, KY.
Ashland College, Ashland, OH.
Atlantic Christian College, Wilson, NC.
Aurora College, Aurora, IL.
Avilla College, Kansas City, MO.
Baker University, Baldwin City, KS.
Baldwin-Wallace College, Berea, OH.
Baptist Bible College of Pennsylvania, Clarks Summit, PA.
Belhaven College, Jackson, MS.
Bennett College, Greensboro, NC.
Berea College, Berea, KY.
Bethel College, St. Paul, MN.
Brescia College, Owensboro, KY.
Burlington County College, Pemberton, NJ.
Carleton College, Northfield, MN.
Carroll College, Waukesha, WI.
Catawaba College, Salisbury, NC.
Central College, McPherson, KS.
Chadron State College, Chadron, NE.
Charleston, College of, Charleston, SC.
Circleville Bible College, Circleville, OH.
Cleary College, Ypsilanti, MI.
Cleveland State University, Cleveland, OH.
Cloud County Community College, Concordia, KS.
The Colorado College, Colorado Springs, CO.
Columbia Bible College, Columbia, SC.
Concordia College, Moorhead, MN.
Concordia Teachers College, River Forest, IL.
Cowley County Community College, Arkansas City, KS.
Crosier Seminary, Onamia, MN.
Cumberland College, Williamsburg, KY.
Cumberland College of Tennessee, Lebanon, TN.
Davidson College, Davidson, NC.
Dean Junior College, Franklin, MS.
Defiance College, Defiance, OH.
Denison University, Granville, OH.
Doane College, Crete, NE.
Dubuque, University of, Dubuque, IA.
Eastern Kentucky University, Richmond, KY.
Edgewood College, Madison, WI.
Emmanuel College, Franklin Springs, GA.
Emmanuel School of Religion, Johnson City, TN.
Eureka College, Eureka, IL.
Findlay College, Findlay, OH.
Flagler College, Inc., St. Augustine, FL.
Florida Institute of Technology: School of Marine and Environmental Technology, Jensen Beach, FL; Country Club Road Campus and School of Aeronautics, Melbourne, FL; Medical Research Institute, West Melbourne, FL.
Florida Southern College, Lakeland, FL.
Florida State University, Tallahassee, FL.
Francis Marion College, Florence, SC.
Franklin College of Indiana, Franklin, IN.
Freeman Junior College, Freeman, SD.
Gardner-Webb College, Inc., Boiling Springs, NC.
Gateway College of Evangelism, Florissant, MO.
Georgetown College, Georgetown, KY.
Georgia, University of, Athens, GA.
Georgia Southern College, Statesboro, GA.
Gordon College, Wenham, MA.
Greenville College, Greenville, IL.
Grinnell College, Grinnell, IA.
Gustavus Adolphus College, St. Peter, MN.
Hamline University, St. Paul, MN.
Hanover College, Hanover, IN.
Harding School of Bible and Religion, Memphis, TN.
Hartford, University of, West Hartford, CT.
High Point College, High Point, NC.
Hillsdale College, Hillsdale, MI.
Hiram College, Hiram, OH.
Hiwassee College, Madisonville, TN.
Illinois College, Jacksonville, IL.
Illinois Institute of Technology, Chicago, IL.
Illinois Wesleyan University, Bloomington, IL.
Independence Community Junior College, Independence, KS.
Indiana State University: Evansville, IN; Terre Haute, IN.
Iowa Western Community College, Clarinda, IA; Council Bluffs, IA.
Jackson Community College, Jackson, MI.
Jefferson State Junior College, Birmingham, AL.
John B. Stetson University, DeLand, FL.
John Carroll University, Cleveland, OH.
Kansas Wesleyan, Salina, KS.
Kaskaskia College, Centralia, IL.
Keene State College, Keene, NH.
Kentucky Wesleyan College, Owensboro, KY.
King College, Bristol, TN.
Lakeland College, Sheboygan, WI.
Lasell Junior College, Auburndale, MA.
Lehigh University, Bethlehem, PA.
Lincoln Christian College, Lincoln, IL.
Lincoln College, Lincoln, IL.
The Lindenwood Colleges, St. Charles, MO.
Livingstone College, Salisbury, NC.
Loras College, Dubuque, IA.
Louisville, University of, Louisville, KY.
MacMurray College, Jacksonville, IL.
Macon Junior College, Macon, GA.
Malone College, Canton, OH.
Manchester College, North Manchester, IN.
Marion College, Marion, IN.
Mars Hill College, Mars Hill, NC.
Dr. Martin Luther College, New Ulm, MN.
Marycrest College, Davenport, IA.
Maryville College, Maryville, TN.
Memphis State University, Memphis, TN.
Mercer University, Macon, GA.
Methodist College, Fayetteville, NC.
Miami University: Hamilton Campus, Hamilton, OH; Middletown Campus, Middletown, OH; Oxford, OH.

Mid-America Nazarene College, Olathe, KS.
Middlebury College: Middlebury, VT; Ripton, VT.
Midway College, Midway, KY.
Monmouth College, Monmouth, IL.
Mount Holyoke College, South Hadley, MA.
Mount Mercy College, Cedar Rapids, IA.
Mount St. Joseph on the Ohio, College of, Mount St. Joseph, OH.
Mount Union College, Alliance, OH.
Mount Vernon Academy, Mount Vernon, OH.
Mundelein College, Chicago, IL.
Nathaniel Hawthorne College, Antrim, NH.
Nebraska Wesleyan University, Lincoln, NE.
New Hampshire, University System of: Durham, NH; Merrimack Campus, Manchester, NH.
North Carolina Wesleyan College, Rocky Mount, NC.
North Central Michigan College, Petoskey, MI.
North Dakota, University of, Grand Forks, ND.
North Dakota State University, Fargo, ND.
Northeast Missouri State University, Kirksville, MO.
Northern Colorado, University of, Greeley, CO.
Northwestern College, Roseville, MN.
Norwich University, Northfield, VT.
Notre Dame College, Cleveland, OH.
Oak Hills Bible Institute, Bemidji, MN.
Oakland City College, Oakland City, IN.
Oakton Community College, Morton Grove, IL.
Oblate College of the Southwest, Inc., San Antonio, TX.
Oklahoma Christian College, Oklahoma City, OK.
Olivet Nazarene College, Kankakee, IL.
Ottumwa Heights College, Ottumwa, IA.
Pitzer College, Claremont, CA.
Principia College, Elsah, IL.
Rockford College, Rockford, IL.
Rollins College, Winter Park, FL.
Rosary College, River Forest, IL.
Rosemont College, Rosemont, PA.
St. Augustine's College, Raleigh, NC.
St. Francis, College of, Joliet, IL.
St. Johns River Junior College, Palatka, FL.
St. John's University, Collegeville, MN.
St. Mary College, Leavenworth, KS.
St. Mary-of-the-Woods College, St. Mary-of-the-Woods, IN.
St. Norbert College, Depere, WI.
St. Paul Bible College, Bible College, MN.
St. Teresa, College of, Winona, MN.
St. Thomas, College of, St. Paul, MN.
St. Xavier College, Chicago, IL.
Salem College, Winstom-Salem, NC.
San Francisco, University of, San Francisco, CA.
Scarritt College for Christian Workers, Nashville, TN.
Seward County Community College, Liberal, KS.
Shimer College, Mount Carroll, IL.
Shippensburg State College, Shippensburg, PA.
Shorter College, Rome, GA.
Silver Lake College of the Holy Family, Manitowoc, WI.
Smith College, Northampton, MA.
South Carolina, University of: Aiken Regional Campus, Aiken, SC; Salkehatchie Regional Campus, Allendale, SC; Beaufort Regional Campus, Beaufort, SC; Main Campus, Columbia, SC; Coastal Carolina Regional Campus, Conway, SC; Lancaster Regional Campus, Lancaster, SC; Spartanburg Regional Campus, Spartanburg, SC; Sumter Regional Campus, Sumter, SC; Union Regional Campus, Union, SC.
Southern Business College, Birmingham, AL.
Spencerian College, Louisville, KY.
State University of New York: Binghamton, NY; Delhi, NY.
Steubenville, College of, Steubenville, OH.
Sue Bennett College, London, KY.
Tennessee, University of: Chattanooga TN; Agricultural Experiment Station and Substations, Agricultural Extension Service, Knoxville Campus, Memorial Research Center and Hospital and Systems Administration, Knoxville, TN; Martin, TN; Memphis, TN; Nashville, TN; Tullahoma, TN.
Tennessee Wesleyan College, Athens, TN.
Texas State Technical Institute: Harlingen, TX; Sweetwater, TX.
Trinity Christian College, Palos Heights, IL.
Tri-State, College of, Angola, IN.
Tufts University, Medford, MA.
Union College: Barbourville, KY; Lincoln, NE.
Urbana College, Urbana, OH.
Valparaiso University, Valparaiso, IN.
Vermont College, Montpelier, VT.
Waldorf College, Forest City, IA.
Walsh College, Inc., Canton, OH.
Webster College, St. Louis, MO.
West Chester State College, West Chester, PA.
Wheaton College, Wheaton, IL.
Wheelock College, Boston, MA.
Williams College, Williamstown, MA.
Wilmington College, Wilmington, OH.
Wittenberg University, Springfield, OH.
Young Harris College, Young Harris, GA.

The authority has been granted to each institution of higher education upon the representations of the institution which, among other things, were that employment of full-time students at subminimum wages is necessary to prevent curtailment of opportunities for employment, the hiring of full-time students at subminimum wages will not create a substantial probability of reducing the full-time employment opportunities of persons other than those employed under the authority, and such authority will not result in a reduction of the wage rate paid to a current employee. The authority may be annulled or withdrawn in the manner provided in Part 528 of Title 29 of the Code of Federal Regulations. Any person aggrieved by the granting of the authority to any of the institutions listed may seek a review or reconsideration thereof on or before February 2, 1976.

Signed at Washington, D.C., this 15th day of December, 1975.

DONALD T. CRUMBACK,
Authorized Representative of the Administrator.

[FR Doc.75-34294 Filed 12-18-75;8:45 am]

INTERNATIONAL TRADE COMMISSION

[Notice No. 934]

ASSIGNMENT OF HEARINGS

DECEMBER 16, 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 106398 Sub 731, National Trailer Convoy, Inc., application dismissed.
MC 56679 Sub 81, Brown Transport Corp., application dismissed.
MC-C8636, Greyhound Lines, Inc. v Tennessee Trailways, Inc., now being assigned February 18, 1976 (1 day), at Atlanta, Ga.; in a hearing room to be later designated.
MC-F 12321, Akers Motor Lines, Inc.,—Control—Central Motor Lines, Inc., FD 27900, Akers Motor Lines, Inc.,—Securities, and MC-F 12557, Transcon Lines-Purchase (Portion) Central Motor Lines, Inc., Northern Freight Lines Inc., and Akers Motor Lines, Incorporated now being assigned Pre-Hearing Conference December 30, 1975 at the Offices of the Interstate Commerce Commission, Washington, D.C.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.75-34279 Filed 12-18-75;8:45 am]

[Ex Parte No. MC-43]

LEASE AND INTERCHANGE OF VEHICLES BY MOTOR CARRIERS

At a Session of the INTERSTATE COMMERCE COMMISSION, Motor Carrier Leasing Board, held at its office in Washington, D.C., on the 10th day of December, 1975.

It appearing, That a petition has been filed by B F Walker, Inc., (MC-74321 and numerous subs) and Noble Transport, Inc., as the operator (by virtue of temporary authority pursuant to MC-F-12573) of the rights of Ashworth Transfer, Inc. (MC-1872 and various subs), under common control, for waiver of paragraphs (a)(3) and (c) of section 1057.4 of the Lease and Interchange of Vehicles Regulations (49 CFR 1057), concerning equipment leased between petitioners;

It further appearing, That petitioners have a jointly administered program applying the same standards of inspection and maintenance to equipment in accordance with the motor carrier safety regulations of the U.S. Department of Transportation;

It further appearing, That that Department offers no objection to granting the petition, although operations will continue to be monitored by that agency;

It is ordered, That waiver of paragraphs (a)(3) and (c) of § 1057.4, be, and, it is hereby granted provided that the equipment is inspected on the day it is to be leased and found to meet the requirement of the motor carrier safety regulations of the U.S. Department of Transportation and that petitioners remain in satisfactory compliance with those regulations and under common control.

By the Commission, Motor Carrier Leasing Board.

[SEAL] ROBERT L. OSWALD,
Secretary.

[FR Doc.75-34278 Filed 12-18-75;8:45 am]

[Notice No. 143]

Date: December 19, 1975.

MOTOR CARRIER TRANSFER PROCEEDINGS

Application filed for temporary authority under section 210a(b) in connection with transfer application under section 212(b) and Transfer Rules, 49 CFR Part 1132:

No. MC-FC-76236. By application filed December 10, 1975, BEN-K TRUCKING, INC., P.O. Box 1049, Greeley, CO 80631, seeks temporary authority to lease the operating rights of GEORGE BENNETT AND WILLIAM A. WHITE, doing business as BENNETT AND WHITE, also of Greeley, CO 80631, under section 210a (b). The transfer to BEN-K TRUCKING, INC., of the operating rights for GEORGE BENNETT AND WILLIAM A. WHITE, doing business as BENNETT AND WHITE, is presently pending.

By the Commission.

[SEAL] ROBERT L. OSWALD, *Secretary.*

[FR Doc.75-34280 Filed 12-18-75;8:45 am]

MOTOR CARRIER APPLICATIONS AND CERTAIN OTHER PROCEEDINGS

Supplemental Notice

DECEMBER 19, 1975.

The following publications include motor carrier, water carrier, broker, freight forwarder and rail proceedings indexed as follows: (1) Grants of authority requiring republication prior to certification; (2) notices of filing of petitions for modification of existing authorities; (3) new operating right's applications directly related to and processed on a consolidated record with finance applications filed under Sections 5(2) and 212(b); (4) notices of filing of Sections 5(2) and 210a(b) finance applications; and (5) notices of filing of Section 212(b) transfer applications.

Each applicant (except as otherwise specifically noted) states that there will be no significant effect on the quality of the human environment resulting from approval of its application in compliance with the requirements of 49 C.F.R. 1100.250.

Protests to the granting of the requested authority must be filed with the Commission on or before January 19, 1976 (unless otherwise specified). Failure seasonably to file a protest will be construed as a waiver of opposition and participation in the proceeding. A protest should comply with section 247(d) or section 240(c) as appropriate of the Commission's General Rules of Practice which requires that it set forth specifically the grounds upon which it is made, contain a detailed statement of protestant's interest in the proceeding (including a copy of the specific portions of its authority which protestant believes to be in conflict with that sought in the application, and a detailed description of the method—whether by joinder, interline, or other means—by which protestant would use such authority to provide all or part of the service proposed), and shall specify with particularity the facts, matters, and things relied upon, but shall not include issues or allegations phrased generally. Protests not in reasonable compliance with the requirements of the rules may be rejected. The original and one (1) copy of the protest (except for petitions and Finance Dockets under Rule 40 requiring the original and six (6) copies of the protest) shall be filed with the Commission, and a copy shall be served concurrently upon applicant's or petitioner's representative, or applicant or petitioner if no representative is named. If the protest inclules a request for oral hearing, such requests shall meet the requirements of section 247(d)(4) or section 240(c)(4) of the special rules, and shall include the certification required therein.

No. MC-F-12717. Authority sought for control and merger by GARRISON MOTOR FREIGHT, INC., P.O. Box 969, Garrison Place, Harrison, AR 72601, of the operating rights and property of REYCO MOTOR EXPRESS, INC., P.O. Box 6565—South Station, Fort Smith AR 72901, and for acquisition by F. S. GARRISON, AND BEN A. GARRISON, both of Harrison, AR 72601, of control of such rights and property through the transaction. Applicants' attorneys and representative: Louis Tarlowski, 914 Pyramid Life Bldg., Little Rock, AR 72201, R. D. Reynolds, 5412 So. 24th St., Fort Smith, AR 72901, and David A. Sutherland, 1140 Connecticut Ave., N.W., Suite 501, Washington, DC 20036. Operating rights sought to be controlled and merged: *General commodities*, with the usual exceptions, as a *common carrier*, over regular routes, between Fort Smith, and Booneville, Ark., serving no intermediate points, with restriction; and under certificates of registration, in Docket Nos. MC 97270 (Sub-No. 2), MC 97270 (Sub-No. 7), and MC 97270 (Sub-No. 8), covering the transportation of general commodities, as common carriers, in interstate commerce, within the State of Arkansas. GARRISON MOTOR FREIGHT, INC., is authorized to operate as a common carrier in Alabama, Arkansas, Illinois, Kansas, Louisiana, Mississippi, Missouri, Oklahoma, Tennessee and Texas. Application has been filed for temporary authority under section 210a(b).

By the Commission.

[SEAL] ROBERT L. OSWALD, *Secretary.*

[FR Doc.75-34507 Filed 12-18-75;8:45 am]

[MC-28572; MC-28573; FF-451]

BURLINGTON NORTHERN, INC.

Approval To Act as Surety

At a Session of the Interstate Commerce Commission, the Insurance Board, held at its office in Washington, D.C., on the 4th day of December, 1975.

In the mater of Burlington Northern, Inc. assuming the obligation of surety on a bond in behalf of its subsidiary Burlington Northern Air Freight, Inc., under the provision of Section 215, Interstate Commerce Act, and our Rules and Regulations governing the filing and approval of surety bonds, policies of insurance, qualifications as a self-insurer, or other securities and agreements by motor carriers and brokers.

It appearing, That Burlington Northern, Inc. has qualified as a self-insurer of its BI & PD and cargo liability as permitted under Section 215 of the Interstate Commerce Act;

It further appearing, That in Docket No. FF-451 Burlington Northern Air Freight, Inc., a subsidiary of Burlington Northern, Inc., has acquired freight forwarder authority;

It further appearing, That Burlington Northern, Inc. has requested authority to act as a surety for Burlington Northern Air Freight, Inc. for cargo liability under the provision of section 403(c) of the Interstate Commerce Act;

And it further appearing, That this request has been given consideration and is found to be reasonable;

It is ordered, That approval be given to Burlington Northern, Inc. to act as a surety of Burlington Northern Air Freight, Inc. eeffctive December 16, 1975, with respect to its compliance with the cargo security requirements under Section 403(c) of the Act.

By the Commission, Insurance Board.

[SEAL] ROBERT L. OSWALD, *Secretary.*

[FR Doc.75-34281 Filed 12-18-75;8:45 am]

[Notice No. 144]

MOTOR CARRIER BOARD TRANSFER PROCEEDINGS

DECEMBER 19, 1975.

Synopses of orders entered by the Motor Carrier Board of the Commission pursuant to Sections 212(b), 206(a), 211, 312(b), and 410(g) of the Interstate Commerce Act, and rules and regulations prescribed thereunder (49 CFR Part 1132), appear below:

Each application (except as otherwise specifically noted) filed after March 27, 1972, contains a statement by applicants that there will be no significant effect on the quality of the human environment resulting from approval of the application. As provided in the Commission's Special Rules of Practice any interested person may file a petition seeking reconsideration of the following numbered proceedings on or before January 8, 1976. 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-76211. By order of December 19, 1975 the Motor Carrier Board approved the transfer to C. V. Transportation, Inc., Antrim, New Hampshire, of certificate No. MC 140097, issued June 4, 1975, to Rymes Heating Oils, Inc., Antrim, New Hampshire, authorizing the

transportation of wood chips, from points in New Hampshire to points in Maine, New York, and Rhode Island. James T. Rymes, Waverly Street, Antrim, New Hampshire 03440 Representative of applicants.

[SEAL] ROBERT L. OSWALD, *Secretary.*

[FR Doc.75-34283 Filed 12-18-75;8:45 am]

[Notice No. 143]

MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

DECEMBER 15, 1975.

The following are notices of filing of applications for temporary authority under Section 210a(a) of the Interstate Commerce Act provided for under the provisions of 49 CFR 1131.3. These rules provide that an original and six (6) copies of protests to an application may be filed with the field official named in the FEDERAL REGISTER publication no later than the 15th calendar day after the date the notice of the filing of the application is published in the FEDERAL REGISTER. One copy of the protest must be served on the applicant, or its authorized representative, if any, and the protestant must certify that such service has been made. The protest must identify the operating authority upon which it is predicated, specifying the "MC" docket and "Sub" number and quoting the particular portion of authority upon which it relies. Also, the protestant shall specify the service it can and will provide and the amount and type of equipment it will make available for use in connection with the service contemplated by the TA application. The weight accorded a protest shall be governed by the completeness and pertinence of the protestant's information.

Except as otherwise specifically noted, each applicant states that there will be no significant effect on the quality of the human environment resulting from approval of its application.

A copy of the application is on file, and can be examined at the Office of the Secretary, Interstate Commerce Commission, Washington, D.C., and also in the I.C.C. Field Office to which protests are to be transmitted.

MOTOR CARRIERS OF PROPERTY

No. MC 531 (Sub-No. 326TA), filed December 2, 1975. Applicant: YOUNGER BROTHERS, INC., 4904 Griggs Road, P.O. Box 14048, Houston, Tex. 77021. Applicant's representative: Wray E. Hughes (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Chemicals*, in bulk, in tank vehicles, from the facilities of Nalco Chemical at or near Sugar Land, Tex. to all points in the United States (except Alaska and Hawaii), for 180 days. Supporting shipper: Nalco Chemical Company, Inc., 2901 Butterfield Road, Oak Brook, Ill. 60521. Send protests to: District Supervisor, Mensing, 8610 Federal Bldg., 515 Rusk, Houston, Tex. 77002.

No. MC 531 (Sub-No. 327TA), filed December 4, 1975. Applicant: YOUNGER BROTHERS, INC., 4904 Griggs Road, P.O. Box 14048, Houston, Tex. 77021. Applicant's representative: Wray E. Hughes (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Hog mucosa*, in bulk, in tank vehicles, from points in the United States west of Interstate Highway 65 and the Great Lakes to facilities of 3M-Company, at or near Cordova, Ill. Supporting shipper: Minnesota Mining & Manufacturing Company, 3M Center, St. Paul, Minn. 55101. Send protests to: John Mensing, District Supervisor, Interstate Commerce Commission, 8610 Federal Bldg., 515 Rusk, Houston, Tex. 77002.

No. MC 21866 (Sub-No. 82TA), filed December 8, 1975. Applicant: WEST MOTOR FREIGHT, INC., 740 S. Reading Ave., Boyertown, Pa. 19512. Applicant's representative: Alan Kahn, 1920 Two Penn Center Plaza, Philadelphia, Pa. 19102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lenses and reflectors*, from Somerset, Ky., to Boyertown, Pa., for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: Wagner Electric Corporation, 633 McKinley St., Hazleton, Pa. 18201. Send protests to: Monica A. Blodgett, Transportation Assistant, Interstate Commerce Commission, 600 Arch St., Room 3238, Philadelphia, Pa. 19106.

No. MC 28088 (Sub-No. 15TA), filed December 4, 1975. Applicant: NORTH & SOUTH LINES, INCORPORATED, 2710 South Main St., P.O. Box 49, Harrisonburg, Va. 22801. Applicant's representative: John R. Sims, Jr., 915 Pennsylvania Bldg., 425 Thirteenth St., N.W., Washington, D.C. 20004. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Salt and salt products*, in mixed truckload shipments with unfrozen feed and feed materials for other than human consumption (except in bulk, in tank vehicles), from Akron, Ohio, to points in Albermarle, Augusta, Culpepper, Fauquier, Greene, Loudoun, Madison, Page, Rappahannock, Rockingham, Shenandoah, and Warren Counties, Va., for 180 days. Supporting shipper: Diamond Crystal Salt Company, 916 S. Riverside Ave., St. Clair, Mich. 48079. Send protests to: Danny R. Beeler, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 215 Campbell Ave., S.W., Roanoke, Va. 24011.

No. MC 52579 (Sub-No. 146TA), filed December 5, 1975. Applicant: GILBERT CARRIER CORP., One Gilbert Drive, Secaucus, N.J. 07094. Applicant's representative: Fred L. Cardascia (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over iregular routes, transporting: *Wearing apparel*, loose, on hangers, from points in Alabama, Georgia, Kentucky, North Carolina, South Carolina, and Tennessee; to points in Dallas and Fort Worth, Tex., Commercial Zones and to Los Angeles, Calif., for 180 days. Supporting shipper: Montgomery Ward & Co., Inc., 393 Seventh Ave., New York, N.Y. 10001. Send protests to: Robert E. Johnston, District Supervisor, Interstate Commerce Commission, 9 Clinton St., Newark, N.J. 07102.

No. MC 61403 (Sub-No. 236TA), filed December 5, 1975. Applicant: THE MASON AND DIXON TANK LINES, INC., Highway 11-W, Kingsport, Tenn. 37662. Applicant's representative: Charles E. Cox (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Chemicals*, in bulk, from the facilities of Nalco Chemical Company, at or near Sugar Land, Tex., to all points in the United States (except Alaska and Hawaii), for 180 days. Supporting shipper: Nalco Chemical Company, Inc., 2901 Butterfield Road, Oak Brook, Ill. 60521. Send protests to: Joe J. Tate, District Supervisor, Bureau of Operations, Interstate Commerce Commission, Suite A-422, U.S. Courthouse, 801 Broadway, Nashville, Tenn. 37203.

No. MC 97310 (Sub-No. 21TA), filed November 26, 1975. Applicant: SHARRON MOTOR LINES, INC., P.O. Box 5636, Meridian, Miss. 39301. Applicant's representative: John P. Carlton, 903 Frank Nelson Bldg., Birmingham, Ala. 35203. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except Classes A and B explosives and commodities which by reason of size or weight require the use of special equipment), (1) between Centre, Ala., and Atlanta, Ga.; from Centre over Alabama Highway 9 to the Alabama-Georgia State Boundary line, thence over Georgia Highway 20 to Rome, Ga., thence over U.S. Highway 411 to junction U.S. Highway 41, thence over U.S. Highway 41 to Marietta, Ga., thence over Interstate Highway 75 to Atlanta, and return over the same route, serving all intermediate points between Centre and Rome, including Rome; (2) between Centre, Ala., and Birmingham, Ala.; from Centre over U.S. Highway 411 to Junction U.S. Highway 278 at or near Gadsden, Ala., thence over U.S. Highway 278 to junction U.S. Highway 11, at or near Attalla, Ala., thence over U.S. Highway 11 to Birmingham, and return over the same route, serving all intermediate points; (3) between the junction of U.S. Highway 278 and U.S. Highway 411 at or near Gadsden, Ala., and Montgomery, Ala.; from the junction of U.S. Highway 278 and U.S. Highway 411 over U.S. Highway 411 to junction Alabama Highway 77, thence over Alabama Highway 77 to junction Alternate U.S. Highway 231 at or near Lincoln, Ala., thence over Alternate U.S. Highway 231 to junction U.S. Highway 231 at or near Sylacauga, Ala., thence over U.S. Highway 231 to Montgomery, and return over the same route, serving all intermediate points; (4) between the junction of Interstate Highway 59 and U.S. Highway 278 at or near Gadsden, Ala., and Montgomery, Ala.; from the junction of Interstate

Highway 59 and U.S. Highway 278 over Interstate Highway 59 to junction Interstate Highway 65, thence over Interstate Highway 65 to Montgomery, and return over the same route, serving all intermediate points, and operating over U.S. Highway 31 between Birmingham, Ala., and Montgomery, Ala., for such portions of Interstate Highway 65 which have not yet been completed.

Between the junction of Alabama Highway 68 and U.S. Highway 411 at or near Leesburg, Ala., and Tuscumbia, Ala.; from the junction of Alabama Highway 68 and U.S. Highway 411 over Alabama Highway 68 to junction U.S. Highway 11, thence over U.S. Highway 11 to junction Alabama Highway 117 at or near Hammondville, Ala., thence over Alabama Highway 117 to junction U.S. Highway 72, thence over U.S. Highway 72 to Florence, Ala., thence over U.S. Highway 72 (Bus.) to Tuscumbia, and return over the same route, serving all intermediate points; (6) between the junction of Alabama Highway 68 and U.S. Highway 11 and the junction of Alabama Highway 35 and U.S. Highway 72 at or near Scottsboro, Ala.; from the junction of Alabama Highway 68 and U.S. Highway 11 over Alabama Highway 68 to junction Interstate Highway 59, thence over Interstate Highway 59 to junction Alabama Highway 35, thence over Alabama Highway 35 to junction U.S. Highway 72, and return over the same route, serving all intermediate points; (7) between the junction of U.S. Highway 278 and U.S. Highway 11 at or near Attalla, Ala., and Tuscumbia, Ala.; from the junction of U.S. Highway 278 and U.S. Highway 11 over U.S. Highway 278 to Cullman, Ala., thence over Interstate Highway 65 to junction Alabama Highway 157, thence over Alabama Highway 157 to junction U.S. Highway 72 (Bus.), thence over U.S. Highway 72 (Bus.) to Tuscumbia, and return over the same route, serving all intermediate points; (8) between the junction of Interstate Highway 65 and Alabama Highway 157 and the junction of Alternate U.S. Highway 72 and Alabama Highway 157; from the junction of Interstate Highway 65 and Alabama Highway 157 over Interstate Highway 65 to junction Alabama Highway 67, thence over Alabama Highway 67 to junction U.S. Highway 31, thence over U.S. Highway 31 to junction Alternate U.S. Highway 72 at or near Decatur, Ala., thence over Alternate U.S. Highway 72 to junction Alabama Highway 157, and return over the same route, serving all intermediate points.

(9) Between the junction of Interstate Highway 65 and Alabama Highway 67 and Huntsville, Ala.; from the junction of Interstate Highway 65 and Alabama Highway 67 over Interstate Highway 65 to junction Alternate U.S. Highway 72, thence over Alternate U.S. Highway 72 to Huntsville, and return over the same route, serving all intermediate points; (10) between the junction of U.S. Highway 278 and U.S. Highway 231 and Huntsville, Ala.; from the junction of U.S. Highway 278 and U.S. Highway 231 to Huntsville, and return over the same route, serving all intermediate points; (11) between the junction of U.S. Highway 411 and Alabama Highway 77 and Selma, Ala.; from the junction of U.S. Highway 411 and Alabama Highway 77 over U.S. Highway 411 to junction Alabama Highway 119 at or near Leeds, Ala., thence over Alabama Highway 119 to junction Alabama Highway 25 at or near Montevallo, Ala., thence over Alabama Highway 25 to junction Alabama Highway 139, thence over Alabama Highway 139 to junction Alabama Highway 22 at or near Maplesville, Ala., thence over Alabama Highway 22 to Selma, and return over the same route, serving all intermediate points; (12) between the junction of Alabama Highway 139 and Alabama Highway 25 and Marion, Ala.; from the junction of Alabama Highway 139 and Alabama Highway 25 over Alabama Highway 25 to junction Alabama Highway 5 at or near Centerville, Ala., thence over Alabama Highway 5 to junction Alabama Highway 14, thence over Alabama Highway 14 to Marion, and return over the same route, serving all intermediate points; (13) between Atlanta, Ga., and Meridian, Miss.; from Atlanta over U.S. Highway 78 to Birmingham, Ala., thence over U.S. Highway 11 (also over Interstate Highway 59) to Meridian, and return over the same route, serving all intermediate points located in Alabama between Birmingham and the Alabama-Mississippi State line, including Birmingham; (14) between Atlanta, Ga., and Montgomery, Ala; from Atlanta over Interstate Highway 85 to Montgomery, and return over the same route, using U.S. Highway 29 and Alternate U.S. Highway 27 for such portions of Interstate Highway 85 as are not yet completed.

(15) Between Birmingham, Ala., and Huntsville, Ala.; from Birmingham over Interstate Highway 65 to junction Alternate U.S. Highway 72, thence over Alternate U.S. Highway 72 to Huntsville, and return over the same route, as an alternate route for operating convenience only, serving no intermediate points, but serving Birmingham and Huntsville for purposes of joinder only; (16) between all points in Alabama lying within the area bounded by a line beginning at the junction of the Alabama-Mississippi State line and U.S. Highway 80; thence over U.S. Highway 80 to Montgomery, thence over U.S. Highway 31 to Birmingham; thence over U.S. Highway 78 to the Alabama-Georgia State line; thence along the Alabama-Georgia State line to the conjunction of the Alabama-Georgia-Tennessee State lines; thence along the Alabama-Tennessee State line to the conjunction of the Alabama-Tennessee-Mississippi State lines; thence along the Alabama-Mississippi State line to U.S. Highway 80;

(17) In conjunction with routes (1) and (13), serving all points in the commercial zone of Atlanta, Ga.; and, in conjunction with route (1), serving the commercial zone of all intermediate points between Centre, Ala., and Rome, Ga., including Rome, Ga. Applicant seeks authority to join all of the routes named above with each other at all common points of service. Applicant also seeks authority to tack routes (2), (3), (4), (11), (12), (13), (14) and (15) with its existing regular-route authority at common service points, specifically, Birmingham, Montgomery, Marion and Selma, Ala.; and Meridian, Miss. The effect of applicant's request for authority to perform such tacking operations will be to enable it to provide through service between Atlanta, Ga., on the one hand, and, on the other, all points in Alabama lying within the area bounded by a line beginning at the junction of the Alabama-Mississippi State line and U.S. Highway 80; thence over U.S. Highway 80 to Montgomery; thence over U.S. Highway 31 to Birmingham; thence over U.S. Highway 78 to the Alabama-Georgia State line; thence along the Alabama-Georgia State line to the conjunction of the Alabama-Georgia-Tennessee State lines; thence along the Alabama-Tennessee State line to the conjunction of the Alabama - Tennessee - Mississippi State lines; thence along the Alabama-Mississippi State line to U.S. Highway 80, and all points in Alabama presently served by applicant over its existing regular routes which are shown on the appended map in blue; and points on applicant's regular route in Mississippi which authorizes service to and from all points in Mississippi on U.S. Highway 80. The proposed routes of applicant are as follows: (A) Proposed Routes (2) and (15) will be tacked with applicant's existing regular-route authority at Birminghan, Ala.; (B) Proposed Routes (3), (4) and (14) will be tacked with applicant's existing regular-route authority at Montgomery, Ala.; (C) Proposed Route (11) will be tacked with applicant's existing regular-route authority at Selma, Ala.; (D) Proposed Route (12) will be tacked with applicant's existing regular-route authority at Marion, Ala.; (E) Proposed Route (13) will be tacked with applicant's existing regular-route authority at Meridian, Miss. In addition, applicant proposes and seeks authority to interline with all other carriers serving the same points it serves and proposes to serve. Such interline would take place primarily at Atlanta, Ga.; Birmingham, Gadsen, Decatur, Florence, Montgomery, Selma, Demopolis and Tuscaloosa, Ala.; Jackson, Meridian and Vicksburg, Miss., for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shippers: There are approximately 183 statements of support attached to the application, which may be examined at the Interstate Commerce Commission in Washington, D.C., or copies thereof which may be examined at the field office named below. Send protests to: Alan C. Tarrant, District Supervisor, Interstate Commerce Commission, Room 212, 145 East Amite Bldg., Jackson, Miss. 39201.

No. MC 10556 (Sub-No. 117TA), filed December 4, 1975. Applicant: SAM TANKSLEY TRUCKING, INC., P.O. Box 1119, Cape Girardeau, Mo. 63701. Appli-

cant's representative: Thomas F. Kilroy, P.O. Box 624, Springfield, Va. 22150. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Chinaware, earthenware, and pottery*, from Lancaster, Ohio, to points in Arizona, California, Idaho, Montana, Nevada, New Mexico, Oregon, Utah and Washington, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: Anchor Hocking Corporation, 100 North Broad St., Lancaster, Ohio 43130. Send protests to: J. P. Werthmann, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room 1465, 210 N. 12th St., St. Louis, Mo. 63101.

No. MC 106077 (Sub-No. 369TA), filed December 4, 1975. Applicant: ROBERTSON TANK LINES, INC., 2000 West Loop South, Suite 1800, Houston, Tex. 77027. Applicant's representative: J. C. Browder (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Clay, processed clay, and clay slurry*, in bulk, in tank vehicles, from Attapulgus, Ga., to Tulsa, Okla., for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: Engelhard Minerals & Chemicals, Menlo Park, Edison, N.J. 08817. Send protests to: John Mensing, District Supervisor, Interstate Commerce Commission, 515 Rusk, Room 8610 Federal Bldg., Houston, Tex. 77002.

No. MC 109462 (Sub-No. 27TA), filed December 3, 1975. Applicant: LUMBER TRANSPORT, INC., P.O. Drawer L, Madisonville, Ky. 42431. Applicant's representative: Carl U. Hurst (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Gypsum, gypsum wallboard, gypsum joint cement, and related commodities* (except commodities in bulk, in tank vehicles), from Acme, Tex., to points in Kansas, for 180 days. Supporting shipper: Joel T. Blalock, Manager, Freight Rates, Research, Audit and Service, Georgia-Pacific Corporation, 900 S.W. Fifth Ave., Portland, Oreg. 97204. Send protests to: Elbert Brown, Jr., District Supervisor, Bureau of Operations, 426 Post Office Bldg., Louisville, Ky. 40202.

No. MC 110420 (Sub-No. 749TA), filed December 4, 1975. Applicant: QUALITY CARRIERS, INC., P.O. Box 186, Pleasant Prairie, Wis. 53158. Applicant's representative: Joseph K. Reber (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Spent brewers yeast*, in bulk, in tank vehicles, from Milwaukee, Wis., to South Plainfield, N.J., for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: Southeastern Wisconsin Products Co., Inc., 500 W. Edgerton Ave., Milwaukee, Wis. 53207. Send protests to: John E. Ryden, Interstate Commerce Commission, 135 West Wells St., Room 807, Milwaukee, Wis. 53203.

No. MC 110525 (Sub-No. 1139TA), filed December 5, 1975. Applicant: CHEMICAL LEAMAN TANK LINES, INC., 520 East Lancaster Ave., Downingtown, Pa. 19335. Applicant's representative: Thomas J. O'Brien (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Chemicals*, in bulk, in tank vehicles, from the facilities of Nalco Chemical at or near Sugar Land, Tex., to all points in the United States (except Alaska and Hawaii), restricted against liquid chemicals to points in Connecticut, Delaware, the District of Columbia, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Vermont and West Virginia, for 180 days. Supporting shipper: Nalco Chemical Company, Inc., 2901 Butterfield Road, Oak Brook, Ill. 60521. Send protests to: Monica A. Blodgett, Transportation Assistant, Interstate Commerce Commission, 600 Arch St., Room 3238, Philadelphia, Pa. 19106.

No. MC 111729 (Sub-No. 592TA), filed December 3, 1975. Applicant: PUROLATOR COURIER CORP., 3333 New Hyde Park Road, New Hyde Park, N.Y. 11040. Applicant's representative: Elizabeth L. Henoch (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum samples, and related business papers*, between Richmond, Va., on the one hand, and, on the other, Madisonville, Campbellsville and Lexington, Ky.; Huntington and Clarksburg, W. Va.; Baltimore, Md.; and Seaford, Del., for 90 days. Supporting shipper: Southern States Cooperative, Inc., P.O. Box 1656, 7th & Main St., Richmond, Va. 23213. Send protests to: Anthony D. Giaimo, District Supervisor, Interstate Commerce Commission, 26 Federal Plaza, New York, N.Y. 10007.

No. MC 111729 (Sub-No. 593TA), filed December 3, 1975. Applicant: PUROLATOR COURIER CORP., 3333 New Hyde Park Road, New Hyde Park, N.Y. 11040. Applicant's representative: Elizabeth L. Henoch (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Proofs, cuts, copy, artwork, manuscripts, and related materials*, between Jonesboro, Ark., and Memphis, Tenn., restricted to the transportation of traffic having an immediately prior or subsequent movement by air, and (2) *Drugs, toiletries, chemicals, medicine and compressed air*, restricted against the transportation of shipments weighing in excess of 150 pounds, in the aggregate, from one consignor to one consignee on any one day, between points in Arizona, restricted to the transportation of traffic having an immediately prior or subsequent movement by air, rail, or motor vehicle, and further restricted to traffic moving to or from the facilities of Avon Products, Inc., for 180 days. Supporting shippers: (1) W. A. Krueger Company, Jonesboro, Ark. (2) Avon Products, Inc., Monrovia, Calif. Send protests to: Anthony D. Giaimo, District Supervisor, Interstate Commerce Commission, 26 Federal Plaza, New York, N.Y. 10007.

No. MC 111729 (Sub-No. 594TA), filed December 3, 1975. Applicant: PUROLATOR COURIER CORP., 3333 New Hyde Park Road, New Hyde Park, N.Y. 11040. Applicant's representative: Elizabeth L. Henoch (same address as applicant). Authority sought to operate at a *common carrier*, by motor vehicle, over irregular routes, transporting: (1)(a) *Business papes, records, audit and accounting media of all kinds*, and *advertising materials;* (b) Drug samples, between Alexandria, Va., on the one hand, and, on the other, Akron, Canton, East Liverpool, Salem, Tallmadge, and Youngstown, Ohio; Burnham, Carlisle, Chambersburg, Harrisburg, Hershey, Lancaster, Lebanon, Lemoyne, Philadelphia, Plymouth Meeting, Reading, Springfield, State College and York, Pa., and (2)(a) *Business papers, records, and audit and accounting media of all kinds;* (b) *Emergency small automobile parts*, restricted against the transportation of packages or articles weighing more than 50 pounds per package or 100 pounds in the aggregate from one consignor to one consignee on any one day, from Lanham, Md., to Washington, D.C., National Airport, from Logan Airport, Mass., to Auburn, Augusta, Bangor, Brunswick, Ellsworth, Portland, Presque Isle, Rockland, Rumford, Saco, and Waterville, Maine, East Providence, Johnston, Middletown, Providence, and Wakefield, R. I.; Claremont, Concord, Keene, Laconia, Manchester, Nashua, Portsmouth, and Rochester, N. H.; and points in Massachusetts, restricted to the transportation of traffic having an immediately prior movement by air, for 180 days. Supporting shippers: Peoples Service Drugs Stores, Inc., Alexandria, Va. Volkswagen of America, Inc., Lanham, Md. Send protests to: Anthonh D. Giaimo, District Supervisor, Interstate Commerce Commission, 26 Federal Plaza, New York, N.Y. 10007.

No. MC 112750 (Sub-No. 322 TA), filed December 8, 1975. Applicant: PUROLATOR COURIER, CORP., 3333 New Hyde Park Road, New Hyde Park, N.Y. 11040. Applicant's representative: Elizabeth L. Henoch (same address as applicant). Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Commercial papers, documents, and written instruments*, from Crosset, Dermott, El Dorado, Eudora, Hamburg, Monticello, and Strong, Ark., to Moneor, La., under a continuing contract with Ouachita National Bank, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: Ouachita National Bank in Monroe, Monroe, La 71201. Send protests to: Anthony D. Giaimo, District Supervisor, Interstate Commerce Commission, 26 Federal Plaza, New York, N.Y. 10007.

No. MC 116077 (Sub-No. 368 TA), filed December 3, 1975. Applicant: ROBERT-

SON TANK LINES, INC., 2000 West Loop South, Suite 1800, Houston, Tex. 77027. Applicant's representative: J. C. Browder (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Chemicals*, in bulk, in tank vehicles, from the facilities of Nalco Chemical Company, at or near Sugar Land, Tex., to all points in the United States (except Alaska and Hawaii), for 180 days. Supporting shipper: Nalco Chemical Company, Inc., 2901 Butterfield Road, Oak Brook, Ill. 60521. Send protests to: Mensing, District Supervisor, 8610 Federal Bldg., 515 Rusk, Houston, Tex. 77002.

No. MC 117068 (Sub-No. 57 TA), filed December 2, 1975. Applicant: MIDWEST SPECIALIZED TRANSPORTATION, INC., P.O. Box 6418, North Highway 63, Rochester, Minn. 55901. Applicant's representative: Paul F. Sullivan, 711 Washington Bldg., Washington, D.C. 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lumber and lumber products*, from points in Washington, Oregon, Idaho and Montana, to points in Minnesota, North Dakota, South Dakota, Illinois, Iowa and Wisconsin, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: Emmer Bros., Inc., 6800 France Ave., S., Edina, Minn. 55435. Send protests to: A. N. Spath, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 414 Federal Bldg., & U.S. Courthouse, 110 S. 4th St., Minneapolis, Minn. 55401.

No. MC 123407 (Sub-No. 276 TA), filed December 4, 1975. Applicant: SAWYER TRANSPORT, INC., South Haven Square U.S. Highway 6, Valparaiso, Ind. 46383. Applicant's representative: Stephen H. Loeb (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel bars*, from the plantsite of North Star Steel Co., at Newport, Minn., to Tulsa, Okla., for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: North Star Steel Company, 1400 Red Rock Road, St. Paul, Minn. 55165. Send protests to: J. H. Gray, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 345 West Wayne St., Room 204, Fort Wayne, Ind. 46802.

No. MC 124887 (Sub-No. 20 TA), filed December 4, 1975. Applicant: SHELTON TRUCKING SERVICE, INC., Route 1, Box 230, Altha, Fla. 32421. Applicant's representative: Sol H. Proctor, 1107 Blackstone Bldg., Jacksonville, Fla. 32202. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Gypsum products and commodities* used in connection with the distribution and installation of gypsum products when moving in the same vehicle and at the same time as gypsum products, from Savannah, Ga., to points in Florida, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: The Flintkote Company, 480 Central Ave., East Rutherford, N.J. 07073. Send protests to: G. H. Fauss, Jr., District Supervisor, Bureau of Operations, Interstate Commerce Commission, Box 35008, 400 West Bay St., Jacksonville, Fla. 32202.

No. MC 125916 (Sub-No. 4 TA), filed December 4, 1975. Applicant: THERON E. COON, doing business as THERON E. COON TRUCKING CO., 2330 South 7200 West, Magna, Utah 84044. Applicant's representative: Macoy A. McMurray, 500 Kennecott Bldg., Salt Lake City, Utah 84133. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Asphalt paving, non-metallic rock and sand*, in bulk, from points in Salt Lake County, Utah, to the R. L. Fraley Gasification Plant Construction site, located approximately 35 miles southeast of Rock Springs, Wyo., on Wyoming Highway 30, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: Monroe, Inc., 1730 Beck St., P.O. Box 537, Salt Lake City, Utah 84110. Send protests to: Lyle D. Helfer, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 5301 Federal Bldg., 125 South State St., Salt Lake City, Utah 84138.

No. MC 127840 (Sub-No. 43 TA), filed December 2, 1975. Applicant: MONTGOMERY TANK LINES, INC., 17550 Fritz Drive, Lansing, Ill. 60438. Applicant's representative: William H. Towle, 180 N. LaSalle St., Chicago, Ill. 60601. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Hog mucosa*, in bulk, from points in the United States west of Interstate Highway 65 and the Great Lakes to the facilities of the 3M Company, at or near Cordova, Ill., for 180 days. Supporting shipper: Minnesota Mining and Manufacturing Co., M. D. Hill, Planning & Evaluation Supervisor, Transportation Department 224–12, 3M Center, St. Paul, Minn. 55101. Send protests to: Patricia A. Roscoe, Transportation Assistant, Interstate Commerce Commission, Everett McKinley Dirksen Bldg., 219 S. Dearborn St., Room 1086, Chicago, Ill. 60604.

No. MC 128527 (Sub-No. 58 TA), filed December 3, 1975. Applicant: MAY TRUCKING COMPANY, P.O. Box 398, Payette, Idaho 83661. Applicant's representative: C. Marvin May (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel articles and iron and steel pipe and fittings*, from points in Los Angeles and Orange Counties, Calif., to points in Ada, Canyon, Payette and Washington Counties, Idaho, for 180 days. Supporting shippers: There are approximately 7 statements of support attached to the application, which may be examined at the Interstate Commerce Commission in Washington, D.C., of copies thereof which may be examined at the field office named below. Send protests to: Barney L. Hardin, District Supervisor, Interstate Commerce Commission, 550 W. Fort St., Box 07, Boise, Idaho 83724.

No. MC 129624 (Sub-No. 5 TA), filed December 5, 1975. Applicant: ROUTE MESSENGERS OF PENNSYLVANIA, INC., 4007 Ludlow St., Philadelphia, Pa. 19104. Applicant's representative: Alan Kahn, 1920 Two Penn Center Plaza, Philadelphia, Pa. 19102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Copying machine parts and supplies*, no single parcel or package to exceed 100 pounds in weight, from Pennsauken, N.J., to points in New Castle and Kent Counties, Del., for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: Xerox Corporation, 7001 Westfield Ave., Pennsauken, N.J. Send protests to: Monica A. Blodgett, Transportation Assistant, Interstate Commerce Commission, 600 Arch St., Room 3238, Philadelphia, Pa. 19106.

No. MC 133562 (Sub-No. 16 TA), filed December 5, 1975. Applicant: HOLIDAY EXPRESS CORPORATION, P.O. Box 115, Estherville, Iowa 51334. Applicant's representative: Merle Johnson (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fresh beef and pork gullets, livers and lungs*, (1) from Sioux Falls, S. Dak., to the plantsite of Richland Foods, Inc., at Estherville, Iowa; (2) from the plantsite of Richland Foods, Inc., to Estherville, Iowa to Camp Hill, Pa., for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: Richland Foods, Inc., Suite 415, 1st Bank & Trust Bldg., Richardson, Tex. 75080. Send protests to: Herbert W. Allen, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 875 Federal Bldg., Des Moines, Iowa 50309.

No. MC 134922 (Sub-No. 153 TA), filed November 28, 1975. Applicant: B. J. McADAMS, INC., Route 6, Box 15, North Little Rock, Ark. 72118. Applicant's representative: Bob McAdams (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Rubber products* (except commodities in bulk, and those which because of size or weight require the use of special equipment), from Akron and Columbus, Ohio, to points in Arizona, Montana, Idaho, Oregon, Washington, California, Nevada, Utah, Colorado and Wyoming, for 180 days. Supporting shipper: Triple "S" Tire Center, Inc., 412 Madison St., Petaluma, Calif. 94952. Send protests to: William H. Land, Jr., District Supervisor, 3108 Federal Office Bldg., 700 West Capitol, Little Rock, Ark. 72201.

No. MC 135384 (Sub-No. 16 TA), filed December 4, 1975. Applicant: SPECIALIZED TRUCK SERVICE, INC., Highway 81 & Interstate 75, McDonough, Ga. 30253. Applicant's representative: Frank D. Hall, Suite 713, 3384 Peachtree Road NE., Atlanta, Ga. 30326. Authority sought to operate as a *common carrier*, by motor

vehicle, over irregular routes, transporting: *Malt beverages, related advertising material and empty malt beverage containers*, between Pabst, Houston County, Ga., and points in Texas and between San Antonio, Tex., and points in Tennessee, Virginia, Illinois and Washington, D.C., for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shippers: Pabst Brewing Company, (Georgia Div.), Georgia Highway Spur #247, Perry, Ga. 31069. Lone Star Brewing Company, 600 Lone Star Blvd., San Antonio, Tex. 78206. Send protests to: William L. Scroggs, District Supervisor, Interstate Commerce Commission, 1252 W. Peachtree St. NW., Room 546, Atlanta, Ga. 30309.

No. MC 135797 (Sub-No. 45 TA), filed December 4, 1975. Applicant: J. B. HUNT TRANSPORT, INC., P.O. Box 200, Lowell, Ark. 72745. Applicant's representative: L. C. Cypert (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Polystyrene shapes and forms, and disposable plastic tableware*, from the plantsite and warehouses of the Mobil Chemical Company, located at or near Temple, Tex., to points in Arkansas, Colorado, Kansas, Kentucky, Louisiana, Mississippi, Missouri, New Mexico, Oklahoma and Tennessee, for 180 days. Supporting shipper: Mobil Oil Corporation, 8350 North Central Expressway, #522, Dallas, Tex. 75206. Send protests to: William H. Land, Jr., 3108 Federal Office Bldg., 700 West Capitol, Little Rock, Ark. 72201.

No. MC 136066 (Sub-No. 8 TA), filed December 4, 1975. Applicant: G. P. SULLIVAN COMPANY, 1808 S. Laramie Ave., Cicero, Ill. 60605. Applicant's representative: Karl L. Gotting, 1200 Bank of Lansing Bldg., Lansing, Mich. 48933. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Household appliances* of S. S. Kresge Company, K-Mart Division, Randy & Associates, Inc., and Sunray Stove Company, from Chicago, Ill., and its commercial zone to points in Kenosha, Walworth and Racine Counties, Wis., and Lake, Porter, LaPorte, Starke, Pulaski, Newton and Jasper, Counties, Ind., for 180 days. Supporting shippers: S. S. Kresge Co., J. B. Hinton, Regional Merchandise Manager, 72 Randhurst, Mt. Prospect, Ill. Randy & Associated, Inc., Dick Norris, Internal Sales Coordinator, 5853 W. Lawrence Ave., Chicago, Ill. 60630. Sunray Stove Company, Mark Montgomery, V. P. Midwest Reg., Manager, 3 N. 930 Bonnie Drive, St. Charles, Ill. 60174. Send protests to: Patricia A. Roscoe, Transportation Assistant, Interstate Commerce Commission, Everett McKinley Dirksen Bldg., 219 S. Dearborn St., Room 1086, Chicago, Ill. 60604.

No. MC 136531 (Sub-No. 4TA), filed December 5, 1975. Applicant: LUISI TRUCK LINES, INC., P.O. Box 606, Milton-Freewater, Oreg. 97862. Applicant's representative: Philip Skofstad, 3076 E. Burnside St., Portland, Oreg. 97214. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Frozen fruit and vegetables, between* Milton-Freewater, Oreg., and Walla Walla, Wash., under a continuing contract with Western Farmers Association, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: Western Farmers Association, 201 Elliott Ave., West Seattle, Wash. 98119. Send protests to: W. J. Huetig, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 114 Pioneer Courthouse, Portland, Oreg. 97204.

No. MC 136669 (Sub-No. 8 TA), filed July 28, 1975, published in the FEDERAL REGISTER issue of August 11, 1975, and republished this issue. Applicant: PROCESSED BEEF EXPRESS, INC., P.O. Box 522, Dakota City, Nebr. 68731. Applicant's representative: Eugene D. Anderson, 1224 17th St. NW., Washington, D.C. 20036. By order of Division 1, acting as an Appellate Division dated December 8, 1975, applicant was granted 180-days temporary authority as a *common carrier* to transport, over irregular routes, *liquor, wines, spirits and alcoholic beverages*, from the facilities of Schenley Distillers, located at Lawrenceburg, Ind.; Frankfort, Ky.; and Schenley, Pa., to points in Chicago, Ill.; Fargo, N. Dak.; and the points within the Minneapolis-St. Paul, Minn. commercial zone. The purpose of this republication is to reflect that applicant was granted common carrier authority, in lieu of contract carrier authority.

Notice to parties: The General Rules of Practice of the Commission provide that petitions for reconsideration of the action of Division 1 may be filed within thirty days following service of notice of such action and that an original and six copies of such petition be filed. Petition should contain a statement certifying that one copy has been served on each party of record in this proceeding.

No. MC 136916 (Sub-No. 12 TA), filed December 3, 1975. Applicant: LENAPE TRANSPORTATION CO., INC., P.O. Box 227, Lafayette, N.J. 07848. Applicant's representative: Bert Collins, Suite 6193, 5 World Trade Center, New York, N.Y. 10048. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Salt and salt products*, in bulk, in dump vehicles, for the account of International Salt Company, from New York, N.Y., to Bethel, Bridgeport, Darien, Greenwich, Hamden, Milford, New Canaan, New Haven, Norwalk, Stamford, Stratford, Trumbull, Weston, Westport, and Wilton, Conn., for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: International Salt Company, 30 Buxton Farm Road, Merritt Plaza, Stamford, Conn. 06902.

No. MC 138578 (Sub-No. 5 TA), filed December 5, 1975. L. C. W. TRUCKING, INC., P.O. Box 718, Edinburg, Tex. 78539. Applicant's representative: L. C. Waller (same address as applicant). Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Frozen nutria*, in bags, from points in Jefferson, LaFourche, Iberia, Vermilion, Cameron, St. Mary and Terrebonne Parishes, La., to points in Hidalgo and Cameron Counties, Tex., under a continuing contract with Summersgill Enterprises, Inc., for 180 days. Supporting shipper: Summersgill Enterprises, Inc., 1819 South Bayou Drive, Golden Meadow, La. 70357. Send protests to: Richard H. Dawkins, District Supervisor, Interstate Commerce Commission, Bureau of Operations, Room B-400 Federal Bldg., San Antonio, Tex. 78205.

No. MC 139882 (Sub-No. 3 TA), filed December 3, 1975. Applicant: GLEN M. BARNEY, doing business as GLEN BARNEY & SONS, 198 North Third East, Salina, Utah 84654. Applicant's representative: D. Michael Jorgensen, 1515 Walker Bank Bldg., P.O. Box 2465, Salt Lake City, Utah 84110. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Coal*, in bulk, from the mine sites of Southern Utah Fuel in Sevier County, Utah, to rail loading facilities in Juab County, Utah, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: Wycon Chemicals Company, P.O. Box 1287, Cheyenne, Wyo. 82001. Send protests to: Lyle D. Helfer, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 5301 Federal Bldg., 125 South State St., Salt Lake City, Utah 84138.

No. MC 139885 (Sub-No. 3 TA), filed December 3, 1975. Applicant: ART J. ROBINSON, doing business as, ART ROBINSON & SONS, 95 North Second East, Salina, Utah 84654. Applicant's representative: D. Michael Jorgensen, 1515 Walker Bank Bldg., P.O. Box 2465, Salt Lake City, Utah 84110. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Coal*, in bulk, from the mine sites of Southern Utah Fuel in Sevier County, Utah, to rail loading facilities in Juab County, Utah, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: Wycon Chemicals Company, P.O. Box 1287, Cheyenne, Wyo. 82001. Send protests to: Lyle D. Helfer, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 5301 Federal Bldg., 125 South State St., Salt Lake City, Utah 84138.

No. MC 140763 (Sub-No. 4 TA), filed November 25, 1975. Applicant: ONEIDA-COLUMBUS EXPRESS COMPANY, P.O. Box 356, Oneida, Tenn. 37841. Applicant's representative: Marshall Kragen, 805 McLachlen Bank Bldg., 666 Eleventh St., NW., Washington, D.C. 20001. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Carbon black*, in flo-bins and (2) *Empty flo-bins*, (1)

from Sunray and Borger, Tex., and Sterlington and Ville Platte, La., to Oneida, Tenn., and (2) from Oneida, Tenn., to Sunray and Borger, Tex., and Sterlington and Ville Platte, La., under a continuing contract with B. F. Goodrich Company, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: B. F. Goodrich Tire Company, 500 South Main St., Akron, Ohio 44318. Send protests to: Joe J. Tate, District Supervisor, Bureau of Operations, Interstate Commerce Commission, Suite A-422, U.S. Courthouse, 801 Broadway, Nashville, Tenn. 37203.

No. MC 141362 (Sub-No. 2TA), filed December 4, 1975. Applicant: GEORGE A. SPARKS, doing business as, ESCONDIDO TRUCK & EQUIPMENT, 630 Daisy, Escondido, Calif. 92027. Applicant's representative: William J. Monheim, P.O. Box 1756, 15942 Whittier Blvd., Whittier, Calif. 90609. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Animal and poultry feed and feed supplements, dry*, in bulk, from points in Maricopa, Pinal and Yuma Counties, Ariz., to points in Imperial Los Angeles, Orange, Riverside, San Bernardino, and San Diego Counties, Calif., for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: Wilbur-Ellis Company, 5025 E. Washington, Suite 101, Phoenix, Ariz. 85034. Send protests to: Mildred I. Price, Transportation Assistant, Interstate Commerce Commission, Room 1321 Federal Bldg., 300 Los Angeles, Calif. 90012.

No. MC 141483 (Sub-No 1 TA), filed December 8, 1975. Applicant: VALCON PACKAGE DELIVERY, INC., 3822 West St., Landover, Md. 20785. Applicant's representative: Charles E. Judd III (same address as applicant). Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Merchandise, equipment and supplies*, sold, used or distributed by a manufacturer of cosmetics, for the account of Avon Products, Inc., from Landover, Md., to points in Loudon, Fauquier, Fairfax, Prince William, Rappahannock, Stafford, Culpepper, Spotsylvania, King George, and Westmoreland Counties, Va., restricted to residential homes and apartments only, under a contract with Avon Products, Inc., for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: Avon Products, Inc., 2100 Ogletown Road, Newark, Del. 19711. Send protests to: Interstate Commerce Commission, 12th & Constitution Ave., NW., Room B-317, W. C Hersman, District Supervisor, Washington, D.C. 20423.

No. MC 141554 (Sub-No. 1 TA), filed December 4, 1975. Applicant: EDWARD J. PETRILA, 4355 Hattrick Road, Rootstown, Ohio 44272. Applicant's representative: Edward J. Petrila (same address as applicant). Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Empty, new, produce baskets*, from Creston and Hartville, Ohio, on the one hand, and, on the other, Lake Placid, Fla., under a continuing with D. Tope & Sons, Inc., for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: D. Tope & Sons, Inc., P.O. Box 127, Lake Placid, Fla. 33852. Send protests to: James Johnson, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 181 Federal Office Bldg., 1240 East Ninth St., Cleveland, Ohio 44199.

No. MC 141562 TA, filed December 3, 1975. Applicant: CIRCLE S TRUCKING, INC., 1308 S. W. Gamma Court, Pendleton, Oreg. 97801. Applicant's representative: Russell M. Allen, 1200 Jackson Tower, Portland, Oreg. 97205. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lumber, forest products, and wood products* (except wood residuals), between points in Grant, Umatila and Morrow Counties, Oreg., on the one hand, and, on the other, points in Benton, Franklin, and Walla Walla Counties, Wash., for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shippers: Blue Mountain Forest Products, Inc., P.O. Box 1161, Pendleton, Oreg. 97801. Karren Lumber Products, Inc., P.O. Box 926, Walla Walla, Wash. Van Peten Lumber Co., Inc., P.O. Box 1698, Walla Walla, Wash. 99362. Send protests to: W. J. Huetig, District Supervisor, Bureau of Operations, Interstate Commerce Commission, 114 Pioneer Courthouse, Portland, Oreg. 97204.

By the Commission.

[SEAL] ROBERT L. OSWALD, *Secretary.*

[FR Doc.75-34282 Filed 12-18-75;8:45 am]

federal register

FRIDAY, DECEMBER 19, 1975



PART II:

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Human Development Office

■

VOCATIONAL REHABILITATION PROGRAMS AND PROJECTS

Evaluation Standards

Title 45—Public Welfare

CHAPTER IV—SOCIAL AND REHABILITATION SERVICE (REHABILITATION PROGRAMS), DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

PART 410—EVALUATION STANDARDS

Revocation of Part

CROSS REFERENCE: For a document issued by the Department of Health, Education, and Welfare, Office of Human Development (Rehabilitation Programs) revising and transferring the provisions of Part 410 to Title 45, Chapter XIII, Part 1370, see FR Doc. 75-34095, also appearing in this Part II of the issue.

CHAPTER XIII—OFFICE OF HUMAN DEVELOPMENT (REHABILITATION PROGRAMS) DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

PART 1370—EVALUATION STANDARDS

Standards for Evaluating Vocational Rehabilitation Programs and Projects; Implementation Provisions

In the FEDERAL REGISTER of July 2, 1974 (39 FR 24366), Interim Regulations setting forth Standards for Evaluating Programs and Projects under the Rehabilitation Act of 1973 (Pub. L. 93-112) were published as a new Part 410 of Chapter IV of Title 45 of the Code of Federal Regulations.

Part 410 stated that the purposes of the Standards are to establish criteria for evaluating program effectiveness, for increasing program accountability, and for encouraging State vocational rehabilitation agencies to conduct more comprehensive evaluation of their programs. Data collected from the Standards were to be used to compare programs and projects in deciding whether to renew or supplement financial assistance pursuant to section 401(b) of the Rehabilitation Act of 1973. Part 410 defined various terms unique to the rehabilitation process and to the Statistical Reporting System described in the regulations of the Rehabilitation Services Administration. The methodology section stated that the implementation of the Standards is both a State and Federal responsibility and that four separate issues would be addressed in the application of the Standards: Impact on the target population; degree of change in reaching gainful activities goals through rehabilitation services; program performance in meeting the priority for providing services to the severely handicapped; and effectiveness of a program in utilizing available resources.

Following the statement of the principal objectives of the Rehabilitation Act of 1973, nine General Standards for Program Evaluation were set forth under three headings: persons served; program efficiency; and client outcomes. Subsumed under each of the nine Standards were various data elements which set forth statistical processes intended to measure the program under evaluation. Performance levels were not set in the original publication. Development and publication, however, were assured by the end of Fiscal Year 1975.

The publication of Interim Regulations provided for the submittal of comments within 30 days of publication, ending August 3, 1974. This period of comment was extended to September 3, 1974. All comments received by September 30, 1974 were carefully considered as a part of the revision process. During the months following the publication of the Interim Regulations, State, Regional and Central Office rehabilitation personnel engaged in extensive field study of the Standards and related data elements. Therefore, revisions to the Interim Regulations were made on the basis of comments received and the experience gained from working with the Standards.

Thirteen letters were received containing 56 specific major criticisms and numerous general observations regarding the various sections and data elements contained in the Interim Regulations. The comments were from State Vocational Rehabilitation Agency Directors, private organizations, the National Association of Councils of State Governments, Federal staff members and the Council of State Administrators of Vocational Rehabilitation.

Revisions were made to the Interim Regulations to accomplish the following purposes: (a) Clarify ambiguities surrounding various terms; (b) eliminate gross errors; (c) establish consistency with other regulations, reporting requirements and definitions; (d) remove confusion regarding the purposes and uses of the Standards in relation to forthcoming performance levels; and (e) provide for uniform data reporting and processing procedures.

The most significant comments and the Department's decisions concerning them are presented in the following paragraphs:

1. Numerous comments were received about the lack of clarity concerning the purpose and use of the Standards as expressed in § 410.1(a), particularly with regard to measuring program performance on the basis of data "in aggregate."

Experience gained while working with the Interim Regulations substantiated this lack of clarity and raised an additional and related issue in § 410.1(c), that the existence of data elements under specific Standards does not "insure" acceptable performance with regard to the various concerns expressed by the "standards" statements. Accordingly, the Department is clarifying in paragraphs (a) and (c) of § 410.1 that the Standards are not to be used primarily for comparison purposes, either between States or between disability groups, but rather are to be used for measuring overall program performance and impact and for assisting the Secretary to analyze and make necessary programmatic decisions.

Additionally, clarification is made that the performance levels which have been established reflect measures of central tendency with adequate levels of statistical significance to permit reasonable program variation, thus offering a criterion by which acceptable program performance can be both judged and "insured."

2. There were many comments that pointed out errors and deficiencies in the definitions in § 410.2, paragraphs (c)(5) and (c)(6) which cite 30 days after the obtaining of suitable employment as the minimum time before case closure can be effected. Since the Regulations require a minimum period of 60 days before closure can be effected, these paragraphs have been modified accordingly.

Comments were also raised concerning the omission of various needed definitions to provide for clarity and consistency in complying with the Standards. Specifically requested were definitions for the terms "cases accepted" and "cases served." Experience in working with the Interim Regulations indicated that additional definitions concerning statuses contained in the RSA Statistical Reporting System would be helpful in eliminating further ambiguity. In response, the Department has added definitions of "Status 06, Extended Evaluation" and of "Statuses 10 through 24" which pertain to active cases.

Finally, a thorough examination of this section revealed that paragraph (c) contained an incorrect reference to the source of the Statistical Reporting System definitions. This error has been corrected.

3. The Departmental review of the Interim Regulations indicated that § 410.3 on methodology did not adequately treat matters concerning implementation of and compliance with the Standards set forth in § 410.5. For this reason the Department has completely revised this Section in order to provide information necessary for methodological guidance to State agency personnel involved with the implementation of these regulations. Two States specifically cited the need for this Section to address levels of statistical significance. These concerns have been addressed in the revised methodology section.

One respondent raised specific criticism regarding the instruction for each State to "report on a self-evaluation." Although this reference is not now included in the Section on methodology, the Department's position in this issuance and in other agency regulations is that States are required to conduct ongoing studies and evaluation of their agency's performance. With regard to the Secretary's Standards, however, the evaluation and analyses conducted for decision-making purposes will be made by the Secretary in accordance with section 401(b) of the Rehabilitation Act of 1973.

4. Two comments were received concerning the statement of the objectives of the rehabilitation program in § 410.4: the first alleges inconsistency with the statutory objectives established in the Rehabilitation Act of 1973; the second

asserts the lack of precision in defining "quality vocational rehabilitation services" in paragraph (a). In response to the first comment, the Department notes that the respondent compared the objectives set forth in the Interim Regulations with the language of Section 2, Declaration of Purpose, of the Rehabilitation Act of 1973 (Pub. L. 93–112). It was not the intention of the Department in these regulations simply to repeat that declaration of purpose, but rather to set forth more general objectives of the rehabilitation program. No change has been made in this section, since the Department feels that the statements as presented are not inconsistent with the overall objectives of the rehabilitation program. With regard to the matter of "quality vocational rehabilitation services," the Department was not addressing problems of definition in § 410.4(a) and does not intend to interpret that term in this issuance.

5. The majority of the comments received dealt specifically with the general standards for evaluation set forth in § 410.5. Criticisms and suggestions addressed each of the nine Standards and nearly all of the data elements subsumed under each Standard. Many of the objections resulted from a misunderstanding concerning the statement of Standards and data elements without any specification of performance levels. Most of the comments received dealt with misapplication of information resulting from the RSA Statistical Reporting System; inconsistencies regarding the use of terms and units of measurement; the lack of processing or procedural guidance; and the difficulty of providing information on newly-implemented programs that lack regulations and guidelines upon which specific program performance can be measured.

In addition to the observations and criticism received from the field, the experience amassed by Central and Regional staff of the Rehabilitation Services Administration and Vocational Rehabilitation State agency personnel and University-based technicians revealed that the overall logic, consistency, style, and reporting burden were such that massive revision, particularly to the data elements, was essential to assure program information of such quality that accurate analyses could be carried out by the Secretary in his decision-making process.

For this reason, revision has been made to the data elements subsumed under each Standard statement.

More specifically, the Department has made the following general revisions:

(a) An analysis of each Standard was made and data elements logically related to that Standard were chosen so that the reporting burden of State agencies would either be maintained or decreased.

(b) Data elements were developed which are consistent with reports contained in the RSA Statistical Reporting System and with statistical procedures applicable to that system, or which require States to carry out information-gathering or follow-up studies to produce information related specifically to relevant program activities;

(c) Duplicative data elements were eliminated;

(d) Data elements relating to new State agency programs that lack adequate Federal guidance were reworked to permit some latitude in planning and preparing agency response;

(e) In order to establish consistency, either statutory or regulatory language was used, consistent measures of central tendency were applied, and a consistent style of presentation was used.

(f) Performance levels for each standard have been established.

After promulgation of these Regulations, guidelines will be issued by the Department to provide the additional information and technical assistance necessary to assure full implementation of the Secretary's Standards for program evaluation in conformance with the Rehabilitation Act of 1973, as amended, and the Regulations.

It is also noted that the regulations for vocational rehabilitation programs and activities have been removed from Chapter IV of Title 45 of the Code of Federal Regulations and relocated in Chapter XIII which will cover all programs administered by the Office of Human Development within the Department of Health, Education, and Welfare. Regulations covering the evaluation standards for vocational rehabilitation services programs, formerly published in Part 410, are now found in Part 1370. It will be necessary therefore for State vocational rehabilitation agencies and other rehabilitation agencies to revise previously published State policy materials which include citations to Federal vocational rehabilitation regulations in order to conform with the revised organization of the Code of Federal Regulations.

Accordingly, the regulations as revised are hereby adopted. Chapter IV of Title 45 of the Code of Federal Regulations is amended by revoking Part 410, and Chapter XIII of Title 45 of the Code of Federal Regulations is amended by adding Part 1370 as follows:

Sec.

1370.1 Purpose of standards.
1370.2 Definitions.
1370.3 Methodology.
1370.4 Objectives of the rehabilitation program.
1370.5 General standards for evaluation.

AUTHORITY: Sec. 400(b), 97 Stat. 386 (29 U.S.C. 780(b)).

§ 1370.1 Purpose of standards.

(a) The general standards include measures of program performance which address overall program impact, as well as the effectiveness of certain program elements. Their structure is sufficiently specific to provide guidance with respect to required data elements, yet broad enough to allow individual States to augment the requirements by including results of their own evaluations and experience. Federal personnel will work with State agencies and others to improve these Standards and the methods by which they are applied.

(b) The purposes of these standards are:

(1) To establish criteria for the evaluation of program effectiveness, i.e., the degree to which the rehabilitation system is accomplishing its stated objectives;

(2) To increase program accountability by focusing on those demonstrated processes generally agreed to increase program effectiveness;

(3) To require State agencies to carry out more comprehensive evaluation of their programs to determine if the program goals are being achieved within resource capabilities and if not, the reasons therefore.

(c) Data collected in response to these general standards will be analyzed and utilized by the Secretary "in deciding * * * whether to renew or supplement financial assistance" pursuant to section 401(b) of the Rehabilitation Act of 1973. However, before such actions are initiated, States which are found to be more than one standard deviation from the mean in established standards will be afforded ample time and opportunity to explain variances and seek consultation or technical assistance, or enter into negotiations in order to resolve problems at issue.

§ 1370.2 Definitions.

(a) *Program.* A program is any continuing activity which is funded by the Rehabilitation Services Administration (RSA).

(b) *Project.* A project is a discrete activity with a definite termination date.

(c) *Cases accepted.* A case is accepted once it is placed in or has passed through Status 10.

(d) *Cases served.* A case is served if it is or has been in one of the active caseload statuses (i.e. 10 through 24) during the reporting period.

(e) *Statistical Reporting System Caseload Statuses (as defined in section 3005.00 of the Rehabilitation Services Manual)*—(1) *Status 00. Referral.* This status represents entrance into the vocational rehabilitation process. A referral is defined as any individual who has applied to or been referred to the vocational rehabilitation agency by letter, by telephone, by direct contact, or by any other means; and for whom the following minimum information has been furnished: name and address, disability, age and sex, date of referral, and source of referral;

(2) *Status 02. Applicant.* As soon as the referred individual (Status 00) signs a document requesting vocational rehabilitation services, he is placed into Status 02 and is designated as an applicant. Generally, the document will be an agency application form, but a letter signed by an individual who provides the minimum basic referral information and requests service should also be considered as a basis for placing the individual in Status 02. This is important, since the applicant must be notified in writing if

his request for vocational rehabilitation services has been denied, and the only certain basis for determining that the individual has knowledge of having been referred is by the existence of a document signed by the individual;

(3) *Status 06. Extended Evaluation.* (i) An applicant should be placed in this status when the counselor has certified the applicant for extended evaluation. Individuals placed in this status may not remain in the status longer than eighteen consecutive months from the date of certification but may be moved from this status to either Status 10 or 08 at any time prior to the expiration of the 18-month period if it is determined that, either (A) there is a reasonable expectation that the individual can benefit in terms of employability (Status 10), or (B) there is no reasonable likelihood that he can benefit in terms of employability (Status 08). No time allowances can be made for interruptions during this period regardless of the nature of, or reason for, the interruptions.

(ii) Prior to or simultaneously with acceptance of an individual for services for purposes of determination of rehabilitation potential (extended evaluation), there will be a certification of: (A) the presence of a physical or mental disability, (B) the existence of a substantial handicap to employment, and (C) the inability to make a determination that vocational rehabilitation services may benefit the individual in terms of employability. An individualized written rehabilitation program is required concurrently with or reasonably soon after execution of the certificate of eligibility for extended evaluation services.

(4) *Status 08. Closed From Referral, Applicant, or Extended Evaluation Statuses.* This status has been provided to furnish a means for identifying all persons not accepted for vocational rehabilitation services, whether closed from referral status (00), applicant status (02), or extended evaluation (06). All persons processed through referral, applicant, and/or extended evaluation, and not accepted into the active caseload for vocational rehabilitation services, will be closed in this status. A certificate of ineligibility is required for a closure in Status 08, except when the client becomes unavailable for services. A copy of the Form RSA-300, properly completed, dated, and signed is sufficient certification of ineligibility for these cases, provided case documentation includes specific detailed reasons for the closure action;

(5) *Status 10. Individualized Written Rehabilitation Program Development.* While a client is in this status, the case study and diagnosis is completed to provide a basis for the formulation of the individualized written rehabilitation program. A comprehensive case study is basic to determining the nature and scope of services to be provided in order to accomplish the vocational rehabilitation objective of the individual. The counselor and client formulate and plan the rehabilitation services necessary to the solution of the client's problem, and those services are clearly outlined to him. The individual remains in this status until his rehabilitation program is written and approved;

(6) *Statuses 10–24. Active Caseload Statuses.* Active caseload statuses begin with the development of the individualized written rehabilitation program (Status 10). A client is placed in Status 12 when his individualized written rehabilitation program has been approved. Statuses 14, 16 and 18 are the in service statuses and are provided for case progress designations to indicate the kind or kinds of services given to the client to prepare him for employment. Status 14 indicates counseling and guidance only; Status 16 designates physical and mental restoration, and Status 18 is the training status. A client is placed in Status 20 when he has completed training and is ready for employment. Status 22 indicates the client has been placed in employment. Status 24, service interrupted, is recorded if services are interrupted while the client is in one of the Statuses, 14, 16, 18, 20 or 22;

(7) *Status 26. Closed Rehabilitated.* Cases closed as rehabilitated must as a minimum have been declared eligible, have received appropriate diagnostic and related services, have had a program for vocational rehabilitation services formulated, have completed the program insofar as possible, have been provided counseling as an essential rehabilitation service, and have been determined to be suitably employed for a minimum of 60 days;

(8) *Status 28. Closed Other Reasons After Individualized Written Rehabilitation Program Initiated.* Cases closed in this category must have been declared eligible, have received appropriate diagnostic and related services and have had a program for vocational rehabilitation services formulated, but have not completed the program and/or have not been provided counseling, and/or have not been determined to be suitably employed for a minimum of 60 days;

(9) *Status 30. Closed Other Reasons Before Individualized Written Rehabilitation Program Initiated.* Cases closed in this category are those cases which, although accepted for rehabilitation services, did not progress to the point that rehabilitation sevices were actually initiated under a rehabilitation plan.

(f) *Upper performance level.* The upper performance level for a data element is defined as the average value (of all agency averages) for the data element, plus one standard deviation. (The average and the standard deviation are computed over the population of individual agency averages.)

(g) *Lower performance level.* The lower performance level for a data element is defined as the average value (of all agency averages) for the data element, minus one standard deviation. (The Average and the standard deviation are computed over the population of the individual agency averages.)

§ 1370.3 Methodology.

(a) Implementation of the General Standards is both a State and a Federal responsibility.

(b) (1) Evaluation of vocational rehabilitation programs. (i) Each State will be asked to submit information based on the most recent information available, addressing the specific data elements described under each general standard. In addition, States may describe the results of any other evaluation activities undertaken in these areas.

(ii) A principal concern of both the State and Federal VR programs is the interpretation of the compared values for each data element associated with the General Standards. The data elements were selected as descriptors of the various VR State activities. It is intended that the collection of data elements specified under each Standard characterize the essential quantitative aspects of the concept embodied in the Standard. The performance levels for each data element were set at one standard deviation above and below national or regional averages.

(iii) Although the performance levels do represent relatively high or low limits for values of the data elements, it does not necessarily follow that, because a State VR agency falls outside of the performance range specified for each data element, the agency is doing a particularly exceptional or poor job with respect to the VR program concept represented by the Standard. It is quite possible that many agencies, even those having extreme values for certain data elements, are exhibiting quite satisfactory performance with respect to certain programmatic goals. Furthermore, it is recognized that there are many reasons why States may reasonably differ substantially with respect to the data elements: local demographic conditions, nature of the population served, agency policy and philosophy. It is in this context that it is intended that the data element performance levels provide a basis for recognizing unusual program features, leading to a better understanding of overall program performance. From the viewpoint of the individual VR agency, it is perhaps the year-to-year changes in the values of the data elements that will provide the greatest insight into program performance, rather than the agency-to-agency differences.

(2) Information on certain of the data elements may not be readily available to States. Examples of such data may include follow-up information, counselor data and caseload management information. In such instances, States are expected to conduct periodic sample surveys to obtain the required data. Further information on the allowable statistical significance of these studies, as well as on the frequency of performance, will be provided in guidelines.

(c) Evaluation of vocational rehabilitation projects. Projects are to be judged by the extent to which they would contribute to improvement in the normal vocational rehabilitation program performance, as measured by the evaluation standards. Following are specific criteria according to which projects will be evaluated:

(1) Specificity of goals (to be evaluated before project is approved);

(2) Extent to which project benefits the vocational rehabilitation program;
(3) Feasibility of transferring to the vocational rehabilitation program knowledge acquired from the project.
(d) Validation of data. In order to validate the appropriateness and accuracy of information submitted as it relates to the Standards in question, particularly 2(vi), 5, 6, 7(ii) and 9, instruments prepared for such validation may be administered.

§ 1370.4 Objectives of the rehabilitation program.

The principal objectives of the Rehabilitation Act of 1973 are:
(a) To maintain and improve State-Federal programs of quality vocational rehabilitation services and to redirect the public rehabilitation program towards the expansion of services to the severely handicapped;
(b) To provide the opportunity for active participation by the client in the development of the client's individualized written rehabilitation program;
(c) To provide special attention to target groups whose rehabilitation problems are known to be difficult;
(d) To promote the elimination of barriers in the environment which impede the handicapped in employment, housing, and transportation;
(e) To utilize to the fullest possible extent community, State and Federal resources in the rehabilitation of the client and the extent to which those funds are marshalled to increase and improve:
(1) The supply of trained rehabilitation manpower;
(2) Rehabilitation knowledge and techniques;
(3) Rehabilitation facilities;
(f) To promote and expand employment opportunities in the public and private sectors for handicapped individuals and to place individuals in gainful activities;
(g) To provide education to the general public and handicapped population about the rehabilitation of the handicapped and to disseminate information pertaining to rehabilitation;
(h) To develop a process of evaluation as to the effectiveness of present programming on different disability groups.

§ 1370.5 General standards for evaluation.

The evaluation standards address four basic issues: the degree to which the entire eligible population is reached and affected; the degree of change experienced towards the goal of gainful employment which occurs as a result of vocational rehabilitation services; the extent to which the program meets the mandated priority to provide services to the severely handicapped; and the efficiency with which the program utilizes available resources to accomplish its goals. This section sets forth the general evaluation standards. Standards are grouped under three headings: persons served, program efficiency and outcomes. Under each standard various data elements are listed. Performance levels are cited for each data element. The normal range for a data element is specified in terms of upper and lower performance levels, which are set one standard deviation above and below national or regional averages of the data element. A performance level one standard deviation above the mean is the "upper performance level". A performance level one standard deviation below the mean is the "lower performance level". In most cases the performance level range is closed only on one end; i.e., only an upper or lower performance level, whichever is appropriate, is specified. If an upper performance level is specified, the data element would normally have a value below the performance level. If a lower performance level is specified, the data element would normally have a value above the performance level. In certain instances, different performance levels are specified for several different regional groupings. It is emphasized that the performance levels cited for each data element do not represent national or regional averages. Rather, they specify a range of usual values for the data element, and a small portion of agencies would normally exhibit data element values beyond this range. Wherever possible, reports on the data elements should be provided separately for the severely handicapped and the non-severely handicapped. When this is not possible, the use of aggregate data should be indicated. For the latter case (aggregate data), separate performance levels are cited for blind and general agencies.

(a) *Persons served.* In order to assure that the rehabilitation program objectives and priorities, as identified in the Act, are being adhered to, it is necessary to identify the size and characteristics of the eligible population, the extent to which rehabilitation services are made available to the eligible population, and the respective numbers and types of clients who successfully complete the program. Special attention is to be given to an accurate and detailed evaluation of the manner in which services are expanded and improved to the severely handicapped.

(1) *Standard No. 1.* To insure that the rehabilitation program is serving the eligible disabled population and to insure that these services are provided in an equitable manner.

(i) Estimate of the total population eligible for VR services. Describe methodology. This "data element" is not conducive to specification of a quantitative performance level; States should indicate the analytical procedure used to estimate the target population, cite the estimate, and provide an indication of the precision of this estimate (e.g., the standard error of the estimate).

(ii) Number of accepted cases served (Statuses 10 through 30) for the year. No specific performance level is cited for this data element. States should compare the number of accepted cases served to the estimate of the target population (from paragraph (a)(1)(i) of this section), and to their total budget.

(iii) Percent of annual increase or decrease in number of accepted cases served (Statuses 10 through 30). The lower limit for performance on this data element is 0% increase.

(iv) Number of cases closed rehabilitated during the year (Status 26). No specific performance level is cited for this data element. States should compare number of cases closed rehabilitated to other variables, such as the estimate of the target population in paragraph (a)(1)(i) of this section, the number of accepted cases served, and the number of severely disabled cases served.

(v) Accepted cases (Statuses 10 through 24) as a percentage of the total of cases closed not accepted (Status 08) plus those cases accepted (Statuses 10 through 24), i.e.,

$$\frac{\text{Statuses } 10-24}{\text{Status } 08+\text{Statuses } 10-24}$$

The following performance levels are specified for this data element:

General agencies:	
Lower level	0.44
Upper level	.62
Blind agencies:	
Lower level	.34
Upper level	.65

(2) *Standard No. 2.* To insure that rehabilitated clients are placed in gainful employment suitable to their capabilities.

(i) Percent of those placed in competitive employment (wage and salary earners and self-employment). The following lower performance levels are specified for this data element:

	Percent
General agencies	70
Blind agencies	40

(ii) Percent of those placed in noncompetitive employment (sheltered workshops, and others). Upper performance levels for this data element are:

	Percent
General agencies	6
Blind agencies	12

(iii) Percent of those placed as homemakers. Upper performance levels for this data element are:

	Percent
General agencies	18
Blind agencies	42

(iv) Percent of those placed as unpaid family workers. Upper performance levels for this data element are:

	Percent
General agencies	4
Blind agencies	7

(v) Percent of those placed in business enterprise programs. No performance level is specified for this data element.

(vi) Those who received training related to the job family in which they were placed (as identified by the first digit of the Dictionary of Occupational Titles code) as a percentage of the total number who received training. No specific performance level is cited for this data element. If a State is unable to provide the specified information, it should identify reasons why, and out-

line a plan for setting up procedures to collect the required information.

(vii) Mean weekly earnings in the week before referral of all rehabilitated clients, including clients with zero earnings. No performance levels are specified for this data element.

(viii) Mean weekly earnings at closure of all rehabilitated clients, including clients with zero earnings. Lower performance levels for this data element are:

	Dollars
Regions 2, 3, 5, 9:	
General	75
Blind	45
Regions 1, 7, 8, 10:	
General	85
Blind	55
Regions 4, 6:	
General	65
Blind	45

(b) *Program efficiency.* Program elements are evaluated to determine whether there is an optimal usage of available resources to maximize the flow through of clients, while maintaining quality of services.

(1) *Standard No. 3.* To insure that undue delays are avoided in providing clients with VR services.

(i) Mean time from combined referral-applicant statuses (Statuses 00–02) to closed not accepted (Status 08). Upper performance levels for this data element are:

	Months
General agencies	10
Blind agencies	16

(ii) Mean time in extended evaluation (Status 06) for cases closed not accepted (Status 08). Upper performance levels for this data element are:

	Months
General agencies	12
Blind agencies	12

(iii) Mean time from combined referral-applicant statuses (Statuses 00–02) to accepted statuses for cases closed rehabilitated (Status 26) and closed not rehabilitated (Statuses 28–30) during the fiscal year. Upper performance levels for this data element are:

	Months
(A) For status 26:	
General agencies	5
Blind agencies	7
(B) For statuses 28–30:	
General agencies	6
Blind agencies	8

(iv) Mean time in extended evaluation (Status 06) for cases closed rehabilitated (Status 26) and closed not rehabilitated (Statuses 28–30) during the fiscal year. Upper performance levels for this data element are:

	Months
(A) For status 26:	
General agencies	9
Blind agencies	13
(B) For statuses 28–30:	
General agencies	9
Blind agencies	15

(v) Mean time from accepted case statuses (Statuses 10 through 24) to closed rehabilitated (Status 26). Upper performance levels for this data element are:

	Months
General agencies	22
Blind agencies	22

(vi) Mean time in accepted case statuses (Statuses 10 through 24) to closed not rehabilitated after rehabilitation program initiated, (Status 28). Upper performance levels for this data element are:

	Months
General agencies	25
Blind agencies	34

(vii) Mean time in accepted case statuses (Statuses 10 through 24) to closed not rehabilitated before rehabilitation program initiated (Status 30). Upper performance levels for this data element are:

	Months
General agencies	16
Blind agencies	28

(2) *Standard No. 4.* To insure that available resources are utilized to achieve maximum operational efficiency.

(i) Mean case service cost per accepted case closure (Statuses 26, 28 and 30) where case service cost to the State vocational rehabilitation agency was involved. Upper performance levels for this data element are:

	Dollars
(A) For status 26:	
General Agencies	1,100
Blind agencies	2,700
(B) For statuses 28–30:	
General agencies	700
Blind agencies	1,800

(ii) Percent of clients receiving rehabilitation services at no cost to the vocational rehabilitation agency. No performance level is specified for this data element.

(iii) Percent distribution of total vocational rehabilitation dollars spent for agency operations each fiscal year as reported on the RSA–2 expenditure report. Upper performance levels for this data element are:

Type of Expenditure

[In percent]

	General	Blind
Administration	12	20
Counseling and placement	45	45
Services to individuals	65	55
Small business enterprise	2	20
Establishment of rehabilitation facilities	10	10
Other	2	2

(iv) Mean case service cost per type of vocational rehabilitation case service involving cost to the State agency, and percentage of individuals receiving specific vocational rehabilitation service. The following table specifies upper performance levels (in percents) for each of the service categories:

Type of service

[In percent]

	General	Blind
Diagnostic and evaluation	25	20
Restoration (physical and mental)	45	30
Training	55	65
Maintenance	25	20
Services to family members	1	1
Other services	15	15

(3) *Standard No. 5.* To insure that manageable-sized caseloads are maintained. (To insure uniform reporting by all State agencies on this Standard, a "caseload carrying counselor" is to be defined as "one to whom cases are assigned and who issues vendor authorization under the Basic Support Program".)

(i) Number of caseload carrying counselor man years. No performance levels are specified for this data element.

(ii) Number of authorized and funded full-time caseload carrying counselor positions. No performance levels are specified for this data element.

(iii) Number and percent of rehabilitation counselor turnover, i.e., (A) hiring rate—new hirings divided by mean number of authorized and funded full-time caseload carrying counselor positions during the year (B) separation rate—caseload carrying counselors leaving job during the year divided by number of authorized and funded full-time caseload carrying counselor positions during the year. No performance levels are specified for this data element at this time.

(iv) Mean size of caseloads as of June 30th per number of authorized and funded caseload carrying counselor positions. The following performance levels are specified for this data element:

General agencies:	
Lower level	53
Upper level	143
Blind agencies:	
Lower level	21
Upper level	60

(v) Describe the process, if any, employed by the State for each of following functions: caseload management; caseload monitoring; caseload review. No quantitative performance level is specified for this data element. Process descriptions should include specification of quantitative process descriptors, whenever possible.

(c) *Client outcomes.* To determine whether the rehabilitation system is achieving its stated objective, it is necessary to ascertain whether rehabilitated clients retain, over time, benefits derived from the rehabilitation system. Therefore, an effective follow-up system should include a means to determine the degree of client's satisfaction with the client's program and services, the percentage of clients who have remained in gainful employment and the extent to which those activities are related to skills acquired while in the rehabilitation system; and the extent to which "post-employment" (section 103(a)(2) (Pub. L. 93–112) services are needed and provided. No quantitative performance levels are specified at this time for the data elements of Standard 6 and 9, or for data element 7ii. It is recognized that many States do not have established procedures for conducting the follow-up surveys required to efficiently collect the information required to compute the data elements. If a State already has follow-up data that permit computation of values for some data elements, it should submit those values. Otherwise, minimum performance under Standards 6, 7, and 9 would include a written plan for con-

ducting the surveys and other procedures required to collect the required information and compute the data elements. This plan should include a detailed specification of what procedures will be adopted to determine estimates for each data element (e.g., survey design, instrument design, sampling procedures, estimation procedures, confidence limits).

(1) *Standard No. 6.* To insure that clients closed rehabilitated retain the benefits obtained from the rehabilitation process.

(i) Percent of rehabilitated clients still employed at time of follow-up, specifying 1 year, 2 years, or 3 years after closure;

(ii) Percent with earnings at follow-up, mean earnings at follow-up, and mean earnings for all with or without earnings at follow-up;

(iii) Percent increase or decrease of earnings at closure to earnings at follow-up;

(iv) Percent of rehabilitated clients (Status 26) unemployed at follow-up for: less than 1 month, 1–3 months, 4–6 months, 7–12 months, more than 12 months.

(2) *Standard No. 7.* To insure that the need for post-employment (post-closure, section 103(a)(2), Pub. L. 93–112) services is satisfied.

(i) Percent of rehabilitated clients in the previous fiscal year (Status 26) receiving post-employment (post-closure) services during the 12 months following closure;

(ii) Percent receiving the following types of post-employment services of the total receiving post-employment services:

(A) Diagnostic and evaluation;
(B) Restoration (physical or mental);
(C) Training;
(D) Guidance and counseling only;
(E) Maintenance;
(F) Transportation;
(G) Other.

(3) *Standard No. 8.* To insure that agencies are consistently identifying reasons why clients are not successfully rehabilitated.

(i) Percent of Status 08, 28, and 30 closures by the following reasons:

(A) Unable to locate or unable to contact or moved;
(B) Handicap too severe or unfavorable medical prognosis;
(C) Refused services or further services;
(D) Death;
(E) Client institutionalized;
(F) Transferred to another agency;
(G) Failure to cooperate;
(H) No disabling condition (08 closures only);
(I) No vocational handicap (08 closures only);
(J) Other.

The following table specifies upper performance levels (in percents) for each of the above reasons, by closure category (08, 28, 30):

Reason	Closure category		
	08	28	30
A	25	45	45
B	20	25	20
C	40	25	40
D	5	20	16
E	2	8	6
F	4	7	4
G	20	20	20
H	25	----	----
I	12	----	----
J	30	25	30

(ii) Cases closed not rehabilitated (Statuses 28+30) as a percentage of the total accepted cases closed (Statuses 26+28+30). Upper performance levels for this data element are:

	Percent
General agencies	35
Blind agencies	25

(4) *Standard No. 9.* To insure that the client is satisfied with the vocational rehabilitation services as developed with the counselor.

(i) Percent of clients rehabilitated throughout the fiscal year (Status 26) and not rehabilitated (Statuses 28+30) throughout the fiscal year who express satisfaction with the following, specifying 1 year, 2 years, or 3 years:

(A) Counselor's willingness to listen to client's ideas and suggestions in developing the individualized written rehabilitation program;
(B) Adequacy of information provided by counselor to clients for understanding their disability;
(C) Promptness in the delivery of services;
(D) Kind of training received;
(E) Benefits of training received;
(F) Assistance in seeking job and final employment;
(G) Results of physical restoration services.

(ii) Percentage of clients contacted during the followup period who stated they would recommend vocational rehabilitation to a disabled friend.

Effective date. These regulations shall be effective December 19, 1975.

(Catalog of Federal Domestic Assistance Program Nos. 13.624, Rehabilitation Services and Facilities—Basic Support; 13.625, Vocational Rehabilitation Services for Social Security Disability Beneficiaries; 13.626, Rehabilitation Services and Facilities—Special Projects)

Dated: September 24, 1975.

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Approved: October 2, 1975.

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Approved: December 12, 1975.

DAVID MATHEWS,
Secretary.

[FR Doc.75-34095 Filed 12-18-75;8:45 am]

federal register

FRIDAY, DECEMBER 19, 1975



PART III:

DEPARTMENT OF LABOR

Labor-Management Services Administration

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DEPARTMENT OF THE TREASURY

Internal Revenue Service

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EMPLOYEE BENEFIT PLANS

DEPARTMENT OF LABOR

Labor-Management Services Administration

DEPARTMENT OF THE TREASURY

Internal Revenue Service

EMPLOYEE BENEFIT PLANS

Proposed Class Exemptions From Prohibitions Respecting Certain Transactions in Which Multiemployer Plans Are Involved

DECEMBER 13, 1975.

Notice is hereby given that an application for exemption for certain classes of transactions in which multiemployer plans (as defined in section 3(37) of the Employee Retirement Income Security Act of 1974 (the Act) and section 414(f) of the Internal Revenue Code of 1954 (the Code)) are involved from the restrictions of section 4975(a) and (b) of the Code, by reason of section 4975(c)(1) of the Code, has been filed by the Alaska Teamsters Employer Pension Trust (the Applicant) pursuant to section 408(a) of the Act and section 4975(c)(2) of the Code, and in accordance with the procedures set forth in ERISA Procedure 75–1 (40 FR 18471, April 28, 1975) and Rev. Proc. 75–26, 1975–20 I.R.B. 14.

The Applicant represents that multiemployer plans at times are required to secure adequate space for the ordinary and necessary operations of the plan on an efficient and economical basis. Section 408(b)(2) of the Act and section 4975(d)(2) of the Code provide a specific exemption from the prohibited transaction provisions set forth in section 406 of the Act and section 4975(c)(1) of the Code concerning, among other things, the furnishing of office space to a plan by a party in interest or a disqualified person (as defined in section 3(14) of the Act and section 4975(e)(2) of the Code, respectively), provided that the arrangement for such office space is reasonable and no more than reasonable compensation is paid therefor. However, multiemployer plans are sometimes unable to secure adequate existing office space, whether from parties in interest, or disqualified persons, or from others.

It is further represented that, on occasion, in order to satisfy the needs of a multiemployer plan for adequate space, the plan fiduciaries, in the exercise of their fiduciary duties, may, for valid reasons, cause the plan to acquire unimproved real property for the purpose of erecting thereon a building structure, all or a portion of which will be used by the plan for the purpose of carrying on its ordinary and necessary operations on an efficient and economical basis. Section 406 of the Act and section 4975(c)(1) of the Code do not prohibit or provide for the imposition of taxes upon the acquisition of unimproved real property by a plan for the purpose of erecting a building structure thereon, all or a portion of which will be used by the plan for the purpose of carrying on its ordinary and necessary operations. However, it is noted that section 406 of the Act and section 4975(c)(1) of the Code, among other things, provide (subject to applicable statutory exemptions) that the sale or exchange of any property between a plan and a party in interest or a disqualified person, and the furnishing of goods, services, or facilities between a plan and a party in interest or disqualified person, constitute prohibited transactions.

The Applicant represents that in some circumstances suitable unimproved real property sought to be acquired by a multiemployer plan for the purposes described above may be held by an employee organization the members of which are participants or beneficiaries of the plan. Since such an employee organization is by definition a party in interest and a disqualified person with respect to the plan under section 3(14)(D) of the Act and section 4975(e)(2)(D) of the Code, the acquisition of such unimproved real property by the plan from the employee organization would constitute a prohibited transaction.

Further, on many occasions the persons appointed to serve as trustees of such a plan by an employee organization under section 302(c)(5) of the Labor Management Relations Act, 1947 (29 U.S.C. 186(c)(5)) will be the same persons who are officers of the employee organization. In such situations, there is a substantial likelihood that the acquisition of such unimproved real property by the plan may be prohibited under the provisions of section 406(b)(2) of the Act.

The application also asserts that it is not unusual for a multiemployer plan to arrange for the construction of building structures for the purpose of providing office space for the plan with building contractors and subcontractors some or all of whose employees are participants or beneficiaries of the plan. Since such building contractors and subcontractors are by definition parties in interest and disqualified persons with respect to the plan under section 3(14)(C) of the Act and section 4975(e)(2)(C) of the Code, any arrangement as described above between the plan and such building contractors and subcontractors would also constitute prohibited transactions.

Based upon the representations set forth in the application, including the fact that the Applicant proposes to engage in a land purchase and contract for construction of a building thereon in a manner encompassed by the transactions which are generally described immediately hereafter, the Applicant has requested the Department of Labor and the Internal Revenue Service to grant certain class exemptions under section 408(a) of the Act and section 4975(c)(2) of the Code, with respect to (1) the acquisition by a multiemployer plan from an employee organization which is a party in interest or a disqualified person with respect to the plan of unimproved real property for the purpose of erecting thereon a building structure, all or a substantial portion of which will be used by the plan for the purpose of carrying on its ordinary and necessary operations on an efficient and economical basis; and (2) the construction for a multiemployer plan of a building structure, all or a portion of which will be used by the plan for the principal purpose of carrying on its ordinary and necessary operations on an efficient and economical basis, by building contractors or subcontractors who are parties in interest or disqualified persons with respect to the plan solely by reason of the fact that employees of such building contractors or subcontractors are participants in the plan.

The attention of interested persons is directed to the following:

(1) The fact that a transaction is the subject of an exemption granted under section 408(a) of the Act and section 4975(c)(2) of the Code does not relieve a fiduciary or other party in interest or disqualified person with respect to a plan to which the exemption is applicable from certain other provisions of the Act and the Code, including any prohibited transaction provisions to which the exemption does not apply and the general fiduciary responsibility provisions of section 404 of the Act which, among other things, require a fiduciary to discharge his duties respecting the plan solely in the interest of the plans participants and beneficiaries and in a prudent fashion in accordance with section 404(a)(1)(B) of the Act; nor does it affect the requirement of section 401(a) of the Code that a plan must operate for the exclusive benefit of the employees of the employer maintaining the plan and their beneficiaries.

(2) The exemption requested in the application with respect to the acquisition of unimproved real property does not extend to transactions prohibited under section 406(b)(1) and (3) of the Act and section 4975(c)(1)(E) and (F) of the Code.

(3) The exemption requested in the application with respect to the construction of a building structure does not extend to transactions prohibited under section 406(b) of the Act and section 4975(c)(1)(E) and (F) of the Code.

(4) Before an exemption may be granted under section 408(a) of the Act and section 4975(c)(2) of the Code, the Department of Labor and the Internal Revenue Service must find that the exemption is administratively feasible, in the interest of the plan or plans and of their participants and beneficiaries, and protective of the rights of participants and beneficiaries of such plan or plans.

(5) The exemptions proposed herein or which may be subsequently proposed as part of this proceeding are supplemental to, and not in derogation of, any other provisions of the Act and the Code, including statutory exemptions and transitional rules. Furthermore, the fact that a transaction is the subject of an exemption is not dispositive of whether the transaction would have been a prohibited transaction in the absence of such exemption or, though it would have been a prohibited transaction, is exempt by operation of a statutory exemption or a transitional rule.

(6) The application for exemption referred to herein is available for public

inspection at the Public Document Room, Office of Employee Benefits Security, U.S. Department of Labor, Room N4677, 200 Constitution Avenue, NW., Washington, D.C. 20216.

All interested persons are invited to submit written comments on the proposed exemptions set forth herein. In order to receive consideration, such comments should be received by the Department of Labor on or before January 19, 1976. In addition, any interested person may submit a written request that a hearing be held relating to the proposed exemption concerning the acquisition of unimproved real property. Such written request must be received by the Department of Labor on or before January 13, 1976, and should state the reasons for such person's request for a hearing and the nature of such person's interest in the proposed exemption relating to the acquisition of unimproved real property.

Written comments pertaining to the proposed exemptions, and requests for a hearing pertaining to the exemption relating to the acquisition of unimproved real property, (preferably six copies) should be submitted to "Multiemployer Plans—Real Property", Office of Employee Benefits Security, Labor-Management Services Administration, Room N-4716, U.S. Department of Labor, Washington, D.C. 20216. All such comments will be made part of the record, and will be available for public inspection at the Public Document Room, Office of Employee Benefits Security, U.S. Department of Labor, Room N4677, 200 Constitution Avenue, NW., Washington, D.C. 20216.

I. *Acquisition of unimproved real property.* The class exemption set forth below has been requested by the Alaska Teamsters Employer Pension Trust (the Applicant) in order to permit multiemployer plans to acquire unimproved real property from an employee organization for the purpose of erecting thereon a building structure, all or a substantial portion of which will be used by the plan for the purpose of carrying on its ordinary and necessary operations on an efficient and economical basis. It is represented that the proposed exemption sets forth certain conditions which must be satisfied and which are sufficient to protect the interests and rights of participants and beneficiaries of such plans.

Requested exemption. It is requested that the following class exemption be granted under the authority of section 408(a) of the Act and section 4975(c)(2) of the Code and in accordance with ERISA Procedure 75–1 (40 FR 18471, April 28, 1975) and Rev. Proc. 75–26, 1975–20 I.R.B. 14:

Sec. 1—*Prospective.* Effective on the date this exemption becomes effective, the restrictions of sections 406(a)(1) and 406(b)(2) of the Act and the taxes imposed by section 4975(a) and (b) of the Code, by reason of section 4975(c)(1)(A) through (D) of the Code, shall not apply to the acquisition by a multiemployer plan of unimproved real property from an employee organization (as defined in section 3(a) below) which is a party in interest or a disqualified person with respect to the plan, for the purpose of erecting thereon a building structure all or a substantial portion of which is intended to be used for carrying on the ordinary and necessary operations of the plan, *provided* that:

(a) Before the acquisition by the plan of unimproved real property from any employee organization which is a party in interest or a disqualified person with respect to the plan:

(1) The plan shall have made a diligent but unsuccessful effort to secure adequate existing office space for carrying on its ordinary and necessary operations on an efficient and economical basis, or, if such space was unavailable, to secure unimproved real property from a person who is not a party in interest or disqualified person, for the purpose of erection of a building structure all or a substantial portion of which would be used for carrying on the ordinary and necessary operations of the plan;

(2) The plan shall have secured from three qualified and independent appraisers who are familiar with the area in which the unimproved real property proposed to be acquired is situated, final written opinions as to—

(A) the fair market value of such property,

(B) the general suitability of such property for the erection of a building structure as contemplated by the plan for carrying on its ordinary and necessary operations on an efficient and economical basis, and

(C) the approximate rental rate (on a square foot of usable space basis) which the plan may reasonably expect to receive with respect to any such space in the contemplated building structure that the plan may not intend to utilize upon original occupancy for carrying on its ordinary and necessary operations on an efficient and economical basis; and

(3) The plan shall have secured from at least three unaffiliated construction general contractors preliminary estimates as to the total construction costs (including all off-site costs, such as costs which may relate to utilities, water supply and sewage) of the building structure contemplated to be erected by the plan.

(b) The purchase price incurred by the plan to acquire the unimproved real property shall not exceed the lowest of the following:

(1) The fair market value of such property determined as of the date the binding contract to purchase the property was entered into by the plan;

(2) The mean between the two lowest appraised values of such property received by the plan in satisfaction of paragraph (a)(2) of this section;

(3) The purchase price incurred by the selling employee organization if such property was acquired by the organization within 36 months prior to the date of its sale to the plan;

(4) The purchase price incurred by any officer, director, or employee of the selling employee organization who has the power to exercise a controlling influence over the management or policies of such organization, or by any member of the family of such officer, director, or employee, if any such person sold the property to the employee organization within 36 months prior to its resale to the plan; or

(5) Three percent of the fair market value of the plan's gross assets determined on the date of the acquisition of such property by the plan.

(c) No commissions or any other special remuneration (whatever its form) shall be paid in connection with the sale of the unimproved real property to the plan.

(d) Construction of the building structure contemplated by the plan for the purpose of carrying on its ordinary and necessary operations on an efficient and economical basis shall commence within 12 months after the date of acquisition of the unimproved real property by the plan unless delayed by unforseen circumstances arising after the purchase, such as labor strikes, material shortages, natural disasters, or government action.

(e) The sale of the unimproved real property to the plan shall not benefit, nor be one of a series of transactions any of which benefits, directly or indirectly, any party having the power to exercise a controlling influence over the management or policies of the employee organization or the plan, or any affiliate of such party.

(f) At least 80 percent of the unimproved real property shall be substantially related to the building structure.

(g) A substantial portion of the building shall be used by the plan.

(h) For the period beginning at least 60 days prior to the date of acquisition of the unimproved real property up to the date of such acquisition, the plan shall continuously and prominently post at all offices of the plan, all hiring halls and dispatch halls of the employee organization and all places where membership meetings of the employee organization are customarily held, for inspection by plan participants, notice of the proposed acquisition by the plan of unimproved real property from the employee organization, which notice shall set forth the following, or state where in such offices, halls, and places the following are available:

(1) A copy of the FEDERAL REGISTER notice of the granting of this exemption;

(2) The relevant financial terms of the proposed acquisition along with a statement of the relevant financial terms with respect to the total construction costs of the building structure contemplated by the plan;

(3) A statement by the plan setting forth the basis of its compliance with each of the terms and conditions of this exemption including a complete set of records documenting the efforts made by the plan to secure existing office space and suitable unimproved property from unrelated parties;

(4) Copies of the appraisals secured from appraisers in accordance with subparagraph (a)(2) of this section;

(5) Copies of the preliminary estimates as to total construction costs of the contemplated building structure secured from the three construction general contractors in accordance with subparagraph (a)(3) of this section; and

(6) The following statement:

Any participant who believes the transaction described does not satisfy the conditions of the class exemption may send a statement setting forth the reasons for such belief and any pertinent facts to "Multiemployer Plans—Real Property", Office of Employee Benefits Security, Labor-Managing Services Administration, Room N-4716, U.S. Department of Labor, Washington, D.C. 20216 on or before [insert date 45 days after the date of posting of the notice].

(i) The plan shall file six copies of the notice required under paragraph (h) above at least 60 days prior to the date of the proposed acquisition at the following address: "Multiemployer Plans—Real Property", Office of Employee Benefits Security, Labor-Management Services Administration, Room N4716, U.S. Department of Labor, Washington, D.C. 20216.

(j) A complete set of records documenting all items required in paragraph (h) above, along with records documenting all bids received and contracts entered into, shall be kept by the plan trustees until termination of the period ending six years from the last day of the year in which the construction of the building is completed, except that a prohibited transaction will not be deemed to have occurred if due to circumstances beyond the control of the plan fiduciaries, such records are lost or destroyed prior to the end of such six-year period.

Sec. 2—*Retroactive.* Effective January 1, 1975 until the effective date of any exemption granted pursuant to section 1 above, the restrictions of section 406(a)(1) and 406(b)(2) of the Act and the taxes imposed by section 4975(a) and (b) of the Code, by reason of section 4975(c)(1)(A) through (D) of the Code, shall not apply to the acquisition by a multiemployer plan of unimproved real property from an employee organization (as defined in section 3(a) below) which is a party in interest or a disqualified person with respect to the plan, for the purpose of erecting thereon a building structure all or a substantial portion of which would be used for carrying on the ordinary and necessary operations of the plan, *provided that:*

(a) Two qualified and independent appraisers shall have submitted written opinions as to the items set forth in section 1(a)(2).

(b) The purchase price incurred by the plan to acquire the unimproved real property shall not exceed the lowest of the following:

(1) The fair market value of such property determined as of the date the binding contract to purchase the property was entered into by the plan;

(2) The purchase price incurred by the selling employer organization if such property was acquired by the organization within 36 months prior to the date of its sale to the plan;

(3) The purchase price incurred by any officer, director, or employee of the selling employee organization who has the power to exercise a controlling influence over the management or policies of such organization, or by any member of the family of such officer, director, or employee, if any such person sold the property to the employee organization within 36 months prior to its resale to the plan; or

(4) Three percent of the fair market value of the plan's gross assets determined as of the date of the acquisition of such property by the plan.

(c) The plan shall have complied with the requirements of section 1 (c) through (g) above.

(d) For a period beginning within 30 days after the effective date of this exemption and lasting for at least 60 days, the plan shall continuously and prominently post at all offices of the plan, all hiring halls and dispatch halls of the employee organization and all places where membership meetings of the employee organization are customarily held, for inspection by plan participants, notice of the proposed acquisition by the plan of unimproved real property from the employee organization, which notice shall set forth the following, or state where in such offices, halls, and places the following are available:

(1) A copy of the FEDERAL REGISTER notice of the granting of this exemption;

(2) The relevant financial terms of the acquisition along with a statement of the relevant financial terms with respect to the total construction costs of the building structure contemplated by the plan;

(3) A statement by the plan setting forth the basis of its compliance with each of the terms and conditions of this exemption including a complete set of records documenting the efforts made by the plan to secure existing office space and suitable unimproved property from unrelated parties;

(4) Copies of the appraisals secured from appraisers in accordance with subparagraph (a) of this section.

(5) Copies of the preliminary estimates as to total construction costs of the contemplated building structure secured from two construction general contractors containing the information called for by subparagraph (a)(3) of section 1, and

(6) The following statement:

Any participant who believes the transaction described does not satisfy the conditions of the class exemption may send a statement setting forth the reasons for such belief and any pertinent facts to "Multiemployer Plans—Real Property", Office of Employee Benefits Security, Labor-Management Services Administration, Room N-4716, U.S. Department of Labor, Washington, D.C. 20216 on or before [insert date 45 days after the date of posting of the notice.]

(e) The plan shall file six copies of the notice required under paragraph (d) above within at least 30 days after the effective date of this exemption at the following address: "Multiemployer Plans—Real Property", Office of Employee Benefits Security, Labor-Management Services Administration, Room N-4716, U.S. Department of Labor, Washington, D.C. 20216.

(f) Within at least 30 days after the effective date of this exemption the plan trustees shall prepare and keep a complete set of records documenting all items required in paragraph (d) above, along with records documenting all bids received and contracts entered into, which records shall be kept until termination of the period ending six years from the last day of the year in which the construction of the building is completed, except that a prohibited transaction will not be deemed to have occurred if due to circumstances beyond the control of the plan fiduciaries, such records are lost or destroyed prior to the end of such six-year period.

(g) The applicant shall give notice of the proposal of this exemption to members of the employee organization members of which are covered by the applicant plan and to participants and beneficiaries of the plan, including a copy of the proposal of this exemption, in the form and manner set forth in subparagraph (d) above, except that a period beginning within five days after the publication of this proposal and ending January 19, 1976 shall be substituted for the date set forth in subparagraph (d)(6).

Sec. 3—*Definitions.* For purposes of sections 1 and 2 above—

(a) The term "employee organization" shall have the meaning ascribed to it by section 3(4) of the Act and, in addition, shall include any person (as defined in section 7701(a)(1) of the Code) which is a non-profit corporation, the shareholders or members of which constitute substantially all of the members of the employee organization.

(b) The term "unimproved real property" means land which has no building structures on it the value of which is equal to 15 percent or more of the value of the land; except that, for the purpose of section 2 above, the purchase of "unimproved real property" shall mean the purchase of land and all building structures thereon the value of which does not exceed 15 percent of the value of the land.

(c) The term "substantial portion" relating to the use by the plan of a building structure, shall mean that immediately following the construction of the building structure at least 25 percent of the usable space thereof shall be used by the plan for the purpose of carrying on its ordinary and necessary operations on an efficient and economical basis and the plan expects to use at least 25 percent of such usable space for the foreseeable future.

(d) The term "independent appraiser" means an appraiser which received at least 90 percent of its compensation during each of the three 12-month periods immediately preceding the appraisal referred to in this exemption from sources other than the plan or the employee organization.

(e) The term "unaffiliated construction general contractor" means a contractor (1) whose directors, officers, five percent shareholders, or partners are neither officers, directors, or employees who have the power to exercise a controlling influence over the management or policies of the employee organization, nor a member of the family of such officer, director, or employee, nor fiduciaries of the plan, nor members of the family of such a fiduciary, and (2) whose employees constitute no more than five percent of the participants in the plan.

(f) The term "member of the family" shall mean a relative as defined in section 3(15) of the Act, or a brother, a sister, or a spouse of a brother or sister.

(g) The term "affiliate", with respect to any person shall include:

(1) Any person directly or indirectly, through one or more intermediaries, controlling, controlled by, or under common control with such person;

(2) Any officer, director, partner, employee or member of the family of such person; and

(3) Any corporation or partnership of which such person is an officer, director or partner.

II. *Construction of building structure.* The class exemption set forth below has been requested by the Alaska Teamsters Employer Pension Trust (the Applicant) in order to permit a multiemployer plan to cause to be constructed on unimproved real property held by the plan certain building structures, all or a substantial portion of which will be used by the plan for the purpose of carrying on its ordinary and necessary operations on an efficient and economical basis, by a construction general contractor and subcontractors who are parties in interest or disqualified persons with respect to the plan. It is represented that the exemption as requested sets forth certain conditions which must be satisfied and which are sufficient to protect the interests and rights of participants and beneficiaries of such plans.

Requested exemption. It is requested that the following class exemption be granted under the authority of section 408(a) of the Act and section 4975(c)(2) of the Code and in accordance with ERISA Procedure 75–1 (40 FR 18471, April 28, 1975) and Rev. Proc. 75–26, 1975–20 I.R.B. 14.

Sec. 1—*Prospective.* Effective on the date this exemption becomes effective, the restrictions of section 406(a)(1) of the Act and the taxes imposed by section 4975 (a) and (b) of the Code, by reason of section 4975(c)(1) (A) through (D) of the Code, shall not apply to the construction for a multiemployer plan of a building structure all or a substantial portion of which will be used by such plan for the purpose of carrying on its ordinary and necessary activities on an efficient and economical basis, by a construction general contractor or subcontractors which are parties in interest or disqualified persons with respect to the plan solely by reason of having employees who are covered by the plan, provided that:

(a) Before the construction contract for the building structure has been awarded the plan shall have secured bids for the construction of the building structure from:

(1) At least two financially responsible and otherwise qualified unaffiliated construction general contractors and subcontractors if the total estimated construction costs of the building structure are $500,000 or less; or

(2) At least three fiancially responsible and otherwise qualified unaffiliated construction general contractors and subcontractors if the total estimated construction costs of the building structure are over $500,000.

(b) The contractor to whom the contract is awarded shall be one of the unaffiliated construction general contractors which submitted a bid under subsection (a) and shall provide adequate security to insure timely completion of the building structure.

(c) At least 60 days prior to the award of the contract for the construction of the building structure, and continuing until the award of the contract, notice of the proposed construction of the building structure along with copies of the bids, a copy of the FEDERAL REGISTER notice of the granting of this exemption, and a statement by the plan setting forth the basis of its compliance with each of the conditions of this exemption, shall be continuously and prominently posted at all offices of the plan, all hiring halls and dispatch halls of employee organizations whose members are participants in the plan and all places where membership meetings of the employee organization are customarily held, for inspection by plan participants.

The notice required by this subsection shall also contain the following statement:

Any participant who believes the transaction described does not satisfy the conditions of the class exemption may send a statement containing the reasons for such belief and any pertinent facts to "Multiemployer Plans—Real Property", Office of Employee Benefits Security, Labor-Management Services Administration, Room N–4716, U.S. Department of Labor, Washington, D.C. 20216 on or before [insert date 45 days after the date of posting of notice of proposed contract]."

(d) The plan shall file six copies of the notice required under subsection (c) above at least 60 days prior to the date of the award of the contract for the construction of the building structure at the following address: "Multiemployer Plans—Real Property", Office of Employee Benefits Security, Labor-Management Services Administration, Room N–4716, U.S. Department of Labor, Washington, D.C. 20216.

Sec. 2.—*Retroactive.* Effective January 1, 1975 until the effective date of this exemption, the restrictions of section 406(a)(1) of the Act and the taxes imposed by section 4975 (a) and (b) of the Code, by reason of section 4975 (c)(1)(A) through (D) of the Code, shall not apply to the construction for a multiemployer plan of a building structure all or a substantial portion of which will be used by the plan for the purpose of carrying on its ordinary and necessary activities on an efficient and economical basis, and by a construction general contractor or subcontractors which are parties in interest or disqualified persons with respect to the plan solely by reason of having employees who are covered by the plan, provided that the plan shall have complied with all of the requirements set forth in section 1 above, except that:

(a) The plan need only have secured at least two estimates from otherwise qualified unaffiliated construction general contractors and subcontractors for the total construction costs of the building structure.

(b) For a period beginning within 30 days after the effective date of this exemption and lasting for at least 60 days, notice of the construction of the building structure along with copies of the estimates, copies of all contracts awarded, a copy of the FEDERAL REGISTER notice of the granting of this exemption, and a statement by the plan setting forth the basis of its compliance with each of the conditions of this exemption, shall be continuously and prominently posted at all offices of the plan, all hiring halls and dispatch halls of employee organiations whose members are participants in the plan and all places where membership meetings of the employee organization are customarily held, for inspection by plan participants.

The notice required by this subsection shall also contain the following statement:

Any participant who believes the transaction described does not satisfy the conditions of the class exemption may send a statement containing the reasons for such belief and any pertinent facts to "Multiemployer Plans—Real Property" Office of Employee Benefits Security, Labor-Management Services Administration, Room N–4716, U.S. Department of Labor, Washington, D.C. 20216 on or before [insert date 45 days after the date of posting of the notice of proposed contract].

(c) The plan shall file six copies of the notice required under subsection (b) within at least 30 days after the effective date of this exemption at the following address: "Multiemployer Plans—Real Property", Office of Employee Benefits Security, Labor-Management Services Administration, Room N–4716, U.S. Department of Labor, Washington, D.C. 20216.

(d) The applicant shall give notice of the proposal of this exemption to the members of the employee organization members of which are covered by the applicant plan and to participants and beneficiaries of the plan, including a copy of the proposal of this exemption, in the form and manner set in subparagraph (b) above, except that a period beginning within five days after the publication of this proposal and ending January 19, 1976 shall be substituted for the date set forth therein.

Sec. 3—*Definitions.* For purposes of sections 1 and 2 above—

(a) The term "total construction costs" means the sum of the costs necessary to complete the entire building structure, including, but not limited to, such off-site costs as may relate to utilities, water supply and sewage.

(b) The term "substantial portion" relating to the use by the plan of a building structure, shall mean that immediately following construction of the building structure at least 25 percent of the usable space thereof shall be used by the plan for the purpose of carrying on its ordinary and necessary operations on an efficient and economical basis and the plan expects to use at least 25 percent of such usable space for the foreseeable future.

(c) The term "unaffiliated construction general contractor" means a contractor (1) whose directors, officers, five percent shareholders, or partners are neither officers, directors, or employees who have the power to exercise a controlling influence over the management or policies of the employee organization, nor a member of the family of such officer, director or employee, nor fiduciaries of the plan, nor members of the family of such a fiduciary, and (2) whose employees constitute no more than five percent of the participants in the plan.

(d) The term "member of the family" shall mean a relative as defined in section 3(15) of the Act, or a brother, sister, or a spouse of a brother or sister.

Signed at Washington, D.C. this thirteenth day of December, 1975.

JAMES D. HUTCHINSON,
Administrator of Pension and Welfare Benefit Programs, U.S. Department of Labor.

DONALD C. ALEXANDER,
Commissioner of Internal Revenue.

[FR Doc.75-34202 Filed 12-16-75;11:24 am]

federal register

FRIDAY, DECEMBER 19, 1975

PART IV:

NATIONAL COMMUNICATIONS SYSTEM

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TELECOMMUNICATIONS; BIT ORIENTED DATA LINK CONTROL PROCEDURES

Proposed Federal Standard

NATIONAL COMMUNICATIONS SYSTEM

TELECOMMUNICATIONS: BIT ORIENTED DATA LINK CONTROL PROCEDURES

Proposed Federal Standard 1003

NOTE: This document, FR Doc. 75-33358, was originally published at 40 FR 57721 (Thursday, December 11, 1975). At that time, the text of the proposed Standard 1003 was inadvertently filed as part of the original document. Today's republication contains the text of the standard.

The Administrator of the General Services Administration (GSA) is responsible, under the provisions of the Federal Property and Administrative Services Act of 1949, as amended, for the Federal Standardization Program. On 14 August 1972, the National Communications System (NCS) [1] was designated by the Administrator, GSA, as the responsible agent for the development of telecommunication standards for NCS interoperability and the computer-communications interface. The Federal Telecommunication Standards Committee (FTSC) was established under the administration of NCS to accomplish this mission. Additionally, the Secretary of Commerce is authorized, under the provisions of Public Law 89-306, to develop and establish uniform Federal automatic data processing standards.

This proposed Federal standard is part of a series of joint Federal telecommunication standards and Federal Information Processing Standards (FIPS) falling within the area of mutual responsibility of the NCS and the National Bureau of Standards (NBS) as defined in FIPS PUB 23 [2] and NCS Circular 175-1 [3].

The proposed Federal standard and the companion FIPS publication will adopt the content of the American National Standards Institute (ANSI) document X3S34/589, 15 August 1975, with the exceptions set forth in paragraph 2, "Applicable Documents." The ANSI document specifies the data communication control procedures, which define the means for exchanging data between business machines (e.g., computers, concentrators and terminals) over communication circuits. The advanced data communication control procedures described are synchronous, bit oriented (i.e., use bit patterns instead of ASCII characters for control), code independent (i.e., capable of handling any data code or pattern) and interactive (i.e., have relatively high efficiency in an interactive application). The proposed ANSI document was developed by an ANSI task group with Federal Government participation and has been recommended for processing as a Federal standard by the FTSC with the concurrence of the National Bureau of Standards in response to requirements specified by various Government agencies.

Prior to submission of the final endorsement of the proposed Federal standard and its companion FIPS publication to the Department of Commerce (DOC), the Office of Telecommunications Policy (OTP), Executive Office of the President, and GSA, it is essential that proper consideration is given to the needs and views of industry, the public, and state and local governments. The purpose of this notice is to solicit such views. Interested parties may submit their comments to the Office of the Manager, National Communications System, ATTN: NCS-TS, Washington, D.C. 20305. All comments should be submitted to NCS by 30 January 1976.

LEE M. PASCHALL,
Lieutenant General, USAF,
Manager.

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

DECEMBER 8, 1975.

PROPOSED FEDERAL STANDARD

TELECOMMUNICATIONS: BIT ORIENTED DATA LINK CONTROL PROCEDURES

This standard is issued by the General Services Administration pursuant to the Federal Property and Administrative Services Act of 1949, as amended. Its application to both data processing systems and telecommunications systems is mandatory on all Federal agencies to the extent specified herein. Do not use prior to approval.

FOREWORD

The Telecommunication series of Federal Standards are designed to facilitate interoperability between telecommunication facilities and systems of the Federal Government and compatibility of these facilities and systems at the computer-communications interface with data processing equipment (systems).

[1] DoD Directive 5100.41, "Arrangements for Discharge of Executive Agent Responsibilities for the NCS"—filed as part of original document.

[2] Filed as part of original. Copies available from U.S. Government Printing Office, Washington, D.C. 20402 (order by SD Catalog No. C13.52:23)

[3] Filed as part of original. Copies available from Office of the Manager, NCS, Washington, D.C. 20305

FED-STD-1003
January, 1976

PROPOSED
FEDERAL STANDARD

TELECOMMUNICATIONS: BIT ORIENTED DATA LINK CONTROL PROCEDURES

1. Scope. This standard specifies the frame structure, elements of procedures, and codes of practice (classes of procedure) for data communications systems that transmit synchronous binary data, including binary coded data, by electrical or electromagnetic means and which have automatic error detection capabilities.

1.1 Application. This standard shall be used by all Federal agencies in the design and procurement of equipment and systems. It applies to equipment and systems that are procured after the effective date of this standard. Those new systems and equipments on which substantial technical design has been completed before the effective date of which are procured as replacements in or extensions to existing systems may file for exception.

2. Applicable Documents. This Federal standard embodies the content of the American National Standards Institute document X3S34/589, "Proposed American National Standard for Advanced Data Communication Control Procedures (ADCCP) (Independent Numbering)," dated 15 August 1975, except for the aspects listed below:

a. All systems conforming to this Federal standard shall be able to implement the 16-bit frame check sequence (FCS) described in paragraph 3.5, section 12, and appendix D. In addition, if a 32-bit FCS is required for some applications, it shall use the generating polynomial

$$X^{32}+X^{26}+X^{23}+X^{22}+X^{16}+X^{12}+X^{11}+X^{10}+X^{8}+X^{7}+X^{5}+X^{4}+X^{2}+X^{1}+1$$

b. The user defined commands and responses, USER0, USER1, USER2, and USER3, appearing in the introduction to section 7, paragraph 7.4, the introduction to paragraph 7.5, and paragraph 7.5.4.2 are not a part of the Federal standard.

3. Changes. When a Federal agency considers that this standard does not provide for its essential needs, a statement citing inadequacies shall be sent in duplicate to the General Services Administration, Federal Supply Service, FMH, Washington, DC, 20406 (in accordance with provisions of Federal Property Management Regulations 4, CFR SS 101-29.3). The General Services Administration will determine the appropriate action to be taken and will notify the agency.

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LIST OF ABBREVIATIONS

A - Secondary station address field
ADCCP - Advanced Data Communication Control Procedures
ADM - Asynchronous Disconnect Mode
ARM - Asynchronous Response Mode
ARME - Asynchronous Response Mode Extended
BCB - Balanced Control Basic Recovery
BCS - Balanced Control SREJ Recovery
C - Control Field
CCITT - International Telegraph and Telephone Consultative Committee
CMDR - Command Reject (Response)
DISC - Disconnect (Command)
DM - Disconnect Mode (Response)
ECMA - European Computer Manufacturers Association
ERP - Exception (or Error) Recovery Procedure
F - Flag
F bit - Final Bit
FCS - Frame Check Sequence
I - Information Format (frame)
I frame - Information Format frame
IM - Initialization Mode
Info - Information Field
ISO - International Standards Organization
LSB - Least Significant Bit
M - Modifier Bit
MP - Multipoint
MSB - Most Significant Bit
N - A Number variable
NA - Not Applicable
NAB - Normal and Asynchronous Response Mode, Basic Recovery
NAS - Normal and Asyncrhronous Response Mode, SREJ Recovery
NB - Normal Response Mode, Basic Recovery
NDM - Normal Disconnect Mode
N(R) - Receive Sequence Number
NRM - Normal Response Mode
NRME - Normal Response Mode Extended
N(S) - Send Sequence Number
NS - Normal Response Mode, SREJ Recovery
P bit - Poll Bit
P/F bit - Poll or Final Bit
Pri - Primary
P-P - Point-to-point
P-S - Primary-to-Secondary
P/S - Primary or Secondary
Pri/Sec - Primary or Secondary

R - Receive State Variable
RD - Request Disconnect (Command)
REJ - Reject (Command, Response)
RIM - Request Initialization Mode (Response)
RNR - Receive Not Ready (Command; Response)
RR - Receive Ready (Command, Response)
RSPR - Response Reject (Command)
S - Depending upon usage : - Send State Variable
- Supervisory Bit
- Supervisory Format (frame)
S frame - Supervisory Format frame
SARM - Set Asynchronous Response Mode (Command)
SARME - Set Asynchronous Response Mode Extended (Command)
Sec - Secondary
SIM - Set Initialization Mode (Command)
SNRM - Set Normal Response Mode (Command)
SNRME - Set Normal Response Mode Extended (Command)
SREJ - Selective Reject (Command, Response)
TO - Timeout
TWA - Two-Way Alternate
TWS - Two-Way Simultaneous
U - Unnumbered Format (frame)
U frame - Unnumbered Format frame
UA - Unnumbered Acknowledge (Response)
UI - Unnumbered Information (Command, Response)
UP - Unnumbered Poll (Command)
USER - User (Command, Response)
XID - Exchange Identification (Command, Response)
w,x,y,z - bits in CMDR Status Field

NOTE: The mathematical symbols and abbreviations used in Section 12.0, Frame Check Sequence (FCS) Generation and Checking, and Appendix D, Frame Check Sequence (FCS), are not included above; they are defined as they introduced in Section 12 and Appendix D.

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1.0 SCOPE

This standard is intended to cover a wide range of applications (e.g., two-way alternate and two-way simultaneous data communication between computers, concentrators and terminals which are normally buffered) and a wide range of data link configurations (e.g., full and half duplex, multi-point, point-to-point, switched or non-switched).

This standard establishes the procedures to be used on synchronous communication links using ADCCP - Independent Numbering. This standard does not define any single system and should not be regarded as a specification for a data communications system.

These procedures are defined specifically in terms of the actions that occur on receipt of commands at a Secondary.

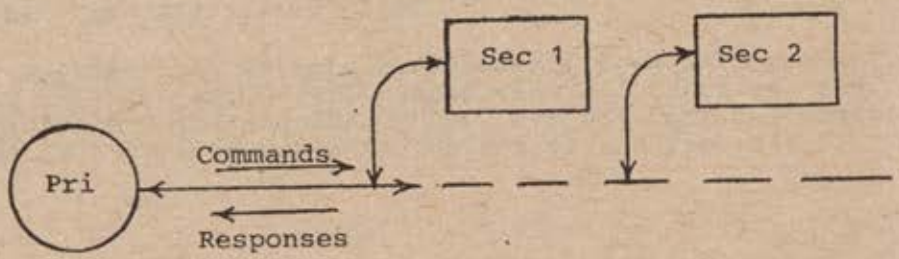
In order to provide a high degree of standardization (and, therefore, of compatibility), any equipment intended to be operated within the constraints of this standard shall implement all features of a stipulated class of the procedures.

2.0 DATA LINK CONFIGURATIONS

ADCCP-Independent Numbering defines a Primary/Secondary link which has a primary link control function (referred to as Primary), and a secondary link control function (referred to as secondary). The primary is responsible for initialization, scheduling of data flow, and initiation of link level error recovery functions. Each secondary is responsible for executing commands received from the primary, and for responding when instructed by the primary.

2.1 Primary/Secondary Link

The Primary/Secondary link configuration includes one primary station and one or more secondary stations, as shown in Figure 1. The link may be point-to-point or multipoint, half duplex or full duplex, switched or non-switched. In this configuration all data transfer and link error recovery functions are controlled by the single primary station.



Point-to-Point or multipoint, half duplex or full duplex, switched or non-switched link

FIGURE 2-1 - PRIMARY/SECONDARY LINK

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3.0 FRAME STRUCTURE

In ADCCP - Independent Numbering, all transmissions are in frames and each frame conforms to the following structure:

F, A, C, Info, FCS, F

Where:

F = Flag Sequence

A = Secondary Station Link Address Field

C = Control Field

Info = Information Field

FCS = Frame Check Sequence

Frames containing only data link control sequences form a special case where there is no Info field. The short frame structure is therefore:

F, A, C, FCS, F

The elements of the frame are described in the following paragraphs. See also Figure 3-1.

3.1 Flag Sequence (F)

All frames start and end with the flag sequence. This sequence is a zero bit followed by 6 one bits followed by a zero bit (01111110). All stations attached to the data link continuously hunt, on a bit-by-bit basis, for this sequence. However, a transmitter must send only complete eight-bit flags. Thus, the flag is used for frame synchronization.

In order to achieve transparency the flag sequence is prohibited from occurring in the Address, Control, Information and FCS Fields via a "zero bit insertion" procedure which is described in paragraph 3.7.

Where station constraints permit, the flag sequence which closes a frame may also be the opening flag sequence for the next frame. Any number of complete flags may be used between frames. (See also Appendix B)

3.2 Secondary Station Link Address Field (A)

The Secondary Station Link Address Field follows the opening flag of every frame from both primary and secondary stations. The length of this field (A) is N octets (N greater than or equal to 1). The encoding of this field is described in Section 4.

3.3 Control Field (C)

The Control Field contains commands, responses, and sequence numbers. The control field is used by the primary to instruct the addressed secondary what operation it is to perform. It is also used by the secondary to respond to the primary. The length of this field (C) is normally one octet. It is two octets in length in the case of the extended control field (see Section 5.2.2).

Sequence numbers and the formatting of the Control Field are described in Section 5. Commands and responses are functionally described in Section 7.

3.4 Information Field (Info)

The Information field may be any number and sequence of bits; the data link is completely transparent. Data contained in the information field is unrestricted with respect to code or grouping of bits. See Appendix B for examples of typical limitations on maximum length. An information field length of zero is specifically permitted.

3.5 Frame Check Sequence (FCS)

All frames include a 16-bit frame check sequence (FCS) just prior to the closing flag for error detection purposes. The contents of the Address, Control and Information fields, excluding the zeros inserted to maintain transparency per Section 3.7, are included in the calculation of the FCS sequence.

The FCS is the remainder of a modulo 2 division process utilizing a generator polynomial as a divisor. The generator polynomial is that used in CCITT Recommendation V.41 and is: $X^{16} + X^{12} + X^5 + 1$.

Section 12 gives a complete description of the FCS generation process and the error checking process which utilizes the FCS. Appendix D gives an example of FCS generation and error detection.

NOTE: If future applications show that a higher degree of protection is needed, the length of the FCS sequence shall be increased by multiples of eight bits. This requires a higher degree generator polynomial the implementation of which is outside of this standard.

3.6 Abort

Abort is the procedure by which a station in the process of sending a frame, ends the frame in an unusual manner such that the receiving station will ignore the frame.

Aborting a frame is performed by transmitting at least seven, but less than fifteen, contiguous one bits (with no inserted zeros). Receipt of seven contiguous one bits is interpreted as an abort. Receipt of fifteen or more contiguous one bits is interpreted as an abort and Idle Link State (see Section 3.9).

3.7 Transparency

ADCCP provides transparency for data coded in the Information field. The occurrence of the flag sequence within a frame is prevented via a "zero bit insertion" procedure as follows:

> The transmitter inserts a zero bit following five contiguous one bits anywhere between the beginning flag and the ending flag of the frame. The insertion of the zero bit thus applies to the contents of the Address, Control, Info and FCS fields (including the last 5 bits of the FCS). The receiver continuously monitors the received bit stream; upon receiving a zero bit followed by five contiguous one bits, the receiver inspects the following bit: If a zero, the 5 one bits are passed as data and the zero bit deleted. If the sixth bit is a one, the receiver inspects the seventh bit; if it is zero, a flag sequence has been received; if it is a one an abort has been received (See Section 3.6).

3.8 Active Link State

A link is in an ACTIVE state when the Primary or a Secondary is actively transmitting a frame, an abort sequence, or interframe time fill. When the link is in the active state the right of the transmitting station to continue transmission is reserved.

3.8.1 Interframe Time Fill

Interframe time fill is accomplished by transmitting continuous flags between frames. There is no provision for intraframe time fill. (See also Appendix B.)

3.9 Idle Link State

A link is defined to be in an IDLE state when a continuous ones state is detected that persists for 15 bit times.

Idle link time fill is defined to be a continuous one condition on the link.

3.10 Invalid Frame

An invalid frame is defined as one that is not properly bounded by two flags (thus an aborted frame is an invalid frame) or one which is too short (that is, shorter than 32 bits between flags). A Secondary will ignore any invalid frame.

3.11 Order of Bit Transmission

Addresses, commands and responses, and sequence numbers are to be transmitted low order bit first (e.g., the first bit of sequence number that is transmitted carries the weight 2^0).

The order of bit transmission for data contained within the information field is application-dependent and not specified.

The order of bit transmission for the FCS is most significant bit first (See Appendix D).

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FRAME

First Bit Transmitted

F	A	C	(Info)	FCS	F
01111110	Note 1	Note 2	Note 3	X^{15}----------X^{0}	01111110
Flag Sequence	Address Field	Control Field	Information Field	Frame Check Sequence	Flag Sequence

Note 1. Address Field formats described in Sections 4.2 & 4.3

Note 2. Control Field formats described in Sections 5.2.1 & 5.2.2

Note 3. Information Field may be any number of bits ≥0.

STRUCTURAL RELATIONSHIP OF DEFINED FIELDS IN ADCCP FORMAT

Figure 3.1

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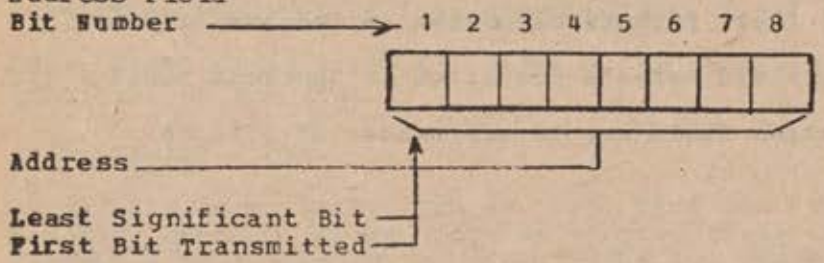
4.0 SECONDARY LINK ADDRESS FIELD

4.1 Addressing Modes

Two addressing modes are defined for the secondary station link address field. These modes are mutually exclusive for any given Secondary on a link and therefore the addressing mode must be explicitly specified.

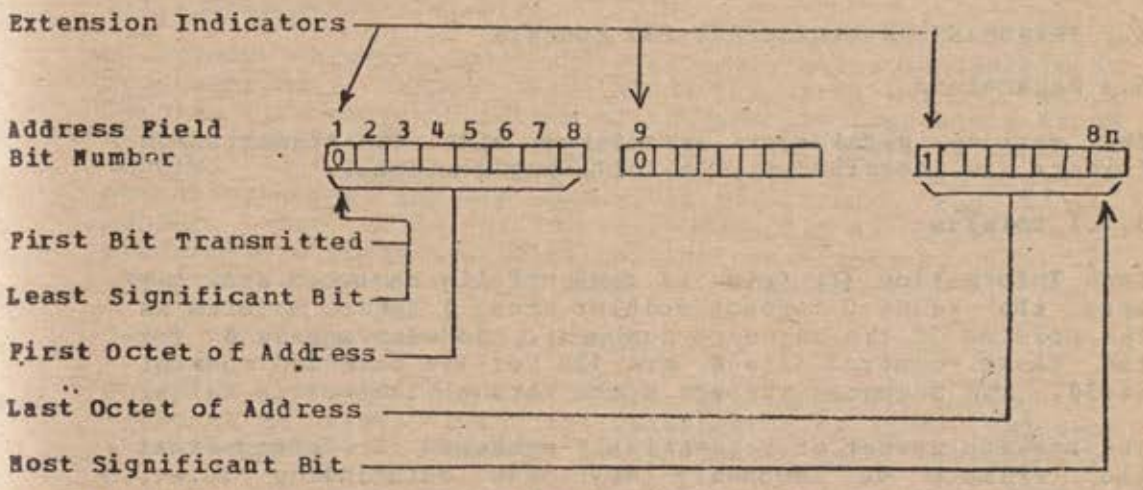
4.2 Secondary Link Address Field - Basic Address Mode

In basic mode, the secondary link address field contains one address, which may be a single, group, or global secondary address. This field consists of one octet with the following format:



4.3 Secondary Link Address Field - Extended Address Mode

In extended mode, the secondary link address field is a sequence of octets which comprises one address which may be a single, group, or global Secondary address. When the first bit of an address octet is "0", the following octet is an extension of the address field. The address field is terminated by an octet having a "1" in bit position one. Thus, the address field is recursively extendable. The format of the extended secondary link address field is:



4.4 Global Address

The address of eight "1" bits (11111111) is reserved as the global (universal, or broadcast) address.

The global address is used in situations where a specific Secondary address is not known (e.g., switched connection), or is not necessary to the situation (e.g., broadcast transmission).

4.5 Null Address

The address of eight "0" bits (00000000) is reserved as the null (no-station) address.

The null address is used in situations where it desired to exercise a station transmit ability without requiring remote station action or reply.

5.0 TRANSMISSION PARAMETERS AND FORMATS

5.1 Parameters

The various parameters associated with the transmission formats are described in the following sections.

5.1.1 Modulus

Each Information (I) frame is sequentially numbered and may have the value 0 through modulus minus 1 (where modulus is the modulus of the sequence numbers). Modulus equals 8 for the basic control field and 128 for the extended control field. The sequence numbers cycle through the entire range.

The maximum number of sequentially numbered I frames that the Primary or Secondary may have outstanding (i.e., unacknowledged) at any given time may never exceed one less than the MODULUS of the sequence numbers. This restriction is to prevent any ambiguity in the association of transmitted I frames with sequence numbers during normal operation and/or error recovery action. The number of outstanding I frames may be further restricted by either the sending or receiving station storage capability; e.g., the number of I frames that can be stored for transmission and/or retransmission in the event of a transmission error.

5.1.2 Frame Variables and Sequence Numbers

In ADCCP-Independent Numbering operation each addressed Secondary station maintains a separate (independent) Send Sequence Number, N(S), and a Receive Sequence Number, N(R), on the I frames it sends and receives. Each Secondary station then maintains an N(S) number on the frames it transmits to the Primary, and an N(R) number on the I frames it has correctly received from the Primary. In the same manner the Primary maintains separate N(S) and N(R) numbers for I frames sent to and received from each Secondary on the link.

5.1.3 Send State Variable, S

A Primary station and all Secondary stations capable of transmitting I frames have a state variable, S, which denotes the sequence number of the next in sequence I frame to be transmitted. S can take on the value 0 through MODULUS -1. (Where MODULUS is the modulus of the sequence numbering scheme and the numbers cycle through the entire range). The value of S is incremented by one with each successive I frame transmission, but cannot exceed N(R) of the last received frame by more than MODULUS -1.

5.1.4 Send Sequence Number, N(S)

Only I frames contain N(S), the sequence number of transmitted frame. Prior to transmission of an in sequence I frame, the value of N(S) is updated to equal the value of S.

5.1.5 Receive State Variable, R

A Primary station and all Secondary stations capable of receiving I frames have a state variable, R, which denotes the sequence number of the next in sequence I frame to be received. R can take on the values 0 through MODULUS -1 (where MODULUS is the modulus of the sequence numbering scheme and the numbers cycle through the entire range). The value of R is incremented by the receipt of an error free in sequence I frame whose send sequence number, N(S), equals R.

5.1.6 Receive Sequence Number, N(R)

All I frames and S frames contain N(R), the expected sequence number of the next received I frame. Prior to transmission or retransmission of a frame of the above types, the value of N(R) is updated to equal the current value of R. N(R) indicates that the station transmitting the N(R) has correctly received all I frames numbered up to and including N(R)-1.

5.1.7 Poll/Final, P/F, Bit

The Poll (P) bit is used by the Primary to solicit (poll) a response or sequence of responses from Secondary stations.

The Final (F) bit is used by a Secondary to:

1) indicate in ARM the response frame sent in reply to the receipt of a poll command.

2) in NRM to indicate the final frame transmitted as the result of a previous poll command.

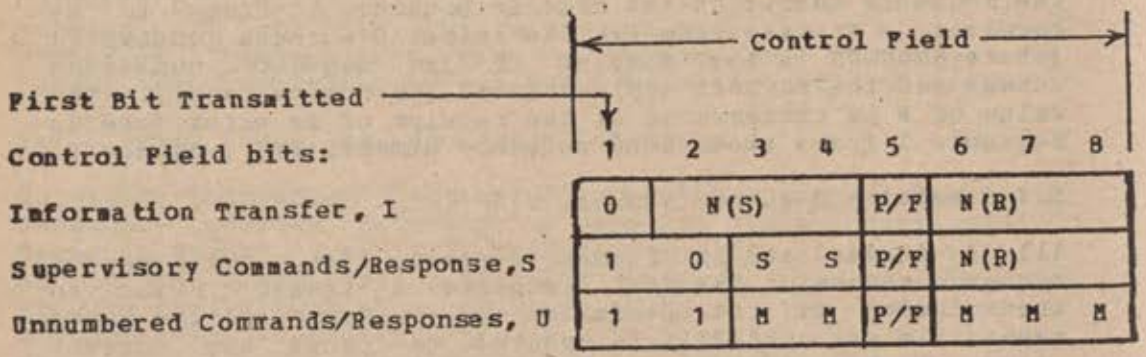
See Section 6.1 for further description of the P/F bit operation.

5.2 Control Field Formats

The three formats defined for the Control field are used to perform information transfer, basic supervisory control functions, and special or infrequent control functions.

5.2.1 Basic Control Field

The basic control field accomodates modulo 8 N(S) and N(R) sequence numbering.



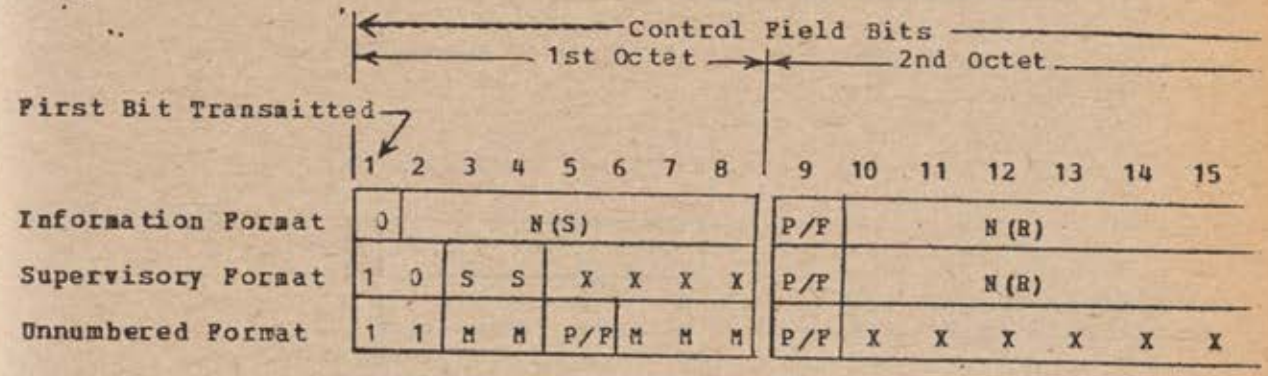
Where: N(S) = Transmitting station send sequence number.
(Bit 2 = Low Order Bit)
N(R) = Transmitting station receive sequence number.
(Bit 6 = Low Order Bit)
S = Supervisory function bits
M = Modifier function bits
P/F = Poll bit - Primary transmissions.
Final bit - Secondary transmissions.

(1 = Poll/Final)

5.2.2 Extended Control Field

The extended control field accommodates modulo 128 N(S) and N(R) sequence numbering. (On long propogation delay links (e.g., satellite transmission) it is desirable for reasons of efficiency to extend the modulus of the sequence numbers N(S) and N(R). The method of extension is defined below.)

Control field extension for the three formats is as follows:



where X bits are reserved and set to "0"

5.3 Information Transfer Format - I

The I format is used by Primary and Secondary stations to perform an information transfer.

The functions of N(S), N(R), and P/F are independent; i.e., each I frame has an N(S) sequence number, the N(R) sequence number may or may not acknowledge additional I frames at the receiving station, and the P/F bit may or may not be set to "1".

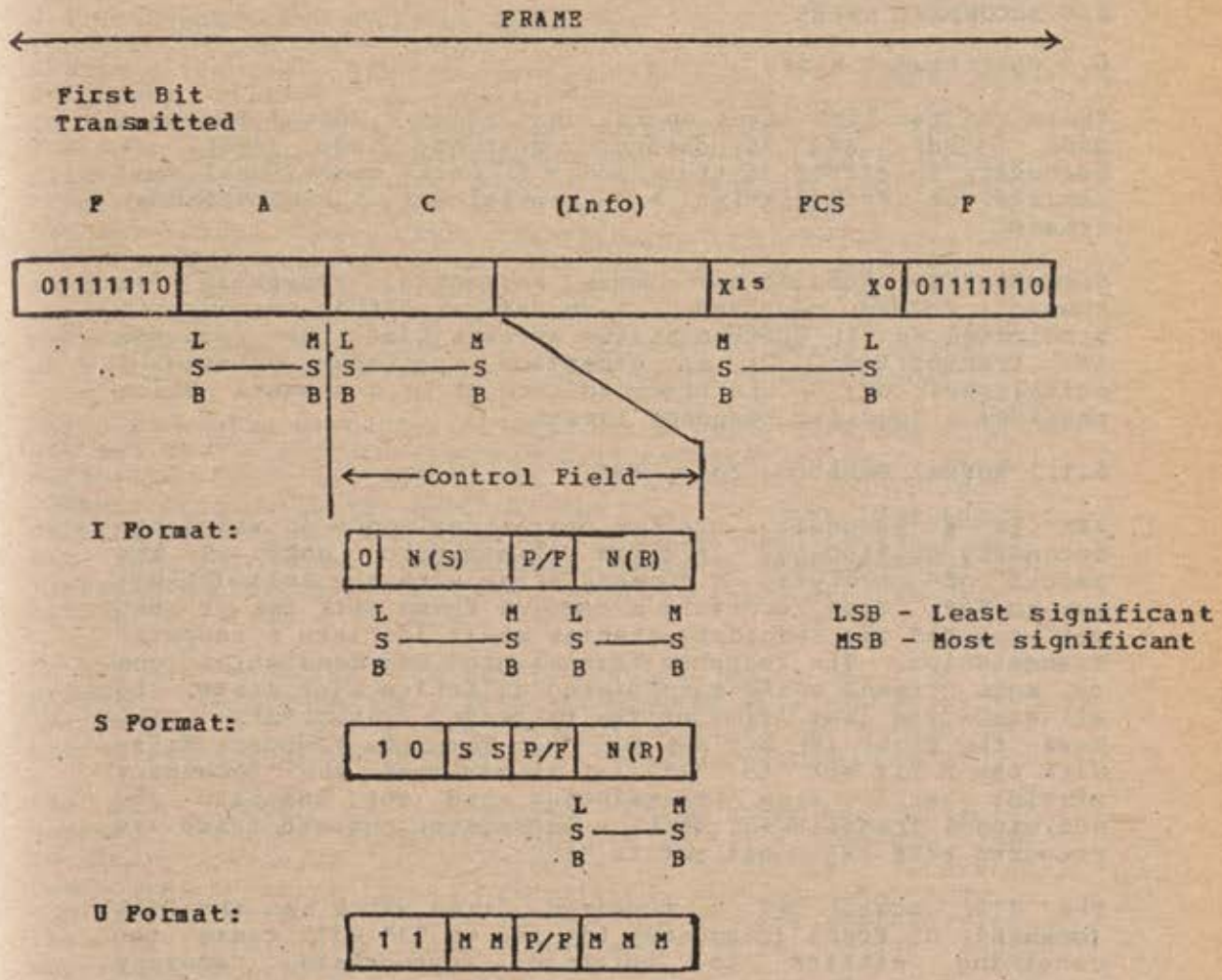
5.4 Supervisory Format - S

The S format is used to perform link supervisory control functions such as acknowledge I frames, request retransmission of I frames, and indicate temporary interruption of capability to receive I/UI frames.

5.5 Unnumbered Format - U

The U format is used to provide additional Primary and Secondary link control functions. This format contains no sequence numbers and consequently 5 "modifier" bit positions are available which allows definition of up to 32 additional command and 32 additional response functions.

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POSITIONAL SIGNIFICANCE OF BITS IN FIELDS OF ADCCP BASIC FORMAT

Figure 5-1

6.0 SECONDARY MODES

6.1 Operational Modes

There are two link level operational modes: Normal Response Mode (NRM) and Asynchronous Response Mode (ARM). A Secondary in either of these modes is fully operational and capable of transmitting and receiving I, S, and U format frames.

Secondary stations do not queue sequential responses for command frames received. A Secondary station response is predicated on: 1) station status at that time the response is transmitted; 2) an exception condition previously established, or; 3) the previous receipt of a command which requires a specific response format.

6.1.1 Normal Response Mode, NRM

NRM is a Secondary station operational mode in which the Secondary station may initiate transmission only as the result of receiving a command frame with the Poll (P) bit set to "1". Upon receiving a command frame with the P bit set to "1" the Secondary station shall initiate a response transmission. The response transmission may consist of one or more frames while maintaining an Active Link State. In all cases the last frame of the response transmission will have the Final (F) bit set to "1". When the response frame with the F bit set to "1" is transmitted the Secondary station will stop transmitting and not initiate any additional transmission until a subsequent command frame is received with the P bit set to "1".

The N(R) number of a received frame which has the Poll (command) or Final (response) bit set to "1" will cause the receiving station to initiate appropriate recovery procedures if all I frames transmitted previous to and/or concurrent with the last frame which was transmitted with the Poll (Primary) or Final (Secondary) bit set to "1" have not been acknowledged. In all cases the receipt of an I or S format frame will confirm previously transmitted I frames through N(R)-1.

Normal Response Mode Extended, NRME, is operationally identical to NRM except that for the extended control field. See Section 5.2.2.

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6.1.2 Asynchronous Response Mode, ARM

ARM is a Secondary station operational mode in which the Secondary station may initiate transmission without regard to the receipt of a command frame with the Poll bit set to "1". Asynchronous transmission may be initiated at the first respond opportunity, which for two-way alternate (TWA) transmission is detection of an Idle Link State, and for two-way simultaneous (TWS) transmission is immediately. An asynchronous transmission may contain multiple frames and is used to initiate information transfer (I/UI) and/or to report status changes in the Secondary Station, (e.g., N(R) number change, transition from a ready to a busy condition or vise versa, establishment of an exception condition.)

The Secondary station will transmit a frame with the Final bit set to "1" only in response to a received command frame with the Poll bit set to "1". Following the receipt of a command frame with the Poll bit set to "1" the Secondary station must initiate a response transmission with the Final bit set to "1". Additional response frames may be transmitted following the response frame which had the Final bit set to "1".

In the case of a TWS Secondary station which is in the process of transmitting when the command with the Poll bit set to "1" is received, the Final bit will be set to "1" in the earliest possible subsequent frame to be transmitted.

The N(R) number of a received frame which has the Poll (command) or Final (response) bit set to "1" will cause the receiving station to initiate appropriate recovery procedures if all I frames transmitted previous to and/or concurrent with the last frame which was transmitted with the Poll (Primary) or Final (Secondary) bit set to "1" have not been acknowledged.

In ARM a Secondary station has a response timer which will cause initiation of appropriate recovery procedures if previously transmitted frames have not been acknowledged by the Primary station within a system specified timeout period. Since simultaneous contention may occur in the case of TWA configurations, the interval employed by the Secondary station must be greater than that employed by the Primary station so as to permit contention situations to be resolved in favor of the Primary station.

Asynchronous Response Mode Extended, ARME, is operationally identical to ARM except for the extended control field. See Section 5.2.2.

6.2 Disconnected Modes

There are two link level disconnected modes: Normal Disconnected Mode (NDM) and Asynchronous Disconnected Mode (ADM). These disconnected modes are provided to prevent a Secondary from appearing on the link in a fully operational mode during unusual situations or exception conditions since such operation could cause 1) unintended contention in ARM, 2) sequence number mismatch between the Primary and Secondary, or 3) ambiguity in the Primary as to the Secondary status or mode.

In NDM or ADM the Secondary is logically disconnected from the data link; i.e., no information field (I/UI) or S frames are transmitted or accepted. The Secondary capability in either NDM or ADM is limited to 1) accepting one of the mode-setting commands, 2) transmitting a DM or RIM response frame at each respond opportunity, and 3) responding to an XID command.

A Secondary is system defined as to the condition(s) that cause it to assume one of the two predetermined modes (ADM or NDM).

Examples of possible conditions (in addition to receiving a DISC command) which may cause a Secondary to change to a disconnected mode are:

1. the Secondary power is turned on

2. the Secondary has a temporary loss of power

3. the Secondary link level logic is manually reset

4. the Secondary terminal is manually switched from a local (home) condition to a connected-to-the-link (on-line) condition.

A Secondary in NDM or ADM may not establish a Command Reject exception condition.

6.2.1 Normal Disconnected Mode, NDM

NDM is a Secondary disconnected mode in which the Secondary is logically disconnected from the data link (i.e., not in an operational status) and has normal mode respond opportunity protocol; i.e., it may initiate a response transmission (per Section 6.1.1) only as the result of receiving a command frame with the P bit set to "1".

In this mode a Secondary actions only mode setting and XID commands. Valid commands received with the P bit set to "1" cause a Secondary in NDM to respond with a Disconnect Mode (DM) response or, if the Secondary determines it is unable to continue functioning, a request for initialization (RIM). Valid commands received with the P bit set to "0" are ignored by the Secondary.

6.2.2 Asynchronous Disconnected Mode, ADM

ADM is a Secondary disconnected mode in which the Secondary is logically disconnected from the data link (i.e., not in an operational mode) and has asynchronous respond opportunity protocol; i.e., it may initiate a response transmission (per Section 6.1.2) in TWA exchange upon detection of an Idle Link State, and in TWS exchange at any time. Such a response transmission will only consist of a request for logical connection to the Primary (DM) or, a request for initialization (RIM) if the Secondary determines it is unable to continue functioning.

In this mode a Secondary actions only mode setting and XID commands.

6.3 Initialization Mode, IM

IM is a mode of operation in which the Secondary link control program is initialized or regenerated by Primary action. IM is invoked when a Primary concludes a Secondary is behaving abnormally and needs its link control program corrected, or to remotely upgrade the Secondary's link control program. In like manner a Secondary may determine it is unable to continue functioning due to program checks and request IM to obtain a good program from the Primary.

A Secondary enters the IM upon sending a UA response in reply to the receipt of a Set Initialization Mode (SIM)

command. The Secondary may request SIM by sending Request Initialization Mode (RIM). In IM, the Primary and Secondary may exchange information in any manner specified for that Secondary station (i.e., unformatted and unchecked bit streams, UI frames, or I frames). IM is ended when the Secondary receives, actions, and acknowledges (via a UA response) a mode setting command, i.e., SNRM, SARM, SNRME, SARME, or DISC.

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7.0 COMMANDS AND RESPONSES

This standard defines the link control operation of each secondary station control in terms of command frames, response frames and internal modes. The actual link management procedure (i.e., sequence of commands and related responses) is application and link configuration dependent. Consequently, specific Primary command sequences are not defined but left to the designer of the primary link control.

Sections 7.1 through 7.3 contain the definition of the set of commands and responses (listed below) for each of the transmission formats.

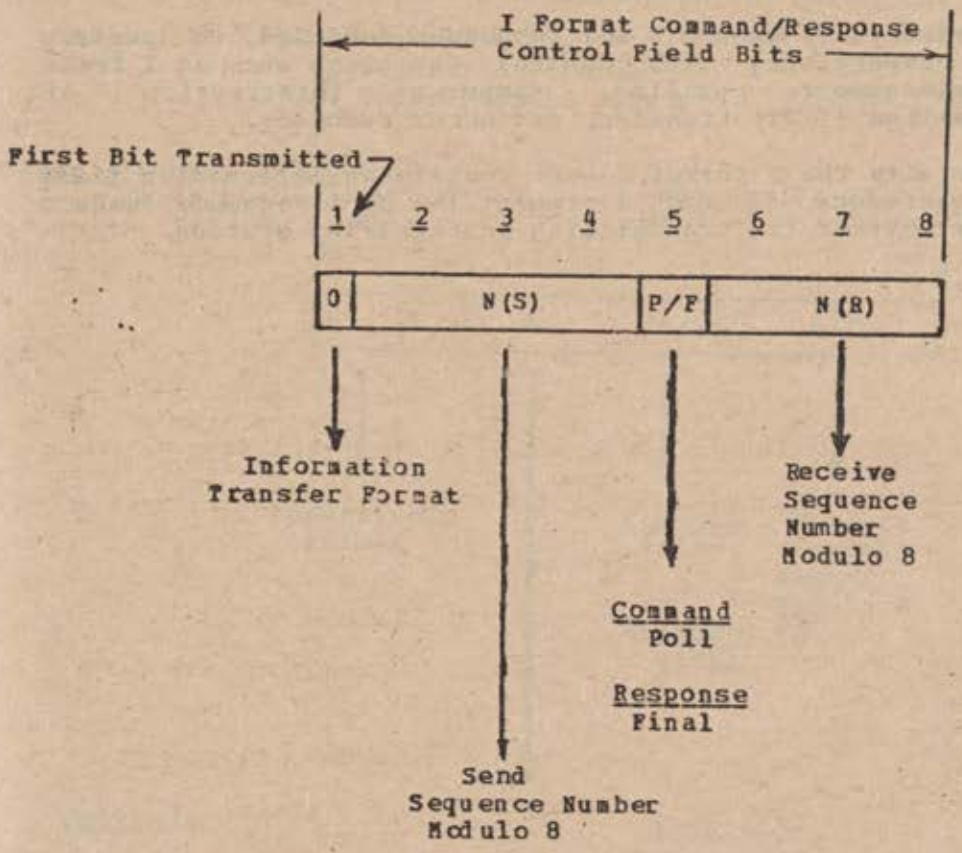
Information Transfer Format Commands	Information Transfer Format Respons
I - Information	I - Information
Supervisory Format Commands	**Supervisory Format Responses**
RR - Receive Ready	RR - Receive Ready
RNR - Receive Not Ready	RNR - Receive Not Ready
REJ - Reject	REJ - Reject
SREJ - Selective Reject	SREJ - Selective Reject

Unnumbered Format Commands	Unnumbered Format Responses
Mode Setting Commands	**Mode Setting Responses**
SNRM - Set Normal Response Mode	UA - Unnumbered Acknowledge
SARM - Set Asynchronous Response	DM - Disconnected Mode
SNRME - Set Normal Response Mode Extended	RIM - Request Initialization Mode
SARME - Set Asynchronous Response Mode Extended	RD - Request Disconnect
SIM - Set Initialization Mode	
DISC - Disconnect	
Information Transfer Commands	**Information Transfer Responses**
UI - Unnumbered Information	UI - Unnumbered Information
UP - Unnumbered Poll	
Recovery Commands	**Recovery Responses**
RSPR - Response Reject	CMDR - Command Reject
Miscellaneous Commands	**Miscellaneous Responses**
USER - User Defined (4 code positions)	USER - User Defined (4 code positions)
XID - Exchange Identification	XID - Exchange Identification

7.1 Information Transfer Format, I, Command and Response

The function of the Information, I, command and response is to efficiently transfer sequentially numbered frames containing an information field across a link.

The encoding of the I command/response control field is:



The I frame control field contains two sequence numbers: N(S), Send Sequence Number, which indicates the sequence number associated with the I frame; N(R), Receive Sequence Number which indicates the sequence number of the next expected I frame to be received (i.e., I frames numbered up to and including N(R)-1 have been correctly received).

An I frame with P bit set to "1" may be used to reset a busy condition that was initiated by the transmission of RNR. See Section 7.2.2.

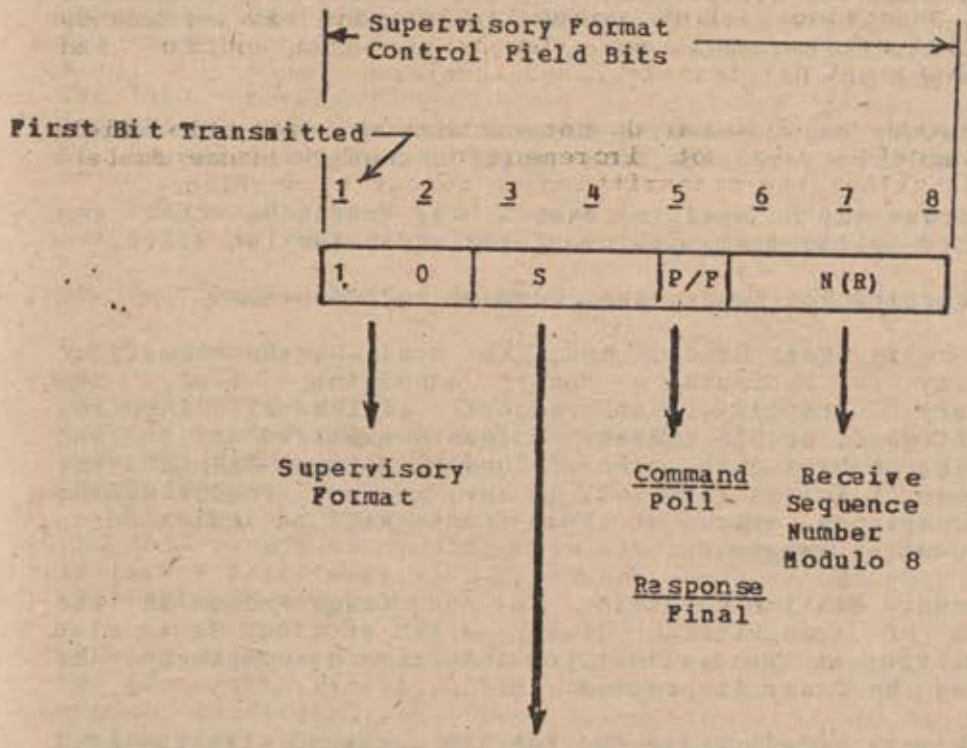
See Section 6.1 for description of P/F bit operation.

7.2 Supervisory Format, S, Commands and Responses

Supervisory, S, commands and responses are used to perform basic supervisory link control functions such as I frame acknowledgement, polling, temporary interruption of information (I/UI) transfer, and error recovery.

Frames with the S format do not contain an information field and therefore do not increment the Send Sequence Numbers N(S) at either the transmitting or receiving station.

The encoding of the S command/response control field is:



Commands		Responses
RR - Receive Ready	00	Receive Ready
RNR - Receive Not Ready	10	RNR - Receive Not Ready
REJ - Reject	01	REJ - Reject
SREJ - Selective Reject	11	SREJ- Selective Reject

A S frame contains an N(R), Receive Sequence Number, which indicates the sequence number of the next expected I frame to be received (i.e., all received I frames numbered up to and including N(R)-1 have been correctly received.) See Section 6.1 for description of the P/F bit operation.

7.2.1 Receive Ready, RR, Command and Response

The receive Ready, RR, is used by the Primary or Secondary to: 1) indicate it is ready to receive an I frame 2) acknowledge previously received I numbered up to and including N(R)-1.

The Primary may use the RR command with the Poll bit set to "1" to solicit responses from (poll) Secondary stations.

An RR frame may be used to reset a busy condition that was initiated by the transmission of RNR. See Section 7.2.2.

7.2.2 Receive Not Ready, RNR, Command and Response

The Receive Not Ready, RNR, is used by the Primary or Secondary to indicate a "busy" condition; i.e., the temporary inability to accept additional incoming information (I or UI) frames. I frames numbered up to and including N(R)-1 are acknowledged. I frame N(R) and any subsequent I frames received, if any, are not acknowledged; the acceptance status of these frames will be indicated in subsequent exchanges.

A Secondary station receiving an RNR frame when in the process of transmitting (i.e., a TWS station) is to stop transmitting at the earliest possible time by completing or aborting the frame in process.

The Primary station may use the RNR command with the Poll bit set to "1" to obtain the receive status of a Secondary station, The Secondary response will be either RR, RNR, or a U frame with the Final bit set to "1".

See Section 8.1, Busy Condition, for further details on BNR.

7.2.3 Reject, REJ, Command and Response

The Reject, REJ, is used by the Primary or Secondary to request retransmission of I frames starting with the frame numbered N(R). I frames numbered N(R)-1 and below are acknowledged. Additional I frames pending initial transmission may be transmitted following the retransmitted I frame(s).

Only one REJ exception condition, from a given station to another station, may be established at any given time; another REJ or SREJ may not be transmitted (i.e., actioned) until the first REJ exception condition has been cleared at the sender.

The REJ exception condition is cleared (reset) upon the receipt of an I frame with an N(S) number equal to the N(R) of the REJ command/response.

An REJ maybe used to reset a busy condition that was initiated by the transmission of RNR. See Section 7.2.2.

See Section 8.2 for sequence error recovery protocols.

7.2.4 Selective Reject, SREJ, Command and Response

The Selective Reject, SREJ, is used by the Primary or Secondary to request retransmission of the single I frame numbered N(R). I frames up to and including N(R)-1 are acknowledged.

The SREJ exception condition is cleared (reset) upon receipt of an I frame with an N(S) number equal to the N(R) of the SREJ command/response.

After a station transmits a SREJ it may not transmit SREJ or REJ for an additional sequence error until the first SREJ error condition has been cleared. (To do so would acknowledge as correctly received all I frames up to and including N(R)-1, where N(R) is the sequence number in the second SREJ or REJ.)

I frames that may have been transmitted following the I frame indicated by the SREJ command/response are not retransmitted as the result of receiving a SREJ. Additional I frames pending initial transmission may be transmitted following the retransmission of the specific I frame requested by the SREJ.

An SREJ may be used to reset a busy condition that was initiated by the transmission of RNR. See Section 7.2.2.

See Section 8.2 for sequence error recovery protocols.

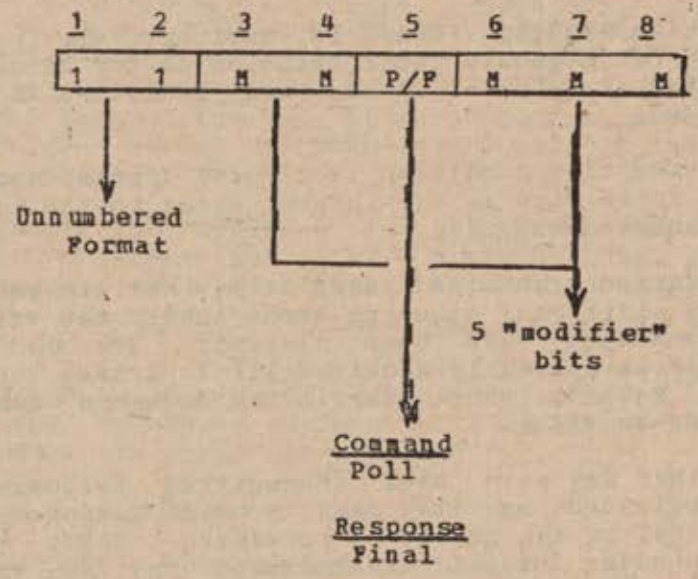
7.3 Unnumbered Format, U, Commands and Responses

Unnumbered, U, commands and responses are used by the Primary and Secondary to extend the number of link supervisory functions. U Frames do not increment the Send Sequence Numbers N(S) at either the transmitting or receiving station. Five "modifier" bits are defined which allow up to 32 additional supervisory functions.

The encoding of the U command/response control field is:

Unnumbered Format
Control Field Bits

First Bit Transmitted



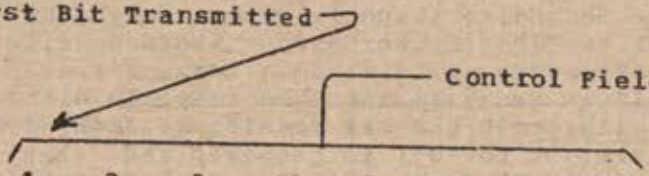
See Section 6.1 for description of the P/F bit operation.

7.4 Unnumbered Format Commands

Unnumbered Format commands are grouped according to the function performed:

- Mode-setting commands: SNRM, SARM, SNRME, SARME, SIM, DISC
- Information transfer commands: UI, UP
- Recovery commands: RSPR
- Miscellaneous commands: USER0, USER1, USER2, USER3, XID

The following U commands are defined; other commands may be defined in the future if required. All bit encodings not defined are reserved.



1	2	3	4	5	6	7	8	
1	1	0	0	P	0	0	1	SNRM Command
1	1	1	1	P	0	0	0	SARM Command
1	1	1	1	P	0	1	1	SNRME Command
1	1	1	1	P	0	1	0	SARME Command
1	1	1	0	P	0	0	0	SIM Command
1	1	0	0	P	0	1	0	DISC Command
1	1	0	0	P	0	0	0	UI Command
1	1	0	0	P	1	0	0	UP Command
1	1	1	0	P	0	0	1	RSPR Command
1	1	0	1	P	0	0	0	USER0 Command
1	1	0	1	P	0	0	1	USER1 Command
1	1	0	1	P	0	1	0	USER2 Command
1	1	0	1	P	0	1	1	USER3 Command
1	1	1	1	P	1	0	1	XID Command

See Section 6.1 for description of the P bit operation.

The SNRM, SARM, SNRME, SARME, SIM, RSPR, and DISC commands require the Secondary to acknowledge acceptance by responding with a single Unnumbered Acknowledgement, UA, frame at the first respond opportunity. The Secondary station transmission of a UA response following the receipt

of one of these commands takes precedence over any other responses which may be pending at the Secondary. If more than one of these U commands is received by a Secondary prior to a respond opportunity, a single UA response is transmitted that is referenced to the first such command received; i.e., any additional I, S or U commands subsequently received are monitored only to detect the next respond opportunity and then discarded.

The respond opportunity at the Secondary is determined by the mode setting command received (i.e., the mode to which the Secondary is directed dictates when the response is transmitted).

1. upon receipt of a SNRM or SNRME command with the P bit set to "1", the Secondary responds with a single UA frame with P bit set to "1"; if the SNRM or SNRME P bit is set to "0", the Secondary waits until a command frame with P bit set to "1" is received and then responds with a single UA frame with the F bit set to "1", or until a UP command (with P bit set to "0") is received and then responds with a single UA frame with the P bit set to "0".

2. upon receipt of a SARM or SARME command with or without the P bit set to "1" the Secondary will transmit a single UA frame:

   a. upon detection of an Idle Link State in TWA operation

   b. immediately in TWS operation.

   The UA frame will have the F bit set to "1" if the command has the P bit set to "1".

3. Upon receipt of a SIM or a DISC command the Secondary will respond with a single UA frame per its system defined respond opportunity; i.e., a given Secondary is system defined to always use the normal mode response opportunity or the asynchronous mode response opportunity.

NOTE: The protocol defined here requires that the Primary station restrict the transmission of U commands which require UA responses so that only one such command is

outstanding (not acknowledged) to any given Secondary at any given time. This eliminates the requirement for the Secondary to queue responses and prevents any ambiguity relative to the meaning of the UA response.

A TWA Secondary station, following the receipt of one of these U commands, is restricted to transmitting a single UA response frame. A TWS Secondary station which is transmitting concurrent to the receipt of one of these U commands will initiate transmission of a single UA response frame at the first respond opportunity. The Secondary may continue transmission following return of the UA response as appropriate to its respond mode.

7.4.1 Mode-Setting Commands

Mode-setting commands are used by the Primary to reset or change the mode of the addressed Secondary. Once established a mode remains in effect at a Secondary until the next mode-setting command is received and actioned.

7.4.1.1 Set Normal Response Mode, SNRM, Command

The SNRM command is used to place the addressed Secondary station in the NRM where all control fields are one octet in length. No information field is permitted with the SNRM command.

The Secondary station confirms acceptance of SNRM by transmission of a UA in the unextended control field format. Upon acceptance of this command the Secondary station send and receive counts are set to zero.

Previously transmitted I frames that are unacknowledged when this command is actioned remain unacknowledged. Transmission of SNRM indicates a reset of a Primary busy condition initiated by the transmission of RNR. See Section 7.2.2.

7.4.1.2 Set Asynchronous Response Mode, SARM, Command

The SARM command is used to place the addressed Secondary station in ARM where all control fields are one octet in length. No infcrmation field is permitted with the SARM command.

The Secondary confirms acceptance of SARM by the transmission of a UA response in the unextended control field format. Upon acceptance of this command the Secondary station send and receive sequence counts are set to zero.

Previously transmitted I frames that are unacknowledged when this command is actioned remain unacknowledged. Transmission of SARM indicates a reset of a Primary busy condition initiated by the transmission of RNR. See Section 7.2.2.

7.4.1.3 Set Normal Response Mode Extended, SNRME, Command

The SNRME command is used to place the addressed Secondary station in NRME where all control fields will be two octets in length as defined in Section 5.2.2. No information field is permitted with the SNRME command.

The Secondary station confirms acceptance of SNRME by transmission of a UA response in the extended control field format. Upon acceptance of this command the Secondary send and receive counts are set to zero.

Previously transmitted I frames that are unacknowledged when this command is actioned remain unacknowledged. Transmission of SNRME indicates a reset of a Primary busy condition initiated by the transmission of RNR. See Section 7.2.2.

7.4.1.4 Set Asynchronous Response Mode Extended, SARME, Command

The SARME command is used to place the addressed Secondary station in ARME where all command/response control fields will be two octets in length as defined in Section 5.2.2. No information field is permitted with the SARME command.

The Secondary station confirms acceptance of SARME by transmission of a UA response in the extended control field

format. Upon acceptance of this command the Secondary send and receive counts are set to zero.

Previously transmitted I frames that are unacknowledged when this command is actioned remain unacknowledged. Transmission of SABME indicates a reset of a Primary busy condition initiated by the transmission of RNR. See Section 7.2.2.

7.4.1.5 Set Initialization Mode, SIM, Command

The SIM command is used to cause the addressed Secondary to initiate a station-specified procedure(s) to initialize its link level control functions (e.g., accept a new program or update operational parameters). No information field is permitted with the SIM command.

The Secondary station confirms acceptance of SIM by transmission of a UA response. Upon acceptance of this command the Secondary station send and receive sequence numbers are set to zero.

Previously transmitted I frames that are unacknowledged when this command is actioned remain unacknowledged.

7.4.1.6 Disconnect, DISC, Command

The DISC command is used in switched networks to perform a physical disconnect; i.e., cause the addressed station to go "on-hook". It is also used in non-switched networks to perform a logical disconnect; i.e., inform stations that the Primary is suspending operation with that Secondary station. No information field is permitted with the DISC command.

Prior to actioning the command the Secondary confirms acceptance of DISC by the transmission of a UA response. The respond opportunity after receipt of DISC is dependent upon the response operation (Normal or Asynchronous) the Secondary assumes during disconnect and is system defined for any given Secondary. The respond opportunities are defined in Section 6.1 and 6.2. Upon actioning this command the Secondary station is placed in the unextended (i.e., single octet) control field mode.

Previously transmitted I frames that are unacknowledged when this command is actioned remain unacknowledged.

7.4.2 Unnumbered Information Transfer Commands

Unnumbered information transfer commands are used to exchange frames containing information.

7.4.2.1 Unnumbered Information, UI, Command

The UI command is used to transfer an information field across a link to a Secondary or group of Secondaries without impacting the Secondary I format sequence numbers, N(S) and N(R). Reception of the UI frame is not sequence number verified, therefore the information field may be lost if a link exception occurs during transmission of the UI, or duplicated if an exception occurs during any reply to the UI. Examples of UI frame information are status, operation interruption, temporal data (e.g., time-of-day), or link initialization parameters.

See Appendix B, 7.4.2.1 for additional explanatory information.

7.4.2.2 Unnumbered Poll, UP, Command

The UP command is used to solicit response frames from a single Secondary (Individual Poll) or from a group of Secondaries (Group Poll), by establishing a logical operational condition that exists at each addressed Secondary for one respond opportunity. (In the case of a Group Poll, the mechanism employed to control (schedule) the response transmissions (to avoid simultaneous transmissions) is considered to exist and is not defined in this standard.) Secondaries receiving UP with a group address will respond in the same manner as when addressed using an individual address. The response frame(s) will contain the sending Secondary's individual address, plus N(S) and N(R) numbers as required by the particular responses. (The continuity of each Secondary's N(S) count will be maintained.) The UP command does not acknowledge receipt of any response frames that may have been previously transmitted by the Secondary(s). No information field is permitted with the UP command.

A Secondary which receives a UP with the P bit set to "1" will respond (at its respond opportunity and consistent with its mode of operation) with a frame which has the P bit set to "1".

A Secondary which receives a UP with the P bit set to "0" may or may not respond depending on the status of the Secondary; Secondary responses sent in reply to this command will have the P bit is set to "0" in all frames of each Secondary's response. A Secondary will respond to a received UP which has the P bit set to "0" when: 1) it has an I/UI frame(s) to send, 2) it has received but not acknowledged an I frame(s) 3) it has experienced an exception condition or change of status that has not been reported, 4) it has a status that must be reported again (e.g., DM, CMDR).

7.4.3 Unnumbered Recovery Commands

Unnumbered recovery commands are used to facilitate the link level exception recovery protocol.

7.4.3.1 Response Reject, RSPR, Command

The RSPR command is used to report an error not recoverable by retransmission of the identical frame; i.e. one of the following conditions resulted from the receipt of an error free frame from the Secondary station:

1. The receipt of a response that is invalid or not implemented.

2. The receipt of an I/UI response with an information field which exceeded the maximum established length. (An RSPR condition will not be established upon receipt of an XID response frame with an information field that exceeds the maximum established storage capability of the Primary.)

3. The receipt of a response frame having an invalid N(R) number. (See 7.5.3.1 for definition of an invalid N(R) number.)

A Status field immediately following the control field is included with this command to provide the reason for the

RSPR. Refer to Section 7.5.3.1 for the size and content of the Basic Status field and Extended Status field except substitute "RSPR" for "CMDR", "response reject" for "command reject", and "Primary station" for "Secondary station".

The Secondary will, at the first respond opportunity following the receipt of RSPR, transmit 1) a UA, response to indicate it will take action to correct the RSPR condition, or 2) a CMDR, response to indicate that either no corrective action will be taken or that the RSPR command is not implemented.

RSPR with an on' all zeros information field (including w,x,y, and z all equal to zero) indicates an unspecified rejection of a response frame.

See also Section 8.4, Command-Response Reject.

7.4.4 Miscellaneous Commands

7.4.4.1 Exchange Identification, XID, Command

The XID command is used to cause the addressed Secondary station to identify itself, and optionally to provide Primary station identification to the addressed Secondary. An information field is optional with the XID command; if present the information field will be the Primary station ID. If no information field is present with the XID command the Primary station is soliciting the addressed Secondary station ID. A Secondary in any mode receiving an XID command will transmit an XID response unless 1) a set mode response (UA) is pending, or 2) a CMDR condition exists.

An RSPR condition will not establish if the received XID has an information field which exceeds the maximum established storage capability of the Primary.

7.4.4.2 User-Defined Commands (USER0, USER1, USER2, USER3)

Four User-Defined commands are specified to permit the implementer to define special system-dependent functions that do not have general applicability. The User-Defined commands are USER0, USER1, USER2, and USER3.

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7.5 Unnumbered Responses

Unnumbered responses are grouped according to the function performed:

- Mode-setting responses: UA, DM, RIM
- Information transfer responses: UI
- Recovery responses: CMDR
- User-defined responses: USER0, USER1, USER2, USER3

The following Unnumbered responses are defined; other responses may be defined in the future if required. All bit encodings not defined are reserved.

Control Field Bits								
1	2	3	4	5	6	7	8	
1	1	0	0	P	1	1	0	UA Response
1	1	1	1	F	0	0	0	DM Response
1	1	0	0	P	0	1	0	RD Response
1	1	1	0	P	0	0	0	RIM Response
1	1	0	0	P	0	0	0	UI Response
1	1	1	0	P	0	0	1	CMDR Response
1	1	0	1	P	0	0	0	USER0 Response
1	1	0	1	P	0	0	1	USER1 Response
1	1	0	1	P	0	1	0	USER2 Response
1	1	0	1	F	0	1	1	USER3 Response
1	1	1	1	F	1	0	1	XID Response

See Section 6.1 for description of the F bit operation

7.5.1 Mode-Setting Responses

Mode-setting responses are used by the Secondary to request transmission of, or to respond to the mode-setting commands of the Primary.

7.5.1.1 Unnumbered Acknowledge, UA, Response

The UA response is used to acknowledge the receipt and acceptance of the SNRM, SARM, SNRME, SARME, SIM, DISC, and RSPR Unnumbered commands defined in Sections 7.4.1 and 7.4.3. The UA response is transmitted in the basic or the extended control field format as directed by the received

Unnumbered command. No information field is permitted with the UA response. (See Section 7.4 for additional details)

7.5.1.2 Disconnected Mode, DM, Response

The DM response is used to report a non-operational status where the Secondary is logically disconnected from the link; i.e., the Secondary is, per system definition, in NDM or ADM. (See Section 6.2 for details.)

The DM response is sent by a Secondary in NDM or ADM (or equivalent state) to request the Primary to issue a set mode command, or, if sent in response to the reception of a set mode command, to inform the Primary that the Secondary is still in NDM/ADM and cannot action the set mode command. On a switched network where the call is initiated by a Secondary DM is sent to request a set mode command. On a non-switched line a Secondary in ADM may send the DM response at any respond opportunity. No information field is permitted with the DM response.

A Secondary in NDM or ADM will monitor received commands (other than those that reset the disconnected mode) only to detect a respond opportunity in order to (re) transmit DM (or RIM if initialization is required); i.e., no transmissions are accepted until the disconnected mode is reset by the receipt of SNRM, SARM, SNRME, SARME, or SIM.

See Appendix C, Example 5.5.

7.5.1.3 Request Disconnect, RD, Response

The RD response is used to indicate to the Primary that the Secondary wishes to be placed in disconnected mode (NDM or ADM). RD may be sent asynchronously if the Secondary is in ARM, or if in NRM as a response to a command with the P bit set to "1". A Secondary which has sent an RD response and receives any non DISC frame(s) must accept the command frame(s) if it is able to do so. If the Secondary accepts the non DISC command frame(s) it follows the normal ADCCP elements of procedures to respond to the Primary commands. Secondary acceptance of non DISC frames after having issued an RD response cancels the RD response. If the Secondary still wants to be placed in disconnected mode (NDM or ADM) which it must re-issue the RD response. A Secondary [cannot accept] non DISC commands frame(s) due to internal problems may

respond with RD again. No information field is permitted with the RD response.

7.5.1.4 Request Initialization Mode, RIM, Response

The RIM response is used to request the SIM command. A Secondary which has established a RIM condition will monitor any subsequently received commands (other than SIM or DISC) only to detect a respond opportunity to (re)transmit RIM; i.e., no transmissions are accepted until the RIM condition is reset by the receipt of SIM or DISC. No information field is permitted with the RIM response.

7.5.2 Unnumbered Information Transfer Responses

Unnumbered information transfer responses are used to exchange frames containing information.

7.5.2.1 Unnumbered Information, UI, Response

The UI response is used to transfer an information field across a link without impacting the Secondary I format sequence numbers, N(S) and N(R). Reception of the UI frame is not sequence number verified, therefore the information field may be lost if a link exception occurs during transmission of the UI, or duplicated if an exception occurs during any reply to the UI. Examples of UI frame information are status, operation interruption, temporal data, and link initialization parameters.

7.5.3 Unnumbered Recovery Responses

Unnumbered recovery responses are used to facilitate the link level exception recovery protocol.

7.5.3.1 Command Reject, CMDR, Response

The CMDR response is used to report an error condition not recoverable be retransmission of the identical frame; i.e., one of the following conditions resulted from the receipt of an error free frame from the Primary station:

1 the receipt of a command that is invalid or not implemented.

2 the receipt of an I/UI frame with an information field which exceeded the maximum established length. (A CMDR condition will not be established upon receipt of an XID command frame with an information field that exceeds the maximum established storage capability of the Secondary.)

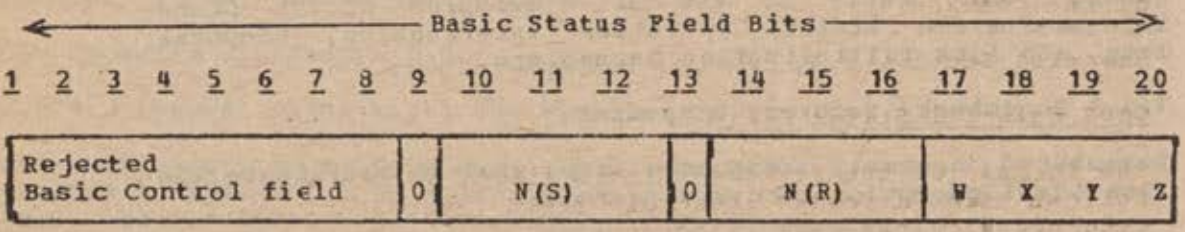
3 the receipt of an invalid N(R) number from the Primary station.

An invalid N(R) is defined as a number which points to an I frame which has previously been transmitted and acknowledged, or to an I frame which has not been transmitted and is not the next sequential I frame pending transmission.

A Secondary in a disconnected mode (NDM or ADM) will not establish a CMDR condition.

CMDR Basic Status Field

A Basic Status Field, which immediately follows the basic control field is returned with this response to provide the reason for the Command Reject Response. The format for the Basic status field is:



First Bit Transmitted

where:

Rejected Control Field is the control field of the received frame which caused the command reject

N(S) is the current N(S) number of the Secondary station

N(R) is the current N(R) number of the Secondary station

w set to "1" indicates the control field received and returned in bits 1 through 8 was invalid or not implemented

x set to "1" indicates the control field received and returned in bits 1 through 8 was considered invalid because the frame contained an information field which is not permitted with this command. Bit w must be set to "1" in conjunction with this bit.

y set to "1" indicates the information field received exceeded the maximum established capacity of the Secondary station. This bit is mutually exclusive with bit w above.

z if set to "1" indicates the control field received and returned in bits 1 through 8 contained an invalid N(R) number. This bit is mutually exclusive with bit w above.

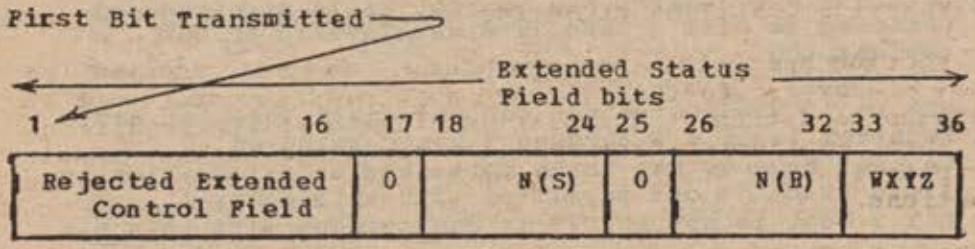
If required, the Status field associated with the CMDR may be padded with zero bits to provide a modulo of the character width being used.

CMDR with an all zeros information field (including w, x, y and z all equal to zero) indicates an unspecified rejection of the command.

See also Section 8.4, Command-Response Reject

CMDR Extended Status Field

The format for the Extended Status field, which immediately follows the extended control field (see Section 5.2.2), returned with the CMDR response is:



7.5.4 Miscellaneous Responses

7.5.4.1 Exchange Identification, XID, Response

The XID response is used to reply to an XID command. An information field containing the Secondary station identification is optionally present with the XID response. A Secondary receiving an XID command will action the XID in any mode unless 1) a set mode response (UA) is pending or 2) a CMDR condition exists.

A CMDR condition will not be established if the received XID command has an information field which exceeds the maximum established storage capability of the Secondary.

On switched networks when the Secondary is the calling station it may use the XID response, which may contain an optional information field, to request an XID exchange. (See Section 10.0 Switched Network Conventions.)

7.5.4.2 User-Defined Responses (USER0, USER1, USER2, USER3)

Four User-Defined responses are specified to permit the implementer to define special system-dependent functions that do not have general applicability. The User-Defined responses are USER0, USER1, USER2, and USER3.

8.0 EXCEPTION CONDITION REPORTING AND RECOVERY

This section specifies the procedures to be observed to effect recovery following the detection/occurrence of an exception condition at the link level. Exception conditions described are those situations that may occur as the result of transmission errors, station malfunction or operational situations.

8.1 Busy Condition

A busy condition occurs when a station temporarily cannot receive or continue to receive I frames due to internal constraints, e.g., receive buffering limitations. The "busy" condition is reported by transmission of an RNR frame with the N(R) number of the first I frame that is expected. Traffic pending transmission at the busy station may be transmitted prior to or following the RNR. The continued existence of a busy condition must be reported by retransmission of RNR at each P/F frame exchange. See Section 8.1.3, Clearing Busy Condition.

8.1.1 Secondary Receipt of RNR

a. A Secondary transmitting in NRM will upon receipt of an RNR cease transmission at the earliest possible time. The frame in process may be completed or aborted, however transmission must be terminated in the usual manner; i.e., either ended with a frame with the P bit set to "1" (see Example 5.2.1, Appendix C) or going to the Idle Link State. The Secondary may resume transmission of I frames at the next poll command (an RR, REJ, SREJ, or I command frame with the P bit set to "1").

b. A Secondary transmitting in ARM will, upon receipt of an RNR, cease transmitting at the earliest possible time by completing or aborting the frame in process and going to the Idle Link State. If the RNR command frame had the P bit set to "1" the Secondary must transmit a frame with the F bit set to "1" before going to the Idle Link State. See Examples 5.4.1 and 5.4.3 in Appendix C. The Secondary must perform a Response/Command Time-out before resuming asynchronous transmission.

8.1.2 Primary Receipt of RNR

Primary receipt of an RNR indicates that the transmitting Secondary has a busy condition.

8.1.3 Clearing Busy Condition

The busy condition is cleared at the station which transmitted the RNR when the internal constraint ceases.

Clearance of the busy condition is reported to the remote station by transmission of an RR, REJ, or SREJ frame (with or without the P/F bit set to "1"), or by transmitting an I frame with the P/F bit set to "1".

8.2 N(S) Sequence Error

An N(S) sequence exception is established in the receiving station when an I frame received error free (no FCS error) contains an N(S) sequence number that does not agree with the stations N(R) sequence number. The receiving station does not acknowledge (increment its N(R) number) the frame causing the sequence error, or any I frames which may follow, until an I frame with the correct N(S) number is received.

A station which receives one or more valid I frames having sequence errors but otherwise error free will accept the control information contained in the N(R) number and the P/F bit to perform link control functions; e.g., to receive acknowledgement of previously transmitted I frames (via the N(R) number), to cause a Secondary station to respond (P bit set to "1"), and in NRM to detect that the Secondary will terminate transmission (F bit set to "1").

Following the occurrence of a sequence error one of the two following recovery protocols is implemented to achieve recovery. Which protocol is used is dependent upon whether the optional SREJ command/response is implemented by a given Secondary. Both BASIC and SREJ recovery protocols may be used on a link, but only one protocol is used at any given Secondary.

The two recovery protocols are:

a. BASIC Recovery (NB/NAB CLASSES) uses REJ and Poll/Final Bit frame exchange (described in Section 8.2.1); the recovery protocol causes retransmission of the missing I frame which caused the sequence error and all I frames which may have been transmitted following that frame.

b. SREJ Recovery (NS/NAS CLASSES) uses SREJ and REJ commands/responses (described in Section 8.2.2); the recovery protocol causes either retransmission of only the missing I frame which caused the sequence error (SREJ recovery), or retransmission of the missing I frame which caused the sequence error and all I frames which may have been transmitted following that frame (REJ recovery).

NOTE: In these two recovery protocols the exchange of P/F bit frames perform different functions:

1. in BASIC Recovery protocol the receipt of P/F bit frames can initiate retransmission of errored or lost I frames in the same manner as the receipt of a REJ. Retransmission of I frames begins at the N(R) sequence number in the REJ, the N(R) number in the P/F bit frame, or (in the case where the P/F bit is in a U frame) at the N(R) number that exists in the receiver at the time the P/F bit is received. See Appendix B, 8.2 for precautionary note.

2. in SREJ Recovery protocol the receipt of P/F bit frames is used to sense the failure of the first attempt at recovery; i.e., the P/F bit frame exchange detects that a transmitted SREJ or REJ was not correctly received at the remote station and must be retransmitted.

8.2.1 BASIC Recovery Capability (NB/NAB CLASSES)

8.2.1.1 REJ and Poll/Final Recovery

When a station has BASIC recovery capability (i.e. does not have the capability to receive the SREJ command/response) the recovery protocol is initiated by receipt of REJ, by the

exchange of N(R) numbers in Poll/Final frames, or by a system specified Response/Command Time-out; additionally, in TWA data exchange, recovery may be initiated by the receipt of an N(R) number that does not acknowledge all previously transmitted I frames.

8.2.1.2 REJ Recovery

The REJ command/response is primarily used to initiate more timely exception recovery (retransmission) following the detection of a sequence error than is possible by Poll/Final recovery; e.g., in TWS information transfer, if REJ is immediately transmitted upon detection of a sequence error, there is no requirement to wait for a Poll/Final frame exchange. See Examples 3.2.1, 3.3.1, 4.2.2, 4.3.1, 7.1.1 and 7.1.3 in Appendix C.

Only one REJ exception condition is established at any given time and the REJ command/response may be transmitted only one time when an REJ exception condition is established.

A station receiving REJ initiates retransmission of I frames starting with the I frame indicated by the N(R) number contained in the REJ frame.

The REJ exception condition is cleared (reset) upon the receipt of an I frame with a N(S) number equal to the N(R) number of the REJ command/response.

8.2.1.3 Poll/Final Recovery

If, following a sequence error, the REJ command/response is not received (i.e., either not transmitted or due to transmission errors) recovery is initiated by P/F bit exchange. (If no P/F bit exchange occurs, recovery is initiated by detection of an Idle Link State or a Response/Command Time-out.) Following the exchange of Poll/Final frames, sequential transmission of I frames (if available) is initiated starting with any previously transmitted but unacknowledged I frames or, if none, starting with additional I frames not previously transmitted. See Examples 1.2.2, 1.3.2, 2.2.2, 2.3.2, 4.3.3, 4.3.4, 7.1.2, 7.1.4 and 7.2.2 in Appendix C. A station in ARM TWS which has received and actioned a REJ

prior to or concurrent with the receipt of a Poll/Final frame will not additionally initiate Poll/Final recovery.

8.2.1.4 Response/Command Time-Out

Following the transmission of a frame to which a reply is expected, a no-response or lost-response condition is detected by the Response/Command Time-out. (See Section 9.0.) Upon expiration of the time-out function, one or more frames are retransmitted starting with the last N(R) sequence number received. See Examples 1.2.1, 1.2.3, 1.3.1, 1.3.3, 2.1.2, 2.2.1, 2.3.1, 2.3.3, 4.2.1, and 8.2 in Appendix C.

8.2.1.5 Receipt of N(R) in TWA Data Exchange

In TWA data exchange, when P/F bit frames are lost, in error or not exchanged, the receipt of an N(R) number which does not acknowledge all previously transmitted I frames will initiate (at the next respond opportunity) sequential retransmission of I frames not acknowledged. See Example 2.2.3 in Appendix C.

8.2.2 SREJ Recovery Capability (NS/NAS CLASSES)

8.2.2.1 SREJ/REJ Recovery

The SREJ command/response is primarily used to initiate more efficient error recovery by requesting the retransmission of a single I frame following the detection of a sequence error rather than the retransmission of the I frame requested plus all additional I frames which may have been subsequently transmitted. To improve transmission efficiency it is recommended that the SREJ command/response be transmitted as the result of the detection of a sequence error where only a single I frame is missing (as determined by receipt of the out-of-sequence N(S) number).

When SREJ/REJ error recovery protocol is used, retransmission of I frame(s) is initiated only upon recieipt of either a SREJ or REJ command/response as described below. If the SREJ or REJ is not received, or is received incorrectly by the remote station, it must be retransmitted before initiating error recovery.

8.2.2.2 SREJ Recovery

When an I frame sequence error is detected, the SREJ is transmitted at the earliest possible time. Although multiple SREJ (or multiple SREJ and one REJ) exception conditions may exist within a station only one exception recovery is actioned at any given time; i.e., after a station starts the SREJ recovery procedure it may not begin a second SREJ or a REJ recovery procedure until the first error condition has been cleared. For a given error condition the SREJ command/response is transmitted only one time in each Poll/Final frame exchange.

The SREJ exception condition at the sender is cleared (reset) upon the receipt of an I frame with an N(S) number equal to the N(R) of the SREJ command/response i.e., the missing I frame.

See Examples 3.2.2, 3.3.2, 4.2.3, 4.3.2, 7.2.1 and 7.2.3 in Appendix C.

8.2.2.3 REJ Recovery

In the event the sequence error is caused by two or more sequential I fames not being received, as determined by the received N(S) numbers, it is recommended that the REJ command/response be transmitted.

Only one REJ exception condition is established at any given time. (Note that there may be one or more SREJ exception conditions pending when the REJ exception condition occurs.) A station receiving REJ initiates retransmission of I frames starting with the I frame indicated by the N(R) number contained in the REJ frame.

The REJ exception condition is cleared (reset) upon the receipt of an I frame with an N(S) number equal to the N(R) of the REJ command/response.

NOTE: The following Examples in Appendix C have been specified for BASIC Recovery capability (Section 8.2.1, REJ Recovery) but also apply to the use of REJ in stations with SREJ Recovery capability: 3.2.1, 3.3.1, 4.2.2, 4.3.1, 7.1.1, and 7.1.3. in Appendix C.

8.2.2.4 Retransmission of SREJ or REJ

In the event the SREJ or REJ command/response is transmitted but not received by the remote station (i.e., due to a transmission error), it must be retransmitted following detection that it was not received. This detection will occur either at the exchange of P/F bit frames (as described below) or by a Response/Command Time-out. In either case the SREJ or REJ command/response is retransmitted so that the proper recovery action may be executed.

For example, in the case where a SREJ (or REJ) is transmitted by a Secondary but is not received correctly by the Primary, the Secondary senses the SREJ (or REJ) must be retransmitted when, following transmission of a response frame with the Final bit set to "1" concurrent with or after the SREJ (or REJ), the requested I frame(s) is not received by the Secondary prior to or concureent with the receipt of a command frame with the Poll bit set to "1". In other words, since the Secondary transmitted the SREJ (or REJ) concurrent with or before sending the response frame with the Final bit set to "1", then the I frame(s) requested by SREJ (or REJ) should be received prior to or concurrently with the next command frame with Poll bit set to "1". (See example 7.2.4 in Appendix C where SREJ is transmitted prior to response frame I3,1F but the requested I frame is not received prior to command frame I6,4P.)

In like manner if a Primary which has transmitted a SREJ (or REJ) does not receive the requested I frame(s) prior to or concurrent with receiving the response frame with the Final bit set to "1" which is itself in reply to the first command frame with the Poll bit set to "1" concurrent with or following the SREJ, it will retransmit the SREJ (or REJ).

In the event the remote station, due to a transmission error, does not receive (or receives and discards) a single I frame or the last I frame(s) in a sequence of I frames it will not detect an out-of-sequence exception condition and, therefore, will not transmit SREJ/REJ. The station which transmitted the unacknowledged I frame(s) will, following the completion of a system specified timeout period take appropriate recovery action to determine the point where retransmission must begin.

In the event an SREJ is transmitted but not received (or is received in error and discarded) the station that transmitted the SREJ may convert the SREJ to REJ when again reporting the exception condition (e.g., if additional transmission errors have occured since the SREJ was first transmitted).

8.3 FCS Error

Any frame received with an FCS error is not accepted by the receiving station and is discarded. At the Secondary no action is taken as the result of that frame.

8.4 Command-Response Reject

A command-response reject exception condition is established upon the receipt of an error free frame which contains an invalid command/response in the control field, an invalid frame format, an invalid N(R) number or an information field which exceeded the maximum established storage capability.

At the Primary station this exception condition is subject to recovery/resolution at a higher function level.

At the Secondary station the exception condition is reported by transmitting a CMDR response to the Primary station for appropriate action. Once a Secondary station has established a CMDR exception any additional commands (other than those that reset the CMDR exception condition) subsequently received are examined only with regard to the state of the N(R) number and P bit; i.e., only to update the acknowledgement of I frames previously transmitted and to detect a respond opportunity to retransmit CMDR. No additional transmissions are accepted or actioned until the condition is reset by the receipt of a SNRM, SARM, SNRME, SARME, SIM, or DISC.

At the Secondary station the receipt of a Response Reject, RSPR is subject to recovery/resolution at a higher function level.

9.0 RESPONSE/COMMAND TIME-OUT

In order to detect a no-response or lost-response condition, each Primary shall provide a response time-out function. Also, in Asynchronous mode of operation in order to detect a no-response or lost-response condition, each Secondary shall provide a command time-out function.

9.1 Normal Response Mode

The transmission of any command with the P bit set to "1" requires a response and therefore starts the time-out function. (NOTE: No more than one poll may be outstanding at one time.)

The time-out function shall be restarted upon receipt of a valid frame.

The time-out function shall be stopped upon receipt of the expected response.

Expiration of the time-out function shall initiate appropriate recovery action.

The duration of the time-out function is system dependent and subject to bilateral agreement.

9.2 Asynchronous Response Mode

The transmission of any command with the P bit set to "1" requires a response and therefore starts the time-out function.

The time-out function shall be stopped upon receipt of a valid frame with the F bit set to "1".

Expiration of the time-out function shall initiate appropriate recovery action.

The duration of the time-out function is system dependent and subject to bilateral agreement.

10.0 SWITCHED NETWORK CONVENTIONS

Stations connected to a switched communications network may be capable of operation as primary stations only, as secondary stations only, or as either primary or secondary stations. The capabilities of the called station must be known at the calling station and the calling station must operate accordingly. If the called station is capable of operating either as a Primary or as a Secondary it

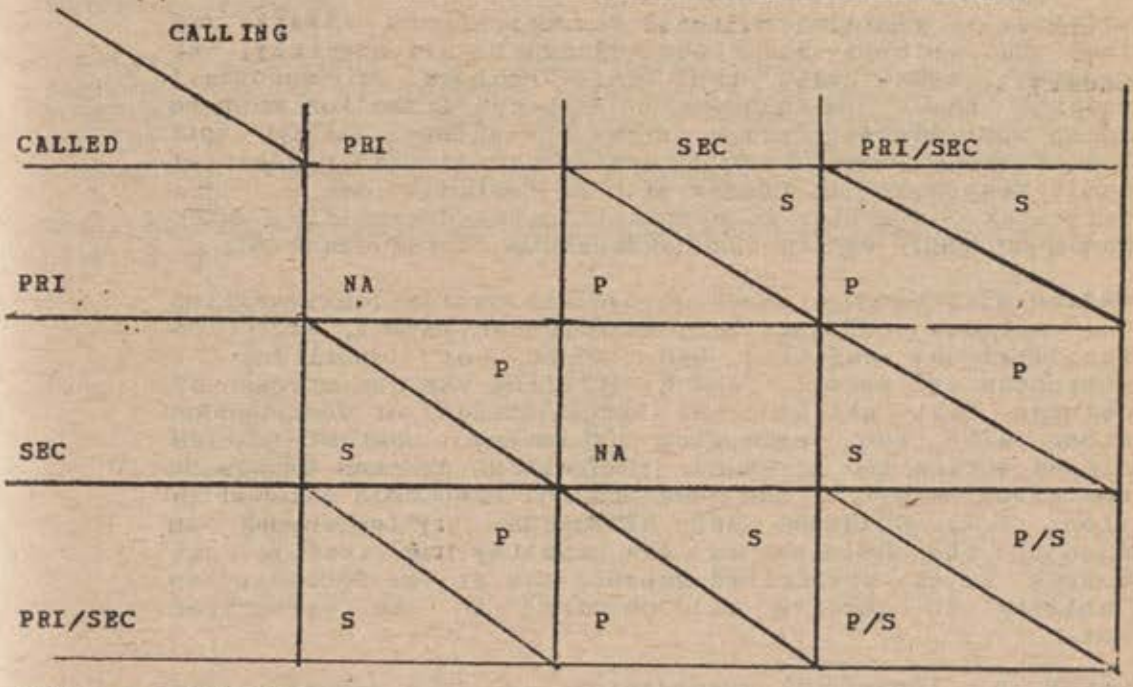
1) will implement the XID command and response, and

2) will determine which type of link control (Primary or Secondary) to invoke by recognition of either the remote station link address or identification (XID).

The calling or called station will initiate the transmission interchange first depending on the characteristics of the transmission network. When initiated by the secondary, it sends a single unsolicited Supervisory or Unnumbered response. When initiated by the primary, it sends any appropriate command with an appropriate address.

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ASSUMED PRIMARY/SECONDARY ROLES ON SWITCHED NETWORK



Pri = P = Primary
Sec = S = Secondary
Pri/Sec = P/S = Primary or Secondary
NA = Not Applicable

Figure 10-1

11.0 CLASSES OF PROCEDURES

All classes of procedures use the two frame formats as defined in Section 3.0 FRAME STRUCTURE. In addition, all procedures assume that the links include primary and secondary link controllers. Primary link controllers transmit commands (in frames with or without data), and secondary link controllers receive the command frames and transmit responses (in frames with or without data). The primary link controller is responsible for determining which commands to send, within the constraints of the standard.

Procedure differences, based on overall system consideration (e.g., network configuration, traffic management, etc.) are accommodated by defining two modes of operation - Asynchronous and Normal - and by defining various classes of procedures that utilize the capabilities of these modes together with the exception recovery characteristics specified within the standard. Individual classes implement a prescribed subset of the commands and responses defined in Section 7.0, COMMANDS AND RESPONSES. ("Implement" is defined at the Primary as the ability to receive all responses in the prescribed subset, and at the Secondary as the ability to receive all commands in the prescribed subset.)

APPENDIX B, ADDITIONAL INFORMATION, provides examples that illustrate how a point-to-point (P-P) Primary-to-Secondary (P-S) configuration(s) (described below in Section 11.1, and 11.2 Primary-to-Secondary Classes of Procedures) may be employed to yield balanced control or near-balanced control operation. These capabilities are in addition to the P-P Balanced Control Classes of Procedure (previously called "Primary/Primary") defined in Section 11.3.

11.1 Normal Response Mode (NRM) Primary to Secondary (P-S) Classes of Procedure

These classes of procedure are applicable to point-to-point (P-P) and multipoint (MP) link configurations. The Secondary station may transmit a frame or frames only as a result of the receipt of an appropriate command frame as described in Section 6.1.1, Normal Response Mode.

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11.1.1 NB CLASS: Normal Response Mode - BASIC Exception Recovery Procedure

Stations operating in this mode may use the REJ command/response to solicit retransmission of any frame detected in error. The subsequent retransmission will consist of the frame in error plus any previously transmitted frames in accordance with Section 8.2.1.

The following commands and responses must be implemented in this class:

Commands	Responses
I	I
RR	RR
RNR	RNR
REJ	REJ
SNRM	UA
DISC	CMDR
RSPR	

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11.1.2 NS CLASS: Normal Response Mode - SREJ Exception Recovery Procedure

Stations operating in the Normal Mode with Selective Reject capability can request retransmission of a single specified I frame without requiring retransmission of previously transmitted following frames; See section 8.2.2.

The following commands and Responses must be implemented in this class:

Commands	Responses
I	I
RR	RR
RNR	RNR
REJ	REJ
SREJ	SREJ
SNRM	UA
DISC	CMDR
RSPR	

11.2 Normal and Asynchronous Response Mode (NRM and ARM) Primary-to-Secondary (P-S) Classes of Procedure

11.2.1 NAB CLASS: Normal and Asynchronous Response Mode - BASIC Exception Recovery Procedure

In this class, in addition to the operation described in Section 11.1.1 above, the Primary station can condition a Secondary station(s) to transmit frames at any time independent of further action by the Primary; see Section 6.2, Asynchronous Response Mode.

The following commands and Responses must be implemented in this class:

Commands	Responses
I	I
RR	RR
RNR	RNR
REJ	REJ
SNRM	UA
SARM	CMDR
DISC	
RSPR	

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11.2.2 NAS CLASS: Normal and Asynchronous Response Mode - SREJ Exception Recovery Procedure

Stations operating in the Normal Mode with Asynchronous capability and with Selective Reject Operation can request retransmission of a single, specified information frame as described in Section 8.2.2.

The following commands and Responses must be implemented in this class:

Commands	Responses
I	I
RR	RR
RNR	RNR
REJ	REJ
SREJ	SREJ
SNRM	UA
SARM	CMDR
DISC	
RSPR	

11.3 Balanced Control Classes of Procedures (previously called "Primary/Primary")

These Balanced Control classes of procedures are restricted to point-to-point two-way simultaneous (P-P TWS), switched or non-switched transmission facility. See Figure 11-1. Each station is responsible for correction of errors associated with the traffic it originates. Each station can transmit frames at any time independent of action by the other station. Stations operating according to these classes of procedures use the Asynchronous Response Mode of operation. Each station maintains only one sequence number for all I frames transmitted and only one sequence number for all I frames accepted.

All Command frames specify the receiving station address. All Response frames specify transmitting station address.

The N(R) number in both Information and Supervisory formats indicates that the station transmitting the N(R) has

correctly received all information format frames numbered up to and including N(R)-1. See examples 8.1 and 8.2 in Appendix C.

11.3.1 BCB CLASS: Balanced Control - BASIC Exception Recovery Procedure

Stations operating in this class use the REJ command/response to solicit retransmission of any frame(s) detected in error. The subsequent retransmission will consist of the frame in error plus any previously transmitted following frames in accordance with Section 8.2.1.

The following commands and responses must be implemented in this class:

Commands	Responses
I	I
RR	RR
RNR	RNR
	REJ
RSPR	CMDR
SARM	UA
SARME	
DISC	

11.3.2 BCS CLASS: Balanced Control, SREJ Exception Recovery Procedure

Stations operating in this class have the option to request retransmission of a single, specified information frame without requiring retransmission of previously transmitted following frames, in accordance with Section 8.2.2.

The following commands and responses must be implemented in this class:

Commands	Responses
I	I
RR	RR
RNR	RNR
	REJ
	SREJ
RSPR	CMDR
SARM	UA
SARME	
DISC	

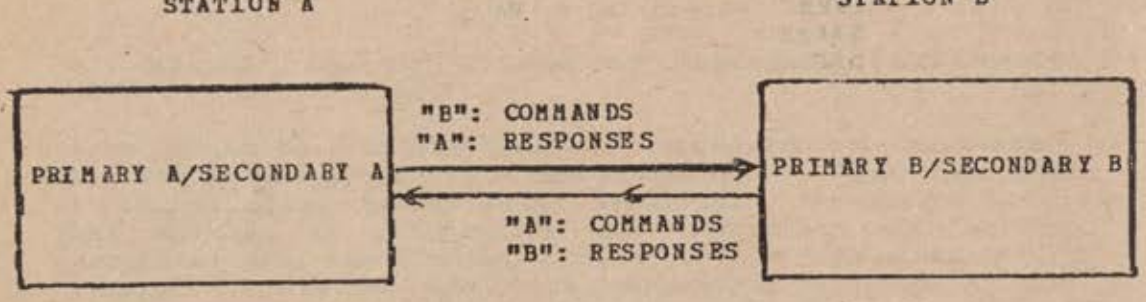


FIGURE 11-1

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12.0 FRAME CHECK SEQUENCE (FCS) GENERATION AND CHECKING

This section specifies the FCS generation and checking requirements. These requirements are formulated to detect frame length changes due to erroneous addition or deletion of zero bits at the end of the frame as well as to detect errors introduced within the frame.

12.1 FCS Generation

The equations for FCS generation are:

$$\frac{X^{16}\,G(x) + X^{k}\,L(X)}{P(X)} = Q(X) + \frac{R(X)}{P(X)} \quad \text{and,}$$

$$FCS = L(X) + R(X) = R(X),$$

The division is modulo 2 and,

$L(X) = X^{15} + X^{14} + X^{13} + X^{12} + X^{11} + X^{10} + X^{9} + X^{8} + X^{7} + X^{6} + X^{5} + X^{4} + X^{3} + X^{2} + X^{1} + 1,$

$R(x)$ = The remainder which is of degree less than 16.

k = The number of bits represented by $G(X)$,

$P(X)$ = The CCITT V.41 generator polynomial ($X^{16} + X^{12} + X^{5} + 1$), and

$G(X)$ = The message polynomial. It includes the contents of the address, control and information fields, excluding the zero bits inserted for transparency (see Section 3.7).

The generation of the remainder $R(X)$ differs from that used in conventional check sequence generation by the presence of the $X^{k}L(X)$ term in the generation equation. When the FCS generation is by the usual shift register technique, the $X^{k}L(X)$ term is added in either of two ways:

1. Preset the shift register to all ones rather than to all zeros as in conventional generation procedures. Otherwise, shift the data ($G(X)$) through the register as in conventional procedures, or,

2. Invert the first 16 bits of G(X) before shifting into the register and shift the remaining part of G(X) through uninverted. This requires that G(X) contain at least 16 bits.

Whether 1 or 2 is used, the shift register contents, after shifting through G(X), is R(X). These contents are inverted bit-by-bit and transmitted as the FCS sequence.

The transmitted sequence is always (in algebraic notation):

$$M(X) = X^{16} G(X) + FCS.$$

12.2 FCS Checking

The received sequence will be denoted M*(x), which differs from M(x) if transmission errors are introduced. The checking process always involves dividing the received sequence by P(x) and testing the remainder. Direct division, however, does not yield a unique remainder and it is expected that in most cases the received sequence will be modified for checking purposes by addition of terms which will cause the division to yield such a unique remainder when M*(x) = M(x), i.e., when the frame is error free.

Two classes of checking equations are given below:

1. $$\frac{X^{\gamma}[M^*(x) + X^k L(x)]}{P(x)} = Q(x) + \frac{R(x)}{P(x)}$$

In this case the unique remainder is the remainder of the division $X^{\gamma} \frac{L(x)}{P(x)}$

When $\gamma = 0$ the remainder is L(x) (16 ones).
When $\gamma = 16$ the remainder is $X^{12} + X^{11} + X^{10} + X^8 + X^3 + X^2 + X + 1$ (0001110100001111 X^{15} through X^0 respectively)

2. $$X^{\gamma}\left[\frac{M^*(x) + (X^k + 1) L(x)}{P(x)}\right] = Q(x) + \frac{R(x)}{P(x)}$$

In this case the unique remainder is always zero regardless of the value of γ.

Shift register implementation of the above equations normally use $\gamma = 16$ (pre-multiplication). When this is the

case, the added term X L(x) in both 1 and 2 is added by either inverting the first 16 received bits of M*(X) before shifting them through the checking register or by presetting the register to all 1's and shifting all of M*(X) through normally. Thus the receiver action on the leading portion of a frame is the same with either 1 or 2.

The + 1 of the term (X + 1)L(x) of the generation equation of 2 is added by inverting the FCS. This implies a 16 bit storage delay by the FCS function at the receiver since the location of the FCS is not known until the closing flag is received.

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APPENDIX A - GLOSSARY

ABORT: A function invoked by a sending (PRIMARY or SECONDARY) station causing the recipient to discard (and ignore) all bit sequences transmitted by the sender since the preceding FLAG SEQUENCE.

ACCEPT: The condition assumed by a (PRIMARY or SECONDARY) station upon accepting a correctly received FRAME for processing.

ADCCP: Advanced Data Communication Control Procedures.

ADDRESS FIELD (A): The sequence of eight (or any multiple of eight if extended) bits immediately following the opening FLAG of a FRAME identifying the SECONDARY station sending (or designated to receive) the FRAME.

ADDRESS FIELD EXTENSION: Enlarging the ADDRESS FIELD to include more addressing information.

BASIC STATUS: A SECONDARY STATION's capability to send or receive a FRAME containing an INFORMATION FIELD.

COMMAND: The content of the CONTROL FIELD, of a COMMAND FRAME sent by the PRIMARY instructing the addressed SECONDARY to perform some specific LINK LEVEL function.

COMMAND FRAME: All FRAMES that may be transmitted by the PRIMARY are referred to as COMMAND FRAMES.

CONTROL FIELD (C): The sequence of eight (or sixteen if extended control field) bits immediately following the ADDRESS FIELD of a FRAME. The content the CONTROL FIELD is interpreted by the receiving:

(a) SECONDARY, designated by the ADDRESS FIELD, as a COMMAND instructing the performance of some specific function.

(b) PRIMARY, as a RESPONSE from the SECONDARY, designated by the ADDRESS FIELD, to one or more COMMANDS.

CONTROL FIELD EXTENSION: Enlarging the CONTROL FIELD to include additional control information.

(a) Is terminated by an ABORT Sequence, or

(b) Contains less than 32 bits before an apparent ending FLAG SEQUENCE is detected.

LINK LEVEL: The conceptual level of control or processing logic existing in the hierarchical structure of a (PRIMARY or SECONDARY) station that is responsible for maintaining control of the DATA LINK. The LINK LEVEL functions provide an interface between the station HIGH LEVEL logic and the DATA LINK; these functions include (transmit) bit injection and (receive) bit extraction, ADDRESS/CONTROL FIELD interpretation, COMMAND/RESPONSE generation, transmission and interpretation, and FRAME CHECK SEQUENCE computation and interpretation.

PRIMARY: That portion of the Primary station responsible for control of the DATA LINK. The PRIMARY generates COMMANDS and interprets RESPONSES. Specific responsibilities assigned to the PRIMARY include:

(a) Initialization of (data and control) information interchange

(b) Organization and control of data flow

(c) Retransmission control

(d) All recovery functions at the LINK LEVEL

RESPOND OPPORTUNITY: The LINK LEVEL logical control condition during which a given SECONDARY may transmit a RESPONSE FRAME(s).

RESPONSE: The content of the CONTROL FIELD of a Response Frame advising the PRIMARY with respect to the processing by the SECONDARY of one or more COMMAND FRAMES.

RESPONSE FRAME: All FRAMES that may be transmitted by a SECONDARY are referred to as RESPONSE FRAMES.

SECONDARY: That portion of a Secondary station responsible for performing LINK LEVEL operations, as instructed by the PRIMARY. A SECONDARY interprets received COMMANDS and generates RESPONSES.

SECONDARY STATUS: The current condition of a SECONDARY with respect to processing the series of COMMANDS received from the PRIMARY.

UNNUMBERED COMMANDS: The commands that do not contain sequence numbers in the CONTROL FIELD.

UNNUMBERED RESPONSES: The responses that do not contain sequence numbers in the CONTROL FIELD.

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APPENDIX B - ADDITIONAL INFORMATION

This appendix provides additional explanatory information to assist in the use of the standard. For ease of reference, the organization of this appendix is identical to that of the body of the standard.

3.4 Frame Structure, Information Field

Although the maximum length of the information field is theoretically unlimited it will be constrained by one or more of the following factors:

1 Error detection capability of the FCS

2 Channel error characteristics and data rates

3 Station buffer sizes and strategies

4 Logical properties of the data

3.1 Flag Sequence, and 3.8 Time Fill

Although this standard permits the closing flag of one frame to be the opening flag of the next frame, it must be recognized that in certain implementations this may result in crisis time problems. Under those conditions, it may be necessary to transmit interframe time fill. The amount of time fill must be determined by prior agreement.

3.9 IDLE Link State

Detection of an IDLE link condition may require the use of a timer or an alternate clock to determine receipt of a continuous one condition for 15 bit times if the link configuration does not provide clock signals in an IDLE condition.

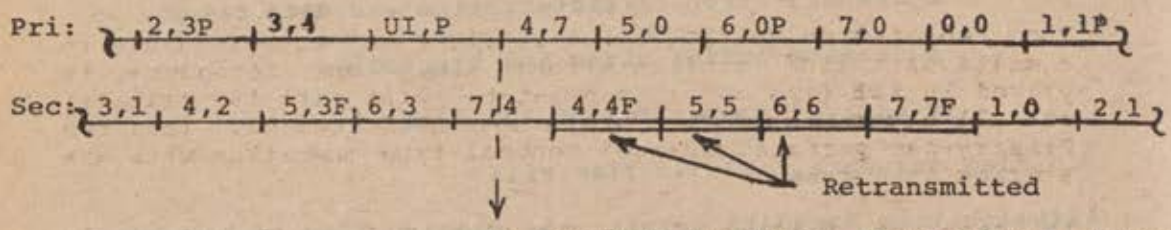
7.4.2.1 Unnumbered Information, UI, Command

A Secondary must respond upon receipt of a UI command frame with the P bit set to "1"; the response shall be any appropriate frame(s), one of which will have the P bit set to "1". A UI command with the P bit set to "0" solicits no response.

8.2 N(S) Sequence Error

In P/F bit recovery if the P or F bit is contained in a U frame, the N(R) number that exists at the receiver when P/F bit recovery is initiated can, under some circumstances, be incorrect. (See example below.) Therefore stations which initiate P/F bit recovery when the P/F bit is in a U frame must be prepared to receive retransmitted frames which have N(S) members that have been previously received and acknowledged. I frames are not lost or duplicated in these instances, however link efficiency is decreased due to the transmission of duplicate I frames.

ARM TWS



In previous Sec F-bit frame N(S)=5, however N(R) as received from Pri =4 (from frame 3,4), therefore begin P/F recovery

11.0 Classes of Procedures

There are two forms of point-to-point two-way simultaneous (P-P TWS) operations that are possible using Primary/Secondary configurations. They are:

A. Primary/Secondary ARM TWS
B. Primary/Secondary Back-to-Back ARM or NRM TWS

A. Primary/Secondary Asynchronous Response Mode (ARM) Operation.

Section 11.2 defines Primary-Secondary classes of operation that can be used in such a manner so as to provide a capability similar to Balanced Control (sometimes called "Primary/Primary") in which balanced information transfer in ARM is achieved with Primary function required in only one

station and Secondary function required in the other. See Figure B1. Balanced information transfer is achieved by virtue of symmetrical functional equivalency of the I, RR, RNR, REJ, SREJ and CMDR/RSPR commands and responses. Only the station designated as Primary, however, has the functional use of the mode setting and DISC commands for resetting or disconnecting logical link functions. The capability offered by this type of operation may indeed be satisfactory and optimal for a great many applications envisioned.

The independence of operation at each end of the link with regard to originating information transmission is illustrated in the examples in Section 9.0 of Appendix C for I frame transmission from Primary only, Secondary only, and simultaneous Primary and Secondary.

The two-station configuration in Figure B1 is extendable to a multipoint link configuration; i.e., one Secondary is placed in ARM (and operates point-to-point with the Primary) and all other Secondaries are sent a DISC command. Thus the Primary can perform balanced control type operation with one station at a time.

In case of failure of the TWS link, Primary/Secondary ARM has the ability to substitute a single dial-up line and operate in ARM TWA.

B. Back-to-Back Primary/Secondary Operation

For those cases where completely balanced and independent operation is desirable, the capability exists within the definition of Primary-Secondary operation to accomplish a "Balance Control" arrangement. This can be done in the following manner.

A Primary and Secondary link control function is required in each station with the use of two addresses (and associated sequence numbers) to direct transmissions received to either the Primary or Secondary link control function (see Figure B2). Primary A has use of the full repertoire of commands relative to Secondary B and Secondary B has use of the full repertoire of responses relative to Primary A. The same is also applicable between Primary B and Secondary A. Transmissions from Primary A to Secondary B and transmissions from Secondary A to Primary B are multiplexed

on a frame by frame basis as required in one direction of the TWS facility (i.e., in Figure B2 from right to left). Transmission from Primary B to Secondary A and transmissions from Secondary B to Primary A are similarly multiplexed in the other direction (i.e., in Figure B2 from left to right).

By this means logical interaction between Primary A and Secondary B is independent of the logical interaction between Primary B and Secondary A. There is no procedural restriction that information (data) flow be only from Primary function to Secondary function (i.e., the Secondary function may transmit I/UI frames, see Example 10.1 Appendix C), although this constraint may be accomplished if desirable in several different ways, e.g., at link level by use of RNR to Poll for non-information responses only (See Example 10.2 Appendix C) or by prior system agreement that the Secondary never transmit I/UI frames. (See Example 10.3 Appendix C)

Back-to-Back Primary-Secondary operation offers the flexibility of response in that each sublink (one Primary to one Secondary) may optionally be operated in either ARM or NRM; i.e., one Primary-Secondary pair could be operated in ARM, where the Secondary responds asynchronously, and the other Primary-Secondary pair in NRM, where the Secondary only responds when it receives a command frame with the P bit set to "1". The choice of ARM or NRM is a system option; e.g., depends upon whether it is desired to obtain the most immediate Secondary acknowledgment (by using ARM) or to limit the number of Secondary overhead responses (by setting the P bit to "1" only in every nth frame).

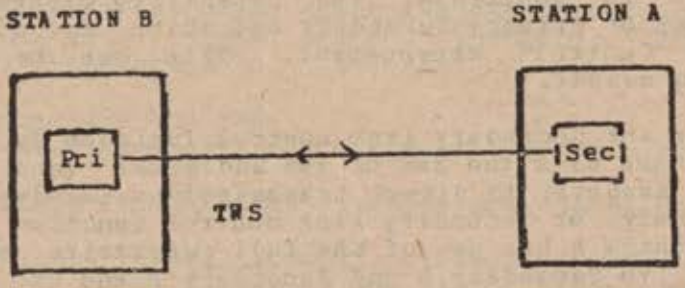


FIGURE B1

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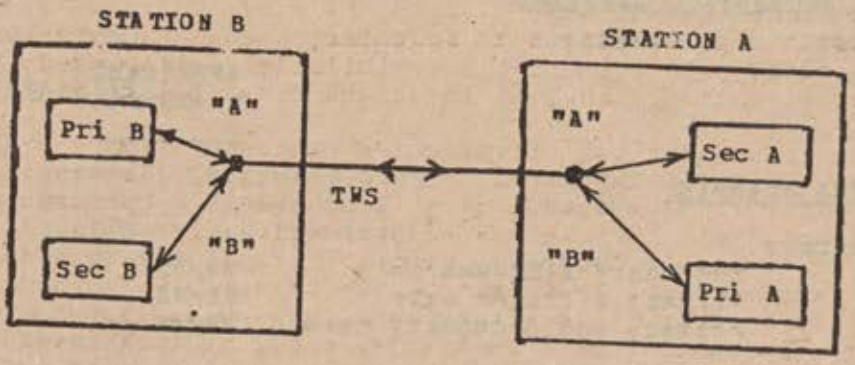


FIGURE B2

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INDEX TO APPENDIX C EXAMPLES

		APPLICABLE CLASSES	TYPE OF RECOVERY ILLUSTRATED
1. NRM TWA EXAMPLES			
1.1 No Errors			
1.1.1	Secondary I Frames only	NB/NS	-
1.1.2	Primary I Frames only	NB/NS	-
1.1.3	Primary and Secondary Frames	NB/NS	-
1.2 Command Frame Errors			
1.2.1	Start-Up	NB/NS	TO
1.2.2	I Frame	NB	P/F
1.2.3	POLL Frame	NB	P/F
1.3 Response Frame Errors			
1.3.1	Start-Up	NB/NS	TO
1.3.2	I Frame	NB	P/F
1.3.3	FINAL Frame	NB	P/F
1.4 Command and Response Frame Errors			
1.4.1	Pri I and Sec FINAL frames	NB	P/F
2. ARM - TWA EXAMPLES			
2.1 No Errors			
2.1.1	Secondary I Frames only	NAB/NAS	-
2.1.2	Contention	NAB/NAS	-
2.2 Command Frame Errors			
2.2.1	Start-Up	NAB/NAS	TO
2.2.2	I Frame	NAB	P/F
2.2.3	POLL Frame	NAB	P/F
2.3 Response Frame Errors			
2.3.1	Start-Up	NAB/NAS	TO
2.3.2	I Frame	NAB	P/F
2.3.3	FINAL Frame	NAB	P/F

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		APPLICABLE CLASSES	TYPE OF RECOVERY ILLUSTRATED
3. NRM - TWS EXAMPLES			
3.1 No Errors			
3.1.1	Secondary I Frames only	NB/NS	-
3.1.2	Primary I Frames only	NB/NS	-
3.1.3	Secondary and Primary I Frames	NB/NS	-
3.2 Command Frame Errors			
3.2.1	I Frame	NB	REJ
3.2.2	I Frame	NS	SREJ
3.3 Response Frame Errors			
3.3.1	I Frame	NB	REJ
3.3.2	I Frame	NS	SREJ
4. ARM - TWS EXAMPLES			
4.1 No Errors			
4.1.1	Intermittent I Frames From Pri & Sec	NAB/NAS	-
4.1.2	Continuous I Frames From Pri & Sec	NAB/NAS	-
4.2 Command Frame Errors			
4.2.1	Start-Up	NAB/NAS	TO
4.2.2	I Frame	NAB	REJ
4.2.3	I Frame	NAS	SREJ
4.2.4	I Frame	NAB	P/F
4.3 Response Frame Errors			
4.3.1	I Frame	NAB	REJ
4.3.2	I Frame	NAS	SREJ
4.3.3	I Frame	NAB	P/F

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5. MODE CHANGING EXAMPLES

5.1 NRM to ABM - TWA Examples

5.1.1	Orderly Change, Pri & Sec I Frames	NAB/NAS	-
5.1.2	Orderly Change, Pri Only I Frames	NAB/NAS	-
5.1.3	Orderly Change, Sec Only I Frames	NAB/NAS	-

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		APPLICABLE CLASSES	TYPE OF RECOVERY ILLUSTRATED
5.2 NRM to ARM - TWS Examples			
5.2.1	Immediate Change, Pri & Sec I Frames	NAB/NAS	-
5.2.2	Orderly Change, Pri Only I Frames	NAB/NAS	-
5.2.3	Orderly Change, Sec Only I Frames	NAB/NAS	-
5.3 ARM to NRM - TWA Examples			
5.3.1	Orderly Change, Pri & Sec I Frames	NAB/NAS	-
5.3.2	Orderly Change, Pri Only I Frames	NAB/NAS	-
5.3.3	Orderly Change, Sec Only I Frames	NAB/NAS	-
5.4 ARM to NRM - TWS Examples			
5.4.1	Immediate Change, Pri & Sec I Frames	NAB/NAS	
5.4.2	Orderly Change, Pri Only I Frames	NAB/NAS	-
5.4.3	Immediate Change, Sec Only I Frames	NAB/NAS	-
5.5 NDM/ADM Examples			
5.5.1	NDM/ADM to APM - TWA	NAB/NAS	-
5.5.2	NDM/ADM to NRM - TWA	NAB/NAS	-
5.5.3	NDM/ADM TWA, Pri Actions Sec Request	NAB/NAS	-
5.5.4	NDM/ADM TWA, Pri Refuses Sec Request	NAB/NAS	-
6. CLOSING PROCEDURE EXAMPLES			
6.1 NRM - TWA		NB/NS	-
6.2 NRM - TWS		NB/NS	-
6.3 ARM - TWA		NAB/NAS	-
6.4 ARM - TWS		NAB/NAS	

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	APPLICABLE CLASSES	TYPE OF RECOVERY ILLUSTRATED
7. EXCEPTION RECOVERY - TWS EXAMPLES		
7.1 REJ + P/F Bit Exception Recovery		
7.1.1 NRM, SEC Receives REJ	NB	REJ
7.1.2 NRM, SEC Misses REJ	NB	P/F
7.1.3 ARM, SEC Receives REJ	NAB	REJ
7.1.4 ARM, SEC Misses REJ	NAB	P/F
7.2 SREJ & REJ Exception Recovery		
7.2.1 NRM TWS, Pri Receives	NS	SREJ
7.2.2 NRM TWS, Pri Misses SREJ	NS	Errored SREJ
7.2.3 ARM TWS, Pri Receives SREJ	NAS	SREJ
7.2.4 ARM TWS, Pri Misses SREJ	NAS	Errored SREJ
7.2 SREJ + REJ Exception Recovery		
7.2.1 NRM, Pri Receives SREJ	NS	SREJ
7.2.2 NRM TWS, Pri Misses SREJ	NS	Errored SREJ
7.2.3 ARM TWS, Pri Receives SREJ	NAS	SREJ
7.2.4 ARM TWS, Pri Misses SREJ	NAS	Errored SREJ
8. BALANCED CONTROL OPERATION EXAMPLES		
8.1 Continuous I Frames	BCB/BCS	-
8.2 Intermittent I Frames	BCB/BCS	-
9. ARM TWS POINT-TO-POINT		
9.1 Continuous Pri & Sec I Frames	NAB/NAS	-
9.2 Continuous Pri & Intermittent Sec I Frames	NAB/NAS	-
9.3 Intermittent Pri & Continuous Sed I Frames	NAB/NAS	-
10. DOUBLE PRIMARY & SECONDARY ARM TWS POINT-TO-POINT EXAMPLES (Called BACK-TO-BACK)		
10.1 Start-UP/Continuous Pri & Sec I Frames	NAB/NAS	-

CI-5

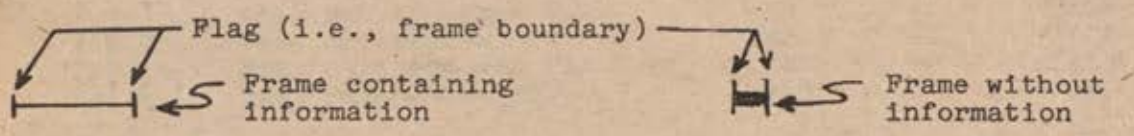
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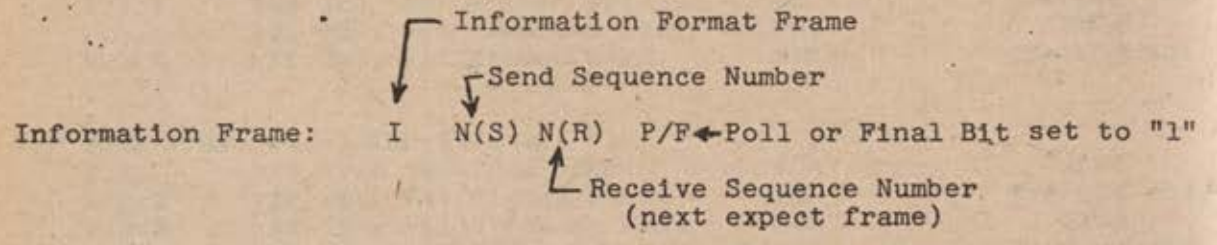
10.2 Start-Up Continuous Pri Only I Frames (via RNR)	NAB/NAS	-
10.3 Start-UP/Continuous Pri Only I Frames (prior agreement)	NAB/NAS	-

APPENDIX C: EXAMPLES OF THE USE OF COMMANDS AND RESPONSES

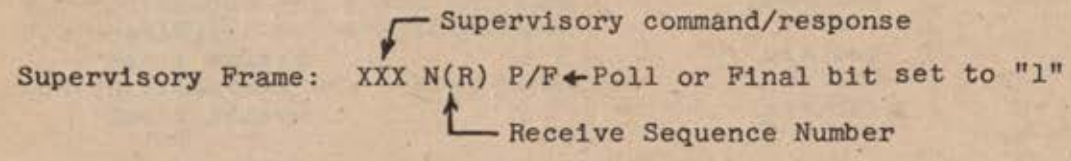
The examples in Appendix C are offered for illustrativ purposes only and should not be interpreted as establishing any protocol; the exchange of the various command and response frames is limited only by the rules specified in the standard.

The notation used in the Appendix C diagrams is illustrated below:

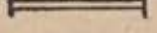




Example: Pri xmits: I2,6P. This denotes a Primary Information format frame with sequence number 2, the next expected frame from the Secondary is sequence number 6 (frames numbered 5 and below are therefore acknowledged) and the Poll bit is set to "1" (i.e., the Secondary is to initiate transmission with Information format frames if available).



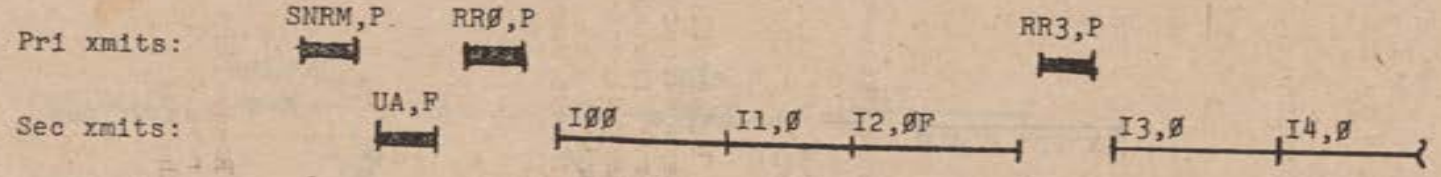
Example: Pri xmits: RR2P. This denotes a Receive Ready (RR) command, N(R)=2 (i.e., the next expected frame from the Secondary is sequence number 2), and the Poll bit is set to "1".

NOTE: Retransmitted Information format frames are shown with a double line; i.e.,  .

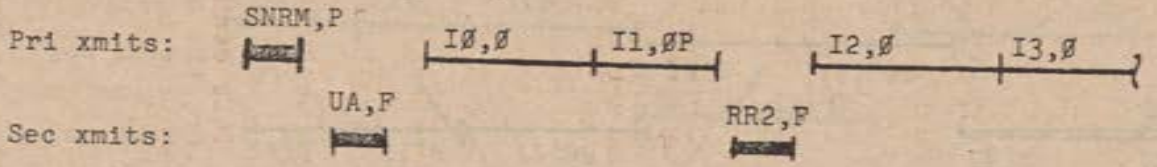
1. Examples of Normal Response Mode (NRM) 2 Way Alternate (TWA) Transmission

1.1 NRM TWA Without Transmission Errors

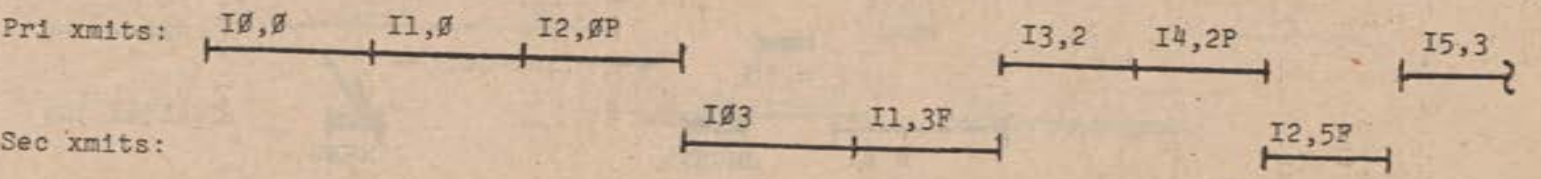
1.1.1 NRM Start-up procedure and Secondary only information transfer (NB/NS CLASSES)



1.1.2 NRM Start-up procedure and Primary only information transfer (NB/NS CLASSES)

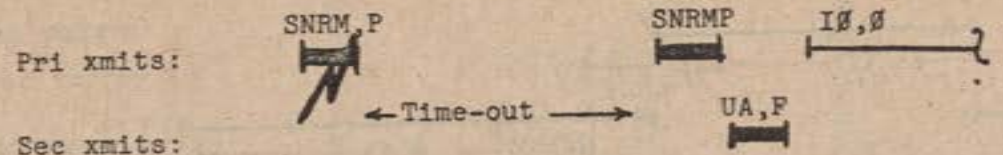


1.1.3 NRM information transfer by Primary and Secondary (NB/NS CLASSES)

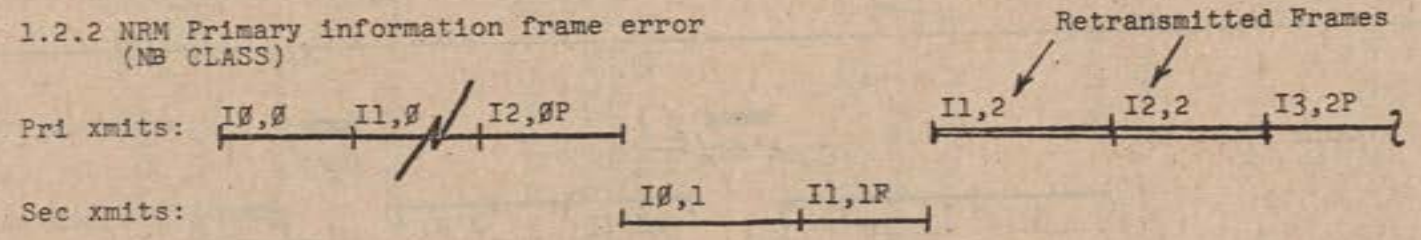


1.2 **NRM TWA with transmission errors in command frames**

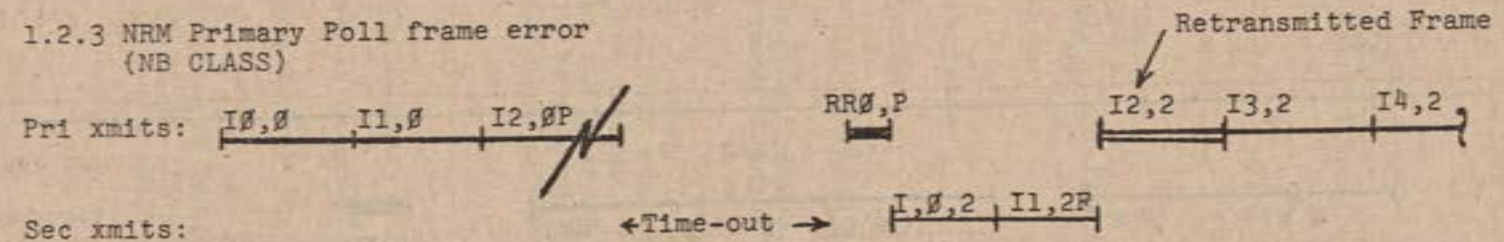
1.2.1 NRM Start-up command error
(NB/NS CLASSES)



1.2.2 NRM Primary information frame error
(NB CLASS)

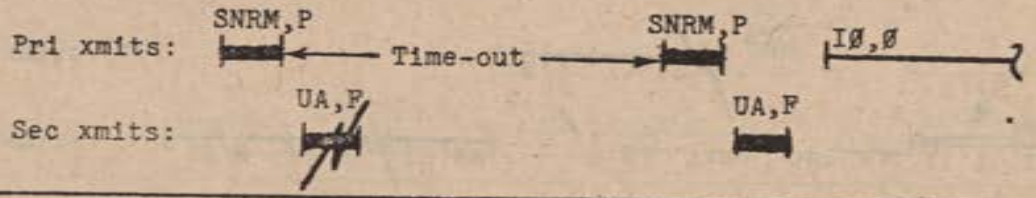


1.2.3 NRM Primary Poll frame error
(NB CLASS)

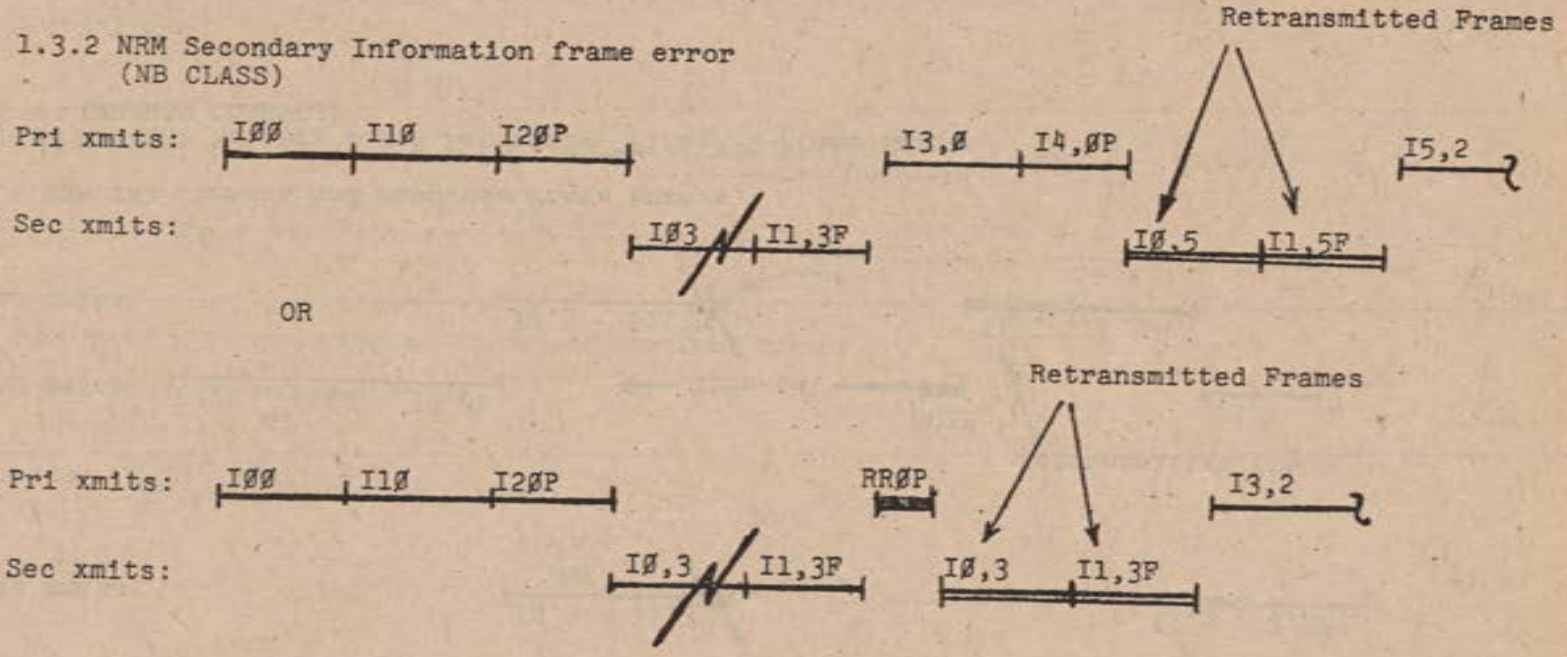


1.3 NRM TWA with transmission errors in response frames

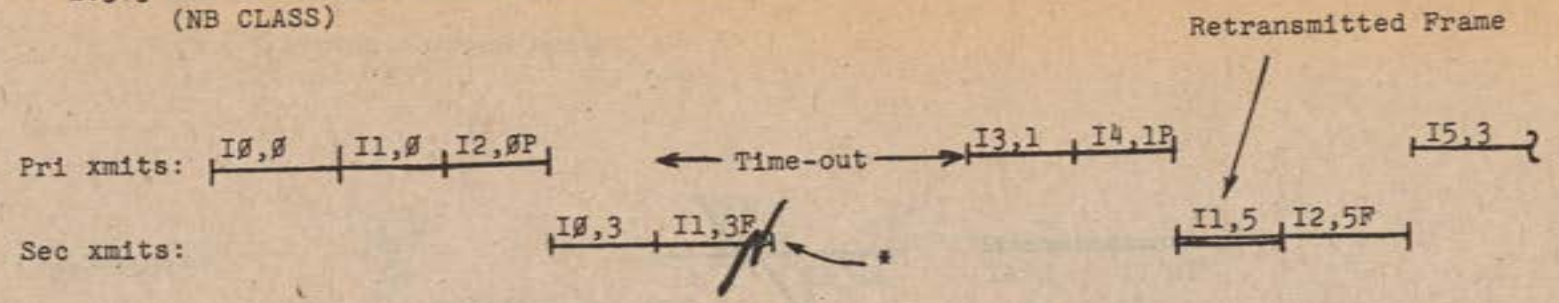
1.3.1 NRM Start-up response error
(NB/NS CLASSES)



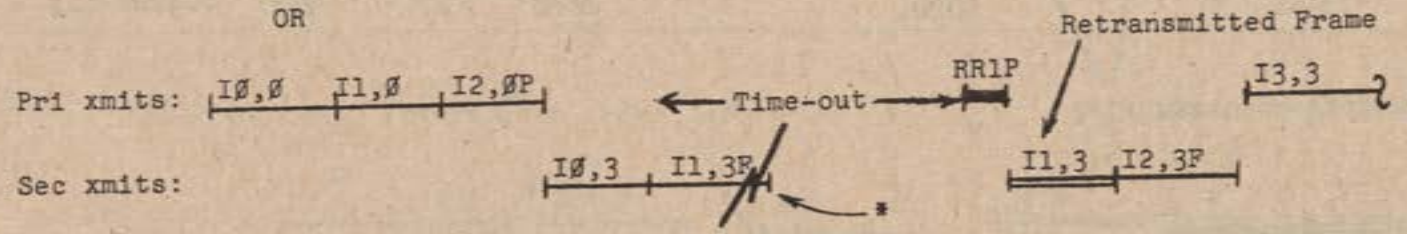
1.3.2 NRM Secondary Information frame error
(NB CLASS)



1.3.3 NRM Secondary "Final" frame error
(NB CLASS)

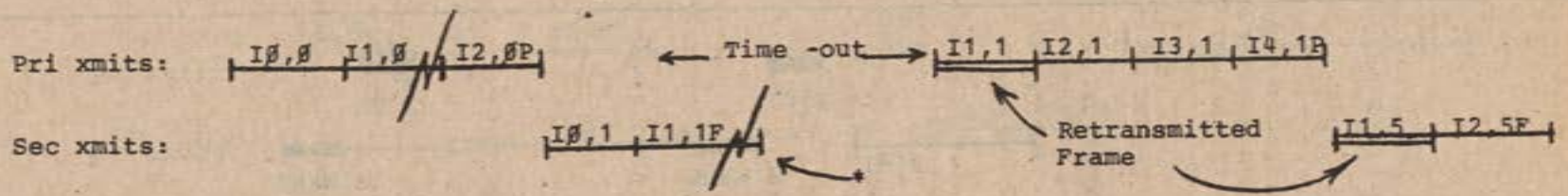


OR



1.4 NRM TWA Command and Response Frame Errors

1.4.1 NRM TWA Primary I and Secondary "Final" I Frame Errors
(NB/NAB CLASSES)

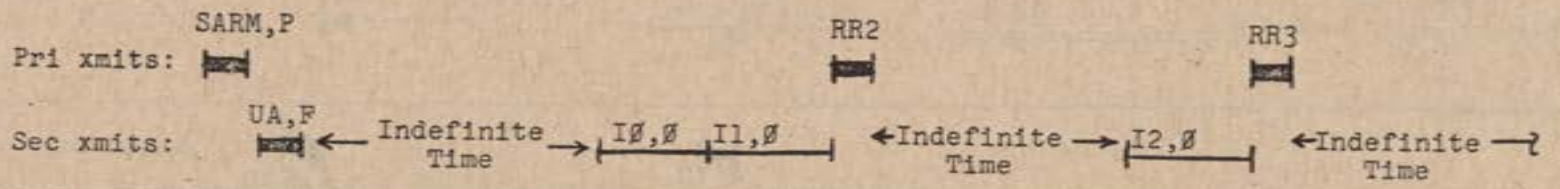


* Idle Link State detection may be used in place of Time-out to initiate Primary Transmission.

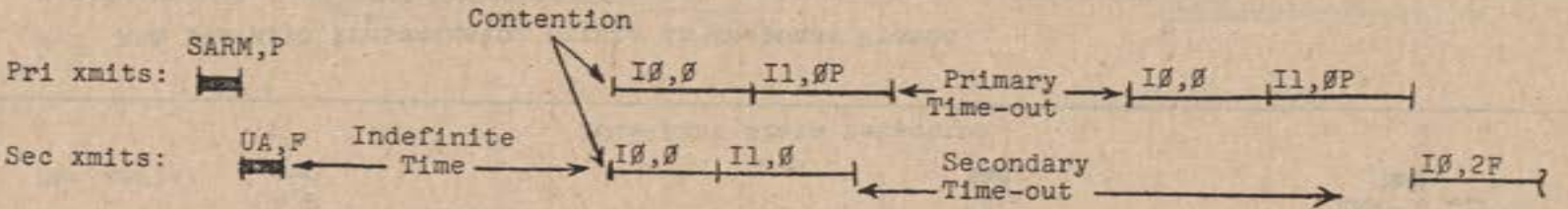
2. Examples of Asynchronous Response Mode (ARM) 2-Way Alternate (TWA) Transmission

2.1 ARM TWA Without Transmission Error

2.1.1 ARM Start-up procedure and Secondary only information transfer

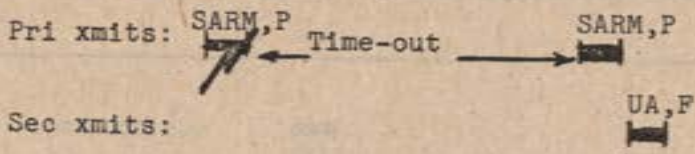


2.1.2 ARM Primary and Secondary information transfer with contention situation (NAB/CLASS)



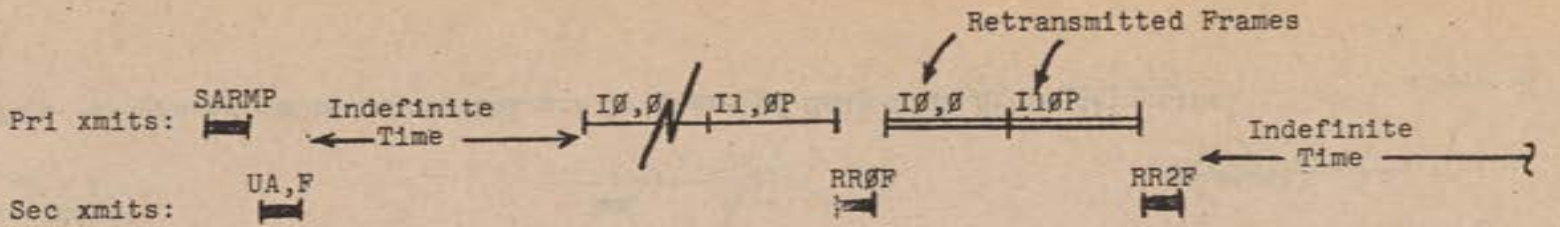
2.2 ARM TWA With Transmission Errors in Command Frames

2.2.1 ARM Start-up command error (NAB/NAS CLASSES)

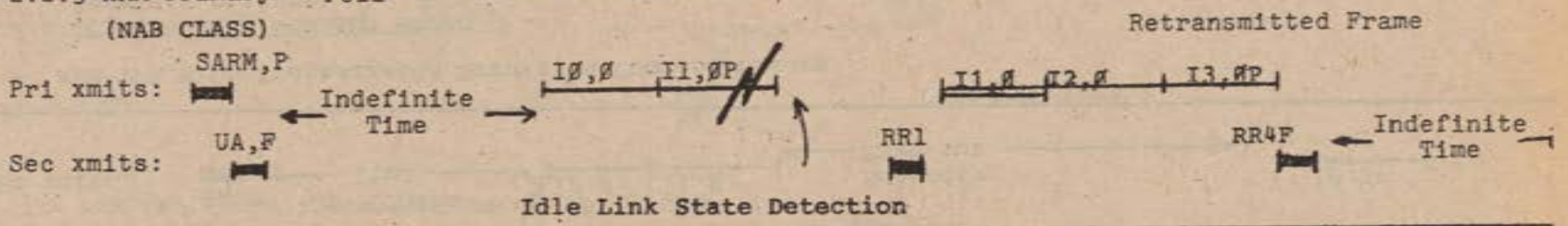


NOTE: All turnarounds in ARM TWA are by means of Idle Link State detection.

2.2.2 ARM Primary information frame error
(NAB CLASS)

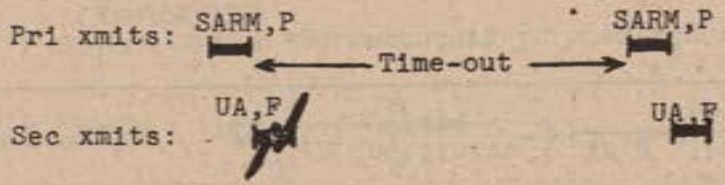


2.2.3 ARM Primary "Poll" information frame error
(NAB CLASS)

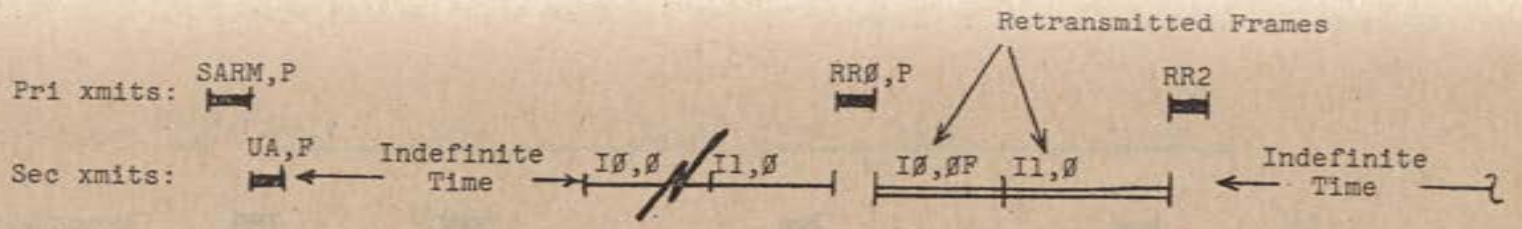


2.3 ARM TWA With Transmission Errors in Response Frames

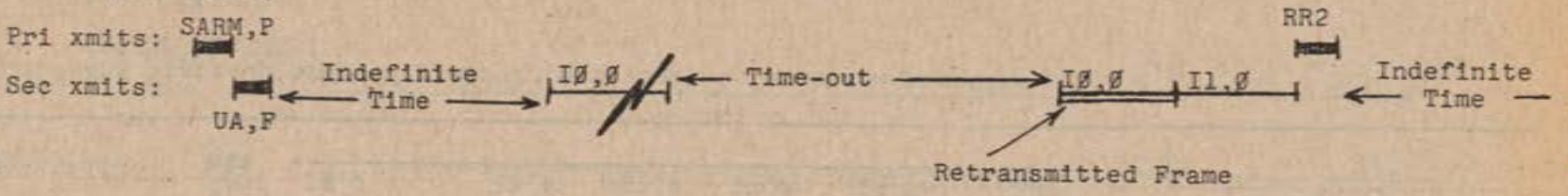
2.3.1 ARM Start-up (NAB/NAS CLASSES)



2.3.2 ARM Secondary information frame error
(NAB CLASS)



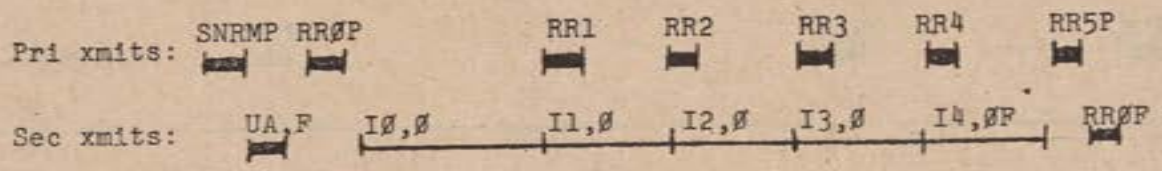
2.3.3 ARM Secondary "Final" information frame error
(NAB CLASS)



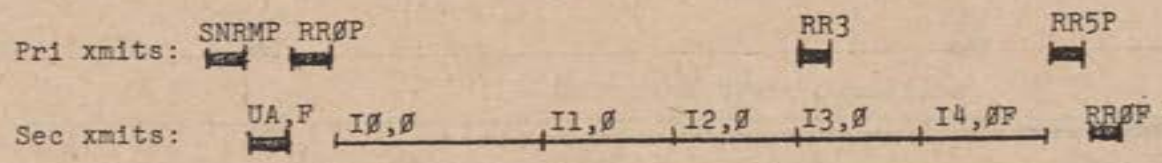
3. Examples of Normal Response Mode (NRM) 2-Way Simultaneous (TWS) Transmission

3.1 NRM TWS Without Transmission Errors

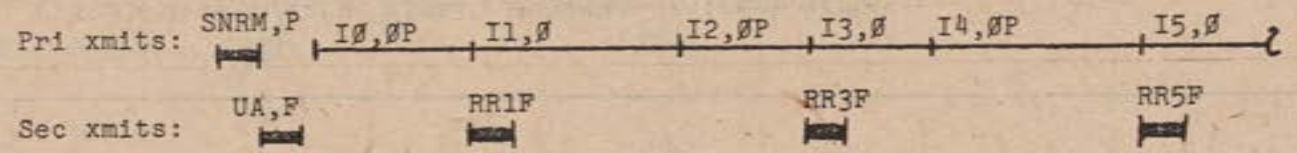
3.1.1 NRM Start-up procedure and Secondary only information transfer
(NB/NS CLASSES)



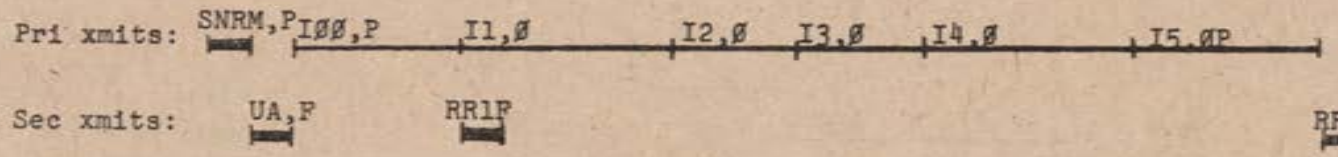
OR (where Primary acknowledgements are returned for several response frames)



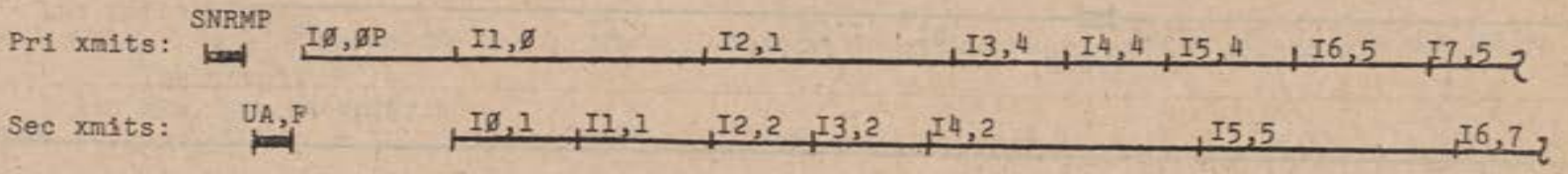
3.1.2 NRM Start-up procedure and Primary only information transfer
(NB/NS CLASSES)



OR (where Primary sets Poll bit to "1" to solicit acknowledgement for several frames)

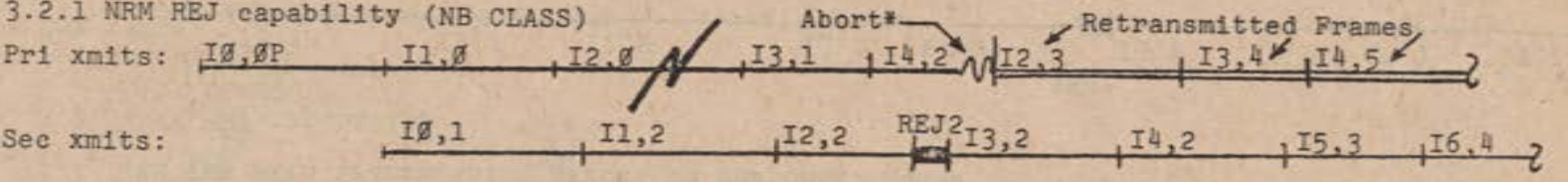


3.1.3 NRM Start-up procedure and Primary/Secondary information transfer (NB/NS CLASSES)



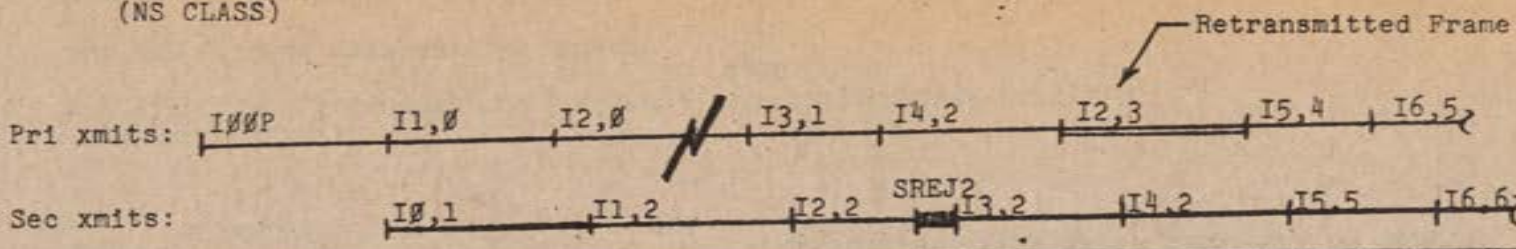
3.2 NRM TWS With Transmission Errors in Command Frames

3.2.1 NRM REJ capability (NB CLASS)



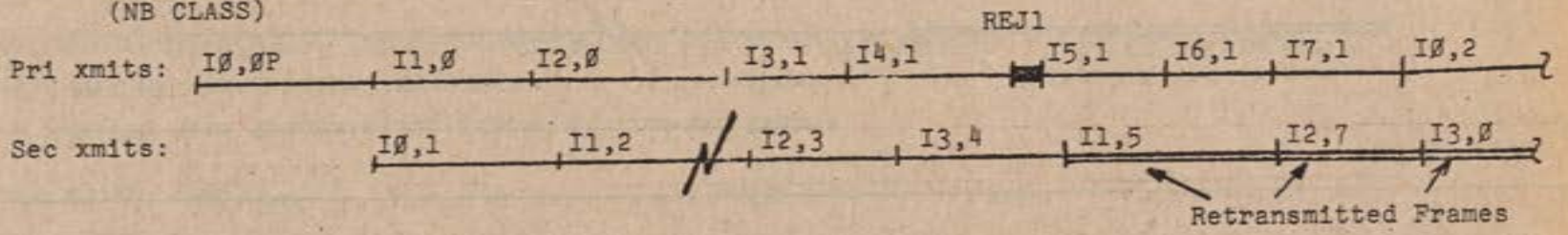
* Optional: Frame maybe completed or aborted

3.2.2 NRM SREJ capability
(NS CLASS)

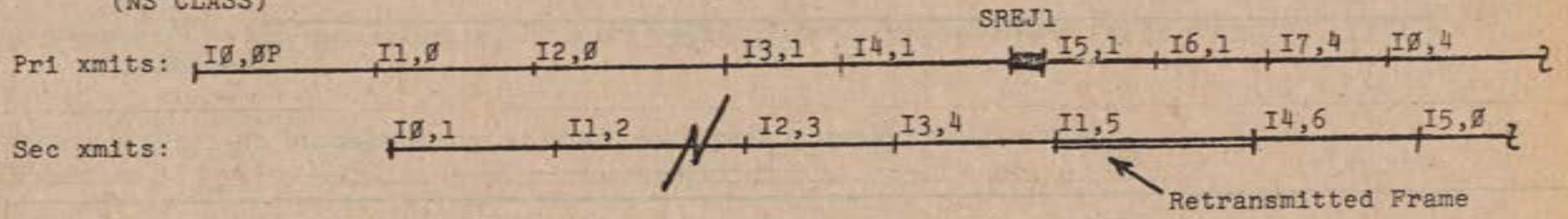


3.3 NRM TWS With Transmission Errors in Response Frames

3.3.1 NRM REJ capability
(NB CLASS)



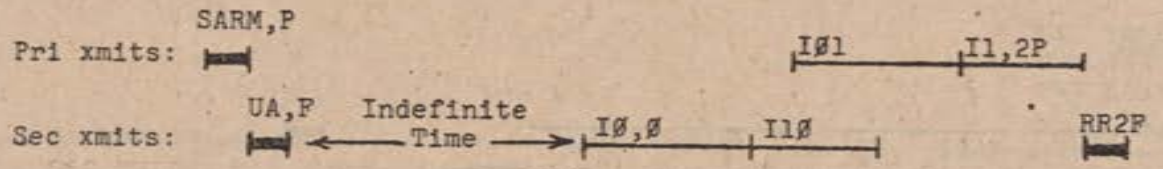
3.3.2 NRM SREJ capability
(NS CLASS)



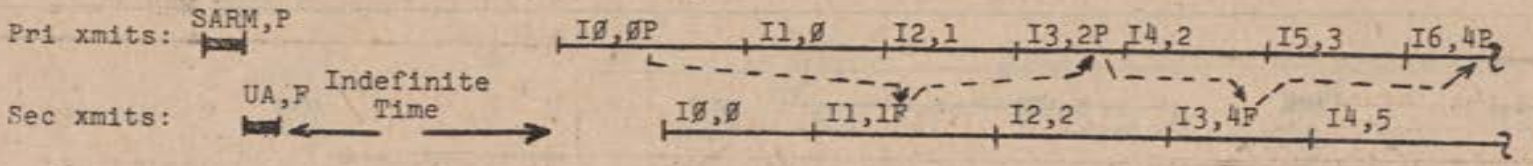
4. Examples of Asynchronous Response Mode (ARM) 2-Way Simultaneous (TWS) Transmission

4.1 ARM TWS Without Transmission Errors

4.1.1 ARM Start-up procedure and intermittent Secondary or Primary information transfer (NAB/NAS CLASSES)



4.1.2 ARM Start-up procedure and continuous Primary Secondary information transfer (NAB/NAS CLASSES)

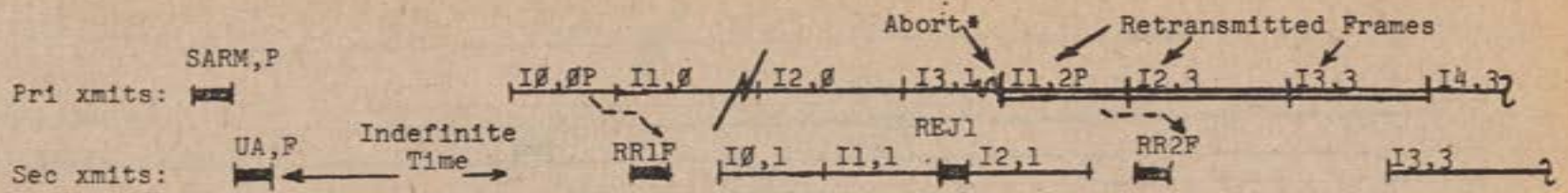


4.2 ARM TWS With Transmission Errors in Command Frames

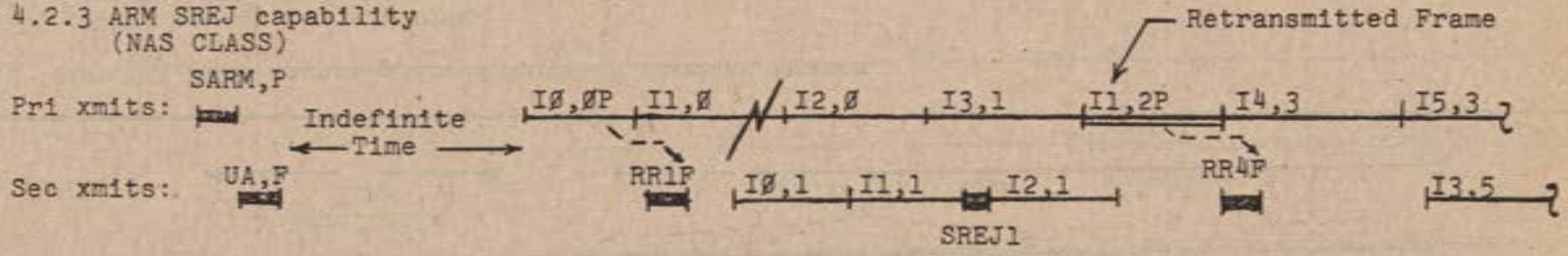
4.2.1 ARM Start-up command error (NAB/NAS CLASSES)



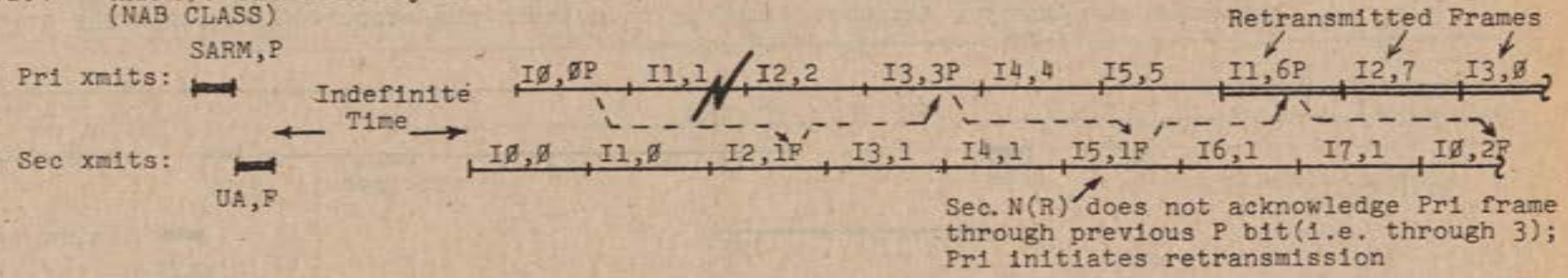
4.2.2 ARM REJ capability
(NAB CLASS)



4.2.3 ARM SREJ capability
(NAS CLASS)

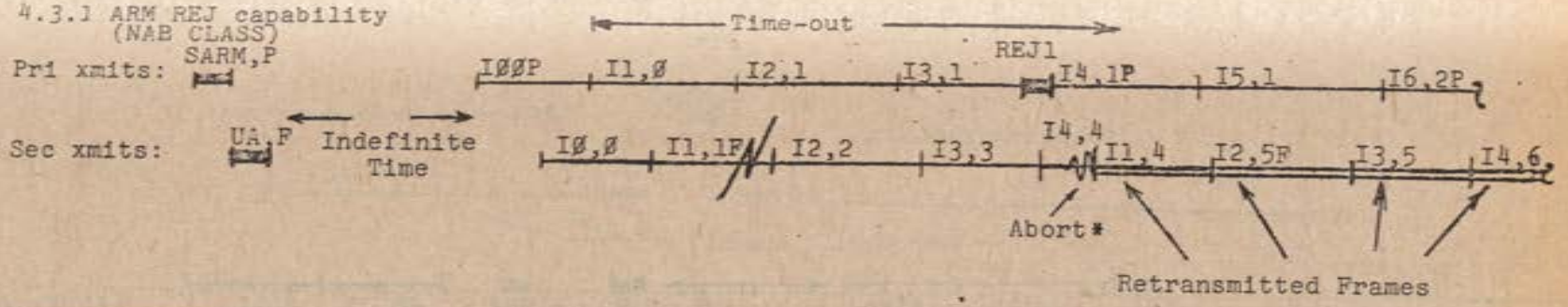


4.2.4 ARM P/F bit recovery with transmission error in command frame
(NAB CLASS)

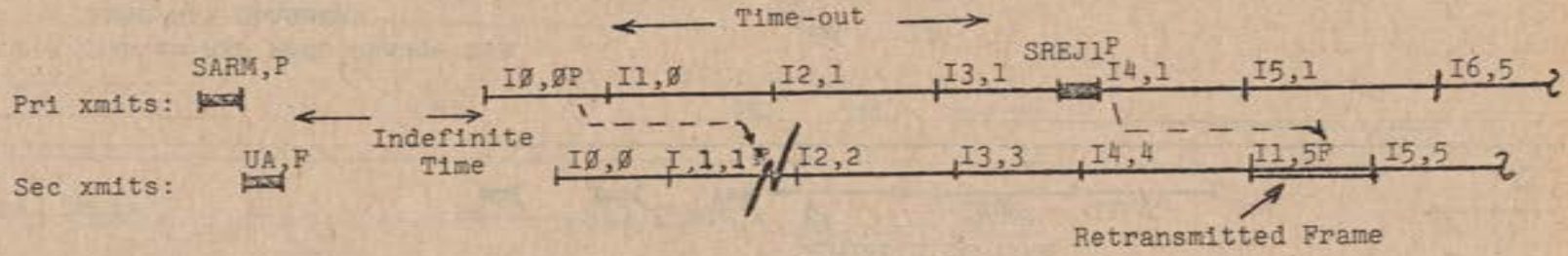


* Optional: Frame may be completed or aborted

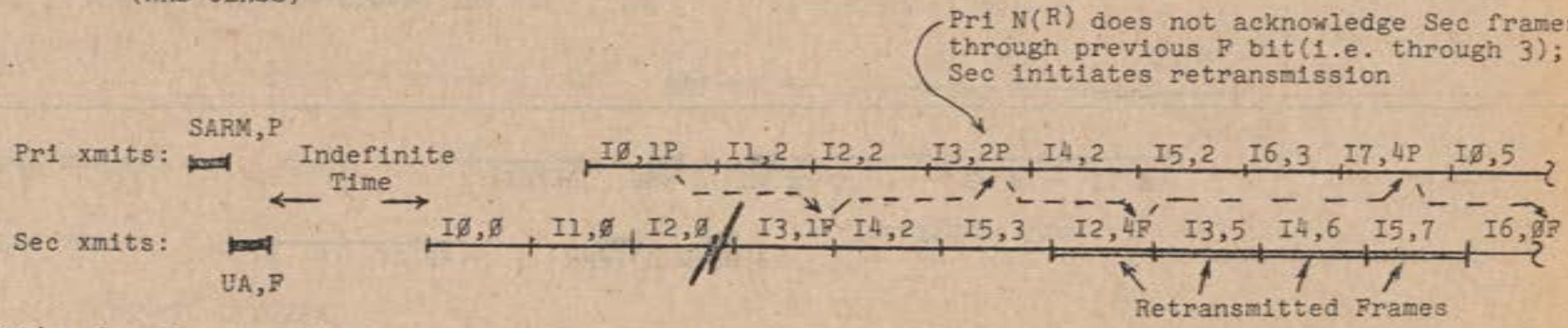
4.3.1 ARM REJ capability
(NAB CLASS)



4.3.2 ARM SREJ capability
(NAS CLASS)



4.3.3 ARM P/F bit recovery with transmission error in response frame
(NAB CLASS)

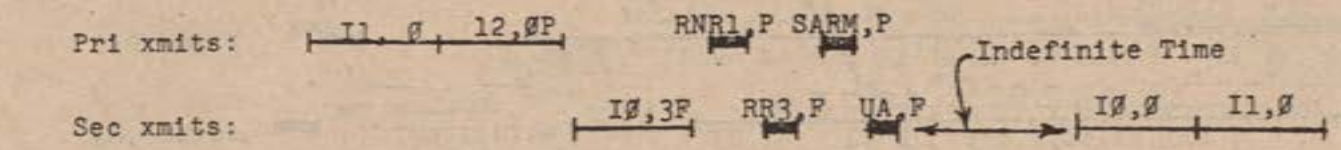


*Optional: Frame may be completed or aborted.

5.0 Examples of Changing Control Mode

5.1 NRM to ARM 2-Way Alternate (TWA)

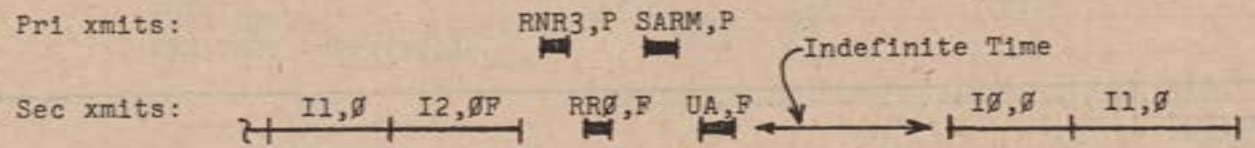
5.1.1 TWA NRM to ARM Mode Change
(NAB/NAS CLASSES)



5.1.2 NRM to ARM Mode Change TWA
(NAB/NAS CLASSES)

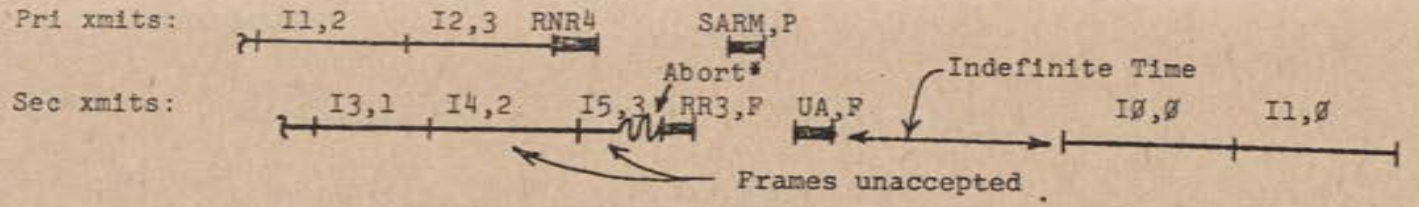


5.1.3 NRM to ARM Mode Change TWA
(NAB/NAS CLASSES)

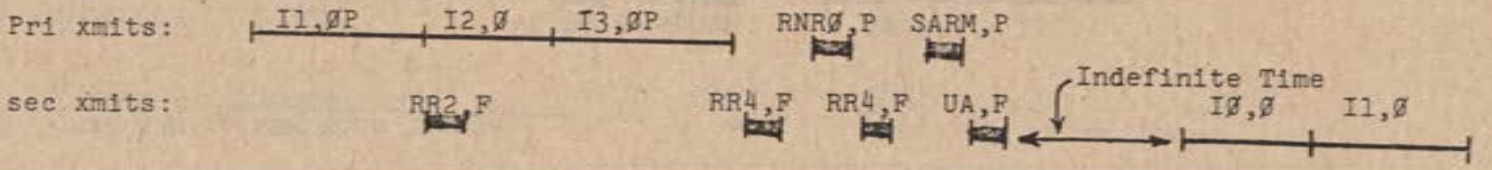


5.2 NRM to ARM 2-Way Simultaneous (TWS)

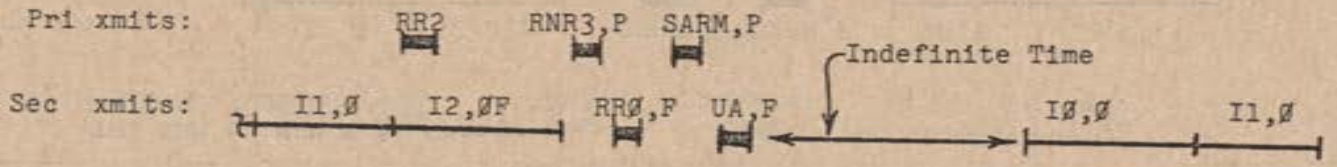
5.2.1 NRM to ARM Mode Change TWS (Immediate Change) (NAB/NAS CLASSES)



5.2.2 NRM to ARM Mode Change TWS (Orderly Change while Pri xmits) (NAB/NAS CLASSES)



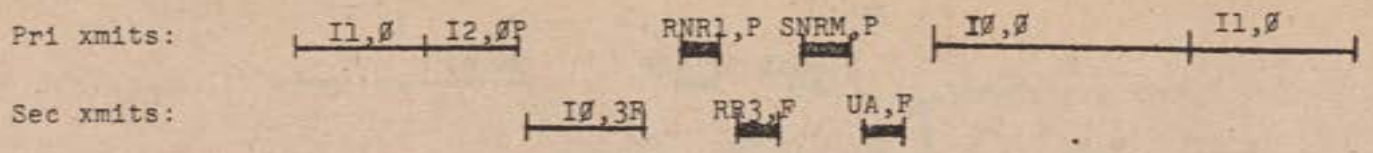
5.2.3 NRM to ARM Mode Change TWS (Orderly change while Sec xmits) (NAB/NAS CLASSES)



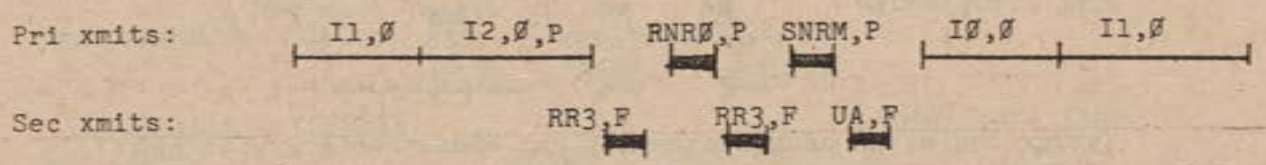
* Optional: Frame may be completed or aborted

5.3 2-Way Alternate (TWA) ARM to NRM Change

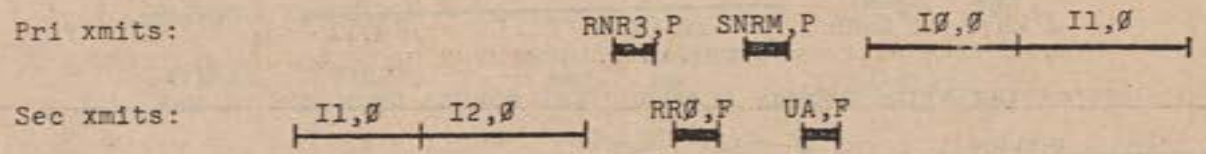
5.3.1 TWA ARM to NRM Mode Change
(NAB/NAS CLASSES)



5.3.2 TWA ARM to NRM Mode Change
(NAB/NAS CLASSES)

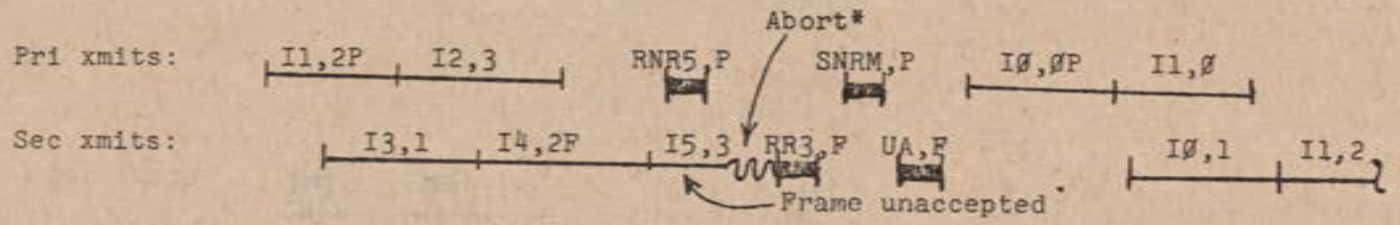


5.3.3 TWA ARM to NRM Mode Change
(NAB/NAS CLASSES)

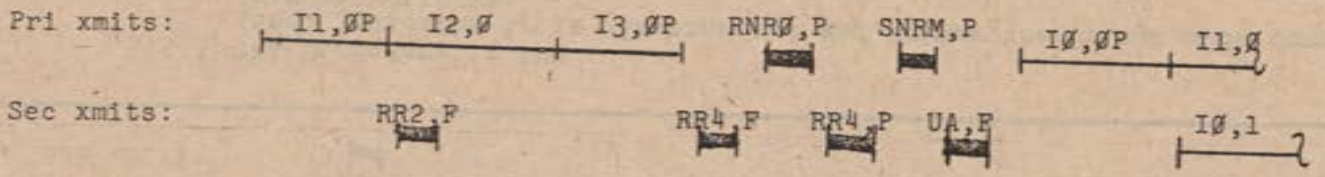


5.4 2-Way Simultaneous (TWS) ARM to NRM Change

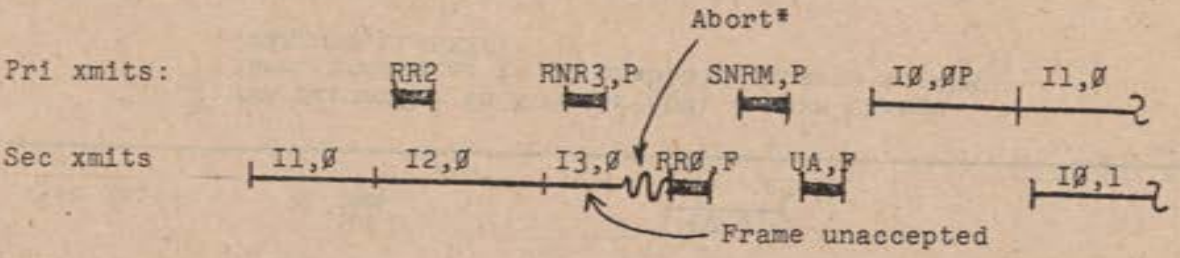
5.4.1 TWS ARM to NRM Mode Change (Immediate Change) (NAB/NAS CLASSES)



5.4.2 TWS ARM to NRM Mode Change (Orderly Change while Pri xmits) (NAB/NAS CLASSES)



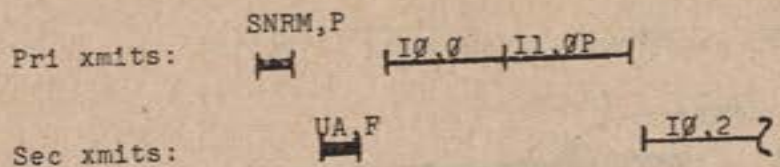
5.4.3 TWS ARM to NRM Mode Change (Orderly change while Sec xmits) (NAB/NAS CLASSES)



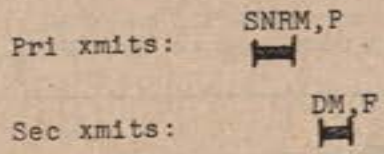
*Optional: Frame may be completed or aborted.

5.5 Normal Disconnected Mode (NDM) Examples

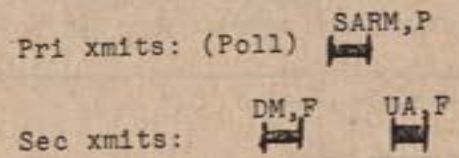
5.5.1 TWA NDM (or ADM) to ARM Change
(NAB/NAS CLASSES)



5.5.2 TWA Secondary in NDM (or ADM) to NRM Change
(Sec. indicates it is unable to change to NRM)
(NAB/NAS CLASSES)

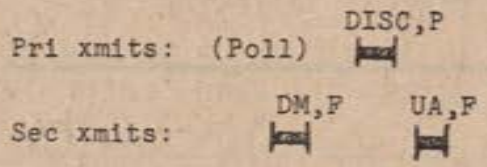


5.5.3 TWA Secondary in ADM
(Sec. indicates it is disconnected and Primary sends set mode command)
(NAB/NAS CLASSES)



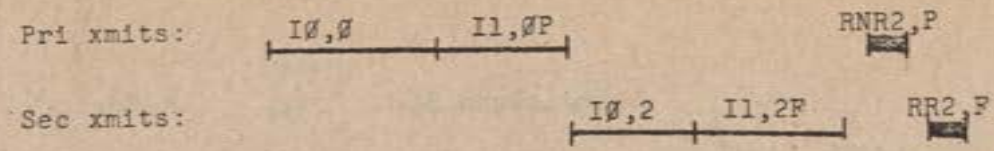
5.5.4 TWA Secondary in NDM (or ADM)
(Sec indicates it is disconnected, and Primary refuses to send set mode command)

(NAB/NAS CLASSES)

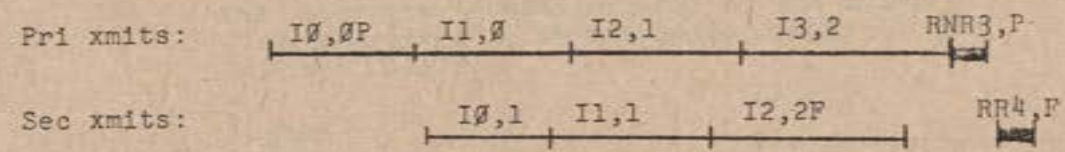


6.0 Examples of End of Operation (General Closing Procedure)

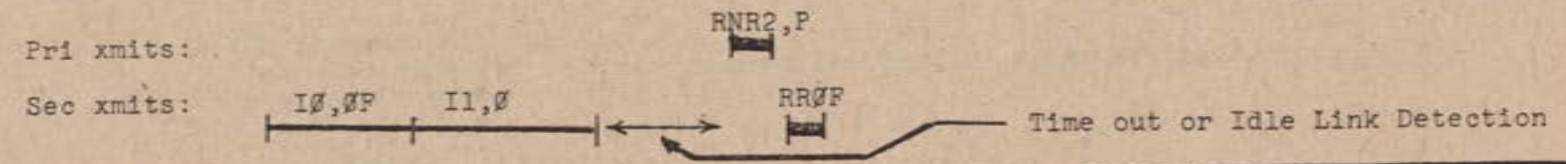
6.1 NRM TWA
(NB/NS CLASSES)



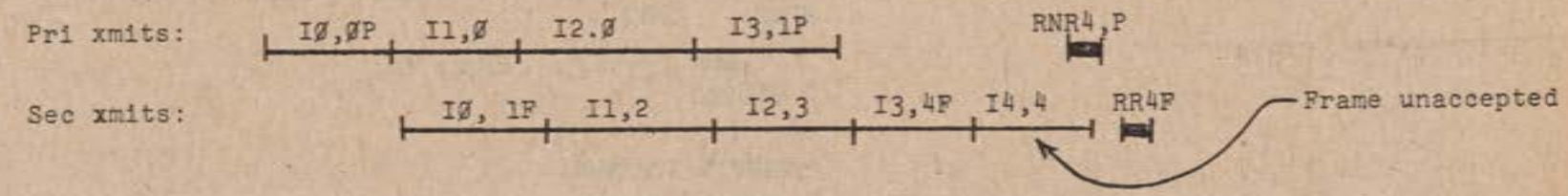
6.2 NRM TWS
(NB/NS CLASSES)



6.3 ARM TWA
NAB/NAS CLASSES)



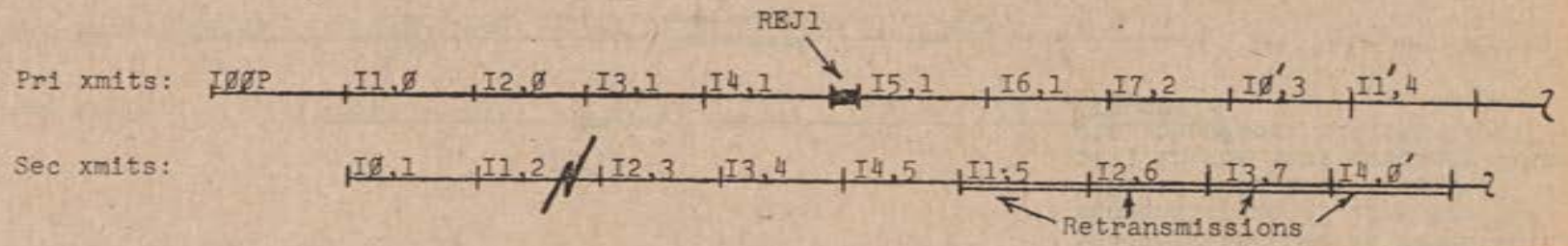
6.4 ARM TWS
(NAB/NAS CLASSES)



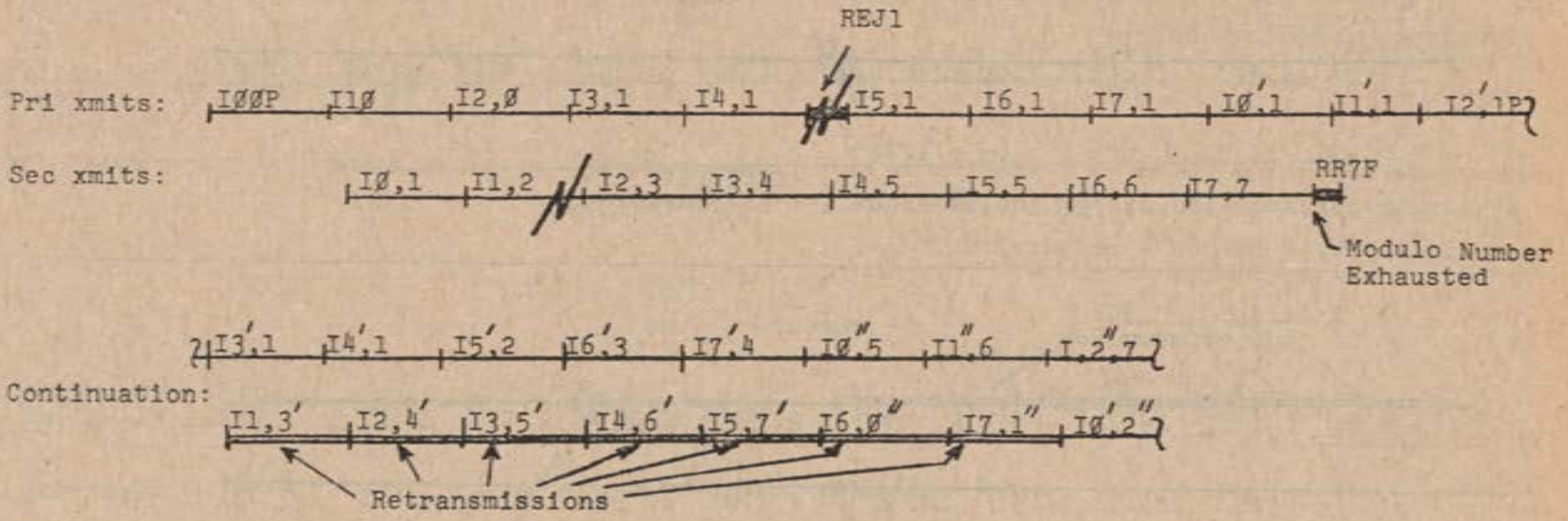
7. Examples of Exception Recovery Procedures

7.1 REJ and Poll/Final Bit Exception Recovery for FDX Operation

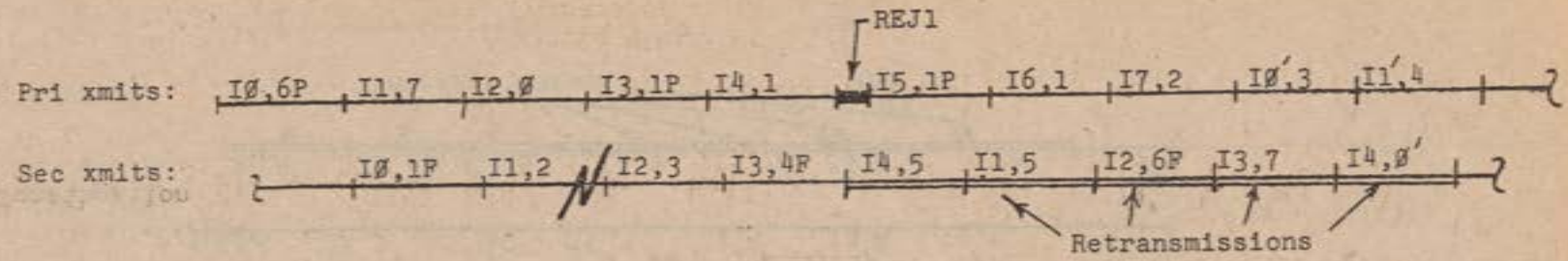
7.1.1 NRM - TWS with Information Frame Exception
(NB CLASS)



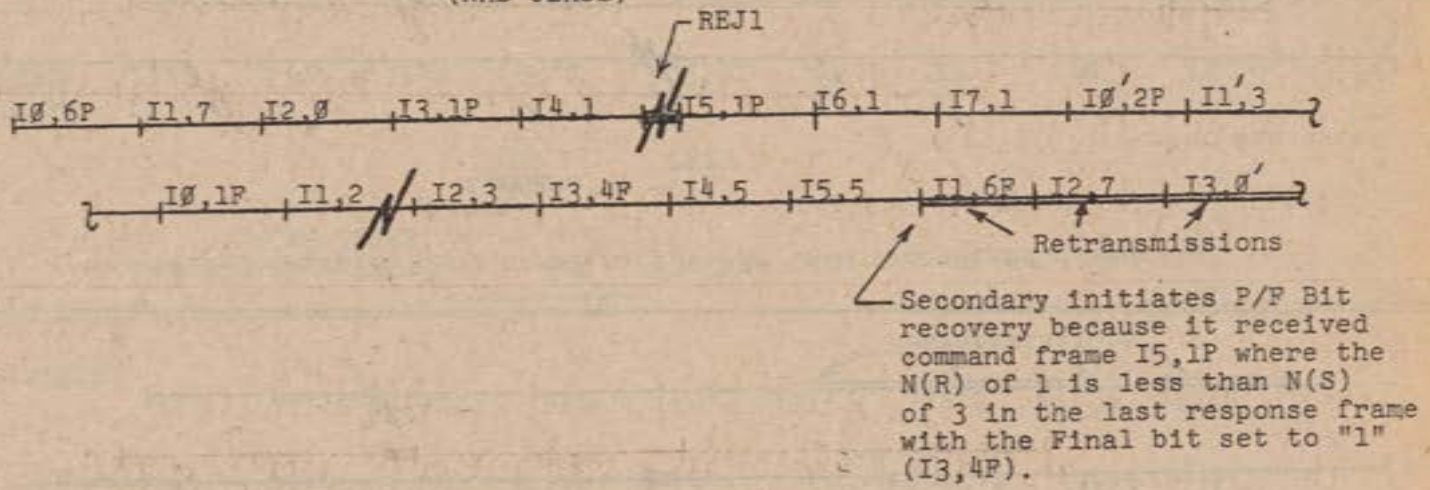
7.1.2 Example 7.1.1 above except REJ is not received correctly.
(NB CLASS)



7.1.3 ARM - TWS with Information Frame Exception
(NAB CLASS)

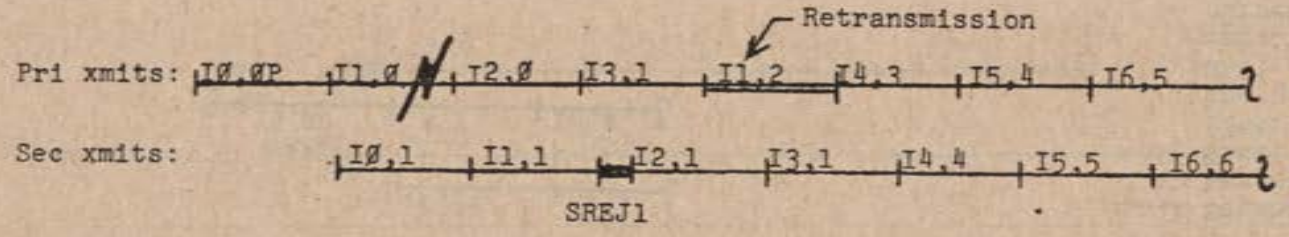


7.1.4 Example 7.1.3 above except REJ is not received correctly
(NAB CLASS)

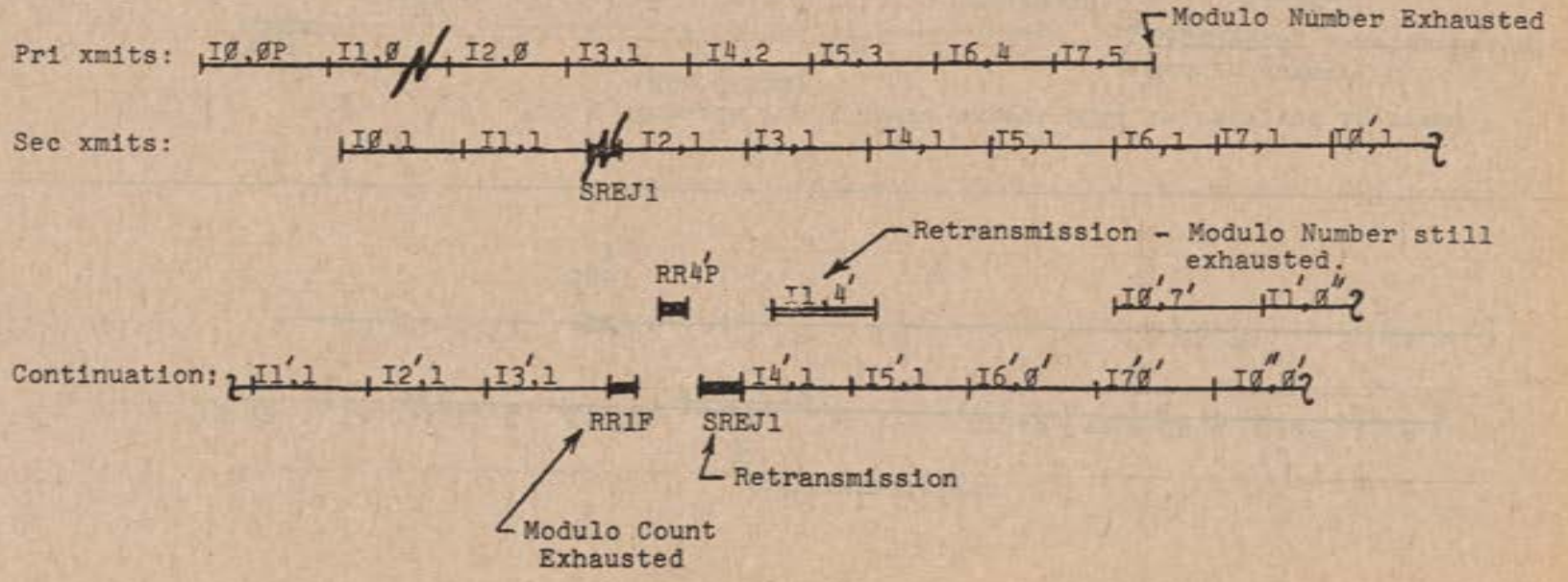


7.2 SREJ/REJ Exception Recovery for FDX Operation

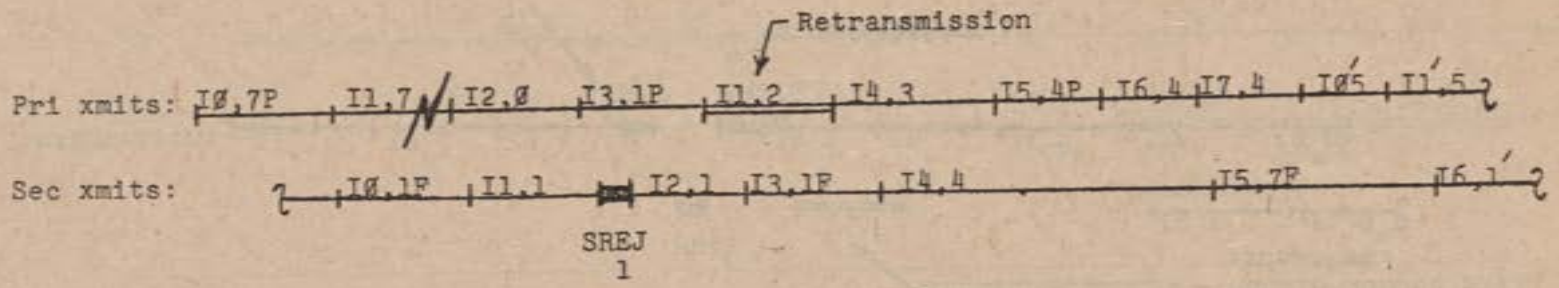
7.2.1 NRM - TWS with Information Frame Exception (NS CLASS)



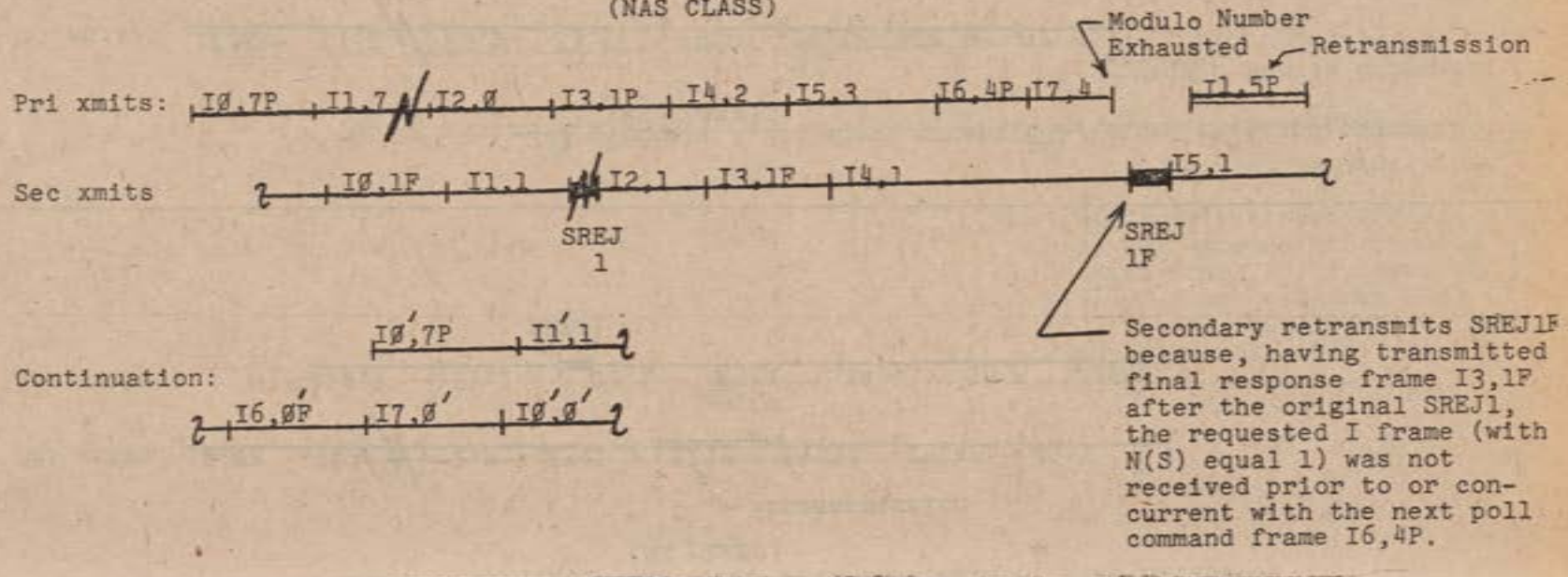
7.2.2 Example 7.2.1 above except SREJ is not received correctly (NS CLASS)



7.2.3 ARM - TWS with I Frame Exception Condition (NAS CLASS)

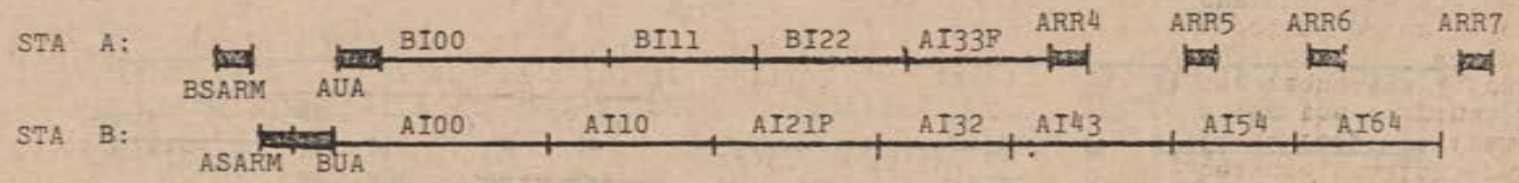


7.2.4 Example 7.2.3 above except SREJ is received in error (NAS CLASS)

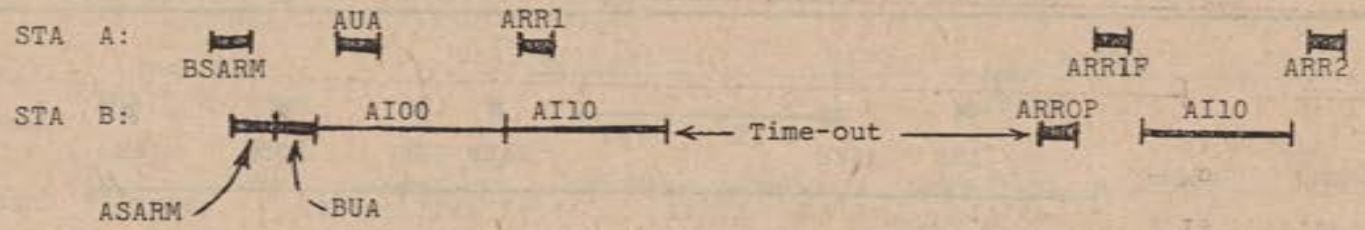


8.0 Examples of Balanced Control Operation

8.1 Continuous Information Frames
(BCB/BCS CLASSES)

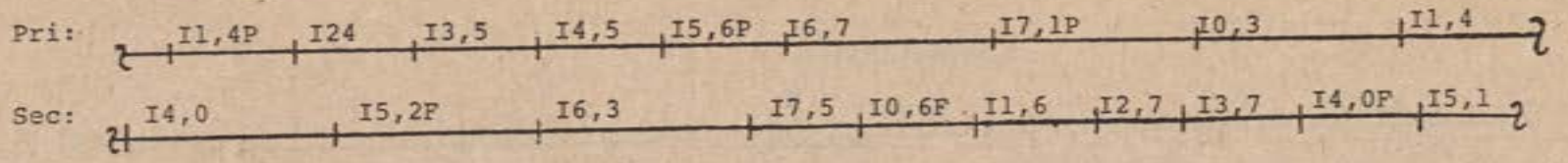


8.2 Discontinuous Information Frames
(BCB/BCS CLASSES)

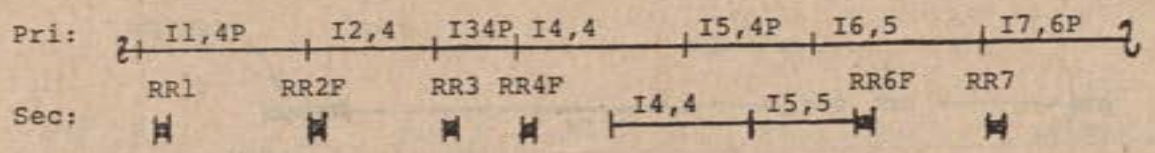


9.0 Primary-Secondary ARM Two-Way Simultaneous Point-to-Point Operation
Reference Figure B1 Configuration

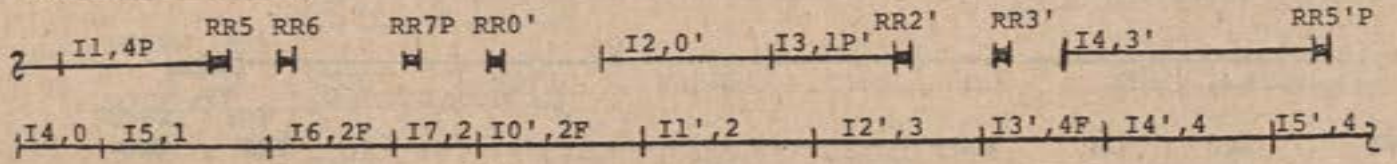
9.1 Continuous Information Frames from Primary and Secondary
(NAB/NAS CLASSES)



9.2 Continuous Primary Information Frames
(NAB/NAS CLASSES)

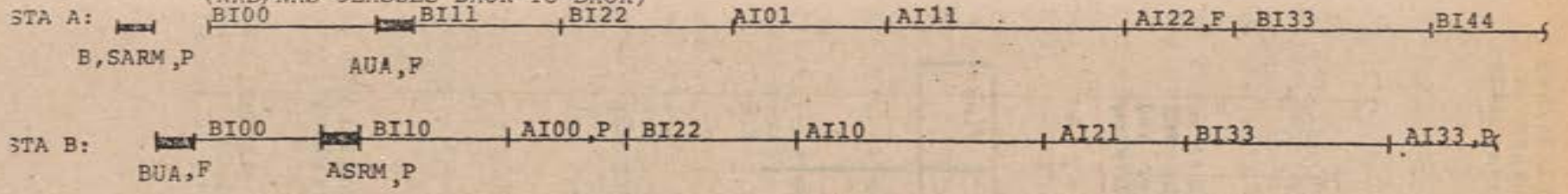


9.3 Continuous Secondary Information Frames
(NAB/NAS CLASSES)

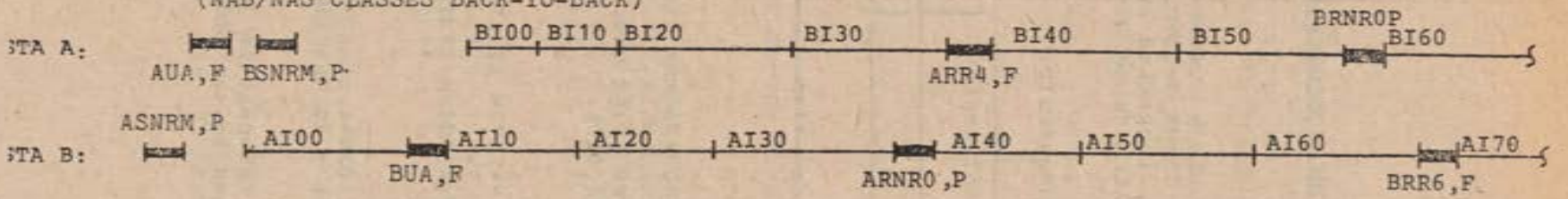


10.0 Double Primary - Secondary ARM TWS Point-to-Point Operation
Reference Figure B2 Configuration

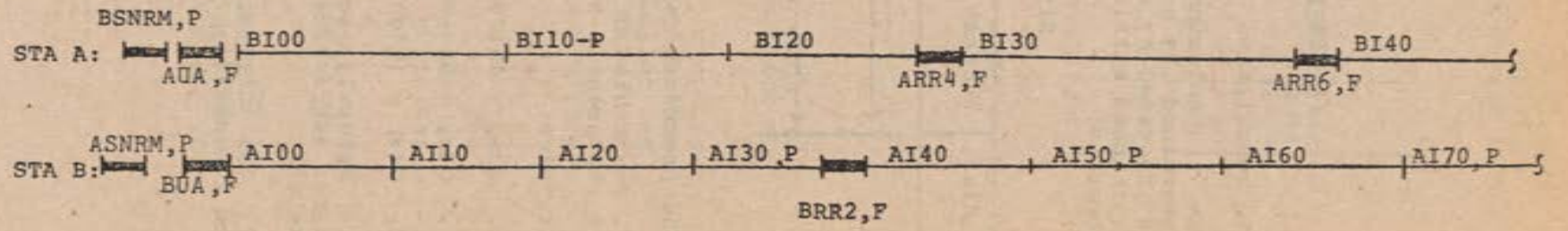
10.1 Primary A/Secondary B in ARM - Primary B/Secondary A in NRM Operation
(NAB/NAS CLASSES BACK-TO-BACK)



10.2 Use of RNR to restrict Information frames from Secondary Operation
(NAB/NAS CLASSES BACK-TO-BACK)



10.3 Secondaries do not transmit Information frames (by prior agreement) Operation
(NAB/NAS CLASSES BACK-TO-BACK)



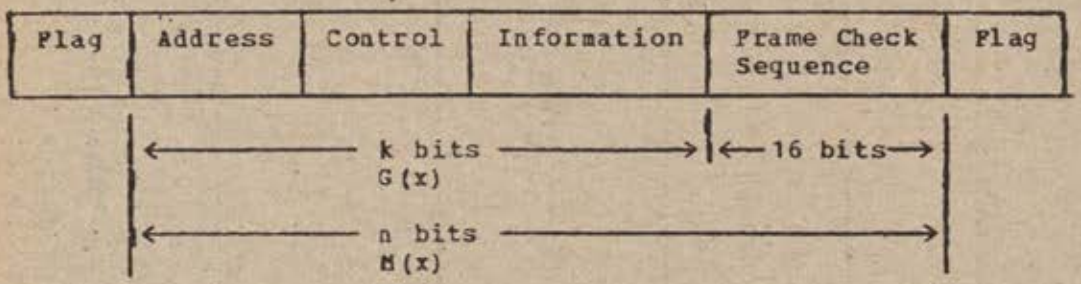
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APPENDIX D - FRAME CHECK SEQUENCE (FCS)

D1. Description

The transmission integrity of a received message is determined by use of a Frame Check Sequence (FCS). The FCS is generated by a transmitter, inspected by the receiver and positioned within a frame in accordance with the following diagrams:

Direction of transmission



The procedure for using the FCS assumes the following:

1. The k bits of data which are being checked by the FCS can be represented by a polynomial G(x).

Examples:

a. $G(x) = 10100100 = X^7 + X^5 + X^2 = X^2(X^5+X^3+1)$

b. $G(x) = 00--010100100 = X^7+X^5+X^2 = X^2(X^5+X^3+1)$

c. $G(x) = 101001 = X^5 + X^3 + 1$

In general, leading zeros don't change G(x) and trailing zeros add a factor of X where n is the number of trailing zeros.

2. The Address, Control and Information field (if it exists in the message) are represented by the polynomial G(x).

3. For the purpose of generating the FCS, the first bit following the opening flag is the coefficient of the highest degree term of G(x) regardless of the actual representation of the Address, Control and Information fields.

4. There exists a generator polynomial P(x) of degree 16, having the form $P(x) = X^{16}+X^{12}+X^{5}+1$

D.2 Generation and use of FCS

The FCS is defined as a one's complement of a remainder, R(x), obtained from the modulo two division of

$$X^{16}\,G(x)+X^{k}(X^{15}+X^{14}+X^{13}+X^{12}+X^{11}+X^{10}+X^{9}+X^{8}+X^{7}+X^{6}+X^{5}+X^{4}+X^{3}+X^{2}+X^{1}+1)$$

by the generator polynomial P(x).

$$\frac{X^{16}\,G(x)+X^{k}(X^{15}+X^{14}+\cdots+X+1)}{P(x)} = Q(x) + \frac{R(x)}{P(x)} \longleftarrow \overline{FCS}$$

The multiplication of G(x) by X^{16} corresponds to shifting the message G(x), 16 places and thus providing the space of 16 bits for the FCS.

The addition of $X^{k}(X^{15}+X^{14}+\cdots+X+1)$ to $X^{16}\,G(x)$ is equivalent to inverting the first 16 bits of G(x). It can also be accomplished in a shift register implementation by presetting the register to all "ones" initially. This term is present to detect erroneous addition or deletion of zero bits at the leading end of M(x) due to erroneous flag shifts.

The complementing of R(x), by the transmitter, at the completion of the division insures that the transmitted sequence M(x) has a property which permits the receiver to detect addition or deletion of trailing zeros which may appear as a result of errors.

At the transmitter the FCS is added to the $X^{16}\,G(x)$ and results in the total message M(x) of length k+16, where $M(x) = X^{16}\,G(x) + FCS$.

The receiver can employ one of several detection processes, two of which are discussed here. In the first process, the incoming M(x) (assuming no errors; i.e. $M^{*}(x) = M(x)$) is

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multiplied by X^{16}, added to X^{k+16} $(X^{15} + X^{14} - - - - - - + X + 1)$ and divided by P(X).

$$\frac{X^{16}\,[X^{16}\,G(X) + FCS] + X^{k+16}\,(X^{15} + X^{14} - - - + X + 1)}{P(x)} = Qr(x) + Rr(x)/P($$

Since the transmission is error free, the remainder Rr(x) will be "0001110100001111" (X^{15} through X^0).

Rr(X) is the remainder of the division: $\frac{X^{16}\,L(x)}{P(x)}$

where $L(x) = X^{15} + X^{14} - - - - - + X + 1$. This can be shown by establishing that all other terms of the numerator of the receiver division are divisible by P(x). This will be done below.

Note that $FCS = \overline{R(x)} = L(x)+R(x)$. (Adding L(x) to polynomial of its same length is equivalent to a bit by bit inversion of the polynomial.)

The receiver division numerator can be rearranged to:

$$X^{16}[X^{16}\,G(x) + X^{k}\,L(x) + R(x)] + X^{16}\,L(x).$$

It can be seen that the first term is divisible by P(x) by inspecting the transmitter generation equation, thus the $X^{16}L(x)$ term is the only contributor to Rr(x).

The second process differs from the first in that another term ($X^{16}L(x)$) is added to the numerator of the generation equation. This causes a remainder of zero to be generated if M*(x) is received error free.

D.3 Implementation

A shift register FCS implementation is described in detail here. It utilizes "ones presetting" at both the sender and the receiver and the receiver does not invert the FCS. The receiver thus checks for the non-zero residual Rr(x) to indicate an error free transmission.

Figure D.1 is an illustration of the implementation. It shows a configuration of storage elements and gates. The addition of $X^{k}(X^{15}+X^{14}------+X+1)$ to the X^{16} G(x) can be

accomplished by presetting all storage elements to a binary value "1".

The one's complement of R(x) is obtained by the logical bit by bit inversion of the transmitter's R(x).

Figure D.1 shows the implementation of the FCS generation for transmission. The same hardware can also be used for verification of data integrity upon data reception.

Before transmitting data, the storage elements, $X_0 - X_{15}$ are initialized to "ones". The accumulation of the remainder R(x) is begun by enabling the "A" and thereby enabling gates G2 and G3. The data to be transmitted goes out to the receiver via G2 and at the same time the remainder is being calculated with the use of feedback path via G3. Upon completion of transmitting the k bits of data, the "A" is disabled and the stored R(x) is transmitted via G1 and I1 while G2 and G3 are disabled. The I1 provides the necessary inversion of R(x).

At the receiver, before data reception, the storage elements, $X_0 - X_{15}$ are initialized to "ones". The incoming message is then continuously divided by P(x) via G3 ("A" enabled). If the message contained no errors, the storage elements will contain "0001110100001111" (X^{15} through X^0) at the end of the M*(x).

Figure D.2 is an example of the receiver and transmitter states during a transmission of a 19 bit G(x) and a 16 bit FCS.

The implementation of the FCS generation and the division by P(x) as described in this Appendix is used as an example only. Other implementations are possible and may be utilized. This standard only requires that the FCS be generated in accordance with the rules of Sections 3.5 and 12.1 and that the checking process involve division by the polynomial P(x). Furthermore, the order of transmission of M(x) is the coefficient of the highest degree term first and thereafter in decreasing order of powers of x, regardless of the actual representation of fields internal to M(x).

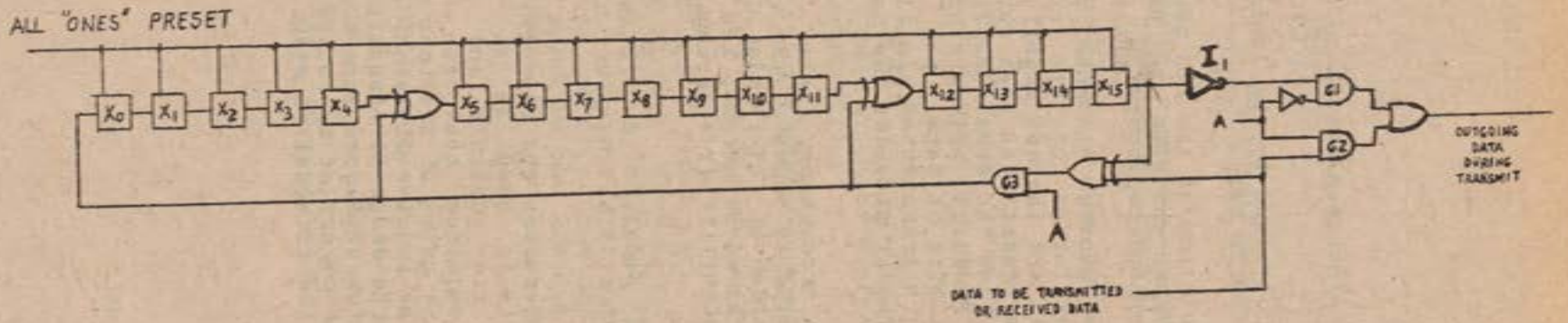


FIGURE D1. FCS IMPLEMENTATION

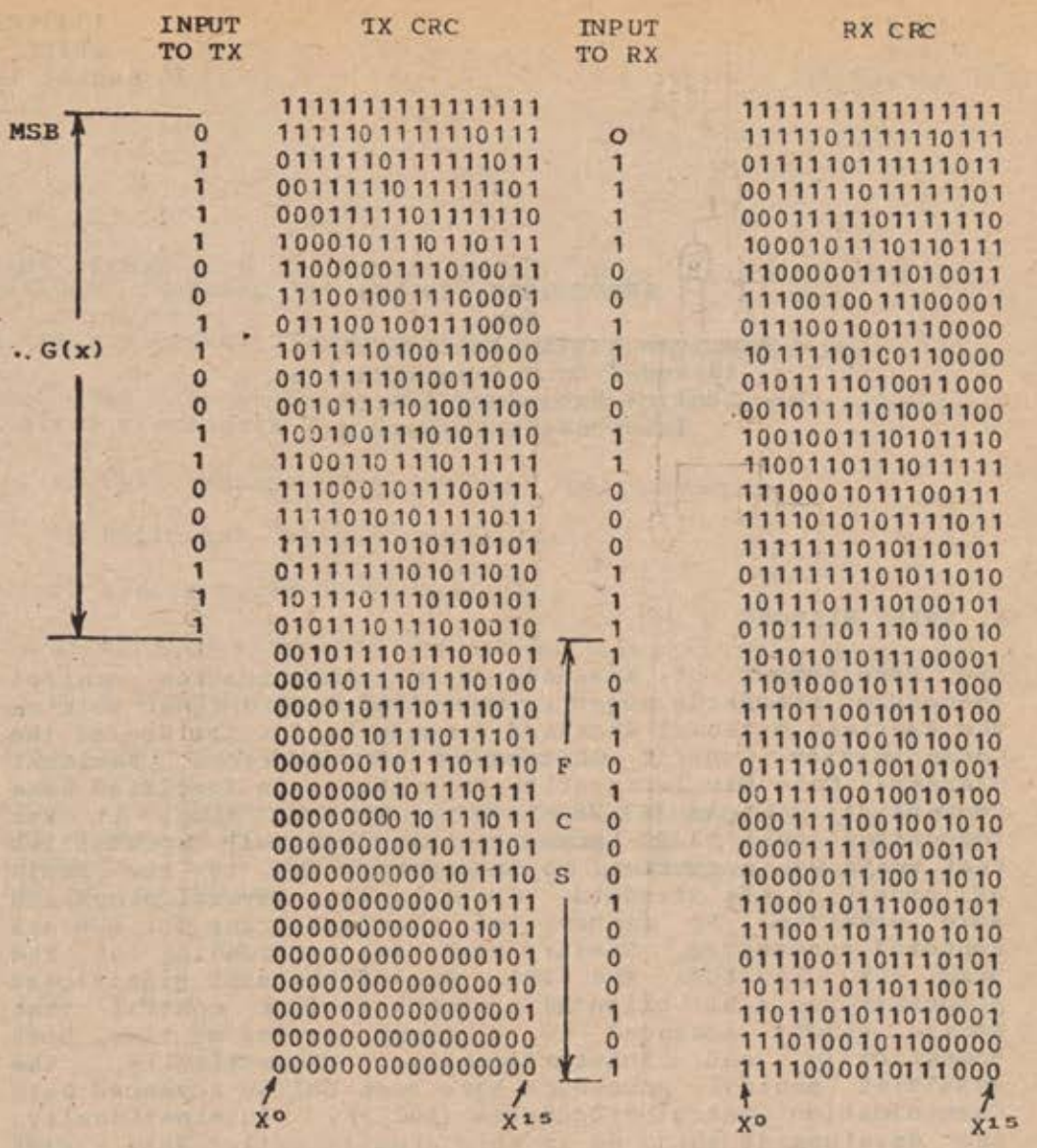


FIGURE D.2 FCS EXAMPLE

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EXPOSITORY REMARKS
for
American National Standard for Advanced Data Communication Control Procedure (ADCCP) - Independent Numbering

A. BRIEF HISTORY

The development of advanced data communication control procedure standards began in late 1969 during final work on the American National Standard-Procedures for the Use of the Communication Control Characters of American National Standard Code for Information Interchange in Specified Data Communication Links (X3.28 - 1971). At that time, it was recognized that X3.28 lacked certain desirable capabilities that would be impractical to incorporate due to the basic philosophy of the standard. Consequently, several proposals were submitted by members of the Task Group for new and improved procedures. Similar work was proceeding at the same time in ECMA and ISO. One of the most significant proposals was a bit-oriented approach to link control that became widely accepted in a short period of time, both domestically and internationally. Domestically, the resultant control procedure have been called Advanced Data Communication Control Procedures (ADCCP). Internationally, the development going on in this area is called HDLC - High Level Data Link Control.

The original bit-oriented proposal and most of the work, both domestically and internationally, was based on a dependent/single sequence number per frame. In late 1971, a proposal was submitted for independent/dual numbering. It was the general concensus at that time, both domestically and internationally, that the net advantages over the disadvantages of the independent/dual numbering approach was not great enough to warrant working on the two procedures in parallel. Consequently, the American National Standard for ADCCP - Dependent Numbering evolved. Now that the work on dependent/single numbering is complete, the efforts of the

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Task Group are directed toward this proposed American National Standard for ADCCP - Independent Numbering.

B. MAIN TECHNICAL ARGUMENTS AND RELATIONSHIP WITH ISO

The basic objectives of the Advanced Data Communication Control Procedures are to provide:

a) Full transparency and code independence,

b) Efficient interactive operation,

c) A High level of reliability,

d) Two-way alternate and two-way simultaneous operation

e) A high level of modularity

These objectives have been largely met.

During the four-year period of ADCCP development, there has been active liaison with both the ECMA and ISO spheres of interest. As a result each group's activity has influenced that of the other.

FED-STD-1003

PREPARING ACTIVITY:

Office of the Manager
National Communications
System (NCS-TS)
Washington, DC 20305

Records of coordination with affected Federal agencies are maintained by the preparing activity.

This document is available from the General Services Administration (GSA), acting as agent for the Superintendent of Documents. A copy for bidding and contracting purposes is available from GSA Business Service Centers. Copies are for sale at the GSA, Specification Sales, Building 197 (Washington, Navy Yard), Washington, DC 20407 for cents each.

federal register

FRIDAY, DECEMBER 19, 1975



PART V:

DEPARTMENT OF LABOR

Employment Standards Administration

■

MINIMUM WAGES FOR FEDERAL AND FEDERALLY ASSISTED CONSTRUCTION

General Wage Determination Decisions

DEPARTMENT OF LABOR

Employment Standards Administration

MINIMUM WAGES FOR FEDERAL AND FEDERALLY ASSISTED CONSTRUCTION

General Wage Determination Decisions

General Wage Determination Decisions of the Secretary of Labor specify, in accordance with applicable law and on the basis of information available to the Department of Labor from its study of local wage conditions and from other sources, the basic hourly wage rates and fringe benefit payments which are determined to be prevailing for the described classes of laborers and mechanics employed in construction activity of the character and in the localities specified therein.

The determinations in these decisions of such prevailing rates and fringe benefits have been made by authority of the Secretary of Labor pursuant to the provisions of the Davis-Bacon Act of March 3, 1931, as amended (46 Stat. 1494, as amended, 40 U.S.C. 276a) and of other Federal statutes referred to in 29 CFR 1.1 (including the statutes listed at 36 FR 306 following Secretary of Labor's Order No. 24–70) containing provisions for the payment of wages which are dependent upon determinations by the Secretary of Labor under the Davis-Bacon Act; and pursuant to the provisions of Part 1 of Subtitle A of Title 29 of Code of Federal Regulations, Procedure for Predetermination of Wage Rates (37 FR 21138), and of Secretary of Labor's Orders 12–71 and 15–71 (36 FR 8755, 8756). The prevailing rates and fringe benefits determined in these decisions shall, in accordance with the provisions of the foregoing statutes, constitute the minimum wages payable on Federal and federally assisted construction projects to laborers and mechanics of the specified classes engaged on contract work of the character and in the localities described therein.

Good cause is hereby found for not utilizing notice and public procedure thereon prior to the issuance of these determinations as prescribed in 5 U.S.C. 553 and not providing for delay in effective date as prescribed in that section, because the necessity to issue construction industry wage determination frequently and in large volume causes procedures to be impractical and contrary to the public interest.

General Wage Determination Decisions are effective from their date of publication in the FEDERAL REGISTER without limitation as to time and are to be used in accordance with the provisions of 29 CFR Parts 1 and 5. Accordingly, the applicable decision together with any modifications issued subsequent to its publication date shall be made a part of every contract for performance of the described work within the geographic area indicated as required by an applicable Federal prevailing wage law and 29 CFR Part 5. The wage rates contained therein shall be the minimum paid under such contract by contractors and subcontractors on the work.

MODIFICATIONS AND SUPERSEDEAS DECISIONS TO GENERAL WAGE DETERMINATION DECISIONS

Modifications and Supersedeas Decisions to General Wage Determination Decisions are based upon information obtained concerning changes in prevailing hourly wage rates and fringe benefit payments since the decisions were issued.

The determinations of prevailing rates and fringe benefits made in the Modifications and Supersedeas Decisions have been made by authority of the Secretary of Labor pursuant to the provisions of the Davis-Bacon Act of March 3, 1931, as amended (46 Stat. 1494, as amended, 40 U.S.C. 276a) and of other Federal statutes referred to in 29 CFR 1.1 (including the statutes listed at 36 FR 306 following Secretary of Labor's Order No. 24–70) containing provisions for the payment of wages which are dependent upon determination by the Secretary of Labor under the Davis-Bacon Act; and pursuant to the provisions of Part 1 of Subtitle A of Title 29 of Code of Federal Regulations, Procedure for Predetermination of Wage Rates (37 FR 21138) and of Secretary of Labor's Orders 13–71 and 15–71 (36 FR 8755, 8756). The prevailing rates and fringe benefits determined in foregoing General Wage Determination Decisions, as hereby modified, and/or superseded shall, in accordance with the provisions of the foregoing statutes, constitute the minimum wages payable on Federal and federally assisted construction projects to laborers and mechanics of the specified classes engaged in contract work of the character and in the localities described therein.

Modifications and Supersedeas Decisions are effective from their date of publication in the FEDERAL REGISTER without limitation as to time and are to be used in accordance with the provisions of 29 CFR Parts 1 and 5.

Any person, organization, or governmental agency having an interest in the wages determined as prevailing is encouraged to submit wage rate information for consideration by the Department. Further information and self-explanatory forms for the purpose of submitting this data may be obtained by writing to the U.S. Department of Labor, Employment Standards Administration, Office of Special Wage Standards, Division of Wage Determinations, Washington, D.C. 20210. The cause for not utilizing the rule-making procedures prescribed in 5 U.S.C. 553 has been set forth in the orginal General Wage Determination Decision.

MODIFICATIONS TO GENERAL WAGE DETERMINATION DECISIONS

The numbers of the decisions being modified and their dates of publication in the FEDERAL REGISTER are listed with each State.

Arizona:	
AZ75–5076	July 3, 1975.
Florida:	
FL75–1009	Jan. 24, 1975.
FL75–1040	Mar. 28, 1975.
FL75–1087	Sept. 5, 1975.
Iowa:	
IA75–4170; IA75–4171; IA 75–4174; IA75–4175; IA 75–4176; IA75–4177; IA 75–4179; IA75–4180.	Oct. 31, 1975.
IA75–4190	Nov. 14, 1975.
Kansas:	
MO75–4144	Aug. 1, 1975.
Louisiana:	
LA75–4200	Dec. 5, 1975.
Pennsylvania:	
PA75–3059	July 3, 1975.
PA75–3071; PA75–3079	Aug. 22, 1975.
PA75–3112	Dec. 5, 1975.
Rhode Island:	
RI75–2111; RI75–2112	Sept. 26, 1975.
RI75–2116	Oct. 10, 1975.
Texas:	
TX75–4098; TX75–4103	May 23, 1975.
TX75–4161; TX75–4162; TX 75–4165; TX75–4166.	Oct. 24, 1975.
TX75–4183; TX75–4185; TX 75–4186; TX75–4187; TX 75–4189.	Nov. 7, 1975.
TX75–4195	Nov. 21, 1975.
TX75–4201	Dec. 5, 1975
Virginia:	
MD75–3100	Sept. 26, 1975.
Washington, D.C.:	
DC75–3099	Do.

SUPERSEDEAS DECISIONS TO GENERAL WAGE DETERMINATION DECISIONS

The numbers of the decisions being superseded and their dates of publication in the FEDERAL REGISTER are listed with each State.

Supersedeas Decision numbers are in parentheses following the numbers of the decision being superseded.

Colorado:	
CO75–5118 (CO75–5147)	Sept. 19, 1975.
CO75–5129 (CO75–5143)	Oct. 17, 1975.
CO75 – 5135 (CO75 – 5146); CO75–5136 (CO75–5145).	Nov. 21, 1975.
Indiana:	
IN75–2088 (IN75–2131)	June 27,1975.
IN75–2089 (IN75–2132)	July 3, 1975.
IN75–2093 (IN75–2113)	July 11, 1975.
Massachusetts:	
MA75–2054 (MA75–2134)	Apr. 4, 1975.
New Mexico:	
NM75–4136 (NM75–4204)	Aug. 1, 1975.
North Carolina:	
AP–161 (NC75–1115)	Mar. 2, 1973.
Pennsylvania:	
AQ–2070 (PA75–3120)	Mar. 15, 1974.
Texas:	
TX75–4154 (TX75–4203)	Aug. 22, 1975.

Signed at Washington, D.C., this 12th day of December 1975.

RAY J. DOLAN,
Assistant Administrator,
Wage and Hour Division.

	Basic Hourly Rates	Basic Hourly Rates	Fringe Benefits Payments			
			H & W	Pensions	Vacation	App. Tr.
DECISION NO. AZ75-5076 - Mod. #4 (40 FR 28313 - July 3, 1975) Statewide, Arizona	C & S Areas	N Area				
Add: Truck Drivers: Group 4 Water truck drivers, 4000 gals. and over	$ 8.01	$ 9.635	.70	.75		.04

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
DECISION # FL75-1009 - Mod. #3 (40 FR 3882 - January 24, 1975) Orange County, Florida					
Change: Ironworkers: Structural, Ornamental and Reinforcing	8.90	.55	.50	.63	.05
DECISION # FL75-1040 - Mod. # 2 (40 FR 11223 - March 28, 1975) Volusia County (except Cape Kennedy, Kennedy Space Flight Center, Patrick Air Force Base and Melabar Radar Site), Florida					
Change: Ironworkers	8.90	.55	.50	.63	.05
DECISION # FL75-1087 - Mod. # 1 (40 FR 41364 - September 5, 1975) Brevard and Volusia (Cape Kennedy, Kennedy Space Flight Center and Patrick Air Force Base only and including Melabar Radar Site), Florida					
Change: Ironworkers: Structural, fimishers, burners, rodmen, welders, riggers and machinery movers	8.90	.55	.50	.63	.05

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
DECISION #IA75-4170 - Mod. #1 (40 FR 50870 - October 31, 1975) Black Hawk County (City of Waterloo & abutting municipalities), Iowa					
Change:					
Building Construction:					
Electricians:					
Electricians	$ 9.68	.30	1%		1%
Cable splicers	10.28	.30	1%		1%
Power Equipment Operators:					
Group 1	8.95	.50	.50		.05
Group 2	8.83	.50	.50		.05
Group 3	8.035	.50	.50		.05
Group 4	7.73	.50	.50		.05
DECISION #IA75-4171 - Mod. #2 (40 FR 50873 - October 31, 1975) Cerro Gordo County (City of Mason City), Iowa					
Change:					
Building Construction:					
Electricians	9.65	.30	1%		1%
Power Equipment Operators:					
Group 1	8.95	.50	.50		.05
Group 2	8.83	.50	.50		.05
Group 3	8.035	.50	.50		.05
Group 4	7.73	.50	.50		.05

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
DECISION #IA75-4174 - Mod. #3 (40 FR 50882 - October 31, 1975) Dubuque County (City of Dubuque & abutting municipalities), Iowa					
Change:					
Building Construction:					
Power Equipment Operators:					
Group 1	$ 8.95	.50	.50		.05
Group 2	8.83	.50	.50		.05
Group 3	8.035	.50	.50		.05
Group 4	7.73	.50	.50		.05
DECISION #IA75-4175 - Mod. #1 (40 FR 50885 - October 31, 1975) Johnson County (City of Iowa City & abutting municipalities), Iowa					
Change:					
Building Construction:					
Electricians	9.90	.50	1%		1%
Power Equipment Operators:					
Group 1	8.95	.50	.50		.05
Group 2	8.83	.50	.50		.05
Group 3	8.035	.50	.50		.05
Group 4	7.73	.50	.50		.05

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
DECISION #IA75-4176 - Mod. #1 (40 FR 50888 - October 31, 1975) Linn County, Iowa					
Change:					
Building Construction:					
Electricians	$ 9.90	.50	1%		1%
Power Equipment Operators:					
Group 1	8.95	.50	.50		.05
Group 2	8.83	.50	.50		.05
Group 3	8.035	.50	.50		.05
Group 4	7.73	.50	.50		.05
DECISION #IA75-4177 - Mod. #1 (40 FR 50891 - October 31, 1975) Polk County, Iowa					
Change:					
Building Construction:					
Power Equipment Operators:					
Group 1	8.95	.50	.50		.05
Group 2	8.83	.50	.50		.05
Group 3	8.035	.50	.50		.05
Group 4	7.73	.50	.50		.05
DECISION #IA75-4179 - Mod. #1 (40 FR 50897 - October 31, 1975) Story County (City of Ames & abutting municipalities), Iowa					
Change:					
Building Construction:					
Power Equipment Operators:					
Group 1	8.95	.50	.50		.05
Group 2	8.83	.50	.50		.05
Group 3	8.035	.50	.50		.05
Group 4	7.73	.50	.50		.05

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
DECISION #IA75-4180 - Mod. #1 (40 FR 50900 - October 31, 1975) Webster County (City of Fort Dodge), Iowa					
Change:					
Building Construction:					
Power Equipment Operators:					
Group 1	$ 8.95	.50	.50		.05
Group 2	8.83	.50	.50		.05
Group 3	8.035	.50	.50		.05
Group 4	7.73	.50	.50		.05
DECISION #IA75-4190 - Mod. #2 (40 FR 53180 - November 14, 1975) Woodbury County (City of Sioux City & abutting municipalities), Iowa					
Change:					
Power Equipment Operators:					
Group 1	8.50	.50	.50		.05
Group 2	8.38	.50	.50		.05
Group 3	7.585	.50	.50		.05
Group 4	7.28	.50	.50		.05

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
DECISION #MO75-4144 - Mod. #2 (40 FR 32611 - August 1, 1975) Cass, Clay, Jackson, Platte and Ray Counties, Missouri; and Johnson & Wyandotte Counties, Kansas.					
CHANGE:					
ASBESTOS WORKERS	$10.72	.50	.80		.02
BOILERMAKERS	9.45	.70	1.00		.02
CEMENT MASONS (Heavy & Highway Construction):					
Zone 1 - Johnson & Wyandotte Counties, Kansas	9.155	.40	.50	1.25	
ELECTRICIANS:					
Zone 1 - Western half of Clay and Jackson Counties, Missouri not including Blue Springs; Northern half of Platte County, Missouri; Northwestern portion of Cass County, Missouri not including Pleasant Hill:					
Electricians	10.27	.29	1%+.31	.80	.06
Zone 2 - Remainder of Clay, Jackson, Platte and Cass Counties; Missouri:					
Electricians (contracts over $5,000)	10.27	.29	1%+.31	.80	.06
Electricians (contracts $5,000 and under)	9.72	.29	1%+.31	.80	.06
ZONE 3 - Ray County, Missouri:					
Electricians (contracts over $5,900)	10.27	.29	1%+.31	.80	.06
Electricians (contracts $5,000 and under)	9.11	.29	1%+.31	.80	.06
Zone 4 - Johnson and Wyandotte Counties, Kansas	10.27	.29	1%+.31	.80	.06
GLAZIERS	9.41	.55	.51	14.4%	.03
IRONWORKERS	9.25	.65	.90	1.00	.05
LATHERS	9.70	.50			

DECISION NO MO75-4144 - Mod. #2

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
CHANGE:					
LINE CONSTRUCTION:					
Zone 1 - Cass, Clay, Jackson, Platte, and Ray Counties, Missouri; Wyandotte and Remainder of Johnson Counties, Kansas					
Linemen	$10.56	.38	1%+.15		1%
Heavy equipment operator	9.83	.38	1%+.15		1%
Groundman	6.97	.38	1%+.15		1%
Groundman (1st year)	5.99	.38	1%+.15		1%
Groundman Powderman	7.34	.38	1%+.15		1%
PAINTERS:					
Brush and tapers	8.86	.55	.70		.06
Spray	9.86	.55	.70		.06
PIPEFITTERS	10.42	.52	1.05		1%
PLUMBERS	10.69	.60	.70		.10
SPRINKLER FITTERS	10.73	.50	.80		.06
TERRAZZO WORKERS	9.93	3.65%	3.25%		

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
DECISION #LA75-4200 - Mod. #1 (40 FR 57103 - December 5, 1975) Statewide Louisiana					
Change:					
Plumbers & pipefitters:					
Zone 6	$ 9.88	.42	.47		.08
Power Equipment Operators (Highway Construction):					
Group 1 - Zone 3	8.08	.25	.39		.05
Group 2 - Zone 3	8.33	.25	.39		.05
Group 3 - Zone 3	7.83	.25	.39		.05
Group 4 - Zone 3	6.90	.25	.39		.05
Group 5 - Zone 3	6.39	.25	.39		.05
Group 6 - Zone 3	5.75	.25	.39		.05
Group 7 - Zone 3	5.46	.25	.39		.05
Group 8 - Zone 3	6.90	.25	.39		.05
Group 9 - Zone 3	7.15	.25	.39		.05
Group 10 - Zone 3	5.71	.25	.39		.05
Sheet metal workers:					
Zone 4	7.85	3%+.40	.25		.05
Truck Drivers (Highway Construction):					
Group 1 - Zone 3	5.26				
Group 2 - Zone 3	5.35				
Group 3 - Zone 3	5.55				
Group 4 - Zone 3	5.73				
Group 5 - Zone 3	6.09				
Line Construction:					
Zone 2:					
Linemen, line equipment & line truck operators	9.50	.30	1%+.35		3/10%
Cable splicers	9.75	.30	1%+.35		3/10%

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Decision #PA-75-3059 - Mod. # 5 (40 FR 28361 - July 3, 1975) Cambria County, Pennsylvania					
Change: Decision #PA-75-3059 - published in FR - 28361, dated July 3, 1975, to read Decision #PA-75-3059.					
Decision #PA-75-3071 - Mod. # 1 (40 FR - 36936 - August 22, 1975) Allegheny County, Pennsylvania					
Change: Soft floor layers	$8.83	5%	6%	6%	
Decision #PA-75-3079 - Mod # 2 (40 FR 36965 - August 22, 1975) Venango County, Pennsylvania					
Change: Carpenters & Soft Floor Layers	8.85	.35	.20		
Laborers: Mason tenders, pipelayers, bottom man (10' below grade)	7.25	.40	.50		
Decision #PA-75-3112 - Mod. #1 (40 FR - 57136 - December 5, 1975) Lancaster County, Pennsylvania					
Add: Power Equipment Operators (See Schedule Below)					

Decision # PA-T5-3112 - Mod. # 1 P. # 1

PA-22-FBO-1-B 1 of 2

POWER EQUIPMENT OPERATORS BUILDING CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
GROUP 1	$10.95	4.6%	9.5%	a	1.2%
GROUP 2	10.66	4.6%	9.5%	a	1.2%
GROUP 3	9.78	4.6%	9.5%	a	1.2%
GROUP 4	9.01	4.6%	9.5%	a	1.2%
GROUP 5	8.53	4.6%	9.5%	a	1.2%
GROUP 6	7.61	4.6%	9.5%	a	1.2%
GROUP 7	11.20	4.6%	9.5%	a	1.2%
GROUP 7-A	11.45	4.6%	9.5%	a	1.2%
GROUP 7-B	11.70	4.6%	9.5%	a	1.2%

Decision #PA-T5-3112 - Mod. # 1 P. 2

2 of 2

GROUP 1: Machines doing hook work, any machine handling machinery, cable spinning machines, helicopters, machines similar to the above

GROUP 2: All types of cranes, all types of backhoes, cableways, draglines, keystones, all types of shovels, derricks, trench shovels, trenching machines, hoist with two towers, pavers 21E and over, all types overhead cranes, building hoists (double drum) gradalls, mucking machines in tunnel, all front end loaders 3-½ c.y. and over, tandem scrapers, pippin type backhoes, boat Captains, batch plant operators (concrete) drills, self-contained rotary drills, fork lifts, 20 ft. lift and over machine to the above

GROUP 3: Conveyors, building hoists (single drum) scrapers and tournapulls, spreaders, high or low pressure boilers, concrete pumps, well drillers, bulldozers and tractors, asphalt plant engineers, roller (high grade finishing), ditch witch type trencher, all loaders under 3-½ cu. yds., mechanic-welders, motor patrols, drill helper-self contained rotary drills, core drill operator, forklift trucks under 20 ft. lift, machines similar to the above

GROUP 4: Welding machines, well points, compressors, pumps, heaters, farm tractors, form line graders, fine grade machines, road finishing machines, concrete breaking machines, rollers, seaman pulverizing mixer, power broom, seeding spreader, fireman (for power equipment), machines similar to above

GROUP 5: Fireman, grease truck

GROUP 6: Oilers and deck hands (personnel boats), core drill helper

GROUP 7: All machines with booms (including jib, masts, leads, etc.): 100 ft. and over

GROUP 7-A: 150 ft. and over

GROUP 7-B: 200 ft. and over

FOOTNOTE:
a. Paid Holidays: New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, and Christmas Day, provided the employee works the day before and after the holiday.

DECISION NO. RI75-2111- Mod #2 (40 FR 44487- September 26, 1975) Newport County, Rhode Island	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
Change:					
Bricklayers, stonemasons (Building, heavy, highway, and marine)	$9.55	.65	.55		.01
Electricians: Little Compton, Tiverton, No. Tiverton (Building, heavy, highway, marine	9.70	4%	11%+.25	4%	4%
Painters: Building, heavy, highway, and marine: Little Compton, Tiverton, Adamsville, & Sakonnet:					
Brush	8.48	.72	.45		.04
Structural steel	11.58	.72	.45		.04
Spray	9.48	.72	.45		.04
Plumbers (Building, heavy, highway, and marine)	10.16	.75	.90		.07
Roofers:					
Composition, waterproofers	9.60	.45	.25		
Slate, tile, precast concrete	9.80	.45	.25		
Helpers- Class A	8.75	.45	.25		
Helpers- Class B	8.25	.45	.25		
Glaziers	8.68	.52	.85		.01

DECISION NO. RI75-2112- Mod #2 (40 FR 48001- Sept. 26, 1975) Washington County, Rhode Island	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
Change:					
Bricklayers and stonemasons: Building, heavy, highway, and marine: Exeter, Johnson, N.Kingstown, Narragansett (including the Pier of Point Judith)	$9.55	.65	.55		.01
Carpenters, soft floor layers, and piledrivermen	9.40	.60	.60		.05
Glaziers	8.68	.52	.85		.01
Plumbers (Building, heavy, highway, and marine)	10.16	.75	.90		.07
Roofers:					
Composition, waterproofers	9.60	.45	.25		
Slate, tile, precast concrete	9.80	.45	.25		
Helpers- Class A	8.75	.45	.25		
Helpers- Class B	8.25	.45	.25		

DECISION NO. RI75-2116- Mod #1 (40 FR 48066- October 10, 1975) Bristol, Kent, & Providence Counties, Rhode Island	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
Change:					
Bricklayers & stonemasons: Building, Heavy, Highway, and Marine: Remainder of Providence Co.	$9.55	.65	.55		.01
Carpenters & soft floor layers: Bristol & Kent Counties, and Remainder of Providence Co.	9.40	.60	.60		.05
Piledrivermen	9.40	.60	.60		.05
Millwrights	9.65	.60	.60		.05
Glaziers	8.68	.52	.85		.01
Plumbers (Building, Heavy, Highway, and Marine)	10.16	.75	.90		.07
Roofers:					
Composition, waterproofers	9.60	.45	.25		
Slate, tile, precast concrete	9.80	.45	.25		
Helpers- Class A	8.75	.45	.25		
Helpers- Class B	8.25	.45	.25		

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
DECISION #TX75-4098 - Mod. #4 (40 FR 22786 - May 23, 1975) Taylor County, Texas					
Change: Plumbers & pipefitters	$ 7.25		.55		.03
DECISION #TX75-4103 - Mod. #4 (40 FR 22795 - May 23, 1975) Harrison County, Texas					
Change: Bricklayers & stonemasons	8.25		.25		
Cement masons	7.00		.25		
Plasterers	8.25		.25		
DECISION #TX75-4161 - Mod. #2 (40 FR 48880 - October 15, 1975) Armstrong, Carson, Castro, Childress, Collingsworth, Dallam, Deaf Smith, Donley, Gray, Hansford, Hartley, Hemphill, Hutchinson, Lipscomb, Moore, Ochiltree, Oldham, Potter, Randall, Roberts, Sherman, Swisher & Wheeler Counties, Texas					
Change: Electricians	8.98	.40	1%		1/2%
Plumbers	8.18	.35	.55	.60	

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
DECISION #TX75-4162 - Mod. #3 (40 FR 49971 - October 24, 1975) Bell, Bosque, Coryell, Falls, Hill & McLennan Counties, Texas					
Change: Building Construction: Asbestos workers: Zone 1	$ 9.23	.35	.45		.08
Electricians: Zone 1	8.90		1%		1/4%
Zone 2	9.80		1%		.8%
DECISION #TX75-4165 - Mod. #2 (40 FR 49965 - October 24, 1975) Bowie County, Texas					
Change: Bricklayers & stonemasons	8.25		.25		
Electricians	8.40	.40	1%		1/4%
Line construction: Lineman	8.80		1%		1/2%
Cable splicer	9.07		1%		1/2%
Hole digger operator; Heavy equipment operators (or pole cat equivalent); powderman	8.01		1%		1/2%
Line truck driver (winch operator)	7.22		1%		1/2%
Jackhammer man	6.60		1%		1/2%
Groundman	5.90		1%		1/2%
Groundman, 1st year	4.40		1%		1/2%
Truck driver (flat bed, ton & half & under)	6.25		1%		1/2%
DECISION #TX75-4166 - Mod. #3 (40 FR 49967 - October 24, 1975) Brazos County, Texas					
Change: Electricians	10.05	.40	3%		.04

MODIFICATIONS P. 17

	Basic Hourly Rates	Fringe Benefits Payments: H & W	Pensions	Vacation	Education and/or Appr. Tr.
DECISION #TX75-4183 - Mod. #3 (40 FR 52271 - November 7, 1975) Armstrong, Carson, Castro, Childress, Collingsworth, Dallam, Deaf Smith, Donley, Gray, Hansford, Hartley, Hemphill, Hutchinson, Lipscomb, Moore, Ochiltree, Oldham, Potter, Randall, Roberts, Sherman, Swisher & Wheeler Counties, Texas					
Change:					
Electricians:					
Zone 1:					
Electricians	$ 8.98	.40	1%		1/2%
Cable splicers	9.88	.40	1%		1/2%
Line construction:					
Zone 1:					
Lineman	8.98	.40	1%		1/2%
Cable splicers	9.88	.40	1%		1/2%
Groundman, more than 1 year experience	5.89	.40	1%		1/2%
Groundman, less than 1 year experience	5.15	.40	1%		1/2%
Operator-hole digger, line truck	6.83	.40	1%		1/2%
Flat bed truck driver	5.15	.40	1%		1/2%
Plumbers & pipefitters:					
Zone 1 - shall extend a distance of 25 road miles beyond the police station in Amarillo & Borger	8.18	.35	.55	.60	
Zone 2 - shall extend a distance of 25 road miles beyond the outer perimeter of Zone 1	8.43	.35	.55	.60	
Zone 3 - shall apply to all areas not within Zone 1 or 2	8.68	.35	.55	.60	
DECISION #TX75-4185 - Mod. #2 (40 FR 52275 - November 7, 1975) Kleberg & Nueces Counties, Texas					
Change:					
Carpenters:					
Millwrights	8.05				1%

MODIFICATIONS P. 18

	Basic Hourly Rates	Fringe Benefits Payments: H & W	Pensions	Vacation	Education and/or Appr. Tr.
DECISION #TX75-4186 - Mod. #1 (40 FR 52277 - November 7, 1975) Lubbock County, Texas					
Change:					
Electricians:					
Electricians	$ 8.35	.40	1%		1/10%
Cable splicers	8.60	.40	1%		1/10%
Line construction:					
Linemen	8.35	.40	1%		
Operators	80%JR	.40	1%		
Groundmen (more than 1 year experience)	55%JR	.40	1%		
Groundmen (less than 1 year experience)	50%JR	.40	1%		
Flat bed truck operator	70%JR	.40	1%		
Plumbers & steamfitters	8.30	.40			.04
DECISION #TX75-4187 - Mod. #1 (40 FR 52279 - November 7, 1975) Travis County, Texas					
Change:					
Asbestos workers	9.23	.35	.45		.08
Electricians & cable splicers	9.80		1%		.8%
Line construction:					
Linemen	9.40	.40	1%		1/2%
Groundmen	5.17	.40	1%		1/2%
Groundmen (1st year)	4.70	.40	1%		1/2%
DECISION #TX75-4189 - Mod. #1 (40 FR 52283 - November 7, 1975) Wichita County, Texas					
Change:					
Carpenters	6.00				

MODIFICATIONS P. 19

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Ts.
DECISION #TX75-4195 - Mod. #1 (40 FR 54413 - November 21, 1975) Collin, Dallas, Denton, Ellis, Grayson, Hood, Hunt, Johnson, Kaufman, Palo Pinto, Rockwall, Tarrant & Wise Counties, Texas					
Change:					
Electricians:					
Zone 1:					
Electricians	$ 9.85	.40	1%		7/10%
Cable splicers	10.10	.40	1%		7/10%
Zone 2:					
Electricians	9.48	4%	5%		7/10%
Cable splicers	10.43	4%	5%		7/10%
Zone 3:					
Area A:					
Electricians	9.48	4%	5%		7/10%
Cable splicers	10.43	4%	5%		7/10%
Area B:					
Electricians	9.73	4%	5%		7/10%
Cable splicers	10.70	4%	5%		7/10%
Area C:					
Electricians	9.98	4%	5%		7/10%
Cable splicers	10.98	4%	5%		7/10%
DECISION #TX75-4201 - Mod. #1 (40 FR 57139 - December 5, 1975) Jefferson & Orange Counties, Texas					
Change:					
Bricklayers & stonemasons	10.18	.275	.30		.04
Tile setters	8.60	.275	.30		.04

MODIFICATIONS P. 20

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Ts.
Decision #MD-75-3100 - Mod. # 3 (40 FR 44447 - September 26, 1975) Montgomery and Prince Georges Counties, Maryland, Arlington and Fairfax Counties, the city of Alexandria and Dulles International Airport, Virginia					
Change:					
Carpet Layers	$6.70	.30			.05
Decision #DC-75-3099 - Mod. # 3 (40 FR 44449 -- September 26, 1975) Washington, D. C.					
Change:					
Carpet Layers	6.70	.30			.05
Omit:					
Heavy Construction Schedule Issued in Mod. # 2, 40 FR, 57077, dated, December 5, 1975					
Add:					
Highway Construction Schedule (See Below)					

Decision #DC-75-3099 -Mod. #3

S-D. C. 3- W

HIGHWAY CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Asphalt Shoveler	$6.45	.22	.30		
Asphalt Raker	6.65	.22	.30		
Asphalt Tamper	6.55	.22	.30		
Bricklayers	9.85	.60	.60		.10
Carpenters	9.55	.50	.49		.07
Cement Masons	6.90	.22	.30		
Concrete Saw Operator	6.65	.22	.30		
Concrete Shoveler	6.55	.22	.30		
Form Setter	6.90	.22	.30		
Laborers:					
Laborers	6.40	.22	.30		
Jackhammer	6.60	.22	.30		
Hand Burner Operator	6.55	.22	.30		
Power Equipment Operators:					
Concrete Spreader Operator, Finishing Machine, Roller (rough), Compressor, Rubber-tired Loader (1-½ cu. yds., or less), Asphalt Plant Mixer	6.65	.22	.30		
Loader Operator Tracks (2-½ cu. yds. or less), Burner Planer, Bulldozer, Mechanic or Welder, Rubber Tired Loader (over 1-½ cu. yds.)	6.85	.22	.30		
Asphalt Spreader, Hydraulic Backhoe (½ cu. yd., or less), Asphalt Plant Engineer, Asphalt Roller Operator, Concrete Breaker (machine)	6.90	.22	.30		
Crane Operator, Concrete Paving Operator	7.05	.22	.30		
Shovel Operator	7.15	.22	.30		
Gradall Operator (1-½ cu. yds. or less), Motor Grader, Loader Operator Tracks (over 2-½ cu. yds)	7.80	.22	.30		
G-1000 Gradall Operator (over 1½ cu. yds.)	8.05	.22	.30		
Power Broom, Oiler	6.55	.22	.30		
Sand Setter	6.90	.22	.30		
Truck Drivers:					
Truck Drivers (standard)	6.40	.22	.30		
Tandem	6.52	.22	.30		
Tractor trailer (capable of moving heavy equipment)	6.90	.22	.30		

SUPERSEDEAS DECISION

STATE: Colorado

COUNTIES: Adams, Arapahoe, Boulder, Clear Creek, Denver, Douglas, Eagle, Elbert, Gilpin, Grand, Jefferson, Lake, Larimer, Morgan, Park, Summit and Weld

DECISION NUMBER: CO75-5143

DATE: Date of Publication

Supersedes Decision No. CO75-5129 dated October 17, 1975, in 40 FR 48848

DESCRIPTION OF WORK: Building Construction, (excluding single family homes and garden type apartments up to and including 4 stories) and heavy construction.

BUILDING CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
ASBESTOS WORKERS	$9.01	.38	.72		
BOILERMAKERS	8.35	.60	1.00		.02
BRICKLAYERS; Stonemasons:					
Eagle County	9.25	.50	.80	.25	.05
Boulder and Grand Counties	8.95	.50	.60		.05
Elbert, Lake and Park Counties	8.50	.45	.50		.04
Larimer County	8.95	.45	.60		.05
Remaining Counties	9.25	.50	.60	.25	.05
CARPENTERS:					
Adams, Arapahoe, Boulder, Clear Creek, Denver, Douglas, Elbert, Grand, Gilpin, Jefferson and Park (Northern area) Counties					
Area (a) Denver Metropolitan Area including Louisville, Golden, Boulder and Longmont basing Points					
Zone I (0 to 20 miles)	8.635	.53	.70	.50	.055
Zone II (20 to 50 miles)	9.71	.53	.70	.50	.055
Zone III (50 miles and over)	10.79	.53	.70	.50	.055
Morgan and Weld Counties:					
Area (b) Denver Northeastern Area of Colorado including Greeley, Loveland and Fort Morgan basing points					
Zone I (0 to 20 miles)	8.635	.53	.70	.50	.055
Zone II (20 to 50 miles)	9.71	.53	.70	.50	.055
Zone III (50 miles and over)	10.79	.53	.70	.50	.055
Larimer County (S.E. portion within Loveland basing point, Zone I)	8.135	.48	.60	.40	.05
Larimer (Remainder of County), Eagle, Lake, Park (south 40 miles) and Summit Counties					
Zone I (0-30 miles from P.O. in Leadville or Fort Collins)	7.54	.48	.60	.40	.05
Zone II (30-60 miles from P. O. in Leadville or Fort Collins)	$7.79	.48	.60	.40	.05
Zone III (All work outside of the 60 mile radius from P. O. in Leadville or Fort Collins)	8.04	.48	.60	.40	.05
CEMENT MASONS:					
Cement Masons	7.74	.44	1.10	.60	.08
Working with composition materials and color working on scaffold, swing stage or temporary platform over 25'	8.24	.44	1.10	.60	.08
ELECTRICIANS:	7.99	.44	1.10	.60	.08
Electricians (Elbert and Park Counties)	10.07	.42	1%+.45		.015
Electricians (Remaining Counties)	10.24	.65	1%+.25		2/10%
Cable Splicers (Remaining Cos.)	10.49	.65	1%+.25		2/10%
ELEVATOR CONSTRUCTORS	8.63	.44	.29	3%+a	.02
ELEVATOR CONSTRUCTORS' HELPERS	70%JR	.44	.29	3%+a	.02
ELEVATOR CONSTRUCTORS' HELPERS (PROB.)	50%JR				
GLAZIERS	8.37			.35	
IRONWORKERS	9.20	.63	.90		.08
LATHERS	9.44				.01
MARBLE SETTERS	9.20	.55	.61		.04
MILLWRIGHTS	9.13	.53	.60	6%	.055
PAINTERS:					
Park County (Southern half)					
Brush, roller, taper, hand texture	7.20	.50	.20		.03
Steel and paperhanger	7.70	.50	.20		.03
Spray	7.80	.50	.20		.03
Steel Spray	8.30	.50	.20		.03
Remaining Counties including N½ of Park County*					
Brush and roller	9.31	.50	.60		.05
Drywall finisher; Paperhanger	9.51	.50	.60		.05
Spray; Swing Stage	9.79	.50	.60		.05
PLASTERERS	9.44				.01

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	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
PLUMBERS; Steamfitters:					
Southern portions of Douglas, Elbert and Park Counties*	$ 9.05	.60	.75	$ 1.17	.08
Boulder County	9.45	.60	.65	.50	.10
Remaining Counties (including Northern portions of Douglas, Elbert and Park Counties)	9.50	.60	.65	.50	.05
ROOFERS:					
Eagle and Southern portions of Lake, Jefferson, Park, Douglas and Elbert Counties**	7.91	.42	.10		
Remaining Counties including Northern portions of Lake, Park, Jefferson, Douglas and Elbert Counties	6.25	.35			.08
SHEET METAL WORKERS	9.12	.30	.90		.07
SOFT FLOOR LAYERS	8.29	.35	.55	.30	.05
SPRINKLER FITTERS	10.55	.50	.80		.08
TILE SETTERS:					
Elbert, Lake and Park Counties	7.41	.45	.50		
Remaining Counties	9.20	.35	.61		.04
TILE, MARBLE & TERRAZZO HELPERS:					
Helpers	6.87	.61	.55	.40	
Floor Grinders	7.02	.61	.35	.40	
Base Grinder	7.57	.61	.55	.40	

*Park County dividing line: A line from the S. W. corner of Jefferson County to the S. E. corner of Lake County

**Area South of a east-west line from west border of Lake County to a point 2 miles north of the City of Leadville to a point 1/2 mile north of the City of Limon at the west border of Lincoln County

FOOTNOTE:

a. Employer contributes 4% basic hourly rate for over 5 years' service and 2% basic hourly rate for 6 months to 5 years' service as Vacation Pay Credit. Six Paid Holidays: A through F.

PAID HOLIDAYS:

A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.

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LABORERS (Building Construction)	ZONE 1	ZONE 2	ZONE 3	Fringe Benefits Payments			
	Basic Hourly Rates	Basic Hourly Rates	Basic Hourly Rates	H & W	Pensions	Vacation	Education and/or Appr. Tr.
Area A							
Group 1	$4.15	$4.60	$5.05	.44	.50		.05
Group 2	5.65	6.10	6.55	.44	.50		.05
Group 3	5.93	6.38	6.83	.44	.50		.05
Group 4	6.15	5.50	7.05	.44	.50		.05
Group 5	6.20	6.65	7.10	.44	.50		.05
Group 6	6.30	6.75	7.20	.44	.50		.05
Area B							
Group 1	4.15	4.60	5.05	.44	.50		.05
Group 2	5.50	5.95	6.40	.44	.50		.05
Group 3	5.78	6.23	6.68	.44	.50		.05
Group 4	5.98	6.43	6.88	.44	.50		.05
Group 5	5.82	6.27	6.72	.44	.50		.05
Group 6	6.30	6.75	7.20	.44	.50		.05

AREA A

Adams, Arapahoe, Boulder, Denver, Lake, Larimer and Summit Counties. Douglas and Jefferson Counties lying north of the south line of Township 7 south; Elbert County lying west of the east line of Range 65 West and North of the south line of Township 7 south. Weld County lying south and west of the following described line: Beginning at the northwest corner of Township 4 North, Range 68 West of the 6th p.m.,; thence east along the north line of said Township six (6) miles, more or less, to the east line of said Township; thence south along the east line of said Township three (3) miles, more or less, to the southeast corner of Section 13, Township 4 North, Range 68 West; thence east along the eastwest center line of Township 4 North, Range 67 West, six (6) miles, more or less, to the east line of said Township; thence south along the east line of Range 67 West, being the east lines of Township 4 North, 3 North, 2 North, and 1 North, Range 67 West, sixteen (16) miles to the southeast corner of Section 1, Township 1 North, Range 67 West; thence east and parallel to the Base Line twelve (12) miles, more or less, to the southeast corner of Section 1, Township 1 North, Range 65 West; thence south along the east line of Range 65 West, five (5) miles, more or less, to the Base Line being the south line of Weld County.

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LABORERS (Cont'd)
(Building Construction)

AREA A (Cont'd)

Zone 1: That area encompassed by 0 to 30 driving miles from the main Post Office in each of the following Cities: Boulder, Denver, Dillon, Englewood, Fort Collins, Golden, Greeley and Leadville

Zone 2: That area encompassed by 30 to 70 driving miles from the main Post Office of above named Cities

Zone 3: That area encompassed by 70 driving miles and over from the main Post Office of above named Cities

AREA B

Douglas, Elbert, Jefferson, and Weld Counties lying outside of the area as described in Area A, and all of Clear Creek, Eagle, Gilpin, Grand, Morgan, and Park Counties.

Zone 1: That area encompassed by 0 to 30 driving miles from the main Post Office in each of the following Cities: Eagle, Fort Morgan, Golden Grandby, Greeley and Vail.

Zone 2: That area encompassed by 30 to 70 driving miles from main Post Office of above named Cities

Zone 3: That area encompassed by 70 driving miles and over from the main Post Office in above named Cities

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LABORERS (Cont'd)
Building Construction

GROUP DESCRIPTION For All COUNTIES

Group 1: Watchmen tending Heaters and Pumps

Group 2: Building Construction Laborer

Group 3: Laborers - Underpinning and Shoring Eight (8) feet or more below working surface.
Power Tool Operators of all mechanical, air, gas, and electrical tools, including Self-propelled Buggies and Cement Finisher Tenders.
Laborers preparing and placing of stone or any other Aggregate in a sand bed to be used as exposed face of tilt-up panels.
Burners on Demolition and Welders, Gunnite Nozzlemen and Sand Blasters.

Group 4: Pipelayers on Building Construction

Group 5: Jackhammer Operator for Under-pinning and Shoring over twelve (12) feet below working surface, Bellers and Stemmers on Caisson Work.

Group 6: Tender, Mason and Plaster

HEAVY CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
CARPENTERS	7.69	.53	.70	.50	.055
UNDERGROUND CARPENTERS	7.89	.53	.70	.50	.055
Working on creosoted material, High work 40' above ground or floor on exposed scaffold or boatswains chair; Piledriving; Sawmen continuously assigned to 1½ HP saws at jobsite	7.99	.53	.70	.50	.055
CEMENT MASONS	6.74	.44	1.10	.30	.08

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TRUCK DRIVERS	Basic Hourly Rates	Fringe Benefits Payments: H & W	Pensions	Vacation	App. Tr.
PICKUPS; Helpers; Scalemen; Checkers; Spotters; Dumpmen	$ 6.45	.40	.30	.30	
DUMP TRUCKS, to & including 6 cu. yds.; Sweeper; Flat Rack, single Axle; Liquid & Bulk Tankers, single Axle; Warehousemen; Washers; Greasemen; Servicemen; Ambulance drivers	6.55	.40	.30	.30	
DUMP TRUCKS, over 6 cu. yds. to & incl. 14 cu. yds.; Flat Rack, Tandem Axle; Battery Men; Mechanics' Helpers; Material Checkers; Cardex Men; Expeditors; Man haul shuttle truck or Bus	6.65	.40	.30	.30	
STRADDLE TRUCK; Lumber Carrier; Liquid & Bulk Tankers, Tandem Axle	6.70	.40	.30	.30	
FORK LIFT DRIVER; fuel truck; Grease truck; Combination fuel & grease	6.75	.40	.30	.30	
DISTRIBUTOR TRUCK DRIVER; Cement Mixer, Agitator Truck to & including 10 cu. yds.; Liquid & Bulk Tankers, semi or combination	6.80	.40	.30	.30	
MULTI-PURPOSE TRUCK; Specialty & Hoisting	6.85	.40	.30	.30	
DUMP TRUCKS over 14 cu. yds. to & including 29 cu. yds.; High Boy, Low Boy, Floats, Semi; Cab operated Distributor Truck Driver, Semi; Liquid & Bulk Tankers, Euclid, Electric, or similar; Truck Driver Dumptor type, Youngbuggy, Jumbo & similar type equipment	6.90	.40	.30	.30	
TRUCK DRIVER, Snow Plow	7.00	.40	.30	.30	

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TRUCK DRIVERS (Cont'd)	Basic Hourly Rates	Fringe Benefits Payments: H & W	Pensions	Vacation	App. Tr.
CEMENT MIXER, Agitator Truck over 10 cu. yds., to & incl. 15 cu. yds.	$ 7.05	.40	.30	.30	
DUMP TRUCKS over 29 cu. yds. to & incl. 39 cu. yds.	7.15	.40	.30	.30	
CEMENT MIXER, Agitator Truck over 15 cu. yds.	7.30	.40	.30	.30	
DUMP TRUCKS over 39 cu. yds. to & incl. 54 cu. yds.; Tirenan	7.35	.40	.30	.30	
MECHANIC	7.45	.40	.30	.30	
DUMP TRUCKS over 54 cu. yds. to & incl. 79 cu. yds.	7.55	.40	.30	.30	
HEAVY DUTY DIESEL, Mechanics, Body Men, Welders or Combination Men	7.65	.40	.30	.30	
DUMP TRUCKS over 79 cu. yds. to & incl. 104 cu. yds.	7.75	.40	.30	.30	
DUMP TRUCKS over 104 cu. yds.	7.95	.40	.30	.30	

LINE CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments: H & W	Pensions	Vacation	Education and/or Appt. Tr.
Cable Splicer	$11.07	.35	1%		3/4%
Lineman Cableman	10.38	.35	1%		3/4%
Lineman (Journeymen)	10.31	.35	1%		3/4%
Line Equipment Operator	8.77	.35	1%		3/4%
Line Equipment Maintenance Man	8.77	.35	1%		3/4%
Groundman, Experienced	7.24	.35	1%		3/4%
Groundmen, Inexperienced	6.57	.35	1%		3/4%

DECISION NO. C075-5143

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
LABORERS (Heavy Construction)					
Group 1	$5.55	.44	.50		.05
Group 2	5.65	.44	.50		.05
Group 3	5.95	.44	.50		.05
Group 4	6.10	.44	.50		.05
Group 5	6.30	.44	.50		.05
LABORERS (TUNNELS)					
Group 1	5.55	.44	.50		.05
Group 2	6.45	.44	.50		.05
Group 3	6.55	.44	.50		.05
Group 4	6.63	.44	.50		.05
Group 5	6.70	.44	.50		.05
Group 6	6.85	.44	.50		.05
(SHAFTS, RAISES, MISSILE SILOS & ALL UNDERGROUND WORK OTHER THAN TUNNELS)					
Group 1	6.55	.44	.50		.05
Group 2	6.70	.44	.50		.05
Group 3	6.80	.44	.50		.05
Group 4	6.98	.44	.50		.05
Group 5	7.08	.44	.50		.05
Group 6	7.13	.44	.50		.05

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LABORERS (Heavy Construction)

Group 1: Minimum Labor, including Caissons to 8'; Carrying Reinforcing Rods; Work on Cross Culverts, connections and side drains in connection with highway work, whether corrugated metal or concrete pipe; Fence Erectors; Metal Mesh; Dowel Bars; Tie Bars and Chairs in concrete paving; Flagman directing traffic; Nursery Man including seeding, mulching and planting of trees, shrubs and flowers; Stake Chaser; Gabion Baskets and Reno Mattresses; Pipe plants and yards, stringing of pipe or skids, handling and signaling on pipe line work

Group 2: Chuck Tenders, Nippers, Core and Diamond Drill Helpers, Powdermen Helpers; Hot Asphalt Labor, Rakers, Boxtenders, Asphalt Curb Machines, Potmen (not mechanical); Multi-plate Culvert Pipe; Air, gas and electrical tool Operators; Barco Hammers; Spaders, electric hammers; Air Tampers; Cutting Torches on demolition work; Caissons 8' to 12'; Cofferdams; Power operated Concrete Buggies; Operators of concrete saws on pavement (other than gang saws); Timber and Chain Saws; Stresser or Stretcherman on Post Tension or Prestressed Concrete on or off jobsite; Tool Room Man and Checkers; Cement Finisher Helper; Sand Blaster; Sand Blaster Helper; Concrete processing material; Monitor; Spotters; Signalmen; Dumpmen; Transverse Concrete Conveyor Operator; Mechanical Grouters; Boring Machine (air hydraulic); Automatic Concrete Power Curbing Machine; Jack Hammer; Vibrators; Paving Breakers; Frostproofing; Any laborer performing bridge work over 40' above the ground or above a floor and working from a Bos'n Chair; Swing Stage, Life Belt or Block and Tackle as a safety requirement. All lines and safety belts used shall be of a type approved by State and Federal laws; Gunniting and Shotcrete Helpers; Caissons over 12'; Scalers; Timbermen, underpinning and shoring; Form-setters and/or stringmen on roads, highways, streets and airport runways; Distribution, placing and hooking of landing mats; Bull Float (hand operated) and Center Expansion Machines; Grade Checkers if required by employer; Pipe Wrappers; Dopers; Jeep Holiday Detector Men, Bandage Makers; Laborers working in trenches on all pipe lines, sewer, water, gas, oil, telephone conduit, Pen Stock, Siphons, drainage lines, Caulkers, Yarners, Fine Graders, air, gas, electric and hydraulic tools, Boring Machines, Hydraulic Jacks, Drills, Tampers, and similar operated tools; Wiping of Joint Concrete Pipe, inside and out; Labor, applicable to pipe coating or wrapping, plants and yards; Enamelers of pipe, inside and out

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LABORERS (Cont'd)
(Heavy Construction)

Group 3: Powdermen and Blasters; Gunnite Nozzlemen; Shotcrete Operator; Pipe Layer on truck pipe lines in connection with highway work Relining Pipe; Mixer Man; Pipelayer; Hydro-broom

Group 4: Wagon Drills and Air Tracks; Jack Hammer Operators in Caissons over 12'; Bellers and Stemmen; Licensed Powdermen; Diamond and Core Drills powered by air.

Group 5: Any work, other than on bridges, performed by Laborers working from a Bos'n Chair, Swinging Stage, Life Belt or Block and Tackle as a safety requirement. All lines and safety belts used shall be of a type approved by State and Federal laws; Plugs and Galleys in Dams

LABORERS (Tunnels)

Group 1: Outside Labor

Group 2: Minimum Tunnel Labor, Dry Houseman

Group 3: Cable or Hose Tenders, Chuck Tenders, Concrete Laborers, Dumpmen, Whirley Pump Operators

Group 4: Helpers on Shotcrete, Gunniting and Sand Blasting; Helpers, Core and Diamond Drills; Pot Tenders

Group 5: Cement Finisher Helper, applying of concrete processing materials

Group 6: Collapsible form movers and setters, Miners, Machine Men and Bit Grinders, Nippers, Powdermen and Blasters, Reinforcing Steel Setters, Timbermen (steel or wood tunnel support, including the placement of sheeting when required) and all cutting and welding that is incidental to the Miner's work; Tunnel Liner Plate Setters; Vibrator Men, internal and external; Unloading, stopping and starting of Moran Agitator Cars; Diamond and Core Drill Operators; Cement Finisher (underground); Shotcrete Operator; Gunnite Nozzlemen, Sand Blasters, Pump Concrete placement Men

(SHAFTS, RAISES, MISSILE SILOS and all UNDERGROUND WORK OTHER THAN TUNNELS)

Group 1: Laborers, Topmen, Bottommen and Cagers

Group 2: Chucktenders, Concrete Laborers, Whirley Pump Operators

DECISION NO. C075-5143

LABORERS (Cont'd)
(SHAFTS, RAISES, MISSILE SILOS and all UNDERGROUND WORK OTHER THAN TUNNELS)

Group 3: Helpers in Shotcrete Gunniting and Sand Blasting; Helpers on Core and Diamond Drills; Pot Tenders; Cement Finisher Helpers; Applying of concrete processing material

Group 4: Collapsible form movers and setters, Miners, Machine Men and Bit Grinders, Nippers, Powdermen and Blasters, Reinforcing Steel Setters, Timbermen (Steel or wood tunnel support, including the placement of sheeting when required) and all cutting and welding that is incidental to the Miner's work; Liner Plate Setters; Vibrator Men, internal and external

Group 5: Diamond and Core Drill Operators; Cement Finisher (underground); Gunnite Nozzlemen; Shotcrete Operators; Sand Blasters and Pump Concrete Placement Men

Group 6: Any employee performing work underground from a Bos'n Chair, Swinging Stage, Life Belt or Block and Tackle as a safety requirement. All lines and safety belts used shall be of a type approved by State and Federal laws

DECISION NO. C075-5143

POWER EQUIPMENT OPERATORS (Other than for work in Tunnels, Shafts and Raises)	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pension	Vacation	Apprentice
Group 1	$6.40	.35	.59	.30	.06
Group 2	6.75	.35	.59	.30	.06
Group 3	7.10	.35	.59	.30	.06
Group 4	7.25	.35	.59	.30	.06
Group 5	7.40	.35	.59	.30	.06
Group 6	7.55	.35	.59	.30	.06
(For work in Tunnels, Shafts, and Raises)					
Group 1	6.55	.35	.59	.30	.06
Group 2	6.90	.35	.59	.30	.06
Group 3	7.00	.35	.59	.30	.06
Group 4	7.25	.35	.59	.30	.06
Group 5	7.40	.35	.59	.30	.06
Group 6	7.80	.35	.59	.30	.06

POWER EQUIPMENT OPERATORS
(Other than for work in Tunnels, Shafts and Raises)

Group 1: Air Compressor; Asphalt Screed; Oiler; Brakeman; Drill Operator - Smaller than Williams MF and similar; Helper to Heavy Duty Mechanic and/or Welder; Operators of 5 or more light plants, Welding Machines, Generators, single unit conveyor; Pumps; Vacuum well point system; tractor, under 70 HP with or without attachments

Group 2: Conveyor, handling building materials; Ditch Witch and similar trenching machine; Fireman or tank heater, road; Forklift; Haulage motor man; Pugmill; portable screening plant with or without a spray bar; screening plants, with classifier; self-propelled Roller, Rubber tired under 5 tons;

Group 3: Asphalt Plant; Backfiller, Bituminous spreader or laydown machine; Cableway signalman; caisson drill; Williams MF, similar and larger; C.M.I. and similar; Concrete Batching Plants; Concrete finish Machine; Concrete Gang Saws on concrete paving; Concrete Mixer, less than 1 yd.; Concrete Placement Pumps, under 8 inches; Distributors, bituminous surfaces; Drill, diamond or core; Drill Rigs, rotary, churn, or cable tool; Elevating Graders, Equipment Lubricating and service Engineer; Engineer Fireman; Grout Machine; Gunnite Machine; Hoists, 1 drum; Hydraulic Backhoes, wheel mounted under 3/4 yd.; Loader, Barber Green, etc.; Loader up to and including 6 cu. yds.; Macaine Doctor; Mechanic; Motor Grader/Blade, rough; Road Stabilization Machine; Rollers, self-propelled, all types over 5 tons; Sandblasting Machine; single unit portable crusher, with or without washer; tie tamper, wheel mounted; Tractor, 70 HP and over with or without attachments; Trenching Machine Operator; Welder; winch on truck

Group 4: Cable Operated crane, track mounted; cable operated power shovels, Draglines, Clamshells, and backhoes, 5 cu. yds. and under; Concrete Mixer over 1 cu. yd.; Concrete Paver 34E or similar; Concrete placement pumps, 8 inches and over; crane, 50 tons and under; Hoist, 2 drums; Hydraulic Backhoe, 3/4 yd. and over; Loader, over 6 cu. yds.; Mechanic-welder, heavy duty; Mixer mobile; Motor Grader/blade, finish; Multiple unit portable crusher, with or without washer; Piledriver; Scrapers, single bowl under 40 cu. yds.; Self-propelled Hydraulic Crane; tractor with sideboom; truck mounted Hydraulic Crane

Group 5: Cable operated Power Shovels, Draglines, Clamshells and Backhoes over 5 cu. yds.; Crane, over 50 tons carrier mounted; Derrick; Electric rail type tower crane; Hoist, 3 drum or more; Quad Nine and similar push unit; Scrapers - single bowl including pups 40 cu. yds. and tandem bowls and over

Group 6: Cableway; Climbing tower Crane; Crawler or Truck Mounted Tower Crane; Wheel Excavator, Tower Crane, Truck type

POWER EQUIPMENT OPERATORS (Cont'd)
(for work in Tunnels, Shafts and Raises)

Group 1: Brakeman

Group 2: Motorman

Group 3: Compressor (900 CFM and over) serving Tunnels, Shafts and Raises

Group 4: Air Tractors; Grout Machine; Gunnite Machine; Jumbo Form; Mechanic; Welder

Group 5: Concrete Placement Pumps, 8" and over discharge; Mechanic-Welder, heavy duty; Mucking Machines and Front End Loaders, underground; Slusher; Mine Hoist Operator

Group 6: Mole

SUPERSEDEAS DECISION

STATE: Colorado COUNTY: El Paso
DECISION NUMBER: CO75-5144 DATE: Date of Publication
Supersedes Decision No. CO75-5137 dated November 28, 1975, in 40 FR 55622
DESCRIPTION OF WORK: Building Construction (excluding single family homes and garden type apartments up to and including 4 stories) and heavy construction.

BUILDING CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
ASBESTOS WORKERS	$9.01	.38	.72		
BOILERMAKERS	8.35	.60	1.00		.02
BRICKLAYERS; Stonemasons	9.00	.50	.50		.04
CARPENTERS:					
Zone 1 (0-30 miles from Post Office in Colorado Springs)	7.94	.53	.70	.50	.055
Zone 2 (30 miles and over from Post Office in Colorado Springs)	8.19	.53	.70	.50	.055
CEMENT MASONS:					
Cement Masons	7.49	.44	1.10	.60	.08
Working with composition materials and color	7.99	.44	1.10	.60	.08
Working on scaffold, swing stage or temporary platform over 25'	7.74	.44	1.10	.60	.08
ELECTRICIANS	10.07	.42	1%+.45		.015
ELEVATOR CONSTRUCTORS	8.63	.44	.29	3%+a	.02
ELEVATOR CONSTRUCTORS' HELPERS	70%JR	.44	.29	3%+a	.02
ELEVATOR CONSTRUCTORS' HELPERS (PROB.)	50%JR				
GLAZIERS	8.37			.35	
IRONWORKERS	9.20	.63	.90		.08
LATHERS	8.69				.01
MARBLE SETTERS	9.20	.55	.61		.04
MILLWRIGHTS	9.13	.53	.60	6%	.055
PAINTERS:					
Brush and roller; Tapers, hand Texture	7.94	.50	.20		.04
Paperhangers; Steel	8.44	.50	.20		.04
Spray	8.69	.50	.20		.04
Steel Spray	9.19	.50	.20		.04
PLASTERERS	9.44				.01
PLUMBERS; Pipefitters	9.05	.60	.75	1.17	.08
ROOFERS	7.91	.42	.10		
SHEET METAL WORKERS	9.12	.30	.90		.07
SOFT FLOOR LAYERS	8.29	.35	.55	.30	.05
SPRINKLER FITTERS	10.55	.56	.80		.08
TERRAZZO WORKERS	9.20	.55	.61		.04
TILE SETTERS	7.41	.45	.50		

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FOOTNOTE:
a. Employer contributes 4% basic hourly rate for over 5 years' service; 2% basic hourly rate for 6 months to 5 years' service as Vacation Pay Credit. Six Paid Holidays: A through F.

PAID HOLIDAYS:
A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day

	ZONE 1	ZONE 2	ZONE 3	Fringe Benefits Payments			
	Basic Hourly Rates	Basic Hourly Rates	Basic Hourly Rates	H & W	Pensions	Vacation	Education and/or Appr. Tr.
LABORERS (Building Construction)							
Group 1	$4.15	$4.60	$5.05	.44	.50		.05
Group 2	5.65	6.10	6.55	.44	.50		.05
Group 3	5.93	6.38	6.83	.44	.50		.05
Group 4	6.15	6.60	7.05	.44	.50		.05
Group 5	6.20	6.65	7.10	.44	.50		.05
Group 6	6.30	6.75	7.20	.44	.50		.05

ZONE 1: That area encompassed by 0 to 30 driving miles from the main Post Office in Colorado Springs

ZONE 2: That area encompassed by 30 to 70 driving miles from the main Post Office in Colorado Springs

ZONE 3: That area encompassed by 70 driving miles and over from the main Post Office in Colorado Springs

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LABORERS (Cont'd)
(Building Construction)

GROUP DESCRIPTION For All COUNTIES

Group 1: Watchmen tending Heaters and Pumps

Group 2: Building Construction Laborer

Group 3: Laborers - Underpinning and Shoring Eight (8) feet or more below working surface.
Power Tool Operators of all mechanical, air, gas and electrical tools, including Self-propelled Buggies and Cement Finisher Tenders.
Laborers perparing and placing of stone or any other Aggregate in a sand bed to be used as exposed face of tilt-up panels.
Burners on Demolition and Welders, Gunnite Nozzlemen and Sand Blasters.

Group 4: Pipelayers on Building Construction

Group 5: Jackhammer Operator for Underpinning and Shoring over twelve (12) feet below working surface, Bellers and Stemmers on Caisson Work

Group 6: Tender, Mason and Plaster

HEAVY CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
CARPENTERS	$ 7.69	.53	.70	.50	.055
UNDERGROUND CARPENTERS	7.89	.53	.70	.50	.055
Working on creosoted material, High work 40' above ground or floor on exposed scaffold or boatswains chair; Piledriving; Sawmen continuously assigned to 1½ HP saws at jobsite	7.99	.53	.70	.50	.055
CEMENT MASONS	6.74	.44	1.10	.30	.08

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LABORERS (Heavy Construction)	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
Group 1	$5.55	.44	.50		.05
Group 2	5.65	.44	.50		.05
Group 3	5.95	.44	.50		.05
Group 4	6.10	.44	.50		.05
Group 5	6.30	.44	.50		.05
LABORERS (Tunnels)					
Group 1	5.55	.44	.50		.05
Group 2	6.45	.44	.50		.05
Group 3	6.55	.44	.50		.05
Group 4	6.63	.44	.50		.05
Group 5	6.70	.44	.50		.05
Group 6	6.85	.44	.50		.05
(SHAFTS, RAISES, MISSLE SILOS and All UNDERGROUND WORK OTHER THAN TUNNELS)					
Group 1	6.55	.44	.50		.05
Group 2	6.70	.44	.50		.05
Group 3	6.80	.44	.50		.05
Group 4	6.98	.44	.50		.05
Group 5	7.08	.44	.50		.05
Group 6	7.13	.44	.50		.05

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LABORERS
(Heavy Construction)

Group 1: Minimum Labor, including Caissons to 8'; Carrying Reinforcing Rods; Work on Cross Culverts, connections and side drains in connection with highway work, whether corrugated metal or concrete pipe; Fence Erectors; Metal Mesh; Dowel Bars; Tie Bars and Chairs in concrete paving; Flagman directing traffic; Nursery Man including seeding, mulching and planting of trees, shrubs and flowers; Stake Chaser; Gabion Baskets and Reno Mattresses; Pipe plants and yards, stringing of pipe or skids, handling and signaling on pipe line work

Group 1: Chuck Tenders, Nippers, Core and Diamond Drill Helpers, Powdermen Helpers; Hot Asphalt Labor, Rakers, Boxtenders, Asphalt Curb Machines, Potmen (not mechanical); Multi-plate Culvert Pipe; Air, gas and electrical tool Operators; Barco Hammers; Spaders, electric hammers; Air Tampers; Cutting Torches on demolition work; Caissons 8' to 12'; Cofferdams; Power operated Concrete Buggies; Operators of concrete saws on pavement (other than gang saws); Timber and Chain Saws; Stresser or Stretcherman on Post Tension or Prestressed Concrete on or off jobsite; Tool Room Man and Checkers; Cement Finisher Helper; Sand Blaster; Sand Blaster Helper; Concrete processing material; Monitor; Spotters; Signalmen; Dumpmen; Transverse Concrete Conveyor Operator; Mechanical Grouters; Boring Machine (air, hydraulic); Automatic Concrete Curbing Machine; Jack Hammer; Vibrators; Paving Breakers; Frostproofing; Any Laborer performing bridge work over 40' above the ground or above a floor and working from a Bos'n Chair; Swing Stage, Life Belt or Block and Tackle as a safety requirement. All lines and safety belts used shall be of a type approved by State and Federal laws; Gunniting and Shotcrete Helpers; Caissons over 12'; Scalers; Timbermen, underpinning and shoring; Form-setters and/or stringmen on roads, highways, streets and airport runways; Distribution, placing and hooking of landing mats; Bull Float (hand operated) and Center Expansion Machines; Grade Checkers if required by employer; Pipe Wrappers; Dopers; Jeep Holiday Detector Men, Bandage Makers; Laborers working in trenches on all pipe lines, sewer, water, gas, oil, telephone conduit, Pen Stock, Siphons, drainage lines, Caulkers, Yarners, Fine Graders, air, gas, electric and hydraulic tools, Boring Machines, Hydraulic Jacks, Drills, Tampers and similar operated tools; Wiping of Joint Concrete Pipe, inside and out; Labor, applicable to pipe coating or wrapping, plants and yards; Enamelers of pipe, inside and out

Group 3: Powdermen and Blasters; Gunnite Nozzlemen; Shotcrete Operator; Pipe Layer on truck pipe lines in connection with highway work; Relining pipe; Mixer Man; Pipelayer; Hydro-broom

Group 4: Wagon Drills and Air Tracks; Jack Hammer Operators in Caissons over 12'; Bellers and Stemmen; Licensed Powdermen; Diamond and Core Drills powered by air

Group 5: Any work, other than on bridges, performed by Laborers working from a Bos'n Chair, Swinging Stage, Life Belt or Block and Tackle as a safety requirement. All lines and safety belts used shall be of a type approved by State and Federal laws; Plugs and Galleys in Dams

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LABORERS (Tunnels)

Group 1: Outside Labor

Group 2: Minimum Tunnel Labor Dry Houseman

Group 3: Cable or Hose Tenders, Chuck Tenders, Concrete Laborers, Dumpmen, Whirley Pump Operators

Group 4: Helpers on Shotcrete, Gunniting and Sand Blasting; Helpers, Core and Diamond Drills; Pot Tenders

Group 5: Cement Finisher Helper, applying of concrete processing materials

Group 6: Collapsible form movers and setters, Miners, Machine Men and Bit Grinders, Nippers, Powdermen and Blasters, Reinforcing Steel Setters, Timbermen (steel or wood tunnel support, including the placement of sheeting when required) and all cutting and welding that is incidental to the Miner's work; Tunnel Liner Plate Setter; Vibrator Men, internal and external; Unloading, stopping and starting of Moran Agitator Cars; Diamond and Core Drill Operators; Cement Finisher (underground); Shotcrete Operator; Gunnite Nozzlemen, Sand Blasters, Pump Concrete placement Men

(SHAFTS, RAISES, MISSILE SILOS and all UNDERGROUND WORK OTHER THAN TUNNELS)

Group 1: Laborers, Topmen, Bottommen and Cagers

Group 2: Chucktenders, Concrete Laborers, Whirley Pump Operators

Group 3: Helpers in Shotcrete Gunniting and Sand Blasting; Helpers on Core and Diamond Drills; Pot Tenders; Cement Finisher Helpers; Applying of concrete processing materials

Group 4: Collapsible Form Movers and Setters, Miners, Machine Men and Bit Grinders, Nippers, Powdermen and Blasters, Reinforcing Steel Setters, Timbermen (steel or wood tunnel support, including the placement of sheeting when required) and all cutting and welding that is incidental to the Miner's work; Liner Plant Setters; Vibrator Men, internal and external

Group 5: Diamond and Core Drill Operators; Cement Finisher (underground); Gunnite Nozzlemen; Shotcrete Operators; Sand Blasters and Pump Crete Placement Men

Group 6: Any employee performing work underground from a Bos'n Chair, Swinging Stage, Life Belt or Block and Tackle as a safety requirement. All lines and safety belts used shall be of a type approved by State and Federal laws

POWER EQUIPMENT OPERATORS (Other than for work in Tunnels, Shafts and Raises)	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
Group 1	$6.40	.35	.59	.30	.06
Group 2	6.75	.35	.59	.30	.06
Group 3	7.10	.35	.59	.30	.06
Group 4	7.25	.35	.59	.30	.06
Group 5	7.40	.35	.59	.30	.06
Group 6	7.55	.35	.59	.30	.06
(For work in Tunnels, Shafts, and Raises)					
Group 1	6.55	.35	.59	.30	.06
Group 2	6.90	.35	.59	.30	.06
Group 3	7.00	.35	.59	.30	.06
Group 4	7.25	.35	.59	.30	.06
Group 5	7.40	.35	.59	.30	.06
Group 6	7.80	.35	.59	.30	.06

POWER EQUIPMENT OPERATORS
(Other than for work in Tunnels, Shafts and Raises)

Group 1: Air Compressor; Asphalt Screed; Oiler; Brakeman; Drill Operator - smaller than Williams MF and similar; Helper to heavy duty Mechanics and/or Welder; Operators of 5 or more light plants, Welding Machines, Generators, Single unit Conveyor; Pumps; Vacuum Well Point System; Tractor, under 70 HP with or without attachments

Group 2: Conveyor, handling building materials; Ditch Witch and similar Trenching Machine; Fireman or Tank Heater, road; Forklift; Haulage Motor Man; Pugmill; Portable Screening Plant with or without a Spray Bar; Screening Plants, with Classifier; Self-propelled Roller, rubber-tired under 5 tons

Group 3: Asphalt Plant; Backfiller, Bituminous Spreader or Laydown Machine; Cableway Signalman; Caisson Drill; Williams MF, similar and larger; C.M.I. and similar; Concrete Batching Plants; Concrete Finish Machine; Concrete Gang Saws on concrete paving; Concrete Mixer, less than 1 yd.; Concrete Placement Pumps, under 8 inches; Distributors, Bituminous Surfaces; Drill, Diamond or Core; Drill Rigs, Rotary, Churn, or Cable Tool; Elevating Graders, Equipment Lubricating and Service Engineer; Engineer Fireman; Grout Machine; Gunnite Machine; Hoists, 1 drum; Hydraulic Backhoes, wheel mounted under 3/4 yd.; Loader, Barber Green, etc.; Loader up to and including 6 cu. yds.; Machine Doctor; Mechanic; Motor Grader/blade, rough; Road Stabilization Machine; Rollers, self-propelled, all types over 5 tons; Sandblasting Machine; Single unit portable Crusher, with or without washer; Tie Tamper, wheel mounted; Tractor, 70 HP and over with or without attachments; Trenching Machine Operator; Welder; Winch on Truck

Group 4: Cable Operated Crane, Truck mounted; Cable operated Power Shovels, Draglines, Clamshells and Backhoes, 5 cu. yds. and under; Concrete Mixer over 1 cu. yd.; Concrete Paver 34E or similar; Concrete Placement Pumps, 8 inches and over; Crane, 50 tons and under; Hoist, 2 drums; Hydraulic Backhoe, 3/4 yd. and over; Loader, over 6 cu. yds.; Mechanic-Welder, heavy duty; Mixer Mobile; Motor Grader/blade, finish; Multiple unit portable Crusher, with or without washer; Piledriver; Scrapers, single bowl under 40 cu. yds.; Self-propelled Hydraulic Crane; Tractor with sideboom; Truck mounted Hydraulic Crane

Group 5: Cableway; Climbing Tower Crane; Crawler or truck mounted Tower Crane; Wheel Excavator, Tower Crane, truck type

(For work in TUNNELS, SHAFTS and RAISES)

Group 1: Brakeman

Group 2: Motorman

Group 3: Compressor (900 CFM and over) serving Tunnels, Shafts and Raises

Group 4: Air Tractors; Grout Machine; Gunnite Machine; Jumbo Form; Mechanic; Welder

Group 5: Concrete Placement Pumps, 8" and over discharge; Mechanic-Welder, heavy duty; Mucking Machines and Front End Loaders, under-ground; Slusher; Mine Hoist Operator

Group 6: Mole

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TRUCK DRIVERS	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
PICKUPS; Helpers; Scalemen; Checkers; Spotters; Dumpmen	$6.45	.40	.30	.30	
DUMP TRUCKS, to and including 6 cu. yds.; Sweeper; Flat Rack, single axle; Liquid and Bulk Tankers, single axle; Warehousemen; Washers; Greasemen; Servicemen; Ambulance Drivers	6.55	.40	.30	.30	
DUMP TRUCKS, over 6 cu. yds. to and including 14 cu. yds.; Flat Rack, Tandem Axle; Battery Men; Mechanics' Helpers; Material Checkers; Cardex Men; Expeditors; Man Haul Shuttle Truck or Bus	6.65	.40	.30	.30	
STRADDLE TRUCK; Lumber Carrier; Liquid and Bulk Tankers, Tandem axle	6.70	.40	.30	.30	
FORK LIFT DRIVER; Fuel Truck; Grease Truck; Combination Fuel and Grease	6.75	.40	.30	.30	
DISTRIBUTOR TRUCK DRIVER; Cement Mixer, Agitator Truck to and including 10 cu. yds.; Liquid and Bulk Tankers, semi or combination	6.80	.40	.30	.30	
MULTI-PURPOSE TRUCK; Speciality and Hoisting	6.85	.40	.30	.30	
DUMP TRUCKS over 14 cu. yds. to and including 29 cu. yds.; High Boy, Low Boy, Floats, semi; Cab operated Distributor Truck Driver, semi; Liquid and Bulk Tankers, Euclid, Electric or similar; Truck Driver, Dumptor type, Youngbuggy, Jumbo and similar type equipment	6.90	.40	.30	.30	

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TRUCK DRIVERS (Cont'd)	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
TRUCK DRIVER, Snow Plow	$7.00	.40	.30	.30	
CEMENT MIXER, Agitator Truck over 10 cu. yds., to and including 15 cu. yds.	7.05	.40	.30	.30	
DUMP TRUCKS, over 29 cu. yds. to and including 39 cu. yds.	7.15	.40	.30	30	
CEMENT MIXER, Agitator Truck over 15 cu. yds.	7.30	.40	.30	.30	
DUMP TRUCKS, over 39 cu. yds. to and including 54 cu. yds.; Tireman	7.35	.40	.30	.30	
MECHANIC	7.45	.40	.30	.30	
DUMP TRUCKS, over 54 cu. yds. to and including 79 cu. yds.	7.55	.40	.30	.30	
HEAVY DUTY DIESEL, Mechanics, Body Men, Welders or Combination Men	7.65	.40	.30	.30	
DUMP TRUCKS, over 79 cu. yds. to and including 104 cu. yds.	7.75	.40	.30	.30	
DUMP TRUCKS, over 104 cu. yds.	7.95	.40	.30	.30	
LINE CONSTRUCTION:					
Cable Splicer	11.07	.35	1%		3/4%
Lineman Cableman	10.38	.35	1%		3/4%
Lineman (Journeyman)	10.31	.35	1%		3/4%
Line Equipment Operator	8.77	.35	1%		3/4%
Line Equipment Maintenance Man	8.77	.35	1%		3/4%
Groundman, Experienced	7.24	.35	1%		3/4%
Groundsman, Inecperienced	6.57	.35	1%		3/4%

SUPERSEDEAS DECISION

STATE: Colorado COUNTIES: Las Animas, Otero and Pueblo

DECISION NUMBER: CO75-5145 DATE: Date of Publication

Supersedes Decision No. CO75-5136 dated November 21, 1975, in 40 FR 54398

DESCRIPTION OF WORK: Building Construction (excluding single family homes and garden type apartments up to and including 4 stories) and heavy Construction

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
ASBESTOS WORKERS	$9.01	.38	.72		
BOILERMAKERS	8.35	.60	1.00		.02
BRICKLAYERS	9.12	.50	.60		.04
CARPENTERS	7.94	.53	.70	.50	.055
CEMENT MASONS:					
Cement Masons	7.39	.44	1.10	.60	.08
Working with composition material and color	7.89	.44	1.10	.60	.08
Working on scaffold, swing stage or temporary platform over 25'	7.74	.44	1.10	.60	.08
ELECTRICIANS:					
Zone I (0-12 miles from P. O.)					
Electricians	10.15	.42	1%+.45		1%
Cable Splicers	11.17	.42	1%+.45		1%
Zone II (12-20 miles from P.O.)					
Electricians	10.55	.42	1%+.45		1%
Cable Splicers	11.55	.42	1%+.45		1%
Zone III (20-40 miles from P.O.					
Electricians	10.90	.42	1%+.45		1%
Cable Splicers	11.92	.42	1%+.45		1%
Zone IV (Over 40 miles from P.O.)					
Electricians	12.03	.42	1%+.45		1%
Cable Splicers	13.05	.42	1%+.45		1%
Electrical contracts under $20,000 in Zones III and IV	9.65	.42	1%+.45		1%
ELEVATOR CONSTRUCTORS	8.63	.44	.29	3%+a	.02
ELEVATOR CONSTRUCTORS' HELPERS	70%JR	.44	.29	3%+a	.02
ELEVATOR CONSTRUCTORS' HELPERS (PROB.)	50%JR				
GLAZIERS	8.37			.35	
IRONWORKERS:					
Structural; Ornamental and Reinforcing	9.20	.63	.90		.08
LATHERS	9.56				.01
MARBLE & TILE SETTERS, TERRAZZO WORKERS	9.20	.55	.61		.04
MILLWRIGHTS	9.13	.53	.60	6%	.055
PAINTERS:					
Brush, Roller, Tapers, hand Texture	6.67	.50			.04

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
PAINTERS: (Cont'd)					
Steel; Paperhangers	$7.17	.50			.04
Spray, Tapers using Automatic Tools	7.67	.50			.04
Spray Steel	8.17	.50			.04
PLASTERERS	9.44				.01
PLUMBERS:					
Zone I (0-15 miles from P.O.)	10.17	.60	.75		.08
Zone II (15-20 miles from P.O.)	10.74	.60	.75		.08
Zone III (20-40 miles from P.O.)	10.92	.60	.75		.08
Zone IV (Over 40 miles from P.O.)	11.895	.60	.75		.08
ROOFERS	7.91	.42	.10		
SHEET METAL WORKERS	9.12	.30	.90		.07
SOFT FLOOR LAYERS:					
Las Animas County	8.29	.35	.55	.30	.05
Pueblo County	7.00	.35	.55	.20	.05
SPRINKLER FITTERS	10.55	.50	.80		.08

FOOTNOTE:

a. Employer contributes 4% of basic hourly rate for over 5 years' service and 2% of basic hourly rate for 6 months to 5 years' service as Vacation Pay Credit. 6 Paid Holidays: A through F

PAID HOLIDAYS:

A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day

DECISION NO. C075-5145

TRUCK DRIVERS	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
PICKUPS; Helpers; Scalemen; Checkers; Spotters; Dumpmen	$6.45	.40	.30	.30	
DUMP TRUCKS, to and including 6 cu. yds.; Sweeper; Flat Rack, single axle; Liquid and Bulk Tankers, single axle; Warehousemen; Washers; Greasemen; Servicemen; Ambulance Drivers	6.55	.40	.30	.30	
DUMP TRUCKS, over 6 cu. yds. to and including 14 cu. yds.; Flat Rack, Tandem axle; Battery Man; Mechanics' Helpers; Material Checkers; Cardex Men; Expeditors; Man Haul Shuttle Truck or Bus	6.65	.40	.30	.30	
STRADDLE TRUCK; Lumber Carrier; Liquid and Bulk Tankers, tandem axle	6.70	.40	.30	.30	
FORK LIFT DRIVER; Fuel Truck; Grease Truck; Combination Fuel and Grease	6.75	.40	.30	.30	
DISTRIBUTOR TRUCK DRIVER; Cement Mixer, Agitator Truck to and including 10 cu. yds.; Liquid and Bulk Tankers, semi or combination	6.80	.40	.30	.30	
MILTI-PURPOSE TRUCK; Speciality and Hoisting	6.85	.40	.30	.30	
DUMP TRUCKS, over 14 cu. yds. to and including 29 cu. yds.; High Boy, Low Boy, Floats, Semi Cab Operated Distributor Truck Driver, semi; Liquid and Bulk Tankers, Euclid, electric or similar; Truck Driver Dumptor type, Youngbuggy, Jumbo and similar type equipment	6.90	.40	.30	.30	

DECISION NO. C075-5145

TRUCK DRIVERS (Cont'd)	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
TRUCK DRIVER, Snow Plow	$7.00	.40	.30	.30	
CEMENT MIXER, Agitator Truck over 10 cu. yds., to and including 15 cu. yds.	7.05	.40	.30	.30	
DUMP TRUCKS, over 29 cu. yds. to and including 39 cu. yds.	7.15	.40	.30	.30	
CEMENT MIXER, Agitator Truck over 15 cu. yds	7.30	.40	.30	.30	
DUMP TRUCKS, over 39 cu. yds. to and including 54 cu. yds.; Tireman	7.35	.40	.30	.30	
MECHANIC	7.45	.40	.30	.30	
DUMP TRUCKS, over 54 cu. yds. to and including 79 cu. yds.	7.55	.40	.30	.30	
HEAVY DUTY DIESEL, Mechanics, Body Men, Welders or combination Men	7.65	.40	.30	.30	
DUMP TRUCKS, over 79 cu. yds. to and including 104 cu. yds.	7.75	.40	.30	.30	
DUMP TRUCKS, over 104 cu. yds.	7.95	.40	.30	.30	
LINE CONSTRUCTION:					
Cable Splicer	11.07	.35	1%		3/4%
Lineman Cableman	10.38	.35	1%		3/4%
Lineman (Journeyman)	10.31	.35	1%		3/4%
Line Equipment Operator	8.77	.35	1%		3/4%
Line Equipment Maintenance Man	8.77	.35	1%		3/4%
Groundman, Experienced	7.24	.35	1%		3/4%
Groundman, Inexperienced	6.57	.35	1%		3/4%

DECISION NO. C075-5145

LABORERS (Building Construction)	Basic Hourly Rates	Basic Hourly Rates	Basic Hourly Rates	Fringe Benefits Payments			
				H & W	Pensions	Vacation	App. Tr.
	ZONE 1	ZONE 2	ZONE 3				
Group 1	$ 4.15	$4.60	$5.05	.44	.50		.05
Group 2	5.65	6.10	6.55	.44	.50		.05
Group 3	5.93	6.38	6.83	.44	.50		.05
Group 4	6.15	6.60	7.05	.44	.50		.05
Group 5	6.20	6.65	7.10	.44	.50		.05
Group 6	6.30	6.75	7.20	.44	.50		.05

ZONE 1: That area encompassed by 0 to 30 driving miles from the main Post Office in each of the following Cities: Pueblo and Trinidad.

ZONE 2: That area encompassed by 30 to 70 driving miles from the main Post Office in the above named Cities

ZONE 3: That area encompassed by 70 driving miles and over from the main Post Office in the above named Cities

DECISION NO. C075-5145

LABORERS (Cont'd)
Building Construction

GROUP DESCRIPTION For All COUNTIES

Group 1: Watchmen tending Heaters and Pumps

Group 2: Building Construction Laborer

Group 3: Laborers - Underpinning and Shoring Eight (8) feet or more below working surface.
Power Tool Operators of all mechanical, air, gas, and electrical tools, including Self-propelled Buggies and Cement Finisher Tenders.
Laborers preparing and placing of stone or any other Aggregate in a sand bed to be used as exposed face of tilt-up panels.
Burners on Demolition and Welders, Gunnite Nozzlemen and Sand Blasters.

Group 4: Pipelayers on Building Construction

Group 5: Jackhammer Operator for Under-pinning and Shoring over twelve (12) feet below working surface, Bellers and Stemmers on Caisson Work.

Group 6: Tender, Mason and Plaster

HEAVY CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
CARPENTERS	7.69	.53	.70	.50	.055
UNDERGROUND CARPENTERS	7.89	.53	.70	.50	.055
Working on creosoted material, High work 40' above ground or floor on exposed scaffold or boatswains chair; Piledriving; Sawmen continuously assigned to 1½ HP saws at jobsite	7.99	.53	.70	.50	.055
CEMENT MASONS	6.74	.44	1.10	.30	.08

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LABORERS (Heavy Construction)	Basic Hourly Rates	Fringe Benefits Payments: H & W	Pensions	Vacation	Apr. Tr.
Group 1	$5.55	.44	.50		.05
Group 2	5.65	.44	.50		.05
Group 3	5.95	.44	.50		.05
Group 4	6.10	.44	.50		.05
Group 5	6.30	.44	.50		.05
LABORERS (TUNNELS)					
Group 1	5.55	.44	.50		.05
Group 2	6.45	.44	.50		.05
Group 3	6.55	.44	.50		.05
Group 4	6.63	.44	.50		.05
Group 5	6.70	.44	.50		.05
Group 6	6.85	.44	.50		.05
(SHAFTS, RAISES, MISSILE SILOS & ALL UNDERGROUND WORK OTHER THAN TUNNELS)					
Group 1	6.55	.44	.50		.05
Group 2	6.70	.44	.50		.05
Group 3	6.80	.44	.50		.05
Group 4	6.98	.44	.50		.05
Group 5	7.08	.44	.50		.05
Group 6	7.13	.44	.50		.05

DECISION NO. C075-5145

LABORERS
(Heavy Construction)

Group 1: Minimum Labor, including Caissons to 8'; Carrying Reinforcing Rods; Work on Cross Culverts, connections and side drains in connection with highway work, whether corrugated metal or concrete pipe; Fence Erectors; Metal Mesh; Dowel Bars; Tie Bars and Chairs in concrete paving; Flagman directing traffic; Nursery Man including seeding, mulching and planting of trees, shrubs and flowers; Stake Chaser; Gabion Baskets and Reno Mattresses; Pipe plants and yards, stringing of pipe or skids, handling and signaling on pipe line work

Group 2: Chuck Tenders, Nippers, Core and Diamond Drill Helpers, Powdermen Helpers; Hot Asphalt Labor, Rakers, Boxtenders, Asphalt Curb Machines, Potmen (not mechanical); Multi-plate Culvert Pipe; Air, gas and electrical tool Operators; Barco Hammers; Spaders, electric hammers; Air Tampers; Cutting Torches on demolition work; Caissons 8' to 12'; Cofferdams; Power operated Concrete Buggies; Operators of concrete saws on pavement (other than gang saws); Timber and Chain Saws; Stresser or Stretcherman on Post Tension or Prestressed Concrete on or off jobsite; Tool Room Man and Checkers; Cement Finisher Helper; Sand Blaster; Sand Blaster Helper; Concrete processing material; Monitor; Spotters; Signalmen; Dumpmen; Transverse Concrete Conveyor Operator; Mechanical Grouters; Boring Machine (air hydraulic); Automatic Concrete Power Curbing Machine; Jack Hammer; Vibrators; Paving Breakers; Frostproofing; Any laborer performing bridge work over 40' above the ground or above a floor and working from a Bos'n Chair; Swing Stage, Life Belt or Block and Tackle as a safety requirement. All lines and safety belts used shall be of a type approved by State and Federal laws; Gunniting and Shotcrete Helpers; Caissons over 12'; Scalers; Timbermen, underpinning and shoring; Form-setters and/or stringmen on roads, highways, streets and airport runways; Distribution, placing and hooking of landing mats; Bull Float (hand operated) and Center Expansion Machines; Grade Checkers if required by employer; Pipe Wrappers; Dopers; Jeep Holiday Detector Men, Bandage Makers; Laborers working in trenches on all pipe lines, sewer, water, gas, oil, telephone conduit, Pen Stock, Siphons, drainage lines, Caulkers, Yarners, Fine Graders, air, gas, electric and hydraulic tools, Boring Machines, Hydraulic Jacks, Drills, Tampers, and similar operated tools; Wiping of Joint Concrete Pipe, inside and out; Labor, applicable to pipe coating or wrapping, plants and yards; Enamelers of pipe, inside and out

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LABORERS (Cont'd) (Heavy Construction)

Group 3: Powdermen and Blasters; Gunnite Nozzlemen; Shotcrete Operator; Pipe Layer on truck pipe lines in connection with highway work Relining Pipe; Mixer Man; Pipelayer; Hydro-broom

Group 4: Wagon Drills and Air Tracks; Jack Hammer Operators in Caissons over 12'; Bellers and Stemmen; Licensed Powdermen; Diamond and Core Drills powered by air.

Group 5: Any work, other than on bridges, performed by Laborers working from a Bos'n Chair, Swinging Stage, Life Belt or Block and Tackle as a safety requirement. All lines and safety belts used shall be of a type approved by State and Federal laws; Plugs and Galleys in Dams

LABORERS (Tunnels)

Group 1: Outside Labor

Group 2: Minimum Tunnel Labor, Dry Houseman

Group 3: Cable or Hose Tenders, Chuck Tenders, Concrete Laborers, Dumpmen, Whirley Pump Operators

Group 4: Helpers on Shotcrete, Gunniting and Sand Blasting; Helpers, Core and Diamond Drills; Pot Tenders

Group 5: Cement Finisher Helper, applying of concrete processing materials

Group 6: Collapsible form movers and setters, Miners, Machine Men and Bit Grinders, Nippers, Powdermen and Blasters, Reinforcing Steel Setters, Timbermen (steel or wood tunnel support, including the placement of sheeting when required) and all cutting and welding that is incidental to the Miner's work; Tunnel Liner Plate Setters; Vibrator Men, internal and external; Unloading, stopping and starting of Moran Agitator Cars; Diamond and Core Drill Operators; Cement Finisher (underground); Shotcrete Operator; Gunnite Nozzlemen, Sand Blasters, Pump Concrete placement Men

(SHAFTS, RAISES, MISSILE SILOS and all UNDERGROUND WORK OTHER THAN TUNNELS)

Group 1: Laborers, Topmen, Bottommen and Cagers

Group 2: Chucktenders, Concrete Laborers, Whirley Pump Operators

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LABORERS (Cont'd)
(SHAFTS, RAISES, MISSILE SILOS and all UNDERGROUND WORK OTHER THAN TUNNELS)

Group 3: Helpers in Shotcrete Gunniting and Sand Blasting; Helpers on Core and Diamond Drills; Pot Tenders; Cement Finisher Helpers; Applying of concrete processing material

Group 4: Collapsible form movers and setters, Miners, Machine Men and Bit Grinders, Nippers, Powdermen and Blasters, Reinforcing Steel Setters, Timbermen (Steel or wood tunnel support, including the placement of sheeting when required) and all cutting and welding that is incidental to the Miner's work; Liner Plate Setters; Vibrator Men, internal and external

Group 5: Diamond and Core Drill Operators; Cement Finisher (underground); Gunnite Nozzlemen; Shotcrete Operators; Sand Blasters and Pump Concrete Placement Men

Group 6: Any employee performing work underground from a Bos'n Chair, Swinging Stage, Life Belt or Block and Tackle as a safety requirement. All lines and safety belts used shall be of a type approved by State and Federal laws

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POWER EQUIPMENT OPERATORS (Other than for work in Tunnels, Shafts and Raises)	Basic Hourly Rates	Fringe Benefits Payments H & W	Pensions	Vacation	App. Tr.
Group 1	$6.40	.35	.59	.30	.06
Group 2	6.75	.35	.59	.30	.06
Group 3	7.10	.35	.59	.30	.06
Group 4	7.25	.35	.59	.30	.06
Group 5	7.40	.35	.59	.30	.06
Group 6	7.55	.35	.59	.30	.06
(For work in Tunnels, Shafts, and Raises)					
Group 1	6.55	.35	.59	.30	.06
Group 2	6.90	.35	.59	.30	.06
Group 3	7.00	.35	.59	.30	.06
Group 4	7.25	.35	.59	.30	.06
Group 5	7.40	.35	.59	.30	.06
Group 6	7.90	.35	.59	.30	.06

POWER EQUIPMENT OPERATORS
(Other than for work in Tunnels, Shafts and Raises)

Group 1: Air Compressor; Asphalt Screed; Oiler; Brakeman; Drill Operator - Smaller than Williams MF and similar; Helper to Heavy Duty Mechanic and/or Welder; Operators of 5 or more light plants, Welding Machines, Generators, single unit conveyor; Pumps; Vacuum well point system; tractor, under 70 HP with or without attachments

Group 2: Conveyor, handling building materials; Ditch ditch and similar trenching machine; Fireman or tank heater, road; Forklift; Haulage motor man; Pugmill; portable screening plant with or without a spray bar; screening plants, with classifier; self-propelled Roller, Rubber tired under 5 tons;

Group 3: Asphalt Plant; Backfiller, Bituminous spreader or laydown machine; Cableway signalman; caisson drill; Williams MF, similar and larger; C.M.I. and similar; Concrete Batching Plants; Concrete finish Machine; Concrete Gang Saws on concrete paving; Concrete Mixer, less than 1 yd.; Concrete Placement Pumps, under 8 inches; Distributors, bituminous surfaces; Drill, diamond or core; Drill Rigs, rotary, churn, or cable tool; Elevating Graders, Equipment Lubricating and service Engineer; Engineer Fireman; Grout Machine; Gunnite Machine; Hoists, 1 drum; Hydraulic Backhoes, wheel mounted under 3/4 yd.; Loader, Barber Green, etc.; Loader up to and including 6 cu. yds.; Machine Doctor; Mechanic; Motor Grader/Blade, rough; Road Stabilization Machine; Rollers, self-propelled, all types over 5 tons; Sandblasting Machine; single unit portable crusher, with or without washer; tie tamper, wheel mounted; Tractor, 70 HP and over with or without attachments; Trenching Machine Operator; Welder; winch on truck

Group 4: Cable Operated crane, track mounted; cable operated power shovels, Draglines, Clamshells, and backhoes, 5 cu. yds. and under; Concrete Mixer over 1 cu. yd.; Concrete Paver 34E or similar; Concrete placement pumps, 8 inches and over; crane, 50 tons and under; Hoist, 2 drums; Hydraulic Backhoe, 3/4 yd. and over; Loader, over 6 cu. yds.; Mechanic-welder, heavy duty; Mixer mobile; Motor Grader/blade, finish; Multiple unit portable crusher, with or without washer; Piledriver; Scrapers, single bowl under 40 cu. yds.; Self-propelled Hydraulic Crane; tractor with sideboom; truck mounted Hydraulic Crane

Group 5: Cable operated Power Shovels, Draglines, Clamshells and Backhoes over 5 cu. yds.; Crane, over 50 tons carrier mounted; Derrick; Electric rail type tower crane; Hoist, 3 drum or more; Quad Nine and similar push unit; Scrapers - single bowl including pups 40 cu. yds. and tandem bowls and over

Group 6: Cableway; Climbing tower Crane; Crawler or Truck Mounted Tower Crane; Wheel Excavator, Tower Crane, Truck type

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POWER EQUIPMENT OPERATORS (Cont'd)
(for work in Tunnels, Shafts and Raises)

Group 1: Brakeman

Group 2: Motorman

Group 3: Compressor (900 CFM and over) serving Tunnels, Shafts and Raises

Group 4: Air Tractors; Grout Machine; Gunnite Machine; Jumbo Form; Mechanic; Welder

Group 5: Concrete Placement Pumps, 8" and over discharge; Mechanic-Welder, heavy duty; Mucking Machines and Front End Loaders, underground; Slusher; Mine Hoist Operator

Group 6: Mole

SUPERSEDEAS DECISION

STATE: Colorado

COUNTIES: Delta, Garfield, Gunnison, Mesa, Montrose and Pitkin

DECISION NUMBER: CO75-5146

DATE: Date of Publication

Supersedes Decision No. CO75-5135 dated November 21, 1975, in 40 FR 54391

DESCRIPTION OF WORK: Building Construction (excluding single family homes and garden type apartments up to and including 4 stories) and heavy construction.

BUILDING CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
ASBESTOS WORKERS	$9.01	.38	.72		
BOILERMAKERS	8.35	.60	1.00		.02
BRICKLAYERS; Stonemasons:					
Pitkin County	9.25	.50	.60	.25	.05
Remaining Counties	8.50	.45	.60	.25	.05
CARPENTERS:					
P. O. basing points in the Cities of Leadville, Fort Collins, Glenwood Springs; Grand Junction, Gunnison and Montrose					
Zone I (0-30 miles from nearest basing point)	7.94	.53	70	.50	.055
Zone II (30-60 miles from nearest basing point)	8.19	.53	.70	.50	.055
Zone II (60 miles and over from nearest basing point)	8.44	.53	.70	.50	.055
CEMENT MASONS:					
Cement Masons	7.74	.44	1.10	.60	.08
Working with composition materials and color	8.24	.44	1.10	.60	.08
Working on scaffold, swing stage or temporary platform over 25'	7.99	.44	1.10	.60	.08
ELECTRICIANS:					
Electricians	9.80	.42	1%		5/10%
Cable Splicers	10.05	.42	1%		5/10%
ELEVATOR CONSTRUCTORS	8.63	.44	.29	3%a	.02
ELEVATOR CONSTRUCTORS' HELPERS	70%JR	.44	.29	3%a	.02
ELEVATOR CONSTRUCTORS' HELPERS (PROB.)	50%JR				
GLAZIERS	8.37			.35	
IRONWORKERS:					
Structural; Ornamental and Reinforcing	9.20	.63	.90		.08
LATHERS	9.44				.01
MARBLE and TILE SETTERS, TERRAZZO WORKERS	9.20	.55	.61		.04
MILLWRIGHTS	9.13	.53	.60	6%	.055

DECISION #CO75-5146

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
PAINTERS:					
Brush and Roller	$9.31	.50	.60		.05
Drywall Finisher; Paperhangers	9.31	.50	.60		.05
Spray; Swing stage	9.79	.50	.60		.05
PLUMBERS	8.75	.60	.30	1.50	.10
ROOFERS	7.91	.42	.10		
SHEET METAL WORKERS	9.12	.30	.90		.07
SOFT FLOOR LAYERS	8.29	.35	.55	.30	.05
SPRINKLER FITTERS	10.55	.50	.80		.08

FOOTNOTE:

a. Employer contributes 4% of basic hourly rate for over 5 years' service and 2% basic hourly rate for 6 months to 5 years' service as Vacation Pay Credit. 6 Paid Holidays: A through F.

PAID HOLIDAYS:

A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.

LABORERS (Building Construction)	ZONE 1*	ZONE 2*	ZONE 3*	Fringe Benefits Payments			
Garfield and Pitkin Counties	Basic Hourly Rates	Basic Hourly Rates	Basic Hourly Rates	H & W	Pensions	Vacation	Education and/or Appr. Tr.
Group 1	$4.15	$4.60	$5.05	.44	.50		.05
Group 2	5.50	5.95	6.40	.44	.50		.05
Group 3	5.78	6.23	6.68	.44	.50		.05
Group 4	5.98	6.43	6.88	.44	.50		.05
Group 5	5.82	6.27	6.72	.44	.50		.05
Group 6	6.30	6.75	7.20	.44	.50		.05

*ZONE 1: That area encompassed by 0 to 30 driving miles from the main Post Office in each of the following Cities: Aspen, Glenwood, Springs, and Rifle.

*ZONE 2: That area encompassed by 20 to 70 driving miles from the main Post Office of above named Cities.

*ZONE 3: That area encompassed by 70 driving miles and over from the main Post Office of above named Cities.

Delta, Gunnison, Mesa and Montrose Counties	ZONE 1**	ZONE 2**	ZONE 3**				
Group 1	$4.15	$4.60	$5.05	.44	.50		.05
Group 2	5.65	6.10	6.55	.44	.50		.05
Group 3	5.93	6.38	6.83	.44	.50		.05
Group 4	6.15	6.60	7.05	.44	.50		.05
Group 5	6.30	6.65	7.10	.44	.50		.05
Group 6	6.30	6.75	7.20	.44	.50		.05

**ZONE 1: That area encompassed by 0 to 30 driving miles from the main Post Office in each of the following Cities: Grand Junction, Gunnison, Montrose, and Naturita.

**ZONE 2: That area encompassed by 30 to 70 driving miles from the main Post Office of above named Cities.

**ZONE 3: That area encompassed by 70 driving miles and over from the main Post Office of above named Cities.

DECISION NO. C075-5146

LABORERS (Cont'd)
Building Construction

GROUP DESCRIPTION For All COUNTIES

Group 1: Watchmen tending Heaters and Pumps

Group 2: Building Construction Laborer

Group 3: Laborers - Underpinning and Shoring Eight (8) feet or more below working surface.
Power Tool Operators of all mechanical, air, gas, and electrical tools, including Self-propelled Buggies and Cement Finisher Tenders.
Laborers preparing and placing of stone or any other Aggregate in a sand bed to be used as exposed face of tilt-up panels.
Burners on Demolition and Welders, Gunnite Nozzlemen and Sand Blasters.

Group 4: Pipelayers on Building Construction

Group 5: Jackhammer Operator for Under-pinning and Shoring over twelve (12) feet below working surface, Bellers and Stemmers on Caisson Work.

Group 6: Tender, Mason and Plaster

HEAVY CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
CARPENTERS	7.69	.53	.70	.50	.055
UNDERGROUND CARPENTERS	7.89	.53	.70	.50	.055
Working on creosoted material, High work 40' above ground or floor on exposed scaffold or boatswains chair; Piledriving; Sawmen continuously assigned to 1½ HP saws at jobsite	7.99	.53	.70	.50	.055
CEMENT MASONS:					
Gunnison and Pitkin Counties	7.24	.44	1.10	.30	.08
Remaining Counties	6.74	.44	1.10	.30	.08

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TRUCK DRIVERS	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
PICKUPS; Helpers; Scalemen; Checkers; Spotters; Dumpmen	$6.45	.40	.30	.30	
DUMP TRUCKS, to and including 6 cu. yds.; Sweeper; Flat Rack, single axle; Liquid and Bulk Tankers single axle; Warehousemen; Washers; Greasemen; Servicemen; Ambulance Drivers	6.55	.40	.30	.30	
DUMP TRUCKS, over 6 cu. yds. to and including 14 cu. yds.; Flat Rack, tandem axle; Battery Men; Mechanics' Helpers; Material Checkers; Cardex Men; Expeditors; Man Haul Shuttle Truck or Bus	6.65	.40	.30	.30	
STRADDLE TRUCK; Lumber Carrier; Liquid and Bulk Tankers, tandem axle	6.70	.40	.30	.30	
FORK LIFT DRIVER; Fuel Truck; Grease Truck; Combination fuel and grease	6.75	.40	.30	.30	
DISTRIBUTOR TRUCK DRIVER; Cement Mixer, Agitator Truck to and including 10 cu. yds.; Liquid and Bulk Tankers, semi or combination	6.80	.40	.30	.30	
MULTI-PURPOSE TRUCK; Speciality and Hoisting	6.85	.40	.30	.30	
DUMP TRUCKS, over 14 cu. yds. to and including 29 cu. yds.; High Boy, Low Boy, Floats, semi; Cab operated Distributor Truck Driver, semi; Liquid and Bulk Tankers, Euclid, Electric or similar; Truck Drivers, Dumptor type, Youngbogy, Jumbo and similar type equipment	6.90	.40	.30	.30	

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TRUCK DRIVERS (Cont'd)	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
TRUCK DRIVER, Snow Plow	$7.00	.40	.30	.30	
CEMENT MIXER, Agitator Truck over 10 cu. yds., to and including 15 cu. yds.	7.05	.40	.30	.30	
DUMP TRUCKS, over 29 cu. yds. to and including 39 cu. yds.	7.15	.40	.30	.30	
CEMENT MIXER, Agitator Truck over 15 cu. yds.	7.30	.40	.30	.30	
DUMP TRUCKS, over 39 cu. yds. to and including 54 cu. yds.; Tireman	7.35	.40	.30	.30	
MECHANIC	7.45	.40	.30	.30	
DUMP TRUCKS, over 54 cu. yds. to and including 79 cu. yds.	7.55	.40	.30	.30	
HEAVY DUTY DIESEL, Mechanics, Body Men, Welders or Combination Men	7.65	.40	.30	.30	
DUMP TRUCKS, over 79 cu. yds. to and including 104 cu yds.	7.75	.40	.30	.30	
DUMP TRUCKS, over 104 cu. yds.	7.95	.40	.30	.30	
LINE CONSTRUCTION:					
Cable Splicer	11.07	.35	1%		3/4%
Lineman Cableman	10.38	.35	1%		3/4%
Lineman (Journeymen)	10.31	.35	1%		3/4%
Line Equipment Operator	8.77	.35	1%		3/4%
Line Equipment Maintenance Man	8.77	.35	1%		3/4%
Groundman, Experienced	6.24	.35	1%		3/4%
Groundman, Inexperienced	6.57	.35	1%		3/4%

DECISION NO. C075- 5146

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Apr. Tr.
LABORERS (Heavy Construction)					
Group 1	$5.55	.44	.50		.05
Group 2	5.65	.44	.50		.05
Group 3	5.95	.44	.50		.05
Group 4	6.10	.44	.50		.05
Group 5	6.30	.44	.50		.05
LABORERS (TUNNELS)					
Group 1	5.55	.44	.50		.05
Group 2	6.45	.44	.50		.05
Group 3	6.55	.44	.50		.05
Group 4	6.63	.44	.50		.05
Group 5	6.70	.44	.50		.05
Group 6	6.85	.44	.50		.05
(SHAFTS, RAISES, MISSILE SILOS & ALL UNDERGROUND WORK OTHER THAN TUNNELS)					
Group 1	6.55	.44	.50		.05
Group 2	6.70	.44	.50		.05
Group 3	6.80	.44	.50		.05
Group 4	6.98	.44	.50		.05
Group 5	7.08	.44	.50		.05
Group 6	7.13	.44	.50		.05

DECISION NO. C075-5146

LABORERS
(Heavy Construction)

Group 1: Minimum Labor, including Caissons to 8'; Carrying Reinforcing Rods; Work on Cross Culverts, connections and side drains in connection with highway work, whether corrugated metal or concrete pipe; Fence Erectors; Metal Mesh; Dowel Bars; Tie Bars and Chairs in concrete paving; Flagman directing traffic; Nursery Man including seeding, mulching and planting of trees, shrubs and flowers; Stake Chaser; Gabion Baskets and Reno Mattresses; Pipe plants and yards, stringing of pipe or skids, handling and signaling on pipe line work

Group 2: Chuck Tenders, Nippers, Core and Diamond Drill Helpers, Powdermen Helpers; Hot Asphalt Labor, Rakers, Boxtenders, Asphalt Curb Machines, Potmen (not mechanical); Multi-plate Culvert Pipe; Air, gas and electrical tool Operators; Barco Hammers; Spaders, electric hammers; Air Tampers; Cutting Torches on demolition work; Caissons 8' to 12'; Cofferdams; Power operated Concrete Buggies; Operators of concrete saws on pavement (other than gang saws); Timber and Chain Saws; Stresser or Stretcherman on Post Tension or Prestressed Concrete on or off jobsite; Tool Room Man and Checkers; Cement Finisher Helper; Sand Blaster; Sand Blaster Helper; Concrete processing material; Monitor; Spotters; Signalmen; Dumpmen; Transverse Concrete Conveyor Operator; Mechanical Grouters; Boring Machine (air hydraulic); Automatic Concrete Power Curbing Machine; Jack Hammer; Vibrators; Paving Breakers; Frostproofing; Any laborer performing bridge work over 40' above the ground or above a floor and working from a Bos'n Chair; Swing Stage, Life Belt or Block and Tackle as a safety requirement. All lines and safety belts used shall be of a type approved by State and Federal laws; Gunniting and Shotcrete Helpers; Caissons over 12'; Scalers; Timbermen, underpinning and shoring; Form-setters and/or stringmen on roads, highways, streets and airport runways; Distribution, placing and hooking of landing mats; Bull Float (hand operated) and Center Expansion Machines; Grade Checkers if required by employer; Pipe Wrappers; Dopers; Jeep Holiday Detector Men, Bandage Makers; Laborers working in trenches on all pipe lines, sewer, water, gas, oil, telephone conduit, Pen Stock, Siphons, drainage lines, Caulkers, Yarners, Fine Graders, air, gas, electric and hydraulic tools, Boring Machines, Hydraulic Jacks, Drills, Tampers, and similar operated tools; Wiping of Joint Concrete Pipe, inside and out; Labor, applicable to pipe coating or wrapping, plants and yards; Enamelers of pipe, inside and out

DECISION NO. CO75-5146

LABORERS (Cont'd)
(Heavy Construction)

Group 3: Powdermen and Blasters; Gunnite Nozzlemen; Shotcrete Operator; Pipe Layer on truck pipe lines in connection with highway work Relining Pipe; Mixer Man; Pipelayer; Hydro-broom

Group 4: Wagon Drills and Air Tracks; Jack Hammer Operators in Caissons over 12'; Bellers and Stemsen; Licensed Powdermen; Diamond and Core Drills powered by air.

Group 5: Any work, other than on bridges, performed by Laborers working from a Bos'n Chair, Swinging Stage, Life Belt or Block and Tackle as a safety requirement. All lines and safety belts used shall be of a type approved by State and Federal laws; Plugs and Culleys in Dams

LABORERS (Tunnels)

Group 1: Outside Labor

Group 2: Minimum Tunnel Labor, Dry Houseman

Group 3: Cable or Hose Tenders, Chuck Tenders, Concrete Laborers, Dumpmen, Whirley Pump Operator

Group 4: Helpers on Shotcrete, Gunniting and Sand Blasting; Helpers, Core and Diamond Drills; Pot Tenders

Group 5: Cement Finisher Helper, applying of concrete processing materials

Group 6: Collapsible form movers and setters, Miners, Machine Men and Bit Grinders, Nippers, Powdermen and Blasters, Reinforcing Steel Setters, Timbermen (steel or wood tunnel support, including the placement of sheeting when required) and all cutting and welding that is incidental to the Miner's work; Tunnel Liner Plate Setters; Vibrator Men, internal and external; Unloading, stopping and starting of Moran Agitator Cars; Diamond and Core Drill Operators; Cement Finisher (underground); Shotcrete Operator; Gunnite Nozzlemen, Sand Blasters, Pump Concrete placement Men

(SHAFTS, RAISES, MISSILE SILOS and all UNDERGROUND WORK OTHER THAN TUNNELS)

Group 1: Laborers, Topmen, Bottommen and Cagers

Group 2: Chucktenders, Concrete Laborers, Whirley Pump Operators

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LABORERS (Cont'd)
(SHAFTS, RAISES, MISSILE SILOS and all UNDERGROUND WORK OTHER THAN TUNNELS)

Group 3: Helpers in Shotcrete Gunniting and Sand Blasting; Helpers on Core and Diamond Drills; Pot Tenders; Cement Finisher Helpers; Applying of concrete processing material

Group 4: Collapsible form movers and setters, Miners, Machine Men and Bit Grinders, Nippers, Powdermen and Blasters, Reinforcing Steel Setters, Timbermen (Steel or wood tunnel support, including the placement of sheeting when required) and all cutting and welding that is incidental to the Miner's work; Liner Plate Setters; Vibrator Men, internal and external

Group 5: Diamond and Core Drill Operators; Cement Finisher (underground); Gunnite Nozzlemen; Shotcrete Operators; Sand Blasters and Pump Concrete Placement Men

Group 6: Any employee performing work underground from a Bos'n Chair, Swinging Stage, Life Belt or Block and Tackle as a safety requirement. All lines and safety belts used shall be of a type approved by State and Federal laws

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POWER EQUIPMENT OPERATORS (Other than for work in Tunnels, Shafts and Raises)	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Group 1	$6.40	.35	.59	.30	.06
Group 2	6.75	.35	.59	.30	.06
Group 3	7.10	.35	.59	.30	.06
Group 4	7.25	.35	.59	.30	.06
Group 5	7.40	.35	.59	.30	.06
Group 6	7.55	.35	.59	.30	.06
(For work in Tunnels, Shafts, and Raises)					
Group 1	6.55	.35	.59	.30	.06
Group 2	6.90	.35	.59	.30	.06
Group 3	7.00	.35	.59	.30	.06
Group 4	7.25	.35	.59	.30	.06
Group 5	7.40	.35	.59	.30	.06
Group 6	7.80	.35	.59	.30	.06

POWER EQUIPMENT OPERATORS
(Other than for work in Tunnels, Shafts and Raises)

Group 1: Air Compressor; Asphalt Screed; Oiler; Brakeman; Drill Operator - Smaller than Williams MF and similar; Helper to Heavy Duty Mechanic and/or Welder; Operators of 5 or more light plants, Welding Machines, Generators, single unit conveyor; Pumps; Vacuum well point system; tractor, under 70 HP with or without attachments

Group 2: Conveyor, handling building materials; Ditch Witch and similar trenching machine; Fireman or tank heater, road; Forklift; Haulage motor man; Pugmill; portable screening plant with or without a spray bar; screening plants, with classifier; self-propelled Roller, Rubber tired under 5 tons;

Group 3: Asphalt Plant; Backfiller, Bituminous spreader or Laydown machine; Cableway signalman; caisson drill; Williams MF, similar and larger; C.M.I. and similar; Concrete Batching Plants; Concrete finish Machine; Concrete Gang Saws on concrete paving; Concrete Mixer, less than 1 yd.; Concrete Placement Pumps, under 8 inches; Distributors, bituminous surfaces; Drill, diamond or core; Drill Rigs, rotary, churn, or cable tool; Elevating Graders, Equipment Lubricating and service Engineer; Engineer Fireman; Grout Machine; Gunnite Machine; Hoists, 1 drum; Hydraulic Backhoes, wheel mounted under 3/4 yd.; Loader, Barber Green, etc.; Loader up to and including 6 cu. yds.; Machine Doctor; Mechanic; Motor Grader/Blade, rough; Road Stabilization Machine; Rollers, self-propelled, all types over 5 tons; Sandblasting Machine; single unit portable crusher, with or without washer; tie tamper, wheel mounted; Tractor, 70 HP and over with or without attachments; Trenching Machine Operator; Welder; winch on truck

Group 4: Cable Operated crane, track mounted; cable operated power shovels, Draglines, Clamshells, and backhoes, 5 cu. yds. and under; Concrete Mixer over 1 cu. yd.; Concrete Paver 34E or similar; Concrete placement pumps, 8 inches and over; crane, 50 tons and under; Hoist, 2 drums; Hydraulic Backhoe, 3/4 yd. and over; Loader, over 6 cu. yds.; Mechanic-welder, heavy duty; Mixer mobile; Motor Grader/blade, finish; Multiple unit portable crusher, with or without washer; Piledriver; Scrapers, single bowl under 40 cu. yds.; Self-propelled Hydraulic Crane; tractor with sideboom; truck mounted Hydraulic Crane

Group 5: Cable operated Power Shovels, Draglines, Clamshells and Backhoes over 5 cu. yds.; Crane, over 50 tons carrier mounted; Derrick; Electric rail type tower crane; Hoist, 3 drum or more; Quad Nine and similar push unit; Scrapers - single bowl including pups 40 cu. yds. and tandem bowls and over

Group 6: Cableway; Climbing tower Crane; Crawler or Truck Mounted Tower Crane; Wheel Excavator, Tower Crane, Truck type

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POWER EQUIPMENT OPERATORS (Cont'd)
(for work in Tunnels, Shafts and Raises)

Group 1: Brakeman

Group 2: Motorman

Group 3: Compressor (900 CFM and over) serving Tunnels, Shafts and Raises

Group 4: Air Tractors; Grout Machine; Gunnite Machine; Jumbo Form; Mechanic; Welder

Group 5: Concrete Placement Pumps, 8" and over discharge; Mechanic-Welder, heavy duty; Mucking Machines and Front End Loaders, underground; Slusher; Mine Hoist Operator

Group 6: Mole

SUPERSEDEAS DECISION

STATE: Colorado COUNTY: Statewide
DECISION NUMBER: CO75-5147 DATE: Date of Publication
Supersedes Decision No. CO75-5118 dated September 19, 1975, in 40 FR 43449
DESCRIPTION OF WORK: Highway Construction

DECISION NO. CO75-5147

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
CARPENTERS	$7.69	.53	.70	.50	.055
CEMENT MASONS:					
*Zone I	6.74	.44	1.10	.30	.08
*Zone II	7.24	.44	1.10	.30	.08
ELECTRICIANS:					
Adams, Arapahoe, Boulder Clear Creek, Denver, Douglas, Eagle, Gilpin, Grand, Jackson, Jefferson, Lake, Larimer, Logan, Morgan, Phillips, Sedgwick, Summit, Washington, Weld and Yuma Counties					
Electricians	10.24	.65	1%+.25		
Cable Splicers	10.49	.65	1%+.25		
Delta, Dolores, Garfield, Gunnison, Hinsdale, La Plata, Mesa, Moffat, Montezuma, Montrose, Ouray, Pitkins, Rio Blanco, Routt, San Juan and San Miguel Counties					
Electricians	9.80	.42	1%		5/10%
Cable Splicers	10.05	.42	1%		5/10%
Archuleta, Baca, Bent, Chaffee, Crowley, Custer, Fremont, Huerfano, Kiowa, Las Animas, Mineral, Otero, Prowers, Pueblo, and Rio Grande Counties					
Zone 1 (Within 12 miles from Pueblo Main P.O.)					
Electricians	10.15	.42	1%+.45		1/10%
Cable Splicers	11.17	.42	1%+.45		1/10%
Zone 2 (12 to 20 miles from Pueblo Main P. O.) and (0 to 12 miles from P. O. in Canon City)					
Electricians	10.35	.42	1%+.45		1/10%
Cable Splicers	11.35	.42	1%+.45		1/10%
Zone 3 (30 to 40 miles from Pueblo Main P. O.)					
Electricians	10.90	.42	1%+.45		1/10%
Cable Splicers	11.92	.42	1%+.45		1/10%
ELECTRICIANS: (Cont'd)					
Zone 4 (40 miles and over from Pueblo Main P. O.)					
Electricians	$12.03	.42	1%+.45		1/10%
Cable Splicers	13.05	.42	1%+.45		1/10%
Electricians on electrical contracts less than $20,000 in Zones 3 and 4	9.65	.42	1%+.45		1/10%
Cheyenne, Elbert, El Paso, Kit Carson, Lincoln, Park and Teller Counties					
Electricians	10.07	.42	1%+.45		.015
IRONWORKERS	9.20	.63	.90		.08
PAINTERS:					
Adams, Arapahoe, Boulder, Clear Creek, Delta, Denver, Douglas, Eagle, Elbert, Garfield, Gilpin, Grand, Gunnison, Jackson, Jefferson, Lake, Larimer, Logan, Mesa, Moffat, Montrose, Morgan, Park (Northern half), Phillips, Pitkin, Rio Blanco, Routt, Sedgwick, Summit, Washington, and Weld Counties					
Brush	9.31	.50	.60		.05
Spray, Swing Stage	9.79	.50	.60		.05
Baca, Bent, Crowley, Custer, Huerfano, Kiowa, Las Animas, Otero, Prowers and Pueblo Cos.					
Brush	6.28	.30			.02
Structural Steel; Spray	6.78	.30			.02
Spray Steel	7.38	.30			.02
Archuleta, Chaffee, Cheyenne, Dolores, El Paso, Fremont, Hinsdale, Kit Carson, La Plata, Lincoln, Mineral, Montezuma, Ouray, Park (Northern half), Rio Grande, Saguache, San Juan, San Miguel and Teller Counties					
Brush	7.20	.50	.20		.03
Spray	7.80	.50	.20		.03
Steel	7.70	.50	.20		.03
Steel Spray	8.30	.50	.20		.03
PILEDRIVERMEN	7.29	.48	.60	.40	.05

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CEMENT MASONS (Cont'd)
* Zone Description

A. Counties entirely within Zone 1:

Alamosa	Custer	Huerfano	Otero
Archuleta	Delta	Jefferson	Phillips
Bent	Denver	LaPlata	Prowers
Boulder	Douglas	Larimer	Pueblo
Chaffee	El Paso	Logan	Rio Grande
Clear Creek	Fremont	Mesa	Sedgwick
Conejos	Garfield	Montezuma	Teller
Costilla	Gilpin	Morgan	Weld
Crowley			

B. Counties entirely within Zone 2:

Baca	Jackson	Moffat	Saguache
Cheyenne	Kiowa	Ouray	San Juan
Dolores	Kit Carson	Park	San Miguel
Grand	Lake	Pitkin	Summit
Gunnison	Lincoln	Rio Blanco	Yuma
Hinsdale	Mineral	Routt	

C. Legal description of the portions of Adams, Arapahoe, Eagle, Elbert, Las Animas, Montrose and Washington Counties which are included within Zone 1, as follows:

All of Adams, Arapahoe, Elbert and Las Animas Counties lying west of the Township line between R59W and R60W of the 7th Guide Meridian West; and all of Eagle County lying west of the Township line between R80W and R81W of the 10th Guide Meridian West and all of Montrose County lying Northerly of the North line of Ouray County and said North line extended West to the Township line between R11W and R12W, said part lying East of said Township line of the New Mexico Principal Meridian, and all of Washington County lying North of the 40°00'00" Latitude Base Line.

D. Legal description of the portions of Adams, Arapahoe, Eagle, Elbert, Las Animas, Montrose and Washington Counties which are included with Zone 2, as follows:

All of Adams, Arapahoe, Elbert and Las Animas lying East of the Township line between R59W and R60W of the 7th Guide Meridian West, and all of Eagle County lying East of the Township line between R80W and R81W of the 9th Guide Meridian West and all of Montrose County except that part lying Northerly of the North line of Ouray County and said North line extended West of said Township line between R11W and R12W, said point being East of said Township line of the New Mexico Principal Meridian and all of Washington County lying South of the 40°00'00" Latitude Base Line.

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TRUCK DRIVERS	Basic Hourly Rates	Fringe Benefits Payments H & W	Pensions	Vacation	Apr. Tr.
PICKUPS; Helpers; Scalemen; Checkers; Spotters; Dumpmen	$ 6.45	.40	.30	.30	
DUMP TRUCKS, to & including 6 cu. yds.; Sweeper; Flat Back, single Axle; Liquid & Bulk Tankers, single Axle; Warehousemen; Washers; Greasemen; Servicemen; Ambulance drivers	6.55	.40	.30	.30	
DUMP TRUCKS, over 6 cu. yds. to & incl. 14 cu. yds.; Flat Back, Tandem Axle; Battery Men; Mechanics' Helpers; Material Checkers; Cardex Men; Expeditors; Man haul shuttle truck or Bus	6.65	.40	.30	.30	
STRADDLE TRUCK; Lumber Carrier; Liquid & Bulk Tankers, Tandem Axle	6.70	.40	.30	.30	
FORK LIFT DRIVER; fuel truck; Grease truck; Combination fuel & grease	6.75	.40	.30	.30	
DISTRIBUTOR TRUCK DRIVER; Cement Mixer, Agitator Truck to & including 10 cu. yds.; Liquid & Bulk Tankers, semi or combination	6.80	.40	.30	.30	
MULTI-PURPOSE TRUCK; Specialty & Hoisting	6.85	.40	.30	.30	
DUMP TRUCKS over 14 cu. yds. to & including 29 cu. yds.; High Boy, Low Boy, Floats, Semi; Cab operated Distributor Truck Driver, Semi; Liquid & Bulk Tankers, Euclid, Electric, or similar; Truck Driver Dumptor type, Youngbuggy, Jumbo & similar type equipment	6.90	.40	.30	.30	
TRUCK DRIVER, Snow Plow	7.00	.40	.30	.30	

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	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
TRUCK DRIVERS: (Cont'd)					
CEMENT MIXER, Agitator Truck over 10 cu. yds., to and including 15 cu. yds.	$7.05	.40	.30	.30	
DUMP TRUCKS over 29 cu. yds. to and including 39 cu. yds.	7.15	.40	.30	.30	
CEMENT MIXER, Agitator Truck over 15 cu. yds.	7.30	.40	.30	.30	
DUMP TRUCKS over 39 cu. yds. to and including 54 cu. yds.; Tireman	7.35	.40	.30	.30	
MECHANIC	7.45	.40	.30	.30	
DUMP TRUCKS over 54 cu. yds. to and including 79 cu. yds.	7.55	.40	.30	.30	
HEAVY DUTY DIESEL, Mechanics, Body Men, Welders or Combination Men	7.65	.40	.30	.30	
DUMP TRUCKS over 79 cu. yds. to and including 104 cu. yds.	7.75	.40	.30	.30	
DUMP TRUCKS over 104 cu. yds.	7.95	.40	.30	.30	
LINE CONSTRUCTION:					
Cable Splicer	11.07	.35	1%		3/4%
Lineman Cableman	10.38	.35	1%		3/4%
Lineman (Journeymen)	10.31	.35	1%		3/4%
Line Equipment Operators	8.77	.35	1%		3/4%
Line Equipment Maintenance Man	8.77	.35	1%		3/4%
Groundman, Experienced	7.24	.35	1%		3/4%
Groundman, Inexperienced	6.57	.35	1%		3/4%

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	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
LABORERS					
Group 1	$5.55	.44	.50		.05
Group 2	5.65	.44	.50		.05
Group 3	5.95	.44	.50		.05
Group 4	6.10	.44	.50		.05
Group 5	6.30	.44	.50		.05
LABORERS (TUNNELS)					
Group 1	5.55	.44	.50		.05
Group 2	6.45	.44	.50		.05
Group 3	6.55	.44	.50		.05
Group 4	6.63	.44	.50		.05
Group 5	6.70	.44	.50		.05
Group 6	6.85	.44	.50		.05
(SHAFTS, RAISES, MISSILE SILOS & ALL UNDERGROUND WORK OTHER THAN TUNNELS)					
Group 1	6.55	.44	.50		.05
Group 2	6.70	.44	.50		.05
Group 3	6.80	.44	.50		.05
Group 4	6.98	.44	.50		.05
Group 5	7.08	.44	.50		.05
Group 6	7.13	.44	.50		.05

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LABORERS

Group 1: Minimum Labor, including Caissons to 8'; Carrying Reinforcing Rods; Work on Cross Culverts, connections and side drains in connection with highway work, whether corrugated metal or concrete pipe; Fence Erectors; Metal Mesh; Dowel Bars; Tie Bars and Chairs in concrete paving; Flagman directing traffic; Nursery Man including seeding, mulching and planting of trees, shrubs and flowers; Stake Chaser; Gabion Baskets and Reno Mattresses; Pipe plants and yards, stringing of pipe or skids, handling and signaling on pipe line work

Group 2: Chuck Tenders, Nippers, Core and Diamond Drill Helpers, Powdermen Helpers; Hot Asphalt Labor, Rakers, Boxtenders, Asphalt Curb Machines, Formen (not mechanical); Multi-plate Culvert Pipe; Air, gas and electrical tool Operators; Barco Hammers; Spaders, electric hammers; Air Tampers; Cutting Torches on demolition work; Caissons 8' to 12': Cofferdams; Power operated Concrete Buggies; Operators of concrete saws on pavement (other than gang saws); Timber and Chain Saws; Stresser or Stretcherman on Post Tension or Prestressed Concrete on or off jobsite; Tool Room Man and Checkers; Cement Finisher Helper; Sand Blaster; Sand Blaster Helper; Concrete processing material; Monitor; Spotters; Signalmen; Dumpmen; Transverse Concrete Conveyor Operator; Mechanical Grouters; Boring Machine (air hydraulic); Automatic Concrete Power Curbing Machine; Jack Hammer; Vibrators; Paving Breakers; Frostproofing; Any laborer performing bridge work over 40' above the ground or above a floor and working from a Bos'n Chair; Swing Stage, Life Belt or Block and Tackle as a safety requirement. All lines and safety belts used shall be of a type approved by State and Federal laws; Gunniting and Shotcrete Helpers; Caissons over 12'; Scalers; Timbermen, underpinning and shoring; Form-setters and/or stringmen on roads, highways, streets and airport runways; Distribution, placing and hooking of landing mats; Bull Float (hand operated) and Center Expansion Machines; Grade Checkers if required by employer; Pipe Wrappers; Dopers; Jeep Holiday Detector Men, Bandage Makers; Laborers working in trenches on all pipe lines, sewer, water, gas, oil, telephone conduit, Pen Stock, Siphons, drainage lines, Caulkers, Yarners, Pine Graders, air, gas, electric and hydraulic tools, Boring Machines, Hydraulic Jacks, Drills, Tampers, and similar operated tools; Wiping of Joint Concrete Pipe, inside and out; Labor, applicable to pipe coating or wrapping, plants and yards; Enamelers of pipe, inside and out

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LABORERS (Cont'd)

Group 3: Powdermen and Blasters; Gunnite Nozzlemen; Shotcrete Operator; Pipe Layer on truck pipe lines in connection with highway work Relining Pipe; Mixer Man; Pipelayer; Hydro-broom

Group 4: Wagon Drills and Air Tracks; Jack Hammer Operators in Caissons over 12'; Bellers and Stemmen; Licensed Powdermen; Diamond and Core Drills powered by air.

Group 5: Any work, other than on bridges, performed by Laborers working from a Bos'n Chair, Swinging Stage, Life Belt or Block and Tackle as a safety requirement. All lines and safety belts used shall be of a type approved by State and Federal laws; Plugs and Galleys in Dams

LABORERS (Tunnels)

Group 1: Outside Labor

Group 2: Minimum Tunnel Labor, Dry Houseman

Group 3: Cable or Hose Tenders, Chuck Tenders, Concrete Laborers, Dumpmen, Whirley Pump Operator

Group 4: Helpers on Shotcrete, Gunniting and Sand Blasting; Helpers, Core and Diamond Drills; Pot Tenders

Group 5: Cement Finisher Helper, applying of concrete processing materials

Group 6: Collapsible form movers and setters, Miners, Machine Men and Bit Grinders, Nippers, Powdermen and Blasters, Reinforcing Steel Setters, Timbermen (steel or wood tunnel support, including the placement of sheeting when required) and all cutting and welding that is incidental to the Miner's work; Tunnel Liner Plate Setters; Vibrator Men, internal and external; Unloading, stopping and starting of Moran Agitator Cars; Diamond and Core Drill Operators; Cement Finisher (underground); Shotcrete Operator; Gunnite Nozzlemen, Sand Blasters, Pump Concrete placement Men

(SHAFTS, RAISES, MISSILE SILOS and all UNDERGROUND WORK OTHER THAN TUNNELS)

Group 1: Laborers, Topmen, Bottommen and Cagers

Group 2: Chucktenders, Concrete Laborers, Whirley Pump Operators

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LABORERS (Cont'd)
(SHAFTS, RAISES, MISSILE SILOS and all UNDERGROUND WORK OTHER THAN TUNNELS)

Group 3: Helpers in Shotcrete Gunniting and Sand Blasting; Helpers on Core and Diamond Drills; Pot Tenders; Cement Finisher Helpers; Applying of concrete processing material

Group 4: Collapsible form movers and setters, Miners, Machine Men and Bit Grinders, Nippers, Powdermen and Blasters, Reinforcing Steel Setters, Timbermen (Steel or wood tunnel support, including the placement of sheeting when required) and all cutting and welding that is incidental to the Miner's work; Liner Plate Setters; Vibrator Men, internal and external

Group 5: Diamond and Core Drill Operators; Cement Finisher (underground); Gunnite Nozzlemen; Shotcrete Operators; Sand Blasters and Pump Concrete Placement Men

Group 6: Any employee performing work underground from a Bos'n Chair, Swinging Stage, Life Belt or Block and Tackle as a safety requirement. All lines and safety belts used shall be of a type approved by State and Federal laws

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	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
POWER EQUIPMENT OPERATORS (Other than for work in Tunnels, Shafts and Raises)					
Group 1	$6.40	.35	.59	.30	.06
Group 2	6.75	.35	.59	.30	.06
Group 3	7.10	.35	.59	.30	.06
Group 4	7.25	.35	.59	.30	.06
Group 5	7.40	.35	.59	.30	.06
Group 6	7.55	.35	.59	.30	.06
(For work in Tunnels, Shafts, and Raises)					
Group 1	6.55	.35	.59	.30	.06
Group 2	6.90	.35	.59	.30	.06
Group 3	7.00	.35	.59	.30	.06
Group 4	7.25	.35	.59	.30	.06
Group 5	7.40	.35	.59	.30	.06
Group 6	7.80	.35	.59	.30	.06

POWER EQUIPMENT OPERATORS
(Other than for work in Tunnels, Shafts and Raises)

Group 1: Air Compressor; Asphalt Screed; Oiler; Brakeman; Drill Operator - Smaller than Williams HF and similar; Helper to Heavy Duty Mechanic and/or Welder; Operators of 5 or more light plants, Welding Machines, Generators, single unit conveyor; Pumps; Vacuum well point system; tractor, under 70 HP with or without attachments

Group 2: Conveyor, handling building materials; Ditch Witch and similar trenching machine; Fireman or tank heater, road; Forklift; Haulage motor man; Pugmill; portable screening plant with or without a spray bar; screening plants, with classifier; self-propelled Roller, Rubber tired under 5 tons;

Group 3: Asphalt Plant; Backfiller, Bituminous spreader or laydown machine; Cableway signalman; caisson drill; Williams HF, similar and larger; C.M.I. and similar; Concrete Batching Plants; Concrete finish Machine; Concrete Gang Saws on concrete paving; Concrete Mixer, less than 1 yd.; Concrete Placement Pumps, under 8 inches; Distributors, bituminous surfaces; Drill, diamond or core; Drill Rigs, rotary, churn, or cable tool; Elevating Graders, Equipment Lubricating and service Engineer; Engineer Fireman; Grout Machine; Gunnite Machine; Hoists, 1 drum; Hydraulic Backhoes, wheel mounted under 3/4 yd.; Loader, Barber Green, etc.; Loader up to and including 6 cu. yds.; Machine Doctor; Mechanic; Motor Grader/Blade, rough; Road Stabilization Machine; Rollers, self-propelled, all types over 5 tons; Sandblasting Machine; single unit portable crusher, with or without washer; tie tamper, wheel mounted; Tractor, 70 HP and over with or without attachments; Trenching Machine Operator; Welder; winch on truck

Group 4: Cable Operated crane, track mounted; cable operated power shovels, Draglines, Clamshells, and backhoes, 5 cu. yds. and under; Concrete Mixer over 1 cu. yd.; Concrete Paver 34E or similar; Concrete placement pumps, 8 inches and over; crane, 50 tons and under; Hoist, 2 drums; Hydraulic Backhoe, 3/4 yd. and over; Loader, over 6 cu. yds.; Mechanic-welder, heavy duty; Mixer mobile; Motor Grader/blade, finish; Multiple unit portable crusher, with or without washer; Piledriver; Scrapers, single bowl under 40 cu. yds.; Self-propelled Hydraulic Crane; tractor with sideboom; truck mounted Hydraulic Crane

Group 5: Cable operated Power Shovels, Draglines, Clamshells and Backhoes over 5 cu. yds.; Crane, over 50 tons carrier mounted; Derrick; Electric rail type tower crane; Hoist, 3 drum or more; Quad Nine and similar push unit; Scrapers - single bowl including pups 40 cu. yds. and tandem bowls and over

Group 6: Cableway; Climbing tower Crane; Crawler or Truck Mounted Tower Crane; Wheel Excavator, Tower Crane, Truck type

POWER EQUIPMENT OPERATORS (Cont'd)
(for work in Tunnels, Shafts and Raises)

Group 1: Brakeman

Group 2: Motorman

Group 3: Compressor (900 CFM and over) serving Tunnels, Shafts and Raises

Group 4: Air Tractors; Grout Machine; Gunnite Machine; Jumbo Form; Mechanic; Welder

Group 5: Concrete Placement Pumps, 8" and over discharge; Mechanic-Welder, heavy duty; Mucking Machines and Front End Loaders, underground; Slusher; Mine Hoist Operator

Group 6: Mole

SUPPLEMENTAL DECISION

STATE: Indiana COUNTIES: *See Below
DECISION NUMBER: IN75-2131 DATE: Date of Publication
Supersedes Decision No. IN75-2088, dated June 27, 1975 in 40 FR 27422
DESCRIPTION OF WORK: Building Construction (excluding single family homes and garden type apartments up to and including 4 stories).

*Allen, Bartholomew, Benton, Dearborn, Delaware, Grant, Marion, Monroe, Tippecanoe, Vanderburgh & Vigo

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
ASBESTOS WORKERS:					
Allen & Grant Counties	$10.55	.35	.55		
Bartholomew, Benton, Delaware, Marion, Monroe, Tippecanoe, & Vigo Counties	10.31	.35	.35		.05
Dearborn County	9.96	.45	.85		.02
Vanderburgh County	10.09	.35	.30		
BOILERMAKERS:					
Dearborn County	8.30	.30	.70		.01
Remainder of Counties	10.85	.80	1.00		.03
BRICKLAYERS:					
Allen County:					
Bricklayers; Marble setters & Stonemasons	8.79	.30	.25		.01
Bartholomew, & Monroe Counties:					
Bricklayers; Marble setters; Stonemasons; Terrazzo workers & Tile setters	8.75	.30	.30		.02
Benton & Tippecanoe Counties:					
Bricklayers; Marble Setters & Stonemasons	8.85	.48	.35		.01
Terrazzo workers & Tile setters	8.85	.48	.35		.01
Dearborn County	8.25		.30		
Delaware County:					
Bricklayers; Marble setters; & Stonemasons	8.75	.40	.25		.01
Tile setters	8.50	.40	.25		.01
Grant County:					
Bricklayers; Marble setters; Stonemasons; Terrazzo workers & Tile setters	8.40	.40	.30		
Marion County:					
Bricklayers; & Stonemasons	10.05	.30	.30		.06
Marble setters ; & Tile setters	9.66	.30	.30		.04
Terrazzo workers	9.40	.30	.30		.03
Vanderburgh County:					
Bricklayers; Stonemasons	9.33	.50	.30		
Marble setters; Terrazzo workers; & Tile setters	8.90		.30		
Vigo County:					
Bricklayers; Stonemasons	9.85	.30	.50		.01
Marble setters; Terrazzo workers & Tile setters	9.45	.30	.50		.01

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	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
CARPENTERS:					
Allen County:					
Carpenters; & Soft floor layers	$ 8.73	6% a			.04
Millwrights; & Piledrivermen	9.06	6% a			.04
Bartholomew County (Camp Atterbury) & Marion County:					
Carpenter; Millwrights	10.20	.50	.60		.08
Bartholomew County (Remainder of County):					
Carpenters; & Soft floor layers	8.49	.35	.45		.03
Millwrights	8.99	.35	.45		.03
Piledrivermen	8.74	.35	.45		.03
Benton; & Tippecanoe Counties:					
Carpenters & Soft floor layers	8.81	.40	.30		.02
Millwrights; & Piledrivermen	9.16	.40	.30		.02
Dearborn County:					
Carpenters; & Soft floor layers	8.54	.35	.45		.03
Millwrights	9.04	.35	.45		.03
Piledrivermen	8.79	.35	.45		.03
Delaware County:					
Carpenters; Soft Floor layers	8.35	.40	.25		.05
Piledrivermen	8.55	.40	.25		.05
Millwrights	8.65	.40	.25		.05
Grant County:					
Carpenters	8.58	.45	.45		.05
Piledrivermen	8.78	.45	.45		.05
Millwrights	9.08	.45	.45		.05
Monroe County:					
Carpenters; Soft floor layers	8.20	.35	.25		.01
Millwrights & Piledrivermen	8.45	.35	.25		.01
Vanderburgh County:					
Carpenters & Soft Floor layers	8.85	.40	.35		
Millwrights; & Piledrivermen	9.10	.40	.35		
Vigo County:					
Carpenters; & Soft Floor layers	8.38	.35	.40		.02
Piledrivermen	8.63	.35	.40		.02
Millwrights	9.23	.35	.40		.02
CEMENT MASONS:					
Allen County	8.70	.40			
Bartholomew County	8.30				
Benton & Tippecanoe Counties	8.10	.45	.40		

DECISION NO IN75-2131

	Basic Hourly Rates	Fringe Benefits Payments: H & W	Pensions	Vacation	Education and/or Appr. Tr.
CEMENT MASONS (Cont'd)					
Dearborn County	$ 6.50				
Delaware & Grant Counties	8.40	.40			
Marion County	8.76				.04
Monroe County	8.25				
Vanderburgh County	8.55	.45	.40		
Vigo County	8.00	.45	.25		
ELECTRICIANS:					
Allen County	9.85	.25	1½+.30		.06
Bartholomew & Marion Counties	10.15	3%	5%		.5%
Benton & Tippecanoe Counties	9.95	.40	1%		½of1%
Dearborn County:					
Up to & including 18-mile radius from Hamilton County, Ohio Court House	10.00	.60	1½+.30		.5%
Over 18-mile radius up to & including 21 mile-radius from Hamilton County, Ohio Court House	10.30	.60	1½+.30		.5%
Over 21-mile radius up to & including 25-mile radius from Hamilton County, Ohio Court House	10.40	.60	1½+.30		.5%
Over 25-mile radius from Hamilton County, Ohio Court House	10.55	.60	1½+.30		.5%
Delaware County	9.70	.40	1½+.30		.2%
Grant County	9.45	.40	1½+.30		.2%
Monroe County	9.15	.30	1½+.40		.02
Vanderburgh County	10.65	.40	1%		½of1%
Vigo County	10.20	.40	1½+.40		.01
ELEVATOR CONSTRUCTORS:					
Allen & Grant Counties:					
Elevator constructors	9.03	.445	.29	3%+b+c	.02
Helpers	6.32	.445	.29	3%+b+c	.02
Helpers (Prob.)	4.515				
Bartholomew, Benton, Delaware, Marion, Monroe, Tippecanoe, & Vigo Counties:					
Elevator Constructors	9.455	.445	.29	3%+b+c	.02
Helpers	6.62	.445	.29	3%+b+c	.02
Helpers (Prob.)	4.73				

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	Basic Hourly Rates	Fringe Benefits Payments: H & W	Pensions	Vacation	Education and/or Appr. Tr.
ELEVATOR CONSTRUCTORS: (cont'd)					
Dearborn County:					
Elevator constructors	9.62	.445	.29	3%+b+c	.02
Helpers	6.73	.445	.29	3%+b+c	.02
Helpers (Prob.)	4.81				
Vanderburgh County:					
Elevator Constructors	9.31	.445	.29	3%+b+c	.02
Helpers	6.52	.445	.29	3%+b+c	.02
Helpers (Prob.)	4.655				
GLAZIERS:					
Allen & Grant Counties	8.83	d		.30+e	.04
Bartholomew, Delaware, Marion, Monroe, Tippecanoe, & Vigo Counties	9.89				
Benton County	7.80	.25	.25	.25	
Dearborn County	10.10		.35		.005
Vanderburgh County	8.875	.41	.20	.25	
IRONWORKERS:					
Allen, Delaware (Northeastern 1/3 of Co.), & Grant (excluding s/w portion) Counties	10.20	.65	.80		.01
Bartholomew, Delaware (Southern 2/3 of Co.), Grant (s/w portion) & Monroe Counties	10.15	.65	.90		.05
Marion County	10.00	.65	.90		.05
Benton, & Tippecanoe Counties	9.49	.65	.90		.05
Dearborn County:					
Ornamental; Structural	10.545	.65	.70		.03
Reinforcing	9.445	.55	1.05		.02
Vanderburgh County	8.15	.25	.25		
Vigo County	9.75	.65	1.55		
LABORERS (Wrecking):					
Marion County:					
Wrecking laborers; Mason tenders	6.20	.35	.35		.07
Jackhammer; drill & compactor operators	6.40	.35	.35		.07
Cutting torch or burner	6.75	.35	.35		.07
LATHERS:					
Bartholomew, Marion, Monroe, & Vigo Counties	10.00	.45			.0%
Benton & Tippecanoe Counties	8.34	.40	.35		.01

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	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
LATHERS: (Cont'd)					
Dearborn County	$11.145		.25		.025
Delaware & Grant Counties	8.15		.25		.01
Vanderburgh County	9.07				.01
LEADBURNERS	9.25	.35		f	.01
MARBLE & TILE SETTERS' HELPERS:					
Bartholomew, Dearborn, Delaware, Grant, Marion, Monroe, & Tippecanoe Counties	7.60				
PAINTERS:					
Allen & Grant Counties:					
Brush; Paperhangers; Roller; & Tapers	7.75	.37	.35		.10
Sandblasters; Spray	8.75	.37	.35		.10
Bartholomew County:					
Brush; Drywall Taping & Finishing; & Rollers	8.05				
Sandblasting; Spray; swing stage	9.05				
Structural steel	8.05				
Benton & Tippecanoe Counties:					
Brush	8.05				
Structural Steel	8.30				
Sand blasting	9.05				
Spray	11.32				
Dearborn County:					
Brush; Roller; Wallwashing; Drywall taping & finishing, wallpaper & vinyl hanging; floor sanding; seamless flooring & finishing; Sandblasting; hopper tending; steamcleaning	8.10				
Spray	8.60				
Delaware County:					
Brush; Taping	7.55		.50		
Sandblasters; Spray	8.30		.50		
Steeplejack; Water towers	8.55		.50		
Marion County:					
Brush; Drywall tapers & Finishers; Rollers	8.70	.30	.20		
Sandblasters; Spray	9.70	.30	.20		

DECISION NO. IN75-2131

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
PAINTERS: (Cont'd)					
Monroe County:					
Brush; Drywall; Paperhanging; Roller; & Vinyl	7.90			.30	
Structural Steel	8.65			.30	
Sandblasting; Spray	8.90			.30	
Vanderburgh County:					
Brush; Roller	7.75	.55	.30		
Sandblasting; Spray	8.50	.55	.30		
Vigo County:					
Brush, Drywall finishing; Paperhangers; & Rollers	7.90			.25	
Spray	8.90			.25	
Structural Steel to 30'	8.15			.25	
Structural Steel 30' to 100'	8.90			.25	
Structural Steel over 100'	9.90			.25	
PIPEFITTERS: Steamfitters:					
Dearborn County	10.80	.70	.975		.06
PIPEFITTERS; Plumbers; & Steamfitters:					
Bartholomew (Camp Atterbury), & Marion Counties	10.40	.40	.70		.02
PLASTERERS:					
Allen County	7.59	.40			
Bartholomew County	9.10				
Benton (Eastern 2/3 west to & incl. Boswell, Eark Park, & Raub) & Tippecanoe Counties	9.00	.45			
Dearborn County	6.50				
Delaware & Grant Counties	8.25	.45			.01
Marion County	10.50	.40			.01
Vanderburgh County	9.64				
Vigo County	7.20	.45	.25		
PLUMBERS:					
Dearborn County	9.92	.65	.90		.05
PLUMBERS; Steamfitters:					
Allen County	10.05	.35	.65		.07
Bartholomew (Excluding Camp Atterbury) County	9.90	.40	.30		.05
Benton & Tippecanoe Counties	10.30	.40	.75		.10
Delaware County	9.78	.40	.35	g	.10
Grant County	9.65	.40	.55		.05
Monroe County	10.15	.40	.70		.10

DECISION NO IN75-2131

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
PLUMBERS; Steamfitters: (Cont'd)					
Vanderburgh County	$10.73	.40	.60	10%	.04
Vigo County	10.30	.40	.75		.10
ROOFERS:					
Allen County	8.75		.10		
Bartholomew, Marion, Monroe, Counties					
Composition; Waterproofers	9.76	.30	.40		
Slate, Tile, Asbestos, & Precast slab	10.01	.30	.40		
Helpers	8.26	.30	.40		
Benton & Tippecanoe Counties:					
Composition	9.30	.40	.28		
Slate, Tile, Asbestos	9.55	.40	.28		
Dearborn County	10.745		.85		.01
Delaware County	7.45	.25	.10		
Grant County	6.80		.10		
Vanderburgh County:					
Composition	8.21	.30	.15		
Concrete slab & gypsum plank	8.45	.30	.15		
Slate & Tile	8.45	.30	.15		
Helpers	5.75	.30	.15		
Vigo County:					
Roofers; Kettlemen	8.50	.40	.20		
SHEET METAL WORKERS:					
Allen & Grant Counties	9.89	.40	.35		.06
Bartholomew, Delaware, Marion & Monroe Counties	9.91	.50	.55		.06
Benton & Tippecanoe Counties	8.85	.40	.30		.04
Dearborn County	8.995	.40	.70		.02
Vanderburgh County	8.80	.35	.35		.02
Vigo County	8.90	.31	.45		.05
SPRINKLER FITTERS	10.55	.50	.80		.08
TERRAZZO WORKERS; Tile Setters:					
Allen County	8.85				
TERRAZZO WORKERS' HELPERS:					
Bartholomew, Delaware, Grant, Marion, Monroe, Tippecanoe & Vigo Counties	7.95				

DECISION NO IN75-2131

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
TRUCK DRIVERS:					
Allen County:					
Up to & incl. 1 ton	7.13	h	i		
Sweeper attached & dist. water wagon	7.43	h	i		
1½ to & incl. 3 tons; Forklift	7.23	h	i		
Tandem; Double bottoms; Lowboys	7.33	h	i		
Semi	7.28	h	i		
Euclid; Earthmover	7.58	h	i		
Benton & Tippecanoe Counties:					
Single axle; Straight trucks; Warehousemen	6.30	j	k	1	
Helpers; Greasers; Firemen	6.25	j	k	1	
Tandem axles; Straight trucks & Doglegs	6.40	j	k	1	
Bituminous distributors	6.45	j	k	1	
Semi-trucks & mechanics	6.60	j	k	1	
Marion County:					
Up to & incl. 3 tons & Helpers	7.325	m	n	o	
Over 3 tons; Semi-trailers: Tandem (double bottom); Winch trucks when used with winch	7.475	m	n	o	
Truck mechanics	7.40	m	n	o	

DECISION NO. IN75-2131

PAID HOLIDAYS:
A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day;
E-Thanksgiving Day; F-Christmas Day

FOOTNOTES:
a. 6% for Health & Welfare includes Pension
b. 6 paid holidays: A through F
c. Employer contributes 4% of regular hourly rate to vacation pay credit for employee who has worked in business more than 5 years, & 2% for employee who has worked in business less than 5 years.
d. When an employee has been employed by an employer for 6 continuous months, the employer will contribute $5.00 per week toward his Hospital/Medical premiums if the employer does not have a preestablished Hospital/Medical plan. If an employee has met the 6-month qualification & is off work for any reason for over 30 continuous calendar days, the employer will not make the above $5.00 weekly contribution to the employee until the employee returns to work on a regular basis.
e. 6 paid holidays: A through F provided such employees work the last scheduled day prior to & the next scheduled work day after the holiday unless permission for not working on such days is granted by the employer.
f. 9 paid holidays: A through F plus Washington's Birthday, Good Friday, & Christmas Eve, providing employee has worked 45 full days during the 120 calendar days prior to the holiday, & the regular scheduled work days immediately preceding and following the holiday.
g. 2 paid holidays: C & D
h. $14.00 per week per employee
i. $14.00 per week per employee
j. $16.00 per week per employee
k. $13.00 per week per employee.
l. 1 week's paid vacation after 1 year's employment; 2 weeks after 3 years; 3 weeks after 10 years
m. $16.00 per week per employee
n. $19.50 per week per employee
o. Each employee who has been in the employ of the same employer for 1 year & has accumulated 1000 hours of service shall receive 1 week's vacation with pay of 40 hours at straight time; each employee who has been in the employ of the same employer for 10 years or more & has accumulated 1000 hours of service shall receive 3 weeks' vacation with pay of 120 hours at straight time hourly rate.

DECISION NO. IN75-2131 INDIANA-15-LAB AREA I

LABORERS
Allen, Benton, Delaware, Grant, & Tippecanoe Counties

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pension	Vacation	App. Tr.
GROUP A	$6.25	.35	.35		.09
GROUP B	6.45	.35	.35		.09
GROUP C	6.55	.35	.35		.09
GROUP D	7.25	.35	.35		.09

CLASSIFICATIONS

GROUP A: Building and Construction Laborers, scaffold builders other than for mason or plasterers, ironworkers' helpers, mechanic helpers, mechanic tenders, window washers and cleaners, roofers' helpers, railroad laborer, cement finishers helper, carpenter helper, all portable water pumps with discharge up to 3", mason tenders

GROUP B: Asphalt rakers and lutemen, kettlemen, air tool operators, vibrators, chipping hammer operator, jackhammer and shooting men working in ditches deeper than 6', laborers working in ditches 6' in depth or deeper, assembly of unicrete pump, chain saw operators, tile layers (sewer or field), sewer pipe layers (metallic and non-metallic), motor-driven wheelbarrows and concrete buggies, hyster opera-pump crete assemblers, conveyor assemblers, core drill operators, cement, lime or silica clay handlers (bulk or bag), pneumatic spikers, deck engine and winch operator, water main and cable ducking (metallic and non-metallic)

GROUP C: Plaster tenders, Mortar mixers, Welders (acetylene or electric), cutting torch or burner, cement nozzle laborers, cement gun operator, scaffold builders when working for plasterer or mason, mason tenders

GROUP D: Dynamite Men

Bartholomew, Dearborn, Marion, Monroe, Vanderburgh, & Vigo Counties

INDIANA-16-LAB AREA 3

LABORERS	Basic Hourly Rates	Fringe Benefits Payments H & W	Pensions	Vacation	Apprentice
GROUP A	$6.40	.35	.35		.09
GROUP B	6.60	.35	.35		.09
GROUP C	6.70	.35	.35		.09
GROUP D	7.40	.35	.35		.09

CLASSIFICATIONS

GROUP A: Building and Construction Laborers, scaffold builders other than for mason or plasterers, ironworkers' helpers, mechanic helpers, mechanic tenders, window washers and cleaners, roofers' helpers, railroad laborer, cement finishers helper, carpenter helper, all portable water pumps with discharge up to 3", mason tenders

GROUP B: Asphalt rakers and lutemen, kettlemen, air tool operators, vibrators, chipping hammer operators, jackmen and sheeting men working in ditches deeper than 6', laborers working in ditches 6' in depth or deeper, assembly of unicrete pump, chain saw operators, tile layers (sewer or field), sewer pipe layers (metallic and non-metallic) motor-driven wheelbarrows and concrete buggies, hyster opera-pump crete assemblers, conveyor assemblers, core drill operators, cement, line, or silica clay handlers (bulk or bag), pneumatic spikers, deck engine and winch operator, water main and cable ducking (metallic and non-metallic)

GROUP C: Plaster tenders, mortar mixers, welders (acetylene or electric), cutting torch or burner, cement nozzle laborers, cement gun operator, scaffold builders when working for plasterer or masons, mason tenders

GROUP D: Dynamite Men

Allen, Benton, Delaware, Grant, Marion, & Tippecanoe Counties

INDIANA-11-PEO-1

POWER EQUIPMENT OPERATORS	Basic Hourly Rates	Fringe Benefits Payments H & W	Pensions	Vacation	Apprentice
GROUP 1	$ 9.90	.40	.40		.05
GROUP 2	9.05	.40	.40		.05
GROUP 3	7.95	.40	.40		.05
GROUP 4	7.20	.40	.40		.05

CLASSIFICATIONS

GROUP 1: Air Compressor (pressurizing shafts, tunnels and divers), Air Tugger, Auto Patrol, Backfiller, Backhoe, Bomb Cat, Boring Machine, Bulldozer, Caisson Drilling Machine, Cherry Picker, Compactor (w/dozer blade) Concrete Plant, Concrete Pump, Crane w/all attachments, Crane-Electric Overhead, Derrick, Ditching Machine (18" and over), Dredge, Elevator (when hoisting material or tool) Forklift (machinery), Formless Paver, Generator (power for welders or compressors), Gradall, Helicopter, Helicopter Winch Operator, Highlift-Front End Loader, Hoist, Locomotive, Mechanic on job site, Mucking Machine, Panel Board, Concrete Plant, Piledriver, Push Cat, Scoop and Tractor, Scraper-rubber-tired, Spreader-tractor mounted, Straddle Carrier-Ross type, Sub-base Finish, Machine (C.M.I. or similar tower crane), Tractor w/backhoe (over ½ yd.) Welder

GROUP 2: A-Frame Truck, Batcher Plant (automatic dry batch), Bending Machine-power driven, Bituminous Mixer, Bituminous Paver, Bituminous Plant Engineer, Boatman, Bullfloat, Compactor or Tamper-self-propelled, Concrete Mixer (21 cu. ft. or over), Concrete spreader-power driven, Dinkey Engine, Ditching Machine (less than 18"), Drilling Machine, Finish Machine and Bullfloat, Finishing Machine, Fireman, Piledriving and Boilers, Forklift-Masonry and Material, Gunnite Machine, Head Greaser, Mechanic in Shop, Mesh Depresser-mesh placer, P.C.C.-Concrete Belt Placer, Roller-Asphalt Stone and Sub-base, Sheepstone Roller self-propelled, Shop Rule, Spreader or Base Paver-self-propelled, Subgrader, Throttle Valve w/air compressor or boiler, Tractor w/backhoe (½ yard and under), Tractor-High lift-Farm-type, Tractor-Industrial type, Tractor w/winch, Well Points, Winch Truck

GROUP 3: Air Compressor (210 cu. ft. and over); Bituminous Distributor, Chair Cart, Concrete Curing Machine, Concrete Saw, Dope pot-power agitated, Flexplane, Form Grader, Hydrohammer, Jacks-Hydraulic-power driven, Minor Equipment Operator, Paving Joint Machine, Post Hole Digger, Roller-earth, Throttle Valve, Track Jack-power driven, Tractor-farm type, Truck Crane Driver

GROUP 4: Air Compressor (less than 210 cu. ft.) Concrete Mixer (under 21 cu. ft.), Conveyor, Generator, Mechanical Heater, Oiler, Power Broom, Pump, Welding Machine, Helpers

DECISION NO. IN75-2131

Bartholomew, Dearborn, & Vanderburgh Counties

IND - 2 - 190

EQUIPMENT OPERATORS:	Basic Hourly Rates	Fringe Benefits Payments H & W	Pensions	Vacation	Apprentice
GROUP A	$9.13	.30	.30		
GROUP B	8.21	.30	.30		
GROUP C	7.57	.30	.30		

CLASSIFICATIONS

GROUP A: A-Frame winch truck, air compressor over 600 cu. ft., air tugger, auto-grade (CMI), auto patrol backhoe, ballast regulator (RR), batcher plant (electric control concrete), bending machine (pipe), bituminous plant, bituminous mixer travel plant, bituminous power roller, bulldozer, cable way, Chicago boom, clamshell, concrete mixer (21 cu. ft. or over), crane, craneman, crusher plant, derrick boat, dinkey, dope pots (pipeline), dragline, dredge operator, drill operator, elevating grader, concrete paver, elevator, Ford hoe, (or similar type equipment), forklift formless paver, gantry crane, gradeall, grademan, grout pump, Hetherington paver, highlift hoist, hopto. hough loader (or similar type), hydro crane, hydro hammer, locomotive crane, locomotive, mechanic mobile mixer, motor crane, motor crane oiler and one(1) piece of minor equipment, mucking machine, multiple tamping machine (RR), overhead crane, pile driver, pulls, push dozer, push boats, roller (sheepfoot), Ross carrier, scoop shovel, side boom, swing crane, tail boom, tar machine (pipeline), throttle valve, trench machine, welder pump, truck mounted drill 2 to 4 pieces of minor equipment, well point, whirleys

GROUP B: Air compressor (200 cu. ft. per minute capacity or more) brakeman, bull float, concrete mixer (over 10S and under 21S), concrete spreader or puddler, deck engine drill helper, electric vibrator Kompector (earth or rock), finishing machine, fireman, greaser (on grease facilities servicing heavy equipment), material pump motor boats, motor crane oiler, oiler and one piece of minor equipment, portable loader, post hole digger, power broom, rock roller, roller-wobble wheel (earth and rock), spike machine (RR), scissors tiller, spreader rock, sub-grader, tamping machine, truck mounted drill oiler, welding machine widener (Apsco or similar type)

GROUP C: Air compressor (under 200 cu. ft. per minute), bituminous distributor, cement gun, conveyor, deck hand, earth roller form grader, generator, guard rail driver, heater, oiler, paving joint machine, steam Jenny, vibrator, water pump, concrete saw

DECISION NO. IN75-2131

Allen, Bartholomew, Benton, Dearborn, Delaware, Marion, Monroe, Tippecanoe, & Vigo Counties

IND-LC-AREA 1

LINE CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments H & W	Pensions	Vacation	Apprentice
EXCLUSIVE OF CALUMET AREA					
Linemen; Technicians	$9.03	.35	1%		.5%
Heavy equipment operator "A"	8.56	.35	1%		.5%
Heavy equipment operator "B"	7.08	.35	1%		.5%
Powder man & equipment mechanic	6.91	.35	1%		.5%
Senior groundman truck driver w/w	5.92	.35	1%		.5%
Groundman truck driver with winch	5.69	.35	1%		.5%
Groundman truck driver w/o winch	4.99	.35	1%		.5%
Senior groundman after 5 years	5.68	.35	1%		.5%
Senior groundman after 12 months	5.52	.35	1%		.5%
Groundman 0-12 months	4.69	.35	1%		.5%
CALUMET AREA					
Linemen; Technicians	9.33	.35	1%		.5%
Heavy equipment operator "A"	8.65	.35	1%		.5%
Heavy equipment operator "B"	7.14	.35	1%		.5%
Powder man & equipment mechanic	6.97	.35	1%		.5%
Senior groundman truck driver w/w	6.03	.35	1%		.5%
Groundman truck driver with winch	5.76	.35	1%		.5%
Groundman truck driver w/o winch	5.06	.35	1%		.5%
Senior groundman after 5 years	5.80	.35	1%		.5%
Senior groundman after 12 months	5.64	.35	1%		.5%
Groundman 0-12 months	4.79	.35	1%		.5%

IND-LC-AREA III

LINE CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments H & W	Pensions	Vacation	Apprentice
Vanderburgh County					
LINEMEN; Line truck operator; Hole digger; Stool handling cable splicer	$10.65	.40	1%		
GROUNDMAN	9.29	.40	1%		
TRUCK DRIVER	9.60	.40	1%		

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IND-LC-AREA IV

LINE CONSTRUCTION

Grant County

	Basic Hourly Rates	Fringe Benefits Payments H & W	Pensions	Vacation	Apprn. Tr.
LINEMEN; Heavy equipment operators "A"	$9.43	.35	1%		½ of 1%
CABLE SPLICERS	10.23	.35	1%		½ of 1%
HEAVY EQUIPMENT OPERATORS "B"	7.61	.35	1%		½ of 1%
POWDERMAN; Equipment mechanic	7.44	.35	1%		½ of 1%
SENIOR GROUNDMAN - truck driver with winch	6.25	.35	1%		½ of 1%
GROUNDMAN - truck driver with winch	5.98	.35	1%		½ of 1%
SENIOR GROUNDMAN AFTER 5 YEARS	5.96	.35	1%		½ of 1%
SENIOR GROUNDMAN AFTER 12 MONTHS	5.78	.35	1%		½ of 1%
GROUNDMAN - truck driver without winch	5.35	.35	1%		½ of 1%
GROUNDMAN 0 to 12 MONTHS	4.96	.35	1%		½ of 1%

Monroe, & Vigo Counties

Ind 9 -PEO-1 S & T 1 of 1

	Basic Hourly Rates	Fringe Benefits Payments H & W	Pensions	Vacation	Apprn. Tr.
POWER EQUIPMENT OPERATORS:					
GROUP I	$ 9.55	.40	.50		.06
GROUP II	9.45	.40	.50		.06
GROUP III	9.25	.40	.50		.06
GROUP IV	7.00	.40	.50		.06

CLASSIFICATIONS

GROUP I Master Mechanics

GROUP II Utility Operator

GROUP III Power Cranes, Draglines, Derricks, Electric Overhead Cranes, Shovels, Crodall, Mechanics, Repair and Maintenance of all Equipment, Tractor Highlift, Fork lifts, Tournadozer, Mixer over 1½S Capacity, Tournamixer, Two Drum Machine or Two Cage hoists, Cableways, Tower Machines, Motor Patrol, Boom Tractor, Boom or Winch Truck, Truck Crane, Tournapull, Tractor operating Scoops, Bulldozer, Push Tractor, Finishing Machine on Asphalt, Large Rollers & Rollers on Asphalt, Gravel, Macadam and Brick Surface, Ross Carrier or similar Machine, Gravel Processing Machine, Asphalt Plant Engineer or Pug Mill, Two Air Compressors, Hetherington Paver Operator, Farm Tractor with half Yard bucket and/or Back Hoe Attachment, Trench Machines cutting over 24", Dredging Equipment, Central Mix Plant Engineer, CMI or similar type Machine, Concrete Spreader, Cherry Picker, Stinger or Dinky Locomotive, Snowmobiles, Euclid Loader, Soil Cement Machines, Rock Filler, Elevating Machine, Power Blade, Asphalt Plant

POWER EQUIPMENT OPERATORS Cont'd:

Engineer, Well Drilling Machines, Paint Machine, Pipe Cleaning Machines, Pipe Wrapping Machine, Pipe Bending Machine, Apsco Paver, Boring Machine, Tractor Without Winch, Road Equipment Greasers, Barber Green Loaders, Forsalcs Paver, Well Point System Hydra Ax, Reseo Concrete Saw, Marine Scoops, Brush Mulcher, Brush Burner, Mesh Placer, Tree Mover, Helicopter Crew (3), Pile Driver Skid or Crawler, Stump Remover, Root Rake, Tug Boat Operator, Refrigerating Machine Freezing Operator, Chair Cart - Self Propelled, Hydra Seeder, Straw Blower, Concrete Mixers with Skip, all one Drum Hoists with Tower or Boom, Dredge Engineer, Dredge Operator, Rock Spreader, Truck or Skid Mounted Tower Crane, Engine or Rock Crusher Plant, Boiler Operator, Concrete Plant Engineer, Loaders, Hydra Crane Caissons, Shaft or any similar type Drilling Machine, Concrete Curb Machine - Self Propelled, Winch or Hydraulic Boom Truck

GROUP IV Mixers 1½S capacity or less, Trench Machine cutting 24" and under, Farm Tractor with less than half yard bucket and other Attachments except Back Hoe, Truck Crane Oiler, Power Subgrader, Bull Float, Form Grader, Finishing Machine Pavement Breaker, Rock Crushers, One Drum Machine, One Air Compressor, Concrete Pump, Gunite Machine, Air Taggers, Truck Crane Drivers, House Elevators when used for hoisting Material, Two to Four Generators or Welding Machine, Mechanized Heaters irrespective of Motor Power when used for temporary heat, Small Rollers on Earth, Engine Tenders/ Firemen, Wagon Drill, Flexplane, Conveyor, Two to Four Water Pumps, Siphon and Pulsometer, Switchman on Paint Pots, Fireman on Asphalt Plants, Distributor Operator on Trucks, Tampers, Power Broom, Post Hole Digger, Self-propelled Concrete Saw, Striping Machine (Motor Driven), Form Tamper, Seaman Tiller, Bulk Cement Plant Equipment Greasor, Track Jack, Mud Jack, Operator to do Winter Repair Work in Shop between November 1st and March 1st, Concrete Buggies motor driven, Oilers, Barrel Type Mixer, One Welding Machine or One Water Pump, Air Valves or Steam Valves from Plant, Concrete Mixers without Skip, Curing Machine, Concrete & Blacktop Curb Machine, Deck Hands

Cranes with booms from 149 ft. to 199 ft. including jib. receive additional $.75 per hour
Cranes with boom over 199 ft. including job receive additional $1.25 per hour.

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IND-7-TD-1

TRUCK DRIVERS Bartholomew, Dearborn, Delaware, Grant, & Monroe Counties	Basic Hourly Rates	Fringe Benefits Payments H & W	Pensions	Vacation	App. Tr.
GROUP 1	$ 7.45	12.50a	12.00a	b	
GROUP 2	7.50	12.50a	12.00a	b	
GROUP 3	7.55	12.50a	12.00a	b	
GROUP 4	7.60	12.50a	12.00a	b	
GROUP 5	7.65	12.50a	12.00a	b	
GROUP 6	7.70	12.50a	12.00a	b	
GROUP 7	7.80	12.50a	12.00a	b	
GROUP 8	7.85	12.50a	12.00a	b	
GROUP 9	7.90	12.50a	12.00a	b	
GROUP 10	7.95	12.50a	12.00a	b	
GROUP 11	8.10	12.50a	12.00a	b	

CLASSIFICATIONS

GROUP 1: Drivers on single axle, lowboy helper or flagman, drivers on air compressors and welding machines including those pulled by cars, pick-up trucks, tractors, fork-lifts, dumpsters

GROUP 2: Drivers on Mixer Trucks 2 yards

GROUP 3: Mechanic Helpers and Greasers

GROUP 4: Drivers on Batch Trucks wet or dry 3 batches or under

GROUP 5: Drivers on Tandem Axle Trucks (including Dog-Legs), Drivers on Oil Distributors Drivers on Mixers Trucks 3 yards, Winch Trucks

GROUP 6: Drivers on Single axle, semi-trucks, Drivers on batch trucks wet or dry or dry over 3 batches, Drivers on pavement breakers

GROUP 7: Drivers on Tandem-Axle semi-trucks, Drivers on trac-o-trucks, Euclids, Tournapull when pulling other than self-loading equipment up to and including 10 yards, Drivers on mixer trucks 4 yards, Mechanics

GROUP 8: Drivers on Tri-axle Trucks

GROUP 9: Drivers on Low-Boy, Drivers on Tandem, Tandem Axle Semi-trucks

GROUP 10: Drivers on Trac-O-Trucks, Euclids, Tournapulls when pulling other than self-loading equipment 11 yards to and including 16 yards, Drivers on mixer trucks above 4 yards

GROUP 11: Drivers on Trac-O-Trucks, Euclids, Tournapull when pulling other than self-loading equipment over 16 yards, Helicopter pilot

FOOTNOTES:

a. Per Week per employee

b. 1 week paid vacation after 1 year service, 2 weeks after 3 years, and 3 weeks after 10 years.

DECISION NO. IN75-2131

IND-5-TD-1

TRUCK DRIVERS: Vanderburgh County	Basic Hourly Rates	Fringe Benefits Payments H & W	Pensions	Vacation	App. Tr.
GROUP 1	$7.345	.325	12.00a		
GROUP 2	7.455	.325	12.00a		
GROUP 3	7.565	.325	12.00a		
GROUP 4	7.635	.325	12.00a		
GROUP 5	7.675	.325	12.00a		
GROUP 6	7.405	.325	12.00a		
GROUP 7	7.515	.325	12.00a		
GROUP 8	7.175	.325	12.00a		
GROUP 9	7.245	.325	12.00a		

CLASSIFICATIONS

GROUP 1
Single axle straigh trucks, batch truck, wet or dry, over 3(3/4E) batches

GROUP 2
Tandem trucks or dog-legs, trucks over 15 ton payload, single-axle semi-truck (3 axle unit) Low-boys single axle (3-axle unit) Low-boys single axle (3-axle unit), Winch trucks or A-frames when used to transport material; Batch truck wet or dry, over 3(3/4E) batches, farm tractors pulling trailers

GROUP 3
Tandem axle semi-trucks (4-axle unit), drivers on equipment when not self-loaded or pusher loaded such as Koehring or similar dumpsters, track trucks Euclid bottom dump & hug bottom dump, Tournatrailers, Tournarockers or similar equipment 12 cu. yds. & under; Low-Boys, Tandem axle (4 a le unit), drivers on pavement breakers

GROUP 4
Tandem-Tandem Semi-Trucks (5-axle unit Low Boys Tandem (5-axle unit)

GROUP 5
Drivers on equipment when not self-loaded or pusher loaded on such Koehring or similar dumpsters, track trucks Euclid bottom dump & hug bottom dump, Tournatrailers, Tournarockers or similar equipment over 12. cu. yds. Truck Mechanic Drivers on mixer trucks all types

GROUP 6
Drivers on bituminous distributors two-man

GROUP 7
Drivers on bituminous distributors one-man

GROUP 8
Drivers of pickup trucks when hauling equip. supplies & materials to & from & on the job site.

GROUP 9
Helpers, Greasers, Tire Men & Mombers tenders batch boards

FOOTNOTES:

a. Per Week Per Employee

DECISION NO IN75-2131

INDIANA-4-YD

TRUCK DRIVERS: Vigo County	Basic Hourly Rates	Fringe Benefits Payments H & W	Pensions	Vacation	App. Tr.
GROUP I	$ 7.085	.50	14.00a		
GROUP II	7.585	.50	14.00a		
GROUP III	7.785	.50	14.00a		
GROUP IV	7.935	.50	14.00a		

FOOTNOTE:
a. Per Week Per Employee

CLASSIFICATIONS

GROUP I
Single axle trucks seven (7) cu. yds. or less than ten and one-half (10½) tons, dumpsters, scoopmobiles five (5) cu. yds. and under or less than seven and one-half (7½) tons, mixer trucks three (3) cu. yds. and under, air compressors and welding machines, including those pulled by separate units, batch trucks -- wet or dry -- 2-3/4E" batches or less, truck drivers helpers, warehousemen, mechanic's helpers, greasers and tiremen, and all pick up trucks, Drivers on dumpsters or similar dumpsters, mounted on a four (4) wheel trunk rated two (2) cu. yds. or less, and small pallet type fork lift operator and drivers on pilot vehicles

GROUP II
Drivers on tandem axle trucks eighteen (18) cu. yds. or twenty-four (24) tons gross, six (6) wheel trucks, Koehring or similar dumpsters, track trucks, euclids, bug bottom dumps, tournapulls, tournatrailers, tournarockers, or similar equipment when used for transportation purposes under nine (9) cu. yds. or less than thirteen and one-half (13½) tons, tandems and semi trailer service trucks, mixer trucks over three (3) cu. yds. and including six and one-half (6½) cu. yds., fork lift, four (4) wheel A-Frame trucks when used for transportation purposes, four (4) wheel winch trucks, pavement breakers batch trucks -- wet or dry -- over 2 up to and including 4-"3/4E" batches, two (2) men oil distributors

GROUP III
Koehring or similar dumpsters, track trucks, semi trailer water trucks, Euclids, bug bottom dumps, tournapulls, tournatrailers, tournarockers, tractor trailers, tandem, A-Frame winch trucks, hydrolift trucks or similar equipment when used for transportation purposes, mixer trucks over six and one-half (6½) cu. yds. batch trucks -- wet or dry -- over 4-"3/4E" batches, single axle low boy trailers, and contractor's mechanics when working on equipment operated by employees within this bargaining unit, six (6) wheel pole trailers and one (1) man oil distributors

GROUP IV
Drivers on heavy equipment over sixteen (16) cu. yds., or twenty-four (24) tons, such as Koehring or similar dumpsters, track trucks, Euclids, bug bottom dumps, tournapulls, tournarockers, or similar equipment when used for transportation purposes, pole trailers over six (6) wheels, water pulls, low boy trailers tandem axles or more no weight limitation, diesel and/or heavy equipment mechanics when working on equipment operated by employees within this bargaining unit

STATE: Indiana
DECISION NUMBER: IN75-2132
COUNTIES: *See Below
DATE: Date of Publication
Supersedes Decision No. IN75-2089, dated July 3, 1975 in 40 FR 28346
DESCRIPTION OF WORK: Building Construction (excluding single family homes and garden type apartments up to and including 4 stories), Heavy and Highway Construction.

DECISION NO. IN75-2132

*Lake, LaPorte, Porter, & St. Joseph	Basic Hourly Rates	Fringe Benefits Payments: H & W	Pensions	Vacation	Education and/or Appr. Tr.
ASBESTOS WORKERS:					
Lake & Porter Counties	$10.36	.58	.67		.05
LaPorte & St. Joseph Counties	11.32	.35	.15		
BOILERMAKERS	10.85	.80	1.00		.03
BRICKLAYERS:					
Lake, LaPorte & Porter Counties:					
Bricklayers; Marble setters & Stonemasons	10.55	.45	.55		.02
Tile setters	10.30	.45	.55		.02
St. Joseph County:					
Bricklayers; Stonemasons	10.04	.50	.35		.05
Marble setters	8.70	.40	.35	a	.01
Terrazzo workers & Tile setters	8.10	.40	.35	a	.01
CARPENTERS:					
Lake, LaPorte, & Porter Counties					
Carpenters; Millwrights; Pile-drivermen; Soft floor layers	10.63	.50	.57		.05
St. Joseph County:					
Building construction:					
Carpenters; Millwrights; Pile-drivermen; Soft floor layers	9.08	.40	.50		.05
Heavy & Highway construction:					
Carpenters	9.01	.47	.40		.05
CEMENT MASONS:					
Building construction:					
Lake County (Hammond Area)	10.32	.60	.55		.01
Lake County (Remainder of Co.);					
Porter County (Western ½ of Co.)	9.47	.60	.65		.01
LaPorte County; Porter County (Eastern ½ of Co.)	9.58	.60	.90		.03
St. Joseph County	8.61	.40	.50		.01
Heavy and Highway construction:					
Porter County (Eastern ½ of Co.)	8.62	.45	.70		.03
Porter County (Western ½ of Co.)	9.47	.60	.65		.01
St. Joseph County	8.86	.40	.50		.01
Highway, Bridge, & Airport Construction:					
Lake County (Hammond Area)	8.95	.60	.55		.01
Lake County (Remainder of Co.)	8.85	.60	.65		.01
LaPorte County	8.62	.45	.70		.03

	Basic Hourly Rates	Fringe Benefits Payments: H & W	Pensions	Vacation	Education and/or Appr. Tr.
ELECTRICIANS:					
Lake County	$10.30	5%	6.3%	4%	.7%
LaPorte & Porter Counties	10.30	3.8%	5.8%	4%	.2%
St. Joseph County	10.00	3.8%	5%		.2%
ELEVATOR CONSTRUCTORS:					
Lake & Porter Counties:					
Elevator constructors	10.35	.445	.29	3%+b+c	.02
Helpers	7.245	.445	.29	3%+b+c	.02
Helpers (Prob.)	5.175				
LaPorte & St. Joseph Counties:					
Elevator constructors	9.02	.445	.29	3%+b+c	.02
Helpers	6.31	.445	.29	3%+b+c	.02
Helpers (Prob.)	4.51				
GLAZIERS:					
Lake County (excluding Hammond); Porter County	7.80	.25	.25	.25	
LaPorte & St. Joseph Counties	7.25	.35		4%	¾of1%
IRONWORKERS:					
Lake, LaPorte (Michigan City), & Porter Counties	10.63	.50	.75		.05
LaPorte (Remainder of Co.), & St. Joseph Counties	9.60	.65	.80		.01
LATHERS:					
Lake & Porter Counties	8.25		.35	.50	
LaPorte & St. Joseph Counties	8.87	.33	.25		.01
LEADBURNERS	9.25	.35		a	.01
PAINTERS:					
Lake County (Hammond Area):					
Commercial:					
Brush	7.90	.42	.35		.02
Sandblasting; Spray	8.65	.42	.35		.02
Paperhanging; Vinyl	8.15	.42	.35		.02
Industrial:					
Brush & Roller	8.65	.42	.35		.02
Sandblasting; Sign painters; Spray	9.40	.42	.35		.02
Lake County (Gary Area) & Porter County (North of Highway #6):					
Commercial:					
Brush	8.50	.47	.40		.05
Sandblasting; Spray; Steam-Cleaning; machine spray striping	9.25	.47	.40		.05
Paperhanger	8.75	.47	.40		.05

DECISION NO. IN75-2132

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
PAINTERS (CONT'D):					
Industrial:					
Brush	$ 9.50	.47	.40		.05
Sandblasting; Spray; Steam-cleaning; Machine spray striping	10.25	.47	.40		.05
Laporte County (Excluding Michigan City); St. Joseph Co.:					
Brush; Drywall Tapers & Finish; Paperhanging; Spray & Vinyl	7.96		.20		
LaPorte County (Michigan City):					
Brush; Roller	7.60			.19	
Sandblasting; Spray	8.60			.19	
Porter County (Remainder of Co.):					
Brush; Sandblasters; Drywall tapers	8.00				
Spray	9.00				
PIPEFITTERS:					
Lake, LaPorte, & Porter Counties	10.35	.55	.70		.02
PLASTERERS					
Lake County (Hammond Area)	9.44	.60	.55		.01
Lake County (Gary Area); Porter County (Valparaiso)	8.30	.60	.25		.01
LaPorte, Porter (Eastern ½ west to, but not including Chesterton) Counties	9.38	.60	.90		.03
St. Joseph County	8.77	.40	.50		.01
PLUMBERS:					
Lake County (Hammond Area)	10.62	.80	.70		.02
Lake County (Gary Area), LaPorte County (except LaPorte City, Michigan City, Trail Creek, & Long Beach); & Porter County	10.80	.50	1.05		.02
LaPorte County (Michigan City, Trail Creek, & Long Beach)	11.17	.40	.55		.02
PLUMBERS; Steamfitters:					
LaPorte County (LaPorte City); St. Joseph County	9.95	.48	.70		.10

DECISION NO. IN75-2132

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Apr. Tr.
ROOFERS:					
Lake & Porter Counties:					
Composition, Damp & waterproof workers; Slate, Tile & Asbestos	$11.34	.47	.35		
LaPorte & St. Joseph Counties:					
Composition, Damp & waterproof	8.75	.40	.30		.03
Slate, Tile & Asbestos	8.90	.40	.30		.03
Helpers	5.00	.40	.30		.03
SHEET METAL WORKERS:					
Lake, LaPorte, & Porter Counties	10.67	.48	.67		.10
St. Joseph County	9.45	.48	.50		
SPRINKLER FITTERS:					
Lake County (30-mile radius from Chicago, Illinois City Hall)	10.00	.60	.70		.15
Lake County (Remainder of Co.), LaPorte, Porter, & St. Joseph Counties	10.55	.50	.80		.08
TRUCK DRIVERS:					
Lake & Porter Counties:					
2 to 3 axles	7.60	20.00e	20.00e	.35	
4 axles	7.80	20.00e	20.00e	.35	
5 axles	8.00	20.00e	20.00e	.35	
6 axles	8.20	20.00e	20.00e	.35	
St. Joseph County (Building Construction):					
Pick-up	6.34		14.00e	f	
Single axle	6.75		14.00e	f	
Tandem or fuel	6.86		14.00e	f	
Tri axle	6.91		14.00e	f	
Semi trailer	6.96		14.00e	f	

DECISION NO. IN75-2132

PAID HOLIDAYS:
A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day

FOOTNOTES:
a. 6 paid holidays: A through F providing the employee works either the 5 days preceding or the 5 days following the holiday.
b. 6 paid holidays: A through F
c. Employer contributes 4% of regular hourly rate to vacation pay credit for employee who has worked in business more than 5 years. Employer contributes 2% of regular hourly rate to vacation pay credit for employee who has worked in business less than 5 years.
d. 8 paid holidays: A through F, Washington's Birthday, Good Friday, & Christmas Eve providing employee has worked 45 full days during the 120 calendar days prior to the holiday, and the regular scheduled work days immediately preceding and following the holiday.
e. per man per week
f. 1 week's paid vacation for 3 years' service, 2 weeks for 10 years' service, & 3 weeks for 15 years' service.

IND-LC-AREA 1

LINE CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
EXCLUSIVE OF CALUMET AREA					
Linemen; Technicians	$9.03	.35	1%		.5%
Heavy equipment operator "A"	8.58	.35	1%		.5%
Heavy equipment operator "B"	7.08	.35	1%		.5%
Powder man & equipment mechanic	6.91	.35	1%		.5%
Senior groundman truck driver w/w	5.92	.35	1%		.5%
Groundman truck driver with winch	5.69	.35	1%		.5%
Groundman truck driver w/o winch	4.99	.35	1%		.5%
Senior groundman after 5 years	5.68	.35	1%		.5%
Senior groundman after 12 months	5.52	.35	1%		.5%
Groundman 0-12 months	4.69	.35	1%		.5%
CALUMET AREA					
Linemen; Technicians	9.33	.35	1%		.5%
Heavy equipment operator "A"	8.65	.35	1%		.5%
Heavy equipment operator "B"	7.14	.35	1%		.5%
Powder man & equipment mechanic	6.97	.35	1%		.5%
Senior groundman truck driver w/w	6.03	.35	1%		.5%
Groundman truck driver with winch	5.76	.35	1%		.5%
Groundman truck driver w/o winch	5.06	.35	1%		.5%
Senior groundman after 5 years	5.80	.35	1%		.5%
Senior groundman after 12 months	5.64	.35	1%		.5%
Groundman 0-12 months	4.79	.35	1%		.5%

DECISION NO. IN75-2132

Lake County

IND-3-LAB-2-3

LABORERS: HEAVY & HIGHWAY CONSTRUCTION:	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
GROUP I	$6.90	.35	.35		.07
GROUP II	7.05	.35	.35		.07
GROUP III	7.80	.35	.35		.07

CLASSIFICATIONS

GROUP I: Unskilled Laborers
GROUP II: Asphalt lutemen, Asphalt raker men, batch truck dumpers, cement handlers (bulk or bag), concrete puddlers, hand blade operator, power tools & power equipment, side rail setters (for sidewalks, side ditches, pavements, Spreader box tenders, Tile layers, transverse & longitudinal hand bull float men, wagon drill operator, chain saws, concrete rubbers, concrete saws (manually operated)
GROUP III: Dynamite and Powdermen

LaPorte, Porter, & St. Joseph Counties

IND-1 LAB-2-3

LABORERS: HEAVY & HIGHWAY CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
CLASS I	$6.20	.35	.35		.07
CLASS II	6.35	.35	.35		.07
CLASS III	8.45	.35	.35		.07

CLASSIFICATIONS

CLASS I: Unskilled Laborers
CLASS II: Asphalt Lutemen, Asphalt Raker Men, Batch Truck Dumpers, Cement Handlers (Bulk or Bag) Concrete Puddlers, Hand Blade Operator, Power Tools and power Equipment Side Rail Setters (for sidewalks, side ditches, radii & pavements), Spreader Box Tenders, Tile Layers, Transverse & Longitudinal Hand Bull Floatmen, Wagon Drill Operator, Chain Saws, Concrete Rubbers, Concrete Saws (Manually Operated)
CLASS III: Dynamite and Powdermen

DECISION NO. IN75-2132

Lake County, & Porter County
(North of U.S. Hwy #20)

INDIANA-8-LAB AREA 1

LABORERS: BUILDING, SEWER & TUNNEL CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
GROUP A	$7.15	.35	.40		.09
GROUP B	7.35	.35	.40		.09
GROUP C	7.65	.35	.40		.09
GROUP D	8.15	.35	.40		.09

CLASSIFICATIONS

GROUP A: Building and Construction Laborers, scaffold builders other than for mason or plasterers, ironworkers' helpers, mechanic helpers, mechanic tenders, window washers and cleaners, roofers' helpers, railroad laborer, cement finishers helper, carpenter helper, all portable water pumps with discharge up to 3", mason tenders

GROUP B: Asphalt rakers and lutemen, kettlemen, air tool operators, vibrators, chipping hammer operator, jackmen and sheeting men working in ditches deeper than 6', laborers working in ditches 6' in depth or deeper, assembly of unicrete pump, chain saw operators, tile layers (sewer or field), sewer pipe layers (metallic and non-metallic) motor-driven wheelbarrows and concrete buggies, hyster opera-pump crete assemblers conveyor assemblers, core drill operators, cement, lime or silica clay handlers (bulk or bag), pneumatic spikers, deck engine and winch operator, water main and cable ducking (metallic and non-metallic)

GROUP C: Plaster tenders, Mortar mixers, Welders (acetylene or electric), cutting torch or burner, cement nozzle laborers, cement gun operator, scaffold builders when working for plasterer or mason, mason tenders

GROUP D: Dynamite Man

DECISION NO. IN75-2132

LaPorte County and Porter County
(South of U.S. Hwy #20)

INDIANA-6-LAB-1-SAT AREA 1A

LABORERS BUILDING, SEWER & TUNNEL CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
GROUP A	$6.95	.35	.40		.09
GROUP B	7.15	.35	.40		.09
GROUP C	7.25	.35	.40		.09
GROUP D	7.95	.35	.40		.09

CLASSIFICATIONS

GROUP A: Building and Construction Laborers, scaffold builders other than for mason or plasterers, ironworkers' helpers, mechanic helpers, mechanic tenders, window washers and cleaners, roofers' helpers, railroad laborer, cement finishers helper, carpenter helper, all portable water pumps with discharge up to 3", mason tenders

GROUP B: Asphalt rakers and lutemen, kettlemen, air tool operators, vibrators, chipping hammer operator, jackmen and sheeting men working in ditches deeper than 6', laborers working in ditches 6' in depth or deeper, assembly of unicrete pump, chain saw operators, tile layers (sewer or field), sewer pipe layers (metallic and non-metallic) motor-driven wheelbarrows and concrete buggies, hyster opera-pump crete assemblers, conveyor assemblers, core drill operators, cement, lime or silica clay handlers (bulk or bag), pneumatic spikers, deck engine and winch operator, water main and cable ducking (metallic and non-metallic)

GROUP C: Plaster tenders, Mortar mixers, Welders (acetylene or electric), cutting torch or burner, cement nozzle laborers, cement gun operator, scaffold builders when working for plasterer or mason, mason tenders

GROUP D: Dynamite Man

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St. Joseph County

INDIANA-12-LAB AREA 1A

LABORERS: BUILDING CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
GROUP A	$6.95	.35	.35		.09
GROUP B	7.15	.35	.35		.09
GROUP C	7.25	.35	.35		.09
GROUP D	7.95	.35	.35		.09

CLASSIFICATIONS

GROUP A: Building and Construction Laborers, scaffold builders other than for mason or plasterers, ironworkers' helpers, mechanic helpers, mechanic tenders, window washers and cleaners, roofers' helpers, railroad laborer, cement finishers helper, carpenter helper, all portable water pumps with discharge up to 3", mason tenders

GROUP B: Asphalt rakers and lutemen, kettlemen, air tool operators, vibrators, chipping hammer operator, jackmen and sheeting men working in ditches deeper than 6', laborers working in ditches 6' in depth or deeper, assembly of unicrete pump, chain saw operators, tile layers (sewer or field), sewer pipe layers (metallic and non-metallic) motor-driven wheelbarrows and concrete buggies, hyster opera-pump crete assemblers, conveyor assemblers, core drill operators, cement, lime or silica clay handlers (bulk or bag), pneumatic spikers, deck engine and winch operator, water main and cable ducking (metallic and non-metallic)

GROUP C: Plaster tenders, Mortar mixers, Welders (acetylene or electric), cutting torch or burner, cement nozzle laborers, cement gun operator, scaffold builders when working for plasterer or mason, mason tenders

GROUP D: Dynamite Men

St. Joseph County

IND-7-200-20Y

POWER EQUIPMENT OPERATORS: Building, Sewer, & Tunnel Construction	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
GROUP I	$ 9.52	.50	.70	.20	.05
GROUP II	8.16	.50	.70	.20	.05
GROUP III	7.58	.50	.70	.20	.05
GROUP IV	7.00	.50	.70	.20	.05

CLASSIFICATIONS

GROUP I
All Power Cranes, Truck Cranes, Locomotive Cranes, LeTourneau Tournapulls, Shovels, Draglines, Derricks, Pile Drivers, Highlifts, Tractors w/Side Boom or "A" Frame, Forklifts 18' 6" in Height or Over, Motor Patrols, Combination backhoe & Loader, Mechanic

GROUP II
All Bulldozers, Scoops, Push Cats, Concrete Mixers of more than 21 cu. ft. capacity, Locomotives, Rollers, Stone Crushers, Sand & Gravel Loaders, Fork Lifts under 18' 6", Air Compressors - 600 cu. ft. & over, Combination of Gasoline or Diesel driven Welding Machine & Compressor, Engineers operating Throttle Valve with Boiler and Compressor for PileDriving, Concrete Pumps, Trench Machines excluding Ditch Witches, Cableways & all 2 or more drums

GROUP III
Truck Winches w/A Frame & Power Winches Tractors-Farm Type, Drills & Conveyors, Small rubber tire end loaders ½ cu. yd. & under

GROUP IV
Gin Poles, Saggen Derricks & Similar Hoists, Fireman, Oilers, One Drum Hoist Single Drum Tugger Hoist, Automatic Hoist, Elevators

DECISION NO. IN75-2132

Lake, LaPorte, & Porter Counties

POWER EQUIPMENT OPERATORS	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Building, Sewer & Tunnel Construction					
Class I	$ 10.30	.65	.85		.05
Class II	9.80	.65	.85		.05
Class III	8.25	.65	.85		.05
Class IV	7.25	.65	.85		.05

CLASS I Mechanic; asphalt plant; autograde; batch plant; benoto (requires two engineers); boiler & throttle valve; caisson rigs; central redimix plant; combination backhoe, front end loader with backhoe bucket of 1 cu. yd. & over; combination tugger hoist & air compressor; compressor and throttle; concrete breaker (truck mounted); concrete conveyor; concrete paver over 27E cu. ft.; concrete paver 27E cu. ft. and under; concrete tower; cranes, all; cranes, tower; derricks, all; derricks, traveling; fork-lift-lull type; forklift - 10 ton and over; hoists, one, two, and three drum; hoists, two tugger one floor; hydraulic boom truck; locomotive, all; pile drivers and skid rig; pit machines; pre-stress machine; pump cretes and similar types; rock drill (self-propelled); rock drill (truck mounted); slipform paver; straddle buggies; tractor with boom & side boom; trenching machine; winch tractors

CLASS II Asphalt spreader; boiler; bulldozers; combination backhoe, front-end loader with backhoe bucket, less than 1 cu. yd.; engineer acting as conductor in charge of crew; grader, elevating; greaser engineer; grouting machines; highlift shovels or front endloader; hoists, automatic; cowboy drilling machines; hoists all elevators; hoists, tugger single drum; motor patrol; post hole digger; rollers, all; scoops - tractor drawn; stone crushers; tournapull; winch trucks

CLASS III Concrete mixer (2 bag & over); conveyor, portable; steam generators; tractors, farm & similar type; air compressor small 150 & under (1 to 5 not to exceed a total of 300 ft.); air compressor - large over 150 combination - small equipment operator; forklift trucks; generators; pumps (1 to 3 not to exceed a total of 300 ft.); pumps, well points; welding machines (2 through 5); winches & electric drill winches

CLASS IV Heaters, mechanical (1 to 5); oilers & switchmen

Lake, LaPorte, & Porter Counties

INDIANA-4-PEO-2-3

POWER EQUIPMENT OPERATORS

HEAVY & HIGHWAY CONSTRUCTION

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
CLASS I	$9.40	.40	.50		.05
CLASS II	9.05	.40	.50		.05
CLASS III	8.60	.40	.50		.05
CLASS IV	7.60	.40	.50		.05
CLASS V	6.70	.40	.50		.05

CLASSIFICATIONS

CLASS I
Auto patrol, automatic dry batch plant, backhoe, ½ yd. & over, ballast regulator (R. R.), concrete mixer, 27 cu. ft., or over, concrete pump, core drilling machine, crane or derrick, dredge engineer, dredge operator, euclid loader, gradall, highlift, shovel - 3 yds. and over, hoist two & three drums, locomotive operator, lead mechanic, mucking machine, panelboard concrete plant (central mix type), paver hetherington, pile driver, road paving mixer ross carrier, throttle valve & compressor or Clever Brooks type combination, throttle valve & firemen comb. on horizontal or upright boiler, tournapull or similar type equipment, tractorboom trench machine, tug boat operator, winch truck with "A"-frame

CLASS II
Backhoe-tractor mounted (less than ½ yd.) bitum. mixer, bitum, paver bitum. plant eng., bulldozer, concrete mixer (less than 27 cu. ft.) elevating, grader, elevating loader, portable greaser, highlift shovel under 3 yds., jersey spreader or base paver, mechanic pull grader, power control, asphalt roller, waterbound macadam, bitum. macadam, brick surface heater & planer, tamper-multiple vibrating asphalt mator bound macadam, bitum. macadam, brick surface, tractorpush, tractor with scoop, widener apsco or similar type

CLASS III
Assistant plant engineer, back filler, broom & belt machine, concrete finishing machine, concrete spreader - power driven, post hole digger-power driven finishing machine and bull float, form grader, form tamper-motor driven hoist-one drum, multiple tamping machine, paving breaker, roller-earth & subbase material, sheepfoot roller (self-propelled), sub-grader, tamper-multiple vibrating - earth & subbase material, tractaire, tractaire with drill, tractor with all attachments except backhoe & inc. highlift endloaders of 1 cu. yd. cap. & less, bituminous distributor

CLASS IV
Air compressors, all conveyors firemn on boiler, generator, assistant mechanic power curing spraying machine, pull broom (power propelled), seamon tiller, spike machine, striping machine, point-motor driven, throttle, valve welding machine, well point system

CLASS V
Oiler, deck hand, mechanical heater (1 to 5), outboard or inboard motor boat, concrete power saw (powerdriven), water pump, grasscutter, helper on C.M.I. & similar type machine, hetherington driver, assistant greaser

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St. Joseph County

IND.-21-PBO-2-3

POWER EQUIPMENT OPERATORS	Basic Hourly Rates	Fringe Benefits Payments H & W	Pensions	Vacation	Apprentice
CLASS I	$9.30	.40	.50		.05
CLASS II	8.95	.40	.50		.05
CLASS III	8.50	.40	.50		.05
CLASS IV	7.50	.40	.50		.05
CLASS V	6.60	.40	.50		.05

CLASSIFICATIONS

CLASS I: Auto patrol, automatic dry batch plant, backhoe, ¾ yd. & over, ballast regulator (R.R.), concrete mixer, 27 cu. ft. or over, concrete pump, core drilling machine, crane or derrick, dredge engineer, dredge operator, euclid loader, gradall, highlift shovel-4 yds. and over, hoist-two & three drums, locomotive operator, mechanic, mucking machine, panelboard concrete plant (central mix type), paver-hetherington, piledriver, road paving mixer, ross carrier, throttle valve & compressor or Clever Brooks type combination, throttle valve & firemen comb., on horizontal or upright boiler, tournapull or similar type equipment, tractor-boom, trench machine, tug boat operator, winch truck with "A"-frame

CLASS II: Backhoe-tractor mounted (less than ¾ yd.) bitum. mixer, bitum. paver bitum. plant eng., bulldozer, concrete mixer (less than 27 cu. ft.) elevating grader, elevating loader, portable greaser, highlift shovel under 3 yds., jersey spreader or base paver, mechanic pull grader, power control, asphalt roller, waterbound macadam, bitum. macadam, brick surface heater & planer, tamper-multiple vibrating, asphalt waterbound macadam, bitum. macadam, brick surface, tractor-push, tractor with scoop, widener apsco or similar type

CLASS III: Assistant plant engineer, back filler, broom & belt machine, concrete finishing machine, concrete spreader-power driven, post digger - power driven, finishing machine and bull float, form grader, form tamper - motor driven, hoist - one drum, multiple tamping machine, paving breaker, roller - earth & subbase material, sheepfoot roller (self-propelled), subgrader, tamper-multiple vibrating - earth & subbase material, tractaire, tractaire with drill, tractor, with all attachments except backhoe & incl. highlift endloaders of 1 cu. yd. capacity and less bituminous distributor

CLASS IV: Air compressors, all conveyors fireman on boiler, generator, assistant mechanic, power curing spraying machine, pull broom (power propelled), seaman tiller, spike machine, stripping machine, paint-motor driven, throttle valve, welding machine, well point system.

CLASS V: Oiler, deck hand, mechanical heater (1 to 5), outboard or inboard motor boat, concrete power saw (power driven), water pump, grasscutters, helpers on CMI & similar type machine, hetherington, assistant greaser

DECISION NO IN75-2132

LaPorte County

IND.-21-PBO-2-3

TRUCK DRIVERS (HEAVY & HIGHWAY CONSTRUCTION)

	Basic Hourly Rates	Fringe Benefits Payments H & W	Pensions	Vacation	Apprentice
CLASS 1	$6.115	a13.50	a14.00		
CLASS 2	6.265	a13.50	a14.00		
CLASS 3	6.315	a13.50	a14.00		
CLASS 4	6.365	a13.50	a14.00		
CLASS 5	6.415	a13.50	a14.00		
CLASS 6	6.465	a13.50	a14.00		
CLASS 7	6.515	a13.50	a14.00		
CLASS 8	6.565	a13.50	a14.00		
CLASS 9	6.585	a13.50	a14.00		

CLASSIFICATIONS

CLASS 1
Drivers of pick-up trucks, helpers, greasers, tire men, tending batch boards & warehousemen

CLASS 2
Drivers on single axle straight trucks, batch truck wet or dry 3(3½) batches or less

CLASS 3
Drivers on single axle water trucks bituminous distributors (2-man) single axle fuel trucks

CLASS 4
Drivers on single axle "Dog Legs", tandem trucks, winch trucks or "A-Frame when used for transportation batch trucks (wet or dry) over 3(3½) batches

CLASS 5
Drivers on liquid asphalt tankers, tandem axle fuel trucks, bituminous distributors, (1 man) tandem axle water trucks

CLASS 6
Drivers on tandem trucks over 15 tons payload, single axle semi-trucks, farm tractors, hauling material, drivers on equipment when not self-loaded or pusher loaded such as Koehring or similar dumpsters, track trucks, euclid bottom dump & hug bottom dump, tournatrailers, tournarockers or similar equip. (12 cu. yds. & under), mixer trucks (all types), pulling tilt-top trailer (single axle), low-boys (single axle), truck mounted pavement breakers

CLASS 7
Drivers on tandem "Dog Legs" trucks, truck mechanics, builders, semi-water trucks, sprinkler trucks, heavy equip., type water wagon

CLASS 8
Drivers on tri-axle trucks, tandem axle semi-trucks, drivers on equip., when not self loaded or pusher loaded, such as Koehring or similar dumpsters, track trucks, euclid bottom dump & hug bottom dump, tournatrailers, tournarockers, or similar equipment (over 12 cu. yds., drivers on truck pulling tilt-top trailer (tandem-axle) low-boys, tandem axle

CLASS 9
Drivers on tandem, tandem semi-trucks, drivers on heavy equip., type water wagon over 5,000 gallons, drivers on trucks pulling tilt-top trailer (tri-axle) low-boys, tandem-tandem axle

FOOTNOTE:
a. Per week Per Employee.

DECISION NO. IN75-2132

49-HH-IND-TD-2-3

TRUCK DRIVERS:

St. Joseph County

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Apr. Tr.
GROUP A	$7.76	17.50a	19.50a		
GROUP B	7.71	17.50a	19.50a		
GROUP C	7.66	17.50a	19.50a		
GROUP D	7.61	17.50a	19.50a		
GROUP E	7.56	17.50a	19.50a		
GROUP F	7.51	17.50a	19.50a		
GROUP G	7.46	17.50a	19.50a		
GROUP H	7.41	17.50a	19.50a		
GROUP I	7.36	17.50a	19.50a		
GROUP J	7.31	17.50a	19.50a		
GROUP K	7.26	17.50a	19.50a		
GROUP L	7.16	17.50a	19.50a		

CLASSIFICATIONS

GROUP A-Acey Wagons over 3 Buckets

GROUP B-Acey Wagons to and including 3 Buckets

GROUP C-Tandem-tandem Semi-Trucks-Truck Mechanics-Heavy Equipment Type Water Wagon over 5,000 Gallons-Tri-Axle Trucks pulling Tilt-Top Trailers- Low Boys, Tandem-tandem Axle

GROUP D-Tri-Axle Trucks-Tandem Semi-Trucks-Equipment not self loaded or pusher loaded such as Koehring or similar Dumpster, Track Truck, Euclid Bottom Dump and Rug Bottom Dump, Tournatrailers, Tournarockers, Athey Wagons, or similar equipment over 12 cu. yd.-Tandem Axle Trucks pulling Tilt-Top Trailers-Low Boys, Tandem Axle-Tri-Axle Batch

GROUP E-Tandem "Dog-Legs" Trucks-Semi-Water Trucks-Sprinkler Trucks-Heavy Equipment Type Water Wagons 5,000 Gallons & Under

GROUP F-Truck Mounted Pavement Breakers-Tandem Trucks over 15 Ton Payload-Single Axle Semi-Trucks-Farm Tractors hauling material-Equipment not self loaded or Pusher loaded such as Koehring or similar Dumpster, Track Truck, Euclid Bottom Dump and Rug Bottom Dump, Tournatrailers, Tournarockers, Athey Wagons or similar equipment 12 cubic yds. & under-Mixer Trucks, All Types-Single Axle Trucks pulling Tilt-Top Trailer Lowboys, Single Axle

GROUP G-Tandem Axle Fuel Trucks-Tandem Axle Water Trucks-Bituminous Distributor (one man)

GROUP H-Single Axle Dog-Legs-Tandem Trucks or Dog-Legs-Winch Trucks or A Frames used for Transportation-Batch Trucks Wet or Dry over 3 (34E) Batches-Grease and Maintenance Truck Servicing Tandem Axle Trucks

GROUP I-Single Axle Fuel Trucks-Single Axle Water Trucks-Bituminous Distributors, (two man)

GROUP J-Single Axle Straight Trucks-Batch Trucks, Wet or Dry 3 (34E) Batches or less-Grease & Maintenace Trucks servicing Single Axle Trucks

GROUP K-Helpers, Greasers, Tire Men, Batch Board Tenders

GROUP L-Pick-Up Trucks

FOOTNOTE: a-PER WEEK PER EMPLOYEE

SUPPLEMENTAL DECISION

STATE: Indiana COUNTIES: *See Below
DECISION NUMBER: IN75-2133 DATE: Date of Publication
Supersedes Decision No. IN75-2093, dated July 11, 1975 in 40 FR 29401.
DESCRIPTION OF WORK: Heavy and Highway Construction

*Statewide, except Lake, LaPorte, Porter, & St. Joseph Counties	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
CARPENTERS:					
Jasper, Newton, & Starke Cos.	$10.51	.50	.57		.05
Adams, Allen, Bartholomew (Camp Atterbury), Benton, Blackford, Boone, Carroll, Cass, Clay, Clinton, Dekalb, Delaware, Elkhart, Fayette, Fountain, Fulton, Grant, Hamilton, Hancock, Hendricks, Henry, Howard, Huntington, Jay, Johnson, Kosciusko, LaGrange, Madison, Marion, Marshall, Miami, Montgomery, Morgan (North of White River), Noble, Owen (North of White River), Parke, Pulaski, Putnam, Randolph, Steuben, Tippecanoe, Tipton, Union, Vermillion, Vigo, Wabash, Warren, Wayne, Wells, White & Whitley Cos.	9.01	.47	.40		.05
Bartholomew (excluding Camp Atterbury), Brown, Clark, Crawford, Daviess, Dearborn, Decatur, Dubois, Floyd, Franklin, Gibson, Greene, Harrison, Jackson, Jefferson, Jennings, Knox, Lawrence, Martin, Monroe, Morgan (South of White River), Ohio, Orange, Owen (South of White River), Perry, Pike, Posey, Ripley, Rush, Scott, Shelby, Spencer, Sullivan, Switzerland, Vanderburgh, Warrick, & Washington Cos.	8.88	.35	.35		.05
CEMENT MASONS:					
Adams, Allen, Dekalb, Huntington, Noble, Steuben, & Whitley Cos.	8.70	.40			
Bartholomew, Brown, & Shelby Cos.	8.30				

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CEMENT MASONS (Cont'd)	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
Benton, Carroll (Northeast section of Co., south & west to, but not incl. Flora in the eastern section, & south to, but not incl. Rockfield, & west to, but not incl. Yeoman), Cass, Clinton, Fountain, Fulton, Howard, Jasper (excluding northeastern portion of Co., but including Wheatfield), Miami, Montgomery, Newton, Pulaski (excluding northern 2/3 of Co.), Tippecanoe, Warren, & White Cos.	$ 8.10	.45	.40		
Jasper (northeastern portion of Co. west to, but not incl. Wheatfield), Pulaski (northern 2/3 of Co.), & Starke Cos.	8.62	.45	.70		.03
Marshall Co.	8.86	.40	.50		.01
Blackford, Delaware, Grant, Jay, Randolph, Wabash, & Wells Cos.	8.40	.40			
Elkhart, Kosciusko, & LaGrange Cos.	9.23		.30		.02
Hamilton (northern ½ of Co.), Hancock (eastern ½ of Co.), Henry, Madison, & Tipton Cos.	7.78	.40	.35		
Decatur, Fayette, Franklin, Rush, Union, & Wayne Cos.	8.00		.40		
Boone, Hamilton (southern ½ of Co., north to the new Rte. Indiana Hwy #32 incl. Noblesville), Hancock (southern & western part, north to but not incl. Wilkinson & east to, but not incl. Fortville), Hendricks, Johnson, Marion & Morgan (northern ½ of Co.) Cos.	8.76				.04
Crawford, Dubois, Perry, Posey, Spencer, Vanderburgh, & Warrick Cos.	8.55	.45	.40		
Greene Co.	7.85	.30	.20		

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	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
CEMENT MASONS (Cont'd)					
Daviess, Gibson, Knox, Martin & Pike Cos.	$ 8.20	.40			
Monroe, Morgan (southern ½ of Co.), & Owen (excluding extreme western part of Co.) Cos.	8.25				
Clark, Floyd, & Harrison Cos.	9.28	.40			
Dearborn, Ohio, Ripley, & Switzerland Cos.	6.50				
Jackson, Jefferson, Jennings, Lawrence, Orange, Scott, & Washington Cos.	8.10				
Clay, Owen (extreme western part of Co.), Parke, Putnam, Vermillion, & Vigo Cos.	8.00	.45	.25		
Sullivan Co.	9.25	.30	.50		.01
IRONWORKERS:					
Adams, Allen, Blackford, Dekalb, Delaware (northeastern 1/3 of Co.), Grant (excluding s/w portion), Huntington, LaGrange (eastern ½ of Co.), Noble, Steuben, Wabash, Wells, & Whitley Cos.	9.70	.55	.55		.01
Elkhart, Fulton, Kosciusko, LaGrange (western ½ of Co.), Marshall, Pulaski, & Starke Cos.	9.60	.65	.80		.01
Jasper (Northern ½ of Co.), & Newton Cos.	10.63	.50	.75		.05
Clark, Crawford, Floyd, Harrison Jackson (southern ½ of Co.), Jefferson, Jennings (southern ½ of Co.), Lawrence (southern 2/3 of Co.), Martin (eastern ½ of Co.), Orange, Scott, & Washington Cos.	9.95	.65	.70		.05
Marion Co.	10.00	.65	.90		.05
Dubois, Gibson, Martin (western ½ of Co.), Perry, Pike, Posey, Spencer, Vanderburgh & Warrick Cos.	8.15	.25	.25		

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	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
IRONWORKERS (Cont'd):					
Bartholomew, Boone, (southeastern ½ of Co.), Brown, Clinton (eastern 1/3 of Co.), Decatur (western ½ of Co.), Delaware (southern 2/3 of Co.) Grant (S/W Portion), Hamilton, Hancock, Hendricks, Henry, Howard, Jackson (northern ½ of Co.), Jennings (northern ½ of Co.), Johnson, Lawrence (northeastern 1/6 of Co.), Madison, Monroe, Morgan, Owen, Putnam (eastern ½ of Co. excluding Greencastle), Rush, Shelby, & Tipton Cos.	$10.15	.65	.90		.05
Benton, Boone, (northwestern ½ of Co.), Carroll, Cass, Clinton (western 2/3 of Co.), Fountain Jasper (southern ½ of Co.), Miami, Montgomery, Tippecanoe, Warren, & White Cos.	9.49	.65	.90		.02
Fayette, Jay, Randolph, Union, & Wayne Cos.	9.51	.55	.65		.02
Clay, Daviess, Greene, Knox, Lawrence (northwestern 1/6 of Co.), Parke, Putnam (western ½ of Co. incl. Greencastle), Sullivan, Vermillion, & Vigo Cos.	9.75	.65	1.55		
Dearborn, Decatur (eastern ½ of Co.), Franklin, Ohio, Ripley & Switzerland Cos.	9.445	.55	1.05		.02
PAINTERS:					
Adams, Allen, Dekalb, Grant, Huntington, LaGrange, Noble, Steuben, Wabash, Whitley, & Wells (northern ½ of Co. to & incl. Bluffton):					
Brush; Paperhangers; Rollers; & Tapers	7.75	.37	.35		.10
Sandblasters; Spray	8.75	.37	.35		.10

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PAINTERS (Cont'd):	Basic Hourly Rates	Fringe Benefits Payments: H & W	Pensions	Vacation	Education and/or Appr. Tr.
Bartholomew, Decatur, Jackson & Jennings Cos.:					
Brush; Roller; & Steel	$ 8.05				
Spray	9.05				
Benton, Clinton, Fountain, Montgomery, Putnam (excluding Greencastle), Tippecanoe, & Warren Cos.:					
Brush	8.05				
Structural Steel	8.30				
Sandblasting	9.05				
Spray	11.32				
Blackford, Carroll, Cass, Delaware, Fulton, Howard, Jay, Madison, Miami, Tipton, Wells (to the south city limits of Bluffton), & White Cos.:					
Brush	7.55		.50		
Spray	8.30		.50		
Boone, Hamilton, Hancock, Hendricks, Johnson, Marion, Morgan (north ½ of Co.) & Shelby Cos.:					
Brush	8.10	.20	.20		
Spray	8.90	.20	.20		
Brown, Greene, Monroe, Morgan (excluding north ½ of Co.) & Owen Cos.:					
Brush	7.90			.30	
Structural Steel	8.65			.30	
Spray	8.90			.30	
Clark, Crawford, Floyd, Harrison, Jefferson, Scott, & Washington Cos.:					
Brush	7.59	.25	.10		.03
Spray	7.95	.25	.10		.03
Clay, & Putnam (Greencastle) Cos.:					
Brush	7.30				.02
Spray	8.30				.02
Structural Steel up to 30'	7.55				.02
Structural Steel 30' to 100'	8.35				.02
Structural Steel over 100'	9.35				.02

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PAINTERS (Cont'd):	Basic Hourly Rates	Fringe Benefits Payments: H & W	Pensions	Vacation	Education and/or Appr. Tr.
Daviess, Gibson, & Knox Cos.:					
Brush	$ 6.65				
Spray	7.65				
Dearborn, Ohio, Ripley & Switzerland Cos.:					
Brush; roller; wallwashing; Drywall taping & finish; paperhanging & vinyl; seamless floors & finishing floors; sanding	8.10				
Sandblasting & Steam clean	8.85				
Spray	8.60				
Tanks, elevators, bridges, Steeples over 40 ft.	9.20				
Dubois, Perry, Pike, Posey, Spencer, Vanderburgh, & Warrick Cos.:					
Brush	8.90	.55	.30		
Spray	9.65	.55	.30		
Elkhart, Kosciusko, Marshall, Pulaski & Starke Cos.:					
Brush; Drywall taping & finish Paperhangers; Spray & Vinyl	7.96		.20		
Fayette, Franklin, Henry, Randolph, Rush, Union, & Wayne Cos.:					
Brush	7.60				
Sandblasting; Spray	8.60				
Structural Steel; Scaffold over 30 ft.	7.85				
Epoxy	9.60				
Jasper, & Newton Cos.:					
Brush	8.65	.42	.35		.02
Spray	9.40	.42	.35		.02
Lawrence, Martin, & Orange Cos.:					
Brush; & Structural Steel	6.00				
Parke, & Vermillion Cos.:					
Brush	8.15			.25	
Spray	9.65			.25	
Sullivan, & Vigo Cos.					
Brush	7.90			.25	
Spray	8.90			.25	

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PAINTERS (Cont'd)	Basic Hourly Rates	Fringe Benefits Payments: H & W	Pensions	Vacation	Education and/or Appr. Tr.
Sullivan, & Vigo Cos.: (Cont'd)					
Structural steel up to 30'	8.15			.25	
Structural steel 30' to 100'	8.90			.25	
Structural steel over 100'	9.90			.25	

PAID HOLIDAYS:
A-New Year's Day; B- Memorial Day; C-Independence Day; D-Labor Day;
E-Thanksgiving Day; F-Christmas Day

FOOTNOTE:
a. 6 paid holidays: A through F.

IND-1-LAB-2-3

LABORERS: HEAVY & HIGHWAY CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments: H & W	Pensions	Vacation	Apr. Tr.
CLASS I	$6.20	.35	.35		.07
CLASS II	6.35	.35	.35		.07
CLASS III	8.45	.35	.35		.07

CLASSIFICATIONS

CLASS I: Unskilled Laborers
CLASS II: Asphalt Lutemen, Asphalt Raker Men, Batch Truck Dumpers, Cement Handlers (Bulk or Bag) Concrete Puddlers, Hand Blade Operator, Power Tools and power Equipment Side Rail Setters (for sidewalks, side ditches, radii & pavements), Spreader Box Tenders, Tile Layers, Transverse & Longitudinal Hand Bull Floatmen, Wagon Drill Operator, Chain Saws, Concrete Rubbers, Concrete Saws (Manually Operated)
CLASS III: Dynamite and Powdermen

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DECISION NO. IN75-2133

POWER EQUIPMENT OPERATORS (Heavy & Highway Construction)	Basic Hourly Rates	Fringe Benefits Payments: H & W	Pensions	Vacation	Apr. Tr.
Adams, Allen, Benton, Blackford, Carroll, Cass, Clinton, DeKalb, Delaware, Fayette, Grant, Hamilton, Hancock, Henry, Howard, Huntington, Jay, Johnson, Madison, Marion, Miami, Randolph, Rush, Shelby, Steuben, Tippecanoe, Tipton, Union, Wabash, Wayne, Wells, White, & Whitley Counties:					
GROUP I	$9.10	.40	.40		.06
GROUP II	8.20	.40	.40		.06
GROUP III	7.77	.40	.40		.06
GROUP IV	6.96	.40	.40		.06
Elkhart, Fulton, Jasper, Kosciusko, LaGrange, Marshall, Newton, Noble, Pulaski, & Starke Counties:					
GROUP I	8.80	.50	.60		.06
GROUP II	7.90	.50	.60		.06
GROUP III	7.47	.50	.60		.06
GROUP IV	6.66	.50	.60		.06
Bartholomew, Brown, Clark, Crawford, Dearborn, Decatur, Dubois, Floyd, Franklin, Gibson, Harrison, Jackson, Jefferson, Jennings, Lawrence, Martin, Ohio, Orange, Perry, Pike, Posey, Ripley, Scott, Spencer, Switzerland, Vanderburgh, Warrick, & Washington Counties:					
GROUP I	9.20	.35	.35		.06
GROUP II	8.30	.35	.35		.06
GROUP III	7.87	.35	.35		.06
GROUP IV	7.06	.35	.35		.06
Boone, Clay, Daviess, Fountain, Greene, Hendricks, Knox, Monroe, Montgomery, Morgan, Owen, Parke, Putnam, Sullivan, Vermillion, Vigo, & Warren Counties:					
GROUP I	9.00	.40	.50		.06
GROUP II	8.10	.40	.50		.06
GROUP III	7.67	.40	.50		.06
GROUP IV	6.86	.40	.50		.06

POWER EQUIPMENT OPERATORS 2 of 3

Group 1: Air Compressors in Manifold with throttle valve; Asphalt Plant Engineer; Auto Grade or similar type machine; Auto Patrol; Backhoe on Farm type Tractor, 45 H.P. and over; Ballast Regulator (R. R.); Bituminous Mixer; Bituminous Paver; Bituminous Plant Engineer; Bull Dozer; Caisson Drilling Machine; Cherry Picker - 15 ton or over; Chip Spreader; Concrete Mixer 21 cu. ft. or over; Core Drilling Machine; Crane or Derrick with any attachment including clamshell, dragline, shovel, backhoe, etc.; Dredge Engineer; Dredge Operator; Drilling Machine on which the drill is an integral part; Earth Mover - rubber tired (paddle wheel, 619, 631, TS-24 or similar type); Earth Mover, rubber tired - tandem (50 cents per hour additional for each bowl); Elevating Grader; Fork Lift (10 ton or over); P.C.C. Formless Paver; Gradall; Gravel Processing Plant (Portable); Operator of Guard Rail Post Driver; Highlift Shovel - 1-1/2 cu. yd. or over; Hoist (2 drums and over); Helicopter - Crew; Hydraulic Boom Truck; Keystone (Skimmer Scoop); Loader - self-propelled (Belt-chain Wheel); Locomotive Operator; Mucking Machine; Panel Board Concrete Plant (Central Mix type); Paver-Hetherington; Pile Driver - Skid or Crawler; Road Paving Mixer; Rock Breaking Plant; Rock Crushing Plant (portable); Roller - Asphalt, Waterbound Macadam; Bituminous Macadam, Brick Surface; Roller with Dozer Blade; Root Rake, Tractor Mounted; Self-propelled Widener; Stump Remover, Tractor Mounted; Surface Heater and Planer; Tandem Push Tractor (50 cents per hour additional); Tractor - Boom, Winch or Hoe Head; Tractor - Push; Tractor Mounted Spreader; Tree Mover; Trench Machine (over 24"); Tug Boat Operator; Well Drilling Machine; Winch Truck with A-Frame

Group 2: Air Compressor with throttle valve or Clever Brooks type combination; Backfiller; Back Hoe on Farm type Tractor, under 45 H.P.; Bull Float; Cherry Picker under 15 ton; Chip Spreader (self-propelled); Concrete Pump; Concrete Mash Depressor - independently operated; Concrete Spreader - power driven; End Loader under 1-1/2 cu. yd.; Excavating Loader - portable; Finishing Machine and Bull Float; Gunite Machine; Head Greaser; Mechanic; Mush or Stool Placer; Multiple Tamping Machine (R.R.); P.C.C. Concrete Belt Placer; Pull Grader - power control; Refrigerating Machine - freezing operation; Ross Carrier; Sheepfoot Roller (self-propelled); Tamper - Multiple Vibrating - Asphalt, Waterbound Macadam, Bituminous Macadam, Brick Surface; Trench Machine 24" and under; Tube Float; Welder

POWER EQUIPMENT OPERATORS (Cont'd) 3 of 3

Group 3: Assistant Plant Engineer; Base Paver (Jersey or similar type machine); Concrete Finishing Machine; Concrete Mixer - less than 21 cu. ft.; Curb Machine; Farm Tractor - including farm tractor with all attachments except backhoe and including high lift end loaders of 1 cu. yd. capacity or less; Fireman (on boiler); Hoist (one drum); Operator, 5 pieces of minor equipment; Paving Breaker; Power Broom, self-propelled; Roller (Earth and Sub-base material); Slurry Seal Machine; Spike Machine (R.R.); Tamper - Multiple Vibrating - Earth and Sub-base material); Throttle Valve; Throttle Valve and Fireman combination on horizontal or upright boiler; Tractaire with Drill; Tractor - 50 H.P. or over; Well Point System; Widener (Apsco or similar type)

Group 4: Air Compressor; Assistant to Engineer - Oiler; Automatic Dry Batch Plant; Bituminous Distributor; Bituminous Patching Tamper; Belt Spreader; Broom and Belt Machine; Chair Cart (self-propelled); Coleman Type Screen; Conveyor (portable); Deck Hand; Digger Post Hole (power-driven); Fork Lift - under 10 ton; Form Grader; Form Tamper (motor driven); Generator; Greaser Helper; Hetherington Driver; Hetherington Helper; Hydra Seeder; Mechanics Helper; Mechanical Heater; Operator 1 thru 4 pcs. of minor equipment; Outboard or Inboard Motor Boat; Power Curing Spraying Machine; Power Saw - Concrete (power driven); Pug Mill; Pull Broom (power type); Seaman Tiller; Straw Blower or Brush Mulcher; Striping Machine, Paint (motor driven); Sub-grader; Tractaire; Tractor (below 50 H.P.); Truck Crane Oiler - Driver; Spreader; Water Pump; Welding Machine - 2 of 300 amps or over

DECISION NO. IN75-2133

49-HE-IND-TD-2-3

TRUCK DRIVERS:

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Apr. Tr.
GROUP A	$7.76	17.50a	19.50a		
GROUP B	7.71	17.50a	19.50a		
GROUP C	7.66	17.50a	19.50a		
GROUP D	7.61	17.50a	19.50a		
GROUP E	7.56	17.50a	19.50a		
GROUP F	7.51	17.50a	19.50a		
GROUP G	7.46	17.50a	19.50a		
GROUP H	7.41	17.50a	19.50a		
GROUP I	7.36	17.50a	19.50a		
GROUP J	7.31	17.50a	19.50a		
GROUP K	7.26	17.50a	19.50a		
GROUP L	7.16	17.50a	19.50a		

CLASSIFICATIONS

GROUP A-Acey Wagons over 3 Buckets
GROUP B-Acey Wagons to and including 3 Buckets
GROUP C-Tandem-tandem Semi-Trucks-Truck Mechanics-Heavy Equipment Type Water Wagon over 5,000 Gallons-Tri-Axle Trucks pulling Tilt-Top Trailers- Low Boys, Tandem-tandem Axle
GROUP D-Tri-Axle Trucks-Tandem Semi-Trucks-Equipment not self loaded or pusher loaded such as Koehring or similar Dumpster, Track Truck, Euclid Bottom Dump and Hug Bottom Dump, Tournatrailers, Tournarockers, Athey Wagons, or similar equipment over 12 cu. yd.-Tandem Axle Trucks pulling Tilt-Top Trailers-Low Boys, Tandem Axle-Tri-Axle Batch
GROUP E-Tandem "Dog-Legs" Trucks-Semi-Water Trucks-Sprinkler Trucks-Heavy Equipment Type Water Wagons 5,000 Gallons & Over
GROUP F-Truck Mounted Pavement Breakers-Tandem Trucks over 15 Ton Payload-Single Axle Semi-Trucks-Farm Tractors hauling material-Equipment not self loaded or Pusher loaded such as Koehring or similar Dumpster, Track Truck, Euclid Bottom Dump and Hug Bottom Dump, Tournatrailers, Tournarockers, Athey Wagons or similar equipment 12 cubic yds. & under-Mixer Trucks, All Types-Single Axle Trucks pulling Tilt-Top Trailer Lowboys, Single Axle
GROUP G-Tandem Axle Fuel Trucks-Tandem Axle Water Trucks-Bituminous Distributor (one man)
GROUP H-Single Axle Dog-Legs-Tandem Trucks or Dog-Legs-Winch Trucks or A Frames used for Transportation-Batch Trucks Wet or Dry over 3 (34E) Batches-Grease and Maintenance Truck Servicing Tandem Axle Trucks
GROUP I-Single Axle Fuel Trucks-Single Axle Water Trucks-Bituminous Distributors, (two man)
GROUP J-Single Axle Straight Trucks-Batch Trucks, Wet or Dry 3 (34E) Batches or less-Grease & Maintenace Trucks servicing Single Axle Trucks
GROUP K-Helpers, Greasers, Tire Men, Batch Board Tenders
GROUP L-Pick-Up Trucks

FOOTNOTE: a-PER WEEK PER EMPLOYEE

DECISION NO. IN75-2133

Marion & Shelby Counties

IND-4-LAB-S&T

LABORERS: SEWER & TUNNEL CONSTRUCTION

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Apr. Tr.
CLASS 1	$5.45	.18	.25		.07
CLASS 2	5.65	.18	.25		.07
CLASS 3	5.85	.18	.25		.07
CLASS 4					
FREE AIR TUNNEL WORK					
A.	6.25	.18	.25		.07
B.	5.75	.18	.25		.07
C.	5.65	.18	.25		.07
D.	5.55	.18	.25		.07

CLASSIFICATIONS

CLASS 1: Common Laborers
CLASS 2: Jackhammer, Drill, Air Spades, Air Tampers & Vibrators, Operators of mechanical equipment (which replaces Wheelbarrows & Buggies), Chipping & Cutting Hammers, Laborers in Ditches deeper than 6 feet not sheeted or sloped
CLASS 3: Sewer Pipe Layers
CLASS 4:
FREE AIR TUNNEL WORK:
A. Miner or Header Man
B. Muckers & Tunnel Laborers
C. Bottom Men & Concrete Men
D. Top Men

DECISION NO. IN75-2133

Adams, Allen, DeKalb, Elkhart, Huntington, Kosciusko, LaGrange, Marshall, Noble, Steuben, Wells, & Whitley Counties

IND-5-LAB-S&T

LABORERS: TUNNEL & SEWER CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
GROUP I	$6.25	.35	.30		.07
GROUP II	6.40	.35	.30		.07
GROUP III	6.40	.35	.30		.07
GROUP IV	6.55	.35	.30		.07
GROUP V					
FREE AIR TUNNEL & CAISSON					
A.	7.33	.35	.30		.07
B.	6.83	.35	.30		.07
C.	6.73	.35	.30		.07
D.	6.63	.35	.30		.07

CLASSIFICATIONS

GROUP I: Top Laborers
GROUP II: Well Point Lead Man
GROUP III: Jackhammer & Air Tool Operators
GROUP IV: Pipelayer
GROUP V:
FREE AIR TUNNEL & CAISSON:
A. Miners or Header Men
B. Muckers & Tunnel Laborers
C. Bottom Men & Concrete Men
D. Topmen

DECISION NO. IN75-2133

Starke County

INDIANA-6-LAB-1-S&T AREA 1A

LABORERS BUILDING, SEWER & TUNNEL CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
GROUP A	$6.95	.35	.40		.09
GROUP B	7.15	.35	.40		.09
GROUP C	7.25	.35	.40		.09
GROUP D	7.95	.35	.40		.09

CLASSIFICATIONS

GROUP A: Building and Construction Laborers, scaffold builders other than for mason or plasterers, ironworkers' helpers, mechanic helpers, mechanic tenders, window washers and cleaners, roofers' helpers, railroad laborer, cement finishers helper, carpenter helper, all portable water pumps with discharge up to 3", mason tenders

GROUP B: Asphalt rakers and lutemen, kettlemen, air tool operators, vibrators, chipping hammer operator, jackmen and sheeting men working in ditches deeper than 6', laborers working in ditches 6' in depth or deeper, assembly of unicrete pump, chain saw operators, tile layers (sewer or field), sewer pipe layers (metallic and non-metallic) motor-driven wheelbarrows and concrete buggies, hyster opera-pump crete assemblers, conveyor assemblers, core drill operators, cement, lime or silica clay handlers (bulk or bag), pneumatic spikers, deck engine and winch operator, water main and cable ducking (metallic and non-metallic)

GROUP C: Plaster tenders, Mortar mixers, Welders (acetylene or electric), cutting torch or burner, cement nozzle laborers, cement gun operator, scaffold builders when working for plasterer or mason, mason tenders

GROUP D: Dynamite Men

DECISION NO. IN75-2133

Adams, Allen, Blackford, DeKalb, Huntington, Jay, Steuben, Wells, & Whitley Counties

IND-6-PED-T&S

POWER EQUIPMENT OPERATORS: TUNNEL & SEWER CONSTRUCTION

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Apprentice
GROUP 1	$ 9.37	.40	.30		.05
GROUP 2	8.70	.40	.30		.05
GROUP 3	8.65	.40	.30		.05
GROUP 4	8.55	.40	.30		.05
GROUP 5	8.50	.40	.30		.05
GROUP 6	8.45	.40	.30		.05
GROUP 7	8.40	.40	.30		.05
GROUP 8	8.35	.40	.30		.05
GROUP 9	8.15	.40	.30		.05
GROUP 10	8.10	.40	.30		.05
GROUP 11	7.95	.40	.30		.05
GROUP 12	7.67	.40	.30		.05
GROUP 13	7.62	.40	.30		.05
GROUP 14	7.57	.40	.30		.05
GROUP 15	7.47	.40	.30		.05
GROUP 16	7.42	.40	.30		.05
GROUP 17	7.32	.40	.30		.05
GROUP 18	7.17	.40	.30		.05

CLASSIFICATIONS

GROUP 1: Helicopter
GROUP 2: Concrete Mixer (Dual Drum)
GROUP 3: Caisson Drilling Machine, Clamshell, Crane, Derrick, Dragline, Dredge, Pile-Driver, Shovel, Tower Crane, Backhoe
GROUP 4: Ditching & Trenching Machine(over 24") Hoist, Tournapull(or similar), Tractor Shovel
GROUP 5: Crane-Electric Overhead, Dinky Engine in Tunnel, Forklift, Locomotive, Tractor W/Winch
GROUP 6: Angle Dozer, Bulldozer, Pushdozer, Auto Patrol, Backfiller, Boom Cat, Concrete Pump, Ditching & Trenching Machine, Elevators(when used to hoist material) Mechanic on Job Site, Scoop Tractor(farm type) Backhoe over 3/8 yd
GROUP 7: Concrete Mixer (21 cu. ft. or over)
GROUP 8: Rollers on Stone, Blacktop or Brick
GROUP 9: Ross Carrier, Tractor(Farm w/attachments), Boatman
GROUP 10: Power Blade
GROUP 11: Well Point System, Throttle Valve
GROUP 12: Fireman
GROUP 13: Rollers on Earth
GROUP 14: Air Compressor(2 or 1 over 200'), Pumps(2,3 or 4) Tractor, Welding Mach.(2,3 or 4)
GROUP 15: Track Jack
GROUP 16: Truck Crane Driver
GROUP 17: Concrete Mixer (under 21 cu. ft.) Conveyor
GROUP 18: Air Compressor(Less than 200 fl) Pump over (over 2") Welding Machine, Oilers & Greasers

DECISION NO. IN75-2133

Boone, Clay, Daviess, Fountain, Greene, Hendricks, Knox, Monroe, Montgomery, Morgan, Owen, Parke, Putnam, Sullivan, Vermillion, Vigo, & Warren Counties

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POWER EQUIPMENT OPERATORS (Sewer & Water Construction)

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Apprentice
GROUP I	$9.55	.40	.50		.06
GROUP II	9.45	.40	.50		.06
GROUP III	9.25	.40	.50		.06
GROUP IV	7.00	.40	.50		.06

CLASSIFICATIONS

GROUP I Master Mechanics

GROUP II Utility Operator

GROUP III Power Cranes, Draglines, Derricks, Electric Overhead Cranes, Shovels, Gradall, Mechanics, Repair and Maintenance of all Equipment, Tractor Highlift, Fork Lifts, Tournadozer, Mixer over 1½S Capacity, Tournamixer, Two Drum Machine or Two Cage Hoists, Cableways, Tower Machines, Motor Patrol, Boom Tractor, Boom or Winch Truck, Truck Crane, Tournapull, Tractor operating Scoops, Bulldozer, Push Tractor, Finishing Machine on Asphalt, Large Rollers & Rollers on Asphalt, Gravel, Macadam and Brick Surface, Ross Carrier or similar Machine, Gravel Processing Machine, Asphalt Plant Engineer or Pug Mill, Two Air Compressors, Hetherington Paver Operator, Farm Tractor with half Yard bucket and/or Back Hoe Attachment, Trench Machines cutting over 24", Dredging Equipment, Central Mix Plant Engineer, CMI or similar type Machine, Concrete Spreader, Cherry Picker, Standard or Dinkey Locomotives, Scooprobiles, Rublid Loader, Soil Cement Machines, Back Filler, Elevating Machine, Power Blade, Asphalt Plant Engineer, Well Drilling Machines, Paint Machine, Pipe Cleaning Machines, Pipe Wrapping Machine, Pipe Bending Machine, Apsco Paver, Boring Machine, Tractor Without Winch, Road Equipment Greasers, Barber Green Loaders, Formless Paver, Well Point System Hydra Ax, Rasco Concrete Saw, Marine Scoops, Brush Mulcher, Brush Burner, Mosh Placer, Tree Mover, Helicopter Crew (3), Pile Driver Skid or Crawler, Stump Remover, Root Rake, Tug Boat Operator, Refrigerating Machine Freezing Operator, Chair Cart - Self Propelled, Hydra Seeder, Straw Blower, Concrete Mixers with Skip, all one Drum Hoists with Tower or Boom, Dredge Engineer, Dredge Operator, Rock Spreader, Truck or Skid Mounted Tower Crane, Engine or Rock Crusher Plant, Boiler Operator, Concrete Plant Engineer, Loaders, Hydra Cramp Caissons, Shaft or any similar type Drilling Machine, Concrete Curb Machine - Self Propelled, Winch or Hydraulic Boom Truck

POWER EQUIPMENT OPERATORS (Sewer & Water Construction) Ind 9 PEO-1 S&T 2 of 2

GROUP IV Mixers 1½S capacity or less, Trench Machine cutting 24" and under, Farm Tractor with less than half yard bucket and other Attachments except Back Hoe, Truck Crane Oiler, Power Subgrader, Bull Float, Form Grader, Finishing Machine Pavement Breaker, Rock Crushers, One Drum Machine, One Air Compressor, Concrete Pump, Gunite Machine, Air Tuggors, Truck Crane Drivers, House Elevators when used for hoisting Material, Two to Four Generators or Welding Machine, Mechanized Heaters irrespective of Motor Power when used for temporary heat, Small Rollers on Earth, Engine Tenders, Fireman, Wagon Drill, Flexplane, Conveyor, Two to Four Water Pumps, Siphon and Pulsometer, Switchman on Paint Pots, Fireman on Asphalt Plants, Distributor Operator on Trucks, Tampers, Power Broom, Post Hole Digger, Self-propelled Concrete Saw, Striping Machine (Motor Driven), Form Tamper, Seaman Tiller, Bulk Cement Plant Equipment Greaser, Track Jack, Mud Jack, Operator to do Wintor Repair Work in Shop between November 1st and March 1st, Concrete Buggies motor driven, Oilers, Barrel Type Mixer, One Welding Machine or One Water Pump, Air Valves or Steam Valves from Plant, Concrete Mixers without Skip, Curing Machine, Concrete & Blacktop Curb Machine, Deck Hands

Cranes with booms from 149 ft. to 199 ft. including jib. receive additional $.75 per hour
Cranes with boom over 199 ft. including job receive additional-$1.25 per hour.

Jasper, Newton, Pulaski, & Starke Counties

POWER EQUIPMENT OPERATORS	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Building, Sewer & Tunnel Construction					
Class I	$ 10.30	.65	.85		.05
Class II	9.80	.65	.85		.05
Class III	8.25	.65	.85		.05
Class IV	7.25	.65	.85		.05

CLASS I Mechanic; asphalt plant; autograde; batch plant; benoto (requires two engineers); boiler & throttle valve; caisson rigs; central redimix plant; combination backhoe, front end loader with backhoe bucket of 1 cu. yd. & over; combination tugger hoist & air compressor; compressor and throttle; concrete breaker (truck mounted); concrete conveyor; concrete paver over 27E cu. ft.; concrete paver 27E cu. ft. and under; concrete tower; cranes, all; cranes, tower; derricks, all; derricks, traveling; forklift-lull type; forklift - 10 ton and over; hoists, one, two, and three drum; hoists, two tugger one floor; hydraulic boom truck; locomotive, all; pile drivers and skid rig; pit machines; pre-stress machine; pump cretes and similar types; rock drill (self-propelled); rock drill (truck mounted); slipform paver; straddle buggies; tractor with boom & side boom; trenching machine; winch tractors

CLASS II Asphalt spreader; boiler; bulldozers; combination backhoe, front-end loader with backhoe bucket, less than 1 cu. yd.; engineer acting as conductor in charge of crew; grader, elevating; greaser engineer; grouting machines; highlift shovels or front endloader; hoists, automatic; cowboy drilling machines; hoists all elevators; hoists, tugger single drum; motor patrol; post hole digger; rollers, all; scoops - tractor drawn; stone crushers; tournapull; winch trucks

CLASS III Concrete mixer (2 bag & over); conveyor, portable; steam generators; tractors, farm & similar type; air compressor small 150 & under (1 to 5 not to exceed a total of 300 ft.); air compressor - large over 150 combination - small equipment operator; forklift trucks; generators; pumps (1 to 3 not to exceed a total of 300 ft.); pumps, well points; welding machines (2 through 5); winches & electric drill winches

CLASS IV Heaters, mechanical (1 to 5); oilers & switchmen

Benton, Carroll, Cass, Clinton, Delaware, Fayette, Fulton, Grant, Hamilton, Hancock, Henry, Howard, Johnson, Madison, Marion, Miami, Randolph, Rush, Shelby, Tippecanoe, Tipton, Union, Wabash, Wayne, & White Counties

POWER EQUIPMENT OPERATORS: TUNNEL AND SEWER CONSTRUCTION:	Basic Hourly Rates	Fringe Benefit Payments			
		H & W	Pensions	Vacation	App. Tr.
GROUP I	$9.70	.40	.40		.05
GROUP II	8.85	.40	.40		.05
GROUP III	7.95	.40	.40		.05
GROUP IV	7.20	.40	.40		.05

CLASSIFICATIONS

GROUP I
Air compressor (pressurizing shafts, tunnels & divers); Air tugger; Auto patrol; Back filler; Backhoe; Boom cat; Boring machine; Bull dozer; Caisson drilling machine; Cherry picker; Compactor (with dozer blade); Concrete mixer (dual drum); Concrete plant; Concrete pump; Crane with all attachments; Crane - electric overhead; Derrick; Dual purpose truck (pitman type); Ditching machine (18" and over); Dredge; Elevators (when hoisting material or tools); Fork lift; Foruless paver; Generator (power for welders or compressors); Gradall; Helicopter; Helicopter winch operator; High lift - front end loader; Hoist; Locomotive and/or dinky engine; Mechanic on job site; Mucking machine; Panel board concrete plant; Pile driver; Push cat; Scoop & tractor; Scraper - rubber tired; Spreader - tractor mounted; Straddle carrier - ross type; Sub base finish machine (C.M.I. or similar); Tower crane; Tractor with backhoe (1/2 yard and over); Trench box - power driven; Tunnel shield; Welder (craft)

GROUP II
A frame truck; Batcher plant (automatic dry batch); Bending machine - Power driven; Bituminous mixer; Bituminous paver; Bituminous plant engineer; Boatman; Bull float; Compactor or tamper - self-propelled; Concrete mixer (21 cu. ft. or over); Concrete spreader - power driven; Ditching machine (less than 18"); Drilling machine; Finish machine & bull float; Finishing machine; Fireman - Pile driving and boilers; Gunite machine; Head greaser; Mechanic in shop; Mesh depresser - mesh placer; P.C.C. concrete belt placer; Roller - asphalt, Stone & sub base; Rotary drill; Sheepsfoot roller - self-propelled; Shop mule; Spreader or base paver-self-propelled; Sub grader; Throttle valve with air compressor or boiler; Tractor with backhoe (under 1/2 yard); Tractor - high lift - farm type; Tractor - industrial type; Tractor with winch; Well points; Winch truck

GROUP III
Air compressor (210 cu. ft. & over); Bituminous distributor; Chair cart; Concrete curing machine; Concrete saw; Dope pot - power agitated; Flex plane; Form grader; Hydrohammer; Jacks - hydraulic - power driven; Minor equipment operator 2,3,4, or 5; Paving joint machine; Post hole digger; Roller - earth; Throttle valve; Track jack - power driven; Tractor - farm type; Truck crane driver

GROUP IV
Air compressor (less than 210 cu. ft.); Concrete mixer (under 21 cu. ft.); Conveyor; Generator; Mechanical heater; Oiler; Power broom; Pump; Welding machine; Helpers

Elkhart, Kosciusko, LaGrange, Marshall, & Noble Counties

TRUCK MOUNTED EQUIPMENT: Building, Sewer & Street Construction	Basic Hourly Rates	Fringe Benefit Payments			
		H & W	Pensions	Vacation	App. Tr.
GROUP I	$ 9.52	.50	.70	.20	.05
GROUP II	8.16	.50	.70	.20	.05
GROUP III	7.58	.50	.70	.20	.05
GROUP IV	7.00	.50	.70	.20	.05

CLASSIFICATIONS

GROUP I
All Power Cranes, Truck Cranes, Locomotive Cranes, LeTourneau Tournapulls, Shovels, Draglines, Derricks, Pile Drivers, Highlifts, Tractors w/Side Boom or "A" Frame, ForkLifts 18' 6" in Height or Over, Motor Patrols, Combination backhoe & Loader, Mechanic

GROUP II
All Bulldozers, Scoops, Push Cats, Concrete Mixers of more than 21 cu. ft. capacity, Locomotives, Rollers, Stone Crushers, Sand & Gravel Loaders, Fork Lifts under 18' 6", Air Compressors - 600 cu. ft. & over, Combination of Gasoline or Diesel driven Welding Machine & Compressor, Engineers operating Throttle Valve with Boiler and Compressor for PileDriving, Concrete Pumps, Trench Machines excluding Ditch Witches, Cableways & all 2 or more drums

GROUP III
Truck Winches w/A Frame & Power Winches Tractors-Farm Type, Drills & Conveyors, Small rubber tire end loaders ½ cu. yd. & under

GROUP IV
Gin Poles, Saugun Derricks & Similar Hoists, Fireman, Oilers, One Drum Hoist Single Drum Tugger Hoist, Automatic Hoist, Elevators

DECISION NO. IN75-2133

Statewide, except Clinton, DuBois, Fountain, Gibson, Grant, Howard, Miami, Perry, Pike, Posey, Spencer, Tipton, Vanderburgh, Vermillion, Wabash, Warren, & Warrick Counties

IND-LC-AREA I

LINE CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
EXCLUSIVE OF CALUMET AREA					
Linemen; Technicians	$9.03	.35	1%		.5%
Heavy equipment operator "A"	8.58	.35	1%		.5%
Heavy equipment operator "B"	7.08	.35	1%		.5%
Powder man & equipment mechanic	6.91	.35	1%		.5%
Senior groundman truck driver w/w	5.92	.35	1%		.5%
Groundman truck driver with winch	5.69	.35	1%		.5%
Groundman truck driver w/o winch	4.99	.35	1%		.5%
Senior groundman after 5 years	5.68	.35	1%		.5%
Senior groundman after 12 months	5.52	.35	1%		.5%
Groundman 0-12 months	4.69	.35	1%		.5%
CALUMET AREA					
Linemen; Technicians	9.33	.35	1%		.5%
Heavy equipment operator "A"	8.65	.35	1%		.5%
Heavy equipment operator "B"	7.14	.35	1%		.5%
Powder man & equipment mechanic	6.97	.35	1%		.5%
Senior groundman truck driver w/w	6.03	.35	1%		.5%
Groundman truck driver with winch	5.76	.35	1%		.5%
Groundman truck driver w/o winch	5.06	.35	1%		.5%
Senior groundman after 5 years	5.80	.35	1%		.5%
Senior groundman after 12 months	5.64	.35	1%		.5%
Groundman 0-12 months	4.79	.35	1%		.5%

Crawford, DuBois, Gibson, Perry, Pike, Posey, Spencer, Vanderburgh, & Warrick Counties

DECISION NO. _____

IND-LC-AREA III

LINE CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
LINEMEN; Line truck operator; Hole digger; Stool handling cable splicer	$10.65	.40	1%		
GROUNDMAN	9.29	.40	1%		
TRUCK DRIVER	9.60	.40	1%		

Clinton, Grant, Howard, Miami, Tipton, & Wabash Counties

IND-LC-AREA IV

LINE CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
LINEMEN; Heavy equipment operators "A"	$9.43	.35	1%		½ of 1%
CABLE SPLICERS	10.23	.35	1%		½ of 1%
HEAVY EQUIPMENT OPERATORS "B"	7.61	.35	1%		½ of 1%
POWDERMAN; Equipment mechanic	7.44	.35	1%		½ of 1%
SENIOR GROUNDMAN - truck driver with winch	6.25	.35	1%		½ of 1%
GROUNDMAN - truck driver with winch	5.98	.35	1%		½ of 1%
SENIOR GROUNDMAN AFTER 5 YEARS	5.96	.35	1%		½ of 1%
SENIOR GROUNDMAN AFTER 12 MONTHS	5.78	.35	1%		½ of 1%
GROUNDMAN - truck driver without winch	5.35	.35	1%		½ of 1%
GROUNDMAN 0 to 12 MONTHS	4.96	.35	1%		½ of 1%

Fountain, Vermillion, & Warren Counties

IND-LC-AREA V

LINE CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
LINEMEN; Groundman equipment operator	$9.77	.40	1%+.30		½ of 1%
GROUNDMAN TRUCK DRIVER W/WINCH	8.03	.40	1%+.30		½ of 1%
GROUNDMAN TRUCK DRIVER WO/WINCH	7.51	.40	1%+.30		½ of 1%
GROUNDMAN	7.14	.40	1%+.30		½ of 1%

SUPERSEDEAS DECISION

STATE: Massachusetts COUNTY: Hampden
DECISION NO.: MA75-2134 DATE: Date of Publication
Supersedes Decision No. MA75-2054 dated April 4, 1975 in 40 FR 15297
DESCRIPTION OF WORK: Residential construction consisting of single family homes and garden type apartments up to and including 4 stories

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
Asbestos workers	$ 9.60	.54	.75		.01
Bricklayers	9.55	.55	.55		.03
Carpenters; Soft floor layers	9.15	.35	.50		.02
Cement masons	6.90				
Drywall applicator	7.50				
Drywall finisher	7.50				
Electricians:					
Holyoke, Chester	9.76	.45	1%+.20		.01
Remainder of County	5.32	.48	1%+.15	.43	a
Glaziers	7.41				
Ironworkers; structural, ornamental, & reinforcing	9.11	.55	1.40		.09
Laborers:					
Laborers	7.50	.50	.45		.10
Mason tenders	7.75	.50	.45		.10
Lathers	9.40	.45	.25		.01
Drywall work	8.30	.45	.25		.01
Painters, brush	8.82	.50	.35		.03
Plasterers	9.55	.55	.55		.03
Plumbers	9.68	.68	.85	c	.015
Roofers	8.945	.64	.66		
Sheet Metal Workers	9.11	.75	.97		.02
Power Equipment Operators:					
Backhoe	9.35	.60	.75	b	.05
Bulldozer	8.95	.60	.75	b	.05
Crane	9.35	.60	.75	b	.05
Gradall	9.35	.60	.75	b	.05
Grader	9.15	.60	.75	b	.05
Oiler	6.72	.60	.75	b	.05
Paver	8.95	.60	.75	b	.05
Roller	8.95	.60	.75	b	.05
Trenching machine	9.35	.60	.75	b	.05

PAID HOLIDAYS:
A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.

FOOTNOTES:
a. $.10 per man per week
b. 8 paid holidays; A through F, Veterans' Day, & Columbus Day
c. 2 paid holiday: Independence Day & Labor Day provided the employee has been employed 7 days prior to the holiday for the same employer.

SUPERSEDEAS DECISION

STATE: New Mexico
DECISION NO.: NM75-4204
COUNTY: Statewide
DATE: Date of Publication
Supersedes Decision No. NM75-4136 dated August 1, 1975 in 40 FR 32658
DESCRIPTION OF WORK: Commerical Building and Heavy Engineering Construction (including Residential in Santa Fe, McKinley, San Juan and Bernalillo Counties but not on the Navajo Indian Reservation)

GENERAL BUILDING AND HEAVY ENGINEERING CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
Asbestos workers (Statewide, except Union, Harding, Lea, Roosevelt, Curry and Quay Counties)	$9.86	.50	.97a		.03
Asbestos Workers (Union, Harding, Lea, Roosevelt, Curry, and Quay Counties)	9.00	.35	.30		.02
Boilermakers	8.25	.65	1.00		.02
Bricklayers - Stonemasons:					
Zone I-A	8.36	.48	.40		.02
Zone I-B	8.86	.48	.40		.02
Zone I-C	9.36	.48	.40		.02
Zone II	8.66	.48			
Zone III	9.16	.48			
Zone IV	7.34	.48			
Zone V	7.345	.48			
Zone VI	7.89	.48			
Zone VII	8.015	.48			

Bricklayers' Zone Definitions

Zone I - Union, Harding, Santa Fe, Valencia, Torrence, Taos, Socorro, Mora, McKinley, Colfax, Catron, San Miguel, San Juan, Sandoval, Rio Arriba, Bernalillo and Los Alamos Counties
From basing point of Albuquerque Main Post Office:
Zone I-A - 0 to 25 road miles
Zone I-B - 25 to 50 road miles
Zone I-C - Over 50 road miles
Zone II - Chaves, Curry, Roosevelt, DeBaca, Guadalupe, Quay, Lea, Eddy, and Otero Counties

Zone III - Lincoln County

Zone IV - Dona Ana County

Zone V - Luna County

Zone VI - Grant County Communities of Silver City, Bayard, Central, Hurley and New town site of Tyrone; Hidalgo and Sierra Counties.

Zone VII - Grant County, except communities listed in zone VI.

DECISION NO. NM75-4202

GENERAL BUILDING AND HEAVY ENGINEERING CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
CARPENTERS:					
Dwelling houses and apartments not to exceed two stories in height:					
Zone I-A	$8.10	.70	.80		.20
Zone I-B	8.85	.70	.80		.20
Zone I-C	9.60	.70	.80		.20
General Building and Heavy Engineering and Residential Construction (Dwelling Houses and apartments over two stories in height):					
Zone 2-A	8.60	.70	.80		.20
Zone 2-B	9.35	.70	.80		.20
Zone 2-C	10.10	.70	.80		.20

CARPENTERS' ZONE DEFINITIONS

CARPENTERS (STATEWIDE) - From nearest basing points of the following Cities or Towns: Alamogordo, Albuquerque, Artesia, Bayard, Belen, Carlsbad, Clovis, Deming, Espanola, Eunice, Farmington, Gallup, Grants, Hobbs, Las Cruces, Las Vegas, Lordsburg, Lovington, Portales, Raton, Roswell, Ruidoso, Santa Fe, Santa Rosa, Silver City, Socorro, Taos, and Tucumcari:
Zone I - Dwelling houses and apartments not to exceed two stories in height:
Zone 1-A - 0 - 15 road miles from nearest basing point
Zone 1-B - 15 to 35 road miles from nearest basing point
Zone 1-C - Over 35 road miles from nearest basing point
Zone II - General Building and Heavy Engineering and Residential Construction (Dwelling Houses and Apartments over two stories in height):
Zone 2-A - 0 to 15 road miles from nearest basing point
Zone 2-B - 15 to 35 road miles from nearest basing point
Zone 2-C - Over 35 road miles from nearest basing point

MILLWRIGHTS & PILEDRIVERMEN:					
Zone 1	$9.10	.70	.80		.20
Zone 2	9.85	.70	.80		.20
Zone 3	10.26	.70			.20

MILLWRIGHTS & PILEDRIVERMEN ZONE DEFINITIONS

MILLWRIGHTS & PILEDRIVERMEN (STATEWIDE) - From nearest basing points of the following cities or towns: Albuquerque City Limits; Santa Fe City Limits; the Main Post Office at Las Cruces and Carlsbad
Zone 1 - 0 to 15 road miles from nearest basing point
Zone 2 - 15 to 35 road miles from nearest basing point
Zone 3 - Over 35 road miles from nearest basing point

DECISION NO. NM75-4204

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Apr. Tr.
GENERAL BUILDING AND HEAVY ENGINEERING CONSTRUCTION					
CEMENT MASONS:					
Dwelling houses and apartments not to exceed two stories in height:					
Cement masons	$7.11	.48	.30		
Dwelling houses and apartments over two stories in height:					
Cement masons	7.32	.48	.30		
Composition or mastic	7.57	.48	.30		
ELECTRICIANS (ZONE I)					
AREA - 1					
1-A	9.20	.40	1%+.70		1/4%
1-B	9.85	.40	1%+.70		1/4%
1-C	10.41	.40	1%+.70		1/4%
1-D	11.06	.40	1%+.70		1/4%
AREA - 2					
2-A	8.40	.40	1%+.70		1/4%
2-B	9.00	.40	1%+.70		1/4%
2-C	9.51	.40	1%+.70		1/4%
2-C	10.10	.40	1%+.70		1/4%
ZONE II	10.41	.40	1%+.70		1/4%
ZONE III	5.80	.30	1%		1/4%
ZONE IV					
4-A	8.30	.25	1%		1/2%
4-B	8.75	.25	1%		1/2%
ZONE V					
5-A	9.20	.40	1%		1/2%
5-B	9.84	.40	1%		1/2%
5-C	10.40	.40	1%		1/2%
5-D	11.04	.40	1%		1/2%
ZONE VI					
6-A	8.70	.40	1%		.01
6-B	9.05	.40	1%		.01
6-C	9.20	.40	1%		.01
6-D	9.45	.40	1%		.01

ELECTRICIANS' ZONE DEFINITIONS

ELECTRICIANS:

ZONE I - AREA 1 - Bernalillo, Santa Fe, Torrance, DeBaca, Guadalupe, Quay, San Miguel, Mora, Harding, Union, Colfax, Taos, Rio Arriba, Grant, Sandoval, Valencia, Socorro, Catron, Sierra and all of San Juan County excluding the Navajo Indian Reservation

ZONE I - AREA 2 - Chaves, Curry, Lincoln and Roosevelt Counties

From nearest basing point cities, towns and mileage from main post office in the following towns:

Albuquerque - 15 miles from main post office
Santa Fe - 15 miles from main post office
Las Vegas - 8 miles from main post office
Farmington - 8 miles from main post office
Raton - 6 miles from main post office
Tucumari - 6 miles from main post office
Aztec - 6 miles from main post office
Roswell - 12 miles from main post office
Ruidoso - 12 miles from main post office
Portales - 12 miles from main post office
Carrizozo - 12 miles from main post office
Clovis - 12 miles from main post office

ZONE II - Los Alamos County

ZONE III - Single or multiple, family dwelling or apartments up to and including 26 units under one roof not exceeding two stories - Bernalillo, Santa Fe Counties and all of San Juan County excluding the Navajo Indian Reservation

ZONE IV - Dona Ana, Otero, Luna, Hidalgo Counties

Zone 4-A - Within 5 mile radius from the post office in Las Cruces and Alamogordo
Zone 4-B - Dona Ana, Otero, Luna and Hidalgo Counties (except that area specified in Zone 4-A)

ZONE V - McKinley County

Zone 5-A - Includes that City of Gallup and extending 10 road miles from main post office
Zone 5-B - Extending up to 20 road miles beyond Zone 5-A
Zone 5-C - Extending up to 30 road miles beyond Zone 5-A
Zone 5-D - Anything extending 30 road miles beyond Zone 5-A

ZONE VI - Eddy and Lea Counties - the following zones shall be designated from the main post office of Artesia, Carlsbad, Hobbs and Lovington:

Zone 6-A - 0 to 12 miles from main post office
Zone 6-B - 12 to 22 miles from main post office
Zone 6-C - 22 to 40 miles beyond main post office
Zone 6-D - 40 miles and beyond main post office

DECISION NO. NM75-4204

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Apr. Tr.
GENERAL BUILDING AND HEAVY ENGINEERING CONSTRUCTION					
CABLE SPLICERS:					
ZONE I					
AREA 1					
1-A	$10.13	.40	1%+.70		1/4%
1-B	10.78	.40	1%+.70		1/4%
1-C	11.34	.40	1%+.70		1/4%
1-D	11.99	.40	1%+.70		1/4%
AREA 2					
2-A	9.25	.40	1%+.70		1/4%
2-B	9.85	.40	1%+.70		1/4%
2-C	10.36	.40	1%+.70		1/4%
3-D	10.95	.40	1%+.70		1/4%
ZONE II	11.34	.40	1%+.70		1/4%
ZONE III					
3-A	8.55	.25	1%		1/2%
3-B	10.00	.25	1%		1/2%
ZONE IV					
4-A	10.12	.40	1%		1/2%
4-B	10.76	.40	1%		1/2%
4-C	11.32	.40	1%		1/2%
4-D	11.96	.40	1%		1/2%
ZONE V					
5-A	9.05	.40	1%		.01
5-B	9.40	.40	1%		.01
5-C	9.55	.40	1%		.01
5-D	9.80	.40	1%		.01

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CABLE SPLICERS' ZONE DEFINITIONS

CABLE SPLICERS:

ZONE I - Area 1 - Bernalillo, Santa Fe, Torrance, DeBaca, Guadalupe, Quay, San Miguel, Mora, Harding, Union, Colfax, Taos, Rio Arriba, Grant, Sandoval, Valencia, Socorro, Catron, Sierra, and all of San Juan County excluding the Navajo Indian Reservation

ZONE I - Area 2 - Chaves, Curry, Lincoln and Roosevelt Counties
From nearest basing point cities, towns and mileage from main post office in the following towns:

Albuquerque - 15 miles from main post office
Santa Fe - 15 miles from main post office
Las Vegas - 8 miles from main post office
Farmington - 3 miles from main post office
Raton - 6 miles from main post office
Tucumari - 6 miles from main post office
Aztec - 6 miles from main post office
Roswell - 12 miles from main post office
Ruidoso - 12 miles from main post office
Portales - 12 miles from main post office
Carrizozo - 12 miles from main post office
Clovis - 12 miles from main post office

ZONE II - Los Alamos County

ZONE III - Dona Ana, Otero, Luna, Hidalgo Counties
3-A - Within 5 miles radius from the post office in Las Cruces and Alamogordo
3-B - Dona Ana, Otero, Luna, and Hidalgo Counties (except that area specified in Zone 3-A)

ZONE IV - McKinley County
4-A - Includes that city of Gallup and extending 10 road miles from main post office
4-B - Extending up to 20 road miles beyond zone 4-A
4-C - Extending up to 30 road miles beyond Zone 4-A
4-D - Anything extending 30 road miles beyond Zone 4-A

ZONE V - Eddy and Lea Counties - the following zones shall be designated from the main post office of Artesia, Carlsbad, Hobbs, and Lovington:
Zone 5-A - 0 to 12 miles from main post office
Zone 5-B - 12 to 22 miles from main post office
Zone 5-C - 22 to 40 miles beyond main post office
Zone 5-D - 40 miles and beyond main post office

DECISION NO. NM75-4204

GENERAL BUILDING CONSTRUCTION AND HEAVY ENGINEERING CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
ELEVATOR CONSTRUCTORS:					
Bernalillo, Catron, Colfax, Curry, DeBaca, Guadalupe, Harding, Lincoln, Los Alamos, McKinley, Mora, Quay, Rio Arriba, Roosevelt, Sandoval, San Juan, San Miguel, Santa Fe, Socorro, Taos, Torrance, Union and Valencia Counties:					
Elevator constructors	$8.84	.445	.29	3%+a+b	.02
Elevator constructors helper	70%JR	.445	.29	3%+a+b	.02
Elevator constructors prob.	50%JR				
Chaves, Hidalgo, Dona Ana, Eddy, Grant, Lea, Luna, Otero and Sierra Counties:					
Elevator constructors	6.88	.445	.29	3%+a+b	.02
Elevator constructors helper	70%JR	.445	.29	3%+a+b	.02
Elevator constructors prob.	50%JR				
GLAZIERS:					
Zone I	5.99	.30	.10		.02
Zone II	7.34	.35	.20		.02

GLAZIERS' ZONE DEFINITIONS

GLAZIERS

Zone I - Dona Ana, Luna, Otero and Quay Counties

Zone II - Catron, Chaves, Colfax, Curry, DeBaca, Eddy, Grant, Guadalupe, Harding, Hidalgo, Lea, Lincoln, Los Alamos, McKinley, Mora, Rio Arriba, Roosevelt, Sandoval, San Juan, San Miguel, Santa Fe, Sierra, Socorro, Taos, Torrance, Union and Valencia Counties.

IRONWORKERS:					
Zone I	7.99	.50	.75		
Zone II	9.23	.55	.60		.10
Zone III	10.23	.55	.60		.10

IRONWORKERS' ZONE DEFINITIONS

IRONWORKERS

Zone I - Bernalillo, Catron, Colfax, DeBaca, Guadalupe, Lincoln, Los Alamos, McKinley, Mora, Rio Arriba, Sandoval, San Juan, San Miguel, Santa Fe, Socorro, Taos, Torrance and Valencia Counties, New Mexico

Zone II - Dona Ana County with the exception of that portion of the county that lies within the White Sands Missile Range; Chaves County, Eddy County except the Potash Basin and defined as the area 10 road miles on Highway 62 and Highway 180, east of Carlsbad.

Zone III - Curry, Harding, Quay, Union, Hidalgo, Grant, Lea, Luna, Otero, and Sierra Counties; also Potash Basin, White Sands and McGregor Missile Ranges

DECISION NO. NM75-4204

LABORERS:	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
GENERAL BUILDING, HEAVY ENGINEERING AND RESIDENTIAL CONSTRUCTION (Dwelling Houses and Apartments over two stories in height):					
Group I	$5.57	.34	.30		
Group II	5.87	.34	.30		
Group III	5.97	.34	.30		
Group IV	6.175	.34	.30		
Group V	6.325	.34	.30		

LABORERS' CLASSIFICATION DEFINITIONS

GROUP I - UNSKILLED: Building and Common Laborers, Carpenter tenders, Concrete workers, Chainmen-stakedrivers, Concrete buggy operators, hand

GROUP II - SEMI-SKILLED: Air and power tool operator, Asphalt rakers, Demolition, Gunite rebound men, Fog Machine Operator, Power Buggy Operators, Rodmen, Sand blasterers (pot men), Nozzlemen, Window washer, wagon, core, and diamond drillers tenders outside

GROUP III - Wagon Core, Diamond Drillers

GROUP IV - Concrete Burner, Cement mason tenders, Hodcarriers, Mortar mixers, Plaster spreader operators, Plaster tenders, Gunite nozzlemen, Pipe layer, Pumpcrete nozzlemen

GROUP V - Powdermen and Blasterers

DECISION NO. NM75-4204

	Basic Hourly	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
LABORERS:					
RESIDENTIAL CONSTRUCTION (Dwelling houses and apartments not to exceed two stories in height):					
Group I	$5.12	.34	.30		
Group II	5.42	.34	.30		
Group III	5.52	.34	.30		
Group IV	5.725	.34	.30		
Group V	5.875	.34	.30		

LABORERS' CLASSIFICATION DEFINITIONS

GROUP I - UNSKILLED: Building and Common Laborers, Carpenter tenders, Concrete workers, Chainmen-stakedrivers, Concrete buggy operators, hand

GROUP II - SEMI-SKILLED: Air and power tool operator, Asphalt rakers, Demolition, Gunite rebound men, Fog Machine operator, power buggy operator, Rodmen, Sand blasterers (pot men), Nozzlemen, Window washer, wagon, core, and diamond drillers tenders outside

GROUP III - Wagon Core, Diamond Drillers

GROUP IV - Concrete Burner, Cement mason tenders, Hod carriers, Mortar mixers, Plaster spreader operators, Plaster tenders, Gunite nozzlemen, Pipe layer, Pumpcrete nozzlemen

GROUP V - Powdermen and Blasterers

DECISION NO. NM75-4204

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
LATHERS:					
Zone 1	$7.895	.48		.50	.02
Zone 2	7.50				.01

LATHERS' ZONE DEFINITIONS

LATHERS

Zone 1 - Catron, Grant, Bernalillo, Roosevelt, Union, Sandoval, San Juan, Socorro, Torrance and Valencia Counties

Zone 2 - Colfax, Los Alamos, Mora, Rio Arriba, San Miguel, Santa Fe and Taos Counties

LINE CONSTRUCTION:					
Bernalillo County					
Cable Splicers	8.54	.40	1%		1/2%
Linemen	7.94	.40	1%		1/2%
Technicians	7.94	.40	1%		1/2%
Equipment Operators	7.55	.40	1%		1/2%
Equipment Mechanics	6.91	.40	1%		1/2%
Powderman	6.91	.40	1%		1/2%
Groundmen and Jackhammers Oprs.:					
1st 6 months	4.14	.40	1%		1/2%
2nd 6 months	4.72	.40	1%		1/2%
Experienced	5.54	.40	1%		1/2%
STATEWIDE (except Bernalillo Co.)					
Cable Splicers	9.33	.40	1%		1/2%
Linemen	8.70	.40	1%		1/2%
Technicians	8.70	.40	1%		1/2%
Equipment Operators	8.26	.40	1%		1/2%
Equipment Mechanics	7.55	.40	1%		1/2%
Powdermen	7.55	.40	1%		1/2%
Groundmen and Jackhammer Oprs.:					
1st 6 months	4.54	.40	1%		1/2%
2nd 6 months	5.17	.40	1%		1/2%
Experienced	6.06	.40	1%		1/2%

DECISION NO. NM75-4204

GENERAL BUILDING AND HEAVY ENGINEERING CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
MARBLE, TILE & TERRAZZO WORKERS	$7.225	.30			
MARBLE, TILE & TERRAZZO HELPERS	5.65	.30			
PAINTERS: ZONE I					
Zone 1-A	6.82	.35	.20		.01
Zone 1-B	7.32	.35	.20		.01
Zone 1-C	7.07	.35	.20		.01
Zone 1-D	7.40	.35	.20		.01
Zone 1-E	7.15	.35	.20		.01
Zone 1-F	7.47	.35	.20		.01
Zone 1-G - ½ cent per foot above the 75 foot scale		.35	.20		.01
PAINTERS: ZONE II					
Zone 2-A	6.25	.35	.20		.01
Zone 2-B	6.50	.35	.20		.01
Zone 2-C	6.90	.35	.20		.01
Zone 2-D	6.75	.35	.20		.01
Zone 2-E	6.75	.35	.20		.01
Zone 2-F	6.75	.35	.20		.01
Zone 2-G	7.25	.35	.20		.01
Zone 2-H	8.25	.35	.20		.01
PAINTERS: ZONE III					
Zone 3-A	6.61	.30			.02
Zone 3-B	7.03	.30			.02
Zone 3-C	6.755	.30			.02
Zone 3-D	7.03	.30			.02
Zone 3-E	7.46	.30			.02
Zone 3-F - 12½¢ above scale		.30			.02
Zone 3-G - 25¢ above scale		.30			.02
Zone 3-H - 50¢ above scale		.30			.02
Zone 3-I - 75¢ above scale		.30			.02
Zone 3-J - $1.00 above scale		.30			.02
PAINTERS: ZONE IV					
Zone 4-A	5.95	.35			
Zone 4-B	6.45	.35			
Zone 4-C	6.20	.35			
PAINTERS: ZONE V					
Zone 5-A	6.90	.35			
Zone 5-B	7.40	.35			
Zone 5-C	7.15	.35			

DECISION NO. NM75-4204 PAINTERS' ZONE AND CLASSIFICATION DEFINITIONS PAGE 12

PAINTERS

ZONE I - San Juan, McKinley, Bernalillo, Torrance, Guadalupe, Quay, Catron, Socorro, Lincoln, DeBaca, Roosevelt, Chaves, Valencia, Sierra, Grant, Hidalgo and Curry Counties:
- Zone 1-A - Painters, roller and hand textures
- Zone 1-B - Painters, spray, sandblasting, painter on steel beidges, tanks towers, pipe and structural
- Zone 1-C - Paperhanger
- Zone 1-D - Drywall finisher; Ames tool operator
- Zone 1-E - Hand finisher machine texture
- Zone 1-F - Painting 30 to 75 feet above ground or floor
- Zone 1-G - Painting 75 feet or more above ground floor

ZONE II - Colfax, Harding, Los Alamos, Mora, Sandoval, San Miguel, Rio, Arriba, Taos, Union, and Santa Fe Counties.
- Zone 2-A - Painters and roller
- Zone 2-B - Paperhangers
- Zone 2-C - Spray, Sandblast, pressure roller and gunnite operator
- Zone 2-D - Steel painter; bridges, structural steel, machinery tank, towers, pipe boiler rooms and power plant brush and spray
- Zone 2-E - Drywall finisher tool and machine texture
- Zone 2-F - High pay - 30 to 75 feet
- Zone 2-G - High pay - 75 to 100 feet
- Zone 2-H - High pay - 100 feet and over

ZONE III- Luna, Otero and Dona Ana Counties
- Zone 3-A - Brush, tapers and rollers
- Zone 3-B - Spray, sandblasting
- Zone 3-C - Ames tool and steel brush after erection
- Zone 3-D - Stripping machine
- Zone 3-E - Radio towers, water tanks, smoke stacks
- Zone 3-F - Radio towers, water tanks, smoke stacks 50 to 75 feet
- Zone 3-G - Radio towers, water tanks, smoke stacks 75 feet to 100 feet
- Zone 3-H - Radio towers, water tanks, smoke stacks 100 feet to 200 feet
- Zone 3-I - Radio towers, water tanks, smoke stacks 200 feet to 300 feet
- Zone 3-J - Radio towers, water tanks, smoke stacks 300 feet to 400 feet

ZONE IV - Lea and Eddy Counties shall encompass Carlsbad, New Mexico and an area within a radius of 40 miles from the courthouse in Carlsbad, New Mexico
- Zone 4-A - Brush and roller
- Zone 4-B - Paperhangers and sandblaster
- Zone 4-C - Spray and dry wall finisher

ZONE V - Lea and Eddy Counties shall include the rest of the area in Eddy and Lea Counties
- Zone 5-A - Brush, roller and drywall finisher
- Zone 5-B - Spray
- Zone 5-C - Paperhanger and sandblaster

DECISION NO. 75-4204

GENERAL BUILDING AND HEAVY ENGINEERING CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
PLASTERERS	$8.00	.48	.30		.06
PLUMBERS-PIPEFITTERS - Zone I					
Zone 1-A	9.34	.42	.75		.12
Zone 1-B	9.74	.42	.75		.12
Zone 1-C	10.19	.42	.75		.12
Zone 1-D	10.64	.42	.75		.12
Zone 1-E	11.09	.42	.75		.12
PLUMBERS-PIPEFITTERS - Zone II	9.97	.42	.75		.12

PLUMBERS-PIPEFITTERS' ZONE DEFINITIONS

ZONE I - Basing point Cities or Towns: Albuquerque, Alamogordo, Anthony, Artesia, Belen, Carlsbad, Clovis, Deming, Espanola, Farmington, Gallup, Grants, Hobbs, Las Cruces, Las Vegas, Lordsburg, Lovington, Portales, Raton, Roswell, Rudioso, Santa Fe, Silver City, Santa Rosa, Taos, Trucumcari, Truth or Consequences.

Zone 1-A - Shall extend a distance of five road miles inclusive beyond the city or town limits of any of the basing point cities or towns as set forth above

Zone 1-B - Shall extend a distance of eight road miles inclusive beyond the outer perimeter of Zone 1-A

Zone 1-C - Shall extend a distance of ten miles inclusive beyond the perimeter of Zone 1-B

Zone 1-D - Shall extend a distance of ten road miles inclusive beyond the outer perimeter of Zone 1-C

Zone E-E - Shall apply to all areas not within Zones 1-A, 1-B, 1-C, or 1-D

ZONE II Los Alamos, White Rock, South Mesa, McGregor Range, White Sands Missile Range and/or Proving Grounds, Atlas Missile Complex Sites in Chaves and Lincoln Counties, and the Oro Grande Camp in Dona Ana and Otero Counties.

DECISION NO. 75-4204

GENERAL BUILDING AND HEAVY ENGINEERING CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
POWER EQUIPMENT OPERATORS: (Residential and General Building Construction)					
Group 1	$6.58	.35	.40		.10
Group 2	7.12	.35	.40		.10
Group 3	7.20	.35	.40		.10
Group 4	7.26	.35	.40		.10
Group 5	7.32	.35	.40		.10
Group 6	7.42	.35	.40		.10
Group 7	7.52	.35	.40		.10
Group 8	7.70	.35	.40		.10
Group 9	8.50	.35	.40		.10
Group 10 - $.15 per hour above regular rate		.35	.40		.10
POWER EQUIPMENT OPERATORS (Heavy Engineering Construction)					
Group 1	6.58	.35	.40		.10
Group 2	7.12	.35	.40		.10
Group 3	7.20	.35	.40		.10
Group 4	7.26	.35	.40		.10
Group 5	7.32	.35	.40		.10
Group 6	7.42	.35	.40		.10
Group 7	7.52	.35	.40		.10
Group 8	7.70	.35	.40		.10
Group 9	8.50	.35	.40		.10

RESIDENTIAL AND GENERAL BUILDING CONSTRUCTION
POWER EQUIPMENT OPERATORS:

Group 1: Firemen, Oiler, Helper - Mechanics Welders, Greaser Truck Screedman Scale Operator such a (Bin-A-Batch), Rubber-tired Farm-type Tractor, Tractors under 50 HP w/o attachments, Breakman, Concrete Paving Curing Machine (bridge type)

Group 2: Rollers, Sheepsfoot or Pneumatic Self-propelled w/o Dozer, Concrete Conveytor, Service Truck Operator (head oiler), Air Compressor (300 CFM and over), Pumps (6" and over), Screening Plant, Concrete Mixers (under 1 c.y.), Concrete Saw of Grinder-span type, Hoists, 1 drum, Air Tugger, Elevating Belt Type Loaders, Forklift Lumber Stacker, Tractor-farm type (under 50 HP w/attachments) Motor Man and Industrial Locomotive Operator, Winch Trucks, Front End Loader (under 2 c.y.), Power Plants which generate over 15 KW, Welding Machines

Group 3: Bituminous Distributors Boilers, Retort and Hot Oil Heaters, Concrete Paver-single drum, Drilling Equipment, Motor Graders (Rough), Shaft and Tunnel Equipment-Refrigeration, Slusher, jumbo form, Trenching Machines (all types), Pump Crete and Gunite Machines, Slipform Paver, Mechanical Bullfloats, Concrete Slab, Spreading Machine, Concrete Slab Finishing Machine, Asphalt Plants, Bituminous Finishing Machines, Crushing Plants

Group 4: Fornt End Loader (2 thru 10 c.y.), Rollers, Steel Wheeled-all types, Bulldozers, Scrapers, (Motor or Towed), Elevating Graders, Concrete Batching Plants, Self-propelled Rollers-equiped with Dozer, Twin-bowl Scrapers and Quad 8 or 9 Pushers (35c over basic rate) Three Bowl Scrapers (60c over basic rate)

Group 5: Hydraulic Cranes - with less than 50 ft. of boom (20 tons and under), Concrete Paver-double drum, Cat Cranes, Hysters, Side and Swingboom Cats, Hoist-2 drum, Auto Fine Grader

Group 6: Mucking Machines - all types, Motor Grader-Finish, Mechanic-Welder

Group 7: Steam Engineers, Loader (Front End over 10 c.y.)

Group 8: All Shovel type Equipment:
Cranes, Draglines, Backhoes, Derricks, Guy and Stiff Leg, Pipemoble, (No.20p) Pile Driver, Hydraulic Cranes (20 tons and over), Mine Hoist (Belt Loader "CMI" type), Cranes, Draglines - with Booms and Jib over 150 ft. 25c per hour additional

Group 9: Shovel (wheel type), Boring Machine (Tunnel or Shaft Mole), Pipe Mobile

Group 10: Shaft and Tunnel Work

HEAVY ENGINEERING CONSTRUCTION
POWER EQUIPMENT OPERATORS

Group 1: Firemen, Oiler, Helper - Mechanics Welders, Greaser Truck, Screedman Scale Operator such a (Bin-A-Batch), Rubber-tired Farm-type Tractor, Tractors under 50 HP w/o attachments, Breakman, Concrete Paving Curing Machine (bridge type)

Group 2: Rollers, Sheepsfoot or Pneumatic Self-propelled w/o Dozer, Concrete Conveyor, Service Truck Operator (head oiler), Air Compressor (300 CFM and over), Pumps (6" and over), Screening Plants, Concrete Mixers (under 1 c.y.), Concrete Saw of Grinder-span type, Hoists, 1 drum, Air Tugger, Elevating Belt Type Loaders, Forklift Lumber Stacker, Tractor-farm type (under 50 Hp w/attachments) Motor Man and Industrial Locomotive Operator, Winch Trucks, Front End Loader (under 2 c.y.), Power Plants which generate over 15 KW, Welding Machines

Group 3: Bituminous Distributors Boilers, Retort and Hot Oil Heaters, Concrete Paver - single drum, Drilling Equipment, Motor Graders (Rough), Shaft and Tunnel Equipment - Refrigeration, Slusher, jumbo form, Trenching Machines (all types), Pump Crete and Gunite Machines, slipform Paver, Mechanical Bullfloats, Concrete Slab, Spreading Machine, Concrete Slab Finishing Machine, Asphalt Plants, Bituminous Finishing Machines, Crushing Plants

Group 4: Front End Loader (2 thru 10 c.y.), Rollers, Steel Wheeled-all types, Bulldozers, Scrapers, (Motor or Towed), Elevating Graders, Concrete Batching Plants, Self-propelled Rollers - equiped with Dozer, Twin-bowl Scrapers and Quad 8 or 9 Pushers (35c over basic rate) Three Bowl Scrapers (60c over basic rate)

Group 5: Hydraulic Cranes - with less than 50 ft. of Boom (20 tons and under), Concrete Paver - double drum, Cat Cranes, Hysters, Side and Swingboom Cats, Hoist - 2 drum, Auto Fine Grader

Group 6: Mucking Machines - all types, Motor Grader - Finisher, Mechanic - Welder

Group 7: Steam Engineers, Loader (Front End over 10 c.y.)

Group 8: All Shovel Type Equipment:
Cranes, Draglines, Backhoes, Derricks, Guy and Stiff Leg, Pipemoble (No. 20p) Pile Driver, Hydraulic Cranes (20 tons and over), Mine Hoist (Belt Loader "CMI" type), Cranes, Draglines - with Booms and Jib over 150 ft. 25c per hour additional

Group 9: Shovel (wheel type), Boring Machine (Tunnel or Shaft Mole), Pipe Mobile

DECISION NO. 4175-4204

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
ROOFERS	$6.75				
SHEET METAL WORKERS					
Zone 1	9.06	.48	.40		.02
Zone 2	7.90	.29	.25		.005
Zone 3	8.35	.20			.05
Zone 4	10.06	.48	.40		.02

SHEET METAL WORKERS ZONE DEFINITIONS

Zone 1 - Bernalillo, Catron, Chaves, Colfax, Curry, DeBaca, Guadalupe, Harding, Lincoln, McKinley, Mora, Quay, Rio Arriba, Roosevelt, Sandoval, San Miguel, Santa Fe, Socorro, Union, Taos, Torrance, Valencia, San Juan Counties, Kirtland Air Force Base,

Zone 2 - Dona Ana, Eddy, Grant, Hidalgo, Lea, Luna, Sierra and Otero Counties
Zone 3 - Holloman Air Force Base, White Sands and McGregor Ranges
Zone 4 - Los Alamos County

SOFT FLOOR LAYERS					
Zone 1	6.68	.30			.02
Zone 2	6.90	.35			.02

SOFT FLOOR LAYERS' ZONE DEFINITIONS

Zone 1 - Dona Ana, Luna and Otero Counties
Zone 2 - Statewide (excluding Dona Ana, Luna and Otero Counties)

DECISION NO. 4175-4204

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
SOUND INSTALLERS:					
Zone I - Bernalillo County					
Zone II - Valencia, Sandoval, Santa Fe, Torrance and Socorro, Counties					
Zone III - Guadalupe, DeBaca, Quay, San Miguel, Mora, Harding, Union, Colfax, Taos, Rio Arriba, Catron, Sierra, Grant, Roosevelt, Chaves, Lincoln, Curry and Los Alamos Counties, all of San Juan County excluding the Navajo Indian Reservation.					
Soundman:					
Zone I	$8.10	.30	1%		1/4%
Zone II	8.225	.30	1%		1/4%
Zone III	8.475	.30	1%		1/4%
Technicians:					
Zone I	6.48	.30	1%		1/4%
Zone II	6.48	.30	1%		1/4%
Zone III	6.605	.30	1%		1/4%
Sound Installers:					
Zone I	5.27	.30	1%		1/4%
Zone II	5.395	.30	1%		1/4%
Zone III	5.645	.30	1%		1/4%
SPRINKLER FITTERS	10.20	.50	.80		.08
Truck Drivers (General Building and Residential Construction - Dwelling houses and apartments over two stories in height)					
Group 1	5.40	.48	.45		
Group 2	5.52	.48	.45		
Group 3	5.60	.48	.45		
Group 4	5.72	.48	.45		
Group 5	5.77	.48	.45		
Group 6	5.87	.48	.45		
Group 7	5.97	.48	.45		
Group 8	6.11	.48	.45		
Group 9	6.26	.48	.45		

DECISION NO. X75-4204

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
TRUCK DRIVERS (Cont'd)					
(RESIDENTIAL CONSTRUCTION - Dwelling houses and apartments not to exceed two stories in height)					
Group 1	$5.10	.48	.45		
Group 2	5.22	.48	.45		
Group 3	5.30	.48	.45		
Group 4	5.42	.48	.45		
Group 5	5.47	.48	.45		
Group 6	5.57	.48	.45		
Group 7	5.67	.48	.45		
Group 8	5.81	.48	.45		
Group 9	5.96	.48	.45		
TRUCK DRIVERS (HEAVY ENGINEERING CONSTRUCTION)					
Group 1	5.60	.48	.40		
Group 2	5.72	.48	.40		
Group 3	5.80	.48	.40		
Group 4	5.92	.48	.40		
Group 5	5.97	.48	.40		
Group 6	6.07	.48	.40		
Group 7	6.17	.48	.40		
Group 8	6.31	.48	.40		
Group 9	6.46	.48	.40		

CLASSIFICATION DEFINITIONS

TRUCK DRIVERS:
Group 1: Pickup 3/4 ton and under; Light Tire Repair or Washer; Swamper or Riding Helper; Teamster 2 or 4 up

Group 2: Bus or Taxi Driver; Dump or Batch Truck under 8 C.Y.W.L.A.; Flatbed (bobtail) 2 ton and under; Warehouse including Material Checker; Mechanic and Welder Helper; Forklift, under 5 ton MRC

Group 3: Dump Truck (including all hgihway and off-highway) 8 up to 16 C.Y.W.L.C.; Water, Fuel or Oil Trucks less than 3,000 gallons; Flatbed (bobtail) over 2 tons

Group 4: Distributors Driver; Heavy Tire Repair; Lumber Carrier Driver; Yound Buggy or similar equipment transit mix or agitator 2 or 3 axle bobtail equipment; Scissor Truck; Bulk Cement Bobtail 2 or 3 axles; Semi-trailer Driver (flatbed or van single axle); Forklift 5 ton and over M.R.C.; Field Equipment Serviceman

Group 5: Dumpsters and Dumpcrete Driver; Water, Fuel or Oil Truck, 3,000 to 6,000 gallon capacity; Lowboy, light equipment driver; Euclid type tank wagon under 6,000 gallons

Group 6: Vacuum Truck; Dump Truck (including all highway and off-highway 16 up to 22 C.Y.W.L.C.

Group 7: Transit Mix or Agitator semi or 4 axle equipment driver; Flaherty Truck type Spreader Box Driver; Slurry Trucks 4 axle Bobtail; Winch Truck and "A" Frame Dump Trucks (including all highway and off-highway) 22 C.Y. up to 35 C.Y.W.L.C, Head Field Equipment Serviceman

Group 8: Euclid Diesel powered Turnarocker; Terra Cobra; DW 10; DW 20; LeTourneau Pulls and similar diesel powered equipment when used to haul materials and assigned to a Teamster; Lowboy Heavy Equipment Driver; Water, Fuel or Oil Trucks 6,000 gal. and over (including tank wagon drivers); Semi-trailer Driver (flatbed or van tandems); Light equipment mechanic; Dump Trucks (including all highway and off-highway) 35 C.Y.W.L.C. and over; Truck and Trailer or Semi-trailer (flatbed eject all)

Group 9: Lowboy (heavy equipment, double gooseneck); Heavy equipment mechanics; Welder (body and fender man)

TEAMSTERS CLASSIFICATION not listed, shall be paid a rate comparable to classification listed.

WELDERS - Receive rate prescribed for craft performing operation to which welding is incidental.

FOOTNOTES:
a. Includes $0.07 contribution to the Occupational Health Fund.
b. 1st 6 months - none; 6 months to years, 2%; over 5 years, 4% of basic hourly rate.
c. Paid Holidays: A through F.

PAID HOLIDAYS:
A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.

SUPERSEDEAS DECISION

STATE: North Carolina COUNTY: Mecklenburg
DECISION NUMBER: NC75-1115 DATE: Date of Publication
Supersedeas Decision No. AP-161 dated March 2, 1973 in 38 FR 5753.
DESCRIPTION OF WORK: Building Construction (excluding single family homes and garden type apartments up to and including 4 stories).

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
Asbestos workers	$4.03				
Air conditioning & heating mechanics	4.50				
Acoustical ceiling installer	4.00				
Bricklayers	5.26				
Carpenters	4.32				
Cement masons	4.28				
Drywall hangers & finishers	4.50				
Electricians	7.08	.25	1%		½ of 1%
Elevator constructors	5.705	.195	.20	1%+a&b	.005
Elevator constructors' helpers	70% JR	.195	.20	1%+a&b	.005
Elevator constructors' helpers, (probationary)	50%JR				
Glaziers	3.58				
Ironworkers, structural	5.36				
Ironworkers, reinforcing	4.37				
Laborers:					
Laborers	2.75				
Mason tenders	3.35				
Mortar mixers	3.05				
Pipelayers	2.86				
Lathers	4.97				
Millwrights	4.90				
Painters, brush	3.50				
Plasterers	5.00				
Plumbers, pipefitters, steamfitters	5.26				
Roofers	2.78				
Sheet metal workers	4.50				
Stonemasons	4.25				
Terrazzo workers	4.00				
Tile setters	4.08				
Truck drivers	2.42				
Waterproofing mechanics	3.23				
Power Equipment Operators:					
Asphalt paving machine	2.85				
Backhoe	3.59				
Bulldozers	3.00				
Cranes, derricks, draglines, drill rig	4.84				

NC75-1115 P. 2

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
Power Equipment Operators (cont'd):					
Drill hole man	6.17				
Fork lift	4.25				
Front end loader	2.82				
Motor grader	3.00				
Oilers	5.17				
Pan	3.35				
Pump	4.00				
Roller	2.84				
Scraper	3.00				
Welders - Receive rate prescribed for craft performing operation to which welding is incidental.					

PAID HOLIDAYS:
A - New Year's Day; B - Memorial Day; C - Independence Day; D - Labor Day; E - Thanksgiving Day; F- Christmas Day.

Footnotes:
a. Employer contributes 4% basic hourly rate for 5 years or more of service or 2% basic hourly rate for 6 months to 5 years of service as Vacation Pay Credit.

b. Holidays: A through F.

SUPERSEDEAS DECISION

STATE: Pennsylvania
DECISION NO.: PA-75-3120
COUNTY: Sullivan
DATE: Date of Publication
Supersedes Decision No. AQ-2070 dated, March 15, 1974, in 39 FR 10070.
DESCRIPTION OF WORK: Building construction, (excluding single family homes and garden type apartments up to and including 4 stories).

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BUILDING CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments H & W	Pensions	Vacation	App. Tr.	Other
Asbestos workers	$9.55	.50	.35		.01	
Boilermakers	11.05	.65	1.00		.02	
Bricklayers	8.75	.40	.50			
Carpenters:						
Renton Air Force Base	9.36	.30	.35		.03	
Remainder of County	8.78	.30	.35		.03	
Cement masons	8.95					
Electricians:						
Eastern part of County	9.76	.45	1%+.31		1/4 of 1%	
Western part of County	9.23	.28	1%+.50	.50	.02	
Ironworkers	10.55	a			.10	
Laborers:						
Unskilled & Window washers	7.77	.25	.50			
Mason tenders incl. scaffold builders	8.17	.25	.50			
Semi-skilled: Pneumatic, electrical & mechanical tool ops., under the jurisdiction of the laborers - 2" pumps-non-metallic pipelaying & making of joints clay, terra cotta, ironstone, vitrified concrete, handling of burning torches, asphalt or other hot materials, cement finishers & blasters helpers, power buggies, walk along hoist.	7.97	.25	.50			
Plaster tenders, blasters & wagon drill operators	8.09	.25	.50			
Line Construction:						
Linemen & cable splicer	9.50	.20	1%		3/8 of 1%	
Groundman-truck driver	6.74	.20	1%		3/8 of 1%	
Groundman	6.46	.20	1%		3/8 of 1%	
Millwrights	9.86	.30	.35		.03	
Painters:						
Eastern part of County:						
Brush	8.00	.30	.30		.05	
Tapers	8.26	.30	.30		.05	
Hazardous	9.26	.30	.30		.05	
Western part of County:						
Brush	6.95		.20			
Steel	7.25		.20			
Spray	7.65		.20			
Plasterers	8.40					
Plumbers	8.97	.59	.40	.20	.04	
Roofers	9.00	.50	.40			
Sheet metal workers	9.55	.69	.40		.02	
Soft floor layers	8.23	.30	.35		.03	
Piledrivermen	10.17	1.58	1.10	b	.12	

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BUILDING CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments H & W	Pensions	Vacation	App. Tr.	Other
Sprinkler fitters	$10.75	.50	.80		.08	
Steamfitters	8.95	.50	.40	.20	.04	
Stonemasons	8.75	.40	.50	.20		
Terrazzo Workers						
Welders - rate for craft						

FOOTNOTES:

a. Employer contributes $1.90 per hour to a combined health and welfare and pension fund.

b. Paid holidays: Washington's birthday; Good Friday; Memorial Day; Labor Day; Presidential Election Day; Veterans ' Day; Thanksgiving Day and Christmas Day.

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PA-22-FBO-1-B 1 of 2

POWER EQUIPMENT OPERATORS BUILDING CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Apr. Tr.
GROUP 1	$10.95	4.6%	9.5%	a	1.2%
GROUP 2	10.66	4.6%	9.5%	a	1.2%
GROUP 3	9.78	4.6%	9.5%	a	1.2%
GROUP 4	9.01	4.6%	9.5%	a	1.2%
GROUP 5	8.53	4.6%	9.5%	a	1.2%
GROUP 6	7.61	4.6%	9.5%	a	1.2%
GROUP 7	11.20	4.6%	9.5%	a	1.2%
GROUP 7-A	11.45	4.6%	9.5%	a	1.2%
GROUP 7-B	11.70	4.6%	9.5%	a	1.2%

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2 of 2

GROUP 1: Machines doing hook work, any machine handling machinery, cable spinning machines, helicopters, machines similar to the above

GROUP 2: All types of cranes, all types of backhoes, cableways, draglines, keystones, all types of shovels, derricks, trench shovels, trenching machines, hoist with two towers, pavers 21E and over, all types overhead cranes, building hoists (double drum) gradalls, mucking machines in tunnel, all front end loaders 3-½ c.y. and over, tandem scrapers, pitpin type backhoes, boat Captains, batch plant operators (concrete) drills, self-contained rotary drills, fork lifts, 20 ft. lift and over machine to the above

GROUP 3: Conveyors, building hoists (single drum) scrapers and tournapulls, spreaders, high or low pressure boilers, concrete pumps, well drillers, bulldozers and tractors, asphalt plant engineers, roller (high grade finishing), ditch witch type trencher, all loaders under 3-½ cu. yds., mechanic-welders, motor patrols, drill helper-self contained rotary drills, core drill operator, forklift trucks under 20 ft. lift, machines similar to the above

GROUP 4: Welding machines, well points, compressors, pumps, heaters, farm tractors, form line graders, fine grade machines, road finishing machines, concrete breaking machines, rollers, seaman pulverizing mixer, power broom, seeding spreader, fireman (for power equipment), machines similar to above

GROUP 5: Fireman, grease truck

GROUP 6: Oilers and deck hands (personnel boats), core drill helper

GROUP 7: All machines with booms (including jib, masts, leads, etc.): 100 ft. and over

GROUP 7-A: 150 ft. and over

GROUP 7-B: 200 ft. and over

FOOTNOTE:
a. Paid Holidays: New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, and Christmas Day, provided the employee works the day before and after the holiday.

SUPERSEDEAS DECISION

STATE: Texas COUNTIES: Galveston & Harris
DECISION NO.: TX75-4203 DATE: Date of Publication
Supersedes Decision No. TX75-4154, dated August 22, 1975, in 40 FR 36996.
DESCRIPTION OF WORK: Building Construction, (excluding single family homes and garden type apartments up to and including 4 stories). (See current heavy & highway general wage determination for Paving & Utilities Incidental to Building Construction).

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
ASBESTOS WORKERS	$ 8.95	.70	.70		.06
BOILERMAKERS	8.00	.50	.76		.02
BRICKLAYERS & STONEMASONS	9.21	.38	.40		.05
CARPENTERS:					
Carpenters	8.675	.50	.50		.05
Millwrights	9.005	.50	.50		.05
Piledrivermen	8.675	.50	.50		.05
CEMENT MASONS:					
Harris County	8.32	.49	.42		.05
Galveston County	8.32	.49	.42		
ELECTRICIANS:					
Harris County	10.05	.40	3%		.04
Galveston County	10.09	.40	1%+.40		.06
ELEVATOR CONSTRUCTORS	7.79	.445	.29	3%+a+b	.02
ELEVATOR CONSTRUCTORS' HELPERS	70%JR	.445	.29	3%+a+b	.02
ELEVATOR CONSTRUCTORS' HELPERS (PROB.)	50%JR				
GLAZIERS	9.07	.50	.425		.01
IRONWORKERS	8.77	.55	.70		.075
LABORERS:					
GROUP 1 - Common	6.21	.28	.40		.02
GROUP 2 - Air tool operator (jackhammer-vibrator); Mason tenders; Pipelayers (concrete & clay); Sandblasters; Power buggy operator	6.385	.28	.40		.02
GROUP 3 - Lather tender; Mortar mixers; Plaster tenders & hod carriers	6.485	.28	.40		.02
GROUP 4 - Well driller	6.76	.28	.40		.02
GROUP 5 - Well driller tender	6.335	.28	.40		.02
GROUP 6 - Blaster, powderman	6.635	.28	.40		.02
LATHERS (Harris County only)	8.87	.50	.35		.02
LINE CONSTRUCTION:					
Lineman & cable splicer	9.72	.40	1%		1/2%
Groundmen	5.94	.40	1%		1/2%
Groundmen (1st year)	4.30	.40	1%		1/2%

DECISION NO. TX75-4203

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
MARBLE MASONS:					
Harris County	$ 8.66				
Galveston County	7.80				
MARBLE MASONS' HELPERS	6.40				
PAINTERS:					
East Harris County:					
GROUP 1 - All brush painting, hand rolling and all other work other than that below	9.51				
GROUP 2 - All pneumatic and electric tools and steam cleaning	9.865				
GROUP 3 - All tape and float on drywall	9.635				
GROUP 4 - All paper and vinyl hanging	9.76				
GROUP 5 - All spray painting, sandblasting and waterblasting	9.905				
GROUP 6 - Steeple jack work, hot materials	10.165				
Remainder of Harris County:					
GROUP 1 - All brush painting, hand roller, steam cleaning, all pneumatic tools	8.345	.365	.35	.40	.04
GROUP 2 - All spray painting, sandblasting, waterblasting	8.72	.365	.35	.40	.04
GROUP 3 - Tape, float & drywall	8.47	.365	.35	.40	.04
GROUP 4 - Steeple jack work, hot materials	8.97	.365	.35	.40	.04
Galveston County:					
GROUP 1 - Painters on new work	8.02	.55	.45	.665	.02
GROUP 2 - Painters on swinging stage work or using materials injurious to the skin	8.27	.55	.45	.665	.02
GROUP 3 - Painters on rework & repaint	7.345	.55	.45	.665	.02
PIPEFITTERS:					
Harris County and that part of Galveston County west of the Trinity River	9.35	.60	.60		.045

DECISION NO. TX75-4203

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
PIPEFITTERS (CONT'D):					
That part of Galveston County east of the Trinity River:					
Commercial work up to $50,000	$ 9.38	.375	.40		.03
Commercial work $50,000 & over	9.81	.375	.40		.03
PLASTERERS	8.72	.42	.30		.02
PLUMBERS:					
Harris County	9.61	.40	.56		.10
Galveston County:					
Commercial work up to $50,000	9.38	.375	.40		.03
Commercial work $50,000 & over	9.81	.375	.40		.03
ROOFERS:					
Roofers	7.89	.20	.25	.15	.03
Kettlemen	7.02	.20	.25	.15	.03
Helpers	5.08	.20	.25	.15	.03
SHEET METAL WORKERS:					
Harris County	8.985	.225	.475	.20	.025
Galveston County	8.75	.15	.25		.10
SOFT FLOOR LAYERS	8.42	.35	.20		.09
SPRINKLER FITTERS	10.10	.50	.80		.08
TERRAZZO WORKERS:					
Harris County	8.66				
Galveston County	7.80				
TERRAZZO WORKERS' HELPERS:					
Terrazzo workers' helpers	6.40				
Terrazzo floor machinemen	6.55				
Terrazzo base machinemen	6.70				
TILE SETTERS:					
Harris County	8.66				
Galveston County	7.80				
TILE SETTERS' HELPERS	6.40				
TRUCK DRIVERS:					
GROUP 1 - Under 1½ tons; wash, grease, fireman, furl pump operation when used on construction jobs	7.13				
GROUP 2 - 1½ thru 7½ tons; dump truck less than 7 yds.	7.48				
GROUP 3 - Over 7½ tons; farm tractors; fork lifts, floats	7.68				

DECISION NO. TX75-4203

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
TRUCK DRIVERS (CONT'D):					
GROUP 4 - Euclids (not self-loading)	$ 7.83				
GROUP 5 - Warehousemen	7.36				
GROUP 6 - Material checkers; pick-up drivers	8.31				
WELDERS - receive rate prescribed for craft performing operation to which welding is incidental.					

FOOTNOTES:

a - 1st 6 mos. - none; 6 mos. to 5 yrs. - 2%; over 5 yrs. - 4% of basic hourly rates

b - Paid Holidays: New Years' Day; Memorial Day; Independence Day; Labor Day; Thanksgiving Day; Christmas Day

DECISION NO. TX75-4203

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
POWER EQUIPMENT OPERATORS					
GROUP 1	$ 8.88	.35	.65		.06
GROUP 2	7.52	.35	.65		.06
GROUP 3	7.03	.35	.65		.06
GROUP 4	6.87	.35	.65		.06

POWER EQUIPMENT OPERATORS CLASSIFICATION DEFINITIONS

GROUP 1 - Heavy Duty Mechanic; Blade Grader, Self-propelled; Bull Clam; Back Filler; Derrick - power operated (all types); Clam Shell; Draglines; Push Cat Operator; Roll Dozer & all types Cat Tractors; Cable-Way; Backhoe; Shovel, power operated; Crane, power operated (all types); Elevating Grader, Self-propelled; Hoist, Motor-Driven, Two Drums or more, Mix Mobile; Water Well Drilling Machines, Used on Construction; Building Elevator, used on Construction; Tug Boat Operator, Assigned to Construction; Winch Truck; Locomotive Crane; Concrete Mixer, 14 cu. ft. or more; Paving Mixer (all types); Pile Driver; Scraper, Heavy Type, over 3 cu. yds.; Trenching Machines (all sizes); Gradall; High-Lift; Foundation Boring Machine; Gasoline or Diesel Driven Welding Machines, 7 or more; Pumpcrete Machine Operator; Turnapulls; DW-10 Caterpillar, S-18 Euclid and similar Tractors; Asphalt Plant Mixer Operator on job; Crusher Operator on job; Scoopmobiles; Forklift used on construction (not including warehousing); Well Point Pump; Concrete Batch Plant Operator; Pneumatic Rollers, Self-propelled; All other equipment of similar nature coming under the Heavy Equipment Class, when power operated

GROUP 2 - Air Compressors; Blade Grader, Towed; Flex Plane; Form Grader, Concrete Mixer, less than 14 cu. ft.; Pumps; Pulsometer; Truck Crane Driver; Gasoline or diesel Driven Welding Machines (on 3 or more, up to 6 machines); Hoist, Single Drum; Scraper, 3 cu. yds. or less; Wagon Drill Operator; Conveyor; Generator, Gasoline or Diesel-driven, over 1500 watts; Rubber Tired Farm Tractor with attachments; A light Equipment Operator may run 1 or 2 105 cfm compressors; All other equipment of similar nature coming under the Light Equipment Class, when power operated

GROUP 3 - Fireman

GROUP 4 - Oiler

[FR Doc.75-33973 Filed 12-18-75;8:45 am]

federal register

FRIDAY, DECEMBER 19, 1975



PART VI:

NATIONAL SCIENCE FOUNDATION

■

PRIVACY ACT OF 1974

Additional Systems of Records

National Science Foundation

Privacy Act of 1974

Additional System of Records

Pursuant to the requirements of section 3 of the Privacy Act of 1974, 5 U.S.C. 552a(c)(4), notice is hereby given of the existence and character of a new system of records to be maintained by the National Science Foundation and of the routine uses thereof. Interested persons are invited to submit written data, views or arguments to the Director, National Science Foundation, ATTN: General Counsel, Washington, D.C. 20550, not later than thirty days from the date of this published notice.

NSF-40

System name: NSF Innovation Guide Mailing List

System location: Capital Systems Group, Inc., 6110 Executive Boulevard, Suite 850, Rockville, Maryland 20852 and Word/One Computer Center, Bowne Time Sharing, 345 Hudson Street, New York, New York 10014.

Categories of individuals covered by the system: Recipients of the Innovation Guide and other individuals potentially interested in the Innovation Guide project or in improving communications of scientific and technical information.

Categories of records in the system: Name, address (institution or place of business), scientific/professional group categorization, and correspondence records.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Identification of individuals for personal referrals in response to inquiries from interested readers. Other Government agencies or private organizations may be given information from this system.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Computer records on disc pack and/or archive tape file.

Retrievability: Alphabetically by last name.

Safeguards: Cannot be accessed by persons who do not have the computer sign-on passwords and the "get" or access word to the document.

Retention and disposal: Maintained indefinitely.

System manager(s) and address: Head, Office of Science Information Service.

Notification procedure: The NSF Privacy Act Officer should be contacted in accordance with procedures found at 45 CFR Part 613.

Record access procedures: See "Notification" above.

Contesting record procedures: See "Notification" above.

Record source categories: Individual inquiries, response to press releases, referrals from other organizations, and identification through directories.

Date: December 8, 1975.

H. Guyford Stever,
Director.

[FR Doc.75-34150 Filed 12-15-75;4:19 pm]

Just Released

CODE OF FEDERAL REGULATIONS

(Revised as of October 1, 1975)

Title 45—Public Welfare (Parts 1–99)..... $3.25

Title 46—Shipping (Parts 140–149)..... 7.50

Title 46—Shipping (Part 200–End)..... 6.50

Title 49—Transportation (Part 1300–End)..... 2.95

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