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FRIDAY, DECEMBER 17, 1976



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NOTE: There were no items eligible for inclusion in the list of RULES GOING INTO EFFECT TODAY.

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NOTE: No public bills which have become law were received by the Office of the Federal Register for inclusion in today's LIST OF PUBLIC LAWS.

AGENCY PUBLICATION ON ASSIGNED DAYS OF THE WEEK

The six-month trial period ended August 6. The program is being continued on a voluntary basis (see OFR notice, 41 FR 32914, August 6, 1976). The following agencies have agreed to remain in the program:

Monday	Tuesday	Wednesday	Thursday	Friday
NRC	USDA/ASCS		NRC	USDA/ASCS
DOT/COAST GUARD	USDA/APHIS		DOT/COAST GUARD	USDA/APHIS
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DOT/OHMO	CSC		DOT/OHMO	CSC
DOT/OPSO	LABOR		DOT/OPSO	LABOR
	HEW/FDA			HEW/FDA

Documents normally scheduled on a day that will be a Federal holiday will be published the next work day following the holiday.

Comments on this program are still invited. Comments should be submitted to the Day-of-the-Week Program Coordinator, Office of the Federal Register, National Archives and Records Service, General Services Administration, Washington, D.C. 20408.

ATTENTION: For questions, corrections, or requests for information please see the list of telephone numbers appearing on opposite page.

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rules and regulations

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

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

Title 5—Administrative Personnel

CHAPTER I—CIVIL SERVICE COMMISSION

PART 213—EXCEPTED SERVICE

Due to the large number of amendments to Part 213 of Title 5 of the Code of Federal Regulations which have been published during 1976, it has been determined that a republication without change would serve to set forth all published amendments in one codified statement. There is no substantive change in the provisions of this part. It is merely republished for the convenience of the users of the FEDERAL REGISTER and the Code of Federal Regulations. Therefore, Part 213 is revised to read as follows.

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

PART 213—EXCEPTED SERVICE

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AUTHORITY: 5 U.S.C. 3301, 3302; E.O. 10577, 3 CFR 1954–1958 Comp. p. 218.

Subpart A—General Provisions

§ 213.101 Definitions.

In this chapter:

(a) Excepted service has the meaning given that term by section 2103 of title 5, United States Code, and includes all positions in the executive branch of the Federal Government which are specifically excepted from the competitive service by or pursuant to statute, by the President, or by the Commission under § 6.1 or § 9.20 of the civil service rules (Subchapter A of this chapter).

(b) "Excepted position" means a position in the excepted service.

§ 213.102 Identification of positions in Schedule A, B, or C.

The Commission shall decide whether the duties of any particular position are such that it may be filled as an excepted position under Schedule A, B, or C.

Subpart B—[Reserved]

Subpart C—Excepted Schedules

SCHEDULE A

§ 213.3101 Positions other than those of a confidential or policy-determining character for which it is not practicable to examine.

(a) The positions enumerated in §§ 213.3102 to 213.3199 are positions other than those of a confidential or policy-determining character for which it is not practicable to examine and which are excepted from the competitive service and constitute Schedule A.

(b) An agency (including a military department) may not appoint the son or daughter of a civilian employee of that agency, or the son or daughter of a member of its uniformed service, to a position listed in Schedule A for summer or student employment within the United States. This prohibition does not apply to the appointment of persons (1) who are eligible for placement assistance under the Commission's Displaced Employee (DE) Program, (2) who are employed to meet urgent needs resulting from an emergency posing an immediate threat to life or property, or (3) who are members of families which are eligible to receive financial assistance under a public welfare program or the total income of which in relation to family size does not exceed limits established by the Commission and published in the Federal Personnel Manual.

(c) An agency may appoint for summer employment within the United States in positions listed in Schedule A only in accordance with the terms of the Commission's summer employment program. This restriction does not apply to positions that are excepted only when filled by particular types of individuals.

(d) In this section "summer employment" means any employment beginning after May 12 which will end before October 1 of the same year. "Student employment" means the employment of persons who are enrolled or who have been accepted for enrollment, on a substantially full-time basis, as resident students of a secondary school or of an institution of higher learning; a resident student, for this purpose, is a student in actual physical attendance at a school as distinguished from a correspondence student.

§ 213.3102 Entire executive civil service.

(a) Positions of Chaplain and Chaplain's Assistant.

(b) Cooks, except at fixed locations such as hospitals, quarantine stations, and penal institutions.

(c) Positions to which appointments are made by the President without confirmation by the Senate.

(d) Attorneys.

(e) Law clerk trainee positions. Appointments under this paragraph shall be confined to graduates of recognized law schools or persons having equivalent experience and shall be for periods not to exceed 14 months pending admission to the bar. No person shall be given more than one appointment under this paragraph. However, an appointment which was initially made for less than 14 months may be extended for not to exceed 14 months in total duration.

(f) Chinese, Japanese, and Hindu interpreters.

(g) Any position the duties of which are part-time or intermittent in which the appointee will receive compensation during his service year that aggregates not more than 40 percent of the annual salary rate for the first step of GS–3. This limitation on compensation includes any premium pay such as for overtime, night, Sunday, or holiday work. It does not, however, include any mandatory within-grade salary increases to which the employee becomes entitled subsequent to appointment under this authority. Appointments under this authority shall not be for job employment. In the metropolitan area of Washington, D.C., appointments under this authority shall be subject to the prior approval of the Commission.

(h) Subject to prior approval by the Commission, positions in Federal mental institutions when filled by persons who have been patients of such institutions and been discharged and are certified by the medical head thereof as recovered sufficiently to be regularly employed but it is believed desirable and in the interest of the persons and the institution that they be employed at the institution.

(i) Subject to prior approval of the Commission, positions requiring temporary, part-time, or intermittent employment in wage board type occupations (i.e., position excluded from Classification Act coverage by section 202(7) of the Act) on construction or repair work, where the activity is carried on in localities where examination coverage for the positions has not been provided and where because of employment conditions there is a shortage of available candidates for the positions. Appointments under this paragraph shall not extend beyond 1 year, and the employment thereunder shall not exceed 180 working days a year. Seasonal employments of a recurring nature are not authorized under this paragraph.

(j) Subject to approval of the Director of Selective Service, positions for which in the opinion of the Commission a local recruiting shortage exists when filled by individuals performing reconciliation service pursuant to Presidential Proclamation No. 4313 of September 16, 1974. Initial appointments under this authority may not exceed 1 year, and an initial appointment may be extended for one or more periods to a total of not to exceed 1 year. Such appointment may be further extended for one or more periods not to exceed 1 additional year. No person may serve under this authority longer than 2 years. No new appointments may be made under this authority after June 30, 1977.

(k) Positions without compensation provided appointments thereto meet the requirements of applicable laws relating to compensation.

(l) Positions requiring the temporary or intermittent employment of professional, scientific, or technical experts for consultation purposes.

(m) Nonsupervisory positions of custodial laborer (levels 1, 2, and 3) and general laborer (levels 2 and 3) in field establishments outside central office and regional office cities of the Commission where examination coverage has not been provided for the positions, as follows:

(1) For temporary, intermittent, or seasonal employment (exclusive of positions covered by paragraph (l) of this section) not to exceed 180 working days a year in the Departments of Agriculture, Commerce, and Interior, in the Federal Aviation Agency, and in the International Boundary and Water Commission; or

(2) When it is specifically held by the Commission that this authority is applicable, for employment in localities that are isolated with respect to labor supply and where there is a shortage of available candidates for the positions.

(n) Any local physician, surgeon, or dentist employed under contract or on a

part-time or fee basis when, in the opinion of the Commission, appointment through competitive examination is impracticable.

(o) Positions of a scientific, professional, or analytical nature when filled by bona fide members of the faculty of an accredited college or university who have special qualifications for the positions to which appointed. Employments under this provision shall not exceed 130 working days a year.

(p) Positions of a scientific, professional, or analytical nature when filled by bona fide graduate students at accredited colleges or universities provided that the work performed for the agency is to be used by the student as a basis for completing certain academic requirements toward a graduate degree. Employments under this provision may be continued only so long as the foregoing conditions are met, and the total period of such employment shall not exceed one year in any individual case: *Provided*, That such employment may, with the approval of the Commission, be extended for not to exceed an additional year.

(q) Postions at grade GS–7 and below when appointees are to assist scientific, professional, or technical employees. Persons employed under this provision shall be: (1) Bona fide high school science or mathematics teachers or (2) bona fide students at high schools or accredited colleges or universities who are pursuing courses related to the field in which employed. No person shall be employed under this provision in (i) positions of a routine clerical type or (ii) in excess of 1040 working hours a year; except that the 1040 working-hours-a-year limitation shall not apply to positions at grade GS–4 and below which are established in connection with associate degree cooperative education programs. Students enrolled in bachelor's degree cooperative education programs as defined in § 213.3202(a) of this Part shall not be employed under this provision. Appointments under this authority may be made only to positions for which qualification standards established under Part 302 of this chapter are consistent with the education and experience standards established for comparable positions in the competitive service.

(r) All positions of a project nature when filled by individuals the salaries of whom are paid out of (1) funds allocated by the President under authority of Public Law 87–658, approved September 14, 1962, the Public Works Acceleration Act of 1962, or (2) funds allocated by the Secretary of Commerce under authority of title X of the Public Works and Economic Development Act of 1965, as amended. Employment under this authority shall be for a temporary period not to exceed 1 year. No new appointments of persons paid out of funds allocated under title X of the Public Works and Economic Development Act of 1965, as amended, may be made after February 28, 1977.

(s) [Reserved]

(t) Positions when filled by mentally retarded persons in accordance with written agreements executed between an agency and the Commission. Provisions to be included in such agreements are specified in the Federal Personnel Manual.

(u) Subject to prior approval of the Commission, positions when filled by severely physically handicapped persons who: (1) Under a temporary appointment have demonstrated their ability to perform the duties satisfactorily; or (2) have been certified by counselors of State vocational rehabilitation agencies or the Veterans Administration as likely to succeed in the performance of the duties. Prior Commission approval is not required for promotions or reassignments within the same agency or department when the physical qualification standards remain substantially the same and all other qualification requirements are met.

(v) Temporary Summer Aid positions whose duties involve work of a routine nature not regularly covered under the General Schedule and requiring no specific knowledge or skills, when filled by youths appointed for summer employment under such economic or educational needs standards as the Commission may prescribe. A person may not be appointed unless he has reached his sixteenth but not his twenty-second birthday, or employed for more than 700 hours under this paragraph. This paragraph shall apply only to the positions whose pay is fixed at the equivalent of the highest minimum wage rate established by the Fair Labor Standards Act of 1938, as amended. However, during 1974 an agency shall not fix the pay at a rate less than that paid to Summer Aids by Federal agencies (other than the Postal Service) in the geographic area concerned in 1973.

(w) Part-time or intermittent positions the duties of which involve work of a routine nature when filled by students appointed in furtherance of the President's Youth Opportunity Stay-in-School Campaign and when the following conditions are met: (1) Appointees are enrolled in or accepted for enrollment in a resident secondary school or institution of higher learning, accredited by a recognized accrediting body; (2) employment does not exceed 16 hours in any calendar week (40 hours in any calendar week which falls within a vacation period); (3) while employed, appointees continue to maintain an acceptable school standing, although they need not attend school during the summer; (4) appointees need the earnings from the employment to continue in school; and (5) salaries are fixed by the agency head at a level commensurate with the duties assigned and the expected level of performance. Appointments under this authority may not extend beyond 1 year: *Provided*, That such appointments may be extended for additional periods of not to exceed 1 year each if the conditions for initial appointment are still met. A person may not be appointed under this authority unless he has reached his 16th but not his 22d birthday. No new appointments may be made under this authority between May 1 and August 31, inclusive.

(x) Subject to prior approval of the Commission, positions for which a local recruiting shortage exists when filled by inmates of Federal, District of Columbia, and State (including the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa, and the Trust Territory of the Pacific Islands) penal and correctional institutions under work-release programs authorized by the Prisoner Rehabilitation Act of 1965, the District of Columbia Work Release Act, or under work-release programs authorized by the States. Initial appointments under this authority may not exceed 1 year. An initial appointment may be extended for one or more periods not to exceed 1 additional year each with the prior approval of the Commission upon a finding that the inmate is still in a work-release status and that a local recruiting shortage still exists. No person may serve under this authority longer than 1 year beyond the date he is released from custody.

(y) Positions at grade GS–2 and below for summer employment, as defined in § 213.3101(d), of assistants to scientific, professional, and technical employees, when filled by finalists in national science contests under hiring programs approved by the Commission.

(z) Not to exceed 30 positions of assistants to top-level Federal officials when filled by persons designated by the President as White House Fellows.

(aa) Scientific and professional research associate positions at GS–11 and above when filled on a temporary basis by persons having a doctoral degree in an appropriate field of study for research activities of mutual interest to appointees and their agencies. Appointments are limited to persons referred by the National Research Council under its post-doctoral research associate program and may be made initially for 1 year only. An agency may extend an appointment made under this authority for up to 1 additional year when the program committee at the laboratory concerned determines that extension will benefit both the associate and the laboratory.

(bb) Subject to prior approval of the Commission, positions when filled by aliens in the absence of qualified citizens.

(cc) Positions at GS–15 and below when filled by persons identified as Interchange Executives by the President's Commission on Personnel Interchange. Appointments made under this authority may not extend beyond 2 years.

(dd)–(ee) [Reserved]

(ff) Not to exceed 25 positions when filled in accordance with an agreement between the Commission and the Department of Justice by persons in programs administered by the Attorney General of the United States under Pub. L. 91–452 and related statutes. A person ap-

pointed under this authority may continue to be employed under it after he ceases to be in a qualifying program only as long as he remains in the same agency without a break in service.

(gg) Positions providing direct services to Indo-Chinese refugees or directly aiding the refugee resettlement program when filled by noncitizens previously employed by the United States in Vietnam and Cambodia. Service under this authority may not exceed 2 years. No new appointments may be made under this authority after June 30, 1976.

§ 213.3103 Executive Office of the President.

(a) *Office of Science and Technology.* (1) All professional positions on the Staff of the Office.

(b) [Reserved]

(c) *Council on Environmental Quality.* (1) Professional and technical positions in grades GS–13 through 15 on the staff of the Council.

(d) [Reserved]

(e) *Office of Telecommunications Policy.* (1) Professional positions in grades GS–13 through 15 on the staff of the Office.

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

(f) [Reserved]

§ 213.3104 Department of State.

(a) *Office of the Secretary.*

(1)–(4) [Reserved]

(5) Executive Officer, Executive Secretariat.

(b) [Reserved]

(c) *International Boundary and Water Commission, United States and Mexico.* (1) Gage readers employed part-time or intermittently at isolated localities when, in the opinion of the Commission, appointment through competitive examination is impracticable.

(d) *International Boundary Commission, United States and Canada.* (1) Temporary and intermittent field employees such as instrumentmen, foremen, recorders, packers, cooks, and axemen, for not to exceed 130 working days or 6 months within any 1 calendar year.

(e) *Bureau of Oceans and International Environmental and Scientific Affairs.*

(1) Six Physical Science Administration Officers at GS–14 and above.

§ 213.3105 Department of the Treasury.

(a) [Reserved]

(b) *U.S. Customs Service.* (1) Positions in foreign countries designated as "interpreter-translator" and "special employees," when filled by appointment of persons who are not citizens of the United States; and positions in foreign countries of messenger and janitor.

(2) [Reserved]

(3) Positions of part-time, intermittent, or temporary Customs Inspectors, and Port Directors in Alaska paid at a rate not above GS–9 and for not more than 130 working days in a service year.

(4) Positions of day "pickup" laborers whose assignments are to intermittent duties of short duration that must be performed without delay in field establishments where hiring of "pickup" laborers is authorized by the Bureau of Customs headquarters. Persons appointed under this authority may not be employed in this kind of work in the Bureau of Customs for more than 180 working days a year under this authority or under a combination of this authority and any other authority for excepted appointment that may be appropriate. This authority is not appropriate for job employment.

(5) Positions at GS–9 and below of Customs Enforcement Officer, Customs Inspector, Customs Marine Clerk/Officer, Customs Aid (sampling), Customs Warehouse Officer, Port Director, Interpreter, and Laborer, with duties of a continuing nature that require the part-time or intermittent service of an employee for not more than 700 hours in his service year. An individual appointed under this exception may not be employed in the Bureau of Customs under a combination of this and any other exception for more than 700 hours in his service year.

(6) Twenty-five positions of Criminal Investigator for special assignments.

(7) [Reserved]

(8) Staff assistant positions established to aid in the reorganization of the Bureau of Customs under Reorganization Plan No. 1 of 1965, when filled by persons with 1 year or more of current service as a Presidential appointee in a key position in the Bureau. No person may be employed under this paragraph in excess of 3 years.

(9) Not to exceed 25 positions of Customs Patrol Officers in the Papago Indian Agency in the State of Arizona when filled by the appointment of persons of one-fourth or more Indian blood.

(c) *Office of Trade, Energy, and Financial Resources Policy Coordination.* (1) Not to exceed 10 positions at the equivalent of GS–13 through GS–17 to supplement the permanent staff in the study of complex problems relating to international trade and energy policies and programs of the Government, when filled by individuals with special qualifications for the particular study being undertaken. Employment under this authority may not exceed 4 years.

(d) [Reserved]

(e) *Internal Revenue Service.* (1) Twenty positions of investigator for special assignments.

(f) *Office of the Assistant Secretary for International Affairs.* (1) Not to exceed 10 positions in the Research and Planning Office at the equivalent of GS–13 through GS–17 to supplement the permanent staff in the study of complex problems relating to international financial and economic policies and programs of the Government, when filled by individuals with special qualifications for the particular study being undertaken. Employment under this authority may not exceed 4 years.

(g) *Bureau of Alcohol, Tobacco, and Firearms.* (1) Forty-two positions of investigator for special assignments.

(h) *Office of New York Finance.* (1) Not to exceed 25 positions. Employment under this authority may not exceed June 30, 1979.

§ 213.3106 Department of Defense.

(a) *Office of the Secretary.* (1) Five Special Advisers in the immediate office of the Secretary or Deputy Secretary with responsibility for studies and recommendations in broad program areas. These positions have advisory rather than operating duties, except as operating or administrative responsibility may be exercised in connection with pilot studies.

(2) Positions assigned exclusively to Communications Intelligence Activities.

(3) Positions assigned to or in support of special classified training activities.

(4) Three Staff Assistants.

(5) Director, Intelligence Resources and Programs, OASD (Administration).

(6) One Executive Secretary, US-USSR Standing Consultative Commission and Staff Analyst (SALT), Office of the Assistant Secretary of Defense (International Security Affairs).

(b) *Entire Department (including the Office of the Secretary of Defense and the Departments of the Army, Navy, and Air Force).* (1) Professional positions in Military Dependent School Systems overseas.

(2) Positions in attache systems overseas, including all professional and scientific positions in the Naval Research Branch Office in London.

(3) Positions of clerk-translator, translator, and interpreter overseas.

(4) Positions of Educational Specialist the incumbents of which will serve as Director of Religious Education on the Staffs of the Chaplains in the military services.

(5) Positions under the program for utilization of alien scientists approved under pertinent directives administered by the Director of Defense Research and Engineering of the Department of Defense when occupied by alien scientists initially employed under the program including those who have acquired United States citizenship during such employment.

(6) Positions in overseas installations of the Department of Defense when filled by dependents of military or civilian employees of the Department resident in the area. Employment under this authority may not extend longer than 2 months following the transfer from the area or the separation of a dependent's sponsor: *Provided*, That (i) a school employee may be permitted to complete the school year; and (ii) an employee other than a school employee may be permitted to serve up to 1 additional year when the military department concerned finds the additional employment is in the interest of management.

(7) Positions assigned to all Cryptologic Intelligence Activities/Functions of the Military Departments.

(8) The Dean, Associate Dean, Assistant Dean, faculty members, and teaching/research assistant positions on the staff of the Uniformed Services University of the Health Sciences.

(c) *Interdepartmental Activities.* (1) Positions in support of National Security Programs and Space Council Activities.

(d) *General.* (1) Positions concerned with advising, administering, supervising or performing work in the collection, processing, analysis, production, evaluation, interpretation, dissemination, and estimation of intelligence information, including scientific and technical positions in the intelligence function; and positions involved in the planning, programming, and management of intelligence resources when, in the opinion of the Commission, it is impracticable to examine. This authority does not apply to positions assigned to Cryptologic and Communications Intelligence Activities/Functions.

§ 213.3107 Department of the Army.

(a) *General.*

(1) [Reserved]

(2) Unskilled laborers and munitions handlers engaged in handling Ordnance materiel, including ammunition, where temporary or intermittent employment is necessary.

(3) Student occupational therapist positions in Army hospitals. Appointments to these positions will not extend beyond the training period applicable to each individual case, which is a minimum of 3 months' training and a maximum of 12 months' training, depending upon the individual's previous clinical training.

(4) [Reserved]

(5) Positions assigned exclusively to Army Communications Intelligence Activities.

(6) Trainee student medical technologist (intern) positions at the Rodriguez Army Hospital, Fort Brooke, Puerto Rico. Appointments to these positions will not extend beyond the training period applicable to each individual case, depending upon the individual's previous clinical training. Employment under this provision may not exceed 1 year in any individual case: *Provided,* That such employment may, with the approval of the Commission, be extended for not to exceed an additional year. This authority shall be applied only to positions whose compensation is fixed in accordance with the provisions of section 3 of Pub. L. 80–330.

(7) [Reserved]

(8) Not to exceed 350 positions of members of treatment and counseling teams and related positions, such as those of ward attendants and occupational therapy assistants, to assist in the implementation of an alcohol and drug abuse prevention and control program, when filled by persons who have a history of alcoholism or drug addiction and who have been successfully treated.

(b) *Transportation Corps.* (1) Longshoremen and stevedores employed at ports of embarkation in the United States; and all positions on vessels operated by the Transportation Corps.

(c) *Corps of Engineers.* (1) Land appraisers employed on a temporary basis for a period not to exceed 1 year on special projects where knowledge of local values or conditions or other specialized qualifications not possessed by appraisers regularly employed by the Corps of Engineers are required for successful results.

(2) Nonsupervisory positions of custodial laborer (levels 1, 2, and 3) and general laborer (levels 2 and 3) on survey, construction, short-term maintenance, or floating-plant operations, where because of turnover, lack of housing facilities, mobility of work site, or remoteness of personnel servicing facilities, an adequate labor force can be recruited only by immediate gate hiring on a local basis. This authority can be used only when the Commission has determined that it is specifically applicable to a given situation; ordinarily, it will not be used for employment in Civil Service central office, regional, and branch office cities or in cities where there is a local Board of U.S. Civil Service Examiners to service the employing establishment.

(d) *U.S. Military Academy, West Point, N.Y.* (1) Civilian professors, instructors, teachers (except teachers at the Children's School), hostesses, chapel organist and choirmaster, librarian when filled by an officer of the Regular Army retired from active service, and military secretary to the Superintendent when filled by a Military Academy graduate retired as a regular commissioned officer for disability.

(e) *National War College, Washington, D.C.* (1) Civilian directors of studies for employment of not to exceed 1 year: *Provided,* That such employment may, with the prior approval of the Commission, be extended for not to exceed 2 additional years.

(f) *Joint Brazil-United States Defense Commission.* (1) One position of clerk-stenographer-translator or civilian aide requiring a knowledge of English, Portuguese, and Spanish.

(g) *Defense Language Institute.*

(1) Positions of instructors whose duties require proficiency in the teaching of a foreign language, supervisory instructors whose duties require a background in language teaching, and foreign language subject-matter specialists whose duties require proficiency in a given foreign language to assist in the development and evaluation of instructional material and methods directly related to the teaching of foreign languages.

(2) Clerical and Education Aid positions (except at the English Language School) whose incumbents are required to have a foreign language knowledge and whose duties require rapid and accurate typing, writing, proofreading or related skills used in the production of foreign language materials.

(3) [Reserved]

(4) Foreign language instructor positions at local Army language training facilities established pursuant to the Defense Language Program.

(h) *Army War College, Carlisle Barracks, Pa.* (1) One position of Educational Specialist for employment of not to exceed 1 year: *Provided,* That such employment may, with the prior approval of the Commission, be extended for not to exceed 1 additional year.

(i) *Defense Systems Management School, Fort Belvoir, Va.* (1) The Deputy Commandant and professors in grades GS–13 through 15.

(j) *U.S. Military Academy Preparatory School, Fort Monmouth, New Jersey.*

(1) Positions of Academic Director, Department Head and Instructor.

§ 213.3108 Department of the Navy.

(a) *General.*

(1)–(3) [Reserved]

(4) Not to exceed 50 positions of resident-in-training at U.S. naval regional medical centers, hospitals, and dispensaries which have residency training programs, when filled by residents assigned as affiliates for part of their training from non-Federal hospitals. Assignments shall be on a temporary (full-time or part-time) or intermittent basis, shall not amount to more than 6 months for any person, and shall be applied only to persons whose compensation is fixed under 5 U.S.C. 5351–54.

(5) One Staff Assistant to the Naval Aide to the President.

(6) [Reserved]

(7) Positions of student social worker for temporary, part-time, or intermittent employment in U.S. naval regional medical centers, hospitals, and dispensaries, when filled by bona fide students enrolled in academic institutions: *Provided,* That the work performed in the agency is to be used by the student as a basis for completing certain academic requirements by such educational institution to qualify for a graduate degree in social work. This authority shall be applied only to students whose compensation is fixed under 5 U.S.C. 5351–54.

(8) Positions of student practical nurse for temporary, part-time, or intermittent employment in U.S. naval regional medical centers, hospitals, and dispensaries, when filled by trainees enrolled in a non-Federal institution in an approved program of educational and clinical training which meets the requirements for licensing as a practical nurse. This authority shall be applied only to trainees whose compensation is fixed under 5 U.S.C. 5351–54.

(9) One Personnel Security Specialist, Naval Personnel Program Support Activity, Bureau of Naval Personnel.

(10) Positions of medical technology intern in U.S. naval regional medical centers, hospitals, and dispensaries, when filled by students enrolled in approved programs of training in non-Federal institutions. Employment under this authority may be filled on a full-time, part-time, or intermittent basis but may not exceed 1 year. This authority shall be applied only to students whose compensation is fixed under 5 U.S.C. 5351–54.

(11) Positions of medical intern at U.S. naval regional medical centers, hos-

pitals, and dispensaries, when filled by persons who are serving medical internships at participating non-Federal hospitals and whose compensation is fixed under 5 U.S.C. 5351–54. Employment under this authority may not exceed 1 year.

(12) Positions of student speech pathologist at U.S. naval regional medical centers, hospitals, and dispensaries, when filled by persons who are enrolled in participating non-Federal institutions and whose compensation is fixed under 5 U.S.C. 5351–54. Employment under this authority may not exceed 1 year.

(13) Positions of student dental assistant in U.S. naval dental centers, clinics, and departments, when filled by students who are enrolled in an approved dental assistant program in a participating non-Federal institution, and whose compensation is fixed under 5 U.S.C. 5351–54. Employment under this authority may not exceed 1 year.

(14) [Reserved]

(15) Marine positions assigned to a coastal or seagoing vessel operated by a naval activity for research or training purposes.

(b) *Naval Academy, Naval Postgraduate School, and Naval War College.* (1) Professors, instructors, and teachers; and the librarian, organist-choirmaster, registrar, the dean of admissions, and social counselors at the Naval Academy.

(c) *Naval Home.* (1) Positions of orderly when filled by the appointment of beneficiaries of the Home.

(d) *Military Sealift Command.* (1) All positions on vessels operated by the Military Sealift Command.

(e)–(f) [Reserved]

(g) *Office of Naval Research.* (1) Not to exceed 5 positions of Liaison Scientist, GS–13/15, in the office of Naval Research Branch Office in Japan, when filled by research scientist who have specialized experience in scientific disciplines of current interest to the Department and who have a demonstrated ability to deal with the Japanese scientific community in their disciplines. An appointment under this authority may be made initially for a period not to exceed 2 years. With the prior approval of the Commission, total employment under this authority may be for as long as 3 years.

§ 213.3109 Department of the Air Force.

(a) *Office of the Secretary.* (1) Three Special Assistants in the Office of the Secretary of the Air Force. These positions have advisory rather than operating duties except as operating or administrative responsibilities may be exercised in connection with the pilot studies.

(b)–(c) [Reserved]

(d) *U.S. Air Force Academy, Colorado.* (1) Positions of Cadet Hostesses, Instructors in Physical Education, and two Instructors in Music (Choirmasters).

(e) *Air Force Systems Command.* (1) Not to exceed 12 positions of engineer, GS–14–15, at the Aeronautical Systems Division, Wright-Patterson Air Force Base, when filled on a temporary basis by persons serving under an agreement with aerospace contractors. Employment under this authority is limited to 4 years.

§ 213.3110 Department of Justice.

(a) *General.* (1) Deputy U.S. Marshals employed on an hourly basis for intermittent service.

(2) Positions of temporary deputy marshals in lieu of bailiff in the U.S. courts when employed on an intermittent basis.

(3) U.S. Marshal in the Virgin Islands.

(4) [Reserved]

(5) Thirty positions of Field Representative, GS–9 through GS–14, in the Community Relations Service for temporary or intermittent employment for not to exceed 130 working days a year.

(6) Not to exceed 20 positions of Field Representative Trainee, GS–5–7, in the Community Relations Service, for employment on college campuses for not to exceed 130 working days a year. Employment under this authority is limited to 1 year: *Provided,* That an appointment may be extended for one additional year with the prior approval of the Commission.

(b) *Immigration and Naturalization Service.* (1) Information Officer.

(2) Four positions of Regional Commissioner.

(c) *Drug Enforcement Administration.* (1) 154 special agent positions for undercover work.

(2) 150 positions of Intelligence Research Agent and/or Intelligence Operation Specialist in the G3–132 series, grades GS–9 through GS–15.

§ 213.3112 Department of the Interior.

(a) *General.* (1) Temporary, intermittent, or seasonal positions in the field service of the Department of the Interior, when filled by the appointment of persons who are certified as maintaining a permanent and exclusive residence within, or contiguous to, a field activity or district, and as being dependent for livelihood primarily upon employment available within the field activity of the Department.

(2) All positions on Government-owned ships or vessels operated by the Department of the Interior.

(3) Temporary or seasonal caretakers at temporarily closed camps or improved areas to maintain grounds, buildings, or other structures and prevent damages or theft of Government property. Such appointments shall not extend beyond 130 working days a year without the prior approval of the Commission.

(4) Temporary, intermittent, or seasonal field assistants at GS–5, or its equivalent, and below in such areas as forestry, range management, soils, engineering, fishery and wildlife management, and with surveying parties. Employment under this authority shall not exceed 180 working days a year for positions at GS–4 and below in survey parties in the Bureau of Land Management and Geological Survey and shall not exceed 130 working days a year for other positions authorized under this subparagraph. This authority shall not apply to positions of field assistants engaged in fishery management work in Alaska.

(5) Temporary positions established in the field service of the Department for emergency forest and range fire prevention or suppression and blister rust control for not to exceed 180 working days a year: *Provided,* That an employee may work as many as 220 working days a year when employment beyond 180 days is required to cope with extended fire seasons or sudden emergencies such as fire, flood, storm, or other unforeseen situations involving potential loss of life or property.

(6) Persons employed in field positions, the work of which is financed jointly by the Department of the Interior and cooperating persons or organizations outside the Federal service.

(7) All positions in the Bureau of Indian Affairs and other positions in the Department of the Interior directly and primarily related to providing services to Indians when filled by the appointment of Indians. The Secretary of the Interior is responsible for defining the term "Indian."

(8) Subject to prior approval of the Commission, temporary, intermittent, or seasonal positions at GS–7 or below in Alaska, as follows: Positions in nonprofessional mining activities, such as those of drillers, miners, caterpillar operators, and samplers; and positions of field assistants engaged in fishery management work. Employment under this authority shall not exceed 180 working days a year and shall be appropriate only when the activity is carried on in a remote or isolated area, there is no Board of U.S. Civil Service Examiners to service the employing establishment, and there is a shortage of available candidates for the positions.

(9) Subject to prior approval of the Commission, temporary, part-time, or intermittent employment of mechanics, skilled laborers, equipment operators and tradesmen on construction, repair, or maintenance work for not to exceed 180 working days a year in Alaska, when the activity is carried on in a remote or isolated area, there is no Board of U.S. Civil Service Examiners to service the employing establishment, and there is a shortage of available candidates for the positions.

(10) Seasonal airplane pilots and airplane mechanics in Alaska, not to exceed 180 working days a year.

(b) *Bureau of Indian Affairs.* (1) Housekeeper positions at a gross salary not in excess of the entrance rate of grade GS–4 or its equivalent when, because of isolation or lack of quarters, appointment through competitive examination is, in the opinion of the Commission, impracticable.

(2) Subject to prior approval of the Commission, assistants in Alaska native schools (not including teachers and instructors) at a salary rate not in excess of that of GS–4 or its equivalent where the schools are in isolated or remote areas or lack suitable quarters.

(c) *Indian Arts and Crafts Board.* (1) The Executive Director.

(d) *Bonneville Power Administration.* (1) Five Area Managers.

(e) *Office of Territories.* (1) The Clerk of the High Court of American Samoa.

(2)–(3) [Reserved]

(4) Special Assistants to the Governor of American Samoa who perform specialized administrative, professional, technical, and scientific duties as members of his immediate staff.

(f) *National Park Service.* (1) Park Ranger positions (appropriate specializations) at salaries equivalent to GS–5 or GS–4 and those equivalent to grade GS–7 or GS–6 in which the duties are supervisory or are limited to a highly specialized part of the duties performed by career protective or interpretive personnel of the National Park Service. (The total number of Park Ranger and Park Technician positions at salaries equivalent to GS–7 and GS–6 excepted under this subparagraph and subparagraph (2) of this paragraph shall not exceed 200.) Employment under this subparagraph is limited to persons who meet the qualification standards for each salary level which have been agreed upon by the Commission and the Department. These standards include as a minimum the following number of previous seasons' experience in the National Park Service as a Park Ranger at a salary equivalent to the next lower grade:

(i) For IGS–7: Two seasons at IGS–6 level.

(ii) For IGS–6: Two seasons at IGS–5 level.

(iii) For IGS–5: One season at IGS–4 level.

Employment under this subparagraph shall be only for duty that is temporary, intermittent, or seasonal, and no person shall be employed by the same appointing office in the National Park Service under this subparagraph or a combination of this and any other excepting authorities in excess of 180 working days a year.

(2) Park Aid and Park Technician positions at salaries equivalent to GS–2 through GS–5 to perform technical and practical work supporting the management, conservation, interpretation, development, and use of park areas and resources; and positions at salaries equivalent to GS–7 and GS–6 in which the duties are supervisory or are limited to a highly specialized part of the duties performed by career resources management, interpretive or visitor service personnel of the National Park Service. (The total number of Park Technician and Park Ranger positions at salaries equivalent to GS–7 and GS–6 excepted under this subparagraph and subparagraph (1) of this paragraph shall not exceed 200.) Employment under this subparagraph is limited to persons who meet the qualification standards for each salary level which have been agreed upon by the Commission and the Department. These standards include as a minimum the following number of previous seasons' experience in the National Park Service as a Park Aid or Park Technician equivalent to the next lower grade:

(i) For IGS–7; Two seasons at IGS–6 level.

(ii) For IGS–6; Two seasons at IGS–5 level.

(iii) For IGS–5; One season at IGS–4 level.

(iv) For IGS–4; One season at IGS–3 level or its equivalent in experience.

(v) For IGS–3; One season at IGS–2 level or its equivalent in experience.

Employment under this subparagraph shall be only for duty that is temporary, intermittent, or seasonal, and no person shall be employed by the same appointing office in the National Park Service under this subparagraph or a combination of this and any other excepting authorities in excess of 180 working days a year.

(g) *Bureau of Reclamation.* (1) Appraisers and examiners employed on a temporary, intermittent, or part-time basis on special valuation or prospective-entrymen-review projects where knowledge of local values or conditions or other specialized qualifications not possessed by regular Bureau employees are required for successful results. Employment under this provision shall not exceed 130 working days a year in any individual case: *Provided,* That such employment may, with prior approval of the Commission, be extended for not to exceed an additional 50 working days in any single year.

(h) *Office of the Deputy Assistant Secretary for Territorial Affairs.* (1) Positions of Territorial Management Interns, GS–5, when filled by persons selected by the Government of the Trust Territory of the Pacific Islands. No appointment may extend beyond 1 year.

§ 213.3113 Department of Agriculture.

(a) *General.* (1) Agents employed in field positions the work of which is financed jointly by the Department and cooperating persons, organizations, or governmental agencies outside the Federal service. Except for positions for which selection is jointly made by the Department and the cooperating organization, this authority is not applicable to positions in the Agriculture Research Service, the Animal and Plant Health Inspection Service, or positions in the Statistical Reporting Service. This authority is not applicable to the following positions in the Agricultural Marketing Service: Agricultural Commodity grader (grain) and (meat), (poultry), and (dairy) agricultural commodity aid (grain), and tobacco inspection positions.

(2) Any local veterinarian employed on a fee basis or a part-time basis.

(3) Not to exceed 25 professional, scientific, or technical positions in grade GS–7 or higher to be filled on an exchange basis by qualified employees on the rolls of State governments, colleges, or universities, for a limited period not to exceed 1 year.

(4) [Reserved]

(5) Temporary, intermittent, or seasonal employment in the field service of the Department in positions at and below GS–7 and WG–10 in the following types of positions: Field assistants for subprofessional services; caretakers at temporarily closed camps or improved areas; field enumerators and supervisors; forest workers engaged primarily for fire prevention or suppression activities and other forest workers employed at headquarters other than forest supervisor and regional offices; State performance assistants in the Agricultural Stabilization and Conservation Service; collectors of the Farmers Home Administration; agricultural commodity aids (cotton) in the Agricultural Marketing Service; agricultural helpers, helper-leaders, and workers in the Agricultural Research and the Animal and Plant Health Inspection Service; and, subject to prior Commission approval granted in the calendar year in which the appointment is to be made, other clerical, trades, crafts, and manual labor positions. Total employment under this subparagraph may not exceed 180 working days in a service year: *Provided,* That an employee may work as many as 220 working days in a service year when employment beyond 180 days is required to cope with extended fire seasons or sudden emergencies such as fire, flood, storm, or other unforeseen situations involving potential loss of life or property. This paragraph does not cover trades, crafts, and manual labor positions covered by paragraphs (l) and (m) of § 213.3102.

(6) Not to exceed eight positions whose incumbents serve on an intermittent or temporary basis as field representatives of the Department of Agriculture and in this capacity represent the Department's Disaster Committee in conducting surveys and appraisals of conditions in areas whose status as "major disaster" areas under Pub. L. 81–875, is under consideration. Employment under this authority shall not exceed 130 working days a year.

(b) *Office of the Secretary.* (1) Special Livestock Loans Committeemen employed for not more than 180 working days a year, to approve and direct the servicing of emergency livestock loans.

(2) The positions of the two members and two alternate members of the Board of Forest Appeals which must be filled under departmental regulation by persons who have not been Federal employees for 2 years before appointment. Employment under this exception shall be on a when-actually-employed basis.

(c) *Forest Service.* (1) Temporary, intermittent, or seasonal positions when filled by the appointment of persons who are certified as maintaining a permanent and exclusive residence within, or contiguous to, a national forest and as being dependent for livelihood primarily upon employment available within the national forest.

(2) Positions in Alaska of Laborers, Boat Operators, Mechanics, Equipment Operators, and Carpenters whose duties require the operation of boats in coastal waters and/or the establishment and

maintenance of work camps in remote areas.

(d) *Agricultural Stabilization and Conservation Service.* (1) Six positions of Regional Director at GS–14 and GS–15.

(2) Members of State Committees.

(3) State Executive Directors.

(e) *Farmers Home Administration.* (1) State committeemen to consider, recommend, and advise with respect to the Farmers Home Administration program.

(2) County committeemen to consider, recommend, and advise with respect to the Farmers Home Administration program.

(3) Temporary positions whose principal duties involve the making and servicing of emergency loans pursuant to current statutes authorizing emergency loans. Appointments under this provision shall not exceed 1 year unless extended with the prior approval of the Commission for additional periods not to exceed 1 year each.

(4) State Directors and not to exceed three positions of State Director-at-Large.

(5) Temporary positions in State and county offices of the Farmers Home Administration whose principal duties involve the making and servicing of loans pursuant to the Economic Opportunity Act of 1964. Appointments under this provision shall not exceed 1 year unless extended with prior Commission approval for not to exceed 1 additional year.

(6) Professional and clerical positions in the Trust Territory of the Pacific Islands when occupied by indigenous residents of the Territory to provide financial assistance pursuant to current authorizing statutes.

(f) *Agricultural Marketing Service.* (1) Positions of cotton classers GS–9 and below, clerks GS–2, supervisory clerks GS–3, and laborers, employed on a seasonal basis in cotton-classing offices outside the Washington, D.C. Metropolitan Area. Employment under this authority (or under a combination of this authority and any other excepting authority) shall not exceed 1,280 hours a year in the case of cotton classers and laborers, and 1,040 hours a year in the case of clerks; except that a GS–5 cotton classer may be employed as a trainee during his first appointment for an initial period of 6 months for training purposes without regard to the above time limitation.

(2) [Reserved]

(3) Milk Market Administrators.

(4) All positions on the staffs of Milk Market Administrators.

(5) Positions of agricultural commodity graders (processed fruits and vegetables), GS–9 and below, and of graders' aides (processed fruits and vegetables), GS–2–4, for temporary employment on a part-time or intermittent basis for not to exceed 1,280 hours a year.

(6) Temporary positions at GS–9 and below of agricultural commodity graders (poultry) and agricultural commodity graders (dairy). Employment under this authority may not exceed 1,280 hours a year.

(g) *Agricultural Research Service.* (1) Field employees on programs conducted under the terms of cooperative agreements or memorandums of understanding with States or other non-Federal cooperating organizations, provided the employees are jointly selected and their salary is supplied by the cooperators on the basis of not less than a 40-percent contribution by each of the cooperators.

(h) *Foreign Agricultural Service.* (1) Agricultural Attaché positions at grade GS–16 and above where the duties require that the major portion of the employee's time be spent in foreign countries.

(i) [Reserved]

(j) *Food and Nutrition Service.* (1) Temporary positions in grade GS–4 and below, and the wage system equivalents, whose principal duties involve the distribution of food to needy families at Federal Commodity Distribution Centers. After June 30, 1971, appointments under this authority may be made only to replace employees on the rolls as of that date, or their successors.

(k) *Animal and Plant Health Inspection Service.* (1) Field employees on programs conducted under the terms of cooperative agreements or memorandums of understanding with States or other non-Federal cooperating organizations, provided the employees are jointly selected and their salary is supplied by the cooperators on the basis of not less than a 40-percent contribution by each of the cooperators.

(2) Temporary field positions concerned with the control, suppression, and eradication of emergency livestock diseases. Persons appointed under this authority may not be employed in these positions in the Animal and Plant Health Inspection Service for longer than 1 year under this authority, or under a combination of this and any other authorities for excepted appointment that may be appropriate, without prior approval of the Commission. This authority shall be appropriate only in situations declared by the Secretary of Agriculture to be emergencies threatening the livestock industry of the country.

(3) Positions of meat and poultry inspectors (veterinarians at GS–11 and below and nonveterinarians at appropriate grades below GS–11) for employment on a temporary, intermittent, or seasonal basis, not to exceed 1,280 hours a year.

§ 213.3114 Department of Commerce.

(a) *General.* (1) Agents to take and transmit meteorological observations in connection with aviation who are employed on a part-time basis and whose compensation is based on a fee for each observation performed rather than on an hourly or per annum basis: *Provided,* That the number of observations shall not exceed a daily average of 12 during any calendar month.

(2) Employment of individuals, firms, or corporations for not to exceed 1 year for special statistical studies and statistical compilations, other than Personal Census Records Service, the compensation for which is derived from funds deposited with the United States under the Act of May 27, 1935 (49 Stat. 292): *Provided,* That such employments may, with the approval of the Commission, be extended for not to exceed an additional year.

(3) Not to exceed 50 scientific and technical positions whose duties are performed primarily in the Antarctic. Incumbents of these positions may be stationed in continental United States for periods of orientation, training, analysis of data, and report writing.

(b) *Office of the Secretary.* (1) [Reserved]

(2) One Civil Aviation Specialist.

(3) One Advisor on Equal Employment Opportunity.

(4) Until February 20, 1977, not to exceed 29 positions of Business Management Fellowship Program Specialists, GS–11/12.

(c) *Coast and Geodetic Survey.* (1) All civilian positions on vessels operated by the Coast and Geodetic Survey.

(2) Temporary positions required in connection with the surveying operations of the field service of the Coast and Geodetic Survey. Appointment to such positions shall not exceed 8 months in any 1 calendar year.

(d) *Bureau of the Census.* (1) Supervisors, assistant supervisors, supervisors' clerks, and enumerators in the field service, other than Current Program Interviewers, for temporary, part-time, or intermittent employment for not to exceed 1 year: *Provided,* That such appointments may be extended for additional periods of not to exceed 1 year each; but that prior Commission approval is required for extension for longer than 1 year.

(2) Current Program Interviewers employed on an intermittent basis in the field service.

(e)–(g) [Reserved]

(h) *Maritime Administration.* (1) Public Information Officer.

(2)–(4) [Reserved]

(5) The positions of Chief Investigator and Security Officer and Deputy Chief Investigator and Security Officer.

(6) All positions on Government-owned vessels or those bareboats chartered to the Government and operated by or for the Maritime Administration.

(7) [Reserved]

(8) One Special Assistant to the Administrator (Tanker Advisor).

(9) Two Special Assistants to the Deputy Administrator.

(10) U.S. Merchant Marine Academy positions of: Professors, Instructors, and Teachers; including heads of Departments of Physical Education and Athletics, Shipboard Training, Humanities, Mathematics and Science, Maritime Law and Economics, Nautical Science, and Engineering; the Commandant of Midshipmen, the Assistant Commandant of Midshipmen; Director of Music; and seven Company Officers.

(11) U.S. Merchant Marine Academy positions of: the Superintendent; the Assistant Superintendent for Planning; Dean; Registrar; one Educational Spe-

cialist (Director of Admissions) and one Assistant Director of Admissions; Assistant Dean; Director, Office of External Affairs; Placement Officer; Administrative Librarian; the Special Assistant to the Superintendent; three Academy Training Representatives; and Shipboard Training Assistant.

(i) *Office of the Assistant Secretary for Domestic and International Business.* (1) Thirty positions at GS–12 and above in specialized fields relating to international trade or commerce in the Bureau of International Commerce or in other units under the jurisdiction of the Assistant Secretary for Domestic and International Business. Incumbents will be assigned to advisory rather than to operating duties, except as operating and administrative responsibility may be required for the conduct of pilot studies or special projects. Employment under this authority will not exceed 2 years for any individual appointee.

(2) Not to exceed 40 positions of Managers and Deputy Managers of International Trade Fairs and Exhibit Programs in foreign countries when the duties require a considerable portion of the employee's time to be spent in foreign countries.

(3) Not to exceed 30 positions in grades GS–12 through GS–15, to be filled by persons qualified as industrial or marketing specialists, who possess specialized knowledge and experience in industrial production, industrial operations and related problems, market structure and trends, retail and wholesale trade practices, distribution channels and costs, or business financing and credit practices applicable to one or more of the current segments of U.S. industry served by the Assistant Secretary for Domestic and International Business, and the subordinate components of his organization which are involved in Domestic Business matters. Appointments under this authority may be made for a period of not to exceed two years and may, with prior approval of the Commission, be extended for an additional period of two years.

(j) *National Oceanic and Atmospheric Administration.* (1) Subject to prior approval of the Commission, which shall be contingent upon a showing of inadequate housing facilities, meteorological aid positions at the following stations in Alaska: Barrow, Bethal, Kotzebue, McGrath, Northway, and St. Paul Island.

(2) Cook positions on Swan Island.

§ 213.3115 Department of Labor.

(a) *Office of the Secretary.* (1) Chairman and two members, Employees' Compensation Appeals Board.

(2) Chairman and two members, Benefits Review Board.

(b) *Bureau of Labor Statistics.* (1) Part-time and intermittent employment for field survey and enumeration work in the Bureau of Labor Statistics. This authority is applicable to positions where the salary is equivalent to GS–5 and below. Employment within the Bureau of Labor Statistics under this authority, or a combination of this authority and any other authorities for excepted appointment, shall not exceed:

(i) 180 working days a year for positions at GS–5;

(ii) 130 working days a year for positions at GS–4 and below.

The total number of appointments at GS–5 shall not exceed 75. Appointments at the GS–3 and GS–4 grade levels are not limited in number.

(c) *Office of Federal Contract Compliance.* (1) All positions at GS–15 and below involving performance of the functions of the program known as "Plans for Progress."

(d) *Manpower Administration.* (1) Not to exceed 10 positions of Manpower Development Officer and Manpower Development Specialist in the Division of Indian Manpower Programs when filled by the appointment of persons of one-fourth or more Indian blood. These positions require direct contact with Indian tribes and communities in the development and administration of comprehensive manpower training and employment programs.

§ 213.3116 Department of Health, Education, and Welfare

(a) *Saint Elizabeth's Hospital.* (1) Three Medical Officers (Surgical Resident).

(2) Student Medical Interns for temporary or part-time employment.

(3) Temporary positions of graduate nurses appointed as students for the purpose of receiving 12 weeks of training equivalent to psychiatric affiliation. This authority shall be applied only to positions whose compensation is fixed in accordance with the provisions of section 3 of Pub. L. 80–330.

(4) Three positions of Medical Officers (Radiology Resident): *Provided,* That employment under this authority shall not exceed 1 year, except that selected residents may be nominated and reappointed for an additional year of training when the parent hospital determines that the supplemental training will meet the specialized needs of the individual resident.

(5) 15 positions of psychodrama trainees, including interns and first- and second-year residents. This authority shall be applied only to positions with compensation fixed under 5 U.S.C. 5351 and 5352.

(6) Two Medical Officers (Anatomical Pathology Resident) for not to exceed 2 years' employment in the case of any one individual.

(7) Three Medical Officers (Internal Medicine Resident) for not to exceed 3 months' employment in the case of any one individual.

(8) Four positions of Medical Officer (Physical Medicine and Rehabilitation Resident): *Provided,* That employment under this authority shall not exceed 1 year, except that selected residents may be nominated and reappointed for an additional year of training when the parent hospital determines that the supplemental training will meet the specialized needs of the individual resident. Initial appointments may be made at any level within the 3-year residency as approved by the American Medical Association.

(9) Positions of Chaplain Residents: *Provided,* That employment under this authority shall not exceed 39 months for any individual. This authority shall be applied only to positions whose compensation is fixed in accordance with the provisions of 5 U.S.C. sections 5351 and 5352.

(10) One position of Medical Officer (Ophthalmology Resident) when filled by persons whose compensation is fixed under 5 U.S.C. 5351–5356. Employment under this authority may not exceed 4 months.

(11) Ten positions of group dynamics and group psychotherapy trainees, including interns and residents in the Overholser Training and Research Division. Employment under this authority shall not exceed 2 years, and shall be applied only to positions with compensation fixed under 5 U.S.C. 5351 and 5352.

(b) *Public Health Service.* (1) Special escorts to accompany patients of the Public Health Service in accordance with existing laws and regulations. Employment under this subparagraph shall be only for the period of time necessary for the escort to deliver the patient to his destination and to return.

(2) Positions at Government sanatoria when filled by patients during treatment or convalescence.

(3) All positions in leprosy investigation stations.

(4) Positions concerned with problems in preventive medicine financed or participated in by the Department of Health, Education, and Welfare and a cooperating State, county, municipality, incorporated organization, or an individual in which at least one-half of the expense is contributed by the cooperating agency either in salaries, quarters, materials, equipment, or other necessary elements in the carrying on of the work.

(5) Medical and dental interns, externs, and residents; and student nurses.

(6) Positions of scientific, professional, or technical nature when filled by bona fide students enrolled in academic institutions: *Provided,* That the work performed in the agency is to be used by the student as a basis for completing certain academic requirements required by an educational institution to qualify for a scientific, professional, or technical field: *And provided further,* That appropriate exclusions of the positions under the authority of Pub. L. 80–330 have been approved by the Civil Service Commission.

(7) Student Dietitians and Resident Physicians at Freedman's Hospital.

(8) All positions in the Public Health Service and other positions in the Department of Health, Education, and Welfare directly and primarily related to providing services to Indians when filled by the appointment of Indians. The Secretary of Health, Education, and Welfare is responsible for defining the term "Indian."

(9) Not to exceed 30 positions of clerical assistants employed on a part-time and intermittent basis to aid cooperating clinicians in non-Federal tuberculosis sanatoria in the keeping of records and the preparation of reports in connection with research studies into the effectiveness of antimicrobial agents in the treatment of tuberculosis. Persons appointed under this authority may not be employed in this kind of work in the Public Health Service for more than 180 working days in a single year under this authority or under a combination of this and any other authority for excepted appointment that may be appropriate.

(c) *Office of Education.* (1) Positions concerned with problems in education financed and participated in by the Office of Education, Department of Health, Education, and Welfare, and a cooperating State educational agency, or university or college, in which there is joint responsibility for selection and supervision of employees, and at least one-half of the expense is contributed by the cooperating agency in salaries, quarters, materials, equipment, or other necessary elements in the carrying on of the work.

(d) *Social Security Administration.* (1) Six positions of social insurance representative in the district offices of the Social Security Administration in the State of Arizona when filled by the appointment of persons of one-fourth or more Indian blood.

(2) Seven positions of social insurance representative in the district offices of the Social Security Administration in the State of New Mexico when filled by the appointment of persons of one-fourth or more Indian blood.

(3) Two positions of social insurance representative in the district offices of the Social Security Administration in the State of Alaska when filled by the appointment of persons of one-fourth or more Alaskan Native blood (Eskimos, Indians, or Aleuts).

(e) *General.* (1) Not to exceed 40 positions in medical and related occupations for employment under the Cuban refugee program. No new appointments may be made after December 31, 1968.

(f) *The President's Council on Physical Fitness.* (1) Three staff assistants, The President's Council on Physical Fitness.

(g) *Social and Rehabilitation Service.* (1) Not to exceed 195 positions directly concerned with programs conducted by the Department in connection with the problems of Cuban refugees: *Provided,* That new appointments shall be limited to Cuban refugees.

(2) Not to exceed 50 professional and 4 clerical positions directly concerned with special teams to review the Medicaid program in selected states. Employment under this authority may not exceed June 30, 1979.

(h) *National Institute of Mental Health—Health Services and Mental Health Administration.* (1) Positions in the National Institute of Mental Health involving performance of various therapeutic and service assignments under a rehabilitation program concerned with the treatment of drug addicts, when filled by persons who have a history of drug addiction and who have been successfully treated.

(i) *National Center for Health Statistics.* (1) Not to exceed 20 positions of Health Examination Representative, grades GS–7 and 9, serving on Health and Nutrition Examination Survey teams of the Division of Health Examination Statistics.

§ 213.3118 Environmental Protection Agency.

(a) Not to exceed 12 positions of Sanitation Facility Trainees, WG–1 through 5, to implement the Alaska Village Demonstration Projects under the Water Quality Improvement Act of 1970. Employment under this authority may not exceed 2 years.

§ 213.3121 National Security Council.

(a) All positions on the staff of the Council.

§ 213.3123 Cabinet Committee on Opportunities for Spanish-Speaking People.

(a) All positions on the committee staff.

§ 213.3124 Board of Governors, Federal Reserve System.

(a) All positions.

§ 213.3127 Veterans Administration.

(a) *Construction Division.* (1) Temporary construction workers paid from "purchase and hire" funds and appointed for not to exceed the duration of a construction project.

(b) Not to exceed 300 positions of rehabilitation Counselors, GS–3 through GS–11, in drug and alcoholic treatment units when filled by former patients.

§ 213.3128 U.S. Information Agency.

(a) Two Liaison Officers (Congressional) in the Office of the General Counsel.

(b) One Chief of Religious Information.

§ 213.3129 Federal Power Commission.

(a) Three special assistants to the Commission.

§ 213.3130 Securities and Exchange Commission.

(a) Director, Division of Corporation Finance; Director, Division of Corporate Regulation; Director, Division of Trading and Markets.

(b) Nine positions of Regional Administrator.

(c) Positions of accountant and auditor, GS–13 through 15, when filled by persons selected under the SEC Accounting Fellow program. No more than four positions may be filled under this authority at any one time. An employee may not serve under this authority longer than 2 years.

(d) Positions of Economist, GS–13 through 15, when filled by persons selected under the SEC Economic Fellow Program. No more than four positions may be filled under this authority at any one time. An employee may not serve under this authority longer than two years unless selected under provisions set forth in the Intergovernmental Personnel Act (IPA), 5 U.S.C. § 3372(b)(2).

§ 213.3132 Small Business Administration.

(a) When the President under 42 U.S.C. 1855–1855g, or the Secretary of Agriculture under 7 U.S.C. 1961 or the Small Business Administration under 15 U.S.C. 636(b)(1), declares an area to be a disaster area, positions filled by temporary appointment of employees to make and administer disaster loans in that area under the Small Business Act, as amended. Service under this authority may not exceed 4 years, and no more than 2 years may be spent on a single disaster. No one may be appointed under this authority to positions engaged in long-term maintenance of loan portfolios.

(b) [Reserved]

(c) Position of Community Economic-Industrial Planner, GS–7 through 12, when filled by local residents who represent the interest of the groups to be served by the Minority Enterpreneurship Teams of which they are members.

§ 213.3133 Federal Deposit Insurance Corporation.

(a) All field positions concerned with the work of liquidating the assets of closed banks or the liquidation of loans to banks, and all temporary field positions the work of which is concerned with paying the depositors of closed insured banks.

(b) One position of Chief Clerk in the San Juan, P.R., office.

§ 213.3136 U.S. Soldiers' and Airmen's Home.

(a) All positions.

§ 213.3137 General Services Administration.

(a) *General.* (1) Custodians, guards, watchmen, laborers, and other employees engaged in the custody, care, and preservation of plants, warehouses, shipyards, airfields, and surplus facilities of a similar nature pending disposition of such facilities.

(b) [Reserved]

(c) *Office of the Regional Administractor—Region 9.* (1) One Program Assistant.

§ 213.3139 U.S. International Trade Commission.

(a) The Secretary of the Commission.

§ 213.3141 National Labor Relations Board.

(a) Election Clerks and Election Examiners for temporary, part-time or intermittent employment in connection with elections under the Labor Management Relations Act.

§ 213.3142 Export-Import Bank of the United States.

(a) Three Special Assistants to the Board of Directors, grade GS–14 and

above, with responsibility for carrying out special overseas assignments for the Board.

§ 213.3143 Farm Credit Administration.

(a) Federal Land Bank Association receivers and conservators.

(b) Not to exceed seven positions in the Credit Services of the Farm Credit Administration in grades GS–13 or above, requiring technical or administrative experience in the field of agricultural credit: *Provided,* That this authority may be used only when making appointments of persons who have acquired such experience in the Farm Credit Administration or in one or more of the institutions supervised by the Farm Credit Administration.

§ 213.3146 Selective Service System.

(a) State Directors.

(b) Deputy or Assistant State Directors and State Medical Officers in State Headquarters.

(c) [Reserved]

(d) Executive Secretary, National Selective Service Appeal Board.

§ 213.3147 Federal Mediation and Conciliation Service.

(a) Executive Secretary of a Board of Inquiry appointed under section 206 of the Labor-Management Relations Act of 1947 (29 U.S.C. 176).

§ 213.3148 National Aeronautics and Space Administration.

(a) One hundred fifty alien scientists having special qualifications in the fields of aeronautical and space research where such employment is deemed by the Administrator of the National Aeronautics and Space Administration to be necessary in the public interest.

(b) Forty scientific specialists to be engaged on special research projects.

(c) [Reserved]

(d) Ten medical officer positions for employment of third year medical residents in the field of aerospace medicine. An individual may not be employed more than one year under this exception.

(e) Twenty-two positions in the Secretarial Science program at Langley Research Center when occupied by students at Thomas Nelson Community College. No one may be employed under this authority for more than 1,280 hours in a service year. No new appointments may be made under this authority after August 31, 1976.

§ 213.3149 Panama Canal Company.

(a) All positions on vessels operated by the Panama Canal Company.

§ 213.3152 U.S. Government Printing Office.

(a) One Umpire.

(b) Positions in the printing trades when filled by students majoring in printing technology employed under a cooperative education agreement with the Washington Technical Institute.

§ 213.3153 Government of the District of Columbia.

(a) *Board of Higher Education.* (1) Positions of noneducational employees of the Federal City College.

(b) *Board of Vocational Education.* (1) Positions of noneducational employees of the Washington Technical Institute.

(c) *Department of Housing and Community Development.* (1) One Executive Director.

(2) Positions of teachers engaged on a part-time or intermittent basis in the instruction of trainees enrolled in training programs for the maintenance and repair of buildings and grounds.

(3) Until March 1, 1978, seven positions of Resident Housing Manager, GS–5 through GS–8, under an experimental demonstration program for improvement of public housing management.

(4) Neighborhood Aide (Urban Renewal) positions when filled by residents of the urban renewal project area in which the Aides will serve. Employment under this authority may not exceed 2 years.

§ 213.3154 Federal Home Loan Bank Board.

(a) One Secretary, Federal Home Loan Bank Board.

(b) [Reserved]

(c) All temporary field positions in the Federal Savings and Loan Insurance Corporation concerned with the work of liquidating the assets of closed insured institutions, or the liquidation of loans or the handling of contributions to insured institutions and the purchase of assets therefrom, and all temporary field positions of the Federal Savings and Loan Insurance Corporation the work of which is concerned with paying the depositors of closed insured institutions.

§ 213.3156 Commission on Civil Rights.

(a) Twenty-five positions at grade GS–11 and above of employees who collect, study, and appraise civil rights information to carry out the national clearinghouse responsibilities of the Commission under Pub. L. 88–352, as amended. No new appointments may be made under this authority after March 31, 1976.

§ 213.3157 National Credit Union Administration.

(a) Liquidation Agents employed on a temporary or intermittent basis in the field.

§ 213.3158 Franklin Delano Roosevelt Memorial Commission.

(a) All positions on the staff of the Commission.

§ 213.3161 James Madison Memorial Commission.

(a) One Executive Secretary.

§ 213.3162 National Aeronautics and Space Council.

(a) All positions.

§ 213.3165 President's Advisory Committee on Labor-Management Policy.

(a) One Assistant Executive Director.

§ 213.3170 Civil Service Commission.

(a) Persons employed on a WAE basis to serve as members of the International Organizations Employees Loyalty Board for the purpose of holding hearings overseas.

(b) Chairman, Federal Prevailing Rate Advisory Committee.

§ 213.3182 National Foundation on the Arts and the Humanities.

(a) *National Endowment for the Arts.* (1) [Reserved]

(2) Until September 30, 1980, Director of Federal-State Partnerships, when filled at GS–15 and below.

(3) Until September 30, 1980, eight Program Directors.

(4) Until September 30, 1980, one Assistant Director for Theatre Programs.

(5) Until September 30, 1980, one Director of Folk Arts Programs.

(6)–(10) [Reserved]

(11) Until September 30, 1980, four Project Evaluators.

(12) Until September 30, 1980, one Director of Museum Programs.

(13) Until September 30, 1980, two Assistant Directors for State and Community Operations.

(14) Until September 30, 1980, one Assistant Director of Music Programs.

(15) Until September 30, 1980, one Director of Developing Arts Programs.

(16) Until September 30, 1980, one Director for Public Media Programs.

(17) Until September 30, 1980, one Assistant to the Chairman.

(18) [Reserved]

(19) Until September 30, 1980, one Director, Interdisciplinary Programs.

(20) Until September 30, 1980, one Director of Special Projects.

(21) Until September 30, 1980, one Assistant Director of Expansion Arts Programs.

(22) Until September 30, 1980, one Assistant Director of Public Media Programs.

(23) Until September 30, 1980, one Assistant Director of Architecture and Environment Arts Programs.

(24) Until September 30, 1980, one Assistant Director of Dance.

(25) Until September 30, 1980, one Assistant Director of Visual Arts.

(26) Until September 30, 1980, one Assistant Director of Museum.

(27) Until September 30, 1980, one Assistant Director of Special Projects.

(28) Until September 30, 1980, one Crafts Coordinator.

(29) Until September 30, 1980, one Director of Performing Arts and Public Media Programs.

(b) *National Endowment for the Humanities.* (1) and (2) [Reserved]

(3) Until September 30, 1980, Director of Planning and Analysis, when filled at GS–15 and below.

(4) Until September 30, 1980, Director of Fellowships and Stipends.

(5) [Reserved]

(6) Until September 30, 1980, one Special Assistant to the Chairman.

(7) [Reserved]

(8) Until September 30, 1980, three Program Officers, Division of Fellowships and Stipends.

(9) Until September 30, 1980, two Program Officers, Division of Research and Grants.

(10) Until September 30, 1980, one Assistant to the Director of Planning and Analysis.

(11) Until September 30, 1980, Director of Education Programs.

(12) Until September 30, 1980, two Program Officers, Division of Public Programs.

(13) Until September 30, 1980, Director of Public Programs.

(14) Until September 30, 1980, five Program Officers, State-Based Programs, Division of Public Programs.

(15)–(16) [Reserved]

(17) Until September 30, 1980, one Program Officer, Special Projects, Division of Public Programs.

(18) Until September 30, 1980, two Programs Officers, Museum Programs, Division of Public Programs.

(19) Until September 30, 1980, two Special Assistants to the Deputy Chairman.

(20) Until September 30, 1980, one Program Analyst, Office of Planning and Analysis.

(21) Until September 30, 1980, one Media Programs Officer, Division of Public Programs.

(22) Until September 30, 1980, one Bicentennial Coordinator, Office of the Chairman.

(23) Until September 30, 1980, one Deputy Director of Public Programs.

(24) Until September 30, 1980, one Program Officer/Deputy Director, Division of Research Grants.

(25) Until September 30, 1980, one Planning Officer, Office of Planning and Analysis.

(26) Until September 30, 1980, one Humanist Administrator, Division of Fellowships.

(27) Until September 30, 1980, one Humanist Administrator, Division of Education Programs.

§ 213.3194 Department of Transportation.

(a) *U.S. Coast Guard.* (1) Continuing positions at grade GS–9 and below whose incumbents are engaged in the admeasurement or documentation of merchant vessels on a part-time or intermittent basis not exceeding 700 hours in a service year. A person appointed under this authority may not be employed in the Coast Guard under a combination of this authority and any other authority for excepted appointment for more than 700 hours during his service year.

(2) Lamplighters.

(3) Professors, Associate Professors, Assistant Professors, Instructors, one Principal Librarian, one Cadet Hostess, and one Psychologist (Counseling) at the Coast Guard Academy, New London, Conn.

(b) *The Alaska Railroad.* (1) Temporary, part-time, or intermittent positions of nonsupervisory laborers in Alaska, involving railroad construction or repair work at locations outside the Fairbanks and Anchorage commuting areas when there are no local housing facilities available except crew cars and examination is impracticable because of the mobility of the work site, the short-term nature of a maintenance project, or the immediate need for a temporary work force to cope with unexpected turnover or unexpected situations requiring augmentation of the regular work crew in remote or isolated locations. Employment under this authority shall not exceed 180 working days a year.

(2) The General Manager.

(3) The Assistant General Manager.

(c) *Federal Highway Administration.* (1) Temporary, intermittent, or seasonal employment in the field service of the Bureau of Public Roads at grades not higher than GS–5 for subprofessional engineering aide work on the highway surveys and constructions projects, for not to exceed 180 working days a year, when in the opinion of the Commission appointment through competitive examination is impracticable.

(d) *Federal Aviation Administration.* (1) Caretakers and Light Attendants employed on emergency fields and other air navigation facilities who are paid on a fee basis.

(2) Medical Officer positions on Wake Island.

(3) Laborer positions on Swan Island.

(4) One Air Carrier Cabin Safety Specialist. Service under this authority may not exceed 2 years.

(e) *St. Lawrence Seaway Development Corporation.* (1) Assistant Manager, Seaway International Bridge.

(f) *Urban Mass Transportation Administration.* (1) Employment for not to exceed two years of up to six individuals in grades ranging from GS–11 through 15, for the international seminar on "The Role of Urban Transportation in Community Development."

§ 213.3195 President's Temporary Commission on Pennsylvania Avenue.

(a) Not to exceed six positions on the Temporary Comission staff.

§ 213.3199 Temporary boards and commissions.

(a)–(f) [Reserved]

(g) *The National Council on Indian Opportunity.* (1) Positions at GS–15 and below on the staff of the Council when filled by Indians who are of one-fourth or more Indian blood.

(h)–(j) [Reserved]

(k) *American Revolution Bicentennial Administration.* (1) Positions in grades GS–9 through 15, other than those primarily concerned with administrative and internal management matters.

(l)–(n) [Reserved]

(o) *Marine Mammal Commission.* (1) Until June 30, 1977, all positions on the staff of the Commission.

(p) *Micronesian Claims Commission.* (1) Until October 15, 1976, 4 Legal Research Assistant positions on the staff of the Commission.

(q) *Alaska Native Claims Ad Hoc Appeals Board.* (1) Members of this Board.

(r) *Council on Wage and Price Stability.* (1) Until September 30, 1977, all positions on the staff of the Council.

(s) *President's Commission on Olympic Sports.* (1) All positions on the staff of the Commission.

(t) *National Study Commission on Records and Documents.* (1) All positions at grades GS–15 and below.

(u) *National Center for Productivity and Quality of Working Life.* (1) Until September 30, 1978, positions in grade GS–15 and below on the staff of the Center.

SCHEDULE B

§ 213.3201 Positions other than those of a confidential or policy-determining character for which it is not practicable to hold a competitive examination.

The positions enumerated in §§ 213.3202 to 213.3299 are positions other than those of a confidential or policy-determining character for which it is not practicable to hold a competitive examination and which are excepted from the competitive service and constitute Schedule B. Appointments to these positions are subject to such noncompetitive examination as may be prescribed by the Commission.

§ 213.3202 Entire executive civil service.

(a) Student Trainee positions established in connection with a bachelor's degree cooperative education program which provides for a formally arranged schedule of periods of attendance at an institution of higher learning combined with periods of at least six months of study-related work in a Federal agency. The periods of work and study together must satisfy requirements for a bachelor's degree and provide experience necessary for career or career-conditional appointment to administrative, professional, or technical positions in the Federal Government upon the student's graduation. The Commission's determination on requirements relating to appointments under this paragraph will be published in the Federal Personnel Manual. Except for the requirement concerning competitive selection from a register, appointments under this paragraph are subject to all the requirements and conditions governing career-conditional appointment, including investigation by the Commission to establish an appointee's qualifications and suitability. Appointees may not continue to serve in Student Trainee positions more than 90 days after completion of or separation from the cooperative education program.

§ 213.3204 Department of State.

(a) Persons formerly employed abroad in the Foreign Service of the United States (this means civilian employment in the executive branch) for a period of at least 4 years for service in executive and administrative positions, or for at

least 2 years for professional positions, in grades GS–9 and above.

(b) Technical cryptographic positions in the Communications Security Division, Office of Communications.

(c) Director and Deputy Director, Foreign Buildings Operations.

§ 213.3205 Department of the Treasury.

(a) Positions of Deputy Comptroller of the Currency, Chief National Bank Examiner, Assistant Chief National Bank Examiner, Regional Administrator of National Banks, Deputy Regional Administrator of National Banks, Assistant to the Comptroller of the Currency, National Bank Examiner, Associate National Bank Examiner, and Assistant National Bank Examiner, whose salaries are paid from assessments against national banks and other financial institutions.

(b) [Reserved]

(c) Not to exceed two positions of Accountant (Tax Specialist) at grades GS–13 and above to serve as specialists on the accounting analysis and treatment of corporation taxes. Employments under this paragraph shall not exceed a period of 18 months in any individual case.

(d) Positions concerned with the protection of the life and safety of the President and members of his immediate family, or other persons for whom similar protective services are prescribed by law, when filled in accordance with special appointment procedures approved by the Commission. Service under this authority may not exceed (1) a total of 4 years or (2) 120 days following completion of the service required for conversion under Executive Order 11203, whichever occurs first.

§ 213.3206 Department of Defense.

(a) *Office of the Secretary* (1) [Reserved]

(2) Professional positions at GS–11 through GS–15 involving systems, costs, and economic analysis functions in the Office of the Assistant Secretary (Program Analysis and Evaluation); and in the Office of the Deputy Assistant Secretary (Systems Policy and Information) in the Office of the Assistant Secretary (Comptroller).

(3) [Reserved]

(4) One Assistant for Counter-Insurgency, Office of the Assistant Secretary (International Security Affairs).

(5) One Net Assessment Coordinator.

(b) *Interdepartmental activities.* (1) Five positions to provide general administration, general art and information, photography, and/or visual information support to the White House Photographic Service.

§ 213.3207 Department of the Army.

(a) *U.S. Army Command and General Staff College.* (1) Seven positions of professors, instructors, and education specialists. Total employment under this authority may not exceed 2 years.

§ 213.3209 Department of the Air Force.

(a) [Reserved]

(b) Civilian Deans and Professors at the Air Force Institute of Technology, Wright-Patterson Air Force Base, Dayton, Ohio.

§ 213.3210 Department of Justice.

(a) [Reserved]

(b) Positions of Port Receptionist and Supervisory Port Receptionist, Immigration and Naturalization Service.

§ 213.3212 Department of the Interior.

(a) Any competitive position at an Indian school when filled by the spouse of a competitive employee of the school, when because of isolation or lack of quarters, the Commission deems appointment through competitive examination impracticable.

§ 213.3214 Department of Commerce.

(a) *Bureau of the Census.* (1) Not to exceed 100 positions of interviewers, supervisors, and data collection specialists in the Census Bureau who conduct interviews in the hard-core poverty areas of large cities or who supervise the conduct of these interviews, when filled by residents of the areas served.

(2) Not to exceed 200 Community Services Specialist positions at the equivalent of GS–5 through GS–12. No initial appointment may be made under this authority after April 1, 1980. No one may serve under this authority after December 31, 1982.

(b) *Economic Development Administration.* (1) Four Area Supervisors.

(2) Four Assistant Area Supervisors.

(c) *Office of Minority Business Enterprise.*

(1) Until December 31, 1976, not to exceed 15 positions of Minority Business Opportunity Specialist at grades GS–9 through GS–15.

(d) *Office of Telecommunications.* (1) Not to exceed 10 positions of Telecommunications Policy Analysts, grades GS–11 through 15. Employment under this authority may not exceed 2 years.

§ 213.3215 Department of Labor.

(a) and (b) [Reserved]

(c) Not to exceed 35 positions of Manpower Development Specialist at grades GS–9 through GS–15 in the Manpower Administration. This authority may not be used after June 30, 1973.

§ 213.3216 Department of Health, Education, and Welfare.

(a) *Office of Education.* (1) Fifty positions, GS–7 through GS–11, concerned with advising on education policies, practices, and procedures under unusual and abnormal conditions. Persons employed under this provision must be bona fide elementary school and high school teachers. Appointments under this authority may be made for a period of not to exceed 1 year, and may, with the prior approval of the Civil Service Commission, be extended for an additional period of 1 year.

(b) [Reserved]

(c) Not to exceed 20 positions of HEW Fellows in grades GS–11 through 15. Employment under this authority may not extend beyond 1 year.

§ 213.3228 U.S. Information Agency.

(a) Persons formerly employed abroad in the Foreign Service of the United States or as Binational Center Grantees for a period of at least 4 years for service in executive and administrative positions, or for at least 2 years for professional positions, in grades GS–9 and above.

§ 213.3229 Federal Power Commission.

(a) A Chief Engineer.

§ 213.3242 Export-Import Bank of the United States.

(a) Not to exceed 24 positions of Loan Specialist GS–7 through 14 when occupied by persons selected jointly by commercial banks and the agency for participation in the Eximbank-Commercial Bank Orientation Program. Appointments under this authority may not exceed 15 months.

§ 213.3246 Selective Service System.

(a) Positions in the Selective Service System when filled by persons who as commissioned officer personnel in the Armed Forces have previously been trained for or have been on active military duty in the Selective Service program, and cannot, for some reason beyond their control, be brought to active military duty in the current Selective Service program.

§ 213.3248 National Aeronautics and Space Administration.

(a) Not to exceed 40 positions of Command Pilot, Pilot and Mission Specialist candidates at grades GS–7 through 15 in the Space Shuttle Astronaut program. Employment under this authority may not exceed 3 years.

§ 213.3253 Government of the District of Columbia.

(a) Chairman, Secretary and Members of the Board of Police and Fire Surgeons, District of Columbia.

§ 213.3259 ACTION.

(a) *Office of Domestic and Anti-Poverty Operations.* (1) Not to exceed 25 positions of Program Specialist at grades GS–9 through GS–15.

(2) Not to exceed ten positions of Regional Director, GS–15. No one may be initially appointed under this authority after March 31, 1976.

§ 213.3268 Agency for International Development.

(a) Not to exceed 30 positions at GS–9 and above when filled by persons who have served overseas with the Agency for International Development for not less than 2 years.

§ 213.3272 Administrative Office of the U.S. Courts

(a) Not to exceed twelve positions of Federal Probation System Administrator

in the Division of Probation, when filled by Federal Probation Officers on active service in the U.S. Courts.

(b) [Reserved]

(c) Three positions of Clerks Liaison Officer in the Division of Clerks of Court.

§ 213.3273 Community Services Administration.

(a) Seven Regional Directors.

(b) [Reserved]

(c) One Chief, Research and Plans Division.

§ 213.3276 Appalachian Regional Commission.

(a) Two Program Coordinators.

§ 213.3282 National Foundation on the Arts and the Humanities.

(a) *National Endowment for the Arts.* (1) Until September 30, 1980, Assistant Director, Office of Program Development and Coordination.

(b) *National Endowment for the Humanities.* (1) Until September 30, 1980, Assistant Director, Research Materials Program.

(2) Until September 30, 1980, Assistant Director for Project Grants Programs.

(3) Until September 30, 1980, Deputy Director, Division of Education Programs.

(4) Until September 30, 1980, Director, Division of Research Grants.

SCHEDULE C

§ 213.3301 Positions of a confidential or policy-determining character.

The positions enumerated in §§ 213.3302 to 213.3399 are positions of a confidential or policy-determining character which are excepted from the competitive service, to which appointments may be made without examination by the Commission and which constitute Schedule C.

§ 213.3301a Special revocation of exceptions.

The exception from the competitive service for each position in the executive branch listed in Schedule C which is classified in grade GS–16, GS–17, or GS–18, and is covered by Civil Service Rule IX (§ 9.1 of Subchapter A of this chapter) is revoked effective November 17, 1967. Each such position is removed from Schedule C effective November 17, 1967.

§ 213.3301b Revocation of exceptions.

(a) Except as provided by paragraph (b) of this section the exception from the competitive service for each position at GS–15 and below in the executive branch listed in Schedule C is revoked when the position has been vacant for 60 calendar days or more.

(b) Notwithstanding the provisions of paragraph (a) of this section, the Commission may delay the revocation action for an additional 60 calendar days when the agency demonstrates that it: (1) Has been actively recruiting for the position; (2) has made a tentative selection; and (3) has set an appointment date within the additional 60-day period.

(c) An agency shall notify the Commission within 3 work days after a Schedule C position at GS–15 and below has been vacated or filled.

§ 213.3303 Executive Office of the President.

(a) *Office of Management and Budget.*

(1) Five Secretaries to the Director.

(2) One Special Assistant to the Deputy Director.

(3) One Private Secretary to the Deputy Director.

(4) Associate Director.

(5) [Reserved]

(6) One Secretary to each of four Associate Directors.

(7) Four Assistant Directors.

(8) One Private Secretary to an Assistant Director.

(9) Two Special Assistants to the Director.

(10) Associate Director for National Security and International Affairs.

(11) Associate Director for Human and Community Affairs.

(12) Associate Director for Economics and Government.

(13) Associate Director for Natural Resources, Energy and Science.

(14) One Secretary to the Assistant to the Director for Public Affairs.

(15) [Reserved]

(16) One Confidential Secretary to the Administrator, Office of Federal Procurement Policy.

(b) *Council of Economic Advisers.* (1) Two Secretaries to the Chairman and one to each of the other two members.

(c)–(e) [Reserved]

(f) *President's Commission on White House Fellows.* (1) The Executive Director.

(2) The Associate Executive Director.

(g) *Council on Environmental Quality.* (1) One Special Assistant to the Chairman.

(2) One Confidential Assistant to each Member of the Council.

(h) [Reserved]

(i) *Office of Telecommunications Policy.* (1)–(3) [Reserved]

(4) One Courier.

(5) [Reserved]

(6) One Confidential Secretary to the Director.

(7) One Confidential Secretary to the Deputy Director.

(j) [Reserved]

(k) *Office of Science and Technology Policy.* (1) One Secretary to the Director.

(2) One Senior Policy Analyst.

§ 213.3304 Department of State.

(a) *Office of the Secretary.* (1) [Reserved]

(2) Two Private Secretaries to the Secretary.

(3) One position of Secretary to the Under Secretary for Political Affairs.

(4)–(8) [Reserved]

(9) The Chief of Protocol.

(10) [Reserved]

(11) One Personal Assistant to the Under Secretary for Coordinating Security Assistance Programs.

(12) One Personal Assistant to the Ambassador at Large and Chief of Mission to the North Atlantic Treaty Organization.

(13)–(15) [Reserved]

(16) One Secretary (Stenography) to the Deputy Under Secretary for Management.

(17) One Personal Assistant to the Ambassador-at-Large.

(18) [Reserved]

(19) One Assistant Chief of Protocol for Visits.

(20) [Reserved]

(21) One Secretary (Steno) to the Deputy Secretary.

(22) One Protocol Officer (Visits).

(23) One Secretary (Stenography) to the Chief of Protocol.

(24) Two Secretarial Assistants (Stenography) to the Secretary.

(b) [Reserved]

(c) *Office of the Assistant Secretary for Congressional Relations.* (1)–(3) [Reserved]

(4) One Legislative Officer.

(d) *Bureau of Oceans and International Environmental and Scientific Affairs.* (1) One Secretary to the Assistant Secretary.

(e) *Bureau of Economic Affairs.* (1) One Private Secretary to the Assistant Secretary.

(f) *Bureau of Intelligence and Research.* (1) One Private Secretary.

(2) Director of Intelligence and Research.

(g) [Reserved]

(h) *Bureau of International Organization Affairs.* (1) One Secretary (Steno) to the Assistant Secretary.

(2) One Secretary and Personal Assistant to the U.S. Representative to the Council of the Organization of American States.

(3) One Supervisory Foreign Affairs Officer.

(i) [Reserved]

(j) *Office of the Assistant Secretary for East Asian and Pacific Affairs.* (1) One Secretary (Stenography) to the Assistant Secretary.

(k)–(p) [Reserved]

(q) *Office of the Under Secretary for Economic Affairs.* (1) [Reserved]

(2) One Confidential Assistant to the Under Secretary.

(r) [Reserved]

(s) *Bureau of Educational and Cultural Affairs.* (1) One Private Secretary to the Assistant Secretary for Educational and Cultural Affairs.

(2) [Reserved]

(t) *Office of the Inspector General, Foreign Assistance.* (1) One Private Secretary to the Inspector General, Foreign Assistance.

(2) One Private Secretary to the Deputy Inspector General, Foreign Assistance.

(u) *Office of the Counselor.* (1) [Reserved]

(2) One Staff Assistant to the Counselor.

(v) *Bureau of Politico-Military Affairs.* (1) One Private Secretary to the Director.

(w)–(x) [Reserved]

(y) *Office of the Assistant Secretary for Public Affairs.* (1) One Secretary and

Personal Assistant to the Assistant Secretary for Public Affairs.

(z) *Office of the Assistant Secretary for Near Eastern and South Asian Affairs.* (1) Secretary to the Assistant Secretary.

§ 213.3305 Department of the Treasury.

(a) *Office of the Secretary.* (1) One Staff Assistant to the Secretary (Director, Executive Secretariat).

(2) Special Assistant to the Secretary (National Security Affairs).

(3) [Reserved]

(4) One Public Information Officer.

(5) [Reserved]

(6) One Staff Assistant to the Special Assistant to the Secretary (National Security Affairs).

(7) One Staff Assistant to the National Director, U.S. Savings Bonds Division.

(8)–(9) [Reserved]

(10) One Deputy Special Assistant to the Secretary (National Security Affairs).

(11) [Reserved]

(12) One Staff Assistant to the Assistant Secretary (International Affairs).

(13) One Secretary to the Secretary.

(14) One Liaison Officer, Office of the Assistant Secretary (Enforcement, Tariff and Trade Affairs, and Operations).

(15) [Reserved]

(16) One Confidential Secretary to the Assistant Secretary (Enforcement, Operations, and Tariff Affairs).

(17) One Confidential Assistant to the Assistant Secretary (Enforcement, Tariff and Trade Affairs, and Operations).

(18) One Confidential Secretary to the Assistant Secretary (Economic Policy).

(19) One Staff Assistant to the Assistant Secretary (International Affairs).

(20) Deputy to the Assistant Secretary, Saudi Arabian Operations and Policies.

(21) Deputy Assistant Secretary (Trade and Raw Materials Policy).

(22) One Confidential Staff Assistant to the Assistant Secretary for International Affairs.

(23)–(24) [Reserved]

(25) One Secretary to the Special Assistant to the Secretary (Public Affairs).

(26)–(30) [Reserved]

(31) One Deputy Assistant Secretary for Research and/or Director of Research (International Affairs).

(32) Deputy Assistant Secretary for Developing Nations Finance.

(33) [Reserved]

(34) One External Affairs Officer (Public Affairs).

(35) One Special Assistant to the Under Secretary.

(36)–(37) [Reserved]

(38) One Secretary to the Deputy Assistant Secretary (Enforcement, Operations, and Tariff Affairs).

(39) One Staff Assistant to the Assistant Secretary for Administration.

(40) One Executive Assistant to the Deputy Secretary.

(41) One Staff Assistant to the Assistant Secretary (Legislative Affairs).

(42)–(45) [Reserved]

(46) Special Assistant to the Assistant Secretary for International Affairs.

(47) Three Staff Assistants to the Secretary.

(48) One Secretary to the Assistant Secretary (Legislative Affairs).

(49)–(50) [Reserved]

(51) One Special Assistant to the Assistant Secretary (Legislative Affairs).

(52) Director, Office of Revenue Sharing.

(53) One Confidential Assistant to the Treasurer of the United States.

(54) [Reserved]

(55) One Confidential Assistant to the Secretary.

(56) [Reserved]

(57) Deputy Assistant Secretary (Financial Resources Policy Coordination).

(58) Deputy Assistant Secretary (Energy Policy).

(59) Adviser to the Secretary (Counselor to the Chairman, Economic Policy Board).

(60) One Staff Assistant (Secretary) to the Counselor to the Secretary.

(61) One Special Assistant to the Assistant Secretary (Enforcement, Operations, and Tariff Affairs).

(62) One Special Assistant to the Under Secretary for Revenue Sharing and Intergovernmental Relations.

(63) One Special Assistant to the Assistant Secretary (Tax Policy).

(64) One Confidential Secretary to the Assistant Secretary (Tax Policy).

(65) One Public Information Specialist to the Special Assistant to the Secretary (Public Affairs).

(66) One Secretary to the Assistant to the Secretary and Director, Office of Revenue Sharing.

(67) Special Assistant to the Assistant to the Secretary and Director, Office of Revenue Sharing.

(68) One Staff Assistant (Secretary) to the Assistant Secretary (Capital Markets and Debt Management).

(69) One Special Assistant to the Special Assistant to the Secretary (Public Affairs).

(b) [Reserved]

(c) *Bureau of Customs.* (1) Commissioner of Customs.

(2)–(4) [Reserved]

(d)–(e) [Reserved]

(f) *Bureau of the Mint.* (1) [Reserved]

(2) One Confidential Assistant to the Director of the Mint.

(3) [Reserved]

§ 213.3306 Department of Defense.

(a) *Office of the Secretary.* (1) One Special Assistant, one Personal Assistant, one Assistant, and two Private Secretaries to the Secretary.

(2) One Private Secretary to the Deputy Secretary of Defense and one Private Secretary to each of the following: Director of Defense Research and Engineering; the Principal Deputy Director of Defense Research and Engineering; the Deputy Directors of Defense Research and Engineering (Tactical Warfare Programs), (Strategic Systems), (Research and Technology); the Director, Advanced Research Project Agency; the Assistant Secretaries of Defense (Manpower and Reserve Affairs), (International Security Affairs), (Public Affairs), (Installations and Logistics), (Comptroller), (Program Analysis and Evaluation), (Intelligence), and (Legislative Affairs); the General Counsel, the Assistant to the Secretary of Defense (Atomic Energy); and the Military Assistants to the Secretary of Defense.

(3) One Chauffeur to the Secretary and one Chauffeur to the Deputy Secretary.

(4) [Reserved]

(5) The Defense Advisor to USNATO in Brussels, Belgium.

(6) One Private Secretary to the Defense Adviser to USNATO in Brussels, Belgium.

(7) [Reserved]

(8) One Assistant to the Secretary of Defense (Legislative Affairs).

(9) [Reserved]

(10) One Special Assistant to the Assistant Secretary of Defense (Legislative Affairs).

(11) One Personal Secretary to the Deputy Secretary of Defense.

(12) One Private Secretary to the Principal Deputy Assistant Secretary (International Security Affairs), Office of the Assistant Secretary of Defense for International Security Affairs.

(13) One Confidential Assistant to the Special Assistant to the Secretary.

(14)–(15) [Reserved]

(16) One Staff Assistant to the Director of Economic Utilization Policy, Office of the Assistant Secretary of Defense (Installations and Logistics).

(17) One Confidential Assistant to the President of the Uniformed Services University of the Health Sciences.

(18) One Special Assistant for Foreign Affairs Legislation to the Assistant Secretary of Defense (Legislative Affairs).

(19) Adjutant General to the Director, D.C. National Guard.

(20) One Principal Assistant to the Assistant Secretary of Defense (Legislative Affairs) for House Affairs.

(21) One Confidential Assistant (Interdepartmental Activities) to the Chairman, Presidential Clemency Board.

(22) Special Assistant to the Assistant Secretary of Defense (International Security Affairs).

(23) Four Deputy Directors of Defense Research and Engineering and the Director, Advanced Research Projects Agency.

(24) [Reserved]

(25) One Principal Deputy Director of Defense Research and Engineering.

(26)–(28) [Reserved]

(29) Principal Deputy Assistant Secretary of Defense (Comptroller).

(30) [Reserved]

(31) One Private Secretary to the Deputy Assistant Secretary (Reserve Affairs).

(32)–(33) [Reserved]

(34) One Staff Assistant to the Special Assistant to the Secretary and Deputy Secretary of Defense.

(35) One Private Secretary to the Assistant Secretary (Health Affairs).

(36) [Reserved]

(37) One Personal Security Assistant to the Secretary.

(38) Private Secretary to the Principal Deputy Assistant Secretary of Defense (Program Analysis and Evaluation).
(39) [Reserved]
(40) One Confidential Assistant to the Deputy Director of Defense Research and Engineering (Test and Evaluation).
(41)–(44) [Reserved]
(45) One Private Secretary to the Principal Deputy Assistant Secretary (Manpower and Reserve Affairs).
(46)–(47) [Reserved]
(48) One Private Secretary to the Principal Deputy Assistant Secretary (Public Affairs).
(49) One Private Secretary to the Principal Deputy Assistant Secretary (Health Affairs).
(50) Defense Representative, Iran.
(51)–(53) [Reserved]
(54) One Private Secretary to the Secretary of Defense, Mutual and Balanced Force Representative.
(55) [Reserved]
(56) One Personal and Confidential Assistant to the Director of Net Assessment.
(57) One Private Secretary to the Director of Net Assessment.
(58) One Special Assistant to the Director, Telecommunications and Command and Control Systems.
(59) One Private Secretary to the Director, Telecommunications and Command and Control Systems.
(60) One Special Assistant for Communication and Community Liaison to the Deputy Assistant Secretary (Equal Opportunity).
(61) Director of Telecommunications and Command and Control Systems.
(62) Principal Deputy Assistant Secretary of Defense (International Security Affairs).
(63) One Secretary to the President, Uniformed Services University of the Health Sciences.
(64) President of the Uniformed Services University of the Health Sciences.
(65)–(66) [Reserved]
(67) One Special Assistant to the Director of Defense Research and Engineering.
(68) One Private Secretary to the Principal Deputy Assistant Secretary (Legislative Affairs).
(69) One Staff Assistant to the Special Assistant to the Secretary.
(70) One Confidential Assistant to the Defense Representative, Iran.
(71) One Private Secretary to the Defense Representative, Iran.
(72) One Confidential Assistant to the Assistant Secretary (International Security Affairs).
(73) One Staff Assistant (Interdepartmental Activities) to the Assistant to the President for National Security Affairs.
(74) One Private Secretary to the second Deputy Secretary of Defense.
(75) One Confidential Aide to the Secretary of Defense.
(76) One Private Secretary to the Principal Deputy Director, Telecommunications, Command and Control Systems.
(77) One Assistant to the Secretary of Defense.
(78) One Private Secretary to the Deputy Director (Policy and Planning), Defense Research and Engineering.
(79) Assistant to the Secretary and Deputy Secretaries.
(80) One Confidential Assistant to the Assistant Secretary of Defense (Legislative Affairs).

(b) *Court of Military Appeals.* (1) One Private Secretary to each of four Judges of the Court.

(c) *Interdepartmental Programs.* (1) [Reserved]
(2) Two Private Secretaries engaged in the interdepartmental activities of the office of the Secretary of Defense.

(d) [Reserved]

(e) *Defense Civil Preparedness Agency.* (1) The Director.
(2) One Special Assistant to the Director.

§ 213.3307 Department of the Army.

(a) *Office of the Secretary.* (1) One Private Secretary or Confidential Assistant to the Secretary, to the Under Secretary, and to each Assistant Secretary of the Army.
(2) The General Counsel.
(3) One Special Assistant to the Secretary.
(4) One Secretary to the Special Assistant to the Secretary.

§ 213.3308 Department of the Navy.

(a) *Office of the Secretary.* (1) [Reserved]
(2) One Private Secretary to the Secretary and one Private or Confidential Secretary to the Under Secretary and to each Assistant Secretary of the Navy.
(3)–(8) [Reserved]
(9) Three Special Assistants to the Military Assistant to the President.
(10)–(11) [Reserved]
(12) General Counsel.
(13) One Special Assistant for Emergency Planning to the Military Assistant to the President.

§ 213.3309 Department of the Air Force.

(a) *Office of the Secretary.* (1) Two Private Secretaries to the Secretary, one Private Secretary to the Under Secretary, and one Private Secretary each to each of the four Assistant Secretaries of the Air Force.
(2) The General Counsel.
(3) One Private Secretary to the General Counsel.
(4)–(6) [Reserved]
(7) One Administrative Assistant and one Private Secretary in the Office of the Military Aide to the Vice President.
(8) Two Private Secretaries in the Office of the Military Assistant to the President.
(9) One Secretary to the Deputy Assistant Secretary of the Air Force (Research and Development).
(10) One Special Assistant to the Secretary.

§ 213.3310 Department of Justice.

(a) *Office of the Attorney General.* (1) Two Private Secretaries to the Attorney General.
(2)–(3) [Reserved]
(4) Four Confidential Assistants to the Attorney General.
(5) Two Secretaries for the Attorney General.
(6)–(7) [Reserved]
(8) Associate Attorney General.
(9) [Reserved]
(10) One Private Secretary to the Executive Assistant to the Attorney General.
(11) Confidential Secretary to the Director, Office of Public Information.

(b) *Office of the Deputy Attorney General.* (1) One Confidential Assistant (Private Secretary) to the Deputy Attorney General.
(2)–(3) [Reserved]
(4) One Confidential Secretary to the Associate Deputy Attorney General.
(5) One Staff Assistant to the Deputy Attorney General.
(6) One Special Assistant to the Director, Office of Criminal Justice.

(c) *Office of the Solicitor General.* (1) One Confidential Assistant (Private Secretary) to the Solicitor General.

(d) *Anti-Trust Division.* (1) [Reserved]
(2) One Confidential Assistant (Private Secretary) to the Assistant Attorney General.

(e) *Civil Division.* (1) [Reserved]
(2) One position of Confidential Assistant (Private Secretary) to the Assistant Attorney General.
(3) [Reserved]
(4) One Special Assistant to the Assistant Attorney General.

(f) *Criminal Division.* (1) One Confidential Assistant (Private Secretary) to the Assistant Attorney General.

(g) *Tax Division.* (1) One Confidential Assistant (Private Secretary) to the Assistant Attorney General.

(h) *Land and Natural Resources Division.* (1) One Confidential Assistant (Private Secretary) to the Assistant Attorney General.

(i) *Drug Enforcement Administration.* (1) [Reserved]
(2) One Special Assistant to the Administrator.
(3) Two Directors of Public Affairs.

(j) *Immigration and Naturalization Service.* (1) One Public Information Officer.
(k) [Reserved]

(l) *Office of Legal Counsel.* (1) One Confidential Assistant (Private Secretary) to the Assistant Attorney General.

(m) *Bureau of Prisons.* (1) The Director.

(n) *Federal Prison Industries, Inc.* (1) The Commissioner of Industries.

(o) *Office of U.S. Attorney.* (1) Secretary and Confidential Assistant to the U.S. Attorney (24 positions).
(p) [Reserved]

(q) *Civil Rights Division.* (1) One Confidential Assistant (Private Secretary) to the Assistant Attorney General.

(r) *Community Relations Service.* (1) One Private Secretary to the Director.
(2)–(4) [Reserved]
(5) One Special Assistant to the Director.

(6) One Special Assistant to the Deputy Director.
(7) One Staff Assistant to the Director.
(8) One Associate Director.
(s) *Law Enforcement Assistance Administration.* (1) One Secretary (Steno) to the Administrator.
(2) [Reserved]
(3) Three Special Assistants to the Administrator.
(4) [Reserved]
(5) One Secretary to the Director, National Institute of Law Enforcement and Criminal Justice.
(6) One Deputy Director, National Institute of Law Enforcement and Criminal Justice.
(7) One Special Assistant to the Director, National Institute of Law Enforcement and Criminal Justice.
(8) One Special Assistant to the Deputy Administrator for Administration.
(9) One Secretary to the Deputy Administrator.
(10) One Special Assistant to the Deputy Administrator for Policy.
(11) One Special Assistant (Women and Minority Rights) to the Administrator.
(12) One Program Planning Officer (Assistant Administrator, Office of National Priority Programs).
(13) One Secretary (Stenography) to the Deputy Administrator for Policy Development.
(14) One Special Assistant to the Assistant Administrator, Office of Juvenile Justice and Delinquency Prevention.
(t) *Office for Drug Abuse Law Enforcement.* (1) One Director.
(u) *Office of National Narcotics Intelligence.* (1) One Director.
(2) [Reserved]
(v) *Office of Legislative Affairs.* (1) One Secertary to the Assistant Attorney General.
(w) [Reserved]
(x) *Office of Justice Policy and Planning.* (1) One Confidential Assistant to the Director.

§ 213.3312 Department of the Interior.

(a) *Office of the Secretary.* (1) Eight Confidential Assistants to the Secretary.
(2) Five Special Assistants to the Secretary.
(3) Six Special Assistants (Field Representatives).
(4) Chauffeur for the Secretary.
(5) Four Special Assistants to the Assistant Secretary for Fish and Wildlife and Parks and one Confidential Assistant (Administrative Assistant) to each of the four Assistant Secretaries for Energy and Minerals, Land and Water Resources, Fish and Wildlife and Parks and Congressional and Legislative Affairs.
(6) One Assistant to the Assistant Secretary for Energy and Minerals (Congressional Liaison).
(7) [Reserved]
(8) One Private Secretary to the Under Secretary.
(9) One Steward.
(10) One Special Assistant to the Assistant to the Secretary and Director of Public Affairs.
(11) [Reserved]
(12) One Assistant and Science Adviser to the Secretary.
(13) One Confidential Assistant to the Assistant to the Secretary and Director of Communications.
(14) [Reserved]
(15) One Confidential Assistant to the Secretary (Interdepartmental Activities).
(16) One Coal Policy Coordinator, Office of the Assistant Secretary for Energy and Minerals.
(17) One Special Assistant to the Assistant Secretary for Congressional and Legislative Affairs.
(18) One Confidential Assistant to the Secretary (Interdepartmental Activities).
(19) [Reserved]
(20) One Director of International Programs to the Assistant Secretary, Program Development and Budget.
(21) [Reserved]
(22) One Confidential Assistant to the Director, Office of Hearings and Appeals.
(23)–(25) [Reserved]
(26) Three Assistants to the Secretary (Congressional Liaison).
(27)–(29) [Reserved]
(30) One Special Assistant to the Assistant Secretary—Administration and Management.
(31) One Confidential Assistant to the Assistant Secretary—Administration and Management.
(32)–(33) [Reserved]
(34) Two Staff Assistants to the Assistant Secretary for Program Development and Budget.
(35)–(36) [Reserved]
(37) One Special Assistant to the Assistant Secretary for Energy and Minerals.
(38)–(42) [Reserved]
(43) One Deputy Director for Information.
(44) One Assistant to the Assistant Secretary, Land and Water Resources.
(45) One Assistant to the Secretary.
(b) *Office of the Solicitor.* (1) One Confidential Assistant to the Solicitor.
(2) One Special Assistant to the Solicitor.
(3) One Confidential Assistant to the Deputy Solicitor.
(c) *Mining Enforcement and Safety Administration.* (1) One Secretary (Typing) to the Administrator.
(2) One Special Assistant to the Administrator.
(d)–(g) [Reserved]
(h) *National Park Service.* (1) Director.
(2) [Reserved]
(3) One Special Assistant to the Director.
(4)–(6) [Reserved]
(7) One Special Assistant to the Deputy Director.
(i) *Bonneville Power Administration.* (1) Administrator.
(2) Confidential Assistant to the Administrator.
(j) [Reserved]
(k) *Southwestern Power Administration.* (1) Administrator.
(2) [Reserved]
(3) One Confidential Assistant to the Administrator.
(l) *Office of the Director of Territorial Affairs.* (1) [Reserved]
(2) One Secretary of American Samoa.
(3) One Chief Justice of American Samoa.
(4) One Special Assistant to the Director (American Samoa),
(5)–(10) [Reserved]
(11) One Secretary to the High Commissioner of the Trust Territory.
(12) One Staff Assistant to the Director.
(m) *Bureau of Outdoor Recreation.* (1) The Director.
(2) [Reserved]
(3) One Confidential Assistant to the Director.

§ 213.3313 Department of Agriculture

(a) *Office of the Secretary.* (1) One Administrative Assistant to the Secretary.
(2) One Assistant to the Secretary for Intergovernmental Affairs.
(3)–(4) [Reserved]
(5) Four Confidential Assistants to the Secretary.
(6) [Reserved]
(7) One Chauffeur for the Secretary.
(8) One Private Secretary and Administrative Assistant to the Executive Assistant to the Secretary.
(9) Two Confidential Assistants to the Assistant Secretary for Marketing and Consumer Services.
(10) One Private Secretary to each of the four Assistant Secretaries other than the Administrative Assistant Secretary.
(11) One Confidential Assistant to the Assistant Secretary for Conservation, Research, and Education.
(12) One Confidential Assistant to the Assistant Secretary for International Affairs and Commodity Programs.
(13) One Private Secretary to the Deputy Assistant Secretary for International Affairs and Commodity Programs.
(14)–(19) [Reserved]
(20) One Confidential Assistant to the Assistant Secretary for Rural Development.
(21)–(23) [Reserved]
(24) One Private Secretary to the Assistant to the Secretary for Intergovernmental Affairs.
(25)–(27) [Reserved]
(28) One Private Secretary to the Confidential Assistant to the Secretary.
(29)–(31) [Reserved]
(32) One Private Secretary to the Deputy Assistant Secretary for Marketing and Consumer Service.
(33) One Private Secretary to the Deputy Assistant Secretary for Rural Development.
(34) One Special Assistant to the Secretary for Consumer Affairs.
(35) [Reserved]
(36) [Reserved]
(b) *Rural Electrification Administration.* (1) One Private Secretary to the Administrator.
(2)–(3) [Reserved]
(4) Two Assistants to the Administrator.

(c) *Office of the Under Secretary.* (1) One Administrative Officer and Private Secretary to the Under Secretary.
(2) and (3) [Reserved]
(4) One Private Secretary to the Deputy Under Secretary for Congressional and Public Affairs.
(5) [Reserved]
(6) Thirteen Confidential Assistants to the Deputy Under Secretary for Congressional and Public Affairs.
(7) [Reserved]
(8) One Staff Assistant to the Deputy Under Secretary.
(9) One Deputy Under Secretary for Congressional and Public Affairs.
(10) One Confidential Assistant to the Under Secretary.
(11) One Private Secretary to the Deputy for Congressional Affairs.
(12) One Private Secretary to the Deputy for Public Affairs.
(13) One Confidential Assistant to the Deputy Under Secretary.
(d) *Office of General Counsel.*
(1)–(2) [Reserved]
(3) One Private Secretary to the General Counsel.
(4) One Confidential Assistant to the General Counsel.
(e) *Foreign Agricultural Service.* (1) [Reserved]
(2) The Administrator.
(3) One Confidential Assistant to the Administrator.
(f) *Farmers Home Administration.* (1)–(2) [Reserved]
(3) One Assistant to the Administrator.
(4) Two Confidential Assistants to the Administrator.
(5) One Private Secretary to the Administrator.
(g) *Federal Crop Insurance Corporation.* (1) The Manager.
(2) Members of the Board of Directors.
(3) One Private Secretary to the Manager.
(h) *Agricultural Stabilization and Conservation Service.* (1) Administrator.
(2) One Assistant Deputy Administrator, Programs.
(3) [Reserved]
(4) Four Confidential Assistants to the Administrator.
(5) One Private Secretary to the Administrator.
(6) Director, Tobacco Division.
(7) [Reserved]
(8) Director, Conservation and Land Use Programs Division.
(i) *Commodity Credit Corporation.* (1) The President.
(2) The Executive Vice-President.
(3) The Secretary.
(j)–(l) [Reserved]
(m) *Agricultural Marketing Service.* (1) The Administrator.
(2) One Private Secretary to the Administrator.
(n) *Agricultural Economics.* (1) The Director.
(2) [Reserved]
(3) One Private Secretary to the Director.
(o) [Reserved]
(p) *Science and Education.* (1) The Director.
(q) *Food and Nutrition Service.* (1) Three Confidential Assistants to the Administrator.
(r) [Reserved]
(s) *Packers and Stockyards Administration.* (1) One Private Secretary to the Administrator.
(t) *Rural Development Administration.* (1) Two Confidential Assistants to the Administrator.
(2) One Private Secretary to the Administrator.

§ 213.3314 Department of Commerce.

(a) *Office of the Secretary.* (1) Six Confidential Assistants to the Secretary.
(2) Two Private Secretaries to the Secretary.
(3) One Confidential Assistant and two Private Secretaries to the Under Secretary.
(4) [Reserved]
(5) One Confidential Assistant and one Private Secretary to the General Counsel.
(6) One Private Secretary to the Deputy General Counsel.
(7) One Chauffeur for the Secretary.
(8) Two Confidential Assistants to the Assistant Secretary for Administration.
(9) Three Congressional Liaison Officers.
(10) One Private Secretary to the Assistant to the Secretary for Congressional Affairs.
(11)–(14) [Reserved]
(15) One Private Secretary to the Assistant Secretary for Administration.
(16) [Reserved]
(17) Two Confidential Assistants to the Director, Office of Minority Business Enterprise.
(18) Chief Economist.
(19) Special Assistant to the Secretary for Policy Development.
(20) One position of Confidential Assistant to the Deputy Under Secretary for Field Programs.
(21) Assistant to the Secretary.
(22) [Reserved]
(23) Two Confidential Assistants to the Chief Economist.
(24) One Private Secretary to the Chief Economist.
(25) One Private Secretary to the Assistant Secretary for Maritime Affairs.
(26) Assistant to the Secretary for Congressional Affairs.
(27) One Private Secretary to the Director, Office of Minority Business Enterprise.
(28) [Reserved]
(29) Two Special Assistants to the Assistant Secretary for Administration.
(30)–(31) [Reserved]
(32) One Secretary to the Special Assistant to the Secretary for Energy Policy.
(33) Two Confidential Assistants to the Special Assistant to the Secretary for Energy Policy.
(b) *Office of the Assistant Secretary for Policy.*
(1) One Private Secretary to the Assistant Secretary.
(2) Two Confidential Assistants to the Assistant Secretary.
(c)–(k) [Reserved]
(l) *U.S. Travel Service.*
(1) One Confidential Assistant to the Assistant Secretary for Tourism.
(2) [Reserved]
(3) One Private Secretary to the Assistant Secretary for Tourism.
(4) [Reserved]
(m) *Office of the Assistant Secretary for Domestic and International Business.* (1) One Private Secretary and one Confidential Assistant to the Assistant Secretary.
(2) One Confidential Assistant to the Deputy Assistant Secretary for Resources and Trade Assistance.
(3)–(6) [Reserved]
(7) National Export Expansion Coordinator.
(8)–(9) [Reserved]
(10) One Confidential Assistant to the Director, Bureau of Competitive Assessment and Business Policy.
(11)–(15) [Reserved]
(16) Deputy Assistant Secretary for Domestic and International Business.
(17) Deputy Assistant Secretary for Domestic Commerce.
(18) Two Confidential Assistants to the Deputy Assistant Secretary for International Commerce.
(19) One Private Secretary to the Deputy Assistant Secretary for Domestic and International Business.
(20) One Confidential Assistant to the Director, Bureau of East-West Trade.
(n) *Office of the Assistant Secretary for Science and Technology.* (1) Two Special Assistants to the Assistant Secretary for Science and Technology.
(o)–(p) [Reserved]
(q) *Office of the Assistant Secretary for Economic Development.* (1) Confidential Secretary to the Assistant Secretary.
(2)–(6) [Reserved]
(7) Director, Office of Congressional Relations.
(8) [Reserved]
(9) Two Congressional Liaison Officers.
(10) Director, Office of Public Affairs.
(11) One Special Assistant to the Assistant Secretary.
(12) One Confidential Assistant to the Assistant Secretary.
(13) One Confidential Assistant to the Deputy Assistant Secretary for Operations.
(r) *National Oceanic and Atmospheric Administration.* (1) One Private Secretary to the Administrator.
(2) One Private Secretary (Confidential Assistant) to the Deputy Administrator.
(s) [Reserved]
(t) [Reserved]
(u) *National Fire Prevention and Control Administration.* (1) One Confidential Assistant to the Administrator.
(2) Private Secretary to the Deputy Administrator.
(3) One Private Secretary to the Administrator.

§ 213.3315 Department of Labor.

(a) *Office of the Secretary.* (1) One Special Assistant, one Confidential Assistant, and three Staff Assistants.

(2) One Private Secretary to the Under Secretary.

(3) One Private Secretary to each Assistant Secretary of Labor appointed by the President except the Assistant Secretary for Policy, Evaluation and Research who has one Confidential Assistant.

(4)–(5) [Reserved]

(6) One Assistant to each Assistant Secretary of Labor appointed by the President except the Assistant Secretary for Manpower and the Assistant Secretary for Labor-Management Relations.

(7) One Private Secretary to the Executive Assistant to the Secretary.

(8) Three Assistants to the Deputy Under Secretary for Legislative Affairs.

(9) The Manpower Administrator.

(10)–(14) [Reserved]

(15) Deputy Under Secretary for International Labor Affairs.

(16) One Confidential Assistant to the Deputy Under Secretary for International Affairs.

(17)–(20) [Reserved]

(21) One Confidential Assistant to the Deputy Under Secretary.

(22) Three Special Assistants to the Assistant Secretary for Occupational Safety and Health Administration.

(23) One Assistant to the Deputy Assistant Secretary for Occupational Safety and Health.

(24)–(25) [Reserved]

(26) One Secretary to the Public Affairs Director.

(27) Two Secretaries to the Secretary.

(28) [Reserved]

(29) Two Assistants to the Deputy Under Secretary for Legislative Affairs.

(30) [Reserved]

(31) Counselor to the Secretary.

(32) [Reserved]

(33) Deputy Under Secretary for Legislative Affairs.

(34) [Reserved]

(35) One Executive Assistant to the Assistant Secretary for Occupational Safety and Health.

(36)–(37) [Reserved]

(38) One Confidential Staff Assistant to the Deputy Assistant Secretary for Manpower/Manpower Administrator.

(39) [Reserved]

(40) Executive Director of the Pension Benefit Guaranty Corporation.

(41) Administrator for Pension and Welfare Benefits, Labor Management Services Administration.

(42) One Secretary (Steno) to the Administrator for Pension and Welfare Benefits.

(43) [Reserved]

(44) One Special Assistant to the Public Affairs Director.

(45) One Confidential Assistant to the Administrator for Pension and Welfare Benefits.

(46) One Special Assistant to the Assistant Secretary for Labor-Management Relations.

(47) One Assistant to the Special Assistant to the Secretary.

(48) One Executive Assistant to the Assistant Secretary for Employment Standards.

(49) One Executive Assistant to the Under Secretary.

(50) One Executive Assistant to the Assistant Secretary for Labor-Management Relations.

(51) One Private Secretary to the Deputy Under Secretary for Legislative Affairs.

(b) *Office of the Solicitor.* (1) One Private Secretary to the Solicitor.

(c)–(e) [Reserved]

(f) *Women's Bureau.* (1) [Reserved]

(2) Two Special Assistants to the Director.

(g)–(h) [Reserved]

(i) *Office of Federal Contract Compliance.* (1) One Special Assistant to the Director.

(j) *Office for Economic Policy Review.*

(1) One Private Secretary to the Deputy Under Secretary for Economic Policy Review.

(2) One Executive Assistant to the Deputy Under Secretary for Economic Policy Review.

§ 213.3316 Department of Health, Education, and Welfare.

(a) *Office of the Secretary.* (1) [Reserved]

(2) One Confidential Assistant to the Secretary.

(3)–(4) [Reserved]

(5) One Confidential Secretary to the Under Secretary.

(6) Six Confidential Assistants to the Under Secretary.

(7)–(10) [Reserved]

(11) Four Assistants to the Secretary for Special Programs.

(12) [Reserved]

(13) Four Assistants to the Secretary.

(14)–(18) [Reserved]

(19) Counselor.

(20) One Receptionist (Typing) to the Secretary.

(21)–(28) [Reserved]

(29) Three Special Assistants to the Assistant Secretary for Public Affairs.

(30) [Reserved]

(31) Commissioner, Youth Development.

(32) Deputy Commissioner, Youth Development.

(33) [Reserved]

(34) One Executive Assistant to the Secretary.

(35) One Secretary to the Executive Assistant to the Secretary.

(36) One Motor Vehicle Operator (Chauffeur for the Secretary).

(37) [Reserved]

(38) Assistant to the Secretary (Executive Secretary to the Department).

(39) One Special Assistant to the Under Secretary.

(b) [Reserved]

(c) *Office of Education.* (1) [Reserved]

(2) Deputy Commissioner for Occupational and Adult Education.

(3) One Confidential Assistant to the Commissioner of Education.

(4)–(11) [Reserved]

(12) Assistant Commissioner for Public Affairs.

(d)–(e) [Reserved]

(f) *Office of the Assistant Secretary for Legislation.* (1) Two Special Assistants to the Assistant Secretary.

(2) One Confidential Secretary to the Deputy Assistant Secretary for Legislation.

(3)–(6) [Reserved]

(7) One Special Assistant to the Deputy Assistant Secretary for Legislation (Education).

(8) One Deputy Assistant Secretary for Legislation (Welfare).

(9) One Special Assistant to the Deputy Assistant Secretary for Legislation (Welfare).

(10) Five Special Assistants to the Deputy Assistant Secretary for Congressional Liaison.

(11) One Special Assistant to the Deputy Assistant Secretary for Legislation (Health).

(12) One Confidential Assistant to the Assistant Secretary.

(13) One Deputy Assistant Secretary (Education).

(g) *Welfare Administration.* (1) The Commissioner.

(2) [Reserved]

(3) One Confidential Assistant to the Commissioner.

(h) *Office of the Assistant Secretary for Health.* (1)–(4) [Reserved]

(5) The Commissioner, Food and Drug Administration.

(6) Administrator, Health Services Administration.

(7)–(10) [Reserved]

(11) Administrator, National Institutes of Health.

(i) *Federal Council on the Aging.* (1) [Reserved]

(2) One Special Assistant to the Chairperson, Federal Council on the Aging.

(j) [Reserved]

(k) *Office of the Assistant Secretary for Planning and Evaluation.* (1)–(3) [Reserved]

(4) One Special Assistant to the Assistant Secretary.

(5)–(9) [Reserved]

(10) One Special Assistant for Telecommunications.

(l) *Social Security Administration.* (1) One Deputy Commissioner.

(2) [Reserved]

(m) *Office of Consumer Affairs.* (1) Director of Public Affairs.

(2) Director for External Liaison.

(3) [Reserved]

(4) One Writer-Editor.

(5) One Confidential Assistant to the Special Assistant to the President for Consumer Affairs.

(n) *Office of the Assistant Secretary for Human Development.* (1) [Reserved]

(2) [Reserved]

(3) One Special Assistant for Juvenile Delinquency to the Deputy Assistant Secretary for Youth and Student Affairs.

(4)–(5) [Reserved]

(6) One Special Assistant to the Deputy Assistant Secretary for Youth and Student Affairs.

(7) One Special Assistant for Student Affairs to the Deputy Assistant Secretary for Youth and Student Affairs.

(8)–(14) [Reserved]
(15) One Confidential Assistant to the Commissioner of Vocational Rehabilitation.
(16) One Confidential Assistant to the Commissioner of Rehabilitation Services Administration.
(o) *Social and Rehabilitation Service.* (1) Administrator, Social and Rehabilitation Service.
(2) [Reserved]
(3) One Confidential Assistant to the Administrator.
(4) Commissioner of Vocational Rehabilitation.
(5)–(8) [Reserved]
(9) One Assistant Administrator for Policy Coordination.
(10) [Reserved]
(11) One Confidential Assistant to the Commissioner, Assistance Payments Administration.
(p) *Office of the General Counsel.* (1) One Confidential Secretary to the General Counsel.
(2) [Reserved]
(3) One Special Assistant to the General Counsel.
(q) *Office of the Special Assistant to the Secretary for Civil Rights.* (1) Director, Office of Governmental Relations.
(2) One Confidential Secretary to the Special Assistant.
(3) One Assistant to the Special Assistant.
(4) Three Special Assistants for Special Groups.
(5) One Special Assistant for Public Affairs.
(6) [Reserved]
(7) Director, Office of Policy Communication.
(r) *Office of the Assistant Secretary for Education.* (1) One Special Assistant to the Assistant Secretary.
(2) One Confidential Assistant to the Assistant Secretary.
(3) One Confidential Assistant to the Deputy Assistant Secretary for Education (Policy Communications).
(4) One Special Assistant to the Deputy Assistant Secretary for Education (Policy Communications).
(5) One Executive Assistant to the Assistant Secretary.
(6) One Staff Assistant for Special Projects to the Assistant Secretary.
(7) One Confidential Secretary to the Deputy Assistant Secretary for Education.
(8) One Special Assistant to the Deputy Assistant Secretary.
(9) Deputy Assistant Secretary (Policy Communications).

§ 213.3317 Overseas Private Investment Corporation.

(a) One Chauffeur to the President.
(b) [Reserved]
(c) One Secretary (Steno) to the Vice President and General Counsel.
(d) [Reserved]
(e) One Secretary (Steno) to the Legislative Counsel.

§ 213.3318 Environmental Protection Agency.

(a) *Office of the Administrator.* (1) Ten Special Assistants to the Administrator.
(2)–(3) [Reserved]
(4) One Staff Assistant to the Administrator.
(5) One Secretary to the Deputy Administrator.
(b) *Office of Legislation.* (1) One Assistant Director for Congressional Affairs.
(2)–(5) [Reserved]
(6) One Legislative Affairs Specialist.
(c) *Office of Public Affairs.*
(1)–(3) [Reserved]
(4) Two Public Information Specialists.
(5) One Special Assistant to the Director.
(d) *Office of the Assistant Administrator for Enforcement.* (1) One Special Assistant to the Assistant Administrator.
(e) *Office of Regional and Intergovernmental Relations.* (1) One Regional and Intergovernmental Liaison Specialist.

§ 213.3319 Administrative Conference of the United States.

(a) One Private Secretary to the Chairman.

§ 213.3320 Inter-American Foundation [Reserved]

§ 213.3322 Interstate Commerce Commission.

(a) One Confidential Assistant to each Commissioner.
(b)–(d) [Reserved]
(e) One Confidential Assistant to the Chairman.
(f) One Secretary to the Congressional Liaison Officer.
(g) [Reserved]

§ 213.3325 The Tax Court of the United States.

(a) One Private Secretary and one Technical Assistant for the Chief Judge and one Private Secretary and two Technical Assistants for each Judge.

§ 213.3327 Veterans Administration.

(a) *Office of the Administrator.* (1) One Confidential Assistant to the Special Assistant to the Administrator.
(2) The Deputy Administrator.
(3) The General Counsel.
(4) The Associate Deputy Administrator.
(5) [Reserved]
(6) Three Confidential Assistants to the Administrator.
(7) One Confidential Assistant to the Executive Assistant to the Administrator.
(8) Four Confidential Assistants to the Assistant Deputy Administrator.
(9) Director, National Cemetery System.
(10) One Confidential Assistant to the Deputy Administrator.
(b) *Department of Veterans Benefits.* (1) The Chief Benefits Director.

§ 213.3328 U.S. Information Agency.

(a) Two Secretarial Assistants to the Deputy Director.
(b) One Confidential Assistant to the General Counsel.
(c) One Secretarial Assistant to the Director.
(d) One Secretary to the Director.
(e)–(f) [Reserved]
(g) Deputy Director (Policy and Plans).
(h) Associate Director (Policy and Plans).
(i)–(k) [Reserved]
(l) One Special Assistant to the Assistant Director (Motion Picture and Television Service).
(m) One Secretarial Assistant to the Assistant Director (Broadcasting).

§ 213.3329 Federal Power Commission.

(a) Five Private Secretaries in the Office of the Chairman, one Confidential Assistant to the Chairman, and one Private Secretary to each of two Commissioners.
(b)–(d) [Reserved]
(e) One Private Secretary to the Executive Director.
(f) Two Assistants to the Chairman and three Technical Assistants to the other three Commissioners.
(g)–(j) [Reserved]
(k) One Private Secretary to the Assistant to the Chairman.
(l) One Secretary (Stenography) to the General Counsel.
(m) One Special Assistant to the Executive Director.

§ 213.3330 Securities and Exchange Commission.

(a)–(c) [Reserved]
(d) Two Confidential Assistants to the Chairman and one Confidential Assistant to each of the other four Members of the Commission.
(e) Two Administrative Aides to the Executive Director.
(f) One Secretary to the General Counsel.
(g) One Secretary to the Chief Accountant.
(h) One Executive Aide to the Executive Assistant to the Chairman.
(i) Special Assistant to the Executive Director.
(j) One Public Information Officer.
(k) One Secretary (Typing) to the Director of Economic and Policy Research.

§ 213.3332 Small Business Administration.

(a) One Deputy Administrator, Associate Administrator for Finance and Investment, Associate Administrator for Operations and the Associate Administrator for Procurement and Management Assistance.
(b) Two Special Assistants to the Associate Administrator for Operations.
(c) One Confidential Assistant to the Administrator.

(d) [Reserved]
(e) Two Congressional Relations Officers.
(f) Director, Office of Congressional Relations.
(g) One Advisory Councils Officer.
(h) [Reserved]
(i) One Confidential Assistant to the Deputy Administrator.
(j)–(k) [Reserved]
(l) One Confidential Assistant (Secretary) to the Associate Administrator for Operations.
(m) One Executive Assistant to the Administrator.
(n) One Confidential Assistant to the Executive Assistant to the Administrator.
(o) [Reserved]
(p) Three positions of Special Assistant to the Associate Administrator for Minority Small Business.
(q) [Reserved]
(r) One Confidential Assistant (Secretary) to the Associate Administrator for Finance and Investment.
(s) One Confidential Assistant to the General Counsel.
(t) One Special Assistant to the Deputy Administrator.
(u) [Reserved]
(v) One Confidential Assistant to the Assistant Administrator for Management Assistance.
(w) One Director, Office of Public Communications.
(x) Director, Office of Legislative Affairs.

§ 213.3333 Federal Deposit Insurance Corporation.

(a) One Assistant to each member of the Board of Directors.
(b) One Confidential Assistant to the Board of Directors.
(c) General Counsel.
(d) One Special Assistant to the Chairman.
(e) Executive Assistant and Controller.
(f) [Reserved]
(g) One Special Assistant to the Director (Appointive).
(h) One Secretary to a Member of the Board of Directors.

§ 213.3334 Federal Trade Commission.

(a) Two Secretaries to the Chairman.
(b) Director of Public Information.
(c) One Secretary to the Director of Public Information.

§ 213.3337 General Services Administration.

(a) *Office of the Administrator.* (1) [Reserved]
(2) The Deputy Administrator.
(3) The Assistant Administrator.
(4) Three Confidential Assistants to the Assistant Administrator.
(5) Two Confidential Assistants to the Deputy Administrator.
(6) Two Confidential Assistants to the Administrator.
(7) [Reserved]
(8) One Special Assistant to the Assistant Administrator.
(9)–(10) [Reserved]
(11) One Confidential Assistant to the General Counsel.
(12) [Reserved]
(13) Associate Administrator for Federal Management Policy.
(14) One Special Assistant to the Deputy Administrator.
(15) Director, Office of Preparedness.
(16) [Reserved]
(17) One Special Assistant to the Administrator.
(18) Deputy Director of Congressional Affairs.
(19) Director of Communications.
(b) *Public Buildings Service.* (1) The Commissioner.
(2) Four Confidential Assistants to the Commissioner.
(c) *Federal Supply Service.* (1) The Commissioner.
(2) Three Confidential Assistants to the Commissioner.
(d) *National Archives and Records Service.* (1) The Archivist of the United States.
(e) [Reserved]
(f) *Property Management and Disposal Service.* (1) Commissioner.
(g) [Reserved]
(h) *Automated Data and Telecommunications Service.* (1) [Reserved]
(2) The Commissioner.
(3) One Confidential Assistant to the Commissioner.
(4) One position of Confidential Assistant to the Commissioner.
(i) *National Advisory Council on Economic Opportunity.* (1) One Special Assistant to the Chairman.

§ 213.3338 Federal Communications Commission.

(a) One Special Assistant to the Chairman.
(b) One Secretary to the Legal Assistant to the Chairman.
(c) One Special Assistant to a Commissioner.

§ 213.3339 U.S. International Trade Commission.

(a) One Confidential Assistant, one Secretary, one Administrative Assistant, and one Staff Assistant (Legal) to the Chairman.
(b) One Staff Assistant (Legal), and two Staff Assistants to the Vice Chairman.
(c) One Staff Assistant (Legal), one Staff Assistant, and one Confidential Assistant to a Commissioner.
(d) One Staff Assistant (Legal), one Staff Assistant, and one Confidential Assistant to a Commissioner.
(e) One Professional Assistant (Legal), one Confidential Assistant, and one Secretary (Stenography) to a Commissioner.
(f) One Staff Assistant (Legal), one Staff Assistant, one Confidential Assistant, and one Secretary to a Commissioner.
(g) One Administrative Assistant to the Executive Director.

§ 213.3340 Civil Aeronautics Board.

(a) One Administrative Assistant to each Member of the Board.
(b) One Secretary to each Member of the Board.
(c) Director of Information.
(d)–(e) [Reserved]
(f) One Secretary to the Director, Bureau of International Affairs.

§ 213.3341 National Labor Relations Board.

(a) One Confidential Staff Assistant to the Chairman.
(b) One Confidential Assistant to the Chairman and one Confidential Assistant to each of four Board Members.
(c) [Reserved]
(d) One Confidential Assistant to the General Counsel.
(e) [Reserved]
(f) One Executive Assistant to the Chairman.

§ 213.3342 Export-Import Bank of the United States.

(a) One Confidential Assistant to the President and Chairman.
(b) One Private Secretary to the First Vice-President.
(c) One Private Secretary to each of two members of the Board of Directors.
(d) One Special Assistant to the President and Chairman.
(e)–(h) [Reserved]
(i) One Private Secretary to the Senior Vice President for Exporter Credits, Guarantees and Insurance.
(j)–(k) [Reserved]
(l) One Secretary to the Senior Vice President, Reseach and Communications.
(m)–(n) [Reserved]
(o) Executive Vice President.
(p) [Reserved]
(q) One Secretary to each of two Executive Vice Presidents.
(r) [Reserved]
(s) Associate Administrator for Track-President and Chairman.

§ 213.3343 Farm Credit Administration.

(a) [Reserved]
(b) Deputy Governor, Credit and Operations.
(c) Deputy Governor, Finance and Research.
(d) Deputy Governor, Administration.
(e) Deputy Governor and General Counsel.
(f) Deputy Governor and Chief Examiner.
(g) One Congressional Liaison Officer.
(h) One Secretary (Stenography) to the Governor.

§ 213.3344 Occupational Safety and Health Review Commission.

(a) One Staff Assistant to the Chairman.
(b) [Reserved]
(c) One Confidential Assistant to each member of the Commission other than the Chairman.
(d) The General Counsel.

§ 213.3345 Indian Claims Commission.

(a) One Private Secretary to the Chairman and one Private Secretary to each of the other four Commissioners.

§ 213.3346 Selective Service System.

(a)–(c) [Reserved]
(d) One Private Secretary to the Deputy Director of Selective Service.

(e) and (f) [Reserved]
(g) One Private Secretary to the Director of Selective Service.

§ 213.3348 National Aeronautics and Space Administration.

(a) One Secretary to the Administrator.
(b) One Secretary to the Deputy Administrator.
(c) One Secretary to each of the following: The Associate Administrator for Manned Space Flight, the Associate Administrator for Advanced Research and Technology.
(d) Associate Administrator.
(e)–(f) [Reserved]
(g) Associate Administrator for Space Flight.
(h) Associate Deputy Administrator.
(i) Deputy Associate Administrator.
(j) General Counsel.
(k)–(l) [Reserved]
(m) One Secretary to the Associate Administrator.
(n) One Secretary to the Associate Administrator for Center Operations.
(o) One Physical Fitness Services Program Specialist.
(p) Associate Administrator for Aeronautics and Space Technology.
(q) Associate Administrator for Space Science.
(r) Associate Administrator for Applications.
(s) Associate Administrator for Tracking and Data Acquisition.
(t) Associate Administrator for Center Operations.
(u) One Executive Assistant to the Deputy Administrator.
(v) Associate Administrator/Comptroller.

§ 213.3349 Panama Canal Company.

(a) Secretary.

§ 213.3350 Foreign Claims Settlement Commission of the United States.

(a)–(b) [Reserved]
(c) One Private Secretary to the Chairman.

§ 213.3354 Federal Home Loan Bank Board.

(a) One Secretary to the Chairman of the Board.
(b) Two Secretaries to Board Members.
(c) One Assistant to a Board Member.
(d) [Reserved]
(e) Director, Office of Communications.
(f)–(i) [Reserved]
(j) One Secretary to the Director, Office of Economic Research, and Adviser to the Board.
(k) One Secretary to the Director, Office of the Federal Home Loan Banks.

§ 213.3355 The Renegotiation Board.

(a) One Special Assistant to the Chairman and one Special Assistant to each of the other four Renegotiation Board Members.
(b) One Secretary to the Chairman.
(c) One Secretary to each of three Board Members.

§ 213.3356 Commission on Civil Rights.

(a) One Confidential Secretary to the Staff Director.
(b)–(c) [Reserved]
(d) One Confidential Secretary to the Deputy Staff Director.
(e) One Special Assistant to the Staff Director.
(f) One Director, Congressional Liaison.

§ 213.3357 National Credit Union Administration.

(a) One Secretary to the Deputy Administrator.
(b) One Public Information Officer.
(c) One Legislative Liaison Officer.
(d) One Staff Assistant to the Administrator.
(e) One Executive Officer (Policy Implementation).

§ 213.3359 ACTION.

(a) One Special Assistant to the Associate Director for Domestic and Anti-Poverty Operations.
(b) One Chauffeur to the Director.
(c)–(f) [Reserved]
(g) One Motor Vehicle Operator to the Director.
(h)–(j) [Reserved]
(k) One Deputy Associate Director for ACTION Education Programs.
(l)–(n) [Reserved]
(o) One Special Assistant to the Assistant Director for Policy and Planning.
(p) One Confidential Secretary to the Deputy Associate Director (Domestic and Anti-Poverty Operations).
(q) One Staff Assistant to the Director.
(r) Two Special Assistants to the Director.
(s) One Special Assistant to the Deputy Director.

§ 213.3360 Consumer Product Safety Commission.

(a) Two Special Assistants, one Director of Congressional Relations, and one Public Information Officer to the Chairman.
(b) Three Special Assistants, one Staff Assistant, and one Secretary (Stenography) to a Commissioner.
(c) Three Special Assistants to a Commissioner.
(d) One Special Assistant to a Commissioner.

§213.3363 Harry S. Truman Scholarship Foundation.

(a) Executive Secretary.

§ 213.3364 U.S. Arms Control and Disarmament Agency.

(a) One Private Secretary to the Director.
(b) One Private Secretary to the Deputy Director.
(c) One Private Secretary to each Assistant Director appointed by the President (four positions).
(d) One Public Affairs Adviser.
(e) The General Counsel.
(f) One Private Secretary to the General Counsel.
(g)–(h) [Reserved]
(i) One Congressional Assistant to the General Counsel.
(j) One Confidential Assistant to the General Counsel.
(k) One Private Secretary to the ACDA Representative to the Mutual and Balanced Force Reduction Talks.
(l) One Staff Assistant to the Deputy Director.

§ 213.3367 Federal Maritime Commission.

(a) One Confidential Assistant to each of four Commissioners.
(b) One Administrative Assistant to the Chairman, one Private Secretary to each Commissioner, and one Administrative Assistant to the Managing Director.
(c) One Confidential Assistant to the Chairman.
(d) One Administrative Assistant to the General Counsel.

§ 213.3368 Agency for International Development.

(a) *Office of the Administrator.* (1) [Reserved]
(2) One Confidential Assistant (Private Secretary) to the Administrator.
(3) One Chauffeur for the Administrator.
(4) One Executive Assistant to the Deputy Administrator.
(b) [Reserved]
(c) *Office of the General Counsel.* (1) One Private Secretary to the General Counsel.
(2) The General Counsel.
(d) [Reserved]
(e) *Office of the Assistant Administrator for Legislative Affairs.* (1)–(4) [Reserved]
(5) One Congressional Liaison Officer.
(f) [Reserved]

§ 213.3372 Administrative Office of the United States Courts.

(a) One Legislative Liaison Officer.

§ 213.3373 Community Services Administration.

(a) *Office of the Director.* (1)–(3) [Reserved]
(4) One Confidential Secretary and one Private Secretary to the Director.
(5) One Confidential Assistant to the Special Assistant to the Director.
(6) One Special Assistant to the Director.
(7) One Confidential Secretary (Stenography) to the Deputy Director.
(b) *Office of Operations.*
(1)–(2) [Reserved]
(3) One Chief, State and Local Government Division.
(c) *Office of Program Review.*
(1) [Reserved]
(2) One Planning and Review Advisor to the Associate Director.
(d) *Office of Congressional Relations.* (1) The Associate Director.
(2) One Confidential Advisor to the Associate Director.
(e) *Office of Public Affairs.* (1) The Associate Director.
(2) One Confidential Assistant to the Associate Director.

(f) *Office of General Counsel.* (1) One Confidential Staff Assistant to the General Counsel.

§ 213.3376 Appalachian Regional Commission.

(a) One Special Assistant to the Federal Cochairman.
(b) One Private Secretary to the Federal Cochairman and one Private Secretary to his alternate.

§ 213.3377 Equal Employment Opportunity Commission.

(a) Four Special Assistants to the Chairman.
(b) One Special Assistant and one Secretary to each Member of the Commission.
(c) Two Secretaries to the Chairman.
(d) One Secretary to each of two Special Assistants to the Chairman.
(e) One Public Information Officer.
(f) One Special Assistant to each of three members of the Commission.
(g) One Special Assistant to the Vice Chairman.
(h) One Private and Confidential Assistant to the Director of Congressional Affairs.
(i) One Special Assistant to the Executive Director.
(j) One Secretary to the Executive Assistant to the Chairman.

§ 213.3379 Commodity Futures Trading Commission.

(a) One Administrative Assistant to the Chairman.
(b) One Administrative Assistant to each of the four Commissioners.
(c) One Public Information Officer.
(d) One Congressional Relations Officer.
(e) The General Counsel.
(f) The Executive Director.
(g) Administrative Assistant to the Executive Director.
(h) [Reserved]
(i) One Assistant to the Chairman.
(j) One Special Assistant to the Vice Chairman.
(k) One position of Special Assistant to the Commissioner for each of four Commissioners.
(l) One Special Assistant for Intergovernmental Affairs.
(m) One Special Assistant for Policy Review.

§ 213.3382 National Foundation on the Arts and the Humanities.

(a) One Executive Secretary to the Chairman, National Endowment for the Arts.
(b) One Assistant to the Chairman, National Endowment for the Arts.
(c) One Staff Assistant to the Chairman, National Endowment for the Arts.
(d) [Reserved]
(e) One Special Assistant to the Chairman of the National Endowment for the Humanities.
(f)–(g) [Reserved]
(h) One Congressional Liaison Officer, National Endowment for the Arts.

§ 213.3384 Department of Housing and Urban Development.

(a) *Office of the Secretary.* (1) [Reserved]
(2) One Executive Secretary to the Secretary.
(3) One Executive Assistant to the Secretary.
(4)–(8) [Reserved]
(9) One Special Assistant to the Under Secretary.
(10) One Private Secretary to the Assistant Secretary for Legislative Affairs.
(11) [Reserved]
(12) Two Special Assistants to the Secretary.
(13)–(16) [Reserved]
(17) Federal Insurance Administrator.
(18) [Reserved]
(19) One Special Assistant to the General Counsel.
(20) Deputy Assistant Secretary for Equal Opportunity.
(21) Deputy General Counsel.
(22) [Reserved]
(23) One Private Secretary to the Deputy Assistant Secretary for Legislative Affairs.
(24) One Staff Assistant to the Under Secretary.
(25) One Staff Assistant to the Assistant to the Secretary (Public Affairs).
(26) Three Senior Assistants for Legislative Affairs.
(27) Seven Assistants for Legislative Affairs.
(28)–(30) [Reserved]
(31) One Special Assistant to the Secretary and One Program Assistant.
(32)–(34) [Reserved]
(35) One Administrative Aide to the Executive Assistant to the Secretary.
(36)–(37) [Reserved]
(38) Two Special Assistants to the Assistant Secretary for Consumer Affairs and Regulatory Functions and one Director, Office of Program Development and Evaluation.
(39) One Staff Assistant to the Assistant Secretary for Consumer Affairs and Regulatory Functions.
(40)–(43) [Reserved]
(44) One Deputy Under Secretary for Field Operations.
(45) [Reserved]
(46) Two Public Information Officers, Office of the Assistant to the Secretary for Public Affairs.
(47) Three Public Information Specialists, Office of the Assistant to the Secretary for Public Affairs.
(48) [Reserved]
(49) One Director, Executive Secretariat.
(50)–(52) [Reserved]
(53) Assistant to the Secretary (Public Affairs).
(54) One Deputy Departmental Adviser for Elderly and Handicapped Policy.
(55) One Staff Assistant to the Director, Executive Secretariat.
(56) One Special Assistant to the Assistant to the Secretary for Public Affairs.
(57) Deputy Under Secretary for Management.
(58) [Reserved]
(59) One Staff Assistant to the Deputy Under Secretary for Field Operations.
(60) One Staff Assistant to the Assistant Secretary for Legislative Affairs.
(b) *Office of the Assistant Secretary for Housing—Federal Housing Commissioner.* (1) One Private Secretary to the Assistant Secretary-Commissioner.
(2) One Deputy Assistant Secretary-Commissioner.
(3)–(4) [Reserved]
(5) Deputy Assistant Secretary for Housing—Deputy Federal Housing Commissioner.
(6) One Staff Assistant to the Assistant Secretary-Commissioner.
(7)–(8) [Reserved]
(9) President, Government National Mortgage Association.
(10)–(11) [Reserved]
(12) Three Special Assistants to the Assistant Secretary-Commissioner.
(13)–(14) [Reserved]
(15) One Executive Assistant to the President, Government National Mortgage Association.
(16) One Special Assistant to the Assistant Secretary for Housing Production and Mortgage Credit.
(17) One Executive Assistant to the Deputy Assistant Secretary for Assisted Housing.
(c) *Office of Assistant Secretary for Housing Management.* (1) One Private Secretary to the Assistant Secretary.
(2)–(3) [Reserved]
(4) Three Special Assistants to the Assistant Secretary.
(5) Two Staff Assistants to the Assistant Secretary.
(d) *Office of Assistant Secretary for Community Planning and Management.* (1) One Private Secretary to the Assistant Secretary.
(2) [Reserved]
(3) Four Special Assistants to the Assistant Secretary.
(4)–(9) [Reserved]
(10) One Staff Assistant to the Deputy Assistant Secretary.
(11) Deputy Assistant Secretary for Community Planning and Development.
(e) [Reserved]
(f) *Office of the Assistant Secretary for Fair Housing and Equal Opportunity.* (1) One Private Secretary to the Assistant Secretary.
(2) [Reserved]
(3) Three Special Assistants to the Assistant Secretary.
(4) One Staff Assistant to the Deputy Assistant Secretary.
(5) One Confidential Assistant to the Assistant Secretary.
(6) One Executive Assistant to the Assistant Secretary.
(g) *Office of the Assistant Secretary for Research and Technology.* (1) One Private Secretary to the Assistant Secretary.
(h) [Reserved]
(i) *Office of the Assistant Secretary for Policy Development and Research.*
(1)–(4) [Reserved]
(5) One Special Assistant.
(6) [Reserved]

(7) One Confidential Assistant to the Deputy Assistant Secretary for Economic Affairs.

(j) *Community Development Corporation.*

(1) [Reserved]

(2) One Staff Assistant to the General Manager.

(3) One Special Assistant to the General Manager.

(k) *Office of New Communities Administration.* (1) One Confidential Secretary to the Administrator.

(2) Special Assistant to the Administrator.

§ 213.3386 Regional Commissions, Public Works and Economic Development Act of 1965.

(a) One Special Assistant to the Federal Cochairman of each Regional Commission (except Old West Regional Commission) established under the Public Works and Economic Development Act of 1965.

(b) One Special Assistant to the Alternate Federal Cochairman of each Regional Commission (except for the New England, Four Corners, and Old West Regional Commissions) established under the Public Works and Economic Development Act of 1965.

(c) One Private Secretary to the Federal Cochairman of each Regional Commission established under the Public Works and Economic Development Act of 1965.

(d) One Private Secretary to the Alternate Federal Cochairman of each Regional Commission (except for the Four Corners Regional Commission and the Ozarks Regional Commission) established under the Public Works and Economic Development Act of 1965.

§ 213.3388 Federal Energy Administration.

(a) *Office of the Administrator.* (1)–(2) [Reserved]

(3) One Staff Assistant to the Administrator.

(b) *Office of the Deputy Administrator.* (1) One Staff Assistant to the Deputy Administrator.

(2) One Staff Assistant to the Director for Nuclear Affairs.

(3) One Special Assistant to the Deputy Administrator.

(c) *Office of Communications and Public Affairs.* (1) The Director.

(2) [Reserved]

(3) One Assistant Director for Special Projects and Publications.

(4) One Confidential Assistant (Secretary) to the Director.

(d) *Office of Congressional Affairs.* (1) One Special Assistant, Congressional Affairs.

(2) Three Staff Assistants, Congressional Affairs.

(3) One Staff Assistant to the Special Assistant, Congressional Affairs.

(4) One Special Assistant to the Director.

(e) *Office of the General Counsel.* (1) [Reserved]

(2) One Confidential Assistant (Secretary) to the General Counsel.

(f) *Office of Intergovernmental, Regional and Special Programs.*

(1) [Reserved]

(2) One Special Assistant to the Director.

(3) One Confidential Assistant (Secretary) to the Director.

(g) *Office of the Assistant Administrator for Conservation and Environment.* (1) One Confidential Assistant (Secretary) to the Assistant Administrator.

(2) One Special Assistant to the Assistant Administrator.

(h) *Office of the Assistant Administrator for Management and Administration.* (1) Deputy Assistant Administrator.

(2) One Special Assistant to the Assistant Administrator.

(i) *Office of the Assistant Administrator for International Energy Affairs* (1) One Confidential Assistant (Secretary) to the Assistant Administrator.

(j) *Office of The Assistant Administrator for Energy Resource Development.* (1) One Executive Assistant to the Assistant Administrator.

(2) One Confidential Assistant for Legislation.

(k) *Office of the Assistant Administrator for Policy and Analysis.* (1) One Executive Assistant to the Assistant Administrator.

(2) One Confidential Assistant (Secretary) to the Assistant Administrator.

(l) *Office of the Deputy Administrator (Policy Planning).* (1) One Special Assistant

(2) One Staff Assistant to the Deputy Administrator.

(m) *Office of the Assistant Administrator for Strategic Petroleum Reserve.* (1) Executive Assistant to the Assistant Administrator.

(n) *Office of Intergovernmental Relations and Special Programs.* (1) Director of Intergovernmental Relations.

(o) *Office of the Assistant Administrator for Regulatory Programs.* (1) One Special Assistant to the Assistant Administrator.

§ 213.3394 Department of Transportation.

(a) *Office of the Secretary.* (1) [Reserved]

(2) Three Special Assistants to the Secretary.

(3) Two Confidential Secretaries to the Secretary.

(4) One Secretary to the Director, Materials Transportation Bureau.

(5) [Reserved]

(6) One Confidential Secretary to the General Counsel.

(7) One Confidential Secretary to the Deputy Secretary.

(8) Director, Materials Transportation Bureau.

(9) One Confidential Secretary to the Assistant Secretary for Systems Development and Technology.

(10) Special Assistant for Special Projects.

(11) One Special Assistant to the Deputy Secretary.

(12) One Chauffeur to the Secretary.

(13) One Chauffeur to the Deputy Secretary.

(14) [Reserved]

(15) One Special Assistant to the Deputy Under Secretary of Transportation.

(16) [Reserved]

(17) Seven Congressional Liaison Officers, Office of the Director of Congressional Affairs.

(18) Director, Office of Congressional Relations.

(19)–(20) [Reserved]

(21) One Special Assistant to the Assistant Secretary for Policy, Plans, and International Affairs.

(22) One Confidential Secretary to the Assistant Secretary for Environment, Safety, and Consumer Affairs.

(23)–(25) [Reserved]

(26) One Public Information Assistant to the Director, Office of Public Affairs.

(27)–(28) [Reserved]

(29) Director, Office of Public Affairs.

(30) One Special Assistant to the Assistant Secretary for Environment, Safety, and Consumer Affairs.

(31)–(35) [Reserved]

(36) One Special Assistant to the Assistant Secretary for Congressional and Intergovernmental Affairs.

(37) [Revoked]

(38) One Staff Assistant to the Executive Secretary to the Secretary.

(39) One Secretary to the Assistant Secretary for Congressional and Intergovernmental Affairs.

(40) [Reserved]

(41) One Secretary to the Special Assistant to the Deputy Secretary.

(42)–(43) [Reserved]

(44) Deputy Under Secretary.

(45) [Reserved]

(46) One Secretary to the Director, Office of Program Management.

(47) One Intergovernmental Liaison Officer.

(b)–(c) [Reserved]

(d) *Federal Highway Administration.* (1) Deputy Administrator.

(2) One position of Secretary (Steno) to the Administrator.

(3) [Reserved]

(e) *Federal Railroad Administration.*

(1)–(3) [Reserved]

(4) One Confidential Secretary to the Administrator.

(5) One Public Information Officer.

(6) One Secretary to the Deputy Administrator.

(7) One Special Assistant to the Administrator.

(8) [Reserved]

(f) *Urban Mass Transportation Administration.* (1) [Reserved]

(2) One Confidential Secretary to the Administrator.

(3) Deputy Administrator.

(4) One Secretary to the Deputy Administrator.

(5) One Special Assistant to the Administrator.

(g) *St. Lawrence Seaway Development Corporation.* (1) One Special Assistant to the Administrator.

(2) One Confidential Secretary to the Administrator.
(3) [Reserved]
(h) *Federal Aviation Administration.* (1) One Private Secretary to the Administrator.
(2) One Special Assistant to the Administrator.
(3) Assistant Administrator for Information Services.
(4) One Private Secretary to the Chief Counsel.
(5)–(7) [Reserved]
(i) *National Highway Traffic Safety Administration.* (1) Deputy Administrator.
(2) One Private Secretary to the Administrator.
(3) One Special Assistant to the Administrator.
(4) One Public Information Officer.

§ 213.3396 National Transportation Safety Board.

(a) *Office of the Chairman.* (1) One Administrative Assistant to the Chairman and each of four Board Members.
(2) One Confidential Secretary to the Chairman and each of four Board Members.
(b) *Office of the General Manager.* (1) One Confidential Secretary to the General Manager.
(2) One Legislative Affairs Officer.
(3) One Program Analysis Officer.

§ 213.3399 Temporary Boards and Commissions.

(a) [Reserved]
(b) *American Revolution Bicentennial Administration.* (1) Director.
(2) Deputy Executive Director for Program Development and Coordination.
(3) Deputy Executive Director for Communications and Field Services.
(4) Deputy Executive Director for Finance and Administration.
(5) One Staff Assistant (Secretary) to the Administrator.
(6) One Staff Assistant (Secretary) to the Deputy Administrator.
(c) *National Center for Productivity and Quality of Working Life.*
(1) One Confidential/Executive Assistant.

[FR Doc.76-36911 Filed 12-16-76;8:45 am]

Title 7—Agriculture

CHAPTER II—FOOD AND NUTRITION SERVICE, DEPARTMENT OF AGRICULTURE

SUBCHAPTER B—GENERAL REGULATIONS AND POLICIES—FOOD DISTRIBUTION

[Amdt. 36]

PART 250—DONATION OF FOODS FOR USE IN UNITED STATES, ITS TERRITORIES AND POSSESSIONS AND AREAS UNDER ITS JURISDICTION

Eligibility of Household Members Who Receive Supplemental Security Income Payments or Other Income Supplementation

Pub. L. 94-365, approved July 14, 1976, extended through July 1, 1977, the exclusion from eligibility for Federally donated foods of certain recipients of supplemental security income payments or other income supplementation.

Accordingly, § 250.6(e)(5) of the regulations for the operation of the Food Distribution Program (31 FR 14297), as amended, is further amended by deleting the words "thirty-month period beginning January 1, 1974" and inserting in lieu thereof "period ending June 30, 1977."

Since the statutory provisions upon which this change is made are mandatory, compliance with proposed rulemaking and public participation procedures is impracticable and unnecessary.

(Catalog of Federal Domestic Assistance Program No. 10.550, National Archives Reference Services).

This Amendment is effective as of July 1, 1976.

Dated: December 8, 1976.

JOHN DAMGARD,
Assistant Secretary.

[FR Doc.76-37053 Filed 12-16-76;8:45 am]

PART 272—PARTICIPATION OF RETAIL FOOD STORES, WHOLE FOOD CONCERNS, MEAL SERVICES, AND BANKS

Food Stamp Program; Correction

In § 272.2(e) of Chapter II, Title 7, as it appeared in the Code of Federal Regulations published in January 1976, several sentences were deleted in error. Therefore, to correct this error the Department is republishing Section 272.2 (e) in its entirety.

§ 272.2 Participation of retail food stores and meal services.

* * * * *

(e) Change in cash shall not be given for coupons. An authorized food retailer or meal service must use for the purpose of making change in an amount of 1-dollar (or 50 cents through August 31, 1975) or more, those uncanceled and unmarked coupons having a denomination of 1-dollar (or 50 cents through August 31, 1975) which were previously accepted in exchange for eligible foods. If change in an amount of less than 1-dollar (or 50 cents through August 31, 1975) is required, the eligible household shall have the option of receiving credit from the authorized firm for future delivery of an equivalent value of eligible foods, or of trading out in eligible food the difference between the cost of the purchase and the next higher 1-dollar (or 50 cents through August 31, 1975) increment, or of paying in cash the difference between the cost of the purchase and the next lower 1-dollar (or 50 cents through August 31, 1975) increment. Credit in excess of 99 cents shall not be returned in coupon transactions. Tokens or credit slips used for change in coupon transactions shall conform with the following:

(1) Tokens shall not resemble U.S. coins in any way.

(2) Tokens shall be dissimilar in size and material to lawful coins.

(3) Credit slips or tokens shall bear langauge similar to the following: "Redeemable only in eligible food and only at (insert the name of the issuing store or chain) store(s)."

(4) Credit slips or tokens shall not bear the seal of the Department.

(5) Credit slips shall be clearly and easily distinguishable from the official food coupons.

(6) Credit slips or tokens shall not in any way indicate that they are obligations of the United States or the Department.

(7) Credit slips or tokens issued by one authorized firm shall not be accepted by another authorized firm unless the two firms are under single ownership, or are members of a food marketing cooperative and hold themselves out to be members of the same cooperative by use of the same name, trademarks, house brands, etc.

* * * * *

Dated: December 14, 1976.

RICHARD L. FELTNER,
Assistant Secretary.

[FR Doc.76-37151 Filed 12-16-76;8:45 am]

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

SUBCHAPTER B—FARM MARKETING QUOTAS AND ACREAGE ALLOTMENTS

PART 722—COTTON

Subpart—1977 Crop of Upland Cotton; Base Acreage Allotments

STATE RESERVES AND COUNTY BASE ACREAGE ALLOTMENTS

The regulation at 7 CFR 722.467 is issued pursuant to the Agricultural Adjustment Act of 1938, as amended (7 U.S.C. 1281 et seq.) (referred to as the "Act"), with respect to the 1977 crop of upland cotton (referred to as "cotton"). The purpose of this section is to establish State reserves, allocate the State reserves to counties and officially establish county base acreage allotments (referred to as "county allotments"). Determinations with respect to the 1977 State reserves and allocation of State reserves to counties were made initially by the respective State committees and are hereby approved and made effective by the Administrator, ASCS, pursuant to delegated authority (35 FR 19798, 36 FR 6907, 37 FR 624, 3845, 22008, 40 FR 18815).

Notice that the Secretary was preparing to establish 1977 State and county allotments was published in the FEDERAL REGISTER on July 30, 1976 (41 FR 31848) in accordance with 5 U.S.C. 553. No comments or recommendations were received concerning this determination.

In order that farmers may be informed as soon as possible of 1977 farm base acreage allotments so that they may make plans for their 1977 farming operations, it is essential that this section be made effective immediately. Accordingly, it is hereby found and determined that compliance with the 30-day effec-

tive date requirement of 5 U.S.C. 553 is impracticable and contrary to the public interest, and this document shall be effective upon filing with the Director, Office of the Federal Register. The material previously appearing in this section as "Subpart—1976 Crop of Upland Cotton; Base Acreage Allotments" remain in full force and effect as to the crop to which it was applicable.

7 CFR 722.467 and the title to the subpart are amended to read as follows:

Subpart—1977 Crop of Upland Cotton; Base Acreage Allotments

§ 722.467 State reserves and county allotments for the 1977 crop of cotton.

(a) *State reserves.* The total State reserve for all uses established by the State committee shall not exceed one percent of the State allotment available for distribution to counties in the State. The allotment available for distribution shall be the State's share of the national allotment less the allotment in the State productivity pool attributable to history acreage pooled as a result of productivity adjustments under section 344a (f) of the Act. It is hereby determined that no State reserve for abnormal conditions or for small farms is required. The State committee may establish a single reserve for new farms and correction of errors. The amount of the reserve held in each State and the amount of allotment in the State productivity pool is available for inspection at each State ASCS office.

(b) *Apportionment of State allotment to counties.* The State allotment less the allotment in the State productivity pool and the State reserve is apportioned among counties in the State on the basis of the acreage planted (including acreage regarded as having been planted) to cotton within the farm base acreage allotment during 1971, 1972, 1973, 1974 and 1975, adjusted for abnormal weather conditions or other natural disaster. It is hereby determined that no adjustments for abnormal weather conditions or other natural disaster are required. The acreage apportioned under this paragraph is referred to as the computed county allotment and is available for inspection at the respective State and county ASCS offices.

(Secs. 301, 350, 375, 52 Stat. 38, as amended, 84 Stat. 1358, 52 Stat. 66, as amended (7 U.S.C. 1301, 1350, 1375).)

It is hereby certified that the economic and inflationary impacts of this proposed regulation have been carefully evaluated in accordance with Executive Order 11821.

Effective date: These amendments become effective on December 16, 1976.

Signed at Washington, D.C., on December 9, 1976.

SEELEY G. LODWICK,
Acting Administrator, Agricultural Stabilization and Conservation Service.

[FR Doc.76-36785 Filed 12-16-76;8:45 am]

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

[Lemon Regulation 71]

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. 19–25, 1976. 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.

§ 910.371 Lemon Regulation 71.

(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 has eased slightly this week. Average f.o.b. price was $4.81 per carton the week ended December 11, 1976, compared to $4.79 per carton the previous week. Track and rolling supplies at 145 cars were up 35 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 14, 1976.

(b) *Order.* (1) The quantity of lemons grown in California and Arizona which may be handled during the period December 19, 1976, through December 25, 1976, is hereby fixed at 180,000 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 16, 1976.

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

[FR Doc.76-37388 Filed 12-16-76;12:33 pm]

CHAPTER XVIII—FARMERS HOME ADMINISTRATION, DEPARTMENT OF AGRICULTURE

SUBCHAPTER D—GUARANTEED LOANS

[FmHA Instruction 449.1]

PART 1845—FmHA EMERGENCY LIVESTOCK LINE OF CREDIT GUARANTEES

Miscellaneous Amendments

Sections 1845.32 and 1845.33 of Part 1845, Title 7, Code of Federal Regulations (40 FR 30623) are amended. Section 1845.32 is amended to add paragraph (k) and to clarify the Emergency Livestock

loan servicing policy with regard to borrowers who cease to carry on livestock operations but continue farming; § 1845.33 is amended by deleting the word "bona fide" from the second sentence of the text.

It is the policy of this Department that rules relating to public property, loans, grants, benefits or contracts shall be published for comments notwithstanding the exemption of 5 U.S.C. 553 with respect to such rules. See the Secretary of Agriculture's statement setting forth the policy on public participation in rulemaking, 36 FR 13804, dated July 24, 1971. However, this document is being published without notice of proposed rulemaking since such notice would delay the servicing of Emergency Livestock loans to indebted borrowers causing possible financial losses, and therefore, is contrary to the public interest.

Accordingly, as amended, §§ 1845.32 and 1845.33 read as follows:

1. Section 1845.32 is amended to add paragraph (k).

§ 1845.32 Loan servicing.

* * * * *

(k) *Change from livestock operation to farming operation.* When a borrower ceases to carry on a livestock operation, but will continue farming he is not eligible to receive any more loan advances under the Contract of Guarantee. In such case the lender may continue with the loan(s) and reamortize it within the original term provided FmHA and the lender determine and agree that:

(1) There is a reasonable chance for the guaranteed loan advance(s) to be paid in full.

(2) The remaining collateral plus any to be obtained will be sufficient to meet EL security requirements.

(3) Proceeds from livestock sales properly have been paid on the guaranteed loan advance(s) or released for authorized EL purposes.

§ 1845.33 [Amended].

2. Section 1845.33 is amended by deleting the word "bona fide" from the second sentence of the text.

(Sec. 10 Pub. L. 93-357, 88 Stat. 392, delegation of authority by the Secretary of Agriculture, 7 CFR 2.23, delegation of authority by the Assistant Secretary for Rural Development, 7 CFR 2.70.)

Effective date: This document shall become effective December 17, 1976.

Dated: November 22, 1976.

FRANK W. NAYLOR, JR.,
Acting Administrator,
Farmers Home Administration.

[FR Doc.76-37081 Filed 12-16-76;8:45 am]

Title 9—Animals and Animal Products

CHAPTER I—ANIMAL AND PLANT HEALTH INSPECTION SERVICE, DEPARTMENT OF AGRICULTURE

SUBCHAPTER C—INTERSTATE TRANSPORTATION OF ANIMALS (INCLUDING POULTRY) AND ANIMAL PRODUCTS

PART 73—SCABIES IN CATTLE

Areas Quarantined

These amendments quarantine a portion of Lubbock County in Texas, and a portion of Texas County in Oklahoma because of the existence of cattle scabies. The restrictions pertaining to the interstate movement of cattle from quarantined areas as contained in 9 CFR Part 73, as amended, will apply to the areas quarantined.

Accordingly, Part 73, Title 9, Code of Federal Regulations, as amended, restricting the interstate movement of cattle because of scabies is hereby amended as follows:

In § 73.1a, paragraph (a) relating to the State of Texas is amended and a new paragraph (f) relating to the State of Oklahoma is added to read:

§ 73.1a Notice of quarantine.

(a) Notice is hereby given that cattle in certain portions of the State of Texas are affected with scabies, a contagious, infectious, and communicable disease; and, therefore, the following areas in such State are hereby quarantined because of said disease:

(1) That portion of *Moore County* bounded by a line beginning at the junction of Farm to Market Road 2203 and State Highway 152; thence, following Farm to Market Road 2203 in a northerly direction approximately two miles to its intersection with an unnumbered graded road; thence, following the unnumbered graded road in an easterly direction for approximately three miles, thence, in a northerly direction for approximately one mile, and thence, in an easterly direction for approximately two miles to its intersection with secondary road 1284; thence, following secondary road 1284 in a southerly direction for approximately three miles to its intersection with State Highway 152; thence, following State Highway 152 in a westerly direction for approximately five miles to its junction with Farm to Market Road 2203.

(2) The premises of Lawson Feedlot located in the southeast portion of sec. 22, Block JS and the southwest portion of sec. 13, Block JS, in Lubbock County, Texas.

* * * * *

(f) Notice is hereby given that cattle in certain portions of the State of Oklahoma are affected with scabies, a contagious, infectious, and communicable disease; and, therefore, the following area in such State is hereby quarantined because of said disease:

(1) That portion of Texas County, Oklahoma, beginning at the junction of U.S. Highway 64 and State Highway 95; thence, following State Highway 95 in a northerly direction to County Road 7; thence, following County Road 7 in an easterly direction to County Road 40; thence, following County Road 40 in a southerly direction to U.S. Highway 64; thence, following U.S. Highway 64 in a westerly direction to its junction with State Highway 95.

(Secs. 4-7, 23 Stat. 32, as amended; secs. 1 and 2, 32 Stat. 791-792, as amended; secs. 1-4, 33 Stat. 1264, 1265, as amended; secs. 3 and 11, 76 Stat. 130, 132 (21 U.S.C. 111-113, 115, 117, 120, 121, 123-126, 134b, 134f); 37 FR 28464, 28477; 38 FR 19141.)

Effective date: The foregoing amendments shall become effective December 10, 1976.

The amendments impose certain further restrictions necessary to prevent the interstate spread of cattle scabies and must be made effective immediately to accomplish its purpose in the public interest. It does not appear that public participation in this rulemaking proceeding would make additional relevant information available to the Department.

Accordingly, under the administrative procedure provisions in 5 U.S.C. 553, it is found upon good cause that notice and other public procedure with respect to the amendments are impracticable and contrary to the public interest, and good cause is found for making the amendments effective less than 30 days after publication in the FEDERAL REGISTER.

Done at Washington, DC, this 10th day of December 1976.

The Animal and Plant Health Inspection Service has determined that this document does not contain a major proposal requiring preparation of an Inflation Impact Statement under Executive Order 11821 and OMB Circular A-107.

J. M. HEJL,
Deputy Administrator,
Veterinary Services.

[FR Doc.76-37052 Filed 12-16-76;8:45 am]

PART 78—BRUCELLOSIS

Subpart D—Designation of Brucellosis Areas, Specifically Approved Stockyards, and Slaughtering Establishments

BRUCELLOSIS AREAS

Correction

In FR Doc. 76-34823, appearing at page 52043 in the issue for Friday, November 26, 1976, the following changes should be made on page 52044:

1. In § 78.20, paragraph (b), the third word in the next to last line of the listing for South Dakota should read "Washabaugh".

2. In § 78.21, paragraph (b), the second complete word in the third from last line of the listing for Alabama should read "Talladega".

3. In § 78.21, paragraph (b), the second word in the seventh from last line of the listing for Kansas should read "Ottowa".

Title 12—Banks and Banking

CHAPTER II—FEDERAL RESERVE SYSTEM

SUBCHAPTER A—BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM

[Reg. B]

PART 202—EQUAL CREDIT OPPORTUNITY

Official Staff Interpretation

In accordance with 12 CFR Part 202.13 (c), the Board is publishing the following official staff interpretation of § 202.5 of Regulation B, issued by a duly author-

ized official of the Division of Consumer Affairs.

Identifying details have been deleted to the extent required to prevent a clearly unwarranted invasion of personal privacy. The Board, however, maintains and makes available for public inspection and copying a current index providing identifying information, subject to certain limitations stated in 12 CFR Part 261.6.

Official staff interpretations may be reconsidered by the Board upon request of interested parties and in accordance with 12 CFR Part 202.13(c)(2). Each request for reconsideration should clearly identify the number of the official staff interpretation in question and should be addressed to the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551.

The following interpretation shall be effective immediately.

§ 202.5 *Evaluation of applications.*

This will respond to your letter of November 12, 1976. The following is an official staff interpretation of section 202.5(b)(2) of Regulation B.

Section 202.5(b)(2) allows creditors to "* * * request the name in which an account is carried, if the applicant discloses the account in applying for credit." You inquire whether, even if the applicant has not disclosed the existence of an account in another name, the creditor may ask if the applicant has applied for credit using a name other than that used on the application. While such an inquiry arguably could be interpreted as an indirect inquiry into marital status, to prohibit this inquiry could deny creditors access to information necessary to evaluate an applicant's creditworthiness. In our view, neither the Act nor the regulation is intended to have this result. Therefore, it is the opinion of the staff that such an inquiry is permissible.

If we may be of further assistance, please do not hesitate to contact us.

Sincerely,

JANET HART,
Director.

Board of Governors of the Federal Reserve System, December 8, 1976.

THEODORE E. ALLISON,
Secretary of the Board.

[FR Doc.76-37076 Filed 12-16-76;8:45 am]

Title 18—Conservation of Power and Water Resources

CHAPTER I—FEDERAL POWER COMMISSION

SUBCHAPTER A—GENERAL RULES

[Docket No. R-362; Order No. 383-4]

PART 2—GENERAL POLICY AND INTERPRETATIONS

Reliability and Adequacy of Electric Service—Reporting of Data

DECEMBER 13, 1976.

This order revises the information which is requested in the annual reports of all electric systems participating in the program of adequacy and reliability established by prior orders of the Commission pursuant to section 202(a) of the Federal Power Act, 16 U.S.C. 824a(a).[1] The revision consists of deleting Item 4 of Appendix A-1 as it is presently set forth in § 2.11(c), Informational Reporting, (d), Part 2, General Policy and Interpretations, Chapter I, Title 18 of the Code of Federal Regulations. Data as set forth in Appendix A-1 are to be submitted annually on April 1 by the electric systems participating in the nine regional reliability councils, the data being coordinated by the respective regional councils. Other changes in reporting requirements are presently under consideration by the Staff; those changes will be covered in future orders.

The public reporting procedures of Appendix A-1 serve the interests of the public and the reporting utilities in that they provide information relevant to the Commission's adequacy and reliability program. Long-range planning is an indispensable element to the accomplishment of the objectives of section 202(a) of the Federal Power Act "* * * assuring an abundant supply of electric energy throughout the United States with the greatest possible economy and with regard to the proper utilization and conservation of natural resources * * *". Item 4[2] is to be deleted since the information concerning proposed plans of cooling, proposed fuels and plans for controlling stack gas emissions is now reported on Form No. 67[3]; the information concerning the status of principal studies or model tests and the status of consultations with government authorities is not to be collected since it has been found to be unnecessary.

The Commission finds: (1) It is appropriate and in thep ublic interest in administering Part II of the Federal Power Act to amend the requirements governing the collection of data relating to the reliability and adequacy of electric service, in the manner hereinafter provided.

(2) Good cause exists that the provisions of this order become effective upon issuance.

The Commission, acting pursuant to the provisions of the Federal Power Act, as amended, particularly Sections 202(a) and 309 (49 Stat. 848, 858-9; 16 U.S.C. 824(a), 825th, *orders:*

(A) § 2.11(d), Part 2, General Policy and Interpretations, Chapter I, Title 18, Code of Federal Regulations, are revised to read as follows:

§ 2.11 **Reliability and adequacy of electric service.**

* * * * *

(d) The information requested for inclusion in the annual reports is set forth in Appendix A-1 to this section. Initial reporting is to be for the period 1976-1995, inclusive. The annual report and four conformed copies are to be filed with the commission of each State which is wholly or partly within the geographic boundaries of the reporting council. Reports are to be filed not later than April 1 of each year.

APPENDIX A-1

INFORMATION TO BE REPORTED BY REGIONAL COUNCILS ON COORDINATED REGIONAL BULK POWER SUPPLY PROGRAMS

Information to be reported annually should include:

1. Estimates of monthly peak loads for the first two years of the projection; estimates of summer and winter peak loads for the following eight years; and monthly gross and net energy requirements for the first two years and annual gross and net energy requirements for the following eight.

2. Itemization of all existing capacity resources in the region and new capacity resources (or retirements) as committed or projected for each year 10 years into the future; including, where known, in-service dates, locations, ownership, types of future generating units, primary fuel and capability for use of alternate fuels including length of time alternate fuel can be used, handling and storage capacity, and capacity exchanges with others at the time of summer and winter peak demands.

3. For each year of the 10-year projection, show the indicated capacity margins for reserves at the time of summer and winter peak loads, based on Items (1) and (2) above, with an assessment of adequacy of reserves for the first five years of the projection. Include a statement of the criteria now being used in determining reserve requirements by the Council or its appropriate subdivisions: also include an estimate of the magnitude of the capacity which will be unavailable for service due to scheduled maintenance or other known reasons at the time of the summer and winter peaks for the next five years.

4. For each steam generating unit of 300 MW or more, and for which construction has begun or is scheduled to begin within two years from the date of reporting, a status report on the proposed plan of cooling, and for fossil-fired plants, the fuels proposed and the plan for controlling stack emissions; also, the status of principal studies or model tests and the status of consultations with appropriate local, State or Federal authorities concerned. This item is not to be reported on April 1, 1977 for the calendar year 1976, or for any year thereafter.

5. A plan of the bulk power transmission network of the region in service at the time of the report (including interties with adjoining regions) and the general routing of facilities committed or tentatively projected for service within six years including identification of principal substations, operating voltages and projected in-service dates. In

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[1] See Commission Order No. 383 issued June 25, 1969, 41 FPC 846, 24 FR 11200; Order No. 383-1 issued January 13, 1970, 43 FPC 37, 35 FR 3240; Order No. 383-2 issued April 10, 1970, 43 FPC 515, 35 FR 6121; Order No. 383-3 issued March 15, 1973, 49 FPC 700, 38 FR 7455.

[2] Item 4. For each steam generating unit of 300 MW or more, and for which construction has begun, or is scheduled to begin within two years from the date of reporting, a status report on the proposed plan of cooling, and for fossil-fired plants, the fuels proposed and the plan for controlling stack emissions; also, the status of principal studies or model tests and the status of consultations with appropriate local, tSate or Federal authorities concerned.

[3] Form No. 67, Docket No. R-465, promulgated in Order No. 412 issued October 22, 1970, 44 FPC 1291, 35 FR 16831; as amended by Order No. 492 issued September 26, 1973, 50 FPC 873, 30 FR 27605; as amended by Order No. 552, issued July 13, 1976, ------ FPC ------, 41 FR 29665.

addition, show the transmission facilities projected for the balance of the 10-year period based upon the best information available.

6. A plotting and a description of the base case for load flow studies of the bulk power network of the region (or principal subdivisions) as it exists substantially at the time of reporting and as projected four to six years in the future; and a tabulation based upon calculated operating limits specifying the transmission capability between the region and adjacent regions and between subdivisions of the region; and a tabulation and brief statements on the results of a representative number of contingency cases studied; and similarly, information on stability analyses of the network, and including the criteria adopted by the regional council relating to network stability.

7. A description of the principal communication and control systems operating or planned within the region and listing of functions performed by such facilities.

8. For each transmission segment designed to operate at 230 kV (nominal) or higher for which construction has begun or is scheduled to begin within two years from the date of the report, information on the status of consultations with affected local communities and groups and status of applications to State or regional authorities, as appropriate.

9. Information on the following coordinated regional practices:

a. Load shedding programs, including estimated steps of load reduction at various steps in declining frequency.

b. Emergency power and shutdown facilities to prevent damage to equipment if station loses system power.

c. Power facilities available for unit startup in the event of total loss of system power.

d. Availability of continuous power independent of system sources for communication and control facilities.

e. Provisions for sustaining the operation of generating units on local loads.

f. Programs for scheduling maintenance outages of generation and transmission facilities.

g. Programs for the selection, setting and maintenance of relays that affect the overall reliability of the interconnected network.

h. Operating reserve policy.

10. For each year in the period of 11–20 years in the future show projected load and generating capability which will be necessary to serve this load. Include a statement as to the percentages of the projected capacity to be installed in the 11–20 year period which will be hydro, nuclear and fossil-fueled, respectively.

11. For the tenth year, include a map which shows the general configuration of the transmission network both within the region and the ties to adjacent regions. In addition, state voltage levels of possible transmission overlays being considered and approximate timing of the system overlay during the period 11–20 years in the future. Diagram possible patterns of transmission as of the twentieth year.

* * * * *

(B) The amendments prescribed herein shall be effective upon the issuance of this order.

(C) The Secretary of the Commission shall cause prompt publication of this order to be made in the FEDERAL REGISTER.

By the Commission.

KENNETH F. PLUMB,
Secretary.

[FR Doc.76-37122 Filed 12-16-76;8:45 am]

Title 21—Food and Drugs

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

SUBCHAPTER E—ANIMAL DRUGS, FEEDS, AND RELATED PRODUCTS

PHENYLBUTAZONE, CHLORAMPHENICOL, AND DEXAMETHASONE

Change of Sponsor

The Food and Drug Administration (FDA) approves six supplemental new animal drug applications (NADA's) filed by International Multifoods, Corp., 8th and Marquette Sts., Minneapolis, MN 55402, requesting approval of the change of sponsor from Tevcon Industries, Inc. (who similarly requested approval of the change of sponsor), to International Multifoods, Corp. The approval is effective December 17, 1976.

The approval covers the following NADA's: 44–756V, Phenylbutazone Tablets; 45–416V, Phenylbutazone Injection; 55–002V, Chloramphenicol Injection; 55–003V, Chloramphenicol Oral Solution; 55–059V, Chloramphenicol Tablets; and 95–218V, Dexamethasone Tablets. This approval reflects a corporate reorganization. For this reason, it has not required review of the new animal drug application or reaffirmation of the underlying safety and effectiveness data.

Tevcon Industries, as a result of these applications, is no longer the sponsor of an approved NADA. Therefore, the firm is being deleted from the list of sponsors in § 510.600(c) (21 CFR 510.600(c)). International Multifoods Corp., not having previously been the sponsor of an approved NADA, is being added to this list.

The Commissioner of Food and Drugs is amending Parts 510, 520, 522, and 555 (21 CFR Parts 510, 520, 522, and 555) to reflect these approvals.

Therefore, under the Federal Food, Drug, and Cosmetic Act (sec. 512(i), 82 Stat. 347 (21 U.S.C. 360b(i))) and under authority delegated to the Commissioner (21 CFR 5.1) and redelegated to the Director of the Bureau of Veterinary Medicine (21 CFR 5.28) (recodification published in the FEDERAL REGISTER of June 15, 1976 (41 FR 24262)), Chapter I of Title 21 of the Code of Federal Regulations is amended as follows:

PART 510—NEW ANIMAL DRUGS

1. In § 510.600, paragraph (c)(1) is amended by deleting the sponsor "Tevcon Industries, Inc.," and alphabetically adding new sponsor "International Multifoods Corp."; and paragraph (c)(2) is amended by deleting "011757" and numerically adding "012518" to read as follows:

§ 510.600 **Names, addresses, and code numbers of sponsors of approved applications.**

* * * * *

(c) * * *

(1) * * *

Firm name and address:	*Drug listing No.*
* * * * *	
International Multifoods Corp., 8th & Marquette Sts., Minneapolis, MN 55402.	012518
* * * * *	

(2) * * *

Drug listing No.:	*Firm name and address*
* * * * *	
012518	International Multifoods Corp., 8th & Marquette Sts., Minneapolis, MN 55402.
* * * * *	

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

§§ 520.540b, 520.1720a [Amended]

2.a. In § 520.540b *Dexamethasone tablets and boluses*, paragraph (b)(2) is amended by deleting sponsor No. "011757" and inserting No. "012518."

b. In § 520.1720a *Phenylbutazone tablets and boluses*, paragraph (b)(2) is amended by deleting sponsor No. "011757" and inserting No. "012518."

PART 522—IMPLANTATION OR INJECTABLE DOSAGE FORM NEW ANIMAL DRUGS NOT SUBJECT TO CERTIFICATION

§ 522.1720 [Amended].

3. In § 522.1720 *Phenylbutazone injection*, paragraph (b)(1) is amended by deleting sponsor No. "011757" and inserting No. "012518."

PART 555—CHLORAMPHENICOL DRUGS FOR ANIMAL USE

§§ 555.110a, 555.110c, 555.210 [Amended].

4.a. In § 555.110a *Chloramphenicol tablets*, paragraph (c)(2)(ii) is amended by deleting sponsor No. "011757" and inserting No. "012518."

b. In § 555.110c *Chloramphenicol oral solution*, paragraph (c)(2) is amended by deleting sponsor No. "011757" and inserting No. "012518."

c. In § 555.210 *Chloramphenicol injection*, paragraph (c)(2) is amended by deleting sponsor No. "011757" and inserting "012518."

Effective date. These amendments shall be effective December 17, 1976.

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

Dated: December 8, 1976.

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

[FR Doc.76-36752 Filed 12-16-76;8:45 am]

CHAPTER II—DRUG ENFORCEMENT ADMINISTRATION, DEPARTMENT OF JUSTICE

PART 1308—SCHEDULES OF CONTROLLED SUBSTANCES

Placement of Prazepam in Schedule IV

A notice was published in the FEDERAL REGISTER on Thursday, July 29, 1976 (41 FR 31553) proposing that Schedule IV of the Comprehensive Drug Abuse Prevention and Control Act of 1970 (21 U.S.C. 812(c)) be amended to include prazepam. All interested persons were given until August 31, 1976 to submit their comments or objections in writing regarding this proposal.

None were received, and in view thereof, and based upon the investigations and review of the Drug Enforcement Administration and upon the scientific and medical evaluation and recommendation of the Secretary of Health, Education, and Welfare, received pursuant to sections 201(a) and 201(b) of the Act (21 U.S.C. 811(a) and 811(b)), the Administrator of the Drug Enforcement Administration finds that:

1. Based on information now available, prazepam has a low potential for abuse relative to the drugs or other substances currently listed in Schedule III;

2. Prazepam will, upon the approval of a New Drug Application by the FDA, have a currently accepted medical use in treatment in the United States;

3. Abuse of prazepam may lead to limited physical dependence or psychological dependence relative to the drugs or other substances in Schedule III.

Therefore, under the authority vested in the Attorney General by section 201 (a) of the Act (21 U.S.C. 811(a)), and delegated to the Administrator of the Drug Enforcement Administration by regulations of the Department of Justice, the Administrator hereby orders that § 1308.14(b) of Title 21 of the Code of Federal Regulations (CFR) be amended by adding subparagraph (19) to read as follows:

§ 1308.14 Schedule IV.

* * * * *

(b) Depressants. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances, including its salts, isomers, and salts of isomers whenever the existence of such salts, isomers, and salts of isomers is possible within the specific chemical designation:

* * * * *

(19) Prazepam 2764

* * * * *

The issuing of a letter approving the New Drug Application for prazepam, by FDA, has occurred simultaneously with the issuing of this order, which is effective on December 17, 1976.

Dated: December 8, 1976.

PETER B. BENSINGER,
Administrator, Drug Enforcement Administration.

[FR Doc.76-37185 Filed 12-16-76;8:45 am]

Title 23—Highways

CHAPTER I—FEDERAL HIGHWAY ADMINISTRATION, DEPARTMENT OF TRANSPORTATION

SUBCHAPTER F—RESEARCH AND DEVELOPMENT

[FHWA Docket No. 76-20]

GRANTS, BENEFITS, OR CONTRACTS

• *Purpose.* The purpose of this document is to publish the Research and Development (R. & D.) regulations. •

The information contained in these regulations had previously been printed in the Research and Development Program Manual. The material which had been included in this manual has been revised and may now be found in Volume 5 of the Federal-aid Highway Program Manual. Regulatory material contained therein is published in Subchapter F of Chapter I of the Code of Federal Regulations, Title 23.

The matters affected relate to grants, benefits, or contracts within the purview of 5 U.S.C. 553(a)(2), therefore, general notice of proposed rulemaking is not required.

In accordance with the spirit of the public policy set forth in 5 U.S.C. 553, interested persons may submit written comments, suggestions, data, or arguments to: Federal Highway Administration, Room 4230, FHWA Docket No. 76-20, 400 7th Street, SW., Washington, D.C. 20590. It would be appreciated if they were sent in triplicate. All comments and suggestions will be available for examination at the above address between 7:45 a.m. and 4:15 p.m., Monday through Friday.

In consideration of the foregoing, Chapter I of Title 23, CFR is hereby amended by adding to Subchapter F new Parts 520, 522, 524, 530, 540, 542, 544, and 560 as set forth below.

The Federal Highway Administration has determined that this document does not contain a major proposal requiring preparation of an Inflation Impact Statement under Executive Order 11821 and OMB Circular A-107.

Effective date: January 5, 1977.

Issued on: December 9, 1976.

NORBERT T. TIEMANN,
Federal Highway Administrator.

Subchapter F of 23 CFR reads as follows:

PART 520—MANAGEMENT OF THE RESEARCH AND DEVELOPMENT (R. & D.) PROGRAM—GENERAL

Sec.
520.1 Purpose.
520.3 Definition.
520.5 Policy on eligibility.
520.7 Policy on civil rights.
520.9 Policy on travel.

AUTHORITY: 23 U.S.C. 302, 307(c), 315; 49 CFR 1.48(b).

§ 520.1 Purpose.

The purpose of this regulation is to prescribe policies and procedures for the Federal-aid R. & D. Program regarding civil rights, travel and eligibility of work.

§ 520.3 Definition.

As used in this regulation, "Federal-aid R. & D. Work Program" is the R. & D. portion of each State Highway Agency's (SHA) annual Highway Planning and Research (HP&R) work program.

§ 520.5 Policy on eligibility.

(a) The criteria for the determination of the eligibility of R&D studies, activities and equipment for inclusion in the R. & D. portion of the HP&R program are based on 23 U.S.C. 302 and 307(c). The following tests shall be made in determining elegibility for the proposed activity.

(1) Does it qualify as an objective of the enabling legislation as defined in section 307(c)?

(2) Will it contribute to the attainment of one or more of the objectives?

(3) Is it normally needed as part of a suitably equipped and organized SHA?

(b) If the answer to questions (1) and (2) is yes and to question (3) is no, the item is normally eligible for funding under the Federal-aid R. & D. Work Program.

§ 520.7 Policy on civil rights.

The SHA shall assure that full consideration of Title VI of the Civil Rights Act of 1964 (see the Federal-Aid Highway Program Manual, Volume 2, Civil Rights)[1] is included in all stages of research and development operations, and that universities and consultants performing these services comply with the provisions of Title VI. Title VI considerations should also be discussed at the periodic program review conferences. Regarding FHWA Administrative contracts, the FHWA contracting officers and R. & D. contract managers shall assure that FHWA contractors comply with the Equal Opportunity clause of the Federal Procurement Regulations (41 CFR 1-12.8).

§ 520.9 Policy on travel.

The chief executive officer of the SHA, or his designee, shall determine the necessity of and approve travel, foreseen and unforeseen, in connection with any Federal-aid R&D activity whether by SHA personnel, or by personnel of an organization under contract to the SHA.

PART 522—RESEARCH AND DEVELOPMENT PROPERTY MANAGEMENT

Sec.
522.1 Purpose.
522.3 Definition.
522.5 Policy.
522.7 Disposal of nonexpendable equipment.
522.9 Inventory.
522.11 Patents and inventions.

AUTHORITY: 23 U.S.C. 101(d), 307(c) and 315; 49 CFR 1.48(b).

§ 522.1 Purpose.

The purpose of this regulation is to prescribe policies and procedures for the purchase, rental and management of

[1] The Federal-Aid Highway Program Manual is available for inspection and copying as prescribed in 49 CFR Part 7, Appendix D.

R. & D. property financed under the Federal-aid R. & D. program.

§ 522.3 Definition.

As used in this regulation, "nonexpendable equipment" is equipment having a useful life of more than one year and an acquisition cost of more than $500 per unit.

§ 522.5 Policy.

Nonexpendable equipment for an R. & D. study shall be purchased and managed in such a manner that only those equipment costs reasonably attributable to the study are charged to that study. Any residual value in the nonexpendable equipment purchased with HP&R funds shall be properly disposed of at the completion of the study. The State highway agency (SHA) shall obtain prior Federal Highway Administration (FHWA) approval, on all equipment purchased, rented, or disposed of which exceeds $1,000, except as provided in 23 CFR Part 524, R. & D. Management Option.

§ 522.7 Disposal of nonexpendable equipment.

If nonexpendable equipment has residual value after use in the specific study for which it was purchased, arrangements for its disposal by sale or transfer shall be approved by FHWA.

§ 522.9 Inventory.

The SHA's shall maintain an inventory record for each piece of nonexpendable equipment purchased or built under the Federal-aid R&D program. The inventory shall also include equipment acquired and/or constructed for use on research work at any of the universities doing cooperative research financed under the R&D portion of the HP&R program.

§ 522.11 Patents and inventions.

If an HP&R study produces patents, patent rights, processes or inventions, the SHA shall follow procedures similar to those set forth in 23 CFR 420.205(a)(15) to assure the preservation of the public's rights in inventions resulting from HP&R studies.

PART 524—R. & D. MANAGEMENT OPTION

Sec.
524.1 Purpose.
524.3 Policy.
524.5 Definitions.
524.7 Procedures.

AUTHORITY: 23 U.S.C. 307(c), 315; 49 CFR 1.48(b).

§ 524.1 Purpose.

The purpose of this regulation is to prescribe policies and procedures for waiving specified R. & D. administrative requirements if a State highway agency (SHA) satisfies specified management standards.

§ 524.3 Policy.

SHA's which meet certain R. & D. management standards may operate under the R. & D. management option which grants greater flexibility in the administration of the Federal-aid R. & D. program.

§ 524.5 Definitions.

As used in this regulation

(a) "Federal-aid R. & D. Work Program" is the R. & D. portion of each State's annual Highway Planning and Research (HP&R) work program.

(b) "Type A Study" is a study whose total cost generally exceeds $30,000 and/or the time required to complete the study generally exceeds 2 years and the study is not one of the types described in 23 CFR 540.11(a), R. & D. New Studies.

(c) "Type B Study" is an R. & D. study whose cost is generally $30,000 or less, the time required for completion is generally 2 years or less, and the study is one of the types described in 23 CFR 540.11(a), R. & D. New Studies.

§ 524.7 Procedures.

(a) Any SHA operating under the R. & D. management option may take the following actions on Federal-aid R. & D. studies without prior Federal Highway Administration (FHWA) approval:

(1) Initiation of new Type B studies listed in the current SHA R. & D. work program except those which require FHWA approval of the statement of work (work plan) in accordance with 23 CFR Part 420, Subpart B, Contracts.

(2) Clearance of the presentation or publication of papers and articles. (see 23 CFR Part 544)

(3) Make all minor changes listed in 23 CFR Part 542 R. & D. Studies—Changes and Terminations.

(4) Make major personnel changes described in 23 CFR Part 542, R. & D. Studies—Changes and Terminations.

(5) Make all major changes in Type B studies listed in 23 CFR Part 542, R. & D. Studies—Changes and Terminations.

(6) Purchase or rent equipment provided the total cost is $30,000 or less. (See 23 CFR Part 522, Research and Development Property Management.)

(b) The FHWA shall be fully informed of all actions the SHA takes in accordance with paragraph (a) of this section by transmittal of copies of the action documents to FHWA.

(c) In order to qualify for this alternate procedure, a SHA shall meet the following R. & D. management standards:

(1) The SHA has established an R. & D. advisory council or committee.

(2) The SHA has prepared an R. & D. manual documenting the current internal operating procedures and regulations which include the requirements of Title 23, Code of Federal Regulations, Subchapter F and adequate to manage the program. FHWA procedures in the 23 CFR may be incorporated by reference where required.

(3) The SHA's internal reporting and review procedures are adequate to control the SHA's R. & D. portion of the HP&R work program.

(4) The SHA's fiscal accounting and review procedures are adequate to control the use of funds for the SHA's Federal-aid R. & D. program.

(d) If a SHA desires to manage its Federal-aid R. & D. program under this option, the SHA shall submit a request to FHWA and document that it meets the R. & D. management standards.

(e) If the SHA's request meets the standards, its request to operate under the R. & D. management option shall be approved. If the SHA's R. & D. management is in substantial (but not complete) agreement with the standards, the SHA's request may be approved on a provisional basis for a period not to exceed 1 year.

(f) Any R. & D. management options which are approved shall be reviewed annually, preferably at the time the Federal-aid R. & D. work programs are reviewed. The approval of a SHA's management option shall be withdrawn if the SHA's management of the Federal-aid R. & D. program is inadequate.

PART 530—R. & D. ANNUAL WORK PROGRAM—GENERAL

Sec.
530.1 Purpose.
530.3 Definitions.
530.5 Policy.
530.7 Limitations for type B studies.
530.9 Elements of the R. & D. work program.

AUTHORITY: 23 U.S.C. 307(c) and 315; 49 CFR 1.48(b).

§ 530.1 Purpose.

The purpose of this regulation is to prescribe policies and procedures for the R. & D. portion of the Highway Planning and Research (HP&R) work program.

§ 530.3 Definitions.

As used in this regulation

(a) "Budget Item" is a short descriptive title in the summary tabulation with its associated budget estimate.

(b) "HP&R Work Program, Part I" is the planning portion of each State highway agency's (SHA's) annual or biennial HP&R work program as described in 23 CFR Part 420, Subpart A, Program Approval and Authorization.

(c) "HP&R Work Program, Part II (R&D Work Program)" is the research and development portion of each SHA's annual or biennial HP&R work program.

(d) "Type A Study" is an R. & D. study whose total cost generally exceeds $30,000 and/or the time estimated to complete the study generally exceeds 2 years and the study is not one of the types described in 23 CFR 540.11(a), R. & D. New Studies.

(e) "Type B Study" is an R. & D. study whose total cost is generally $30,000 or less, the time estimated for completion is generally 2 years or less, and the study is one of the types described in 23 CFR 540.11(a), R. & D. New Studies.

§ 530.5 Policy.

The SHA shall prepare the R. & D. portion of the proposed annual or biennial HP&R work program and submit it to FHWA for approval.

§ 530.7 Limitations for type B studies.

(a) Total Cost—The total amount allocated for all "Type B" studies in any State during any work program year

shall not exceed $100,000 or 30 percent, whichever is greater, of the total Federal and State Funds allocated to the R. & D. portions of the HP&R work program.

(b) Individual Studies—Limitations concerning individual Type B studies are described in 23 CFR Part 540, R. & D. New Studies.

§ 530.9 Elements of the R. & D. work program.

(a) A summary tabulation shall be prepared listing the Type A and Type B studies.

(b) Each Type A and Type B study listed as a budget item in the summary tabulation shall be described in the work program.

PART 540—R. & D. NEW STUDIES

Sec.

540.1 Purpose.
540.3 Definitions.
540.5 Policy.
540.7 General.
540.9 Type A studies.
540.11 Type B studies.
540.13 Study proposals.

AUTHORITY: 23 U.S.C. 307(c), 315; 49 CFR 1.48(b).

§ 540.1 Purpose.

The purpose of this regulation is to prescribe policies and procedures for new R. & D. studies in the R. & D. portion of the Highway Planning and Research (HP&R) work program.

§ 540.3 Definitions.

As used in this regulation:

(a) "Proposal" is an outline of specific research to be conducted which includes such items as description of the objectives, work plan, and manpower and budget estimate.

(b) "Type A Study" is an R. & D. study whose total cost generally exceeds $30,000 and/or the time estimated to complete the study generally exceeds 2 years and the study is generally not one of the types described in 23 CFR 540.11(a).

(c) "Type B Study" is an R. & D. study whose cost is generally $30,000 or less, the time estimated for completion is generally 2 years or less, and the study is one of the types described in 23 CFR 540.11(a).

§ 540.5 Policy.

State highway agencies (SHA's) are encouraged to initiate new R. & D. studies to solve local, regional, and national problems using HP&R funds in partnership with FHWA. To assure a minimum of duplication in R. & D. work, new studies shall be coordinated with the work of others in the subject area. New studies may address a new subject area or may extend, modify or refine previous work in a subject area.

§ 540.7 General.

R. & D. studies shall be classified as Type A or Type B: The major considerations being objective, duration, and total cost.

§ 540.9 Type A studies.

SHA initiates a request for Type A study by submitting copies of the study proposal to the appropriate FHWA division office.

§ 540.11 Type B studies.

(a) Type B R. & D. studies are limited to one of the following types:

(1) Short-Term, low-cost studies,

(2) Exploratory, survey, or feasibility studies,

(3) Experimental construction studies,

(4) Implementation efforts.

(b) Limitation on a Type B study:

(1) The estimated total cost of a single Type B study shall not exceed $30,000 or require more than 2 years to complete. However, if unanticipated costs develop or reasonable delays are incurred in conducting the work, Type B study funding may be increased beyond this limitation with the prior approval of the FHWA.

(2) Exceptions to the cost and time limitations are experimental construction studies for which evaluations and reporting are not funded as "Preliminary Engineering," under a Federal-aid construction project. For experimental construction studies, after the initial research tests associated with installation or construction have been completed, performance evaluation may continue at an annual cost of not more than $5,000 until such time as it becomes evident that additional information of experimental value is unlikely to develop, or for a maximum not to exceed 8 years, whichever is lesser.

(c) Except as specified in 23 CFR Part 524, R. & D. Management Option, a SHA shall initiate a request for a Type B study by submitting copies of the proposal for the study to the appropriate FHWA division office.

§ 540.13 Study proposals.

(a) *General.* A research study proposal shall be a well thought-out document which establishes the necessity for a research undertaking, clearly defines the objective, provides a detailed work plan for achieving the objective, and indicates how the research findings are expected to be used.

(b) *Reports.* The preparation of a final report (for submittal to FHWA) shall be required in the proposal as a condition of study approval by FHWA.

PART 542—R. & D. STUDIES—CHANGES AND TERMINATIONS

Sec.

542.1 Purpose.
542.3 Definitions.
542.5 Policy.
542.7 Type A and Type B study changes.
542.9 R. & D. work program changes.
542.11 Terminations.

AUTHORITY: 23 U.S.C. 307(c), 315; 49 CFR 1.48(b).

§ 542.1 Purpose.

The purpose of this regulation is to prescribe policies and procedures for changes and terminations in R. & D. studies.

§ 542.3 Definitions.

As used in this regulation

(a) "Major Cost Change" is a change in the cost of the study which increases the total cost by $25,000 or more.

(b) "Major Personnel Change" is a change in the principal investigator(s) of a study.

(c) "Major Work Change" is a change, including termination, in the objective, scope or work plan of a study which significantly alters the course or the expected results of the study.

(d) "Minor Cost Change" is a change in the cost of the study which increases the total cost by less than $25,000.

(e) "Minor Personnel Change" is a change in study personnel other than the principal investigator.

(f) "Minor Work Change" is any other change in the work plan of the study.

§ 542.5 Policy.

Changes and terminations in R. & D. studies shall require prior Federal Highway Administration (FHWA) approval except as provided in this regulation or 23 CFR Part 524, R. & D. Management Option.

§ 542.7 Type A and Type B study changes.

(a) *Major Cost Changes.* A major change shall be justified by the researchers and forwarded by the SHA to FHWA for approval.

(b) *Major Work Changes.* Major changes in the objective, scope, or work plan shall be fully documented and submitted to FHWA for approval.

(c) *Major Personnel Changes.* Changes in the principal investigator shall be submitted to FHWA for approval except as provided in 23 CFR Part 524, R. & D. Management Option.

(d) *Minor Cost Changes.* Minor cost changes less than $1,000 may be made by the SHA without FHWA approval. Other minor cost changes shall be submitted to FHWA for approval except as provided in 23 CFR Part 524, Management Option.

(e) *Other Minor Changes.* Other minor changes shall be submitted to FHWA for approval except as provided in 23 CFR Part 524, R. & D. Management Option.

§ 542.9 R. & D. Work Program Changes.

(a) Changes which are made for individual studies are automatically changes in the current R. & D. work program and no further action is required unless a cost increase exceeds the funds available in the Highway Planning and Research (HP&R) project agreement. If a cost increase exceeds the funds available, a cost change shall not be made until the PR–2, Project Agreement, has been modified to permit the cost increase in accordance with 23 CFR Part 630, Subpart C.

(b) Other work program changes, such as a cost increase in the administrative line item, shall be submitted to FHWA for approval.

§ 542.11 Terminations.

The termination of an R. & D. study is a major work change for the purposes of FHWA approval. A SHA may terminate a previously approved study prior to fulfillment of its objectives when the SHA and FHWA conclude that further research will be unproductive and/or unwarranted. To terminate a study under these circumstances, the SHA shall submit copies of a formal request for termination to the FHWA.

PART 544—REPORTS ON R. & D. STUDIES

Sec.
544.1 Purpose.
544.3 Definition.
544.5 Policy.
544.7 Final reports.

AUTHORITY: 23 U.S.C. 307(c), 315; 49 CFR 1.48(b).

§ 544.1 Purpose.

The purpose of this regulation is to prescribe policies and procedures for reports from the R. & D. studies.

§ 544.3 Definition.

As used in this regulation, "Final Report" is a report documenting a completed study.

§ 544.5 Policy.

A final report shall be prepared and submitted to the Federal Highway Administration (FHWA) upon completion of an R. & D. study as required in 23 CFR Part 540. This report shall document the findings and results of the study or reference other study reports which contain this information. When the work is not normally expected to result in a final report, such as for implementation efforts, this provision will not apply.

§ 544.7 Final reports.

Each final report should contain a summary statement on research implementation. This statement should point out practical applications of research findings, give recommended procedures for implementation, expected benefits and/or recommendations for additional work needed to achieve implementation. The statement should be prepared cooperatively by the researcher and State operations personnel in the area of concern. If significant implementation is proposed which could be profitably shared and an Implementation Package is going to be prepared, it should be indicated here.

PART 560—FEDERAL-AID FUNDS WITHOUT STATE MATCHING ON SPECIAL R. & D. PROJECTS

Sec.
560.1 Purpose.
560.3 Definitions.
560.5 Policy.
560.7 Procedures.

AUTHORITY: 23 U.S.C. 307(c), 315; 49 CFR 1.48(b).

§ 560.1 Purpose.

The purpose of this regulation is the prescribe the policies and procedures for determining when Highway Planning and Research (HP&R) funds may be used without State matching in the area of R. & D.

§ 560.3 Definitions.

As used in this regulation

(a) "Pooled Fund Study" is a study funded by two or more State Highway Agencies (SHA's).

(b) "National Pooled Fund Study" is a pooled fund study administered by the FHWA Washington Headquarters in cooperation with the sponsoring SHA's.

(c) "Intra-Regional Cooperative Study" is a pooled fund study administered by the lead SHA and the appropriate regional office in cooperation with the other sponsoring SHA's.

(d) "National Cooperative Highway Research Program (NCHRP)" is a pooled fund program sponsored by the SHA's, and FHWA, and administered by the Transportation Research Board, National Academy of Sciences.

§ 560.5 Policy.

(a) The following criteria are used by FHWA for determining when HP&R funds used for R. & D. studies without State matching would best serve the interests of the Federal-aid highway program:

(1) The proposed study or program addresses a national or regional problem of high priority.

(2) The proposed study or program has generated wide interest among the SHA's and would involve two or more SHA's.

(3) The proposed study satisfies the requirements in 23 CFR Part 540, R. & D. New Studies.

(4) The results of the proposed study or program will be immediately implementable, and

(5) HP&R 100-percent funding will facilitate the pooling of funds from several SHA's.

(b) The following criteria are used by FHWA for determining other cases when HP&R funds without State matching would best serve the interests of the Federal-Aid highway program:

(1) The proposed study activity in a State addresses a problem of specific and significant national interest, and

(2) The proposed study activity in a State is requested by the Associate Administrator for R. & D. to complement a FHWA R. & D. contract activity being conducted in that State.

§ 560.7 Procedures.

Proposals for a 100-percent pooled fund R. & D. study shall be submitted to the Associate Administrator for R. & D. for review. If the proposal meets the criteria set forth in 23 CFR 560.5(a) the Associate Administrator for R. & D. may recommend the study for 100-percent funding to the Federal Highway Administrator.

[FR Doc.76-37111 Filed 12-16-76;8:45 am]

Title 28—Judicial Administration

CHAPTER I—DEPARTMENT OF JUSTICE

[Order No. 674-76]

PART 0—ORGANIZATION OF THE DEPARTMENT OF JUSTICE

Subpart C—Office of the Deputy Attorney General

OFFICE OF PRIVACY AND INFORMATION APPEALS

The Freedom of Information Act and the Privacy Act of 1974 (5 U.S.C. 552, 552a) require agencies to establish internal mechanisms for administrative appeals from denials of access to information or records subject to these laws. In the Department of Justice, these appeal functions have been assigned to the Freedom of Information Appeals Unit in the Office of the Deputy Attorney General (23 CFR 0.18). This order redesignates the Freedom of Information Appeals Unit as the Office of Privacy and Information Appeals and formally adds to the regulations the functions of handling Privacy Act appeals and providing staff support to the Department Review Committee, established by 28 CFR 17.38.

By virtue of the authority vested in me by 5 U.S.C. 301, 552, and 552a, 28 U.S.C. 509 and 510, and Executive Order No. 11652 of March 8, 1972, as amended, § 0.18 of Subpart C of Part O of Chapter I of Title 28, Code of Federal Regulations, is revised to read as follows:

§ 0.18 Office of Privacy and Information Appeals.

The Office of Privacy and Information Appeals is established in the Office of the Deputy Attorney General, under the supervision of the Deputy Attorney General, to assist in acting on Privacy and Freedom of Information appeals under §§ 16.47 and 16.7, respectively, of this chapter, except that in the case of appeals from initial decisions in which the Deputy Attorney General participated this assistance shall be provided by the Office of Legal Counsel. The Office of Privacy and Information Appeals shall provide staff support to the Department Review Committee, established by § 17.38 of this chapter.

Dated: December 8, 1976.

EDWARD H. LEVI,
Attorney General.

[FR Doc.76-37113 Filed 12-16-76;8:45 am]

Title 31—Money and Finance

SUBTITLE A—OFFICE OF THE SECRETARY OF THE TREASURY

PART 13—PROCEDURES FOR PROVIDING ASSISTANCE TO STATE AND LOCAL GOVERNMENTS IN PROTECTING FOREIGN DIPLOMATIC MISSIONS

On September 17, 1976, a notice of proposed rulemaking was published in the FEDERAL REGISTER (41 FR 40139), which proposed to add a new Part to Subtitle A of Title 31 of the Code of Federal Regulations to prescribe procedures governing protective and financial assistance to State and local governments in

the protection of foreign diplomatic missions as authorized by sections 202 and 208 of title 3, United States Code, as amended and added, respectively, by Pub. L. 94–196 (89 Stat. 1109).

Specifically, section 202, title 3, United States Code, as amended by Pub. L. 94–196, authorizes Executive Protective Service protection of foreign diplomatic missions located in metropolitan areas in the United States (other than the District of Columbia) where there are located twenty or more such missions headed by full-time officers, except that such protection shall be provided only (A) on the basis of extraordinary protective need, (B) upon request by the affected metropolitan area, and (C) when the extraordinary protective need arises in association with a visit to or occurs at a permanent mission to an international organization of which the United States is a member or an observer mission invited to participate in the work of such organization, provided that such protection may be extended at places of temporary domicile in connection with such a visit. Further, section 208 of title 3, United States Code, as added by Pub. L. 94–196, provides that the services, personnel, equipment, and facilities of State and local governments may be utilized, with their consent, on a reimbursable basis, to provide protection.

Interested persons were given until October 18, 1976, to submit written data, views, or arguments to the Assistant Secretary (Enforcement, Operations and Tariff Affairs), Department of the Treasury, regarding the proposal. Data, views and arguments were received from three people.

Two commentators suggested that § 13.3(b)(3) of the regulations be expanded to provide that the costs of protection by State and local governments may be reimbursable where the protection is not only extended to the mission itself, but also to: (1) all activities in connection with the visit to the mission; (2) a visit to an international organization, whether or not the visitor actually enters his or her mission building during the visit; and (3) travel between the mission and the international organization. These suggestions could not be incorporated into these regulations since Pub. L. 94–196 clearly provides for reimbursement only for protection by State and local governments of "foreign diplomatic missions * * * except that such protection shall be provided only [upon certain specific conditions] * * *, provided that such protection may be extended to places of temporary domicile in connection with such a visit." Pub. L. 94–196 does not provide for reimbursement for protection of other locations, activities or persons.

One commentator also suggested that the regulations make clear that the costs of protection by State and local governments of places of temporary domicile are also reimbursable. The regulations already provide for reimbursement of such costs under §§ 13.3(b), 13.5, 13.6, and 13.7.

Another commentator inquired whether additional protection necessitated by an extraordinary protective need at a mission where police are always stationed would be reimbursable. The regulations as proposed do cover such additional protection.

Another comment was that a new section should be added to the regulations which would provide for an appeal to the Secretary of the Treasury from any decision of the Assistant Secretary made in connection with these regulations. Inasmuch as the Assistant Secretary is acting for the Secretary under these regulations, this suggestion was not incorporated into these regulations.

A suggestion was also made that the definition of "extraordinary protective need" as found in § 13.2(b) of the proposed regulations, should be redefined to include not only actual, but also potential, violent confrontations. This suggestion was not accepted inasmuch as the potentially violent confrontation was not envisioned by the drafters of the legislation as indicated by the legislative history. In the report of the House Committee on Public Works and Transportation which considered the predecessor H.R. 1184, the definition of extraordinary protective need is explained at page 3. The definition covers the need for extra protection occasioned by specific events such as the 25th anniversary of the United Nations, and international incidents resulting in confrontations between nationalistic groups which require additional heavy police protection beyond the ordinary capacity of the local governments. The report goes on to cite such confrontations as the Middle East conflict in late 1973; the Greek/Turkish Cypriot conflict; and the Yasser Arafat visit in the Fall of 1974. Report No. 94–185, 94th Congress, First Session, Committee on Public Works and Transportation. The report also indicated that under ordinary circumstances the protection of foreign missions outside of the District of Columbia metropolitan area, is a matter under the jurisdiction of the local law enforcement agencies.

Therefore, potentially violent confrontations would be a local concern and would not give rise to an extraordinary protective need unless there was evidence of an example of a situation similar to that mentioned in the above cited report at page 3.

Since these regulations involve a foreign affairs function of the United States, good cause is found not to delay the effective date of these regulations.

Accordingly, Title 31, Code of Federal Regulations is amended by adding a new Part 13, "Procedures for Providing Assistance to State and Local Governments in Protecting Foreign Diplomatic Missions," as set forth below.

Effective date: This part takes effect on December 17, 1976.

The Department of the Treasury has determined that this document does not contain a major proposal requiring preparation of an Inflation Impact Statement under Executive Order 11821 and OMB Circular A–107.

Dated: December 9, 1976.

JERRY THOMAS,
Under Secretary of the Treasury.

Sec.
13.1 Purpose.
13.2 Definitions.
13.3 Eligibility to receive protection.
13.4 Requests for protection.
13.5 Utilization of the services, personnel, equipment, and facilities of State and local governments.
13.6 Reimbursement of State and local governments.
13.7 Reimbursement when the Assistant Secretary makes no determination to utilize State and local government services, personnel equipment, and facilities.

Appendix I: Form of request for assistance.
Appendix II: Form of bill for reimbursement.

AUTHORITY: Secs. 202 and 208, title 3, U.S. Code, as amended and added, respectively, by Pub. L. 94–196 (89 Stat. 1109); 5 U.S.C. 301.

§ 13.1 Purpose.

This part prescribes the procedures governing protective and financial assistance to State and local governments when an extraordinary protective need requires the protection of foreign diplomatic missions as authorized by sections 202 and 208 of title 3, U.S. Code, as amended and added, respectively, by Public Law 94–196 (89 Stat. 1109).

§ 13.2 Definitions.

As used in this part, these terms shall have the following meaning:

(a) The term "Assistant Secretary" means the Assistant Secretary of the Treasury (Enforcement, Operations and Tariff Affairs).

(b) The term "extraordinary protective need" means a need for protection requiring heavy reinforcements of police personnel or equipment, or both, significantly beyond the ordinary deployments of the State or local government, arising out of: (1) Violent confrontations between nationalist groups, (2) threats or acts of violence by terrorist groups, or (3) a specific diplomatic event or visit. Such a need is not occasioned by the day-to-day protection of foreign diplomatic missions, or the protection occasioned by an isolated threat of a single individual.

(c) The term "foreign diplomatic mission" means a mission (including foreign consular offices) of a foreign country located in the United States.

(d) The term "full time officers" means permanent officers whose duties as foreign diplomatic officers occupy their full time.

(e) The term "international organization" means those international organizations designated by Presidential Executive Order as being entitled to the privileges, immunities, and exemptions accorded under the International Organization Immunities Act of December 29, 1945 (22 U.S.C. 288).

(f) The term "metropolitan area" means a city in the United States (other than the District of Columbia) and those areas contiguous to it.

(g) The term "observer mission" means a mission invited to participate in the work of an international organization by that organization. The invitation to participate shall be extended by the international organization pursuant to the same internal rules of the international organization as are applicable to any permanent mission.

(h) The term "permanent mission" means a fixed continuing mission staffed by full time officers and maintained by a member state of an international organization.

(i) The term "temporary domicile" means a domicile of limited duration of a visiting foreign dignitary or officer in connection with a visit to a permanent or observer mission to an international organization in a metropolitan area.

§ 13.3 Eligibility to receive protection.

(a) Protection, as determined by the Assistant Secretary, will be provided by the Executive Protective Service pursuant to section 202 of title 3, U.S. Code, as amended by Public Law 94–196, only to foreign diplomatic missions located in metropolitan areas (other than the District of Columbia) where there are located twenty or more such missions, as determined by the Secretary of State, which are headed by full time officers. According to present State Department figures, the following metropolitan areas have 20 or more such foreign diplomatic missions: Chicago, Houston, Los Angeles, Miami, New York City, New Orleans, and San Francisco.

(b) Protection will be provided in the metropolitan areas described in paragraph (a) of this section only if:

(1) The affected metropolitan area requests such protection;

(2) The Assistant Secretary determines that an extraordinary protective need exists; and

(3) The extraordinary protective need arises in association with a visit to or occurs at: (i) A permanent mission to an international organization of which the United States is a member or (ii) an observer mission invited to participate in the work of an international organization of which the United States is a member.

(c) Protection may be extended at places of temporary domicile in connection with a visit under paragraph (b) of this section.

§ 13.4 Requests for protection.

(a) Requests for protection shall be made to: Assistant Secretary (Enforcement, Operations, and Tariff Affairs), Department of the Treasury, Washington, D.C. 20220. Each government requesting the protection authorized pursuant to section 202 of title 3, U.S. Code, as amended by Public Law 94–196, shall submit an application describing the extraordinary protective need. Applications made pursuant to this section shall be submitted to the Assistant Secretary 14 days before the extraordinary protective need is expected to arise. If the extraordinary protective need arises in association with a visit, the application shall include the name and title of the visiting foreign official or dignitary, the country he represents, and the name and location of the international organization or mission he will be visiting. The application shall also include, if available, the temporary domicile of the visiting official or dignitary and his schedule, including dates and times of arrival and departure from the United States. If the extraordinary protective need occurs at a permanent mission to an international organization of which the U.S. is a member or an observer mission invited to participate in the work of such organization, the application shall include the name and location of the mission. State and local governments shall also indicate on the application whether they desire to provide the protection. In order to assist the Assistant Secretary in determining whether to utilize the Executive Protective Service to meet the extraordinary protective need, or to utilize, with their consent, the services, personnel, equipment, and facilities of the State or local government, or both, the application must include an estimate of the approximate number of personnel, by grade and rank, the specific services, equipment, and facilities required, along with an estimate of the cost of such personnel, services, equipment, and facilities. This application must be submitted in the format illustrated in Appendix I of this part.

(b) Upon receipt of a request for protection pursuant to paragraph (a) of this section and for the purposes of reimbursement pursuant to §§ 13.6 and 13.7, the Assistant Secretary will determine whether an extraordinary protective need exists. In making his determination, the Assistant Secretary may consult with appropriate Federal, State, and local government agencies.

§ 13.5 Utilization of the services, personnel, equipment, and facilities of State and local governments.

(a) The Assistant Secretary may decide to utilize, on a reimbursable basis, the services, personnel, equipment, and facilities of State and local governments of the affected metropolitan area desiring to provide protection, or he may utilize the Executive Protective Service, or both. If only the Executive Protective Service is utilized to meet the extraordinary protective need, the governments of the affected metropolitan area will not be reimbursed. If the Assistant Secretary decides to utilize, with their consent, the services, personnel, equipment, and facilities of such State and local government to meet the extraordinary protective need, he will so notify the government within 7 days after receipt of a request for protection made pursuant to § 13.4.

(b) If the Assistant Secretary decides to utilize the services, personnel, equipment, and facilities of such State and local governments of the affected metropolitan area upon request for protection made pursuant to § 13.4, he will advise those governments within 7 days after receipt of such request for protection regarding the extent of the reimbursement permitted by law for such services, personnel, equipment, and facilities, but such reimbursement shall not exceed the estimates submitted pursuant to § 13.4, unless the Assistant Secretary is further consulted.

§ 13.6 Reimbursement of State and local governments.

(a) State and local governments providing services, personnel, equipment, or facilities to the affected metropolitan area pursuant to § 13.5 may forward to the Assistant Secretary a bill for reimbursement for the personnel, equipment, facilities, and services utilized in meeting the extraordinary protective need. The bill shall be in accordance with the format in Appendix II of this part. The Assistant Secretary will reimburse only those incremental costs directly related to the extraordinary protective need. Costs of an indirect nature such as administrative costs, overhead, and depreciation will not be reimbursable. For the purposes of reimbursement the Assistant Secretary will in all cases determine when the extraordinary protective need began and terminated.

(b) State and local governments requesting reimbursement shall permit representatives of the Assistant Secretary and the General Accounting Office to audit and examine their records and accounts pertaining to any bills for reimbursement at such reasonable times and places as may be mutually agreed upon by the State and local governments and said representatives. Each claimant shall insure access to the such records and accounts.

§ 13.7 Reimbursement when the Assistant Secretary makes no determination to utilize State and local government services, personnel, equipment and facilities.

(a) In the event there is insufficient time to submit a request for protective assistance pursuant to § 13.4 prior to the occurrence of an extraordinary protective need, and State or local governments, or both, utilized their own services, personnel, equipment, and facilities to provide extraordinary protection, an application by such government to the Assistant Secretary for reimbursement otherwise conforming to the requirements of this part will be considered. Each application submitted under such circumstances must explain why there was insufficient time to submit a timely request.

(b) In cases where State or local governments, or both, utilized their own services, personnel, equipment, and facilities to provide protection for an extraordinary protective need, and no request for protective assistance pursuant to § 13.4 was made because the extraordinary protective need occurred

prior to the promulgation of this Part but after July 1, 1974, an application by such government to the Assistant Secretary for reimbursement otherwise conforming to the requirements of this part will be considered.

APPENDIX I—FORM OF REQUEST FOR ASSISTANCE

I hereby request assistance from the Department of the Treasury pursuant to section 202 of Title 3, U.S. Code, as amended by Public Law 94–196. This assistance is needed to enable the affected metropolitan area of _____ to meet an extraordinary protective need, which is expected to arise on _____.
(Date)

The nature of the extraordinary protective need prompting this request is as follows:

(If in association with a visit, include the name and title of the visiting foreign official or dignitary, the country represented and the name and location of the international organization or mission to be visited. The temporary domicile of the visiting official or dignitary and his schedule, including dates and times of arrival and departure from the United States, if available, must also be included. If the extraordinary protective need occurs at a permanent mission to an international organization of which the United States is a member or an observer mission invited to participate in the work of the organization, the application shall include the name and location of the mission.)

The _____ _____ prepared to provide _____
(Governmental entity) (Is or is not) (All of or a portion of)

the protection required to meet this need. Attached is an estimate of the approximate number of personnel, by grade and rank, and the specific services, equipment and facilities which will be required to meet this extraordinary protective need, along with an estimate of the cost of such personnel, services, equipment, and facilities.

_____
(Date)

_____
(State or local government of the affected metropolitan area)

_____
(Signature)

_____
(Title)

APPENDIX I(A)

Summary of Estimated Direct Costs
for the Period_____to_____

Date (mo/day)	Personnel	Equipment	Facilities	Services	Daily Total
Period Total					

* Attach daily cost estimating sheets (Appendix I(B) through I(E).

APPENDIX I (B)

Estimated Personnel Costs
Date:_____

1	2	3	4	5	6	7	8	9	10
Explanation of Duties to be Performed	Number	Rank	Straight Hourly Rate	Straight Manhours	Sub-total (4 X 5)	Overtime Hourly Rate	Overtime Manhours	Subtotal (7 X 8)	Total (6 + 9)
Total									

Comments:

APPENDIX I (C)

Estimated Equipment Costs
Date:_____

1	2	3	4	5	6
Explanation of How Equipment is to be Used	Nature of Equipment	Unit Measure	Total Units	Unit Cost	Total Cost (4 X 5)
Total					

Comments:

APPENDIX I (D)

Estimated Facilities Costs
Date:_____

1	2	3	4	5	6
Explanation of How Facilities are to be Used	Nature of Facilities	Unit Measure	Total Units	Unit Cost	Total Cost (4 X 5)
Total					

Comments:

APPENDIX I (E)

Estimated Services Costs
Date:_____

1 Explanation of How Services are to be Used	2 Nature of Services	3 Unit Measure	4 Total Units	5 Unit Cost	6 Total Cost (4 X 5)
Total					

Comments:

APPENDIX II—FORM OF BILL FOR REIMBURSEMENT

I hereby request that _____ (Governmental entity) be reimbursed by the Department of the Treasury pursuant to sections 202 and 208 of title 3, U.S. Code, as amended and added, respectively, by Public Law 94-196 (89 Stat. 1109) for extraordinary expenses incurred while providing an adequate level of protection during the extraordinary protective need arising in association with a visit of _____ (Official or dignitary's name and title) of _____ (Country) to or occurring at the _____ (Permanent or observer mission) to _____ (International organization) during the period _____ (Month/day/year) through _____ (Month/day/year).

I certify that the level of protection provided was both reasonable and necessary; that the costs herein billed are only those direct incremental costs associated with meeting the extraordinary protective need; and that the costs herein billed are not costs of an indirect nature such as administrative costs, overhead, and depreciation.

Access to all records, accounts, receipts, etc. pertaining to the costs herein billed will be accorded to representatives of the Assistant Secretary (EOTA) and the General Accounting Office at such reasonable times and places as may be mutually agreed upon by said representatives and _____ (Governmental entity).

Date: _____

_____ (Signature)

_____ (Title)

APPENDIX II(A)

* Summary of Direct Costs Incurred for the Period_____to_____

Date (mo/day)	Personnel	Equipment	Facilities	Services	Daily Total
Period Total					

* Attach daily cost sheets (Appendix I(B) through I(E).

APPENDIX III B)

Personnel Costs
Date:

1	2	3	4	5	6	7	8	9	10
Explanation of duties to be performed	Number	Rank	Straight Hourly Rate	Straight Manhours	Sub-total (4 X 5)	Overtime Hourly Rate	Overtime Manhours	Sub-total (7 X 8)	Total (6 + 9)
Total									

Comments:

APPENDIX II(C)

Equipment Costs
Date: _____

1	2	3	4	5	6
Explanation of How Equipment Was Used	Nature of Equipment	Unit Measure	Total Units	Unit Cost	Total Cost (4 X 5)
Total					

Comments:

APPENDIX II(D)

Facilities Cost____
Date:_____

1	2	3	4	5	6
Explanation of How Facilities Were Used	Nature of Facilities	Unit Measure	Total Units	Unit Cost	Total Cost (4 X 5).
Total					

Comments:

APPENDIX II(E)

Services Costs
Date:_____

1 Explanation of How Services Were Used	2 Nature of Services	3 Unit Measure	4 Total Units	5 Unit Cost	6 Total Cost (4 X 5)
Total					

Comments:

[FR Doc.76-37077 Filed 12-16-76;8:45 am]

Title 40—Protection of Environment

CHAPTER I—ENVIRONMENTAL PROTECTION AGENCY

SUBCHAPTER C—AIR PROGRAMS

[FRL 658-3]

PART 55—ENERGY-RELATED AUTHORITY

Georgia: Compliance Date Extensions

• *Purpose.* The purpose of this promulgation is to issue compliance date extensions (CDE's) for the Savannah Electric and Power Company's Port Wentworth Generating Station, Units 1, 2, and 3, Chatham County, Georgia (hereinafter referred to as "the units"), with respect to Georgia air pollution control regulation 391-3-.02(2)(d), which limits emissions of particulate matter. These CDE's are issued with the condition that the units be equipped with adequate air pollution control devices (electrostatic precipitators) before burning coal. The units must remain in compliance with all applicable air pollution requirements by continuing to burn low-sulfur oil until the electrostatic precipitators are operational. Conversion from oil to coal cannot take place until the electrostatic precipitators are installed in accordance with the installation schedules set forth below. •

EPA's decision to require air pollution controls before coal burning is based on two technical findings:

(1) The existing air quality in the Savannah Air Quality Control Region (AQCR) in which the units are located does not meet the national primary ambient air quality standard for particulate matter.

(2) Immediate conversion to coal burning without adequate air pollution controls would result in violations of the primary ambient air quality standards for particulate matter. Particulate emissions from burning coal in the units without adequate controls would be greater than the particulate emissions from all other sources in the Savannah AQCR combined, and would greatly violate the applicable particulate emission limiting regulation of the Georgia regulations.

Under section 119(c)(2)(D) of the Clean Air Act, these findings require that the units may not burn coal until they can comply with the above-mentioned particulate emission limiting regulation of the Georgia implementation plan. This requirement is known as the "regional limitation." The technical basis for imposing the regional limitation on the Port Wentworth Plant was published in the FEDERAL REGISTER on June 22, 1976 (41 FR 25025), and a public hearing was held in Savannah on September 8, 1976. The public comments received before, during and after the hearing did not, in EPA's opinion, invalidate the technical findings on which the regional limitation is based.

However, EPA will review all air quality data from the air monitoring network in the Savannah AQCR as it becomes available. If this review shows that the national ambient air quality standards for particulate matter are being met, the CDE's may be modified to allow earlier coal burning. In that case, the regional limitation would no longer apply and the units would become subject to the primary standard condition in accordance with section 119(d)(2) of the Clean Air Act. This primary standard condition would assure (throughout the period that the control equipment is being installed) that the burning of coal in any unit prior to the installation of par-

ticulate control equipment would not result in emissions which would cause the national primary ambient air quality standards for particulate matter to be exceeded.

PROVISIONS

On June 22, 1976 (41 FR 25025), the Administrator of the Environmental Protection Agency proposed to amend 40 CFR Part 55 by adding a new Subpart L for the issuing of CDE's to three units of the Savannah Electric and Power Company's Port Wentworth Generating Station as stated above.

Subpart L, § 55.570(a)(1), as proposed, contained a provision requiring the installation of air pollution control equipment on the units within a 27-month time limit. This installation schedule would have commenced on the date that the Federal Energy Administration (FEA) served its Notice of Effectiveness (NOE) to the Savannah Electric and Power Company (SEPCO). On August 20, 1976, EPA and SEPCO agreed to an installation schedule containing firm dates which are not dependent upon the date that FEA serves its NOE. The schedule developed with SEPCO's cooperation will expedite the installation of the control equipment, thereby allowing conversion to coal burning in compliance with the regional limitation at the earliest possible date for each unit. These dates herein promulgated in 40 CFR 55.570(a)(1) are May 1, 1978, for Unit 1; June 1, 1978, for Unit 2; and November 1, 1978, for Unit 3. A 60-day period following each of the above dates will be granted to allow SEPCO to certify final compliance to EPA. According to section 119(c)(2)(C) of the Clean Air Act, as amended, December 31, 1978, is the date by which the units must achieve the most stringent degree of emission reduction required under the Georgia implementation plan. EPA acknowledges the cooperation of SEPCO in developing a firm, expeditious schedule for the installation of adequate control equipment within the time limits contained in the Clean Air Act.

PUBLIC COMMENTS

A 30-day public comment period followed the June 22, 1976, FEDERAL REGISTER proposal of the present compliance date extensions. Fifty comments and requests for a public hearing were received regarding the proposed rulemaking. Fifteen were in favor of immediate conversion without controls, eleven were in favor of EPA's proposed decision to require controls before conversion, and twenty-four took neither position, but requested that a public hearing be held.

On August 8, 1976, EPA gave notice in the local press that a public hearing on this matter would be held in Savannah, Georgia, on September 8, 1976. During the hearing EPA explained its findings and proposed rulemaking concerning coal conversion at SEPCO's Port Wentworth Plant, Units 1, 2, and 3 in the following terms.

EPA stated that its proposed decision not to allow coal burning until adequate control equipment is installed is based on technical findings as to existing air quality, and the effect that immediate conversion would have on it. Immediate conversion to coal without adequate air pollution controls would result in a total estimated particulate matter emission rate of three to four tons per hour, which is about ten times the allowable particulate emission rate for the three units. The annual particulate emissions, assuming the units are operated at a 67 percent load factor, would amount to roughly 21,000 tons. This would be more than the existing particulate emissions of all other facilities in the Savannah AQCR combined.

EPA further stated that the national annual primary ambient air quality standard for particulate matter was exceeded in the Savannah AQCR during 1975. The annual geometric mean for particulate matter at the Lathrop and Augusta monitoring station was 78 micrograms per cubic meter, a violation of the national primary ambient air quality standard for particulate matter (75 micrograms per cubic meter). Also, two excursions of the national 24-hour primary ambient air quality standard for particulate matter were recorded at the Lathrop and Augusta monitoring station during the 12-month period from July 1, 1975, through June 30, 1976; readings of 267 and 268 micrograms per cubic meter were recorded on November 18, 1975, and June 11, 1976, respectively. These readings exceed the 24-hour ambient standard of 260 micrograms per cubic meter, which is not to be exceeded more than once a year. EPA as well as the Georgia Environmental Protection Division, independently evaluated the Lathrop and Augusta monitoring station and determined that the measured air quality data are valid and representative of the area.

EPA noted that the concentrations of particulate matter estimated by atmospheric diffusion models indicate that a maximum 24-hour ambient concentration of 258 micrograms per cubic meter can be expected if Port Wentworth burns coal immediately. This is the contribution to the ambient pollutant levels resulting solely from the operation of the Port Wentworth Plant when burning coal in Units 1, 2, and 3 at a 50 percent particulate collection efficiency, and when burning oil in Unit 4. This could result in maximum 24-hour particulate matter ambient concentrations of at least 333 micrograms per cubic meter if the contribution from other sources in the area is included.

During the September 8, 1976, public hearing, 7 witnesses testified in favor of immediate conversion without controls, and 11 witnesses testified in favor of EPA's tentative decision to require controls before converting from oil to coal.

Objections to EPA's proposed decision centered around economic factors and the validity of the ambient monitoring data. Several speakers contended that the electric rates would decrease as a result of the savings realized from burning coal immediately without air pollution controls, and that these savings would offset possible environmental damage from the increase in particulate matter emissions from the three units.

Section 119 of the Clean Air Act does not provide for consideration of economic factors by EPA in certifying to FEA an effective date for conversion to coal. Economic factors are considered by FEA before issuing the Prohibition Orders. In the case of Port Wentworth, FEA has found that coal conversion is economically practicable, and this finding was presented during a public hearing held by FEA on June 10, 1975. During EPA's hearing of September 8, 1976, several speakers noted that while immediate coal burning without controls would result in fuel savings, there would be an increase in medical costs and a loss of tourism in the Savannah area, which would offset the fuel savings.

Representatives of SEPCO testified that the violations recorded at two air pollution monitoring stations in Chatham County are not representative of the quality of the air in the Savannah AQCR. EPA agrees that the data recorded at one monitoring station (Fire Station No. 4) are not valid. These data were not used by EPA in making its finding that the national particulate ambient air quality standard was violated during 1975. However, the data recorded at the Lathrop and Augusta monitoring station are valid and represent air quality at that location.

A SEPCO representative noted that air quality as measured at other monitoring stations in the Savannah area meets the Federal and State annual ambient air quality standards for particulate matter, and that these annual standards were also met at the Lathrop and Augusta monitoring station during the 12-month period ending June 30, 1976, with a measured annual average of 73 micrograms per cubic meter. These statements are correct, but a single violation at any one monitoring station within the air quality control region constitutes a violation of the national ambient air quality standards. The Lathrop and Augusta station recorded a valid violation of the annual particulate ambient standard during calendar year 1975 and also recorded two excursions of the 24-hour particulate ambient standard during the 12-month period ending June 30, 1976. Additional violations of the 24-hour standard could be anticipated if conversion to coal takes place without adequate particulate emissions control equipment.

Several witnesses stated that the existing concentration of particulate matter would not be significantly increased if the units converted from oil to coal before installing controls, and therefore immediate conversion should be allowed. EPA testified that the units would contribute at the point of maximum impact as much as 258 micrograms of particulate matter per cubic meter on a 24-hour basis, that all other sources would contribute a 24-hour average concentration of 40 micrograms of particulate matter per cubic meter, and that the general

background concentration would be 35 micrograms of particulate matter per cubic meter.

SEPCO stated that although coal had been burned at the Port Wentworth Plant for a period in 1973, a monitoring station installed by SEPCO on the roof of a fire station in Port Wentworth showed no significant increase in particulate matter concentration over the concentration measured when the sources were burning oil. SEPCO further stated that immediate coal burning would not increase the measured concentration of particulate matter at the Lathrop and Augusta monitoring station. A statistical study submitted to EPA after the hearing by a corporation in Chatham County attempted to support SEPCO's claim that immediate coal burning would have no significant effect on the data recorded at the Lathrop and Augusta monitoring station.

EPA has determined that the present particulate emissions from the units would be increased about ten times if coal is burned immediately, which should increase the concentration of particulate matter at the Lathrop and Augusta monitoring station. Because this station is located about four miles from the Port Wentworth Plant, the ambient concentration of particulate matter could be assumed to be greater at a point closer to the plant. As previously stated in "Provisions" above, section 119 (c) (2) (D) of the Clean Air Act provides that no source of air pollution may violate any air pollution control regulation if the national primary ambient air quality standards for that pollutant are being violated anywhere in that AQCR (i.e., if a regional limitation applies). Even if it could be shown that allowing immediate conversion to coal without particulate emission controls would have no effect on ambient particulate concentrations, the units could not legally receive any relief from the regional limitation. This means that the Port Wentworth Plant must comply with the particulate matter emission regulation as long as the national primary ambient air quality standard for particulate matter is being exceeded in the Savannah AQCR.

Several environmental, medical, and civic associations supported EPA's proposed decision to require controls before conversion. Generally, these associations testified that the air pollution resulting from immediate coal conversion would increase the already high incidence of respiratory ailments in the Savannah area.

The hearing record was held open for 30 days following the public hearing. (The original period of 20 days was extended to 30 days at the request of a Chatham County Corporation in order that additional data might be submitted.) During this period 29 written comments were received by EPA. Twenty-five expressed opposition to immediate conversion to coal, while four were in favor. Two of the letters opposed to immediate conversion contained a total of thirteen signatures, and two letters in favor of immediate conversion contained a total of thirty-five signatures.

The Mayor and Council of the City of Port Wentworth stated that they were opposed to the immediate burning of coal before air pollution controls are installed, and suggested that the particulate matter pollution in the City of Port Wentworth was greater than that measured at the Lathrop and Augusta monitoring station, which is four miles away. Other local government officials were in favor of immediate coal burning, and one official stated that immediate burning should be permitted by EPA as long as national health-related air quality standards are met.

After considering public comments before, during, and after the public hearing, EPA holds to its initial decision that the units must be equipped with adequate air pollution control equipment before converting from oil to coal. This regional limitation requirement is authorized under section 119(c) (2) (D) of the Clean Air Act, which states that "A source * * * located in an air quality control region in which a national primary ambient air quality standard [for particulate matter] is not being met, may not emit [particulate matter] in amounts which exceed any emission limitation * * *"

Accordingly, the Administrator issues compliance date extensions to the Savannah Electric and Power Company for Units 1, 2, and 3 of its Port Wentworth, Georgia, generating facility on condition that the company meet the terms set forth below. This action is effective immediately, and shall remain in effect until it can be demonstrated that the national primary standards for particulate matter are no longer being exceeded in the region. The Administrator finds that good cause exists for making his action immediately effective in that:

(1) The national primary ambient air quality standard for particulate matter is being exceeded in the Savannah area, and the units would exceed the applicable emission limitation for particulate matter if they burned coal without adequate particulate matter control equipment; furthermore, any delay in effectiveness would be unnecessary and contrary to the public interest.

(2) Implementation of the schedule has already been undertaken by the company, which cooperated in the development of the schedule.

(3) The units are subject to section 2(a) FEA Prohibition Orders 068, 069, and 070, respectively and will have converted (or will convert) after September 15, 1973, to coal as their primary energy source.

(4) The Administrator, pursuant to section 119(c) (2) (A), finds that the units cannot burn coal available to them in compliance with Georgia regulation 391-3-1-.02(2) (d) for particulate matter.

(5) The Administrator finds that the compliance plans submitted by SEPCO provide for compliance by May 1, 1978, for Unit 1; June 1, 1978, for Unit 2; and November 1, 1978, for Unit 3, with Georgia regulation 391-3-1-.02(2) (g) for the control of sulfur dioxide on the basis of coal usage.

(6) The Administrator further finds that the units will be able to burn coal in compliance with Georgia regulation 391-3-1-.02(2) (g) for the control of sulfur dioxide without a compliance date extension and that, therefore, under section 119(c) (2) (A) (i) a compliance date extension for sulfur dioxide may not be issued in this case.

(7) The regional limitation for particulate matter is applicable since the national primary ambient air quality standards for total suspended particulate matter are being exceeded in the AQCR in which the units are situated.

(8) The units can comply with all conditions upon which a compliance date extension may be granted for regulation 391-3-1-.02(2) (d) which limits the emission of particulate matter in that the units will be able to burn coal and comply with regulation 391-3-1-.02(2) (d) to be able to burn coal and comply with regulation 391-3-1-.02(2) (d) to satisfy the regional limitation requirement by July 1, 1978, for Unit 1; August 1, 1978, for Unit 2, and December 31, 1978, for Unit 3, by the terms of compliance schedules submitted by SEPCO.

Section 119(d) (3) (B) (iii) of the Act allows the Administrator to suspend the effectiveness of an FEA prohibition order at any time if coal burning results in increased emissions of unregulated pollutants or precursor pollutants at levels which may cause or materially contribute to a significant risk to public health. Based on currently available health effects information, EPA has decided to implement this significant risk provision only with respect to sulfates. EPA plans to restrict emissions of sulfate precursor pollutants (sulfur dioxide and particulate matter) if a converting plant is located in an area with high sulfate concentrations and concentrations of the sulfate precursor pollutants in excess of primary standards. EPA has prepared a document, *Position Paper on Regulation of Atmospheric Sulfates* (EPA-450/2-75-007, available from the National Technical Information Service), which analyzes the potential impacts of sulfates on public health, discusses how emissions of sulfate precursor pollutants impact on outlines the implementation of the significant risk provision with respect to sulfates.

Because Port Wentworth is not located in an area where high sulfate concentrations and high ambient concentrations of sulfur dioxide and particulate matter currently pose a significant risk to public health, implementation of the significant risk provision to sulfates should not limit the conversion of Port Wentworth to coal.

However, under the authority of section 119(d) (3) (B) (iii) of the Act, if the

Administrator at any time finds that the burning of coal by Port Wentworth results in an increase in sulfates (or any other unregulated pollutant or precursor pollutants) and that such increase may cause or materially contribute to a significant risk to public health, he shall notify FEA and certifiy the period during which the prohibition order issued to Port Wentworth shall not be in effect.

(Secs. 110, 119, and 301 of the Clean Air Act, as amended (42 U.S.C. 1857c-5, 1857c-10, and 1857q))

Dated: December 13, 1976.

JOHN QUARLES,
Acting Administrator.

Part 55 of Chapter I, Title 40, Code of Federal Regulations, is amended by adding a new Subpart L as follows:

Subpart L—Georgia

§ 55.570 Compliance date extensions.

(a) The Administrator issues compliance date extensions to the Savannah Electric and Power Company's Port Wentworth Generating Station for Units 1, 2, and 3, located in Chatham County, Georgia, upon the following conditions:

(1) *Regional Limitation.* The Savannah Electric and Power Company shall comply with section 391-3-1-.02(2)(d) of the Georgia Rules and Regulations for Air Quality Control on or before December 31, 1978, in accordance with the schedules below. This regulation deals with particulate emission limits for fuel-burning equipment. The Savannah Electric and Power Company shall complete the following acts with respect to Units 1, 2, and 3 of its Port Wentworth Generating Station on or before any time limit specified below.

(i) Completed—Submit to the Director of the EPA Region IV Enforcement Division (hereafter in this paragraph referred to as the Director), a final control plan describing the steps which will be taken to achieve compliance with applicable particulate emission limiting regulations for Units 1, 2, and 3.

(ii) December 20, 1976—Negotiate, submit to the Director for approval, and sign all necessary contracts for particulate emission control equipment or issue orders for the purchase of component parts to accomplish particulate emission control following the conversion to coal at Units 1, 2, and 3.

(iii) April 1, 1977—Initiate site preparation toward installation of particulate emission control equipment for Units 1, 2, and 3.

(iv) December 1, 1977—Initiate on-site construction or installation of particulate emission control equipment for Units 1, 2, and 3.

(v) December 15, 1977—Submit to the Director coal contracts for coal of the appropriate specifications to enable compliance with all applicable air pollution requirements in conjunction with the particulate emission control equipment specified in (ii) above.

(vi) May 1, 1978 (Unit 1), June 1, 1978 (Unit 2), November 1, 1978 (Unit 3)—Complete on-site construction or installation of particulate emission control equipment and initiate use of such equipment.

(vii) July 1, 1978 (Unit 1), August 1, 1978 (Unit 2), December 31, 1978 (Unit 3)—Complete shakedown operations and performance tests on the control equipment required by this sub-paragraph; also, achieve compliance with section 391-3-1-.02(2)(d) of the Georgia Rules and Regulations for Air Quality Control and certify such compliance to the Director.

(viii) The Savannah Electric and Power Company must give the Director twenty (20) days notice before conducting any performance tests in order to afford the Director an opportunity to approve the test procedure and to have an observer present. All tests must conform to the procedures of Method 5 set forth in Appendix A of 40 CFR Part 60.

(2) The Savannah Electric and Power Company is required to notify the Director no later than ten (10) days after the completion of each time period as specified in this paragraph, as to whether the corresponding incremental step toward compliance has been completed. The Company must also submit status reports to the Director at six-month intervals.

(3) The units shall not, until January 1, 1979, be prohibited from burning coal which is available to such source by reason of the application of any air pollution requirement except as provided in section 119(d)(3) of the Clean Air Act (42 U.S.C. 1857c-10(d)(3)).

[FR Doc.76-37188 Filed 12-16-76;8:45 am]

[FRL 658-4]

PART 55—ENERGY-RELATED AUTHORITY

North Carolina: Compliance Data Extension

• *Purpose.* The purpose of this promulgation is to issue a compliance date extension for the Carolina Power and Light Company's L. V. Sutton Plant, Unit No. 3, Wilmington, North Carolina, with respect to the North Carolina Administrative Code, Title 15—Department of Natural and Economic Resources, Chapter 2—Environmental Management, Subchapter 2D—Air Pollution Control Requirements, and Subsection .0503—Control of Particulates from Fuel Burning Sources (15 NCAC 2D .0503). •

PROVISIONS

On June 22, 1976 (41 FR 25028), under the provisions of section 119 of the Clear Air Act, as amended, 42 U.S.C. 1857c-10 ("the Act"), the Environmental Protection Agency (EPA) proposed to amend the provisions of 40 CFR Part 55 by adding a new subpart II to provide for the issuance of compliance date extensions to the Carolina Power and Light Company's L. V. Sutton Plant, Units 1, 2, and 3, in Wilmington, North Carolina. A condition of each extension requires the upgrading of the existing air pollution control equipment while coal is being burned in the three units.

Interested parties were invited to comment on the Agency's findings and proposed rulemaking. No requests for a public hearing were received. The North Carolina Department of Natural and Economic Resources, Division of Environmental Management, notified EPA that Units 1 and 2 had achieved final compliance with 15 NCAC 2D .0503 (formerly Emission Control Standard 1.10) ahead of the scheduled dates. EPA in turn notified the Federal Energy Administration (FEA) on August 5, 1976, that Units 1 and 2 were able to burn coal as their primary energy source and be in compliance with all applicable air pollution requirements without compliance date extensions. Unit 1 achieved compliance on July 13, 1976, and Unit 2 achieved compliance on April 13, 1976. Accordingly, the compliance date extensions proposed for Units 1 and 2 in the June 22, 1976, FEDERAL REGISTER are hereby withdrawn.

On July 20 and 22, 1976, the North Carolina Department of Natural and Economic Resources and the Carolina Power and Light Company respectively informed EPA that Unit 3 had not achieved compliance as scheduled and requested a postponement of the promulgation of the proposed rulemaking until a new compliance schedule for Unit 3 could be negotiated. EPA granted the postponement on August 12, 1976.

On September 27, 1976, the North Carolina Department of Natural and Economic Resources submitted a revised compliance schedule for Unit 3 in the form of Special Order by Consent AQ-75-123R. This revised schedule requires that modifications to the existing air pollution control equipment (electrostatic precipitator) be completed and compliance with 15 NCAC 2D .0503 be demonstrated by February 1, 1977.

The schedule proposed in the June 22, 1976, FEDERAL REGISTER called for final compliance by July 1, 1976. The Administrator of EPA finds that the revised compliance plan is approvable under section 119(c) of the Act, as amended.

Accordingly, the Administrator issues a compliance date extension to Unit 3 of Carolina Power and Light Company's L. V. Sutton generating facility in Wilmington, North Carolina, on condition that the company meet the terms set forth below. The Administrator finds that good cause exists for making the regulation effective immediately upon publication because:

(1) Any delay in effectiveness would be unnecessary and contrary to public interest.

(2) The source is subject to section 2(a) FEA Prohibition Order 063, and has converted after September 15, 1973, to coal as its primary energy source.

(3) The Administrator, pursuant to section 119(c)(2)(A), finds that the source cannot burn coal available to it in compliance with 15 NCAC 2D.0503 dealing with the control and prohibition of particulate matter emissions from fuel burning sources of the North Carolina Rules and Regulations Governing the Control of Air Pollution.

(4) The regional limitation for particulate matter is applicable since the NPAAQS for total suspended particulate matter is being exceeded in the AQCR in which the source is situated.

(5) The source can presently comply with all conditions of the North Carolina Emission Control Standard 2.40(b) for sulfur dioxide on the basis of coal usage.

(6) The source will be able to comply by the date of effectiveness of FEA's Notice of Effectiveness with all conditions upon which a CDE may be granted for 15 NCAC 2D.0503 which limits emissions of particulate matter, in that:

(a) The source is now burning coal in violation of the Particulate emission control standard of 15 NCAC 2D.0503;

(b) The source is subject to a North Carolina enforcement order which provides for expeditious compliance with 15 NCAC 2D.0503 by February 1, 1977 at Unit No. 3; and

(c) The source will continue to burn coal and will comply with 15 NCAC 2D.0503 by February 1, 1977 at Unit No. 3 to satisfy the regional limitation requirement. Since the schedule to comply with 15 NCAC 2D.0503 will provide for compliance as soon as practicable, and compliance can be achieved by the source prior to December 31, 1978, these compliance plans therefore satisfy section 119(c).

Section 119(d)(3)(B)(iii) of the Act allows the Administrator to suspend the effectiveness of an FEA prohibition order at any time if coal burning results in increased emissions of unregulated pollutants or precursor pollutants at levels which may cause or materially contribute to a significant risk to public health. Based on currently available health effects information, EPA has decided to implement this significant risk provision only with respect to sulfates. EPA plans to restrict emissions of sulfate precursor pollutants (sulfur dioxide and particulate matter) if a converting plant is located in an area with high sulfate concentrations and concentrations of the sulfate precursor pollutants in excess of primary standards. EPA has prepared a document, *Position Paper on Regulation of Atmospheric Sulfates* (EPA-450/2-75-007, available from the National Technical Information Service), which analyzes the potential impacts of sulfates on public health, discusses how emissions of sulfate precursor pollutants impact on atmospheric sulfate concentrations, and outlines the implementation of the significant risk provision with respect to sulfates.

Because Sutton No. 3 is not located in an area where high sulfate concentrations and high ambient concentrations of sulfur dioxide and particulate matter currently pose a significant risk to public health, implementation of the significant risk provision to sulfates should not limit the conversion of Sutton No. 3 to coal.

However, under the authority of section 119(d)(3)(B)(iii) of the Act, if the Administrator at any time finds that the burning of coal by Sutton No. 3 results in an increase in sulfates (or any other unregulated pollutant or precursor pollutants) and that such increase may cause or materially contribute to a significant risk to public health, he shall notify FEA and certify the period during which the prohibition order issued to Sutton No. 3 shall not be in effect.

(Secs. 110, 119, and 301 of the Clean Air Act, as amended (42 U.S.C. 1857c-5, 1857c-10, and 1857q))

Dated: December 13, 1976.

JOHN QUARLES,
Acting Administrator.

Part 55 of Chapter I, Title 40, Code of Federal Regulations, is amended by adding Subpart II as follows:

Subpart II—North Carolina

§ 55.1770 Compliance date extensions.

(a) The Administrator issues a compliance date extension to the Carolina Power and Light Company for the L. V. Sutton Plant, Unit 3, in Wilmington, North Carolina, under the following conditions:

(1) *Regional Limitation.* Unit 3 shall comply with 15 NCAC 2D .0503 as found in North Carolina Administrative Code, Title 15 Department of Natural and Economic Resources, Chapter 2 Environmental Management, Subchapter 2D Air Pollution Control Requirements, in accordance with the following schedule:

(i) February 1, 1977—Complete modifications to the electrostatic precipitator in accordance with North Carolina Permit No. 1318R; and complete shakedown operations and performance testing on modified electrostatic precipitator; achieve compliance with 15 NCAC 2D .0503 and certify compliance to the Director of the Enforcement Division, EPA, Region IV.

(2) The Carolina Power and Light Company shall operate and maintain the existing electrostatic precipitator on Unit 3 in proper working order and in accordance with good operating practices during the interim period specified in this paragraph for achieving compliance with 15 NCAC 2D .0503.

(3) In accordance with § 55.04(a)(2)(i)(F), the Carolina Power and Light Company shall notify the Director of the Enforcement Division, EPA, Region IV, no later than ten days after the date upon which each incremental step towards compliance is due to be completed, as to its progress in meeting the increment in question. If the increment has not been met, an explanation of this failure must be given.

(4) Unit 3 shall not, until January 1, 1979, be prohibited from burning coal which is available to it by reason of the application of any air pollution requirement except as provided in section 119(d)(3) of the Clean Air Act (42 U.S.C. 1857, et seq.).

[FR Doc.76-37189 Filed 12-16-76;8:45 am]

Title 41—Public Contracts and Property Management

CHAPTER 9—ENERGY RESEARCH AND DEVELOPMENT ADMINISTRATION

[ERDA—PR Temporary Reg. No. 24]

PART 9-51—REVIEW AND APPROVAL OF CONTRACT ACTIONS

Noncompetitive Procurement; Policy on Preparation of Justifications

DECEMBER 10, 1976.

• 1. *Purpose:* This regulation establishes ERDA policy and procedure concerning preparation of justifications for noncompetitive procurement and the establishment of ERDA management approval levels of noncompetitive procurements. •

2. *Effective date:* This regulation is effective December 17, 1976. Interested persons may submit comments on this regulation to: Director of Procurement, U.S. Energy Research and Development Administration, Washington, DC, 20545, Attention: Hugh M. Turpie. Comments received on or before February 15, 1977 will be considered in determining whether revision of this regulation may be advisable.

3. *Expiration date.* This regulation will remain in effect until canceled and replaced by a permanent ERDA Procurement Regulation.

4. *Explanation of change.*

A new § 9-51.302, *Noncompetitive procurement,* is added.

Subpart 9-51.3—Other Approval Requirements

§ 9-51.302 Noncompetitive procurement.

(a) While "negotiated procurement shall be on a competitive basis to the maximum practical extent" (FPR 1-3.101(d)) and "reasonable competition shall be obtained in making small purchases in excess of $500" (FPR 1-3.603-(1)), there are circumstances where one source has exclusive capability to perform the work within the time required and at reasonable prices, e.g., by reason of experience, specialized facilities, or technical competence. In such a circumstance, the initiating program office may conclude that only one source is qualified to perform the work and, therefore, recommend that a contract be negotiated only with that source. The recommendation shall be in writing and will be contained in a separate document entitled, "Justification for Noncompetitive Procurement" and shall examine the reasons for the procurement being noncompetitive in accordance with paragraph (c) of this section.

(1) A justification for noncompetitive procurement is also required where "new" procurements (i.e., outside the contractual scope of work) are initiated through modifications to existing contracts.

(2) If a noncompetitive procurement has been justified and approved, in accordance with this § 9-51.302, as a part

of an annual procurement plan and such plan has been reviewed and approved by the Administrator, it will not be necessary to resubmit the justification for approval at the time each individual procurement action is processed. Such justifications shall be made a part of the permanent contract file (see ERDA–PR 9–55.102–2).

(b) The provisions of this regulation do not apply to:

(1) Procurements of $500 or less (see FPR 1–3.603–1(a)(1));

(2) Acquisitions from or through other Government agencies;

(3) Procurements of utility services where the services are available from only one source (see FPR 1–4.4);

(4) Subscriptions to periodicals;

(5) Procurements resulting from Program Opportunity Notices, ERDA–PR 9–4.57, or Program Research and Development Announcements, ERDA–PR 9–4.58 (which are forms of competitive solicitations and subject to requirements stated in the respective regulations);

(6) Procurements subject to the procedures set forth in ERDA–PR 9–4.51, Research Agreements and Contracts With Educational Institutions;

(7) Procurements subject to the procedures set forth in ERDA–PR 9–4.52, Unsolicited Proposals;

(8) Contracts for management and operation of the major ERDA laboratories and production facilities;

(9) On-site service contracts of a continuing nature; or

(10) Contracts which are subject to separate justification for recompetition or extension.

(c) *Justification for noncompetitive procurement.* (1) The document entitled, "Justification for Noncompetitive Procurement" shall examine the reasons for the procurement being noncompetitive and shall contain, in the first sentence of the document, an appropriate recommendation (e.g., "I recommend that negotiations be conducted only with (*name of entity*) for the supplies and services described herein.")

(2) Each justification shall reflect the degree of consideration that has been given to other sources in the particular field and the reason(s) they lack the capability(ies) and/or capacity that the proposed contractor evidences. The following format includes considerations to be made in preparing the justification.

(i) *Description of supplies or services to be procured.* (A) A brief, general, nontechnical description and statement of the general application and particular significance or specialized character of the procurement.

(B) A description of all associated supplies or services, e.g., technical data, reports, engineering services, and so forth to be procured.

(ii) *Procurement history, estimated future requirements, and long range procurement objectives.* (A) Brief statement of the technical and contractual evolution of the supplies or services being procured from initiation to present status.

(B) Brief statement as to whether the work is a continuation of previous effort performed by the proposed contractor.

(C) Reference should be made to any advance planning information previously prepared or furnished, together with information with respect to any changes proposed in the present justification which represents a departure or modification of prior procurement plans, including a statement of the effect of the changes, if any, on scheduled milestones.

(D) Brief statement as to what actions have been taken to develop competition and eliminate a noncompetitive situation in future procurements of the proposed supplies or services.

(iii) *Estimated cost.* (A) The estimated cost of the procurement and a brief description of assumptions made and data used by the initiating program office to develop the estimate.

(B) The estimated cost listed by fiscal years.

(C) Whether the proposed contractor or the Government have a substantial investment of some kind that would have to be duplicated at Government expense by another source.

(iv) *Schedule requirements.* (A) The basis for establishing schedule requirements.

(B) An explanation of the urgency, if any, of the requirement. Describe why the schedules are critical and why only the proposed contractor can meet them.

(C) Describe what significant cost savings or other benefits could result if schedules could be relaxed and whether competition could thus be obtained.

(v) *Exclusive capability.* (A) Does the proposed contractor have personnel considered unquestionably predominant experts in the particular field?

(B) What prior experience of a highly specialized nature does the source exclusively possess that is vital to the proposed effort?

(C) What facilities and/or test equipment does the source exclusively have that are complex or specialized and vital to the effort?

(D) Is competition precluded because of the existence of patent rights, copyrights, secret processes, trade secrets, technical data, or other proprietary data?

(E) What other capability and/or capacity does the proposed contractor have that is necessary for the specific effort and makes it clearly the only source that can perform the work on the required time schedule without incurring clearly unreasonable costs?

(vi) *Other.* (A) If lack of drawings or specifications are a constraining factor, why is the proposed contractor clearly best able to perform under these circumstances? Why are the drawings and specifications lacking? What is the lead time required to get drawings and specifications suitable for competition?

(B) Are parts or components being procured as replacement parts in support of equipment specially designed by a manufacturer, where data available is not adequate to assure that the parts or components obtained from another source would perform the same function?

(d) *Review and approval.* The justification shall, as a minimum requirement, be reviewed and approved as follows: (In the case of cost sharing contracts, the contractor's shared amount is included in the dollar amounts specified.)

(1) For procurements in excess of $500, but not in excess of $10,000 (small purchases), the justification shall be submitted by the initiating office, with the advice and assistance of the Division of Procurement Program Support staff, for the approval of the assistant administrator (or designee) or the head of the staff office (or designee) (Headquarters), the field office manager (or designee), or the energy research center director (or designee).

(2) For procurements in excess of $10,000, but not in excess of $5 million, the justification shall be submitted by the initiating office, with the advice and assistance of the Division of Procurement Program Support staff, for the review and concurrence of, at Headquarters (i) the Assistant Director of Procurement for Program Support, (ii) the Office of the General Counsel and (iii) the Office of the Controller or, in the field, legal counsel, and shall be submitted for the approval of the assistant administrator (or designee) or the head of the staff office (or designee) (Headquarters), the field office manager (or designee), or the energy research center director (or designee).

(3) For procurements in excess of $5,000,000, but not in excess of $10 million, the justification shall be submitted by the initiating office, with the advice and assistance of the Division of Procurement Program Support staff, for the review and concurrence of (i) the program division director (Headquarters) or the manager (field), (ii) the Assistant Director of Procurement for Program Support, (iii) the Office of the General Counsel and (iv) the Office of the Controller and shall be submitted for the approval of the assistant administrator or the head of the staff office.

(4) For procurements in excess of $10 million, the justification shall be submitted by the initiating office, with the advice and assistance of the Division of Procurement Program Support staff, for the review and concurrence of (i) the division director (Headquarters) or the manager (field), (ii) the Director of Procurement, (iii) the Office of the General Counsel, (iv) the Office of the Controller, (v) the assistant administrator, (vi) the Assistant Administrator for Administration, and (vii) the Assistant Administrator for Field Operations *and* shall be submitted for the approval of the Administrator.

(Sec. 105 of the Energy Reorganization Act of 1974 (Pub. L. 93–438).)

Effective date: December 17, 1976.

M. J. TASHJIAN,
Director of Procurement.

EXHIBIT 1.—*Noncompetitive procurement justification—review and approval*

	Concur	Approve
$500 to $10,000 (small purchases)[1].		AA (or designee) or the head of the staff office (or designee) (headquarters), the field office manager (or designee), or the ERC director (or designee).
$10,000 to $5,000,000	HQ—AD of PROC for program support general counsel and controller. Field—Legal counsel.	Do.
$5,000,000 to $10,000,000	Division director (HQ) or field office manager, general counsel, controller and assistant director of processing for program support.	Assistant administrator or the head of the staff office.
Greater than $10,000,000.	Division director (HQ) or field office manager, general counsel, controller, director of processing, assistant administrator or the head of the staff office, assistant administrator for administration, and assistant administrator for field operations.	Administrator.

[1] "Reasonable competition shall be obtained in making small purchases in excess of $500" (FPR 1-3.603-1).

[FR Doc.76-36993 Filed 12-16-76;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 AGRICULTURE

Rural Electrification Administration

[7 CFR Part 1701]

RURAL TELEPHONE PROGRAM

Proposed New Specification for Electronic Trunk Circuits

Notice is hereby given that, pursuant to the Rural Electrification Act, as amended (7 USC 901 et seq.), REA proposes to issue REA Bulletin 345–75 to announce a new REA Specification PE–65 for Electronic Trunk Circuits. On issuance of REA Bulletin 345–75, Appendix A to Part 1701 will be modified accordingly.

Persons interested in the new specification may submit written data, views or comments to the Director, Telephone Operations and Standards Division, Rural Electrification Administration, Room 1355, South Building, U.S. Department of Agriculture, Washington, D.C. 20250, on or before January 17, 1976. All written submissions made pursuant to this notice will be made available for public inspection at the Office of the Director, Telephone Operations and Standards Division during regular business hours.

A copy of the new REA Specification PE–65 may be secured in person or by written request from the Director, Telephone Operations and Standards Division.

The text of the new REA Bulletin 345–75 announcing the issuance of the new specification is as follows:

REA BULLETIN 345–75

Subject: REA Specification for Electronic Trunk Circuits.

I. *Purpose:* To announce the issuance of a new REA Specification PE–65 for Electronic Trunk Circuits.

II. *General:* REA Specification PE–65 has been developed to cover requirements for electronic trunk circuits for direct acting offices. The equipment covered by this specification will result in substantial size reduction compared to electromechanical circuits. This new specification will become effective April 1, 1977. This does not preclude the adoption of the new specification by manufacturers prior to the effective date.

III. *Availability of Specification:* Copies of the new PE–65 will be furnished by REA upon request. Questions concerning the new specifications may be referred to the Chief, Central Office Equipment Branch, Telephone Operations and Standards Division, Rural Electrification Administration, U.S. Department of Agriculture, Washington, D.C. 20250, telephone number 202–447–5773.

Dated: December 8, 1976.

C. R. BALLARD,
Assistant Administrator, Telephone.

[FR Doc.76-36908 Filed 12-16-76;8:45 am]

FEDERAL RESERVE SYSTEM

[12 CFR Part 226]

[Docket No. R–0066; Reg. Z]

TRUTH IN LENDING

Proposed Amendment to Regulation Z Permitting Spanish Language Truth In Lending Disclosures In the Commonwealth of Puerto Rico

The Board of Governors of the Federal Reserve System proposes to amend Regulation Z to permit Spanish language Truth in Lending disclosures in the Commonwealth of Puerto Rico with English language disclosures provided upon the customer's request, either in substitution for the Spanish disclosures or as additional information. The purpose of this amendment is to conform the Act's disclosure requirements to language usage in Puerto Rico where the pervasive and dominant language is Spanish. In developing this proposal, the Board has preliminarily examined relevant case and statutory law and statistical data, as well as the potential effects on administrative enforcement should such an amendment be adopted. The assistance of Commonwealth officials has also been solicited in determining Spanish language usage in Puerto Rico. The Board's proposal is based upon the premise that Spanish is an official language as well as the prevailing and predominant language of the people of Puerto Rico and that to provide solely English disclosures in this Spanish speaking jurisdiction might be contrary to the purpose and intent of the Truth in Lending Act.

Although the statutory laws of Puerto Rico generally evince a spirit and effort to create a bilingual system in the Commonwealth,[1] a review of the applicable case law indicates that Spanish is the traditionally favored language of the Puerto Rican people. The Supreme Court of Puerto Rico has recognized the underlying spirit of bilingualism, while demanding recognition of the Spanish language as the pervasive, dominant and permanent language of the Commonwealth.[2] Moreover, statistical data taken from the 1970 Census indicates that more than half the Puerto Rican population[3] 10 years old and over cannot speak English.

It has been indicated to the Board that there would be few dialect problems in Puerto Rico should such an amendment be adopted. Therefore, the Board would welcome comments, particularly from government agencies and other authorities, regarding the feasibility of drafting approved and accepted Spanish translations of the required terminology of Regulation Z.

In light of this information, the Board proposes for comment that Spanish language Truth in Lending disclosures be permitted in Puerto Rico with English language disclosures provided upon the customer's request, either in substitution for the Spanish disclosures or as additional information in accordance with § 226.6(c). In proposing this amendment the Board is not suggesting that foreign language Truth in Lending disclosures are advisable or practical in the United States. Significantly, statistics made available from a Department of Commerce, Bureau of the Census Study, issued July, 1976, indicate that only 4.1 per cent of United States' residents claim a language other than English as their usual language, and only 2.5 per cent indicate difficulty with the English language.[4] Therefore, the Board believes that the statistical data does not support a finding that the use of foreign language Truth in Lending disclosures would be of substantial benefit to customers in the United States.

The Board invites comments on the proposed amendment generally and is especially interested in receiving comments regarding the effect of the proposed amendment on transactions which are conducted by mail and subject to Regulation Z.

The deadline for receipt of written comments on the proposed amendment is January 15, 1977. Comments should be addressed to the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551. Comments should include a reference to Docket No. R–0066.

Pursuant to the authority granted in 15 U.S.C. 1604 (1968) the Board pro-

[1] Title I L.P.R.A. 51 designates both English and Spanish official languages of Puerto Rico. See also Title 31 L.P.R.A. 13(c), which reflects a Spanish language preference when discrepancies exist between the English and Spanish texts of statutes passed by the Legislative Assembly of Puerto Rico and Title 32 L.P.R.A., Appendix II: Rules of Civil Procedure, Rule 8.5 which mandates that pleadings, petitions, motions, and other papers be drawn in Spanish, although they may be drawn in English provided they are accompanied by the necessary Spanish copies.

[2] See *People v. Superior Court*, 92 P.R.R. 580, 588–590 (1965).

[3] General Social and Economic Characteristics, Puerto Rico, 1970 Census of Population, United States Department of Commerce, Bureau of the Census, October, 1972.

[4] Current Population Reports, Special Studies, United States Department of Commerce, Bureau of the Census, July, 1976.

poses to amend 12 CFR Part 226 by adding a new paragraph to § 226.6(a) to read as follows:

§ 226.6 General disclosure requirements.

(a) *Disclosures; general rule.* * * *

All disclosures required to be given by this Part shall be made in the English language except in the Commonwealth of Puerto Rico where disclosures may be made in the Spanish language with English language disclosures provided upon the customer's request, either in substitution for the Spanish disclosures or as additional information in accordance with § 226.6(c).

By order of the Board of Governors, December 6, 1976.

THEODORE E. ALLISON,
Secretary to the Board.

[FR Doc.76-37075 Filed 12-16-76;8:45 am]

NATIONAL CREDIT UNION ADMINISTRATION

[12 CFR Part 704]

SHARE CERTIFICATES

Proposed Rulemaking

Notice is hereby given that the Administrator of the National Credit Union Administration, pursuant to the authority conferred by section 120, 73 Stat. 635, 12 U.S.C. 1766, and section 209, 84 Stat. 1014, 12 U.S.C. 1789, proposes to promulgate regulations authorizing and governing the issuance of share certificates by Federal credit unions.

The purpose of the proposed regulation is to implement the authority granted to the Administrator and to Federal credit unions by Pub. L. 91-468. That law amended section 101*(4), 12 U.S.C. 1752*(4), by defining "member accounts" to include shares, share certificates, or share deposit accounts of the type approved by the Administrator. In addition, Pub. L. 91-468 amended section 107(7), 12 U.S.C. 1757(7), by authorizing Federal credit unions to receive payments on shares, share certificates, and share deposit accounts. However, the authority granted to Federal credit unions by that amendment, to receive payment on share certificates, had not been implemented because the Administrator had not approved share certificates. Thus, the purpose of the proposed regulation is to grant approval to Federal credit unions to issue share certificates in conformity with the regulation.

The basic concept of the share certificate is a share account evidenced by a certificate, upon which a rate of return in excess of that paid on regular share accounts will be paid if a specified minimum amount is maintained for a certain fixed qualifying period. A significant dividend penalty will be assessed for withdrawals prior to maturity. The rate of return on share certificates will vary according to the minimum amount requirement and the length of the qualifying period. In drafting the proposed regulation, it is the intention of the National Credit Union Administration to conform share certificates to the Federal Credit Union Act's requirements for regular share accounts. In those areas of regulation not covered in the proposed amendment, it is intended that share certificates be treated in the same manner as regular share accounts. For example, share certificates will be entitled to the same insurance coverage as regular share accounts under Title II of the Federal Credit Union Act and shall be subject to the same regulations on insurance coverage set forth in Part 745 of the National Credit Union Administration's Rules and Regulations (12 CFR Part 745). The National Credit Union Administration specifically invites comments on those areas not covered by the proposed regulation where questions may arise as to similar treatment of share certificates and regular share accounts.

The following is a paragraph by paragraph explanation of the proposed regulation.

Section 704.1 is a definition section. Subsection (a) defines a share certificate as having four significant features. First, it is a share account evidenced by a certificate. Second, it will receive a rate of return in excess of that paid on regular share accounts. Third, it must be held for a fixed period of time in order to qualify for the special rate of return. Fourth, a substantial dividend penalty will be assessed for any withdrawal prior to maturity.

Section 704.2(a) establishes the date of maturity for all share certificates as the last dividend declaration date of the qualifying period. Since Federal credit unions cannot establish a dividend prior to the dividend declaration date, no determination could be made as to the dividends earned by a share certificate during the period from the last dividend period to the date of maturity if the maturity date fell within a dividend period. In addition, since the earnings on a share certificate are expressed as a rate of return in excess of that paid on regular share accounts, the rate of return on regular share accounts must be established before the share certificate's earnings are determined. Therefore, the maturity date must coincide with a dividend declaration date.

Section 704.2(b) authorizes the board of directors to establish the rate of return on share certificates. This rate is to be expressed as a percentage in excess of the dividend rate on regular share accounts. Thus, the board of directors will, prior to the issuance of a share certificate, establish that share certificates meeting a certain minimum amount and qualifying period will receive a dividend at a rate, for example, one percent (1 percent) greater than the regular share accounts. This is necessary because Federal credit unions cannot establish or guarantee a dividend rate prior to the close of a dividend period and thus could not establish or guarantee a total rate of return on share certificates prior to their issuance. Subsection (b) also directs the board of directors to take into account the qualifying periods and minimum amount requirements of the share certificates that the credit union will issue, in establishing the rate of return in excess of that paid on regular share accounts.

Section 704.2(c) provides that a minimum amount requirement be established for share certificates receiving a specified rate of return. For example, a credit union may provide a $1,000 minimum amount requirement for one year certificates receiving an excess rate of one percent. It may provide the same minimum amount requirement and pay a greater rate of return by establishing a longer qualifying period for other share certificates. (The figures quoted above are meant as examples only and do not indicate that such minimum amount requirements, qualifying periods, or rate of return should be adopted. Such decisions are reserved for the board of directors of each Federal credit union.) Federal credit unions may receive payments on share certificates in excess of the minimum amount requirement. The rate of return on a certificate issued for more than the minimum amount requirement will be the same as the rate of return for certificates with the same minimum amount requirement and qualifying period but the actual return will be calculated upon the amount received for the share certificate. Using the figures in the above example, a Federal credit union could issue share certificates with a $1,000 minimum amount requirement, one year qualifying period, and one percent excess rate, in amounts of $1,000, $1,500, $1,685, etc. The actual return on these certificates would be based upon the amount of the certificate ($1,000, $1,500, $1,685) and not on the minimum amount requirement.

Section 704.2(c) does require, however that, in establishing minimum amount requirements, a Federal credit union must offer share certificates of at least $100. The Board of Directors may however authorize minimum amount requirements less than $100. This requirement is in keeping with the purpose of Federal credit unions, namely, to promote thrift among persons of small or limited means.

Section 704.2(d) establishes a minimum qualifying period of 90 days (three months). This minimum time requirement, however, is subject to the provisions of § 704.2(a) which requires that the date of maturity coincide with a dividend declaration date. The effect of subsection (a) on subsection (d) is best explained by an example. In the case of a Federal credit union that declares dividends on a semi-annual basis, for example on June 30 and December 31 of each year, a share certificate with a minimum qualifying period of three months could not be issued on January 1 because the certificate would mature in the middle of the dividend period. This would be in violation of § 704.2(a). A three month certificate, in this example, could only be issued on March 30 and September 30.

The certificates issued on January 1 would have to have a qualifying period of at least six months so that the maturity date will coincide with the dividend declaration date of June 30.

Subsection (e) prohibits a total rate of return, the dividend rate on regular share accounts plus the excess rate for share certificates, greater than the maximum dividend rate set forth in the Federal credit union's Bylaws. This provision is necessary so that share certificates are not offered as a means for violating the bylaw provisions. Subsection (f) provides that dividends paid during the qualifying period and remaining in the share certificate may be compounded.

Section 704.2(g) contains provisions pertaining to early withdrawal. Section 704.2(g)(1) is best explained by the following example. A share certificate with a minimum amount requirement of $1,000 and a qualifying period of one year is issued in the amount of $1,500. If, prior to the end of the qualifying period, $600 is withdrawn, then the certificate must be cancelled and the remaining amount withdrawn, subject to the penalty provisions of § 704.2(h). However, if only $400 is withdrawn, then a notation of the amount withdrawn, the date withdrawn, and remaining amount ($1,100) may be made on the certificate and the certificate may remain in effect, subject to the penalty provisions, in the amount of $1,100. Or, the certificate may be cancelled and a new certificate issued for $1,100 with a $1,000 minimum amount requirement and the same maturity date and excess rate as the old certificate. In either situation where the remaining balance is above the minimum amount requirement, the entire amount of the certificate need not be withdrawn and the penalty provision of § 704.2(h) would apply only to the amount withdrawn (in the above example, $400). If the remaining balance would be less than the minimum amount requirement, then the entire amount must be withdrawn and a penalty applied to that entire amount.

Section 704.2(g)(3) provides that a share certificate holder may withdraw any dividends paid on the certificate during the qualifying period without incurring a penalty. In the event that such dividends are withdrawn and then, later, part of the principal amount of the certificate is withdrawn, § 704.2(g)(2) would require that the penalty, assessed upon the dividends, be deducted from the amount then withdrawn. This prevents an evasion of the penalty provision by withdrawing all dividends, without penalty, and then making further withdrawals when there are no dividends left on the share certificate upon which to impose such penalties.

Section 704.2(h) establishes the penalty provisions for withdrawal prior to maturity. First, since the prerequisite to obtaining a rate of return greater than that paid on regular share accounts is the requirement of holding the certificate for a fixed qualifying period, the excess rate of return should not be paid if that requirement is not met. Therefore, the amounts representing the dividends at the excess rate, which are accrued as dividend credit during the qualifying period pursuant to § 704.3, must be forfeited on the amount withdrawn. Second, an additional penalty is applied which is equal to the rate of return on the regular share accounts, on the amount withdrawn, for either 90 days or from the date of issuance, whichever is less. This additional penalty is necessary to distinguish share certificates from regular share accounts. Applying only the first penalty provision would, in effect, reduce the certificate to the status of a regular share account and would, therefore, make the fixed qualifying period ineffective.

Section 704.2(i) provides the following exceptions to the penalty provisions. First, where withdrawal is made subsequent to the death of the owner of the certificate or where the Federal credit union is required to transfer the certificate to an account payable after the member-owner's termination from membership. Second, where the share certificate is part of a Keogh or individual retirement account, the penalty provision will not apply to withdrawals following the participant's death, disability, or attainment of the age of 59½ years. Third, in the event of the liquidation of the Federal credit union issuing the certificate, the penalty provision will not apply to the payment of the certificate pursuant to such liquidation. These exceptions are provided because the situations under which the withdrawals are made are not within the control of the share certificate holder.

Section 704.3 establishes the manner in which both the dividend at the same rate as that paid on regular accounts and the dividend at the excess rate will be distributed to the share certificate. The same procedure applies to Federal credit unions declaring dividends quarterly or more frequently (§ 704.3(a)) and to Federal credit unions declaring dividends annually or semiannually and issuing certificates with qualifying periods greater than one dividend period. (§ 704.3(b)(2)). For each dividend period during the qualifying period, a dividend at the same rate as that paid on regular share accounts will be paid out, either on the share certificate or to the owner directly. Section 117 of the Federal Credit Union Act (12 U.S.C. 1763) requires dividends to be paid on all shares outstanding at the close of the dividend period and, therefore, these amounts should be paid. However, since a prerequisite to earning a rate of return in excess of that paid on regular share accounts is the holding of that certificate for the qualifying period, the share certificate holder is not entitled to those amounts until the prerequisite is met. Therefore, these amounts will be accrued as dividend credits, which are authorized by section 117 of the Federal Credit Union Act (12 U.S.C. 1763), during the qualifying period, and only paid upon maturity. As with regular share accounts, share certificates will be entitled to a proportional part of the dividend for the period from the date of issuance to the beginning of the first full dividend period, and such dividends will be distributed in the same manner as described above.

Section 704.3(b)(1) provides an exception to this procedure. Federal credit unions that declare dividends on an annual or semi-annual basis can issue share certificates with qualifying periods less than one full dividend period because the 90 day (three month) minimum qualifying period requirement of § 704.2(d) can be met within one dividend period. There is no need to accrue as dividend credits those dividends at the excess rate because such certificates will mature at the close of the first dividend period after issuance. Also, since such certificates are issued during a dividend period, the certificates are entitled to a proportional part of the dividends at both the rate paid on regular share accounts and the excess rate.

Section 704.4(a) provides advertising requirements for share certificates in addition to, and not in lieu of, the advertising requirements of Part 740 (12 CFR Part 740). First, since Federal credit unions may not guarantee the payment of a specific dividend rate in the future, the total rate of return (i.e., the rate of return on regular share accounts plus the excess rate) may not be advertised or guaranteed. Instead, a Federal credit union may state, as a percentage, the rate in excess of the rate paid on regular share accounts. In addition, such advertisement may include the recent dividend record of that Federal credit union for the previous year in order to give prospective share certificate holders an indication of the total return such certificates would have earned. However, the Federal credit union shall in no way appear to guarantee that such dividends will be paid in the future.

Second, § 704.4(b) provides a requirement that all advertisements contain a statement that the total dividend paid on such share certificates will not exceed the maximum rate established in the bylaws. Third, a clear and conspicuous notice of the penalty provision must be included in any advertisement. This requirement can be met by a statement that "A substantial dividend penalty is required for early withdrawal."

Section 704.4(b) requires a much greater disclosure at the time of issuance of the share certificate. First, the Federal credit union must provide, in writing, a description of the method of distribution of dividends pursuant to § 704.3. Second, the credit union must provide a written description of the penalty provisions of § 704.2(h) and the exceptions thereto set forth in § 704.2(i). Last, the credit union must disclose, also in writing, that the total rate of return on such certificates will not exceed the maximum rate set forth in its Bylaws. It is believed that such disclosures will adequately inform the prospective share certificate holder of the advantages, risks, and penalties. These disclosures, however, need not be given when the share certificate is renewed or converted to

another certificate pursuant to § 704.2 (g)(1).

Interested persons are invited to submit written comments, suggestions, or objections regarding the proposed regulation to the Administrator, National Credit Union Administration, 2025 M Street, NW., Washington, D.C. 20456. Comments received prior to March 15, 1977, will be considered before final action is taken on this proposal. Copies of all written comments received will be available for public inspection during normal business hours at the foregoing address.

C. AUSTIN MONTGOMERY,
Administrator.

DECEMBER 10, 1976.

A new Part 704 of Title 12 of the Code of Federal Regulation is added to read as follows:

PART 704—SHARE CERTIFICATES

Sec.
704.1 Definitions.
704.2 General provisions.
704.3 Distribution of dividends on share certificates.
704.4 Advertising and disclosure requirements.

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

§ 704.1 Definitions.

As used in this Part:

(a) "Share certificate" means any form of share account which is evidenced by a certificate, on which a rate of return greater than that paid on regular share accounts will be paid if the account is held for a certain fixed qualifying period, and on which a penalty will be assessed for the withdrawal, in whole or in part, prior to the end of the fixed qualifying period.

(b) "Regular share account" means any form of share account that is not a share certificate.

(c) "Return" means dividends.

(d) "Qualifying period" means the time from date of issuance to date of maturity.

§ 704.2 General provisions.

The following provisions shall be applicable to all share certificates issued by Federal credit unions.

(a) *Date of maturity*—All share certificates shall mature on the dividend declaration date of the last dividend period of the qualifying period.

(b) *Determination of rate of return*—The rate of return on share certificates shall be established by the board of directors prior to the issuance of the certificates as a percentage in excess of the dividend rate to be paid on regular share accounts. In determining the rate of return, the board of directors shall take into account different qualifying periods and minimum amount requirements.

(c) *Minimum amount requirement*—The board of directors shall establish a minimum amount requirement for share certificates receiving a specified rate of return, provided that share certificates with a minimum amount of $100.00 are made available to members.

(d) *Minimum qualifying period*—Share certificates shall have a qualifying period of at least 90 days (3 months).

(e) *Maximum rate of return*—The rate of return paid on share certificates shall not be in excess of the maximum dividend rate set forth in the bylaws.

(f) *Compounding.* In calculating the rate of return paid, the dividends previously paid on the share certificate may be compounded.

(g) *Withdrawals.* (1) In case of early withdrawal of only a portion of the funds evidenced by a share certificate, that certificate shall be canceled if the applicable minimum amount requirement ceases to be met. If the minimum amount continues to be met, appropriate notation may be made on the certificate indicating the amount and date of such withdrawal and the remaining certificate balance, or the certificate may be canceled and a new certificate issued for the remaining balance.

(2) If any dividends have been paid to the share certificate holder prior to such withdrawal, a deduction shall be made from the amount withdrawn to adjust for the penalty applicable to such dividends.

(3) A share certificate holder may withdraw any and all dividends previously paid on such certificate without incurring a penalty as provided in subsection (h) of this section.

(h) *Penalty provisions*—The following conditions shall be imposed on the withdrawal of funds evidenced by a share certificate before the expiration of the qualifying period: (1) the share certificate holder shall forfeit all accrued division credits from the date of issuance on the amount withdrawn; and, (2) the share certificate holder shall also forfeit an amount not less than the lesser of (i) the dividends at the rate paid on regular share accounts for 90 days (3 months) on the amount withdrawn since the date of issuance, or, (ii) all dividends at such rate, since the date of issuance, on the amount withdrawn.

(i) *Exceptions to the penalty provisions*—The penalty provisions of subsection (h) need not be applied if (1) the withdrawal is made subsequent to the death of any owner of a share certificate or pursuant to Article III, section 5(e) of the Federal Credit Union Bylaws; or (2) the certificate is part of a pension plan which qualifies/or qualified for specific tax treatment under section 401 (d) or 408 of the Internal Revenue Code and withdrawal is made to effect distribution of the funds evidenced by the share certificate following the participant's death or disability or upon attaining not less than 59½ years of age; or (3) such withdrawal is made as a result of the voluntary or involuntary liquidation of the Federal Credit Union issuing the share certificate.

(j) *Liquidation*—Upon the voluntary or involuntary liquidation of a Federal credit union issuing share certificates, the share certificate holders:

(1) Shall have the same priority as holders of regular share accounts; and

(2) Shall be entitled to all dividend credits accrued from the date of issuance until the date of liquidation.

§ 704.3 Distribution of dividends on share certificates.

(a) *Dividends declared quarterly or more frequently than quarterly.* Federal credit unions issuing share certificates and declaring dividends on a quarterly basis or more frequently than quarterly shall distribute dividends on share certificates in the following manner:

(1) For the period from the date of issuance to the beginning of the first full dividend period, pay a proportional part of the dividend at the same rate as that paid on regular share accounts and accrue as dividend credit a proportional part of the dividend at the rate in excess of that paid on regular share accounts;

(2) Pay a dividend at the same rate as that paid on regular share accounts for each dividend period in which the certificate is held;

(3) At the close of each dividend period determine the return in excess of the return on regular share accounts for that period and accrue such return as dividend credit; and

(4) Pay the accrued dividend credit to the share certificate holder at the date of maturity of the share certificate.

(b) *Dividends declared annually or semiannually.* Federal credit unions issuing share certificates and declaring dividends on an annual or semi-annual basis shall distribute dividends on share certificates in the following manner:

(1) For share certificates with qualifying periods less than one full dividend period, pay such certificates a proportional part of the dividend at the same rate as paid on regular share accounts and pay a proportional part of the dividend at the rate in excess of that paid on regular share accounts; or

(2) For share certificates with qualifying periods greater than one full dividend period, distribute dividends to such share certificates in the manner set forth in subsection (a), above.

(c) Subsections (a) and (b) above are subject to the penalty provisions of Subsection 704.2(h).

§ 704.4 Advertising and disclosure requirements.

(a) In addition to the advertising requirements established in Part 740 of the Rules and Regulations (12 CFR Part 740), the following rules shall apply to every advertisement, announcement or solicitation relating to share certificates.

(1) The rate of return on share certificates shall only be stated as a percentage in excess of the dividends to be paid on regular share accounts. No total dividend rate (regular dividend rate plus excess rate) shall be advertised as guaranteed. However, a Federal credit union may include in such advertisement, announcement or solicitation, a statement

of the recent dividend history of that credit union (not in excess of one year) but shall in no manner appear to guarantee that such dividends will be paid in the future.

(2) Any advertisement, announcement, or solicitation of share certificates shall contain a statement that the rate of return on share certificates shall not exceed the maximum dividend rate established in the bylaws.

(3) Any advertisement, announcement, or solicitation of share certificates shall include clear and conspicuous notice that Federal regulations require Federal credit unions to impose a substantial dividend penalty for a withdrawal of funds evidenced by a share certificate before the end of the fixed or minimum qualifying period of the share certificate. Such notice may state that, "A substantial dividend penalty is required for early withdrawal."

(b) At the time a Federal credit union issues a share certificate, the member shall be provided a written description of:

(1) The method by which the excess dividend shall be accrued and paid;

(2) The penalty imposed on a withdrawal of funds evidenced by a share certificate before the end of the fixed qualifying period; and

(3) The fact that the share certificate shall not pay a rate of return in excess of the maximum rate established in the bylaws.

(4) A Federal credit union need not provide such a written statement in connection with the renewal of an existing certificate.

[FR Doc.76-37110 Filed 12-16-76;8:45 am]

SMALL BUSINESS ADMINISTRATION

[13 CFR Part 121]

SMALL BUSINESS SIZE STANDARDS

Proposal To Adopt Definition of Small Farm for the Purpose of Receiving Financial Assistance

Until the recent adoption of Pub. L. 94-305, the Small Busines Administration had rather limited authority to make loans to farms. Accordingly, it established a single definition of a small farm, to wit, a farm which is independently owned and operated and which has gross annual receipts for its preceding fiscal year not exceeding $275,000.

Pub. L. 94-305 gave SBA authority to make loans to all types of farms and, therefore, it becomes necessary that we adopt a definition of a small farm for those industries not previously within our authority. Moreover, it is our view that it would be appropriate to adopt, for the entire loan program, standards that vary from farm industry to industry so as to take into account the difference in the size structure of such industries.

With this in mind, we have attempted to obtain data on which we could reasonably determine at what point, in terms of gross receipts, to establish the maximum size standard for qualification as a small farm. Unfortunately, the data currently available are not broken down by farm industry. (Internal Revenue Service data for 1972 will be available in 1977 for certain Standard Industrial Classification Industries, but not for others.)

Data that are now available for farms, without reference to particular industries, indicate that 93.6 percent of all farms with annual receipts exceeding $25,000 have annual receipts not exceeding $200,000 and account for 53 percent of the total receipts of all farms with recepts in excess of $25,000.

Under such circumstances, we propose to adopt (or retain where applicable) a $275,000 annual receipts size standard for each of the crop and livestock production industries recognized in the Standard Industrial Classification Manual published by the Office of Management and Budget, Executive Office of the President (see list below).

The above proposal is being made with the understanding that if we are provided with data which indicate the desirability of a higher or lower standard for one or more of the such industries, we will consider the data and argument and, if we deem such action desirable, will make a further proposal with respect to such particular industries. Data submitted should be on a national basis and should be in approximately the following format:

SIC industry XXXX

	Number of farms with gross receipts	Percentage of total accounted for by farms with gross receipts
Under $25,000		
$25,000 under $50,000		
$50,000 under $100,000		
$100,000 under $200,000		
$200,000 under $500,000		
$500,000 under $1,000,000		
$1,000,000 under $2,500,000		
$2,500,000 under $5,000,000		
$5,000,000 under $10,000,000		
$10,000,000 or more		

NOTE.—Total number of farms ... Total farm receipts ....

Specifically, we propose to amend Part 12, Chapter I, Title 13 of the Code of Federal Regulations by:

1. Deleting § 121.3-10(k) and revising § 121.3-10(j) to read as follows:

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

* * * * *

(j) Farms. Any concern primarily engaged in the operation of a farm is classified as small if its annual receipts do not exceed the size standard set forth in Schedule J of this part for the industry in which it is primarily engaged.

2. Adding new Schedule J to Part 121 to read as follows:

SCHEDULE I.—*Annual receipts size standards for concern primarily engaged in the operation of a farm*

[The following size standards are to be used for those SBA loan programs requiring that the recipient be a small firm, and for the purpose of the surety bond guarantee program, and as alternate standards for the SBIC and development company assistance programs.]

Census classification code	Industry	Annual receipts size standard (maximum in thousands)
0212	Beef cattle, except feedlots	$275
0213	Hogs	275
0214	Sheep and goats	275
0219	General livestock, except dairy, poultry, and animal specialties	275
0241	Dairy farms	275
0251	Broiler, fryer, and roaster chickens	275
0252	Chicken eggs	275
0253	Turkeys and turkey eggs	275
0254	Poultry hatcheries	275
0259	Poultry and eggs, not elsewhere classified	275
0271	Fur-bearing animals and rabbits	275
0272	Horses and other equines	275
0279	Animal specialties, not elsewhere classified	275
0291	General farms, primarily livestock	275

Census classification code	Industry	Annual receipts size standard (maximum in thousands)
0111	Wheat	$275
0112	Rice	275
0115	Corn	275
0116	Soybeans	275
0119	Cash grains, not elsewhere classified	275
0131	Cotton	275
0132	Tobacco	275
0133	Sugar crops	275
0134	Irish potatoes	275
0139	Field crops, except cash grains, not elsewhere classified	275
0161	Vegetables and melons	275
0171	Berry crops	275
0172	Grapes	275
0173	Tree nuts	275
0174	Citrus fruits	275
0175	Deciduous tree fruits	275
0179	Fruits and tree nuts, not elsewhere classified	275
0181	Ornamental floriculture and nursery products	275
0182	Fruit crops grown under cover	275
0189	Horticultural specialites, not elsewhere classified	275
0191	General farms, primarily crop	275

Interested parties may file with the Small Business Administration, on or before January 31, 1977, written statements of facts, opinions, or arguments concerning the proposal. All correspondence shall be addressed to:

William L. Pellington, Director, Size Standards Division, 1441 L Street, NW., Washington, D.C. 20416.

(Catalog of Federal Domestic Assistance Programs Nos. 59.001, Displaced Business Loans; 59.002, Economic Injury Disaster Loans; 59.003, Economic Opportunity Loans for Small Businesses; 59.010, Product Disaster Loans; 59.011, Small Business Investment Companies; 59.012, Small Business Loans; 59.013, State and Local Development Company Loans; 59.016, Bond Guarantees for Surety Companies; 59.017, Meat and Poultry Inspection Loans; 59.018, Occupational Safety

and Health Loans; 59.020, Base Closing Economic Injury Loans; 59.021, Handicapped Assistance Loans; 59.022, Emergency Energy Shortage Economic Injury Loans; 59.023, Strategic Arms Economic Injury Loans; 59.024, Water Pollution Control Loans; and 59.025, Air Pollution Control Loans.)

Dated: December 6, 1976.

MITCHELL P. KOBELINSKI,
Administrator.

[FR Doc.76-36957 Filed 12-16-76;8:45 am]

SECURITIES AND EXCHANGE COMMISSION

[17 CFR Parts 230, 239, 240]

[Release Nos. 33-5781, 34-13057, 35-19803, IC-9564; File No. S7-655]

PROPOSED EXPERIMENTAL SHORT REGISTRATION FORM AND PROPOSED AMENDMENTS OF RELATED RULES

Extension of Comment Period

The Securities and Exchange Commission today extended the comment period on proposed Form S-14A, an optional short form for registration under the Securities Act of 1933 of securities of certain issuers to be issued in reclassification and business combinations of the character described in Securities Act Rule 145(a), and proposed amendments to related rules (Release No. 33-5744, September 27, 1976 [41 FR 43876]). The Commission believes that an extension from December 10, 1976, until January 10, 1977 is appropriate in view of the significance of the proposals.

Accordingly, all interested persons are invited to submit in triplicate their views and comments on the proposals in Release No. 33-5744 to George A. Fitzsimmons, Secretary, Securities and Exchange Commission, Washington, D.C. 20549 on or before January 10, 1977. Such communications should refer to File No. S7-655. All such communications will be available for public inspection.

By the Commission.

GEORGE A. FITZSIMMONS,
Secretary.

DECEMBER 10, 1976.

[FR Doc.76-37148 Filed 12-16-76;8:45 am]

INTERNATIONAL TRADE COMMISSION

[19 CFR Part 205]

MODIFICATION OF DUTIES

Investigations To Determine the Probable Economic Effects on the Economy of the United States

These proposed amendments to Title 19, Chapter II, Subchapter B, Part 205 of the Code of Federal Regulations would provide a procedural framework for implementing sections 131, 503, and section 301(e)(2) of the Trade Act of 1974.

Interested persons may participate in the proposed rulemaking by submitting such written data, views, or arguments as they may desire. Communications should be submitted to the Office of the Secretary, United States International Trade Commission, Washington, D.C. 20436. All communications received on or before January 17, 1977 will be considered before action is taken on the proposed amendment. Comments received will be available for public examination in the Office of the Secretary.

It is proposed to revise Part 205 of Title 19 of the Code of Federal Regulations as set forth in tentative form below:

PART 205—INVESTIGATIONS TO DETERMINE THE PROBABLE ECONOMIC EFFECTS ON THE ECONOMY OF THE UNITED STATES OF PROPOSED MODIFICATIONS OF DUTIES OR OF ANY BARRIER TO (OR OTHER DISTORTION OF) INTERNATIONAL TRADE OR OF TAKING RETALIATORY ACTIONS TO OBTAIN THE ELIMINATION OR UNJUSTIFIABLE OR UNREASONABLE FOREIGN ACTS OR POLICIES WHICH RESTRICT U.S. COMMERCE

Sec.

205.1 Applicability of part.

Subpart A—Investigations To Determine the Probable Economic Effects of Modifications of United States Duties or of Any Barrier to (or Other Distortion of) International Trade on Domestic Industries and on Consumers

205.2 Applicability of subpart.
205.3 Investigations under section 131(a)-(b), 503(a), and 131(c) of the Trade Act of 1974.
205.4 [Reserved]

Subpart B—Investigations Concerning the Probable Impact on the Economy of the United States of the President's Taking Retaliatory Action To Obtain the Elimination of Unjustifiable or Unreasonable Foreign Acts or Policies Which Restrict U.S. Commerce

205.5 Applicabiltiy of subpart.
205.6 Investigations under section 301(e)(3) of the Trade Act of 1974.

AUTHORITY: Sec. 335 of the Tariff Act of 1930 (72 Stat. 680; 19 U.S.C. 1335) and sec. 603 of the Trade Act of 1974 (88 Stat. 2073; 19 U.S.C. 2482).

§ 205.1 Applicability of part.

This Part 205 applies specifically to functions and duties of the Commission under sections 131, 301(e)(3), and 503(a) of the Trade Act of 1974. For other applicable rules, see Part 201 of this chapter.

Subpart A—Investigations To Determine the Probable Economic Effect of Modifications of United States Duties or of Any Barrier to (or Other Distortion of) International Trade on Domestic Industries and on Consumers

§ 205.2 Applicability of subpart.

This Subpart A of Part 205 applies specifically to investigations for the purposes of section 131(a)-(b), 503 and 131(c) of the Trade Act of 1974. For other applicable rules, see Part 201 of this chapter.

§ 205.3 Investigations under sections 131 and 503 of the Trade Act of 1974.

(a) *Purpose of investigations.*—(1) *Section 131(a)-(b) and 503(a).* Upon the receipt of a list of articles from the President as provided in section 131(a) or 503(a), which may be considered for modification of United States duties, or as eligible articles for duty-free treatment under the generalized system of preferences, respectively, the Commission shall initiate an investigation to obtain information pertinent to the formulation of its advice to the President under section 131(b) with respect to such articles to assist him in making an informed judgment as to the impact which might be caused by such duty modifications or duty-free treatment on U.S. manufacturing, agriculture, mining, fishing, labor, and consumers, including whether any reductions in rates of duty should take place over a period longer than the minimum periods provided by section 109(a) of the Trade Act of 1974 (88 Stat. 1985; 19 U.S.C. 2119).

(2) *Section 131(c).* Upon the receipt of a request from the President as provided in section 131(c) to assist him in his detremination of whether to enter into any trade agreement under section 102, the Commission shall institute an investigation to obtain information pertinent to the formulation of its views with respect to the probable economic effects of modifications of any barrier to (or other distortion of) international trade on domestic industries and purchasers and on prices and quantities of articles in the United States.

(b) *Institution and notice of investigation.* An investigation to which this Subpart A relates will be instituted promptly after the receipt from the President of (1) a list of articles which may be considered for duty modifications or duty-free treatment or (2) a request for an investigation and report concerning the probable economic effects of modifications of any barrier to (or other distortion of) international trade.

(c) *Hearings.* Public hearings will be held in connection with every investigation to which this Subpart A relates. For other applicable rules, see section 201.11 of this part.

(d) *Report to the President.* After the completion of its investigation, the Commission will incorporate its advice or views in a report which will be transmitted to the President.

Subpart B—Investigations Concerning the Probable Impact on the Economy of the United States of the President's Taking Retaliatory Action To Obtain the Elimination of Unjustifiable or Unreasonable Foreign Acts or Policies Which Restrict U.S. Commerce

§ 205.5 Applicability of subpart.

This Subpart B of Part 205 applies specifically to investigations for the purpose of section 301(e)(3) of the Trade Act of 1974. For other applicable rules, see Part 201 of this chapter.

§ 205.6 Investigations under section 301(e)(3) of the Trade Act of 1974.

(a) *Purpose of investigation.* The purpose of an investigation by the Commission is to provide the President with its views pursuant to section 301(e)(3) as to the probable impact on the economy of the United States of imposing retaliatory restrictions on imports into the United States from countries or foreign instrumentalities which maintain restrictions against U.S. exports.

(b) *Institution and notice of investigation.* An investigation to which this Subpart B relates will be instituted promptly after the receipt from the President of a request for the views of the Commission with regard to the matters indicated in subsection (a).

(c) *Public hearings.* If, in the judgment of the Commission, there is good and sufficient reason therefor, the Commission, in the course of its investigation, will hold a public hearing and afford interested parties opportunity to appear and be heard at such hearing. If no notice of public hearing issues concurrently with a notice of investigation, any interested party who believes that a public hearing should be held may, within fifteen (15) days after the date of publication in the FEDERAL REGISTER of the notice of investigation, submit a request in writing to the Secretary of the Commission that a public hearing be held, stating the reasons for such request.

(d) *Written statements.* At any time after a notice of investigation under subsection (b) is published in the FEDERAL REGISTER, any interested party may submit to the Commission a written statement of information pertinent to the subject matter of such investigation. If a public hearing is held in the investigation, such statement may be received in lieu of or in addition to appearance at the hearing. Statements shall conform with the requirements for documents set forth in § 201.8 of this chapter.

(e) *Report to the President.* After the completion of its investigation, the Commission will incorporate its views in a report which will be transmitted promptly to the President.

Issued: December 14, 1976.

By order of the Commission.

KENNETH R. MASON,
Secretary.

[FR Doc.76-37181 Filed 12-16-76;8:45 am]

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Office of Assistant Secretary for Housing—Federal Housing Commissioner

[24 CFR Part 888]

[Docket No. R-76-311]

FAIR MARKET RENTS FOR NEW CONSTRUCTION AND SUBSTANTIAL REHABILITATION

On April 6, 1976, at 41 FR 14662, the Department of Housing and Urban Development (HUD) amended Title 24 of the Code of Federal Regulations, incorporating in Part 888, Subpart A, a revised Schedule A, "Fair Market Rents for New Construction and Substantial Rehabilitation (including Housing Finance and Development Agencies Program)," for all market areas.

Since April 6, 1976, additional comments and data have been received from the Anchorage Insuring Office indicating a need to establish schedules A for three additional market areas in the State of Alaska.

The Department proposes to incorporate in Part 888, Subpart A, at 41 FR 14717, additional Schedules A for the following market areas: Barter Island, North Coastal Area; Coastal Area, North of Aleutians; and Inland Area, North of Aleutians, Alaska.

Because it is necessary to the operation of the Section 8 program that fair market rents remain as current as possible, and because interested parties are encouraged at all times to submit information and data on those rents which will be considered in initiating revisions as needed, it has been determined that it is impracticable and unnecessary to provide a 30-day period for comments on these proposed revisions and that a 15-day period is reasonable and in the public interest.

Interested persons are invited to submit written data, comments, suggestions, or objections concerning the proposed revisions. Communications should identify the subject matter by title and docket number and should be filed with the Rules Docket Clerk, Office of the Secretary, Room 10141, Department of Housing and Urban Development, 451 Seventh Street, SW., Washington, D.C. 20410. All relevant material received on or before January 6, 1976, will be considered before adoption of the revisions in final form. Copies of comments received will be available for examination during business hours at the above address.

A Finding of Inapplicability respecting the National Environmental Policy Act of 1969 has been made in accordance with HUD procedures. A copy of this Finding of Inapplicability will be available for public inspection during regular business hours at the office of the Rules Docket Clerk, Room 10141, Department of Housing and Urban Development, 451 Seventh Street, SW., Washington, D.C.

It has been determined that this proposal does not have a substantial impact on the economy in accordance with OMB Circular A-107. A copy of that determination is on file at the office of the Rules Docket Clerk at the above address.

(Sec. 7(d) Department of HUD Act (42 USC 3535(d).)

Dated: December 13, 1976.

JOHN T. HOWLEY,
Deputy Assistant Secretary for Housing — Federal Housing Commissioner.

It is proposed that § 888.103 Schedule A be amended by adding communities as follows:

SCHEDULE A—FAIR MARKET RENTS FOR NEW CONSTRUCTION AND SUBSTANTIAL REHABILITATION (INCLUDING HOUSING FINANCE AND DEVELOPMENT AGENCIES PROGRAM.)

These Fair Market Rents have been trended ahead two years to allow time for processing and construction of proposed new construction and substantial rehabilitation rental projects.

NOTE.—The Fair Market Rents for (1) dwelling units designed for the elderly or handicapped are those for the appropriate size units, not to exceed 2-Bedroom, multiplied by 1.05 rounded to the next higher whole dollar, (2) congregate housing dwelling units are the same as for non-congregate units and (3) single room occupancy dwelling units are those for 0-Bedroom units of the same type.

INSURING OFFICE ANCHORAGE, ALASKA REGION X - SEATTLE

MARKET AREA	STRUCTURE TYPE	NUMBER OF BEDROOMS				
		0	1	2	3	4 or more
BARTER ISLAND, NORTH COASTAL AREA	DETACHED	-	640	703	773	851
	SEMI-DETACHED/ROW	-	621	683	751	826
	WALKUP	548	603	663	729	802
	ELEVATOR	-	-	-	-	-
COASTAL AREA, NORTH OF ALEUTIANS	DETACHED	-	640	703	773	851
	SEMI-DETACHED/ROW	-	621	683	751	826
	WALKUP	548	603	663	729	802
	ELEVATOR	-	-	-	-	-
INLAND AREA, NORTH OF ALEUTIANS	DETACHED	-	640	703	773	851
	SEMI-DETACHED/ROW	-	621	683	751	826
	WALKUP	548	603	663	729	802
	ELEVATOR	-	-	-	-	-
	DETACHED					
	SEMI-DETACHED/ROW					
	WALKUP					
	ELEVATOR					
	DETACHED					
	SEMI-DETACHED/ROW					
	WALKUP					
	ELEVATOR					
	DETACHED					
	SEMI-DETACHED/ROW					
	WALKUP					
	ELEVATOR					

[FR Doc.76-37087 Filed 12-16-76;8:45 am]

DEPARTMENT OF LABOR

Employee Benefits Security Office

[29 CFR Part 2550]

EMPLOYEE BENEFIT PLANS; RULES AND REGULATIONS FOR FIDUCIARY RESPONSIBILITY

Proposed Regulation Regarding the Maintenance of the Indicia of Ownership of Plan Assets Outside the Jurisdiction of the District Courts of the United States

Section 404(b) of the Employee Retirement Income Security Act of 1974 (the Act) prohibits a fiduciary with respect to an employee benefit plan from maintaining the indicia of ownership of any plan assets outside the jurisdiction of the district courts of the United States, except as authorized by the Secretary of Labor (the Secretary). The purpose of section 404(b) is to preserve the jurisdiction of the district courts of the United States over plan assets so as to preclude frustration of adequate fiduciary supervision and remedies for breaches of trust and fiduciary responsibility.

Investments in securities of foreign companies and governments have been and may well continue to be in the best interests of plan participants and beneficiaries in appropriate circumstances and with proper safeguards. However, such investments by plans may be unreasonably limited by the high costs associated with the physical transfer of securities to and from the United States in order to satisfy the requirements of section 404(b) of the Act.

Accordingly, the Department of Labor hereby proposes to adopt § 2550.404b-1 of Title 29 to permit the maintenance of the indicia of ownership of plan assets outside the jurisdiction of the district courts of the United States if such assets are in the form of foreign securities, and if (1) the fiduciary who manages or controls such assets for the plan is a bank, insurance company or investment adviser registered under the Investment Advisers Act of 1940, and such fiduciary satisfies other specified requirements, relating generally to net worth, or (2) the person who has physical possession of such securities in a foreign location is either a regulated United States bank or a domestic broker-dealer registered under the Securities Exchange Act of 1934, and such person satisfies other specified requirements, relating generally to net worth.

If a fiduciary who manages or controls plan assets meets the requirements of (1) above, then such fiduciary may maintain the indicia of ownership of such plan assets in the custody of any foreign entity anywhere outside the jurisdiction of the district courts of the United States. However, if a fiduciary who manages or controls plan assets does not meet the requirements of (1) above, then such fiduciary may maintain the indicia of ownership of such plan assets outside the jurisdiction of the district courts of the United States only if such indicia of ownership is in the physical possession of, or, as a result of normal business operations, in transit to the physical possession of, an entity meeting the requirements of (2) above.

A special provision of the proposed regulation is applicable with respect to plans which have received, or which have applied to receive, tax exempt status under the laws of Canada. Under the proposed regulation, a fiduciary of such a plan would be permitted to maintain the indicia of ownership of plan assets, including securities of issuers domiciled in the United States or property located in the United States, in Canada if such assets are purchased with or derived from contributions made by Canadian employers on behalf of participants who are citizens or residents of Canada, and if the indicia of ownership of the assets must remain in Canada in order for the plan to qualify for and maintain tax exempt status under the laws of Canada. The Department of Labor requests comments specifically with respect to the interrelationship between the provisions of section 404(b) of the Act and the requirements of the laws of other foreign jurisdictions.

If adopted, § 2550.404b-1 would be effective as of January 1, 1975.

All interested persons are invited to submit written views, data and arguments on the proposed regulation on or before January 17, 1977, to the Office of Regulatory Standards and Exceptions, Pension and Welfare Benefit Programs, U.S. Department of Labor, Washington, D.C., 20210. All letters of comment should be clearly referenced to proposed § 2550.-404b-1.

This regulation is proposed under the authority of section 505 of the Act, Pub. L. 93-406, 88 Stat. 894 (29 U.S.C. 1135), and section 404(b) of the Act, Pub. L. 93-406, 88 Stat. 877 (29 U.S.C. 1104).

Accordingly, it is proposed to amend Part 2550 of 29 CFR Chapter XXV by adding a new § 2550.404b-1 to read as follows:

§ 2550.404b-1 Maintenance of the indicia of ownership of plan assets outside the jurisdiction of the district courts of the United States.

(a) Effective January 1, 1975, no fiduciary may maintain the indicia of ownership of any assets of a plan outside the jurisdiction of the district courts of the United States, unless:

(1) Such assets are securities issued by (i) a person, as defined in section 3(9) of the Act (other than an individual), which is not organized under the laws of the United States or a State and does not have its principal place of business within the United States, or (ii) a government other than the government of the United States or of a State, or any political subdivision, agency or instrumentality of such a government; and

(2) (i) Such assets are under the management and control of a fiduciary which is a corporation or partnership organized under the laws of the United States or a State and which has its principal place of business within the United States, if such fiduciary is—

(A) A bank, as defined in section 202 (a) (2) of the Investment Advisers Act of 1940, and has, as of the last day of its most recent fiscal year, equity capital in excess of $1,000,000;

(B) An insurance company qualified under the laws of more than one State to manage, acquire, or dispose of any asset of a plan, is subject to supervision and examination by the State authority having supervision over insurance companies, and has, as of the last day of its most recent fiscal year, net worth in excess of $1,000,000; or,

(C) An investment adviser registered under the Investment Advisers Act of 1940, and has, as of the last day of its most recent fiscal year, shareholders' or partners' equity in excess of $750,000 and total client assets under its management and control in excess of $50,000,-000; or

(ii) Such assets are in the physical possession of, or, as a result of normal business operations, in transit to the physical possession of, a person which is organized under the laws of the United States or a State, and which has its principal place of business in the United States, if such person is—

(A) A bank as defined in section 202 (a) (2) of the Investment Advisers Act of 1940, which has, as of the last day of its most recent fiscal year, equity capital in excess of $1,000,000; or

(B) A broker or dealer registered under the Securities Exchange Act of 1934 which has, as of the last day of its most recent fiscal year, net worth in excess of $750,000.

(b) Notwithstanding paragraph (a), a fiduciary with respect to a plan may maintain the indicia of ownership of any plan assets in Canada if such plan:

(1) Has a substantial number of participants who are citizens or residents of Canada;

(2) Receives contributions on behalf of such participants from one or more employers which are organized under the laws of Canada or a Province of Canada or have their principal place of business in Canada; and

(3) Is required to maintain the indicia of ownership of such plan assets within Canada in order to qualify for and maintain tax exempt status under the laws of Canada and to comply with other applicable laws of Canada or the Provinces of Canada.

(c) For purposes of this regulation the term "management or control" shall mean the power to direct the disposition through sale, hypothecation, or other means.

Signed at Washington, D.C., this 13th day of December 1976.

WILLIAM J. CHADWICK,
Administrator of Pension and Welfare Benefit Programs.

[FR Doc.76-36968 Filed 12-16-76;8:45 am]

FEDERAL MARITIME COMMISSION

[46 CFR Part 503]

[General Order 22; Docket No. 76-65]

PUBLIC OBSERVATION OF FEDERAL MARITIME COMMISSION MEETINGS AND PUBLIC ACCESS TO INFORMATION PERTAINING TO COMMISSION MEETINGS

Notice of Proposed Rulemaking

The purpose of these proposed regulations is to provide a new Subpart H entitled "Public Observation of Federal Maritime Commission Meetings and Public Access to Information Pertaining to Commission Meetings" to the provisions of Part 503 of Chapter IV of this title. These regulations are designed to implement the provisions of the "Government in the Sunshine Act" (Pub. L. 94-409; 5 U.S.C. § 552b, September 13, 1976) as they affect the conduct of the business of the Federal Maritime Commission.

The first two sections of the proposed regulations (§§ 503.70 and 503.71) provide the Commission's statement of policy and the definitions applicable to this Subpart, respectively. These sections are largely self-explanatory. However, the definiton of "information pertaining to a meeting" requires some explanation. The definition provides that information pertaining to a meeting includes "* * * but is not limited to * * *" certain listed items relating to public notification of Commission meetings. The phrase "* * * but is not limited to * * *" should not be misconstrued. This phrase is intended not to indicate that information pertaining to a meeting might include internal documents, memoranda, or the like which form the basis for Commission discussion of any item of a meeting agenda. Rather, the phrase in question is intended merely to address the possibility that notice provided the public by the Commission regarding a meeting may, from time to time, include information not required to be publicized but which the Commission deems to be helpful to the public. Any such additional information found in a public announcement of a Commission meeting would, under the phrase in question, be considered to be information pertaining to a meeting irrespective of its omission from the listed items.

In general, the remaining sections of proposed Subpart H implement the substantive requirements of the Government in the Sunshine Act (Act) by creating two separate procedures with respect to Commission meetings. One set of procedures is addressed to the requirements of the Act regarding the opening of Commission meetings to public observation. The second set of procedures addresses the requirements of the Act regarding public announcement of information pertaining to a meeting and the recordkeeping requirements of the Act.

Sections 503.72, 503.73, 503.74, and 503.75 provide the procedures applicable to determinations by the Commission of whether or not a meeting of the Commission or a portion of a meeting of the Commission shall be open or closed to public observation. Section 503.72 provides the general rule applicable to meetings of the Commission. Section 503.73 provides the statutory exceptions which permit the Commission to close a portion of a meeting or a meeting in its entirety to public observation. Section 503.74 provides the procedures to be used by the Commission in making a determination to close a meeting or a portion of a meeting or to permit that portion or that meeting to remain open to public observation. This section addresses only requests initiated by a member or an employee of the Commission. Section 503.75 provides the complementary procedure for determinations by the Commission to close a meeting or a portion of a meeting upon the request of an interested person as defined in these provisions.

The next two sections of the proposed regulations, §§ 503.76 and 503.77, provide, respectively, for the effect of a vote to close a portion of a meeting and the responsibility of the General Counsel of the Commission with respect to any determination to close a portion of any meeting. Section 503.76 is fundamentally a recordkeeping requirement which generally follows the statutory requirement that there be made available certain information with respect to the Commission's vote on a request to close a meeting. Section 503.77, details the responsibilities of the General Counsel of the Commission with respect to any requests that a portion of a meeting or a meeting of the Commission be closed to public observation. That section requires that, upon such a request, the General Counsel is to certify to the public and to the Commission his or her opinion as to whether or not the proposed closing of a meeting or a portion of a meeting is proper under the provisions of the Act.

Sections 503.78, 503.79, 503.80, and 503.81 are those provisions which address the requirements of the Act regarding public disclosure of information pertaining to Commission meetings. Section 503.78 establishes the general rule requiring that information pertaining to meetings of the Commission be disclosed to the public unless excepted under other provisions of the Subpart. Section 503.79 lists the statutory exceptions which form the basis for allowing the Commission to determine to withhold from public disclosure information pertaining to a meeting. Section 503.80 provides the procedures to be followed by the Commission in its determination of whether or not information pertaining to a meeting shall be disclosed to the public. These procedures are self-explanatory and are comparable to the procedures applicable to determinations by the Commission to close meetings to public observation or to permit the meeting to be open to public observation. Section 503.81 merely describes the effect of a vote by the Commission to withhold from public disclosure information pertaining to meetings and is self-explanatory.

Sections 503.82 and 503.83 deal with public announcement of Commission meetings and changes with respect to Commission meetings. These provisions conform to the statutory provisions of the Act scrupulously and address the information with respect to which the Commission may make determinations regarding disclosure or withholding from disclosure to the public under the provisions of § 503.80. Section 503.84 is reserved in the event the Commission should decide at a later date that further regulatory provisions are required under the Act.

The final sections of these proposed regulations, §§ 503.85, 503.86 and 503.87 are, respectively, recordkeeping requirements, provisions for public access to those records, and a statement of the effect of the provisions of this Subpart on any other Subpart of this Chapter. The recordkeeping requirements of § 503.85 parallel precisely the requirements of the Act and, as such, are self-explanatory. The provisions of § 503.86 which address public access to such records are also closely drawn to the statutory provisions and require no explanation here. Section 503.87 also precisely follows the statutory language of the Act. That section merely provides for the interaction of the requirements of the Act with the requirements of the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a).

The Commission has determined that the proposed addition of Subpart H to Part 503 of this Chapter will have no significant impact on the human environment. Therefore, pursuant to the provisions of § 553 of the Administrative Procedure Act (5 U.S.C. 553) and the provisions of § 552b(g) of the Government in the Sunshine Act (5 U.S.C. 552b), notice is hereby given that the Federal Maritime Commission proposes to amend Part 503 of Chapter IV of Title 46 CFR by the addition of a new Subpart H reading as follows:

PART 503—PUBLIC INFORMATION

Subpart H—Public Observation of Federal Maritime Commission Meetings and Public Access to Information Pertaining to Commission Meetings

Sec.

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503.87 Effect of provisions of this subpart on any other subpart.

AUTHORITY: Sec. 553 of the Administrative Procedure Act (5 U.S.C. 553) and sec. 552b(g) of the Government in the Sunshine Act (5 U.S.C. 552b).

Subpart H—Public Observation of Federal Maritime Commission Meetings and Public Access to Information Pertaining to Commission Meetings

§ 503.70 Policy.

It is the policy of the Federal Maritime Commission, under the provisions of the "Government in the Sunshine Act" (5 U.S.C. 552b, September 13, 1976) to entitle the public to the fullest practicable information regarding the decisional processes of the Commission. The provisions of this Subpart set forth the procedural requirements designed to provide the public with such information while continuing to protect the rights of individuals and to maintain the capabilities of the Commission in carrying out its responsibilities under the shipping statutes administered by this Commission.

§ 503.71 Definitions.

The following definitions apply for purposes of this Subpart:

"Agency" means the Federal Maritime Commission;

"Information pertaining to a meeting" means, but is not limited to, the following: the record of any agency vote taken under the provisions of this Subpart, and the record of the vote of each member; a full written explanation of any agency action to close any portion of any meeting under this Subpart; lists of persons expected to attend any meeting of the agency and their affiliation; public announcement by the agency under this Subpart of the time, place, and subject matter of any meeting or portion of any meeting; announcement of whether any meeting or portion of any meeting shall be open to public observation or closed; any announcement of any change regarding any meeting or portion of any meeting; and the name and telephone number of the Secretary of the agency who shall be designated by the agency to respond to requests for information concerning any meeting or portion of any meeting;

"Meeting" means the deliberations of at least three of the members of the agency which determine or result in the joint conduct or disposition of official agency business, but does not include: (1) individual member's consideration of official agency business circulated to the members in writing for disposition on notation; (2) deliberations by the agency in determining whether or not to close a portion or portions of a meeting or series of meetings as provided in §§ 503.74 and 503.75 of this subpart; (3) deliberations by the agency in determining whether or not to withhold from disclosure information pertaining to a portion or portions of a meeting or series of meetings as provided in section 503.80 of this Subpart; or (4) deliberations pertaining to any change in any meeting or to changes in the public announcement of such a meeting as provided in § 503.83 of this subpart;

"Member" means each individual Commissioner of the agency;

"Person" means any individual, partnership, corporation, association, or public or private organization, other than an agency as defined in 5 U.S.C. § 551(1);

"Public observation" means attendance at any meeting but does not include participation, or attempted participation, in such meeting in any manner;

"Series of meetings" means more than one meeting involving the same particular matters and scheduled to be held no more than thirty (30) days after the initial meeting in such series.

§ 503.72 General rule—meetings.

(a) Except as otherwise provided in §§ 503.73, 503.74, 503.75 and 503.76 of this subpart, every portion of every meeting and every portion of a series of meetings of the agency shall be open to public observation.

(b) The opening of a portion or portions of a meeting or a portion or portions of a series of meetings to public observation shall not be construed to include any participation by the public in any manner in the meeting. Such an attempted participation or participation shall be cause for removal of any person so engaged at the discretion of the presiding member of the agency.

§ 503.73. Exceptions—meetings.

Except in a case where the agency finds that the public interest requires otherwise, the provisions of § 503.72(a) shall not apply to any portion or portions of an agency meeting or portion or portions of a series of meetings where the agency determines under the provisions of §§ 503.74 or 503.75 of this subpart that such portion or portions of such meeting or series of meetings is likely to:

(a) Disclose matters that are (1) specifically authorized under criteria established by an Executive order to be kept secret in the interests of national defense or foreign policy and (2) in fact properly classified pursuant to such Executive order;

(b) Related solely to the internal personnel rules and practices of an agency;

(c) Disclose matters specifically exempted from disclosure by any statute other than 5 U.S.C. § 552 (FOIA), provided that such statute (1) requires that the matters be withheld from the public in such a manner as to leave no discretion on the issue, or (2) establishes particular criteria for withholding or refers to particular types of matters to be withheld;

(d) Disclose trade secrets and commercial or financial information obtained from a person and privileged or confidential;

(e) Involve accusing any person of a crime, or formally censuring any person;

(f) Disclose information of a personal nature where disclosure would constitute a clearly unwarranted invasion of personal privacy;

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

(h) Disclose information contained in or related to examination, operating, or condition reports prepared by, on behalf of, or for the use of an agency responsible for the regulation or supervision of financial institutions;

(i) Disclose information the premature disclosure of which would be likely to significantly frustrate implementation of a proposed agency action, unless the agency has already disclosed to the public the content or nature of its proposed action, or where the agency is required by law to make such disclosure on its own initiative prior to taking final agency action on such proposal; or

(j) Specifically concern the agency's issuance of a subpena, or the agency's participation in a civil action or proceeding, an action in a foreign court or international tribunal, or an arbitration, or the initiation, conduct, or disposition by the agency of a particular case of formal agency adjudication pursuant to the procedures in 5 U.S.C. 554 or otherwise involving a determination on the record after opportunity for a hearing.

§ 503.74 Procedures for closing a portion or portions of a meeting or a portion or portions of a series of meetings on agency initiated requests.

(a) Any member of the agency, the Managing Director, or the General Counsel of the agency may request that any portion or portions of a meeting or any portion or portions of a series of meetings be closed to public observation for any of the reasons provided in § 503.73 of this subpart by submitting such request in writing to the Secretary of the agency not later than two weeks prior to the commencement of the meeting or the commencement of the first meeting in a series of meetings.

(b) Upon receipt by him of any request made under paragraph (a) of this

section, the Secretary of the agency shall schedule a time at which the members of the agency shall vote upon the request which vote shall take place not later than eight (8) days prior to the scheduled meeting of the agency.

(c) At the time the Secretary schedules a time for an agency vote as described in paragraph (b) of this section, he shall forward the request to the General Counsel of the agency who shall act upon such request as provided in § 503.77 of this subpart.

(d) At the time scheduled by the Secretary as provided in paragraph (b) of this section, the members of the agency, upon consideration of the request submitted under paragraph (a) of this section and consideration of the certified opinion of the General Counsel of the agency provided the members under § 503.77 of this subpart, shall vote upon that request.

(e) In the case of a vote on a request under this section to close to public observation a portion or portions of a meeting, no such portion or portions of any meeting may be closed unless a majority of the entire membership of the agency shall vote to close such portion or portions of a meeting by recorded vote.

(f) In the case of a vote on a request under this section to close to public observation a portion or portions of a series of meetings as defined in § 503.71 of this Subpart, no such portion or portions of a series of meetings may be closed unless a majority of the entire membership of the agency shall vote to close such portion or portions of a series of meetings. A determination to close to public observation a portion or portions of a series of meetings may be accomplished by a single vote provided that the vote of each member of the agency shall be recorded and the vote shall be cast by each member and not by proxy vote.

§ 503.75 Procedures for closing a portion of a meeting on request initiated by an interested person.

(a) Any person as defined in § 503.71 of this subpart whose interests may be directly affected by a portion of a meeting of the agency may request that the agency close that portion of a meeting for the reason that matters in deliberation at that portion of the meeting are such that public disclosure of that portion of a meeting is likely to:

(1) Involve accusing any person of a crime, or formally censuring any person;

(2) Disclose information of a personal nature where disclosure would constitute a clearly unwarranted invasion of personal privacy; or

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

(b) Any person described in paragraph (a) of this section who submits a request that a portion of a meeting be closed shall submit an original and 15 copies of that request to the Secretary, Federal Maritime Commission, Washington, D.C. 20573, and shall state with particularity that portion of a meeting sought by him to be closed and the reasons therefor as described in paragraph (a) of this section.

(c) Upon receipt by him of any request made under paragraphs (a) and (b) of this section, the Secretary of the agency shall:

(1) Furnish a copy of the request to each member of the agency;

(2) Furnish a copy of the request to the General Counsel of the agency; and

(3) Furnish a copy of the request to the Managing Director of the agency.

(d) Upon receipt of a copy of a request made under paragraphs (a) and (b) of this section, any member of the agency, the Managing Director, or the General Counsel of the agency, may request agency action upon the request to close a portion of a meeting by notifying the Secretary of the agency of that request for agency action.

(e) Upon receipt by him of a request for agency action under paragraph (d) of this section, the Secretary of the agency shall schedule a time for an agency vote upon the request of the person whose interests may be directly affected by a portion of a meeting, which vote shall take place prior to the scheduled meeting of the agency.

(f) At the time the Secretary receives a request for agency action and schedules a time for an agency vote as described in paragraph (e) of this section, he shall forward the request of the person whose interests may be directly affected by a portion of a meeting to the General Counsel of the agency who shall act upon such request as provided in § 503.77 of this subpart.

(g) At the time scheduled by the Secretary as provided in paragraph (e) of this section, the members of the agency, upon consideration of the request of the person whose interests may be directly affected by a portion of a meeting submitted under paragraphs (a) and (b) of this section, and consideration of the certified opinion of the General Counsel of the agency provided the members under § 503.77 of this subpart, shall vote upon that request.

(h) In the case of a vote on a request under this section to close to public observation a portion of a meeting, no such portion of a meeting may be closed unless a majority of the entire membership of the agency shall vote to close such portion of a meeting by a recorded vote.

§ 503.76 Effect of vote to close a portion or portions of a meeting or series of meetings.

(a) Where the agency votes as provided in sections 503.74 or 503.75, to close to public observation a portion or portions of a meeting or a portion or portions of a series of meetings, the portion or portions of a meeting or the portion or portions of a series of meetings shall be closed.

(b) Except as otherwise provided in §§ 503.80, 503.81 and 503.82 of this Subpart, not later than the day following the day on which a vote is taken under §§ 503.74 or 503.75, by which it is determined to close a portion or portions of a meeting or a portion or portions of a series of meetings to public observation, the Secretary shall make available at his offices: (1) a written copy of the recorded vote reflecting the vote of each member of the agency; (2) a full written explanation of the agency action closing that portion or those portions to public observation; and (3) a list of the names and affiliations of all persons expected to attend the portion or portions of the meeting or the portion or portions of a series of meetings.

(c) Except as otherwise provided in §§ 503.80, 503.81 and 503.82 of this subpart, not later than the day following the day on which a vote is taken under §§ 503.74 or 503.75 by which it is determined that the portion or portions of a meeting or the portion or portions of a series of meetings shall remain open to public observation, the Secretary shall make available at his offices a written copy of the recorded vote reflecting the vote of each member of the Agency.

§ 503.77 Responsibilities of general counsel of the agency upon a request to close any portion of any meeting.

(a) Upon any request that the agency close a portion or portions of any meeting or any portion or portions of any series of meetings under the provisions of §§ 503.74 and 503.75 of this subpart, the General Counsel of the agency shall certify in writing to the agency, whether or not in his or her opinion the closing of any such portion or portions of a meeting or portion or portions of a series of meetings is proper under the provisions of this Subpart and the terms of the Government in the Sunshine Act (5 U.S.C. § 552 b). If, in the opinion of the General Counsel, a portion or portions of a meeting or portion or portions of a series of meetings is proper under the provisions of this subpart and the terms of the Government in the Sunshine Act (5 U.S.C. 552b), his or her certification of that opinion shall cite each applicable particular exemptive provision of that Act and provision of this Subpart.

(b) A copy of the certification of the General Counsel as described in paragraph (a) of this section together with a statement of the presiding officer of the portion or portions of any meeting or the

portion or portions of a series of meetings setting forth the time and place of the relevant meeting or meetings, and the persons present, shall be maintained by the Secretary of the agency in his offices for public inspection.

§ 503.78 General rule—information pertaining to meetings.

As defined in section 503.71 of this Subpart, all information pertaining to a portion or portions of a meeting or portion or portions of a series of meetings of the agency shall be disclosed to the public unless excepted from such disclosure under §§ 503.79, 503.80 and 503.81 of this subpart.

§ 503.79 Exceptions—information pertaining to meetings.

Information pertaining to a portion or portions of a meeting or portion or portions of a series of meetings need not be disclosed by the agency if the agency determines, under the provisions of §§ 503.80 and 503.81 of this subpart that disclosure of that information is likely to:

(a) Disclose matters that are (1) specifically authorized under criteria established by an Executive order to be kept secret in the interests of national defense or foreign policy and (2) in fact properly classified pursuant to such Executive order;

(b) Relate solely to the internal personnel rules and practices of an agency;

(c) Disclose matters specifically exempted from disclosure by any statute other than 5 U.S.C. § 552 (FOIA), provided that such statute (1) requires that the matters be withheld from the public in such a manner as to leave no discretion on the issue, or (2) establishes particular criteria for withholding or refers to particular types of matters to be withheld;

(d) Disclose trade secrets and commercial or financial information obtained from a person and privileged or confidential;

(e) Involve accusing any person of a crime, or formally censuring any person;

(f) Disclose information of a personal nature where disclosure would constitute a clearly unwarranted invasion of personal privacy;

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

(h) Disclose information contained in or related to examination, operating, or condition reports prepared by, on behalf of, or for the use of an agency responsible for the regulation or supervision of financial institutions;

(i) Disclose information the premature disclosure of which would be likely to significantly frustrate implementation of a proposed agency action, unless the agency has already disclosed to the public the content or nature of its proposed action, or where the agency is required by law to make such disclosure on its own initiative prior to taking final agency action on such proposal; or

(j) Specifically concern the agency's issuance of a subpena, or the agency's participation in a civil action or proceeding, an action in a foreign court or international tribunal, or an arbitration, or the initiation, conduct, or disposition by the agency of a particular case of formal agency adjudication pursuant to the procedures in 5 U.S.C. 554 or otherwise involving a determination on the record after opportunity for a hearing.

§ 503.80 Procedures for withholding information pertaining to a meeting.

(a) Any member of the agency, the Managing Director, or the General Counsel of the agency may request that information pertaining to a portion or portions of a meeting or to a portion or portions of a series of meetings be withheld from public disclosure for any of the reasons set forth in § 503.79 of this subpart by submitting such request in writing to the Secretary of the agency not later than two (2) weeks prior to the commencement of the meeting or the commencement of the first meeting in a series of meetings.

(b) Upon receipt by him of any request made under paragraph (a) of this section, the Secretary of the agency shall schedule a time at which the members of the agency shall vote upon the request which vote shall take place not later than eight (8) days prior to the scheduled meeting of the agency.

(c) At the time scheduled by the Secretary in paragraph (b) of this section, the Members of the agency, upon consideration of the request submitted under paragraph (a) of this section shall vote upon that request.

(d) In the case of a vote on a request under this section to withhold from public disclosure information pertaining to a portion or portions of a meeting, no such information shall be withheld from public disclosure unless a majority of the entire membership of the agency shall vote to withhold such information by recorded vote.

(e) In the case of a vote on a request under this section to withhold information pertaining to a portion or portions of a series of meetings, no such information shall be withheld unless a majority of the entire membership of the agency shall vote to withhold such information. A determination to withhold information pertaining to a portion or portions of a series of meetings from public disclosure may be accomplished by a single vote, provided that the vote of each member of the agency shall be recorded and the vote shall be cast by each member and not by proxy vote.

§ 503.81 Effect of vote to withhold information pertaining to meetings.

(a) Where the agency votes as provided in § 503.80 of this Subpart to withhold from public disclosure information pertaining to a portion or portions of a meeting or portion or portions of a series of meetings, such information shall be excepted from the requirements of §§ 503.78, 503.82 and 503.83 of this subpart.

(b) Where the agency votes as provided in § 503.80 of this Subpart to permit public disclosure of information pertaining to a portion or portions of a meeting or portion or portions of a series of meetings, such information shall be disclosed to the public as required by §§ 503.78, 503.82 and 503.83 of this subpart.

(c) Not later than the day following the day on which a vote is taken under § 503.80 of this subpart, by which the information pertaining to a meeting is determined to be disclosed, the Secretary shall make available to the public at his offices a written copy of such vote reflecting the vote of each member of the agency on the question.

§ 503.82 Public announcement of agency meetings.

(a) Except as provided in §§ 503.80 and 503.81 of this subpart regarding a determination to withhold from public disclosure any information pertaining to a portion or portions of a meeting or portion or portions of a series of meetings, or as otherwise provided in paragraph (c) of this section, the Secretary of the agency shall make public announcement of each meeting of the agency.

(b) Public announcement of each meeting of the agency shall be accomplished not later than one week prior to commencement of a meeting or the commencement of the first meeting in a series of meetings, except as otherwise provided in this section, and shall disclose:

(1) The time of the meeting;

(2) The place of the meeting;

(3) The subject matter of each portion of each meeting or series of meetings;

(4) Whether any portion or portions of a meeting or portion or portions of any series of meetings shall be open or closed to public observation; and

(5) The name and telephone number of the Secretary of the agency who shall respond to requests for information about a meeting.

(c) The announcement described in paragraphs (a) and (b) of this section may be accomplished less than one week prior to the commencement of any meeting or series of meetings provided the agency determines by recorded vote that the agency business requires that any such meeting or series of meetings be held at an earlier date. In the event of such a determination by the agency,

public announcement as described in (b) of this section shall be accomplished at the earliest practicable time.

(d) Immediately following any public announcement accomplished under the provisions of this section, the Secretary of the agency shall submit a notice for publication in the FEDERAL REGISTER disclosing:

(1) The time of the meeting;

(2) The place of the meeting;

(3) The subject matter of each portion of each meeting or series of meetings;

(4) Whether any portion or portions of any meeting or any portion or portions of any series of meetings is open or closed to public observation; and

(5) The name and telephone number of the Secretary of the agency who shall respond to requests for information about any meeting.

§ 503.83 Public announcement of changes in meetings.

(a) Except as provided in §§ 503.80 and 503.81, under the provisions of paragraphs (b) and (c) of this section, the time or place of a meeting or series of meetings may be changed by the agency following accomplishment of the announcement and notice required by section 503.82 provided. the Secretary of the agency shall publicly announce such change at the earliest practicable time.

(b) The subject matter of a portion or portions of a meeting or a portion or portions of a series of meetings, the time and place of such meeting, and the determination that the portion or portions of a meeting or portion or portions of a series of meetings shall be open or closed to public observation may be changed following accomplishment at the announcement required by § 503.82, provided:

(1) The agency, by recorded vote of the majority of the entire membership of the agency, determines that agency business so requires and that no earlier announcement of the change was possible; and

(2) The secretary of the agency publicly announces, at the earliest practicable time, the change made and the vote of each member upon such change.

(c) Immediately following any public announcement of any change accomplished under the provisions of this section, the Secretary of the agency shall submit a notice for publication in the FEDERAL REGISTER disclosing:

(1) The time of the meeting;

(2) The place of the meeting;

(3) The subject matter of each portion of each meeting or series of meetings;

(4) Whether any portion or portions of any meeting or any portion or portions of any series of meetings is open or closed to public observation;

(5) Any change in (1), (2), (3), or (4) of this paragraph; and

(6) The name and telephone number of the Secretary of the agency who shall respond to requests for information about any meeting.

§ 503.84 [Reserved]

§ 503.85 Agency recordkeeping requirements.

(a) In the case of any portion or portions of a meeting or portion or portions of a series of meetings determined by the agency to be closed to public observation under the provisions of this subpart, the following records shall be maintained by the Secretary of the agency:

(1) The certification of the General Counsel of the agency required by § 503.77 of this subpart;

(2) A statement from the presiding officer of the portion or portions of the meeting or portion or portions of the series of meetings setting forth the time and place of the portion or portions of the meeting or portion or portions of the series of meetings, the persons present at those times; and

(3) Except as provided in paragraph (b) of this section, a complete transcript or electronic recording fully recording the proceedings at each portion of each meeting closed to public observation.

(b) In case the agency determines to close to public observation any portion or portions of any meeting or portion or portions of any series of meetings because public observation of such portion or portions of any meeting is likely to specifically concern the agency's issuance of a subpena, or the agency's participation in a civil action or proceeding, an action in a foreign court or international tribunal, or an arbitration, or the initiation, conduct, or disposition by the agency of a particular case of formal agency adjudication pursuant to the procedures in 5 U.S.C. 554 or otherwise involving a determination on the record after opportunity for a hearing, the agency may maintain a set of minutes in lieu of the transcript or recording described in paragraph (a)(3) of this section. Such minutes shall contain:

(1) A full and clear description of all matters discussed in the closed portion of any meeting;

(2) A full and accurate summary of any action taken on any matter discussed in the closed portion of any meeting and the reasons therefor;

(3) A description of each of the views expressed on any matter upon which action was taken as described in subparagraph (2) of this paragraph;

(4) The record of any roll call vote which shall show the vote of each member on the question; and

(5) An identification of all documents considered in connection with any action taken on a matter described in subparagraph (1) of this paragraph.

(c) All records maintained by the agency as described in this section shall be held by the agency for a period of not less than two (2) years following any meeting or not less than one (1) year following the conclusion of any agency proceeding with respect to which that meeting or portion of a meeting was held.

§ 503.86 Public access to records.

(a) All records required to be maintained by the agency under the provisions of § 503.85 of this subpart promptly shall be made available to the public by the Secretary of the agency, except for any item of discussion or testimony of any witnesses which the agency determines to contain information which may be withheld from public disclosure because its disclosure is likely to:

(1) Disclose matters that are (A) specifically authorized under criteria established by an Executive order to be kept secret in the interests of national defense or foreign policy and (B) in fact properly classified pursuant to such Executive order;

(2) Relate solely to the internal personnel rules and practices of an agency;

(3) Disclose matters specifically exempted from disclosure by any statute other than 5 U.S.C. § 552 (FOIA), provided that such statute (A) requires that the matters be withheld from the public in such a manner as to leave no discretion on the issue, or (B) establishes particular criteria for withholding or refers to particular types of matters to be withheld;

(4) Disclose trade secrets and commercial or financial information obtained from a person and privileged or confidential;

(5) Involve accusing any person of a crime, or formally censuring any person;

(6) Disclose information of a personal nature where disclosure would constitute a clearly unwarranted invasion of personal privacy;

(7) Disclose investigatory records compiled for law enforcement purposes, or information which if written would be contained in such records, but only to the extent that the production of such records or information would (A) Interfere with enforcement proceedings, (B) Deprive a person of a right to a fair trial or an impartial adjudication, (C) Constitute an unwarranted invasion of personal privacy, (D) Disclose the identity of a confidential source and, in the case of a record compiled by a criminal law enforcement authority in the course of a criminal investigation, or by an agency conducting a lawful national security intelligence investigation, confidential information furnished only by the confidential source, (E) Disclose investigative techniques and procedures, or (F) Endanger the life or physical safety of law enforcement personnel;

(8) Disclose information contained in or related to examination, operating, or condition reports prepared by, on behalf of, or for the use of an agency responsible for the regulation or supervision of financial institutions;

(9) Disclose information the premature disclosure of which would be likely to significantly frustrate implementation of a proposed agency action, unless the agency has already disclosed to the public the content or nature of its proposed action, or where the agency is required by law to make such disclosure on its own initiative prior to taking final agency action on such proposal; or

(10) Specifically concern the agency's issuance of a subpena, or the agency's

participation in a civil action or proceeding, an action in a foreign court or international tribunal, or an arbitration, or the initiation, conduct, or disposition by the agency of a particular case of formal agency adjudication pursuant to the procedures in 5 U.S.C. 554 or otherwise involving a determination on the record after opportunity for a hearing.

(b) Requests for access to the records described in this Subpart shall be made in accordance with procedures described in Subpart D of this Part.

(c) Records disclosed to the public under this section shall be furnished at the expense of the party requesting such access at the actual cost of duplication or transcription.

§ 503.87 Effect of provisions of this subpart on any other subpart.

(a) Nothing in this Subpart shall limit or expand the ability of any person to seek access to agency records under subpart D of this Part except that the exceptions of § 503.79 shall govern requests to copy or inspect the records required to be kept under this subpart.

(b) Nothing in this subpart shall permit the withholding from any individual to whom a record pertains any record required by this subpart to be maintained by the agency which record is otherwise available to such an individual under the provisions of Subpart G of this Part.

Therefore, it is ordered, That interested persons may participate in this rulemaking proceeding by filing with the Secretary, Federal Maritime Commission, Washington, D.C. 20573, on or before January 17, 1977, an original and 15 copies of their views or arguments pertaining to the proposed regulations. All suggestions for changes in the text as set out above should be accompanied by drafts of the language thought necessary to accomplish the desired change and by statements and arguments in support thereof.

By order of the Federal Maritime Commission.

FRANCIS C. HURNEY,
Secretary.

[FR Doc.76-37066 Filed 12-16-76;8:45 am]

DEPARTMENT OF THE INTERIOR

Bureau of Indian Affairs

[25 CFR Part 233]

SAN CARLOS INDIAN IRRIGATION PROJECT, ARIZONA

Proposed Revision of Regulations and Rates

DECEMBER 15, 1976.

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

Notice is hereby given that it is proposed to revise §§ 233.5, 233.6, 233.7, 233.9, 233.10, 233.12, 233.16, 233.17, 233.20, 233.21, 233.25, 233.26, 233.51, 233.52, and 233.53 of Part 233, Subchapter U, Chapter I, of Title 25 of the Code of Federal Regulations. This revision is proposed pursuant to the authority contained in 5 U.S.C. 301 (1970 ed.), section 5 of the Act of June 7, 1924 (43 Stat. 475, 476), and the Act of March 7, 1928 (45 Stat. 200, 210-211).

Below is a brief description of the reason for each of the subject changes.

In the table of contents, § 233.12 is changed from "Multiple meter installations" to "Metering" to reflect changes in the paragraph.

In § 233.5; a provision is added for increasing the amount of deposit should it be necessary to insure payment of the account, and also to make the "year in advance" requirement at the option of the Project.

In § 233.6; the determination of extension length constructed at Project expense is simplified and the reference to urban and rural is eliminated. Also the wording is revised so that the extension policy can be applied to underground.

In § 233.7; a line is added which was inadvertently left out of the last publication.

In § 233.9; the voltage designation is changed to conform with the National Electrical Code.

In § 233.10; the maximum height that a meter may be installed is lowered to accommodate our meter readers.

In § 233.12; the paragraph on "Multiple meter installation" is replaced wih a multi-part paragraph on metering. Except for sub-paragraph (e) the paragraph is identical to paragraph 232.10 which is used by the Flathead Irrigation Project. Sub-paragraph (e) is replaced with a reference to American National Standards Institute (ANSI) which has established standards for metering.

In § 233.16; a sentence is added limiting the size of meter which may be considered for "across the line starting" for clarification to our customers.

In § 233.17; a sentence is added to allow the Project to discontinue service for failure of the consumer to comply with the provisions of this part. This is necessary to provide the Project with enforcement powers.

In § 233.20; the service establishment fee is increased from $7.50 to $10.00 to cover increased Project costs.

In § 233.21; the word "reconnection" is changed to "collection" to allow the Project to recover costs of going into the field to collect delinquent accounts. Also the charge is increased from $10.00 to $12.50 to cover increased Project costs.

In § 233.25; the last half of the paragraph which required reporting to the Commissioner any temporary relaxation of any of these regulations in a hardship case is deleted. This provision added to the difficulty of administering these regulations.

In § 233.25; a sub-paragraph is added to require the customer to try to determine if a power failure is his own problem. This usually will restore the customer's service sooner and will save the Project the expense of sending a repairman out to tell a customer to hire an electrician.

In § 233.51(d) and § 233.52(g); the term "fuel adjustment" is changed to "purchased power adjustment". Since the Project's power suppliers are allowed to adjust the rates paid by the Project considering factors other than fuel costs (labor, material, etc.), the provision allows the Project to pass these adjustments on to its customers.

The purpose of revising § 233.53 and the remaining parts of §§ 233.51 and 233.52 is to provide additional power revenue to meet the incost of purchased power and to meet the increased cost of operating and maintaining the power system of the San Carlos Indian Irrigation Project, Arizona. It is proposed to accomplish this by increasing the rates to all customers.

It is the policy of the Department of the Interior, whenever practicable, to afford the public an opportunity to participate in the rule making process. Accordingly, interested persons may submit written comments, suggestions, or objections with respect to the proposed amendment to the Commissioner of Indian Affairs, Washington, D.C. 20245, on or before January 17, 1977.

PART 233—SAN CARLOS INDIAN PROJECT, ARIZONA

It is proposed to amend Part 233, Subchapter U, Chapter I of Title 25 of the Code of Federal Regulations as follows:

1. By revising the table of contents to read as follows:

Sec.
233.1 Effective date; changes.
233.2 Authority of Project Engineer.
233.3 Disputes.
233.4 Applications; contracts.
233.5 Deposits.
233.6 Extensions.
233.7 Installation or extension financed by consumer.
233.8 Temporary service.
233.9 Type of service.
233.10 Service connections.
233.11 Connection methods.
233.12 Metering.
233.13 Consumer responsibility.
233.14 Change of equipment.
233.15 Apparatus detrimental to service.
233.16 Motor starting equipment.
233.17 Service discontinued.
233.18 Bills for service.
233.19 Special bills.
233.20 Connect, reconnect, and accounting charges.
233.21 Delinquent bills.
233.22 Discontinuance by consumer.
233.23 Fraud; Tampering.
233.24 Compensation of employees.
233.25 Hardship cases.
233.26 Interruptions to service.
233.27 Contingent upon appropriations.
233.51 Rate Schedule No. 1—Residential Rate.
233.52 Rate Schedule No. 2—General Rate.
233.53 Rate Schedule No. 3—Street and Area Lighting.

AUTHORITY: The provisions of this Part 233 issued under Sec. 5, 43 Stat. 476, 45 Stat. 210, 211; U.S.C. 301.

SOURCE: The provisions of this Part 233 appear at 22 FR 10667, December 24, 1927, unless otherwise noted.

2. By revising § 233.5 to read as follows:

§ 233.5 Deposits.

A cash deposit in an amount equal to twice the estimated monthly bill, but in no case less than $30.00 will be required from each applicant. The Project Engineer may require an additional deposit should it become apparent that the estimated amount is insufficient to cover two months bills. Any cash deposit, less the amount of any unpaid bills, shall be refunded after the termination of service. Before extensions are constructed each applicant may be required to deposit an amount sufficient to cover his portion of the required minimum charges for a period of not less than one year, and must otherwise establish his credit and satisfy the Project Engineer of his intention to take service and his ability to meet the guarantee.

3. By revising § 233.6 to read as follows:

§ 233.6 Extensions.

(a) The length of an extension constructed at the expense of the Project shall not exceed 500 feet.

(b) The length of an extension shall include the horizontal length of the primary and secondary circuits and the service drop. Insofar as practicable, all extensions shall be constructed along established highways. The prospective consumer, or consumers, shall furnish or procure satisfactory rights-of-way necessary for the lines and other facilities of the Project incidental to the furnishing of service. The Project Engineer may decline to construct any extension which, in his opinion, will be excessive in cost, or detrimental to the best interest of the Project, or for which funds are not available.

4. By revising § 233.7 to read as follows:

§ 233.7 Installation or extension financed by consumer.

If funds, material or labor are not otherwise available for an installation or extension, or if an extension to a prospective consumer will require new construction beyond the distance specified in § 233.6, the consumer or prospective consumer may, after executing an appropriate contract satisfactory to the Project Engineer, construct the needed installation or extension, or deposit funds estimated to be sufficient to pay for he construction. Such installations or extensions shall be built in accordance with suitable plans and specifications approved by the Project Engineer. All extensions when constructed shall be and remain the property of the United States.

5. By revising § 233.9 to read as follows:

§ 233.9 Type of service.

Service for lights and the usual domestic and other appliances, including motors and less than seven and one-half horsepower shall be single phase, nominally 120/240 volts, three wire, except when special approval for another type of service has been obtained from the Project Engineer. Three-phase service at suitable voltage may be furnished for motor installations of seven and one-half horsepower and over, provided a three-phase circuit of the required voltage and capacity is available where the service is desired. All service will be sixty cycle.

6. By revising § 233.10 to read as follows:

§ 233.10 Service connections.

On each new service the consumer shall provide and maintain a service entrance at a location convenient to the lines of the Project, and all connections from the service entrance to the meter base and from the meter base to the main line circuit breaker or distribution center. The meter will be furnished by the United States. The meter socket will be furnished and installed by the consumer and in a suitable location preferably on the outside of the building, or service pole, where the meter will be accessible to the meter reader at all times. Except for underground service installations, the meter socket shall not be more than 6 feet nor less than 5 feet above the ground or floor. For underground service installations, the meter shall be mounted a minmum of 3 feet above the ground or floor. The entire service installation must be satisfactory to the Project Engineer and must conform to the provisions then in force of the National Electrical Code of the National Board of Fire Underwriters for Electric Wiring and Apparatus. When alternations of a consumer's premises make it necessary to move an existing meter loop, the consumer may be required to install a meter socket in the new loop, located in conformity with the stipulations of this section. When an inspection is required by municipal ordinance, the Project Engineer shall require a certificate of inspection and approval by the municpal inspector before connecting a new service.

7. By revising § 233.12 to read as follows:

§ 233.12 Metering.

(a) The Project shall furnish the meter, and the customer shall provide and maintain free of expense to the Project an unobstructed location satisfactory to the Project in accordance with § 233.11 above. In the case of new installations in multiple-occupancy buildings such as apartment houses in connection with which more than one meter in a building is required, the meters shall be assembled at one central location, or in such other areas and with such other arrangements as may be approved by the Project Engineer. Each meter shall be clearly marked so as to make it possible to identify the consumer.

(b) Customer's responsibility. The customer shall exercise reasonable care in protecting the Project's meter and other Project-owned equipment located on his premises. Only Project employees or agents, or persons authorized by law are permitted to inspect or handle same.

(c) Final connection. Final conection of the meter shall in all cases be made by the Project.

(d) Meters sealed. All meters shall be sealed by the Project. The breaking of a seal by unauthorized persons or tampering with a meter or meter wiring is prohibited by law and is subject to summarily discontinuance of service.

(e) Regularly scheduled meter tests shall be in accordance with the American National Standards Institute (ANSI) Code for electricity metering.

(f) Special meter tests. On request of a customer, the Project shall, within 10 days after receipt of such request, make special meter tests. The customer shall bear the cost of such tests, including meter removal and replacement when the meter is found to be within the limits of acceptable accuracy as defined in section (h). In all other cases the Project will bear the cost of the test.

(g) Replacement of meter. Whenever a customer requests the replacement of the service meter because of accuracy, such request shall be treated as a request for a test of such meter and, as such, shall fall under the provision of special meter tests.

(h) Standard of meter accuracy. The Project shall not place in service or knowingly allow to remain in service without adjustment any meter that has known error in registration of more than plus or minus two percent at light or at full load and unity power factor, or more than plus or minus three percent at full load and fifty percent power factor.

(i) Adjustment for inaccurate meter registration. Whenever a tested meter in service is found to be fast or slow beyond the limit of accepted accuracy as defined, the Project shall make an adjustment, based on the corrected registration for the period in which the meter was registering incorrectly, if such period is known, and if not known for a period of not exceeding six months, but in no event for a period longer than the present customer's occupancy. Whenever any bill or bills have been adjusted or corrected as provided above and whenever such adjustment amounts to $1.00 or more. The Project shall credit to the customer any amount found to have been collected in excess of the proper amount, or the Project may require the customer to pay any additional amount due, as the case may be.

(j) Incorrect meter installation. Whenever any customer shall have been over-charged or under-charged as a result of incorrect installation of a meter or the use of an incorrect meter multiplier in billing the account, the amount of the over-charge shall be adjusted and credited to the customer if in excess of $1.00 or the amount of the under-charge may be adjusted and billed to the customer if in excess of $5.00, provided that in no event shall such period of adjustment exceed the length of time the service has been supplied to the customer through the incorrect metering installation at the present location.

(k) Non-registering meter. When a meter fails to register for any period, for reasons beyond the reasonable con-

trol of the Project, the Project may estimate the charge for service during such period, such estimate to be based on the best available data.

8. By revising § 233.16 to read as follows:

§ 233.16 Motor starting equipment.

Motors having a rated capacity of three horsepower or more shall be provided with such starting and overload equipment as may be required by the Project Engineer. In no case will the Project Engineer approve "across the line starting" of motors larger than 150 horsepower.

9. By revising § 233.17 to read as follows:

§ 233.17 Service discontinued.

The Project Engineer may discontinue electric service to any consumer who shall continue to use appliances or apparatus detrimental to the Electric Power System after he has been notified to correct the condition and has failed to do so within a reasonable time. The Project Engineer may also discontinue service for failure of the consumer to comply with any of the provisions of this part.

10. By revising § 233.20 to read as follows:

§ 233.20 Connect, reconnect and accounting charges.

A non-refundable service establishment fee of $10.00 will be charged each time the Project is requested to establish or re-establish electric service to the customer's delivery point. The charge will be included in and rendered with the first month's bill for electricity after connection or reconnection service. An accounting charge of $5.00 will be made when a check is returned unpaid by a bank because of insufficient funds or other reasons. This charge will be in addition to any other applicable charges and will appear on the next month's bill for electricity.

11. By revising § 233.21 to read as follows:

§ 233.21 Delinquent bills.

Bills for electric service will be delinquent if not paid on or before the tenth day following the date of issue of a bill showing arrears. When such delinquency occurs, the Project Engineer shall discontinue service and service shall not be restored until the consumer has paid all bills then due plus a collection charge of $12.50 and has made the deposit required under § 233.5. (Discontinuance of service for delinquency shall not relieve the consumer of liability for minimum monthly payments guaranteed by him under his contract.)

12. By revising § 233.25 to read as follows:

§ 233.25 Hardship cases.

The Project Engineer may relax temporarily strict enforcement of a regulation when in his judgment such enforcement would work undue hardship upon a consumer.

13. By revising § 233.26 to read as follows:

§ 233.26 Interruptions to service.

(a) The United States will furnish energy continuously so far as reasonable diligence will permit. But the United States, its officers, agents or employees, assume no liability for damage due to interruptions of service to the consumer.

(b) If the customer's service fails, he shall endeavor to determine if he has blown fuses, tripped breaker, or his equipment is at fault before calling the Project. The customer may be charged the cost of the service call if the trouble is found to be caused by his equipment or actions.

14. By revising § 233.51 to read as follows:

§ 233.51 Rate Schedule No. 1—Residential Rate.

(a) Application of schedule. This schedule is applicable to single-phase or three-phase service for residences and small non-commercial users. Unless specifically permitted by the contract, use must be limited to the consumer's own premises and power supplied must not be resold. If more than one meter is required by the customer's installation or for the customer's convenience, bills will be independently calculated for each meter.

(b) Monthly rate.

(1) $5.50, which includes the use of 50 kilowatt hours.

(2) 6.1 cents per kilowatt hour for the next 100 kilowatt hours.

(3) 3.7 cents per kilowatt hour for the next 350 kilowatt hours.

(4) 1.8 cents per kilowatt hour for all additional kilowatt hours.

(c) Minimum bill. The minimum bill shall be $5.50 per month except when a higher minimum bill is stipulated in the contract.

(d) Purchased power adjustment. An adjustment shall be added to each KWH chased power adjustment (rounded to used equal to the estimated average purthe nearest $.0001) paid by the Project to the Project's power suppliers.

15. By revising § 233.52 to read as follows:

§ 233.52 Rate Schedule No. 2—General Rate.

(a) This schedule is applicable to single-phase or three-phase electric service for all purposes except residences and small non-commercial users. Unless specifically permitted by the contract, use must be limited to the consumer's premises and the power supplied must not be resold. If more than one meter is required by the customer's installation, or for the customer's convenience, bills will be independently calculated for each meter.

(b) Monthly rate.

(1) First 50 kilowatt hours, five dollars and fifty cents.

(2) 6.1 cents per kilowatt hour for the next 350 kilowatt hours.

(3) 3.7 cents per kilowatt hour for the next 600 kilowatt hours.

(4) 2.0 cents per kilowatt hour for the next 9000 kilowatt hours.

(5) When use is 10,000 kilowatt hours or more: First 10,000 kilowatt hours $229.05.

(6) Additional kilowatt hours at 2.0 cents per kilowatt hour, less a credit of 0.4 cents per kilowatt hour for each kilowatt hour above 200 times the billing demand (50 KW min.).

(c) Minimum bill. The minimum bill shall be $1.00 per month per kilowatt of billing demand, except where the customer's requirements are of a distinctly recurring seasonal nature. Then the minimum monthly bill shall not be more than an amount sufficient to make the total charges for the twelve (12) months ending with the current month, equal to twelve times the highest monthly minimum computed for the same twelve month period. However, no monthly billing shall be less than $5.50.

(d) Contract demand. Each contract for 50 KW or over shall state the number of kilowatts which the customer expects to require and desires to have reserved for his service. This quantity is called the contract demand.

(e) Actual demand. The actual demand for any month shall be the average amount of power used during the period of 15 consecutive minutes when such average is the greatest for the month as determined by suitable meters, or if meters are unavailable, the actual demand shall be connected load or such portion of the connected load as the Project Engineer may determine to be appropriate based on available information as to the customer's use of connected lights, appliances, and equipment, or from check metering.

(f) Billing demand. The billing demand for a month shall be the contract demand or the actual demand for the month, whichever is greater.

(g) Purchased power adjustment. An adjustment shall be added to each KWH used equal to the estimated average purchased power adjustment (rounded to the nearest $.0001) paid by the Project to the Project's power suppliers.

16. By revising § 233.53 to read as follows:

§ 233.53 Rate Schedule No. 3—Street and Area Lighting.

(a) Application. This rate schedule applies to service for yard lighting, lighting streets, alleys, thoroughfares, parks, schoolyards, industrial areas, parking lots, and similar area where dusk-to-dawn service is desired. The Project will own and operate the lighting system and provide normal lamp replacements. Other maintenance shall be at customer's expense.

(b) Monthly rate. (1) Lamps:

	Each		
	1	2 to 5	5 or more
200 W or less, incandescent (2,800 lm or less)	3.70	3.70	3.70
175 W mercury vapor (approximately 6,500 lm)	6.10	5.50	4.90
250 W mercury vapor (approximately 10,000 lm)	7.40	6.80	6.10
400 W mercury vapor (approximately 18,000 lm)	9.80	8.60	7.40

The minimum term of a service contract will be 12 months, payable in advance. The advance payment may be waived in special cases by the Project Engineer. Installation charges, the cost of wood poles or special steel, aluminum, or other supports, special fixtures, and the cost of underground service, will be charged as determined by the Project Engineer.

BEN REIFEL,
Commissioner of Indian Affairs.

[FR Doc. 76-37222 Filed 12-16-76;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 AGRICULTURE

Food and Nutrition Service

ADVISORY COMMITTEE ON NUTRITION EVALUATION

Meeting

Pursuant to the Federal Advisory Committee Act (Pub. L. 92-463), announcement is made of the following Committee meeting:

Name: Advisory Committee on Nutrition Evaluation.

Date and Time: January 17-18, 1977; 8:30 a.m.

Place: Holiday Inn, 480 King Street, Alexandria, Virginia 22314.

Purpose of meeting: At this third meeting of the Committee, the members will conclude their deliberations on how to evaluate the health benefits of the WIC Program and consider the report to be submitted to the Secretary of Agriculture.

Proposed agenda: The agenda will cover a review of various alternative evaluations, specifically in relation to: the design, the methodology to be used, and the implications and limitations of each. All aspects of the final report will be discussed, including the Committee's recommendation to the Secretary as to how the health benefits of WIC may best be evaluated and assessed in the future.

This meeting will be open to the public.

Person wishing to attend the meeting as observers, or wishing to submit written comments, should write Deborah McIntosh, Recording Secretary, Advisory Committee on Nutrition Evaluation, Special Supplemental Food Division, Food and Nutrition Service, U.S. Department of Agriculture, Washington, D.C. 20250, telephone (202) 447-8421.

Dated: December 14, 1976.

RICHARD L. FELTNER,
Assistant Secretary.

[FR Doc.76-37305 Filed 12-16-76;8:45 am]

Rural Electrification Administration

NORTHERN MICHIGAN ELECTRIC COOPERATIVE AND WOLVERINE ELECTRIC COOPERATIVE

Final Environmental Impact Statement

Notice is hereby given that the Rural Electrification Aministration (REA) has adopted the Final Environmental Statement prepared by the Atomic Energy Commission (AEC) (presently the Nuclear Regulatory Commission), for the Enrico Fermi Atomic Power Plant, Unit No. 2 under construction in Monroe County, Michigan. The adoption of AEC's statement together with independent determinations made by REA and additional commitments receive by REA from the Detroit Edison Company concerning the transmission facilities being constructed in connection with this plant, constitute REA's Final Environmental Impact Statement. This action on the part of REA is in accordance with section 102(2)(C) of the National Environmental Policy Act and is in connection with the review of anticipated applications for loan guarantee commitments from the Northern Michigan Electric Cooperative, Inc., 1050 East Division Street, Boyne City, Michigan 49712 and the Wolverine Electric Cooperative, Inc., 302 South Warren Avenue, Big Rapids, Michigan 49307. The anticipated applications are for the financing of a combined 20 percent ownership interest by these two cooperatives in the Enrico Fermi Unit No. 2.

Additional information may be secured on request, submitted to Mr. Richard F. Richter, Assistant Administrator—Electric, Rural Electrification Administration, U.S. Department of Agriculture, Washington, D.C. 20250. Final Environmental Impact Statement may be examined during regular business hours at the offices of REA in the South Agriculture Building, 12th Street and Independence Avenue, SW Washington, D.C., Room 4310, or at the borrower address indicated above.

Final REA action with respect to this matter (including any release of funds) may be taken after thirty (30) days, but only after REA has reached satisfactory conclusions with respect to its environmental effects.

Dated at Washington, D.C., this 10 day of December, 1976.

DAVID A. HAMIL,
Administrator, Rural Electrification Administration.

[FR Doc.76-37083 Filed 12-16-76;8:45 am]

SOUTH MISSISSIPPI ELECTRIC POWER ASSOCIATION

Proposed Loan Guarantee

Under the authority of Pub. L. 93-32 (87 Stat. 65) and in conformance with applicable agency policies and procedures as set forth in REA Bulletin 20-22 (Guarantee of Loans for Bulk Power Supply Facilities), notice is hereby given that the Administrator of REA will consider providing a guarantee supported by the full faith and credit of the United States of America for a loan in the approximate amount of $44,562,000 to South Mississippi Electric Power Association, of Hattiesburg, Mississippi. These loan funds will be used to finance approximately $25,994,000 for the completion of two 280 MW coal fired generating units. Also loan funds in the approximate amount of $18,568,000 will be used to finance construction of coal preparation facilities to service fuel requirements for operation of the generating units.

Legally organized lending agencies capable of making, holding and servicing the loan proposed to be guaranteed may obtain information on the proposed project, including the engineering and economic feasibility studies and the proposed schedule for the advances to the borrower of the guaranteed loan funds from Mr. George B. Taylor, Manager, South Mississippi Electric Power Association, P.O. Box 1589, Hattiesburg, Mississippi 39401.

In order to be considered, proposals must be submitted (within 30 days from the date of this notice) to Mr. Taylor. The right is reserved to give such consideration and make such evaluation or other disposition of all proposals received, as South Mississippi Electric Power Association and REA deem appropriate. Prospective lenders are advised that the guaranteed financing for this project is available from the Federal Financing Bank under a standing agreement with the Rural Electrification Administration.

Copies of REA Bulletin 20-22 are available from the Director, Information Services Division, Rural Electrification Administration, U.S. Department of Agriculture, Washington, D.C. 20250.

Dated at Washington, D.C., this 10th day of December, 1976.

DAVID A. HAMIL,
Administrator, Rural Electrification Administration.

[FR Doc.76-37084 Filed 12-16-76;8:45 am]

TRI-STATE GENERATION AND TRANSMISSION ASSOCIATION, INC.

Final Environmental Impact Statement

Notice is hereby given that the Rural Electrification Administration has prepared a Final Environmental Impact Statement in accordance with section 102(2)(C) of the National Environmental Policy Act of 1969, in connection with a loan application from Tri-State Generation and Transmission Association, Inc., 10520 Melody Drive, Northglenn, Colorado (Mailing address: P.O. Box 29198, Denver, Colorado 80229). The statement covers two 50 MW combustion turbine generating units to be installed at a 43 acre site in Kit Carson County, Colorado, and accessory facilities which include bus work for interconnection with the Burlington Substation presently under construction, fuel supply and fuel storage facilities, water storage reservoir, evaporative cooler blowdown storage reservoir and site peripheral irrigation system with associated pumps, and an office and parts warehouse building.

Additional information may be secured on request, submitted to Mr. Richard F. Richter, Assistant Administrator—Electric, Rural Electrification Administration, U.S. Department of Agriculture, Washington, D.C. 20250. The Final Environmental Impact Statement may be examined during regular business hours at the offices of REA in the South Agriculture Building, 12th Street and Independence Avenue, SW., Washington, D.C., Room 4310, or at the borrower address indicated above.

Final REA action with respect to this matter (including any release of funds) may be taken after thirty (30) days, but only after REA has reached satisfactory conclusions with respect to its environmental effects and after procedural requirements set forth in the National Environmental Policy Act of 1969 have been met.

Dated at Washington, D.C., this 10th day of December, 1976.

DAVID A. HAMIL,
Administrator, Rural Electrification Administration.

[FR Doc.76-37082 Filed 12-16-76:8:45 am]

Office of the Secretary

OFFICE OF THE GENERAL COUNSEL

Statement of Organization, Functions, Delegations of Authority, and Availability of Information

The Statement of Organization, Functions, Delegations of Authority, and Availability of Information, of the Office of the General Counsel, appearing in 41 FR 5333, February 5, 1976, as amended in 41 FR 32280, August 2, 1976, is further amended as follows:

1. In section 2, paragraph (a) is revised to read as follows:

(a) *Washington Office.* The Washington office of OGC is located in the South Building of the Department at 14th Street and Independence Avenue, SW., Washington, D.C. 20250.

2. In section 2, paragraph (b) is amended by deleting the words "Santurce, PR.", and inserting in lieu thereof the words "Hato Rey, PR.".

3. Section 3 is amended by deleting the words "central office" in the third sentence, and inserting in lieu thereof the words "Washington office", and by deleting the word "eight" in the fourth sentence and inserting in lieu thereof the word "seven".

4. A new section 4A is added to read as follows:

SEC. 4A. *Confidential Assistant to the General Counsel.* The Confidential Assistant to the General Counsel is responsible for all phases of administrative management for the Office of the General Counsel. In this capacity he represents the Office in its relationships with the Office of Personnel, Office of Operations and the Office of Management and Finance for the furnishing of management support including personnel, budget, fiscal, procurement, space management and property management. He also serves as staff assistant to the General Counsel in all matters set out in section 25 with the exception of subsections (a) and (j) thereof. He is responsible for providing administrative support for Field Offices as well as the Washington office.

5. In section 6, paragraph (c) is revised to read as follows:

(c) Coordinates review of proposed testimony by Departmental witnesses before Congressional committees; and

6. Section 15 is amended by inserting the words "the Federal Grain Inspection Service and" immediately before the words "the Agricultural Marketing Service" in the second sentence.

7. Section 17 is amended by revising the second sentence to read as follows:

* * * He exercises general supervision over the Food and Nutrition, Transportation, and PACA Division and the Foreign Agricultural and Commodity Stabilization Division.

8. Section 18 is revised to read as follows:

SEC. 18. *Director, Food and Nutrition, Transportation, and PACA Division.* The Director, Food and Nutrition, Transportation, and PACA Division, is under the general supervision of the Assistant General Counsel, Production Distribution and Assistance. He is responsible for the supervision and direction of the Food and Nutrition, Transportation, and PACA Division, which performs legal work arising from the activities of the Food and Nutrition Service, plus matters under the Perishable Agricultural Commodities Act and Produce Agency Act, and transportation activities under section 201 of the Agricultural Adjustment Act of 1938, and section 203(j) of the Agricultural Marketing Act of 1946.

9. Section 20 is revised to read as follows:

SEC. 20. *Regional Attorneys and Attorneys in Charge.* (a) Regional Attorneys are under the general supervision of the Deputy General Counsel. Each Regional Attorney to whom a Branch Office is assigned will exercise general supervision over that Branch Office. Regional Attorneys are responsible for the supervision and direction of their Regional Office, which provides counsel to and performs legal work referred by USDA offices located in the following geographical areas:

Regional office	USDA legal matters exclusive of Forest Service	Forest Service
Atlanta, Ga	Federal region 4	Forest Service region 8, except national forests and grasslands in Arkansas, Louisiana, Texas, and Puerto Rico.
Chicago, Ill	Federal region 5	Forest Service region 9.
Denver Colo	Federal region 8 plus FmHA in Nevada	Forest Service regions 1, 2, and 4.
Harrisburg, Pa	Federal regions 1, 2, and 3	National forest in Puerto Rico.
Portland, Oreg	Federal region 10	Forest Service regions 6 and 10.
San Francisco, Calif	Federal region 9 except FmHA in Nevada	Forest Service region 5.
Shawnee Mission, Kans.	Federal region 7	
Temple, Tex	Federal region 6	Forest Service region 3; national forests and grasslands in Arkansas, Louisiana, and Texas.

(b) Attorneys-in-Charge are under the general supervision of a Regional Attorney. Attorneys-in-Charge are responsible for the supervision and direction of their Branch Office, which provides counsel to and performs legal work referred by USDA offices located in the following geographical areas:

Branch office	USDA legal matters exclusive of Forest Service	Forest Service
Milwaukee, Wis	SCS work in Federal region 5	Forest Service region 9.
Missoula, Mont	State of Montana	Forest Service region 1.
Ogden, Utah	State of Utah plus FmHa in Nevada	Forest Service region 4.
Hato Rey, PR	Puerto Rico and Virgin Islands	National forest in Puerto Rico.
Albuquerque, N. Mex	State of New Mexico	Forest Service region 3.
Little Rock, Ark	State of Arkansas and Louisiana	National forests in Louisiana and Arkansas.
Stillwater, Okla	State of Oklahoma	

(c) Field offices may also be assigned responsibility for legal matters or specific cases which otherwise would be performed in Washington. Such assignments, except in unusual cases, will be in writing, and a copy will be sent to the Deputy General Counsel.

10. In section 22, paragraph (e) is amended by deleting the words "Central Office" and inserting in lieu thereof the words "Washington office".

11. In section 23, paragraph (b) (3) is revised to read as follows:

(3) Sign releases of claims of the United States against private persons for damage to or destruction of United States property in custody of the Department.

12. In section 23, paragraph (c) (3) is revised to read as follows:

(3) Sign releases of claims of the United States against private persons for damage to or destruction of United States property in custody of the Department.

13. In section 23, paragraph (c) (4) is amended by deleting the word "Department" and inserting in lieu thereof the words "United States".

14. Section 24 is revised to read as follows:

SEC. 24. *Redelegations of Authority.* Officers to whom delegations are made in this notice may redelegate their authority. They are encouraged to redelegate authority to approve and sign docu-

ments to experienced attorneys conversant with the assigned area of work. Officers retain continuing responsibility for the proper discharge of work delegated to them in this notice, and any redelegations by them do not relieve them of that responsibility.

15. Section 25 is revised to read as follows:

SEC. 25. *Reservations of Authority.* The following is reserved to the General Counsel to approve:

(a) Correspondence to be signed in the Secretary's Office;

(b) Promotions;

(c) Incentive awards;

(d) Travel, travel vouchers and advancement of travel funds for Deputy General Counsel, Assistant General Counsels and Division Directors;

(e) Travel for field attorneys outside the geographic areas assigned to their offices, which is not in connection with scheduled administrative hearings or litigation;

(f) Travel outside of continental U.S. which is not in connection with scheduled administrative hearings or litigation;

(g) Travel on an actual expense basis;

(h) Training;

(i) Personnel authorizations, assignments and reassignments;

(j) Recommending appeals of matters in litigation which are of significant importance;

(k) Leave without pay;

(l) Annual leave in excess of 30 days;

(m) Advance of sick or annual leave;

(n) Transfer of duty stations;

(o) Requests for furniture, equipment and supplies costing $500 or more.

Effective date: December 17, 1976.

Done at Washington, D.C., this 13th day of December 1976.

JAMES D. KEAST,
General Counsel.

[FR Doc.76-37056 Filed 12-16-76;8:45 am]

CIVIL AERONAUTICS BOARD

[Docket Nos. 29123, 27573; Agreement C.A.B. 26175, etc.; Order 76-11-122]

INTERNATIONAL AIR TRANSPORT ASSOCIATION

Order Regarding Currency Matters

Correction

In FR Doc. 76-35170, appearing at page 52506 in the issue for Tuesday, November 30, 1976, the following changes should be made:

In the first column on page 52507, the number at the end of the next to last line above the table should be "26235".

2. The number "26235" followed by a colon should appear above the sixth from last number in the first column of the table on page 52507.

[Docket 29123, Agreement C.A.B. 26210 R-1 through R-23, Agreement C.A.B. 26213 R-1 through R-20; Order 76-11-141]

INTERNATIONAL AIR TRANSPORT ASSOCIATION

Order Relating to Western Hemisphere Fares

Correction

In FR Doc. 76-35784, appearing at page 53365 in the issue for Monday, December 6, 1976, the seventh line of the second paragraph in the right hand column should read "$10 per diem thereafter. The fare would".

CIVIL SERVICE COMMISSION

DEPARTMENT OF LABOR

Grant of Authority To Make a Noncareer Executive Assignment

Under authority of section 9.20 of Civil Service Rule IX (5 CFR 9.20), the Civil Service Commission authorizes the Department of Labor to fill by noncareer executive assignment in the excepted service the position of Regional Director (Denver, Region VIII), Office of the Secretary.

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

[FR Doc.76-37093 Filed 12-16-76;8:45 am]

DEPARTMENT OF LABOR

Revocation of Authority To Make a Noncareer Executive Assignment

Under authority of section 9.20 of Civil Service Rule IX (5 CFR 9.20), the Civil Service Commission revokes the authority of the Department of Labor to fill by noncareer executive assignment in the excepted service the position of Chairman, Mountain Plains Federal Regional Council/Regional Director, Region VIII, Office of the Secretary.

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

[FR Doc.76-37092 Filed 12-16-76;8:45 am]

DEPARTMENT OF LABOR

Revocation of Authority To Make a Noncareer Executive Assignment

Under authority of section 9.20 of Civil Service Rule IX (5 CFR 9.20), the Civil Service Commission revokes the authority of the Department of Labor to fill by noncareer executive assignment in the excepted service the position of Deputy Assistant Secretary for National Programs.

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

[FR Doc.76-37094 Filed 12-16-76;8:45 am]

DEPARTMENT OF COMMERCE

Domestic and International Business Administration

CORNELL UNIVERSITY, ET AL.

Consolidated Decision On Applications for Duty-Free Entry of Scientific Articles

The following is a consolidated decision on applications for duty-free entry of scientific articles pursuant to section 6(c) of the Educational, Scientific, and Cultural Materials Importation Act of 1966 (Pub. L. 89-651, 80 Stat. 897) and the regulations issued thereunder as amended (15 CFR 301).

A copy of the record pertaining to each of the applications in this consolidated decision is available for public review during ordinary business hours of the Department of Commerce, at the Special Import Programs Division, Office of Import Programs, Department of Commerce, Washington, D.C. 20230.

Decision: Applications denied. Applicants have failed to establish that instruments or apparatus of equivalent scientific value to the foreign articles, for such purposes as the foreign articles are intended to be used, are not being manufactured in the United States.

Reasons: Subsection 301.8 of the Regulations provides in pertinent part:

> The applicant shall on or before the 20th day following the date of such notice, inform the Deputy Assistant Secretary whether it intends to resubmit another application for the same article for the same intended purposes to which the denied application relates. The applicant shall then resubmit the new application on or before the 90th day following the date of the notice of denial without prejudice to resubmission, unless an extension of time is granted by the Deputy Assistant Secretary in writing prior to the expiration of the 90 day period. * * * If the applicant fails, wihtin the applicable time periods spcified above, to either (a) inform the Deputy Asssitant Secretary whether it intends to resubmit another application for the same article to which the denial without prejudice to resubmission relates, or (b) resubmit the new application, the prior denial without prejudice to resubmission shall have the effect of a final decision by the Deputy Assistant Secretary on the application within the context of Subsection 301.11.

The meaning of the subsection is that should an applicant either fail to notify the Deputy Assistant Secretary of its intent to resubmit another application for the same article to which the denial without prejudice relates within the 20 day

period, or fails to resubmit a new application within the 90 day period, the prior denial without prejudice to resubmission will have the effect of a final denial of the application.

None of the applicants to which this consolidated decision relates has satisfied the requirements set forth above, therefore, the prior denials without prejudice have the effect of a final decision denying their respective applications.

Subsection 301.8 further provides:

* * * the Deputy Assistant Secretary shall transmit a summary of the prior denial without prejudice to resubmission, to the FEDERAL REGISTER for publication, to the Commissioner of Customs, and to the applicant.

Each of the prior denials without prejudice to resubmission to which this consolidated decision relates was based on the failure of the respective applicants to submit the required documentation, including a completely executed application form, in sufficient detail to allow the issue of "scientific equivalency" to be determined by the Deputy Assistant Secretary.

Docket Number: 75-00077-33-46070. Applicant: Cornell University, New York State Veterinary College, Pathology Department, Multicategorical Research Wing, Ithaca, New York 14850. Article: Scanning Electron Microscope, Model HHS-2R, and accessories. Date of denial without prejudice to resubmission: July 9, 1976.

Docket Number: 75-00239-33-46070. Applicant: St. Louis University Medical School, Department of Pathology, 1402 South Grand, St. Louis, Mo. 63104. Article: Scanning Electron Microscope, Model JSM-35U. Date of denial without prejudice to resubmission: July 9, 1976.

Docket Number: 76-00317. Applicant: IIT Research Institute, 10 West 35th Street, Chicago, Illinois 60616. Article: Mass Spectrometer MAT 311A. Date of denial without prejudice to resubmission: July 16, 1976.

Docket Number: 76-00321. Applicant: University of Vermont, Burlington, Vermont 05401. Article: Electron Microscope, Model EM 201C. Date of denial without prejudice to resubmission: July 14, 1976.

Docket Number: 76-00327. Applicant: Methodist Hospital of Indiana, Inc., 1604 North Capitol Avenue, Indianapolis, Indiana 46202. Article: Electron Microscope, Model EM 201C and attachments. Date of denial without prejudice to resubmission: July 9, 1976.

Docket Number: 76-00338. Applicant: University of California, Los Angeles, Center for the Health Sciences, Los Angeles, California 90024. Article: EMI Scanner Body System Model CT5005 (Prototype Design). Date of denial without prejudice to resubmission: July 9, 1976.

(Catalog of Federal Domestic Assistance Program No. 11.105, Importation of Duty-Free Educational and Scientific Materials.)

RICHARD M. SEPPA,
Director,
Special Import Programs Division.

[FR Doc.76-37098 Filed 12-16-76;8:45 am]

National Oceanic and Atmospheric Administration

MID-ATLANTIC FISHERY MANAGEMENT COUNCIL

Public Meeting

Notice is hereby given of a meeting of the Mid-Atlantic Regional Fishery Management Council established by section 302 of the Fishery Conservation and Management Act of 1976 (Pub. L. 94-265).

The Mid-Atlantic Regional Fishery Management Council will have authority, effective March 1, 1977, over fisheries within the fishery conservation zone adjacent to the States of New York, New Jersey, Delaware, Pennsylvania, Maryland, and Virginia. The Council will, among other things, prepare and submit to the Secretary of Commerce fishery management plans with respect to fisheries within its area of authority, prepare comments on applications for foreign fishing, and conduct public hearings.

This meeting of the Council will be held on January 12 and 13, 1977, from 10 a.m. to 5 p.m., and 9 a.m. to 3 p.m., respectively, at the Sheraton Beach Inn, 36th Street, Virginia Beach, Virginia.

PROPOSED AGENDA

1. Personnel matters.
2. Development of organizational and operational procedures, including content and format of the annual report.
3. Other management business.

This meeting is open to the public and there will be seating for approximately 30 public members available on a first-come, first-serve basis. Members of the public having an interest in specific items for discussion are also advised that agenda changes are at times made prior to the meeting. Interested members of the public should contact:

Mr. Donald G. Birkholz, National Marine Fisheries Service, National Oceanic and Atmospheric Administration, State Fish Pier, Gloucester, Massachusetts 01930,

on or about 10 days before the meeting to receive information on changes in the agenda, if any.

At the discretion of the Council, interested members of the public may be permitted to speak at times which will allow the orderly conduct of Council business. Interested members of the public who wish to provide written comments should do so by submitting them to Mr. Birkholz at the above address. To receive due consideration and facilitate inclusion of these comments in the record of the meeting, typewritten statements should be received within 10 days after the close of the Council meeting.

Dated: December 14, 1976.

WINFRED H. MEIBOHM,
Associate Director,
National Marine Fisheries Service.

[FR Doc.76-37095 Filed 12-16-76;8:45 am]

NEW ENGLAND FISHERY MANAGEMENT COUNCIL

Public Meeting

Notice is hereby given of a meeting of the New England Regional Fishery Management Council established by section 302 of the Fishery Conservation and Management Act of 1976 (Pub. L. 94-265).

The New England Regional Fishery Management Council will have authority, effective March 1, 1977, over fisheries within the fishery conservation zone adjacent to the States of Maine, New Hampshire, Massachusetts, Rhode Island, and Connecticut. The Council will, among other things, prepare and submit to the Secretary of Commerce fishery management plans with respect to fisheries within its area of authority, prepare comments on applications for foreign fishing, and conduct public hearings.

This meeting of the Council will be held on January 4 and 5, 1977, from 10 a.m. to 5 p.m., and 9 a.m. to 3 p.m., respectively, at the Holiday Inn, Junction of Rts. #1 & 128, Peabody, Massachusetts.

PROPOSED AGENDA

1. Fishery management plan development.
2. Advisory committee and panel formation.
3. Other management business.

This meeting is open to the public and there will be seating for approximately 30 public members available on a first-come, first-serve basis. Members of the public having an interest in specific items for discussion are also advised that agenda changes are at times made prior to the meeting. Interested members of the public should contact:

Mr. Donald G. Birkholz, National Marine Fisheries Service, National Oceanic and Atmospheric Administration, State Fish Pier, Gloucester, Massachusetts 01930,

on or about 10 days before the meeting to receive information on changes in the agenda, if any.

At the discretion of the Council, interested members of the public may be permitted to speak at times which will allow the orderly conduct of Council business. Interested members of the public who wish to provide written comments should do so by submitting them to Mr. Birkholz at the above address. To receive due consideration and facilitate inclusion of these comments in the record of the meeting, typewritten statements should be received within 10 days after the close of the Council meeting.

Dated: December 14, 1976.

WINFRED H. MEIBOHM,
Associate Director,
National Marine Fisheries Service.

[FR Doc.76-37096 Filed 12-16-76;8:45 am]

[Department Organization Order 10-3; Amdt 2]

ASSISTANT SECRETARY FOR DOMESTIC AND INTERNATIONAL BUSINESS

Delegation of Authority

This order effective November 17, 1976, further amends the material appearing at 41 FR 24202 of June 15, 1976, and 41 FR 28334 of July 9, 1976.

Department Organization Order 10-3, dated May 19, 1976, is hereby further amended as shown below. The purpose of this amendment is to delegate to the Assistant Secretary for Domestic and International Business certain authorities for energy activities conferred upon the Secretary under Executive Order 11912.

Section 5. Delegation of Authority. Subparagraph .01b. is revised to read, as follows:

b. The Defense Production Act of 1950, as amended (50 U.S.C. App. 2061 et seq.), conferred on the Secretary under: (1) 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 Order T-1 and T-2, except the authority to create new agencies within the Department of Commerce; and (2) Executive Order 11912, dated April 13, 1976.

JOSEPH F. KASPUTYS,
Assistant Secretary for Administration.

[FR Doc.76-37071 Filed 12-16-76;8:45 am]

COMMITTEE FOR PURCHASE FROM THE BLIND AND OTHER SEVERELY HANDICAPPPED

PROCUREMENT LIST 1977

Proposed Addition

Notice is hereby given pursuant to section 2(a)(2) of Pub. L. 92-28; 85 Stat. 77, of the proposed addition of the following commodity to Procurement List 1977, November 18, 1976 (41 FR 50975).

Class 7105

Mirror, Glass, 7105-00-260-1390.

If the Committee approves the proposed addition, all entities of the Government will be required to procure the above commodity from workshops for the blind or other severely handicapped.

Comments and views regarding the proposed addition may be filed with the Committee on or before January 17, 1977. Communications should be addressed to the Executive Director, Committee for Purchase from the Blind and Other Severely Handicapped, 2009 Fourteenth Street North, Suite 610, Arlington, Virginia 22201.

This notice is automatically cancelled six months from the date of this FEDERAL REGISTER.

By the Committee.

C. W. FLETCHER,
Executive Director.

[FR Doc.76-37103 Filed 12-16-76;8:45 am]

PROCUREMENT LIST 1977

Addition

Notice of proposed additions to Procurement List 1977, November 18, 1976 (41 FR 50975) of the service listed below was published in the FEDERAL REGISTER on October 22, 1976 (41 FR 46641).

After consideration of all the relevant data presented, the Committee has determined that the service listed below is suitable for procurement by the Government under Pub. L. 92-28, 85 Stat. 77. Accordingly, it is hereby added to the Procurement List.

SIC 0872

Grounds Maintenance (SH), Federal Aviation Administration, Palmdale, California.

Class 7510

Portfolio:

7510-00-584-2489
7510-00-584-2490
7510-00-584-2491
7510-00-584-2492

By the Committee.

C. W. FLETCHER,
Executive Director.

[FR Doc.76-37104 Filed 12-16-76;8:45 am]

CONSUMER PRODUCT SAFETY COMMISSION

PRIVACY ACT OF 1974

Systems of Records Amendment, Adoption of New Routine Uses

In the FEDERAL REGISTER of November 3, 1976 (41 FR 48398, FR Doc. 76-32057), the Consumer Product Safety Commission proposed, in accordance with section 3(e)(11) of the Privacy Act of 1974 (Pub. L. 93-579), 5 U.S.C. 552a(e)(11), to adopt the routine uses set forth below. These routine uses were proposed in order to cover transfers of records by the Commission from its systems of records to the General Services Administration; and transfer by the General Services Administration of payroll records of Commission employees to local taxing jurisdictions. The Commission invited public comment on the proposed routine uses. No comments were received.

Accordingly, the following routine uses are hereby adopted:

1. For all of the Commission's systems of records published in the FEDERAL REGISTER, September 2, 1976, (41 FR 37292):

A record from this system of records may be disclosed to officers and employees of the General Services Administration in connection with administrative services provided to the Commission under agreement with GSA.

2. For the Commission's system of records CPSC-13, Employee Payroll, Leave and Travel Records, published in the FEDERAL REGISTER, September 2, 1976, (41 FR 37297):

Routine uses of records maintained in this system shall include providing a copy of an employee's Department of the Treasury Form W-2, Wage and Tax Statement, to the State, city, or other local jurisdiction which is authorized to tax the employee's compensation. The record will be provided in accordance with a withholding agreement between the State, city, or other local jurisdiction and the Department of the Treasury pursuant to 5 U.S.C. 5516, 5517 or 5520.

Dated: December 13, 1976.

Effective date: December 17, 1976.

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

[FR Doc.76-37149 Filed 12-16-76;8:45 am]

PRIVACY ACT OF 1974

System of Records Amendment, Proposed New Routine Use

Notice is hereby given that the Consumer Product Safety Commission, in accordance with section 3(e)(11) of the Privacy Act of 1974 (Pub. L. 93-579), 5 U.S.C. 552a(e)(11), proposes to adopt the following routine use for its system of records CPSC-1, Accident Reports (In-Depth), published in the FEDERAL REGISTER September 2, 1976, (41 FR 37292):

Records may be provided to another Federal, State or local agency or authority engaged in activities relating to health, safety, or consumer protection in accordance with section 29(e) of the Consumer Product Safety Act, as amended (Pub. L. 92-573, as amended by Pub. L. 94-284, 15 U.S.C. 2078 (e)).

This routine use is proposed in order to provide for the disclosure of accident reports to States and other Federal agencies as permitted by section 29(e) of the Consumer Product Safety Act, as amended. That section, while permitting such disclosure, prohibits the Federal, State or local agency receiving the report from disclosing to the public the identity of any injured person and any person who treated an injured person which is contained in the report.

Interested persons are requested to submit comments regarding the proposed routine use on or before January 17, 1977, to the Office of the Secretary, Consumer Product Safety Commission, Washington, D.C. 20207. Comments may be seen in the Office of the Secretary, 3rd Floor, 1111 18th Street, NW, Washington, D.C. 20207 during business hours Monday through Friday.

Dated: December 13, 1976.

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

[FR Doc.76-37150 Filed 12-16-76;8:45 am]

DEPARTMENT OF DEFENSE

Department of the Army

ARMED FORCES EPIDEMIOLOGICAL BOARD

Meeting

1. In accordance with section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92-463) announcements is made of the following committee meeting:

Name of Committee: Subcommittee on Health Maintenance Systems of the Armed Forces Epidemiological Board.
Date of Meeting: January 6, 1977.

Place: Conference Room 3092, Walter Reed Army Institute of Research, Washington, D.C.
Time: 0900–1700.
Proposed Agenda: The proposed agenda includes an examination of various aspects of periodic physical examinations in the Armed Force. This will include matters pertaining to the administration, purpose, scope, frequency, and use and value of these physicals.

2. This meeting will be open to the public, but limited by space accommodations. Any interested person may attend, appear before, or file statements with the committee at the time and in the manner permitted by the committee. Interested persons wishing to participate should advise the Executive Secretary, DASG–AFEB, Room 1B472 Pentagon, Washington, D.C. 20310.

Dated: December 8, 1976.

DUANE G. ERICKSON,
LTC, MSC, USA,
Executive Secretary.

[FR Doc.76–37107 Filed 12–16–76;8:45 am]

ARMED FORCES EPIDEMIOLOGICAL BOARD

Meeting

1. In accordance with section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92–463) announcement is made of the following committee meeting:

Name of Committee: Executive Subcomittee of the Armed Forces Epidemiological Board.
Date of Meeting: January 7, 1977.
Place: Room 7E083, Forrestal Building, 10th and Independence Ave., S.W., Washington, D.C.
Time: 0930–1530.
Proposed Agenda: The purpose of this meeting is to plan the operational program for the Board for the next year. The AFEB President, the Directors of the Board's three continuing subcommittees and the staff representatives of the Surgeons General of the three military departments will meet to discuss the programs, priorities, requirements and objectives of the Board.

2. This meeting will be open to the public, but limited by space accommodations. Any interested person may attend, appear before, or file statements with the committee at the time and in the manner permitted by the committee. Interested persons wishing to participate should advise the Executive Secretary, DASG–AFEB, Room 1B472 Pentagon, Washington, D.C. 20310.

Dated: December 8, 1976.

DUANE G. ERICKSON,
LTC, MSC, USA,
Executive Secretary.

[FR Doc.76–37108 Filed 12–16–76;8:45 am]

ENERGY RESEARCH AND DEVELOPMENT ADMINISTRATION

ENVIRONMENTAL ADVISORY COMMITTEE

Determination To Establish

DECEMBER 13, 1976.

Pursuant to the Federal Advisory Committee Act (Pub. L. 92–463), I hereby certify that the establishment of an Environmental Advisory Committee as hereinafter identified, is in the public interest in connection with the performance of duties imposed upon the Energy Research and Development Administration by the Energy Reorganization Act of 1974 and other applicable law. This determination follows consultation with the Office of Management and Budget (OMB), pursuant to section 9(a)(2) of the Federal Advisory Committee Act and OMB Circular No. A–63 (Revised).

Name of Advisory Committee: Environmental Advisory Committee.
Purpose: The Committee will advise the Administrator, through the Assistant Administrator for Environment and Safety, on matters which pertain to the research, development, and demonstration of energy technologies and policies which affect the environment and safety of the general society. Such advice shall be directed principally but not exclusively to: (1) The issues of biomedical and environmental research and planning; (2) preparation of environmental impact assessments and statements; (3) the review of occupational and safety requirements; and (4) the social, economic, and institutional impacts which are the result of energy activities.
Effective date of establishment and duration: The Advisory Committee is established, effective 15 days after publication of this notice and after filing of the charter with the standing committees of Congress having legislative jurisdiction of the Energy Research and Development Administration. The Advisory Committee's termination date shall be September 30, 1978.
Membership: The membership of the Advisory Committee shall be balanced fairly in terms of the points of view represented and the functions to be performed by the Advisory Committee. Twenty-one persons from the fields of science, medicine and engineering, industry, state and local groups, environmental organizations, and other sectors of the general public will serve on the Committee. There will be no discrimination based on race, color, creed, national origin, religion, or sex.
Operation: The Environmental Advisory Committee will operate in accordance with the provisions of the Federal Advisory Committee Act (Pub. L. 92–463), ERDA policy and procedures (10 CFR Part 707), OMB Circular A–63 (revised), and other directives and instructions issued in accordance with the implementation of the Act. Environmental Advisory Committee meetings will be held a minimum of four times a year. The committee may establish *ad hoc* study groups as needed to address specific proposals or projects. An agenda for each meeting will be developed cooperatively between the Advisory Committee Chairman and ERDA. The Assistant Administrator for Environment and Safety will provide on a continuous basis all information on environment and safety programs, issues, and policies reasonably required by the EAC to perform its function. The EAC will fully coordinate its activities with the General Advisory Committee. Staff support will be provided to the Committee by the Office of the Assistant Administrator for Environment and Safety.

ROBERT C. SEAMANS, Jr.,
Administrator.

[FR Doc.76–37072 Filed 12–16–76;8:45 am]

LIGNITE ADVISORY COMMITTEE

Renewal

Notice is hereby given that ERDA's Lignite Advisory Committee has been renewed for a one-year period, i.e., from January 1, 1977, until January 1, 1978. Renewal of the committee is necessary and in the public interest.

The Committee will continue to operate in accordance with the provisions of the Federal Advisory Committee Act (Pub. L. 92–463), ERDA policy and procedures, OMB Circular No. A–63 (Revised), and other directives and instructions issued in implementation of that Act.

This determination follows consultation with the Office of Management and Budget pursuant to the relevant sections of the Federal Advisory Committee Act and OMB Circular No. A–63 (Revised).

ROBERT W. FRI,
Deputy Administrator.

[FR Doc.76–37073 Filed 12–16–76;8:45 am]

ENVIRONMENTAL PROTECTION AGENCY

(FRL 658–7)

ASPEN/SNOWMASS, COLO.; 201 WASTEWATER FACILITIES PLAN

Availability of Final Environmental Impact Statement

Pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969, the Environmental Protection Agency has prepared a final environmental impact statement (FEIS) for the Aspen Metro Sanitation District and the Snowmass Water and Sanitary District 201 Wastewater Facilities Plans, Colorado.

The subject action of this FEIS is awarding grant funds for the construction of additional wastewater treatment facilities at Aspen and Snowmass Resort, Colorado.

This FEIS was transmitted to CEQ on December 10, 1976 and, in accordance with the CEQ Guidelines (40 CFR 1500.11), no administrative action will be taken by this Agency until thirty days after receipt of the FEIS by the Council. Copies of the FEIS are available for review from: Mr. William Geise, Environmental Protection Agency, Region VIII, Suite 900, 1860 Lincoln Street, Denver, Colorado 80203 (telephone: 303–837–4831 or FTS 327–4831).

Copies of the FEIS are available for public inspection at the following locations:

Environmental Protection Agency, Region VIII, Library, 1st Floor, 1860 Lincoln Street, Denver, Colorado 80203.
Environmental Protection Agency, Public Information Reference Unit, Room 2922, Waterside Mall, 401 M Street, SW, Washington, DC 20406.

Information copies of the FEIS are available at cost (10 cents per page) from the Environmental Law Institute, 1346 Connecticut Avenue, Washington, DC 20036. Please reference ELR No. 61738.

Copies of the FEIS have been sent to various Federal, State, and local agen-

cies, and interested individuals as outlined in the CEQ Guidelines.

Dated: December 13, 1976.

REBECCA W. HANMER,
Director, Office of Federal Activi ies.

[FR Doc.76-37192 Filed 12-16-76;8:45 am]

[FRL 658-6]

GREELEY REGION, COLO.; WASTEWATER MANAGEMENT PROGRAM

Availability of Final Environmental Impact Statement

Pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969, the Environmental Protection Agency has prepared a final environmental impact statement (FEIS) for the Greeley Region Wastewater Management Program, Weld County, Colorado.

Proposed is the granting of funds to Greeley, Colorado, for the construction of wastewater treatment facilities. The City of Greeley has recommended the building of a regional wastewater treatment facility in the delta agricultural area east of the city near the confluence of the Cache La Poudre and South Platte Rivers.

The FEIS was transmitted to the Council on Environmental Quality (CEQ) December 7, 1976, and in accordance with the CEQ Guidelines (40 CFR 1500.11), no administrative action will be taken by this agency until 30 days after receipt of the FEIS by the Council. Copies of the FEIS are available for review and comment from: Mr. William Geise, Environmental Protection Agency, Region VIII, Suite 900, 1860 Lincoln Street, Denver, Colorado 80203 (telephone: 303-837-4831 or FTS 327-4831).

Copies of the FEIS are available for public inspection at the following locations:

Environmental Protection Agency, Region VIII, Library, 1st Floor, 1860 Lincoln Street, Denver, Colorado 80203.

Environmental Protection Agency, Public Information Reference Unit, Room 2922, Waterside Mall, 401 M Street SW., Washington, D.C. 20460.

Information copies of the FEIS are available at cost 10 cents per page from the Environmental Law Institute, 1346 Connecticut Avenue, Washington, D.C. 20036. Please reference ELR No. 61709.

Copies of the FEIS have been sent to various Federal, State, and local agencies, and interested individuals are outlined in the CEQ Guidelines.

Dated: December 13, 1976.

REBECCA W. HANMER,
Director, Office of Federal Activities.

[FR Doc.76-37191 Filed 12-16-76;8:45 am]

[FRL 659-7; OPP—00038]

STATE-FEDERAL FIFRA IMPLEMENTATION ADVISORY COMMITTEE (SFFIAC); WORKING GROUP ON CERTIFICATION

Open Meeting

Pursuant to Pub. L. 92-463, notice is hereby given that a two-day meeting of the State-Federal FIFRA Implementation Advisory Committee's Working Group on Certification will be held on Tuesday and Wednesday, January 4-5 in Room 3305, Waterside Mall, 401 M St. SW., Washington, D.C. The meeting will begin at 9 a.m.

This will be the fourth meeting of the Working Group on Certification under SFFIAC auspices. The purpose of the meeting is to discuss current aspects of pesticide applicator certification with the intent of reporting to the full Committee, so that the latter will be able to advise EPA on certification at its next meeting. Among the topics scheduled for discussion are:

1. Uniformity of commercial applicator categories and sub-categories;
2. Review of draft procedures for certification of federal government employees;
3. Update from EPA on certification of Indian applicators;
4. Review by EPA of progress in establishing a library of certification and training materials; and
5. Other items pertaining to certification.

This meeting is open to the public. For further details, please contact P. H. Gray, Jr., SFFIAC Executive Secretary, Operations Division, Office of Pesticide Programs, Environmental Protection Agency, 401 M St. SW, Washington, D.C. 20460, (202) 755-7014.

Dated: December 14, 1976.

EDWIN L. JOHNSON,
Deputy Assistant Administrator for Pesticide Programs.

[FR Doc.76-37214 Filed 12-16-76;8:45 am]

[FRL 658-5]

HENDERSON, N.C.; WASTEWATER TREATMENT SYSTEM

Availability of Draft Environmental Impact Statement

Pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969, the Environmental Protection Agency has prepared a draft environmental impact statement (DEIS) for the 201 Wastewater Treatment System, Henderson, North Carolina.

The proposed action is awarding grant funds to the city of Henderson, North Carolina for the purpose of developing a system to service the Greater Henderson Area. The project consists of the necessary facilities to process and treat approximately 3.7 million gallons per day of wastewater.

To receive additional public comments, the Environmental Protection Agency, Region 4, will hold an open public hearing on this DEIS on January 18, 1977 at 7 pm at the Henderson Junior High School, 219 Charles Street, Henderson, North Carolina. Registration will begin at 6 pm. All interested persons are invited to express their views at this hearing. To ensure the accuracy of the record, oral statements should be accompanied by a written statement. Oral statements should summarize extensive written materials to allow time for all interested persons to be heard.

This DEIS was transmitted to the Council on Environmental Quality (CEQ) on December 7, 1976. In accordance with CEQ's notice of availability, comments are due on January 31, 1977. Copies of the DEIS are available for review and commen.t from: Mr. John Hagan, Chief EIS Branch, Environmental Protection Agency, Region 4, 345 Courtland Street, NE, Atlanta, Georgia 30308 (telephone 404-881-7458 or FTS 8-257-7458).

Copies of the DEIS are available for public inspection at the following locations:

Environmental Protection Agency, Region IV Library, 345 Courtland Street, NE, Atlanta, Georgia.

Leslie Perry Memorial Library, 109 Young Street, Henderson, North Carolina.

Department of Natural and Economic Resources, 417 North Salisbury Street, Raleigh, North Carolina.

Franklin County Library, North Main Street, Louisburg, North Carolina.

Environmental Protection Agency, Public Information Reference Unit, Room 2922 Waterside Mall, 401 M Street, SW, Washington, DC 20460.

Information copies of the DEIS are available at cost (10 cents per page) from the Environmental Law Institute, 1346 Connecticut Avenue, NW, Washington, DC 20036. Please reference ELR No. 61713.

Copies of the DEIS have been sent to various Federal, State, and local agencies, and interested individuals as outlined in the CEQ Guidelines.

Dated: December 13, 1976.

REBECCA W. HANMER,
Director, Office of Federal Activities.

[FR Doc.76-37190 Filed 12-16-76;8:45 am]

FEDERAL COMMUNICATIONS COMMISSION

[Report No. 1020]

PETITIONS FOR RECONSIDERATION OF ACTIONS

Rule Making Proceedings Filed

DECEMBER 10, 1976.

Docket or RM No.	Rule No.	Subject	Date received
19982	Sec. 73.606(b)	Amendment of sec. 73.606(b), table of assignments, television broadcast stations. (Mountain View, Ark.) Filed by Harrison T. Slaughter, attorney for Arkansas Educational Television Commission.	Dec. 8, 1976
20422	Sec. 73.202(b)	Amendment of sec. 73.202(b), table of assignments, FM broadcast stations. (Fort Walton Beach, Crestview and Destin, Fla.) Filed by Harry G. Sells, attorney for Dr. John Matkowski	Dec. 6, 1976
		Filed by John B. Jacob, attorney for Vacationland Broadcasting Co., Inc. (WFTW and WFTW-FM.)	Dec. 8, 1976

NOTE.—Oppositions to petitions for reconsideration must be filed on or before Jan. 3, 1977. Replies to an opposition must be filed within 10 d after time for filing oppositions has expired.

FEDERAL COMMUNICATIONS COMMISSION,
VINCENT J. MULLINS,
Secretary.

[FR Doc.76-37018 Filed 12-16-76;8:45 am]

FEDERAL ENERGY ADMINISTRATION

CASES FILED WITH THE OFFICE OF EXCEPTIONS AND APPEALS

Week of November 12 through November 19, 1976

Notice is hereby given that during the week of November 12 through November 19, 1976 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.

Dated: December 13, 1976.

MICHAEL F. BUTLER,
General Counsel.

List of cases received by the Office of Exceptions and Appeals, Nov. 12 through Nov. 19, 1976

Date	Name and location of applicant	Case No.	Type of submission
Nov. 12, 1976	Getty Oil Co., Washington, D.C. (If granted: Getty Oil Co. would be permitted to exclude petroleum coke from the application of the sales volume allocation formula contained in sec. 212.83(c)(2).	FEE-3368	Price exception (sec. 212.83 (c)(2)).
Nov. 15, 1976	Algonquin Gas Transmission Co., Boston, Mass. (If granted: The permanent import fee-exempt authorization extended to Algonquin by the Oil Import Appeals Board in an order issued on Jan. 9, 1975, would be terminated effective Apr. 30, 1977.)	FEX-0098	Supplemental order.
Do	E. C. Johnston Co., (R. M. Stephens plant), Longview, Tex. (If granted: E. C. Johnston Co. would be permitted to increase its prices to reflect nonproduct cost increases in excess of $0.005 per gallon for natural gas liquid products produced at the R. M. Stephens plant.)	FEE-3372	Price exception (sec. 212.-165).
Do	Gary Operating Co. (Bluebell), Englewood, Colo. (If granted: Gary Operating Co. would be permitted to increase its prices to reflect nonproduct cost increases in excess of $0.005 per gallon for natural gas liquid products produced at the Bluebell plant on the basis that it is continuing to experience a serious hardship.)	FEE-3375	Extension of relief granted in Gary Operating Co., 4 FEA par. 83,123 (Oct. 1, 1976).
Do	Theodore Gore, Wichita, Kans. (If granted: The FEA's Oct. 29, 1976, remedial order would be rescinded and Theordore Gore would not be required to make a refund for overcharges made in sales of crude oil produced from the G. Kastrup, R. Miller, E. Z. Ruby and Dietz leases located in Russell County, Kans.)	FEA-1033 FES-0055	Appeal of FEA region VII's remedial order dated Oct. 29, 1976. Stay requested.
Do	Hewit & Dougherty, Refugio, Tex. (If granted: Hewit & Dougherty would be permitted to increase its prices to reflect nonproduct cost increases in excess of $0.005 per gallon for natural gas liquid products produced at the Roche plant on the basis that it is continuing to experience a serious hardship.)	FEE-3374	Extension of relief granted in Hewit & Dougherty, 4 FEA par. 83,094 (Sept. 17, 1976).
Do	Kathol Petroleum, Inc., (Indian Wells), Wichita, Kans. (If granted: Kathol Petroleum, Inc., would be permitted to increase its prices to reflect nonproduct cost increases in excess of $0.005 per gallon for natural gas liquid products produced at its Indian Wells plant.)	FEE-3373	Price exception (sec. 212.165.)
Do	Lebsack Oil Production, Inc., Hays, Kans. (If granted: Lebsack Oil Production, Inc.'s, Lebsack-Hartle lease would be classified as a stripper well property.)	FEE-3370	Price exception (sec. 212.73.)

Date	Name and location of applicant	Case No.	Type of submission
Do.	Peters Fuel Corp., Oakland, Md. (If granted: Peters Fuel Corp., would be permitted to increase its prices for fuel oil above the maximum level permitted under 10 CFR 212.93.)	FEE-3369	Price exception (sec. 212.93).
Do.	Quincy Oil, Inc., Quincy, Mass. (If granted: Quincy Oil, Inc., would receive a temporary stay of the requirements of a remedial order issued to the firm on Nov. 2, 1976, pending a final determination of its appeal from the order.)	FST-0054	Temporary stay request (remedial order issued Nov. 2, 1976).
Do.	Standard Oil Co. of Ohio, Midland, Ohio. (If granted: The FEA's Oct. 8, 1976, decision and order would be rescinded and Standard Oil Co. of Ohio would be permitted to calculate its entitlement benefits by including 35,000 bbl/d of its crude oil runs to stills attributable to residual fuel oil which it produces for sale in the east coast plus 50 pct of any such volumes in excess of 35,000 bbl/d and be permitted to recalculate retroactive to Apr. 1, 1976, its entitlement sales obligation without regard to the provisions of 10 CFR 211.67(d)(4).)	FEA-1034	Appeal of decision and order in Standard Oil Co. of Ohio, 4 FEA par. ____ (Oct. 8, 1976).
Do.	Terrible Herbst, Inc., Washington, D.C. (If granted: The FEA's Oct. 15, 1976, decision and order would be rescinded and Terrible Herbst, Inc., would be assigned a new, lower priced supplier of motor gasoline to replace its base period supplier, Fletcher Oil & Refining Co.).	FEA-1032	Appeal of decision and order in Terrible Herbst, Inc., 4 FEA par. ____ (Oct. 15, 1976).
Do.	Texaco, Inc., New York, N.Y. (If granted: The FEA's Oct. 15, 1976, decision and order would be rescinded and Texaco, Inc., would not be required to supply UCO Oil Co. with motor gasoline.)	FEA-1035	Appeal of decision and order in UCO Oil Co., 4 FEA par. ____ (Oct. 15, 1976).
Do.	Texas Asphalt & Refining Co., Euless, Tex. (If granted: The permanent import fee-exempt authorization extended to Tarco by the Oil Import Appeals Board in an order issued on Apr. 23, 1970, would be terminated.)	FEX-0099	Supplemental order.
Do.	Time Oil Co., Los Angeles, Calif. (If granted: The permanent import fee-exempt authorization extended to Time Oil Co. by the Oil Import Appeals Board in an order issued on June 13, 1974, would be terminated effective Apr. 30, 1977.)	FEX-0100	Do.
Nov. 16, 1976	Marvin E. Boyer Oil Co., Inc., Iola, Kans. (If granted: Marvin E. Boyer Oil Co., Inc., would be permitted to resell crude oil at prices in excess of the maximum permissible levels determined pursuant to 10 CFR 212.93 on the basis that it is continuing to experience a serious hardship.)	FEE-3377	Extension of relief granted in Marvin E. Boyer Oil Co., Inc., 3 FEA Par. 83,257 (June 29, 1976).
Do.	Pester Refining Co., American Petrofina, Inc., Washington, D.C. (If granted: Pester Refining Co. would receive various types of relief from the mandatory petroleum allocation and price regulations in connection with its acquisition of the El Dorado refinery from American Petrofina, Inc.)	FEE-3376	Exception to mandatory petroleum allocation and price regulations (pt. 211 and pt. 212).
Do.	Standard Oil Co. of Ohio, Cleveland, Ohio. (If granted: Standard Oil Co. of Ohio would receive a stay of the requirements of the ancillary order issued to it on Aug. 12, 1976, pending a final determination of the Getty Oil Co.'s appeal of the remedial order issued Aug. 12, 1976.)	FES-0056	Stay request.
Nov. 17, 1976	McCulloch Gas Processing Corp., Washington, D.C. (If granted: McCulloch Gas Processing Corp. would be permitted to increase its prices to reflect nonproduct cost increases in excess of $0.005 per gallon for natural gas liquid products produced at the Jamison Prong plant, the Tule Creek plant, and the Well Draw plant on the basis that it is continuing to experience a serious hardship.)	FEE-3379—FEE-3381	Extension of relief granted in McCulloch Gas Processing Corp., 4 FEA par. 83,127 (Oct. 1, 1976).
Do.	McCulloch Gas Processing Corp. (Hilight), Washington, D.C. (If granted: McCulloch Gas Processing Corp. would be permitted to increase its prices to reflect nonproduct cost increases in excess of $0.005 per gallon for natural gas liquid products produced at the Hilight plant.)	FEE-3382	Price exception (sec. 212.165).
Do.	Rock Island Refining Corp., Indianapolis, Ind. (If granted: Rock Island Refining Corp. would receive a stay of its entitlement purchase obligations pending a final determination of its appeal which it intends to file from the decision and order issued by the FEA on Nov. 5, 1976.)	FES-0057	Stay request.
Do.	Rock Island Refining Co., Indianapolis, Ind. (If granted: The FEA's Nov. 5, 1976, decision and order would be rescinded and Rock Island Refining Co. would not be required to purchase entitlements during each month of the period November 1976 through October 1977.)	FSG-0031	Request for special redress.
Do.	Sentry Refining Co., New York, N.Y. (If granted: Sentry Refining Co. would receive exception relief from the mandatory petroleum allocation and price regulations in order to facilitate the operation of its newly constructed refinery located near St. Mary's, W. Va.)	FEE-3378	Exception to mandatory allocation and price regulations. (Pt. 211 and pt. 212).
Nov. 18, 1976	Arizona Fuels Corp., Salt Lake City, Utah. (If granted: Arizona Fuels Corp. would be relieved of its entitlement purchase obligations for the period January 1977 through June 1977 on the basis that it is continuing to experience a serious hardship.)	FEE-3388	Extension of relief granted, in Arizona Fuels Corp. 4 FEA par. 83,002 (July 16, 1976).
Do.	Atlantic Richfield Co., Dallas, Tex. (If granted: Atlantic Richfield Co. would receive an extension of the price relief granted in the FEA Sept. 24, 1976, decision and order which would permit Arco to increase its prices to reflect nonproduct cost increases in excess of $0.005 per gallon for natural gas liquid products produced at the following natural gas plants: East Village Mills, Hull, Ojai Timber, Riverton Dome, South Hampton, and Taft.)	FEE-3389—FEE-3394	Extension of relief granted in Atlantic Richfield Co., 4 FEA par. 83,097 (Sept. 24, 1976).

Date	Name and location of applicant	Case No.	Type of submission
Do	Belridge Oil Co., Los Angeles, Calif. (If granted: Belridge Oil Co. would be permitted to increase its prices to reflect nonproduct cost increases in excess of $0.005 per gallon for natural gas liquid products on the basis that it is continuing to experience a serious hardship.)	FEE-3395	Extension of relief granted in Belridge Oil Co., 4 FEA par. 83,119 (Sept. 29, 1976).
Do	Connecticut Refining Co., West Haven, Conn. (If granted: The FEA's remedial order would be rescinded and Connecticut Refining Co. would not be required to make a refund to the State of Connecticut for overcharges in sales of petroleum products.)	FEA-1038	Appeal of FEA region I's remedial order.
Do	Houston Propane, Inc., Dothan, Ala. (If granted: Houston Propane, Inc., would be assigned a new, lower priced supplier of motor gasoline to replace its base period suppliers, Enterprise Products Co. and Union Oil Co.)	FEE-3384	Exception to change base period supplier (sec. 211.9).
Do	Jack & Roland's Truck Stop, Inc., Mariana, Fla. (If granted: Jack & Roland's Truck Stop, Inc., would not be required to refund alleged overcharges and would be permitted to establish its selling price for diesel fuel above the maximum level permitted under the mandatory petroleum price regulations.)	FEE-3397	Price exception (sec. 212.93).
Do	Kewanee Oil Co., Tulsa, Okla., (If granted: Crude oil produced from the Kewanee Oil Co.'s north Stanley polymer flood unit would be sold at upper tier ceiling prices.)	FEE-3385	Price exception (sec. 212.73).
Do	Kewanee Oil Co., Tulsa, Okla., (If granted: Crude oil produced from the Kewanee Oil Co.'s south Stanley waterflood unit would be sold at prices above the maximum allowable prices pursuant to the mandatory petroleum price regulations.)	FEE-3386	Price exception (sec. 212.74).
Do	Laketon Asphalt Refining, Inc., Evansville, Ind., If granted: The FEA's Oct. 15, 1976, decision and order would be rescinded and Laketon Asphalt Refining, Inc., would relieved of its obligation to purchase entitlements pursuant to the notice of special correction amounts which the FEA issued in accordance with sec. 211.67(j)(2) of the mandatory petroleum allocation regulations.)	FEA-1036	Appeal of decision and order in Laketon Asphalt Refining, Inc., 4 FEA par. ..... (Oct. 15, 1976).
Do	Land O' Lakes, Inc., Fort Dodge, Iowa. (If granted: Land O' Lakes, Inc., would be assigned a new, lower priced supplier of propane to replace its base period suppliers, Northern, Atlantic Richfield, Reese Oil, NGL Supply, Wanda Petroleum, Koch Oil, and NCRA.)	FEE-3396	Exception to change base period supplier (sec. 211.9).
Do	Molloy Manufacturing Co., Fraser, Mich. (If granted: Molloy Manufacturing Co. would receive an increase in its base period use of propane and Michigan-Ohio Propane would be assigned as a base period supplier.)	FEE-3387	Allocation exception (sec. 211.9 and 211.13).
Do	New England Petroleum Corp., Washington, D.C. (If granted: The FEA's May 2, 1975, and Nov. 17, 1975, decisions and orders would be modified and the entitlements issued to NEPCO under those orders which were not sold as of Sept. 30, 1976, would be canceled and FEA would issue in their place current entitlements of a dollar value equivalent to the canceled entitlements plus interest.)	FMR-0070	Modification of FEA's decisions and orders in New England Petroleum Corp., 2 FEA par. 83,136 (May 2, 1975); New England Petroleum Corp., 3 FEA par. 83,015 (Nov. 17, 1975).
Do	Petrochemical Energy Group, Washington, D.C. (If granted: The 30-d period for the filing of an appeal from the temporary assignment issued to Commonwealth would be suspended until a final order is issued by the FEA.)	FEA-1037	Appeal of FEA decision and order issued Nov. 8, 1976, granting to Commonwealth Natural Gas Corp. a temporary assignment of SNG feedstock.
Do	Readygas Propane Service, Inc., Eldon, Mo. (If granted: Readygas Propane Service, Inc., would be assigned a new, lower priced supplier of propane on the basis that it is continuing to experience a serious hardship.)	FEE-3383	Extension of relief granted in Readygas Propane Service, Inc., 4 FEA par. 80,543 (Sept. 21, 1976).
Do	Skelton, C. D. d/b/a, Skelton Oil Co., Hobbs, N. Mex. (If granted: Skelton would be permitted to make repayment of overcharges made in its crude oil sales over a period of 24 mo instead of 12 mo.)	FEA-1039 FES-1039	Appeal of FEA remedial order issued Nov. 5, 1976. Stay requested.
Do	Whitco, Inc., Dallas, Tex. (If granted: Whitco, Inc., would receive an extension of the relief granted in the FEA's Sept. 9, 1976, decision and order which (i) prohibits Sun Oil Co. from continuing to supply Whitco through South Central Oil Co./Amtel, Inc., and (ii) directs Sun to supply Whitco directly with that portion of Whitco's adjusted base period volume of motor gasoline which Sun is obligated to furnish.)	FEX-0101	Supplement to decision and order in Whitco, Inc., 4 FEA par. 87,011 (Sept. 9, 1976).
Nov. 19, 1976	Southland Oil Co./VGS Corp., Jackson, Miss. (If granted: Southland Oil Co. would receive a temporary stay of the requirements of the FEA's Nov. 5, 1976, decision and order pending a final determination of its appeal of that order which it intends to file.)	FST-0018	Request for temporary stay.

[FR Doc.76-37033 Filed 12-13-76;4:02 pm]

CASES FILED WITH THE OFFICE OF EXCEPTIONS AND APPEALS

Week of November 19 through November 26, 1976

Notice is hereby given that during the week of November 19 through November 26, 1976, 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 or receipt by an aggrieved person of actual notice, whichever occurs first.

Dated: December 13, 1976.

MICHAEL F. BUTLER,
General Counsel.

List of Cases received by the Office of Exceptions and Appeals, Week of Nov. 19 through Nov. 26, 1976

Date	Name and location of applicant	Case No.	Type of submission
Nov. 19, 1976	Apco Oil Corp., Oklahoma City, Okla. (If granted: Apco Oil Corp. would be granted an exception which would permit it to recalculate its passthrough of increased nonproduct costs on a proportional basis for 1975.)	FEE-3399	Exception to the required sequence of refinery cost recovery as it existed prior to Feb. 1, 1976 (sec. 212.83).
Do	Arizona Fuels Corp., Salt Lake City, Utah. (If granted: The FEA would supplement its Aug. 27, 1976, decision and order by prohibiting Hatch, Phillips, Amoco, and Tenneco from together drawing more than 1,000 bbl of crude oil from the Escalante Field located in Garfield County, Utah, on any given day until Arizona Fuels has purchased the 2,000 bbl allocated to it pursuant to the Aug. 27 order.)	FMR-0071	Supplement to decision and order in Arizona Fuels Corp., 4 FEA par. 83,061 (Aug. 27, 1976).
Do	Arizona Fuels Corp., Salt Lake City, Utah. (If granted: FEA would issue a temporary stay directing the W. S. Hatch Co., the Phillips Petroleum Co., the Standard Oil Co. of Indiana, and the Tenneco Oil Co. to refrain from purchasing or removing more than 1,000 bbl of crude oil per day in the aggregate from the Upper Valley Escalante Field in southern Utah.)	FST-0019	Request for temporary stay.
Do	John R. Groom, Jr. (Central Hilight Unit), Mills, Wyo. (If granted: The FEA's Oct. 8, 1976, decision and order would be rescinded and crude oil produced from the Central Hilight Unit located in the Powder River basin of eastern Wyoming would be sold at upper tier ceiling prices for the benefit of both the working interest owners and the royalty interests.)	FEA-1040	Appeal of a decision and order in Central Hilight Unit, 4 FEA par. 83, 138 (Oct. 8, 1976).
Do	Luke Bros., Inc., Oklahoma City, Okla. (If granted: Luke Bros., Inc., would receive a stay of the remedial order issued to it on Oct. 5, 1976, pending a final determination of Luke's appeal of that order.)	FEA-1041	Stay request.
Do	Navajo Refining Co., Washington, D.C. (If granted: Navajo Refining Co. would receive an extension of the relief granted in the FEA's June 21, 1976, decision and order, thereby reducing the value of entitlements which it is required to purchase during the period Dec. 1, 1976, through July 31, 1977.)	FEE-3400	Extension of relief granted in Navajo Refining Co., 3 FEA par. 83,242 (June 21, 1976).
Do	Permian Corp. (Possum Kingdom and Todd Ranch), Houston, Tex. (If granted: The Permian Corp. would be permitted to increase its prices to reflect nonproduct cost increases in excess of $0.005 per gallon for natural gas liquid products produced at the Possum Kingdom and Todd Ranch natural gas processing plants.)	FEE-3401 FEE-3402	Price exception (sec. 212.-165).
Do	Phillips Petroleum Co., Bartlesville, Okla. (If granted: Phillips Petroleum Co. would be permitted to transfer allocation entitlements among its company owned and operated service stations without regard to the 30-pct limitation provided in sec. 211.106(b)(3)(ii).)	FEE-3398	Allocation exception (sec. 211.106(b)(3)(ii)).
Do	Standard Oil Co. of California, San Francisco, Calif. (If granted: The FEA's Oct. 15, 1976, decision and order would be rescinded and UCO Oil Co. would not be assigned new, lower priced suppliers of motor gasoline on the basis that it is continuing to experience a serious hardship.)	FEA-1042	Appeal of decision and order in UCO Oil Co., 4 FEA par. ____ (Oct. 15, 1976).
Do	Time Oil Co., Los Angeles, Calif. (If granted: Time Oil Co. would receive a temporary stay of the requirements of 10 CFR 212.83(e)(2).)	FST-0020	Request for temporary stay.
Nov. 22, 1976	Boston Gas Co., Washington, D.C. (If granted: FEA's Oct. 19, 1976, interpretation would be rescinded and Boston Gas Co. would be permitted to use its peak shaving allocation in its SNG plant as well as in its propane air plants for peak shaving purposes.)	FEA-1044	Appeal of FEA's Oct. 19, 1976 interpretation.
Do	Bryant Oil Co., Pasadena, Calif. (If granted: FEA's Oct. 22, 1976, decision and order would be rescinded and Bryant Oil Co. would be assigned a new supplier of motor gasoline to replace its base period suppliers, the Lion Oil Co. and Barnes & Rogers, Inc.)	FEA-1045	Appeal of FEA's decision and order in Bryant Oil Co., 4 FEA par. ____ (Oct. 22, 1976).
Do	Gulf Oil Corp., Tulsa, Okla. (If granted: Gulf Oil Corp. would receive an extension of the relief granted in the FEA's Oct. 7, 1976, decision and order and would be permitted to increase its prices to reflect nonproduct cost increases in excess of $0.005 per gallon for natural gas liquid products produced at the following natural gas processing plants: Azalea, Knox, Millay, and Sand Hills.)	FEE-3405- FEE-3408	Extension of relief granted in Gulf Oil Corp., 4 FEA par. 83,141 (Oct. 7, 1976).
Do	Gulf Oil Corp., Houston, Tex. (If granted: The FEA's Oct. 15, 1976, decision and order would be rescinded and UCO Oil Co. would not be assigned new, lower priced suppliers of motor gasoline on the basis that it is continuing to experience a serious hardship.)	FEA-1041	Appeal of FEA's decision and order in UCO Oil Co., 4 FEA par. (Oct. 15, 1976).
Do	Kerr-McGee Corp., (Southwestern Refining), Corpus Christi, Tex. (If granted: FEA's Oct. 22, 1976, decision and order would be rescinded and Kerr-McGee would be permitted to calculate its entitlement obligations by including in its crude oil runs to stills the entire volume of crude oil which is atrributable to production by Southwestern of residual fuel oil for sale into the east coast market.)	FEA-1043	Appeal of FEA's decision and order in Kerr-McGee Corp. (Southwestern), 4 FEA par. ____ (Oct. 22, 1976).
Do	Mobil Oil Corp. (Greeley and Vanderbilt), New York, N.Y. (If granted: Mobil Oil Corp. would receive an extension of the relief granted in the FEA's Sept. 29, 1976, decision and order, thereby permitting it to increase its prices to reflect nonproduct cost increases in excess of $0.005 per gallon for natural gas liquid products produced at the Greeley and Vanderbilt natural gas processing plants.)	FEE-3403 FEE-3404	Extension of relief granted in Mobil Oil Corp., 4 FEA par. 83,128 (Sept. 29 1976).

Date	Name and location of applicant	Case No.	Type of submission
Do.	Mobil Oil Corp., New York, N.Y. (If granted: Mobil Oil Corp. would be permitted to increase its prices to reflect nonproduct cost increases in excess of $0.005 per gallon for natural gas liquid products produced at the following natural gas processing plants: Cameron, Cotton Valley, Cow Island, Delhi, Elwood, Gulf-Know, Heyser, Postle Hough, R. M. Stephens, Selligson, South Sarepta, and Union-Adena.)	FEE-3418—FEE-3429	Price exception (sec. 212.165).
Do.	Saveway Gas & Appliance, Inc., Dexter, Mo. (If granted: Saveway Gas & Appliance would receive an extension of the relief granted in FEA's Sept. 27, 1976, decision and order and would be assigned a new, lower priced supplier of propane to replace its base period supplier, NGL Supply, Inc.)	FEE-3430	Extension of the exception relief granted in Saveway Gas & Appliance, Inc., 4 FEA par. 83,132 (Sept. 27, 1976).
Do.	Shell Oil Co., Houston, Tex. (If granted: Shell Oil Co. would be permitted to increase its prices to reflect nonproduct cost increases in excess of $0.005 per gallon for natural gas liquid products produced at the following natural gas processing plants: Elmwood, Goodwater, Houston Central, Indian Basin, Person, Wasson, Weeks Island, West Lake, and West Seminole.)	FEE-3432—FEE-3440	Price exception (sec. 212.165).
Do.	Shell Oil Co. (Molino), Houston, Tex. (If granted: Shell Oil Co. would receive an extension of the relief granted in FEA's Sept. 29, 1976, decision and order and would be permitted to increase its prices to reflect nonproduct cost increases in excess of $0.005 per gallon for natural gas liquid products produced at its Molino gas plant.)	FEE-3431	Extension of relief granted in Shell Oil Co., 4 FEA par. 83,133 (Sept. 29, 1976).
Do.	Sun Oil Co. (Carney, Mayfield, and Tonkawa), Dallas, Tex. (If granted: Sun Oil Co. would receive an extension of the relief granted in the FEA's Sept. 29, 1976, decision and order and would be permitted to increase its prices to reflect nonproduct cost increases in excess of $0.005 per gallon for natural gas liquid products produced at the Carney, Mayfield, and Tonkawa natural gas processing plants.)	FEE-3411—FEE-3413	Extension of relief granted in Sun Oil Co., 4 FEA par. 83,136 (Sept. 29, 1976).
Do.	Texaco, Inc. (Lignite and Wilson Creek), Houston, Tex. (If granted: Texaco, Inc., would receive an extension of the relief granted in the FEA's Oct. 29, 1976, decision and order and would be permitted to increase its prices to reflect nonproduct cost increases in excess of $0.005 per gallon for natural gas liquid products produced at the Lignite and Wilson Creek natural gas processing plants.)	FEE-3409 FEE-3410	Extension of relief granted in Texaco, Inc., 4 FEA par. ---- (Oct. 29, 1976).
Do.	Union Oil Co. of California (Dominguez, Rio Bravo, and South Coles Levee), Los Angeles, Calif. (If granted: Union Oil Co. of California would receive an extension of the relief granted in the FEA's Nov. 12, 1976, decision and order and would be permitted to increase its prices to reflect nonproduct cost increases in excess of $0.005 per gallon for natural gas liquid products produced at the Dominguez, Rio Bravo, and South Coles Levee natural gas processing plants.)	FEE-3414—FEE-3416	Extension of relief granted in Union Oil Co. of Calif., 4 FEA par. ---- (Nov. 12, 1976).
Nov. 23, 1976	Exxon Co., U.S.A., Houston, Tex. (If granted: Exxon Co., U.S.A. would be granted an exception which would permit it to recalculate its passthrough of increased nonproduct costs on a proportional basis for 1975.)	FEE-3417	Exception to the required sequence of refinery cost recovery as it existed prior to Feb. 1, 1976 (sec. 212.83).
Do.	Southwestern Refining Co., Inc., Washington, D.C. (If granted: Southwestern Refining Co., Inc., would receive a temporary stay of the requirements of the entitlements notice for September 1976 issued Nov. 22, 1976, which requires Southwestern to purchase 1,469 entitlements by Nov. 30, 1976.)	FST-0021	Request for temporary stay.
Nov. 24, 1976	Beeco, Ltd., et al., Washington, D.C. (If granted: The royalty interest owners would share in the relief granted in the FEA's Sept. 21, 1976, decision and order which permits crude oil produced from the Banning lease of the Newport Field, Orange County, Calif., to be sold at upper tier ceiling prices.)	FEA-1046	Appeal of decision and order in General Crude Oil Co., 4 FEA par. 83,104 (Sept. 21, 1976).
Do.	Good Hope Industries, Inc., Springfield, Mass. (If granted: The FEA's Nov. 5, 1976, decision and order would be rescinded and Good Hope Industries, Inc., would not be required to purchase entitlements during each month from November 1976 through April 1977.)	FEA-1048	Appeal of decision and order in Good Hope Industries, Inc., 4 FEA par. ---- (Nov. 5, 1976).
Do.	Louisiana Land & Exploration Co., New Orleans, La. (If granted: FEA's Oct. 15, 1976, decision and order would be rescinded and Louisiana Land & Exploration Co. would not be required to refund any of the costs imputed for December 1975 in calculating maximum allowable selling prices for products sold in January 1976.)	FEA-1049	Appeal of FEA's decision and order in Louisiana Land & Exploration Co., 4 FEA par. ---- (Oct. 15, 1976).
Do.	Zenith Oil Co., Inc., Minneapolis, Minn. (If granted: The FEA's Oct. 28, 1976, remedial order would be rescinded and Zenith Oil Co., Inc., would not be required to make refunds for overcharges in its sales of No. 2 heating oil.)	FEA-1047 FST-1047	Appeal of FEA region V's remedial order issued Oct. 28, 1976. Stay request.

[FR Doc.76-37034 Filed 12-13-76;4:02 pm]

CASES FILED WITH THE OFFICE OF EXCEPTIONS AND APPEALS

Week of November 26 through December 3, 1976

Notice is hereby given that during the week of November 26 through December 3, 1976, 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 applica-

tion 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 of an aggrieved person of actual notice, whichever occurs first.

Dated: December 13, 1976.

MICHAEL F. BUTLER,
General Counsel.

List of cases received by the Office of Exceptions and Appeals, Week of Nov. 26 through Dec. 3, 1976

Date	Name and location of applicant	Case No.	Type of submission
Nov. 26, 1976	Beacon Oil Co., Hanford, Calif. (If granted: Beacon Oil Co. would receive a stay of the requirements of the FEA's Nov. 5, 1976, decision and order which require Beacon to purchase entitlements valued at $2,071,628, pending a final determination of its appeal of that order which it intends to file.)	FES-1051	Stay request.
Do	Glacier Park Co., Washington, D.C. (If granted: Glacier Park Co.'s entitlement purchase obligation for September 1976 would be reduced by 30,513 entitlements.)	FEA-1050 FES-1050	Appeal of entitlement notice for September 1976 issued Nov. 22, 1976 Stay requested.
Do	Gulf Oil Corp., Tulsa, Okla. (If granted: FEA's Oct. 6, 1976, decision and order would be rescinded and Gulf Oil Corp. would be permitted to supply Mid-Michigan Truck Service through a substitute supplier.)	FEA-1053	Appeal of FEA's decision and order in Mid-Michigan Truck Service, 4 FEA par. 87,015 (Oct. 6, 1976).
Nov. 29, 1976	Delta Refining Co., Memphis, Tenn. (If granted: Delta Refining Co. would receive a stay of the requirements of the FEA's Nov. 5, 1976, decision and order which require Delta to purchase entitlements during each month of the period November 1976 through October 1977, pending a final determination of its appeal of that order which it intends to file.)	FES-1052	Stay request.
Do	Delta Refining Co., Memphis, Tenn. (If granted: Delta Refining Co. would receive a temporary stay of the requirements of the FEA's Nov. 5, 1976, decision and order which require Delta to purchase entitlements during each month of the period November 1976 through October 1977, pending a final determination of its appeal of that order which it intends to file.)	FST-0022	Request for temporary stay.
Do	Gasco Gasoline, Inc., Oxnard, Calif. (If granted: FEA's Nov. 15, 1976, decision and order would be rescinded and Gasco Gasoline, Inc., would be assigned a new, lower priced supplier for the portion of the firm's total base period use of motor gasoline which is furnished by the Fletcher Oil & Refining Co.).	FEA-1055	Appeal of FEA's decision and order in Gasco Gasoline, Inc., 4 FEA par. ____ Nov. 15, 1976).
Do	Milton Crow, Inc. (R. M. Stephens), Shreveport, La. (If granted: Milton Crow, Inc., would be permitted to increase prices to reflect nonproduct cost increases in excess of $0.005 per gallon for natural gas liquid products produced at the R. M. Stephens plant.)	FEE-3443	Price exception (sec. 212.165).
Do	Minard Run Oil Co., Bradford, Pa. (If granted: Minard Run Oil Co.'s crude oil producing property situated in Hamlin Township, McKean County, Pa., would be classified as a stripper well property.	FEE-3444	Price exception (sec. 212.54).
Do	Natrogas, Inc., Minneapolis, Minn. (If granted: Natrogas, Inc., would be assigned a new, lower priced supplier of propane to replace its base period suppliers, Shell Oil Co., Mobil Oil Corp., and Warren Petroleum.)	FEE-3442	Exception to change suppliers.
Do	Petrochemical Energy Group, Washington, D.C. (If granted: FEA's Oct. 28, 1976, information request denial would be rescinded and Petrochemical Energy Group would receive copies of FEA forms G-101-2-0 or FEA forms G-101-P-1 filed by certain gas utilities.)	FEA-1056	Appeal of FEA's information request denial.
Do	Time Oil Co., Los Angeles, Calif. (If granted: Time Oil Co. would receive a stay of the requirements of 10 CFR 212.83(e)(2) pending a final determination of its exception application which it intends to file.)	FES-3441	Stay request.
Do	Vessels Gas Processing Co. (Halliburton Resource), Denver, Colo. (If granted: Vessels Gas Processing Co. would receive an extension of the price relief granted on Sept. 10, 1976, to permit it to increase its prices to reflect nonproduct cost increases in excess of $0.005 per gallon for natural gas liquid products at its Irondale plant.)	FEE-3445	Extension of price relief in Vessels Gas Processing Co., 4 FEA par. 83,081 (Sept. 10, 1976).
Do	Western Stations, Portland, Oreg. (If granted: FEA's Nov. 5, 1976, decision and order would be rescinded and western stations would continue to be supplied motor gasoline by Gulf Oil Corp.)	FSG-0032	Appeal of FEA's Nov. 5, 1976 decision and order.
Nov. 11, 1976	Beren Corp., Kansas City, Mo. (If granted: FEA's Nov. 15, 1976, remedial order requiring Beren Corp. to refund alleged overcharges to crude oil purchasers from eight particular leases would be stayed pending final determination of Beren Corp.'s proposed appeal.)	FES-1059	Stay of the requirements of FEA's remedial order.
Do	Cities Service Co., Tulsa, Okla. (If granted: Cities Service Co. would receive an extension of the relief granted in the FEA's Nov. 5, 1976, decision and order which would permit it to increase its prices to reflect nonproduct cost increases in excess of $0.005 per gallon for natural gas liquid products produced at the Citronelle, Garrett, Kimball, May, Myrtle Springs, Rio Grande, and St. Amelia natural gas plants.)	FEE-3449—FEE-3455	Extension of relief granted in Cities Service Co., 4 FEA par. ____ (Nov. 5, 1976).
Do	Exxon Co., U.S.A., Houston, Tex. (If granted: Exxon's entitlement purchase obligation for August 1976 would be adjusted to correct for FEA's alleged error in computing old oil receipts.)	FEA-1060	Appeal of FEA entitlement notice for Aug. 1976, dated Oct. 28, 1976.

Date	Name and location of applicant	Case No.	Type of submission
Do.	Sanford P. Fagadau (Bluegrove), Dallas, Tex. (If granted: Sanford P. Fagadau would receive an extension of the price relief granted on Nov. 12, 1976, to permit him to increase prices to reflect nonproduct cost increases in excess of $0.005 per gallon for natural gas liquid products produced at its Bluegrove processing plant.)	FEE-3446	Extension of price relief granted in Sanford P. Fagadau, 4 FEA par. ——— (Nov. 12, 1976).
	Southland Oil Co./VGS Corp., Jackson, Miss. (If granted: Southland Oil Co. would not be penalized for overrecovery of crude oil costs in its product prices.)	FEE-3447	Price exception (sec. 212.83 (g)).
Do.	Southland Oil Co./VGS Corp. (If granted: Southland Oil Co. would be permitted to recalculate its costs on the basis of the proportional recovery of all nonproduct costs retroactive to January 1975.)	FEE-3448	Price exception (sec. 212.83 (d)).
Do.	Standard Oil Co. of Ohio, Cleveland, Ohio: (If granted: FEA's Aug. 12, 1976, ancillary order would be rescinded and Standard Oil Co. of Ohio would not receive a refund from Getty Oil Co. for crude oil exchanges.)	FEA-1057	Appeal of FEA's ancillary order with respect to the remedial order issued to Getty Oil Co.
Do.	Varibus Corp., Beaumont, Tex. (If granted: FEA's Oct. 29, 1976, decision and order would be rescinded and Varibus Corp. would retroactively be relieved of the requirement that it establish the prices which it charged in its sales of No. 2 fuel oil to unaffiliated entities in accordance with the mandatory petroleum price regulations.)	FEA-1058	Appeal of FEA's decision and order in Varibus Corp., 4 FEA par. ——— (Oct. 29, 1976).
Dec. 1, 1976	General Crude Oil Co., Houston, Tex. (If granted: Crude oil produced from the Banning lease of the West Newport Field, Orange County, Calif., would be sold at upper tier ceiling prices for the benefit of both working interest owners and royalty owners.)	FXA-1061	Appeal of decision and order in General Crude Oil Co., 4 FEA par. 83,104 (Sept. 21, 1976).
Do.	Inexco Oil Co., Houston, Tex. (If granted: Inexco Oil Co. would receive an exception from the certification requirements of 10 CFR 212.131(a)(3) for units in the Reddell Field in Louisiana, the Hilight Field in Wyoming, and the Brandon Field in Colorado until 45 d after the FEA clarifies its regulations in a manner which Inexco claims is essential for it to establish unit base production control levels for these properties.)	FEE-3456 FES-3456	Price exception (sec. 212.131 (a)(3)). Stay request.
Do.	L. G. Vanderwork, Towner, Colo. (If granted: L. G. Vanderwork would not be required to make refunds for overcharges made in sales of propane and would be permitted to establish his selling price for propane above the maximum level permitted under the mandatory petroleum price regulations.)	FEE-3457	Price exception (sec. 212.93).
Dec. 2, 1976	Beren Corp., Denver, Colo. (If granted: The FEA's Nov. 15, 1976, remedial order would be rescinded and Beren Corp. would not be required to make refunds for overcharges in its sales of crude oil during the period November 1973 through December 1974.)	FRA-1059	Appeal of FEA's remedial order dated Nov. 15, 1976.
Do.	Central Carolina Farmers, Inc., Durham, N.C. (If granted: The FEA's Nov. 1, 1976, decision and order would be rescinded and Central Carolina Farmers, Inc., would be assigned a new, lower priced supplier of propane to replace its base period suppliers, the Mobil Oil Co. and the American Oil Co.)	FXA-1062	Appeal of decision and order in Central Carolina Farmers, Inc., 4 FEA par. ——— (Nov. 1, 1976).
Do.	Chaplin Petroleum Co., Fort Worth, Tex. (If granted: Chaplin Petroleum Co. would be permitted to increase its prices to reflect nonproduct cost increases in excess of $0.005 per gallon for natural gas liquid products produced at the following natural gas plants: Black 31, Dover-Hennessey, East Rexas, Gulf Plains, Mayfield, Patrick Draw, Peoria, South Fullerton, and Witcher.)	FEE-3458—FEE-3266	Price exception (sec. 212.165).

[FR Doc.76-37035 Filed 12-13-76;4:02 pm]

FEDERAL MARITIME COMMISSION

[Independent Ocean Freight Forwarder License No. 1678]

ACTION CARGO SYSTEMS, INC.

Order of Revocation

On December 6, 1976, Mr. Vincent G. Kessler, Vice President, Action Cargo Systems, Inc., P.O. Box 593293, Miami, FL 53159, voluntary surrendered his Independent Ocean Freight Forwarder License No. 1678 for revocation.

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 (b), dated June 30, 1975;

It is ordered, That Independent Ocean Freight Forwarder License No. 1678 issued to Action Cargo Systems, Inc., be and is hereby revoked effective December 6, 1976 without prejudice to reapply for a license in the future.

It is further ordered, That a copy of this order be published in the FEDERAL REGISTER and served upon Action Cargo Systems, Inc.

LEROY F. FULLER,
Director, Bureau of Certification and Licensing.

[FR Doc.76-37069 Filed 12-16-76;8:45 am]

CITY OF MILWAUKEE AND HANSEN SEAWAY SERVICE, LTD.

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 December 27, 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:

Mr. J. L. Haskell, Deputy Municipal Port Director, Board of Harbor Commissioners, City of Milwaukee, 500 N. Harbor Drive, Milwaukee, Wisconsin 53202.

Agreement No. T-3386, between the City of Milwaukee (City) and Hansen Seaway Service, Ltd., (Hansen) grants Hansen the exclusive right to perform stevedoring services at the City Heavy Lift Dock located at Milwaukee, Wisconsin. The term of this agreement shall be from the time it is approved by the Federal Maritime Commission, assuming such approval is granted, through December 31, 1980. Hansen will pay City an annual fee of $15,000, a tonnage charge based on the amount of cargo handled over the facility and wharfage charges as they appear in City's published tariff. Hansen will be permitted to rent office space, available covered space and the use of agreed storage space at rates to be agreed upon by the parties. It is further agreed that Hansen will abide by all the rules, regulations, and charges as set forth in City's published tariff. This agreement is almost identical to approved Federal Maritime Commission Agreement No. T-2965 currently in use by the parties. Assuming approval of T-3386 is granted, it will replace T-2965 which will expire by its own terms on December 31, 1976.

By order of the Federal Maritime Commission.

Dated: December 13, 1976.

FRANCIS C. HURNEY,
Secretary.

[FR Doc.76-37070 Filed 12-16-76;8:45 am]

NORTH CAROLINA STATE PORTS AUTHORITY AND SEATRAIN LINES, INC.

Agreement Filed

Notice is hereby given that the following agreement has been filed with the Commission for approval pursuant to

section 15 of the Shipping Act, 1916, as amended (39 Stat. 733, 75 Stat. 763, 46 U.S.C. 814).

Interested parties may inspect and obtain a copy of the agreement at the Washington office of the Federal Maritime Commission, 1100 L Street, 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 6, 1977. Any person desiring a hearing on the proposed agreement shall provide a clear and concise statement of the matters upon which they desire to adduce evidence. An allegation of discrimination or unfairness shall be accompanied by a statement describing the discrimination or unfairness with particularity. If a violation of the Act or detriment to the commerce of the United States is alleged, the statement shall set forth with particularity the acts and circumstances said to constitute such violation or detriment to commerce.

A copy of any such statement should also be forwarded to the party filing the agreement (as indicated hereinafter) and the statement should indicate that this has been done.

Notice of agreement filed by:

H. C. Jackson, Director of Traffic, North Carolina State Ports Authority, P.O. Box 3037, Wilmington, North Carolina 28401.

Agreement No. T-3384, between North Carolina State Ports Authority (Authority) and Seatrain Lines, Inc., (Seatrain), provides for the use of 6.325 acres of land at Wilmington Port Terminal and preferential use of: (1) Berths A and B on two consecutive preferential days; (2) a gantry crane of at least 75-ton capacity; and (3) a truck scale. As compensation, Seatrain will pay $50,600 per annum as rental plus wharfage (subject to a guaranteed minimum of 100,000 tons per contract year) and dockage as set forth in the agreement. In addition, Seatrain will pay for electrical, fresh water and sewage services as set forth in the agreement. Authority will receive $100 a month for the preferential use of the truck scale.

By order of the Federal Maritime Commission.

Dated: December 10, 1976.

FRANCIS C. HURNEY,
Secretary.

[FR Doc.76-37068 Filed 12-16-76;8:45 am]

WEST COAST OF INDIA AND PAKISTAN/U.S.A. CONFERENCE

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, La., San Juan, Puerto Rico and San Francisco, California. Comments on such agreements, including requests for hearing, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C. 20573, on or before December 27, 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:

William L. Hamm, Chairman, West Coast of India and Pakistan/U.S.A. Conference, 25 Broadway, New York, New York 10004.

Agreement No. 8040-10, entered into by the member lines of the West Coast of India and Pakistan/U.S.A. Conference, amends the fourth paragraph of Clause 3 of the conference agreement by deleting the words "or its equivalent in Pounds Sterling," whereby prepaid freight and charges if payable in the United Kingdom shall be paid in U.S. Dollars. At the present time, prepaid freight and charges if payable in the United Kingdom shall be paid in U.S. Dollars or its equivalent in Pounds Sterling.

By order of the Federal Maritime Commission.

Dated: December 14, 1976.

FRANCIS C. HURNEY,
Secretary.

[FR Doc.76-37067 Filed 12-16-76;8:45 am]

FEDERAL POWER COMMISSION

[Docket No. CP77-76]

ALABAMA-TENNESSEE NATURAL GAS CO.

Application

DECEMBER 13, 1976.

Take notice that on December 1, 1976, Alabama-Tennessee Natural Gas Company (Applicant), P.O. Box 918, Florence, Alabama 35630, filed in Docket No. CP77-76 an application pursuant to Section 7(c) of the Natural Gas Act and Section 2.79 of the Commission's General Policy and Interpretation (18 CFR 2.79), for a certificate of public convenience and necessity authorizing the transportation of natural gas on behalf of Wolverine Division of UOP, Inc. (Wolverine), all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant proposes to transport for Wolverine up to 600 Mcf of natural gas per day for a period of two years following the date of first delivery. It is stated that said gas will be for the use of Wolverine at its manufacturing facility in the City of Decatur, Alabama. It is stated that such gas will be received by Applicant at Tennessee Gas Pipeline Company's (Tennessee's) Barton Sales Delivery Point located in Colbert County, Alabama and would be redelivered to the City of Decatur, a distributor of natural gas, at Applicant's existing Sales Delivery Point located in Morgan County, Alabama. Applicant states that it, the City of Decatur and Wolverine entered into a transportation contract dated October 4, 1976 whereby, in addition to the arrangements outlined above, the City of Decatur agrees to deliver the gas received from Applicant to Wolverine.

It is stated that pursuant to a gas sales contract between Wolverine and Franks Petroleum, Inc. and Arkla Exploration Company (Sellers), dated October 4, 1976, Wolverine will purchase natural gas produced at Sellers' North Crowley Field in Acadia Parish, Louisiana in the amount of at least 75 percent of the contract volume of 500 Mcf per day (at 15.025 psia). Additional volumes in excess of this daily contract volume may be taken by Wolverine if in the Sellers' judgment such deliveries can be made in accordance with good operating practice and without injury to the wells or reservoir, it is indicated. It is also stated that the price in the first year of the two year agreement is $1.55 per Mcf and shall increase to $1.65 per Mcf in the second year. It is indicated that delivery under the contract is to be made to a point on Columbia Gulf Transmission Company's (Columbia's) Pipeline in Acadia Parish, Louisiana. Applicant indicates that from that point the contract gas would travel through Columbia's system to the interconnection of the facilities of Columbia and Tennessee at Tennessee's Egan "B" Delivery Point in Acadia Parish, Louisiana, and then through Tennessee's system to its system at the Barton Sales Delivery Point. Applicant further indicates that Wolverine is arranging for this series of deliveries and that Tennessee and Columbia would file for necessary authorization.

Applicant states that a transportation charge of 12.78 cents per Mcf would be paid by Wolverine. Transportation, it is stated, would be subject to available capacity of the Applicant's system. Further, Applicant asserts that the natural gas supply which is the subject of this application was not secured by the Applicant because by the time Applicant became aware of its existence it was already under contract to Wolverine.

It is stated that Wolverine requires natural gas in its manufacturing processes because of its precise temperature

and flame characteristics. Wolverine, it is indicated, is a manufacturer of nonferrous, seamless copper, copper alloy, and aluminum tubing. Due to the inability of the plant to use fuel oil, it is asserted, substantial gas curtailments could affect the security of employees and the community.

Any person desiring to be heard or to make any protest with reference to said application should on or before January 4, 1977, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 1.8 or 1.10) and the Regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceedings. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's Rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by Sections 7 and 15 of the Natural Gas Act and the Commission's Rules of Practice and Procedure, a hearing will be held without further notice before the Commission on this application if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

KENNETH F. PLUMB,
Secretary.

[FR Doc.76-37142 Filed 12-16-76;8:45 am]

[Docket No. RP71-131]

ALGONQUIN GAS TRANSMISSION CO.

Availability of the Federal Power Commission Staff's Final Environmental Impact Statement

DECEMBER 13, 1976.

Take notice that on April 30, 1976, the Federal Power Commission Staff (Staff) issued a Final Environmental Impact Statement (FEIS) in the above captioned proceeding.

The Staff's FEIS analyzes the impact of pipeline curtailment considering air pollution, alternate fuel use, conservation and socio-economic effects at varying levels of curtailed volumes.

On August 20, 1975, the Commission issued an order prescribing a permanent curtailment plan for Algonquin Gas Transmission Company (Algonquin). The Commission concluded, however, that the ordering of a permanent curtailment plan for Algonquin was a "major federal action significantly affecting the quality of human environment" and that an environmental impact statement was required. The Commission further concluded that the permanent curtailment plan would be subject to review when an FEIS was completed.

On August 11, 1976, Staff filed a motion for acceptance of the FEIS as a late filed exhibit. The motion requested that, unless an answer demanding formal hearing and opportunity to cross-examine was timely filed by any party, the FEIS should be accepted into evidence in order that the final review of Algonquin's curtailment plan may be completed. No such answers have been filed.

A copy of the FEIS has been served on each person designated on the official service list compiled by the Secretary in the instant proceeding. The FEIS is on file with the Commission and is available for public inspection at its Office of Public Information, Room 1000, 815 North Capitol Street, NE., Washington, D.C. Any Federal Agency or member of the general public that wishes to submit comments on this FEIS must do so on or before December 30, 1976.

KENNETH F. PLUMB,
Secretary.

[FR Doc.76-37130 Filed 12-16-76;8:45 am]

[Docket No. CP77-67]

BLUE DOLPHIN PIPE LINE CO.

Application

(DECEMBER 13, 1976).

Take notice that on November 22, 1976, Blue Dolphin Pipe Line Company (Blue Dolphin) filed an Application for a Certificate of Public Convenience and Necessity to transport natural gas and liquid hydrocarbons produced from the Galveston Block 255 Field, Offshore, Texas, to delivery points onshore in Texas for use in the Dow Chemical Company's (Dow) plant located in Freeport, Texas.

Blue Dolphin states that Coastal States has undertaken the development of oil and gas reserves underlying the Galveston Block 255 Field (G-255 Field), Offshore, Texas. Blue Dolphin understands that Coastal States Gas Production Company, et al., (Coastal States) has executed a gas sale contract with Transcontinental Gas Pipe Line Company (Transco) covering the sale of gas produced from Block G-255. Blue Dolphin also understands that Transco has filed for, and received, certificate authority to construct and operate a proposed new pipeline from an onshore interconnection point with their existing pipeline system in the vicinity of the Cameron Meadows Plant, Louisiana, extending seaward to the G-255 Field. However, Blue Dolphin is informed that because of unavoidable delays, first deliveries of gas into the new Transco pipeline are not expected to begin until June of 1977. In order to dispose of their field liquids, Coastal States has built a gathering line from their G-255 Field to Shell Oil Company's (Shell) existing platform "A" in the Galveston Area Block 288 Field. That line can be used to save the casinghead gas which Blue Dolphin understands otherwise will be flared until the Transco line is completed. The liquids and gas produced by Coastal States, will be delivered through such gathering line to Shell, for redelivery by Shell for Coastal States account into Blue Dolphin's pipeline. Said liquids and gas will then be transported onshore to Shell's Buccaneer Condensate Separation and Stabilization Facilities located at Freeport, Texas. The commingled gas and liquids mixture delivered by Blue Dolphin into Shell's aforementioned facilities will be separated as to its gas and liquid portions, and the gas stream will be redelivered to Blue Dolphin for ultimate delivery to Dow Chemical for the account of Coastal States.

Any person desiring to be heard or to make any protest with reference to said application should on or before January 3, 1977, file with the Federal Power Commission, Washington, D.C., 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 1.8 or 1.10) and the Regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's Rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by Sections 7 and 15 of the Natural Gas Act and the Commission's Rules of Practice and Procedure, a hearing will be held without further notice before the Commission on this application if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be necessary for Applicant to appear or be represented at the hearing.

KENNETH F. PLUMB,
Secretary.

[FR Doc.73-37138 Filed 12-16-76;8:45 am]

[Docket No. RI77-12]

C. A. HURST

Petition for Special Relief

DECEMBER 13, 1976.

Take notice that on November 22, 1976, C. A. Hurst (Petitioner), P.O. Box 2683, Laurel, Mississippi 39440, filed in Docket No. RI77-12 a petition for special relief pursuant to Order Nos. 481 and 551 and Section 2.76 of the Commission's General Policy and Interpretations (18 CFR § 2.76). Petitioner is seeking a rate of 87.50 cents per Mcf for the sale of natural gas to Texas Eastern Transmission Corporation from four wells located in the Siloam Field, Clay County, Mississippi. Petitioner states that pressure has declined to the point where more compression equipment and facilities are required. Petitioner also states that maintenance, workovers, and operating costs have exceeded present income on the wells. Petitioner proposes a workover on one well that is currently not producing gas.

Any person desiring to be heard or to make any protest with reference to said petition should on or before January 4, 1977, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 1.8 or 1.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any party wishing to become a party to a proceeding, or to participate as a party in any hearing therein, must file a petition to intervene in accordance with the Commission's Rules.

KENNETH F. PLUMB,
Secretary.

[FR Doc.76-37134 Filed 12-16-76;8:45 am]

[Docket No. RP77-12]

CAROLINA PIPELINE CO., COMPLAINANT VS. SOUTHERN NATURAL GAS CO., RESPONDENT

Complaint

DECEMBER 10, 1976.

Take notice that on November 8, 1976, Carolina Pipeline Company (Carolina) filed a complaint against Southern Natural Gas Company (Southern), pursuant to Sections 5(a) and (13) of the Natural Gas Act and § 1.6 of the Commission's Rules of Practice and Procedure. Carolina alleges that Section 9.7 of the General Terms and Conditions of Southern's FPC Gas Tariff, Sixth Revised Volume No. 1 is unjust, unreasonable, unduly discriminatory, and therefore unlawful under the Natural Gas Act.

Section 9.7 of Southern's FPC Gas Tariff is entitled, "Index of Requirements." Carolina proposes modification of Section 9.7 to remove plant protection and customer storage injection requirements from the basic Index of Requirements and to place such requirements in a supplemental Index. Carolina states that, at present, injection requirements and plant protection requirements are placed in priority 2 every day, regardless of whether those requirements are being served that day.

Carolina next alleges that the language in Section 9.7 which states that the requirements reflected in categories (1) through (3) shall never exceed a "Purchaser's applicable Contract Demand or Maximum Delivery Obligation," absent a Commission finding of extraordinary circumstances, is unduly discriminatory. Carolina states that the limitation on requirements should only be applicable when the forecast system mean temperative is 41 degrees Fahrenheit or lower.

Carolina states that its proposed modification was submitted to the Audit Committee which concluded that Carolina's request went beyond the jurisdiction of the Audit Committee. Carolina requests that the Commission issue an order requiring Southern to show cause why the language of Section 9.7 of Southern's FPC Gas Tariff is not unjust, and unreasonable and therefore unlawful under the Natural Gas Act.

Respondent shall file a response to the complaint within 21 days of the service of the complaint. Any person desiring to be heard or to respond with reference to said notice should on or before January 10, 1977 file with the Federal Power Commission, Washington, D.C., 20426, a petition to intervene or a response in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 C.F.R. 1.6 or 1.8). All responses filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's Rules.

KENNETH F. PLUMB,
Secretary.

[FR Doc.76-37124 Filed 12-16-76;8:45 am]

[Docket No. ER77-89]

CENTRAL ILLINOIS PUBLIC SERVICE CO.

Proposed Changes in FPC Electric Service Tariffs

DECEMBER 10, 1976.

Take notice that Central Illinois Public Service Company on December 1, 1976 tendered for filing Service Schedule W-3 (FPC Electric Tariff, Original Volume No. 3) for whole electric service to customers purchasing partial requirements to supplement their own generation. The proposed tariff would increase revenues from jurisdictional sales and service by $441,190 based on calendar year 1976.

The proposed tariff will become effective January 1, 1977, and applicable for service being provided to the customers upon the expiration of the various effective periods for the rates and charges currently specified in the agreements between the Company and the customers. The proposed tariff contains an upward adjustment in the rate level to more adequately reflect current and anticipated economic conditions.

Copies of the filing were served upon the Company's jurisdictional customers.

Any persons desiring to be heard or to protest said application should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426, in accordance with Sections 1.8 and 1.10 of the Commission's Rules of Practice and Procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before December 28, 1976. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this application are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.76-37123 Filed 12-16-76;8:45 am]

[Docket No. CP77-60]

COLUMBIA GULF TRANSMISSION CO.

Application

DECEMBER 13, 1976.

Take notice that on November 17, 1976, Columbia Gulf Transmission Company (Applicant), P.O. Box 683, Houston, Texas, 77001, filed in Docket No. CP77-60 an application pursuant to Section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the construction and operation of its one-half interest in a 3000 horsepower compressor unit which related facilities, on an existing platform in Block 313, Eugene Island Area, Offshore Louisiana, all as more fully set forth in the application on file with the Commission and open to public inspection.

Applicant states that Texaco, the operator, has indicated to Applicant that absent sufficient compression to enable low pressure gas and oil well gas to enter Applicant's transmission line, said gas must either be flared or otherwise disposed of or production must be curtailed.

Applicant estimates that the cost of the proposed facilities would be approximately $1,168,925, which costs would be financed from current working funds available to Applicant.

Any person desiring to be heard or to make any protest with reference to said application should on or before January 3, 1977, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 1.8 or 1.10) and the Regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding.

Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's Rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by Sections 7 and 15 of the Natural Gas Act and the Commission's Rules of Practice and Procedure, a hearing will be held without further notice before the Commission on this application if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

KENNETH F. PLUMB,
Secretary.

[FR Doc.76-37135 Filed 12-16-76;8:45 am]

[Docket No. CP77-65]

COLUMBIA GULF TRANSMISSION CO.

Application

DECEMBER 13, 1976.

Take notice that on November 22, 1976, Columbia Gulf Transmission Company (Applicant), 3805 West Alabama Avenue, Houston, Texas, 77027, filed in Docket No. CP77-65 an application pursuant to Section 7 of the Natural Gas Act for a certificate of public convenience and necessity authorizing the disassembly, transportation and relocation of a gas turbine compressor unit for the transportation of natural gas in interstate commerce, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant proposes to relocate a 20,000 horsepower unit from its Inverness, Mississippi Compressor Station to the Pecan Island Compressor Station (Pecan Island) on the Western Shore Line of the Blue Water Project (BWP) at Pecan Island, Louisiana.

It is stated that the installation of 20,000 horsepower of compression at Pecan Island will provide Applicant with 124.9 MMcfd additional capacity in the BWP, which additional capacity will be used to transport volumes of gas from West Cameron Block 617 which Applicant is contractually bound to transport.

The total estimated cost of the proposed facilities is $4,334,686.00, which will be financed from current funds available to Applicant.

Any person desiring to be heard or to make any protest with reference to said application should on or before January 3, 1977, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 1.8 or 1.10) and the Regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to be the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's Rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by Sections 7 and 15 of the Natural Gas Act and the Commission's Rules of Practice and Procedure, a hearing will be held without further notice before the Commission on this application if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

KENNETH F. PLUMB,
Secretary.

[FR Doc.76-37143 Filed 12-16-76;8:45 am]

[Docket No. CP74-204]

COLUMBIA GULF TRANSMISSION CO. AND NATURAL GAS PIPELINE CO. OF AMERICA

Application

DECEMBER 13, 1976.

Take notice that on November 12, 1976, Natural Gas Pipeline Company of America (Natural), 122 South Michigan Avenue, Chicago, Illinois, 60603, and Columbia Gulf Transmission Company (Columbia), P.O. Box 683, Houston, Texas, 77001, filed in Docket No. CP74-204 a fourth amendment to the joint abbreviated application, as amended, pursuant to Section 7(c) of the Natural Gas Act, whereby Natural and Columbia Gulf would transport each for the other up to ten thousand (10,000) Mcf per day in excess of the seventy-five thousand (75,000) Mcf originally requested and add a new delivery point, all as more fully set forth in the abbreviated joint application, as amended, which is on file with the Commission and open to public inspection.

Natural and Columbia Gulf state that by a joint application filed February 11, 1974, as subsequently amended on June 26, 1974 and August 12, 1974, they requested, inter alia, authorization of a transportation and exchange arrangement under which Natural would make available up to seventy-five thousand (75,000) Mcf per day of pipeline delivery capacity from its entitlement in the system of Stingray Pipeline Company (Stingray) to transport gas available to Columbia Gulf in the West Cameron Area, Offshore Louisiana, and Natural would deliver up to seventy-five thousand (75,000) Mcf per day of gas into the Blue Water Project which is owned jointly by Columbia Gulf and Tennessee Gas Pipeline Company (Tennessee). A temporary certificate was issued herein on January 10, 1975.

Natural and Columbia Gulf in a joint amendment filed September 23, 1975, requested authorization for the additional transportation of up to thirty thousand (30,000) Mcf per day by each party from additional volumes available to Natural from Eugene Island Block 331 Area, Offshore Louisiana beginning in the fall of 1975 and continuing possibly through the 1976-77 heating season, and to Columbia Gulf from Blocks 485-507 and 531, West Cameron Area, Offshore Louisiana.

The thirty thousand (30,000) Mcf per day additional capacity was to be made available by Natural to Columbia Gulf only for so long as combined production rates from the West Cameron Blocks exceed seventy-five thousand (75,000) Mcf per day. Similarly, up to thirty thousand (30,000) Mcf per day additional capacity in Blue Water Project is to be made available by Columbia Gulf for so long as Block 331 production will support in excess of seventy-five thousand (75,000) Mcf per day to the Blue Water Project. The Commission issued a temporary certificate authorizing the additional transportation on January 2, 1976.

Natural and Columbia Gulf each have agreed by Letter Agreement dated August 23, 1976, to provide up to ten thousand (10,000) Mcf per day additional capacity in Stingray and Blue Water, respectively, in excess of the seventy-five thousand (75,000) Mcf per day and the additional capacity provided by the January 2, 1976 order. The additional capacity to be provided by Natural is to be reduced by the daily volume in excess of the Effective Transportation Quantity then being transported by Natural for Columbia Gas Transmission Corporation (Columbia Gas) from Block 146, West Cameron Area, Offshore Louisiana.

Natural and Columbia Gulf propose to add an additional delivery point on Stingray at an existing valve in Block 269, West Cameron Area, Offshore Louisiana. Columbia Gas has reserves located in Block 266, West Cameron, which Columbia Gulf desires to connect to Stingray as part of its entitlement herein. Natural and Columbia Gulf state that the additional transportation volumes are needed to protect winter deliverability and minimize curtailments to the customers of Natural and Columbia Gas.

Any person desiring to be heard or to make any protest with reference to said amendment to the joint application should on or before January 3, 1977, file with the Federal Power Commission,

Washington, D.C., 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 1.8 or 1.10) and the Regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's Rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by Sections 7 and 15 of the Natural Gas Act and the Commission's Rules of Practice and Procedure, a hearing will be held without further notice before the Commission on this amended application if no petition to intervene is filed within the time require dtherein, if the Commission, on its own review of the matter, finds that a grant of the certificate is required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission, on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Natural and Columbia Gulf to appear or be represented at the hearing.

KENNETH F. PLUMB,
Secretary.

[FR Doc.76-37132 Filed 12-16-76;8:45 am]

[Docket No. ID-1801]

D. B. REINHART

Application

DECEMBER 10, 1976.

Take notice that on November 22, 1976, Mr. D. B. Reinhart filed an application, pursuant to section 305(b) of the Federal Power Act, seeking authorization to hold the following positions:

Position	Name of corporation	Classification
Director	Northern States Power Co. (Minnesota).	Public utility.
Do	Northern States Power Co. (Wisconsin).	Do.

On October 27, 1976, applicant was elected Director of Northern States Power Company (Minnesota) effective November 1, 1976. Effective October 28, 1976, Applicant resigned as a member of the Board of Directors of Northern States Power Company (Wisconsin). Upon approval of this application, applicant expects to be re-elected to the Board of Directors of Northern States Power Company (Wisconsin).

Northern States Power Company, Minnesota, has its principal office at 414 Nicollet Mall, Minneapolis, Minnesota. It owns and operates utility properties and furnishes electric service at retail and wholesale in 446 communities located in Minnesota, North Dakota, and South Dakota. Additionally, the Company provides wholesale service to 20 other utility companies, including its only utility subsidiary, Northern States Power Company (Wisconsin).

The Company also furnishes natural gas at retail in Saint Paul and 61 other communities in Minnesota and in five communities in North Dakota; steam heating service in the central business districts of Saint Paul, Minnesota; and telephone service in Minot, North Dakota and vicinity.

Northern States Power Company (Wisconsin) has its principal office at 100 North Barstow Street, Eau Claire, Wisconsin. It owns and operates utility properties in west central Wisconsin. It furnishes electric service at retail in 171 communities and adjacent territories and electric energy at wholesale for resale to 11 additional communities. It also furnishes natural gas at retail in 11 communities.

Any person desiring to be heard or to protest said application should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426, in accordance with Sections 1.8 and 1.10 of the Commission's Rules of Practice and Procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before January 10, 1977. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this application are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.76-37125 Filed 12-16-78;8:45 am]

[Docket Nos. CI77-95, CI77-96, CI77-97]

GULF OIL CORP.

Order Setting for Hearing

DECEMBER 10, 1976.

On November 5, 1976, Gulf Oil Corporation (Gulf) filed for authorization from the Commission to abandon the sale of natural gas to Tennesse Gas Pipeline Company (Tennessee) under three contracts made in 1956 which have now expired or will shortly expire. These applications were noticed by the Commission on November 30, 1976, in Docket Nos. CI77-95, CI77-96, CI77-97 (published December 8, 1976, 41 F.R. 53706).

Gulf alleges that it should be allowed to abandon these sales on the grounds that it has been ordered by the Commission to serve Texas Eastern under its warranty contract, and certificate issued in CI64-26; that Texas Eastern's curtailment is considerably greater than that in Tennessee; that since the contracts with Tennesse have expired, and the gas would remain in the interstate market, Tennessee has no claim to the gas; and that the public interest would be served by the sale to Texas Eastern at a price considerably lower than the likely price in a continued sale to Tennessee.

Petitions to intervene have been received from seven parties, including Tennessee, which has also requested a formal hearing.

In light of the serious gas shortage situation, and in light of the important policy questions involved in this proceeding, the Commission will establish the following expedited schedule of proceedings. As requested by Tennessee and as required by the Natural Gas Act, Section 7(b) (15 U.S.C. § 717f(b)), the Commission will hold a hearing to determine whether "the present or future public convenience or necessity permit such abandonment."

It is the opinion of the Commission that the primary issues to be considered at that hearing include a "* * * comparison of the needs of the two natural gas systems and the public markets they serve. * * *" *Transcontinental* v. *F.P.C.*, 488 F.2d 1325, 1330 (D.C. Cir., 1973). The Commission declares that the underlying validity of the Commission's orders concerning the Gulf warranty contract, as expressed in Opinions 692, 692-A, 780, and 780-A, is not an issue in this proceeding, nor is the impact of a decision on these applications with regard to the corporate financial situation of Gulf or Tennessee.

The Commission believes that the necessary factual record can be made expeditiously, so that it may focus on that record and the legal and policy questions raised by this proceeding.

The Commission finds: A hearing under the Natural Gas Act, Section 7(b), should be instituted in Docket Nos. CI77-95, CI77-96, and CI77-97, as hereinafter ordered and conditioned.

The Commission orders: (A) Pursuant to the authority of the Natural Gas Act an the Commission's Rules of Practice and Procedure (18 CFR, Chapter 1), a hearing under Section 7(b) of the Act is hereby instituted to determine whether the present or future public convenience or necessity permit the abandonments herein applied for.

(B) A Presiding Administrative Law Judge, to be designated for that purpose by the Chief Administrative Law Judge (see delegation of authority, 18 CFR 3.5 (d)), shall preside at the hearing in this proceeding. As soon as possible, the Judge shall set dates for a prehearing conference, if necessary, and for the taking of testimony. The proceeding should continue without unnecessary delays until all relevant and material evidence which the parties wish to present has been taken. Unless otherwise ordered, the Presiding Administrative Law Judge shall then issue a decision as expeditiously as possible.

(C) The Secretary shall cause prompt publication of this order to be made in the FEDERAL REGISTER.

By the Commission.

KENNETH F. PLUMB,
Secretary.

[FR Doc.76-37129 Filed 12-16-76;8:45 am]

[Docket No. ER77-78]

HARTFORD ELECTRIC LIGHT CO.

Purchase Agreement

DECEMBER 10, 1976.

Take notice that on November 26, 1976 The Hartford Electric Light Company (HELCO) tendered for filing a proposed Purchase Agreement with Respect to South Meadow Gas Turbine Units, dated September 27, 1976 between (1) HELCO and (2) the Town of Mansfield, Massachusetts Municipal Electric Department (MMED).

HELCO states that the Purchase Agreement provides for a sale to MMED of a specified percentage of capacity and energy from four gas turbine generating units (South Meadow Unit Nos. 11, 12, 13, and 14,) during the period from October 1, 1976 to October 31, 1976, together with related transmission service.

HELCO states that questions as to MMED's Capability Responsibility Obligation, under the terms of the New England Power Pool (NEPOOL) Agreement, during the term of this Purchase Agreement affected the amounts of gas turbine capacity that could be purchased by MMED and thus delayed execution of the agreement until a date which prevented the filing of such rate schedule more than thirty days prior to the proposed effective date.

HELCO therefore requests that, in order to permit MMED to receive urgently needed capacity, the Commission, pursuant to Section 35.11 of its regulations, waive the thirty-day notice period and permit the rate schedule filed to become effective on October 1, 1976.

HELCO states that the capacity charge for the proposed service was a negotiated rate. The monthly transmission charge is equal to one-twelfth of the annual average unit cost of transmission service on the Northeast Utilities (NU) system determined in accordance with Section 13.9 of the NEPOOL Agreement and the uniform rules adopted by the NEPOOL Executive Committee, multiplied by the number of kilowatts of winter capability which MMED is entitled to receive, reduce to give due recognition of the payments made by MMED for transmission services on intervening systems. The variable maintenance charge was arrived at through negotiations.

HELCO requests an effective date of October 1, 1976 for the MMED agreement.

HELCO states that copies of this rate schedule have been mailed or delivered to HELCO, Hartford, Connecticut, and MMED, Mansfield, Massachusetts.

HELCO further states that the filing is in accordance with Part 35 of the Commission's Regulations.

Any person desiring to be heard or to protest said application should file a petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street, N.E., Washington, D.C. 20426, in accordance with Sections 1.8 and 1.10 of the Commission's Rules of Practice and Procedures (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before December 20, 1976. 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 proceedings. Any person wishing to become a party must file a petition to intervene. Copies of this application are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.76-37126 Filed 12-16-76;8:45 am]

[Docket No. RM75-14]

NATIONAL RATES FOR JURISDICTIONAL SALES OF NATURAL GAS

Extension of Time

DECEMBER 13, 1976.

In the matter of National Rates for Jurisdictional Sales of Natural Gas Dedicated to Interstate Commerce on or after January 1, 1973, for the Period January 1, 1975, to December 31, 1976.

On November 22, 1976, Belco Petroleum Corporation filed a motion to extend the time to make refunds on amounts collected in excess of the nationwide rates set in Opinion No. 770-A, issued November 5, 1976, in the above-styled proceeding. In the motion, Belco stated that only partial payment had been received for gas delivered between July 27, 1976, and November 5, 1976; other payments for deliveries were due at the end of November. Belco requested an extension of time to calculate the amount and make refunds.

Notice is hereby given that an extension of time is granted to and including December 20, 1976, within which Belco Petroleum Corporation shall make refunds required by Opinion No. 770-A.

By direction of the Commission.

KENNETH F. PLUMB,
Secretary.

[FR Doc.76-37119 Filed 12-16-76;8:45 am]

[Docket No. RM75-14]

NATIONAL RATES FOR JURISDICTIONAL SALES OF NATURAL GAS

Accepting Filings

DECEMBER 13, 1976.

In the matter of National Rates for Jurisdictional Sales of Natural Gas Dedicated to Interstate Commerce on or after January 1, 1973, for the Period January 1, 1975, to December 31, 1976.

On November 19, 1976, Enserch Exploration, Inc., filed revised rate schedules and affidavits as required by Opinion No. 770-A, issued November 5, 1976, in the above-styled proceeding. With its revised rate schedules, Enserch filed a motion to waive the November 12 filing deadline set in Opinion No. 770-A to November 19, 1976.

For good cause shown, Enserch's revised rate filings pursuant to Opinion No. 770-A shall be accepted as timely filed.

By direction of the Commission.

KENNETH F. PLUMB,
Secretary.

[FR Doc.76-37120 Filed 12-16-76;8:45 am]

[Docket No. CP77-71]

NATURAL GAS PIPELINE CO. OF AMERICA

Application

DECEMBER 13, 1976.

Take notice that on November 24, 1976, Natural Gas Pipeline Company of America (Applicant), 122 South Michigan Avenue, Chicago, Illinois 60603, filed in Docket No. CP77-71 an application pursuant to Section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the transportation of natural gas for General Electric Company (G.E.), and the construction and operation of a measuring facility to effectuate such transportation service, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

According to an agreement dated November 15, 1976, Applicant proposes to transport up to 6,000 Mcf of natural gas for G.E. for a period of 10 years from the date delivery commences, such gas to be purchased in place by G.E. in the Blue Buck Point Field, Cameron Parish, Louisiana.

It is stated that Applicant would receive gas for G.E.'s account at its Sabine Delivery Point, located in the Southwest Quarter of Section 7, Township 15 South, Range 15 West, Cameron Parish, Louisiana, and would deliver a thermally equivalent volume of gas to Texas Gas Transmission Corporation (Texas Gas) for the account of G.E. at the Erath Redelivery Point located in Section 21, Township 13 South, Range 4 East, Vermilion Parish, Louisiana. Applicant states that it would charge G.E. the greater of 4.0 cents per Mcf for all gas transported during any month or a monthly charge of $1,500.00. Applicant further states that it would have the right to purchase from G.E. a minimum of 10 percent of the gas delivered to Applicant for delivery.

It is asserted that the transportation service herein described would be effectuated by utilization of Applicant's existing facilities with the exception of a meter station which Applicant would construct at the Sabine Delivery Point at an estimated cost of $27,000.00. Applicant, it is stated, would be reimbursed by G.E. for this construction cost.

It is stated that such gas would be used solely by G.E. in its three manufacturing facilities, deliveries to each of which have either been curtailed, or are threatened with curtailment in the near future, and solely for Priority 2 and Priority 3 uses.

Any person desiring to be heard or to make any protest with reference to said application should on or before January 4, 1977, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 1.8 or 1.10) and the Regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's Rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by Sections 7 and 15 of the Natural Gas Act and the Commisson's Rules of Practice and Procedure, a hearing will be held without further notice before the Commission on this application if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otheriwse advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

KENNETH F. PLUMB,
Secretary.

[FR Doc.76-37139 Filed 12-16-76;8:45 am]

[Docket No. CP77-54]

NORTHERN NATURAL GAS CO.

Application

DECEMBER 13, 1976.

Take notice that on November 9, 1976, Northern Natural Gas Company (Applicant), 2223 Dodge Street, Omaha, Nebraska, filed in Docket No. CP77-54, an application pursuant to Section 7(c) of the Natural Gas Act for a Certificate of Public Convenience and Necessity authorizing Applicant, to sell natural gas to Panhandle Eastern Pipe Line Company (Panhandle). Northern also requests the Commission to grant a Temporary Certificate for the proposed sale, all as more fully set forth in the Application on file with the Commission and open to public inspection.

Applicant has contracted to purchase Cabot Corporation's (Cabot) production from West Cameron Area, South Addition Block 543, Offshore Louisiana. In order to accommodate the transportation of such gas from West Cameron Area, South Addition Block 565, Offshore Louisiana to Applicant near Applicant's Mullinville compressor station, Applicant has entered into certain transportation arrangements with Panhandle Eastern Pipe Line Company (Panhandle) and Trunkline Gas Company (Trunkline).

As partial consideration for the transportation of Applicant's offshore gas, Panhandle has a continuing option to purchase up to twenty percent (20%) of the volume of Applicant's Block 543 gas received by Trunkline at Block 565.

Accordingly, Applicant proposes to sell natural gas to Panhandle for resale in interstate commerce. The gas will be sold to Panhandle on a monthly cost of service basis, which cost represents Applicant's cost to acquire and transport the gas to the point of delivery to Trunkline. The estimated average cost of service per Mcf for the first year of operations is $1.51.

Protests and petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., in accordance with the Rules of Practice and Procedure (18 CFR 1.8 or 1.10) on or before January 3, 1977.

Take further notice that, pursuant to the authority contained in the subject to the jurisdiction conferred upon the Federal Power Commission by Sections 7 and 15 of the Natural Gas Act and the Commission's Rules of Practice and Procedure, a hearing will be held without further notice before the Commission on this application if no protest or petition to intervene is filed within the time required herein and the Commission on its own review of the matter believes that a grant of the Certificate is required by the Public Convenience and Necessity. If a protest or petition for leave to intervene is timely filed or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedures herein provided for, unles otherwise advised, it will be unnecessary for Northern to appear or to be represented at the hearing.

KENNETH F. PLUMB,
Secretary.

[FR Doc.76-37133 Filed 12-16-76;8:45 am]

[Docket No. CP73-162]

SEA ROBIN PIPELINE CO.

Application

DECEMBER 13, 1976.

Take notice that on November 2, 1976, Sea Robin Pipeline Company (Sea Robin), pursuant to Section 7(c) of the Natural Gas Act, filed an application to amend the Certificate of Public Convenience and Necessity in Docket No. CP73-162, seeking authorization to increase the Contract Demand level presently applicable to Southern Natural Gas Company (Southern) under Rate Schedule X-6 to 21,400 Mcf per day. The application requests authorization to increase the quantity of natural gas to be transported for Southern by Sea Robin from 16,300 Mcf per day, to 21,400 Mcf per day, and to designate Block 231, East Cameron Area as an additional transportation point of delivery from Southern to Sea Robin, all as more fully set forth in the application as amended which is on file with the Federal Power Commission in this docket and open to public inspection.

Petitions to intervene may be filed with the Federal Power Commission, Washington, D.C. 20426, in accordance with the Rules of Practice and Procedure (18 CFR 1.8 or 1.10) and the Regulations Under the Natural Gas Act (157.19) on or before January 3, 1977.

Take further notice that pursuant to the authority contained in the subject to the jurisdiction conferred upon the Federal Power Commission by Sections 7 and 15 of the Natural Gas Act and the Commission's Rules of Practice and Procedure, a hearing will be held without further notice before the Commission on this application if no protest or petition to intervene is filed within the time prescribed herein, if the Commission on its own review of this matter finds that a grant of the certificate is required by the public convenience and necessity. If a protest or petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing will be duly given.

Under the procedure herein provided for, unless otherwise provided, it will be unnecessary for Sea Robin to appear or be represented at the hearing.

KENNETH F. PLUMB,
Secretary.

[FR Doc. 76-37141 Filed 12-16-76; 8:45 am]

[Docket No. CP77-77]

SOUTHERN UNION COMPANY, APPLICANT AND NORTHERN NATURAL GAS COMPANY, RESPONDENT

Application

DECEMBER 13, 1976.

Take notice that on December 2, 1976, Southern Union Gas Company (Applicant), a division of Southern Union Company, First International Building, Dallas, Texas 75270, filed an application pursuant to Section 7(a) of the Natural Gas Act for an order of the Commission directing Northern Natural Gas Company (Respondent) to deliver and sell an additional 344,668 Mcf of natural gas per billing year to Applicant for the purpose of distribution and resale to Respondent's pipeline right of way grantors and other customers of Applicant for use as irrigation pump engine fuel and other domestic uses in rural areas of Beaver, Ellis, Harper, Roger Mills, Texas, and Woodward Counties, Oklahoma, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant states that it currently is authorized to purchase, and Respondent is authorized to sell, 655,332 Mcf of natural gas per billing year and that it seeks to

increase this authorization by 344,668 Mcf to a total authorization of 1,000,000 Mcf. Applicant indicates that by the order of the Commission on August 13, 1976, in Docket No. CP75–333 Respondent was authorized and directed to deliver the currently effective volume.

Applicant states that it serves residential, commercial, firm industrial, public authority, and irrigation customers with the natural gas purchased by it from Respondent, and that it has experienced minimal growth in the number of customers served with this gas, but due to increases in the amount of gas used by individual customers, and due to the prolonged dry spells that often occur in Oklahoma, additional gas is needed for these customers. It is further stated that Applicant's customers have no alternative source of energy.

Applicant states that unacceptably large volumes of gas are not accounted for and that it will supplement filed data as soon as full information concerning this abnormality is available. Applicant indicates that it and Respondent have adequate facilities to handle the requested volumes and that no expansion is necessary.

Any person desiring to be heard or to make any protest with reference to said application should on or before January 4, 1977, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 1.8 or 1.10) and the Regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's Rules.

KENNETH F. PLUMB,
Secretary.

[FR Doc.76–37140 Filed 12–16–76;8:45 am]

[Docket No. CP77–21]

TENNECO INC. AND COLUMBIA GULF TRANSMISSION CO.

Application

DECEMBER 13, 1976.

Take notice that on November 4, 1976, Tennessee Gas Pipeline Company, a Division of Tenneco Inc. (Tennessee), P.O. Box 2511, Houston, Texas, 77001, and Columbia Gulf Transmission Company (Columbia Gulf) P.O. Box 683, Houston, Texas, 77001, filed an amendment to their joint application in Docket No. CP77–21 for the purpose of authorizing Tennessee to commence the transportation of natural gas for Gulf Energy and Minerals Company-U.S., a Division of Gulf Oil Corporation (Gulf), on a best efforts basis and for a limited period of one year, through existing facilities of Tennessee in the East Timbalier Island Area, Offshore Louisiana.

Applicants state that their original application in Docket No. CP77–21, filed on October 19, 1976, requested authorization to construct and operate facilities, including a large diameter pipeline, in the South Timbalier Block 37 Field, Offshore Louisiana, for the purpose of attaching gas reserves committed to Applicants from such field. In addition, the application contemplated that a portion of Tennessee's capacity in such proposed pipeline would be utilized to enable Gulf to make available to Texas Eastern Transmission Corporation (Texas Eastern) volumes of gas produced from Gulf's share of the reserves in such field, which volumes Gulf is to sell to Texas Eastern pursuant to outstanding certificate authorization at Docket No. CI64–26.

By the amendment, Tennessee requests temporary authorization to utilize the capacity available in its existing 12-inch pipeline facilities on East Timbalier Island to commence the transportation of Gulf's gas, which is expected to be available in early November, to Texas Eastern, for Gulf's account, at a mutually agreeable existing point or points onshore, pending certification and construction of the facilities proposed at Docket No. CP77–21.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by Sections 7 and 15 of the Natural Gas Act and the Commission's Rules of Practice and Procedure, a hearing will be held without further notice before the Commission on this application provided no protest or petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a protest or petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will duly be given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicants to appear or be represented at the hearing.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the Rules of Practice and Procedure (18 CFR 1.8 or 1.10) and the Regulations under the Natural Gas Act (157.10) on or before January 3, 1977.

KENNETH F. PLUMB,
Secretary.

[FR Doc.76–37137 Filed 12–16–76;8:45 am]

[Docket No. RP72–99 (DCA77–1)]

TRANSCONTINENTAL GAS PIPE LINE CORP.

Tariff Filing

DECEMBER 10, 1976.

Take notice that Transcontinental Gas Pipe Line Corporation (Transco) on November 30, 1976, tendered for filing revised tariff sheets to its FPC Gas Tariff, First Revised Volume No. 1 and Original Volume No. 2 to become effective January 1, 1977. Pursuant to the provision contained in its Tariff providing for "tracking" of curtailment credits and debits, Transco proposes to increase its rates effective January 1, 1977 to reflect the balance of credits in the Deferred Account as of October 31, 1976.

Thirty-third Revised Sheet No. 5 and Twenty-eighth Revised Sheet No. 6 to First Revised Volume No. 1, and Fourth Alternate Eleventh Revised Sheet No. 121 to Original Volume No. 2 included in the filing reflect an increase of 1.7¢ in the commodity rate or delivery charge of the Company's CD, G, OG, E, PS, S–2 and X–20 rate schedules.

The Company states that copies of the filing have been mailed to each of the Company's jurisdictional customers and interested State Commissions.

Any person desiring to be heard or to protest said filing should file petition to intervene or protest with the Federal Power Commission, 825 North Capitol Street, N.E., Washington, D.C., 20426, in accordance with Sections 1.8 and 1.10 of the Commission's Rules of Practice and Procedure (18 CFR 1.8, 1.10). All such petitions or protests should be filed on or before December 27, 1976. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a petition to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

KENNETH F. PLUMB,
Secretary.

[FR Doc.76–37127 Filed 12–16–76;8:45 am]

[Docket No. CP77–79]

TRANSCONTINENTAL GAS PIPE LINE CORP.

Application

DECEMBER 13, 1976.

Take notice that on December 3, 1976, Transcontinental Gas Pipe Line Corporation (Applicant), Post Office Box 1396, Houston, Texas 77001, filed in Docket No. CP77–79 an application pursuant to Section 7(c) of the Natural Gas Act and Section 2.79 of the Commission's General Policy and Interpretations (18 CFR 2.79), for a certificate of public convenience and necessity authorizing the transportation of natural gas on behalf of Dan River Inc. (Dan River), all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant proposes to transport for Dan River up to 1000 Mcf [1] of gas per day, for a period of two years following the

[1] All volumes at 15.025 psia unless otherwise indicated.

date of the first delivery, for use at Dan River's Danville, Virginia plant. It is stated that said gas will be received by Applicant at a mutually agreeable point on Transco's Main Line "A" in Calcasieu Parish, Louisiana and redelivered at existing points of delivery to the City of Danville, Virginia (Danville), one of Applicant's resale customers, for the account of and for deliver to Dan River.

It is stated that pursuant to a gas sales contract between Dan River and Dyco Petroleum Corporation, Wright Oil Company and Time Oil and Gas Company (Sellers), dated November 11, 1976, Dan River would purchase natural gas produced at Sellers' fields in Beauregard Parish, Louisiana, in the maximum amount of 1,000 Mcf per day. It is indicated that the minimum purchase would be 80% of Seller's delivery capacity which is defined as that quantity of gas that can be delivered from Sellers' gas reserves during a twenty-four hour period following seventy-two hours of flow at 800 Mcf but in no event more than 800 Mcf. It is also indicated that the price in the first year of the two year agreement is $1.55 per Mcf and shall increase to $1.60 in the second year.

Applicant states that a transportation charge of 22.0 cents per Mcf (at 14.7 psia) would be paid by Dan River. Transportation, it is stated, would be on an interruptible basis and would be limited by the contract demand of Danville. Applicant states that it did not consider the subject natural gas supply to be available for purchase by it since the Sellers showed no willingness to sell in the interstate market.

It is stated that Dan River required the subject gas supply for its finishing plant because it currently receives no regular pipeline service from its distributor, Danville. It is stated that Dan River has a need for 2,000 Mcf of natural gas at its Danville plant and that current, Commission-approved, direct purchase supply only 600 Mcf. It is further stated that curtailments would have an adverse effect upon the 8,000 employees working at the Danville plant as well as employees working in thirty-two other Dan River Plants located in North Carolina, Georgia, Alabama and sales operations in the city of New York, New York.

Any person desiring to be heard or to make any protest with reference to said application should on or before January 3, 1977, file with the Federal Power Commission, Washington, D.C. 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 1.8 or 1.10) and the Regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a petition to intervene in accordance with the Commission's Rules.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by Sections 7 and 15 of the Natural Gas Act and the Commission's Rules of Practice and Procedure, a hearing will be held without further notice before the Commission on this application if no petition to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

KENNETH F. PLUMB,
Secretary.

[FR Doc.76-37136 Filed 12-16-76;8:45 am]

[Docket No. CP77-52]

TRUNKLINE GAS CO.

Application

DECEMBER 13, 1976.

Take notice that on November 9, 1976, Trunkline Gas Company (Applicant), P.O. Box 1642, Houston, Texas 77001, filed in Docket No. CP77-52 an application pursuant to Section 7(c) of the Natural Gas Act and the regulations thereunder for Certificates of Public Convenience and Necessity authorizing the transportation of natural gas on behalf of Gulf Oil Corporation (Gulf), and for a temporary certificate therefor, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant proposes a two part transportation service consisting of the receipt, transportation and redelivery of volumes equivalent to 50% of the capacity of Applicant's ten-inch line under construction between Blocks 23 and 26 of the Vermilion Area, Offshore Louisiana; and initial volumes of 35,000 Mcf per day for the account of Gulf between Block 26 and points of connection with Texas Eastern Transmission Corporation in Beauregard Parish, Louisiana, utilizing the existing capacity of its system. The facilities to be used in the portion of the proposed transportation service from Vermilion Block 23 to Block 26 are being construction by Applicant pursuant to its Budget Certificate obtained in Docket No. CP76-281. Gulf is making a contribution in aid of construction of one-half of the cost of such facilities.

Any person desiring to be heard or to make any protest with reference to said application should on or before January 3, 1977, file with the Federal Power Commission, Washington, D.C., 20426, a petition to intervene or a protest in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 1.8 or 1.10) and the Regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to a proceeding or to a participate as a party in any hearing herein must file a petition to intervene in accordance with the Commission's Rules.

Take further notice that, pursuant to the authority contained in the subject to the jurisdiction conferred upon the Federal Power Commission by Section 7 and 15 of the Natural Gas Act and the Commission's Rules of Practice and Procedure, a hearing will be held without further notice before the Commission on this application if no petition to intervene is filed within the time required herein, if the Commission on its own revew of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a petition for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at a hearing.

KENNETH F. PLUMB,
Secretary.

[FR Doc.76-37131 Filed 12-16-76; 8:45 am]

[Docket No. E-9147 (Phase II)]

VIRGINIA ELECTRIC AND POWER CO.

Extension of Time

DECEMBER 10, 1976.

On November 22, 1976, ElectriCities of North Carolina filed a motion to further extend the procedural dates, as most recently modified by Notice issued August 30, 1976, in the above-designated proceeding. The motion states that all parties have been contacted, and there are no objections.

Notice is hereby given that the procedural dates are further extended as follows:

Service of Intervenor Testimony.	Feb. 7, 1977.
Service of Staff Testimony.	Mar. 7, 1977.
Service of Company Rebuttal.	Mar. 21, 1977.
Service of Intervenor Rebuttal.	Apr. 11, 1977.
Hearing ----------	Apr. 19, 1977.

By direction of the Commission.

KENNETH F. PLUMB,
Secretary.

[FR Doc.76-37128 Filed 12-16-76;8:45 am]

FEDERAL RESERVE SYSTEM

FIRST NATIONAL CHARTER CORP.

Order Approving Acquisition of Charter Bankers Life Insurance Company

First National Charter Corporation, Kansas City, Missouri, a bank holding company within the meaning of the Bank Holding Company Act, has applied for the Board's approval, under § 4(c)(8) of the Act (12 U.S.C. § 1842(c)(8)) and § 225.4(b)(2) of the Board's Regulation Y (12 CFR § 225.4(b)(2)), to acquire all the shares of Charter Bankers Life Insurance Company, Kansas City, Missouri ("Company"), a company that would engage de novo in the activity of underwriting credit life and credit accident and health insurance directly related to extensions of credit by Applicant's subsidiary banks. Such activity has been determined by the Board to be closely related to banking (12 CFR § 225.4(a)(10)).

Notice of the application, affording opportunity for interested persons to submit comments and views on the public interest factors, has been duly published (41 FR 44473 (1976)). The time for filing comments and views has expired, and the Board has considered the application and all comments received in the light of the public interest factors set forth in § 4(c)(8) of the Act (12 U.S.C. 1842(c)(8)).

Applicant, the fourth largest banking organization in Missouri, controls 18 banks with aggregate deposits of approximately $928 million, representing 5.4 per cent of the total deposits in commercial banks in the State.[1] Company will be organized as a fully-capitalized Missouri insurance company and will limit its activity to that of engaging de novo in underwriting credit life and credit accident and health insurance directly related to extensions of credit by Applicant's subsidiary banks. Since this proposal involves a de novo acquisition, consummation of the transaction would not have any adverse effect upon existing or potential competition in any relevant market.

Credit life and credit accident and health insurance is generally made available by banks and other lenders and is designed to assure repayment of a loan in the event of death or disability of the borrower. In connection with its addition of the underwriting of such insurance to the list of permissible activities for bank holding companies, the Board stated:

> To assure that engaging in the underwriting of credit life and credit accident and health insurance can reasonably be expected to be in the public interest, the Board will only approve applications in which an applicant demonstrates that approval will benefit the consumer or result in other public benefits. Normally, such a showing would be made by a projected reduction in rates or increase in policy benefits due to bank holding company performance of this service. (12 CFR § 225.4(a)(10) n. 7)

[1] All banking data are as of December 31, 1975.

Applicant has stated that following consummation of the acquisition, Company will offer at reduced premiums the several types of credit insurance policies that it will underwrite. Company would offer level term credit life insurance on single payment loans, and reducing term credit life insurance on installment loans, at premium rates which are 25 and 20 per cent, respectively, below those rates presently being charged by most of Applicant's banking subsidiaries. Applicant also proposes that Companw will offer credit accident and health insurance at premium rates which are 5 per cent below those presently being charged by Applicant's banking subsidiaries. In addition to the above-mentioned premium rate reductions, Applicant would also offer slightly broadened policy coverage. The Board is of the view that the slightly expanded policy coverage together with the reductions in insurance premiums that Applicant proposes to establish are, and will continue to be, in the public interest.

Based upon the foregoing and other considerations reflected in the record, including a commitment by Applicant to maintain on a continuing basis the public benefits which the Board has found to be reasonably expected to result from this proposal and upon which the approval of this proposal is based, the Board has determined that the balance of the public interest factors the Board is required to consider under § 4(c)(8) is favorable. Accordingly, the application is hereby approved. This determination is subject to the conditions set forth in § 225.4(c) of Regulation Y and to the Board's authority to require such modification or termination of the activities of a holding company or any of its subsidiaries as the Board finds necessary to assure compliance with the provisions and purposes of the Act and the Board's regulations and orders issued thereunder, or to prevent evasion thereof.

The transaction shall be made not later than three months after the effective date of this Order, unless such period is extended for good cause by the Board or by the Federal Reserve Bank of Kansas City.

By order of the Board of Governors,[2] effective December 8, 1976.

GRIFFITH L. GARWOOD,
Deputy Secretary of the Board.

[FR Doc.76-37074 Filed 12-16-76;8:45 am]

Y&S INVESTMENT CO.

Formation of Bank Holding Company

Y&S Investment Co., Omaha, Nebraska, has applied for the Board's approval under § 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 percent or more of the voting shares of State Bank of Atwood, Atwood, Kansas. The factors that are considered in acting on the application are set forth in § 3(c) of the Act (12 U.S.C. 1842(c)).

The application may be inspected at the offices 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 no later than January 10, 1977

Board of Governors of the Federal Reserve System, December 10, 1976.

GRIFFITH L. GARWOOD,
Deputy Secretary of the Board.

[FR Doc.76-37105 Filed 12-16-76;8:45 am]

[2] Voting for this action: Vice Chairman Gardner, and Governors Wallich, Coldwell, Jackson, Partee and Lilly. Absent and not voting: Chairman Burns.

GENERAL ACCOUNTING OFFICE

REGULATORY REPORTS REVIEW

Receipt of Report Proposal

The following request for clearance of a report intended for use in collecting information from the public was received by the Regulatory Reports Review Staff, GAO, on December 13, 1976. See 44 U.S.C. 3512(c) and (d). The purpose of publishing this notice in the FEDERAL REGISTER is to inform the public of such receipt.

The notice includes the title of the request received; the name of the agency sponsoring the proposed collection of information; the agency form number, if applicable; and the frequency with which the information is proposed to be collected.

Written comments on the proposed FEA request are invited from all interested persons, organizations, public interest groups, and affected businesses. Because of the limited amount of time GAO has to review the proposed request, comments (in triplicate) must be received on or before January 4, 1977, and should be addressed to Mr. John M. Lovelady, Acting Assistant Director, Regulatory Reports Review, United States General Accounting Office, Room 5216, 425 I Street, NW., Washington, D.C. 20548.

Further information may be obtained from Patsy J. Stuart of the Regulatory Reports Review Staff, 202-376-5425.

FEDERAL ENERGY ADMINISTRATION

FEA requests clearance of Schedule A-3 of its new form C607-S-O entitled Major Fuel Burning Installations—Early Planning Process Report. The C607-S-O will enable the FEA to identify major fuel burning installations (MFBI's) in the early planning process so that construction orders may be issued which will require the recipient MFBI's to be designed and constructed so as to be capable of burning coal as the primary energy source. Schedules A1 and A2 are primarily concerned with the identification of those MFBI's currently in the early planning process. Once identified, certain of the responding organizations will be required to submit a third schedule (A-3) providing the necessary financial and coal availability information

for the FEA to determine whether construction orders should be issued to newly planned MFBI's. It is the analysis of this information that will determine whether or not the FEA will issue a construction order to a given company. FEA estimates burden for Schedule A–3 of the C607 to average 75 hours with an estimated 300 respondents.

NORMAN F. HEYL,
Regulatory Reports Review Officer.

[FR Doc. 76–37183 Filed 12–16–76;8:45 am]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Office of Education

NATIONAL ADVISORY COUNCIL ON EQUALITY OF EDUCATIONAL OPPORTUNITY

Public Meeting

Notice is hereby given, pursuant to section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92–463), that the National Advisory Council on Equality of Educational Opportunity will convene at 9:30 a.m. on Friday, January 28, 1976, until 4:30 p.m., and reconvene at 9:30 a.m. on Saturday, January 29, 1976, until 12 noon, in the Volusia-Cape Canaveral Room of the Sheraton-Twin Towers, 5780 Major Boulevard, Orlando, Florida.

The National Advisory Council on Equality of Educational Opportunity is established under section 716 of the Emergency School Aid Act (Pub. L. 92–318, Title VII, as amended by Pub. L. 93–380 and Pub. L. 94–482). The Council is established to: (1) Advise the Assistant Secretary for Education with respect to the operation of the program authorized under the Emergency School Aid Act (ESAA), including the preparation of regulations and the development of criteria for the approval of applications; and (2) review the operation of the program with respect to its effectiveness in achieving its purpose as stated in the Act and with respect to the Assistant Secretary's conduct in the administration of the program.

The meeting of the Council, which is open to the public, will consist of presentations from various ESAA program personnel as well as a discussion of recent trends in desegregation plans as presented by Dr. Gordon Foster. USOE program personnel from national headquarters are expected to discuss the recent legislative changes in the Act, as well as plans for regulatory implementation. Council business will center on a discussion of new operational organization and plans for the year ahead.

Records of all meetings are kept at NACEEO headquarters, 1325 G Street, NW., Suite 710, Washington, D.C., 20005, and are available for public inspection.

Signed at Washington, D.C., on December 14, 1976.

LEO A. LORENZO,
Executive Director.

[FR Doc.76–37080 Filed 12–16–76;8:45 am]

Office of Education

NATIONAL ADVISORY COUNCIL ON WOMEN'S EDUCATIONAL PROGRAMS

Meeting

Notice is hereby given, pursuant to Pub. L. 92–463, that the first meeting of the Special Committee on Dissemination of the National Advisory Council on Women's Educational Programs will be held from 1:30 p.m. to 6:30 p.m. on January 7, 1977 at the Plaza International Hotel, 1515 Hotel Circle South, San Diego, California.

The National Advisory Council on Women's Educational Programs is established pursuant to Pub. L. 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 Pub. L. 93–380, including criteria developed to insure an appropriate distribution of approved programs and projects throughout the Nation; (d) make such reports to the President and the Congress on the activities of the Council as it determines appropriate; (e) develop criteria for the establishment of program priorities; and (f) disseminate information concerning its activities under section 408 of Pub. L. 93–380.

The Committee meeting shall be open to the public. The agenda will include (1) development of policy recommendations on the dissemination function and an organizational structure to address it; (2) discussion of the format for the Council's Annual Report; (3) other business.

Records will be kept of all Council proceedings and will be available at the Council offices at Suite 821, 1832 M Street, NW., Washington, D.C.

Signed at Washington, D.C. on December 14, 1976.

JOY R. SIMONSON,
Executive Director.

[FR Doc.76–37144 Filed 12–16–76;8:45 am]

Food and Drug Administration

[Docket No. 76G–0466]

ABBOTT LABORATORIES

Withdrawal of Food Additive Petition and Filing of Petition for Affirmation of GRAS Status

The Food and Drug Administration (FDA) announces that Abbott Laboratories has withdrawn its food additive petition (4H2973) that would permit use of Halazone tablets containing a certain microbicidal chemical in potable water, and refiled it as GRAS petition 5G0050; comments by February 15, 1977.

Accordingly, under the Federal Food, Drug, and Cosmetic Act (secs. 201(s), 409, 701(a), 52 Stat. 1055, 72 Stat. 1784–1788 (21 U.S.C. 321(s), 348, 371(a))) and the regulations for affirmation of GRAS status in § 121.40 (21 CFR 121.40), the following notice is issued:

A notice of filing of a petition (FAP 4H5043) was published in the FEDERAL REGISTER of September 13, 1973 (38 FR 25467) proposing establishment of a food additive tolerance under Part 121 (21 CFR Part 121) for residues of the microbicidal chemical *p*-(*N, N* dichlorosulfamoyl) benzoic acid in potable water at 6 parts per million.

The notice of filing was issued by the Environmental Protection Agency in accordance with Reorganization Plan No. 3 of 1970 (3 CFR 1970 Comp., p. 199; 35 FR 15623), which transferred (effective December 2, 1970) to the Administrator of the Environmental Protection Agency (EPA) the functions vested in the Secretary of Health, Education, and Welfare (HEW) for establishing tolerances for pesticide chemicals under sections 406, 408, and 409 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 346, 346a, and 348). Subsequently, in accordance with the agreement between HEW and EPA regarding matters of mutual responsibility, published in the FEDERAL REGISTER of December 22, 1971 (36 FR 24234), it was concluded that the subject petition should be processed by FDA and was then renumbered 4H2973.

In accordance with § 121.52 (21 CFR 121.52), notice is hereby given that Abbott Laboratories, North Chicago, IL 60064 has withdrawn this petition (4H2973) without prejudice to future filing.

Notice is also given that this petition is hereby refiled as a GRAS petition (5G0050) and placed on public display at the office of the Hearing Clerk, Food and Drug Administration. The petition proposes that Halazone tablets containing *p*-(*N,N* dichlorosulfamoyl) benzoic acid are generally recognized as safe (GRAS) for use in the emergency treatment of potable water.

Any petition that meets the format requirements outlined in § 121.40 (21 CFR 121.40) is filed by FDA. There is a prefiling review of the adequacy of data to support a GRAS conclusion. Thus the filing of a petition for GRAS affirmation should not be interpreted as a preliminary indication of suitability for affirmation.

Interested persons may, on or before February 15, 1977, review the petition and/or file comments (preferably in quintuplicate) with the Hearing Clerk, Food and Drug Administration, Rm. 4–65, 5600 Fishers Lane, Rockville, MD 20857. Comments should include any available information that would be helpful in determining whether the substance is, or is not, generally recognized as safe. A copy of the petition and received comments may be seen in the office of the Hearing Clerk, address given above, from 9 a.m. to 4 p.m., Monday through Friday.

Dated: December 8, 1976.

HOWARD R. ROBERTS,
Acting Director, Bureau of Drugs.

[FR Doc.76–36751 Filed 12–16–76;8:45 am]

[Docket No. 76N-0479; DESI 5963]

CERTAIN SULFONAMIDE OPHTHALMIC OINTMENTS AND SOLUTION

Drugs for Human Use; Drug Efficacy Study Implementation; Followup Notice and Opportunity for Hearing

In a notice (DESI 5963) published in the FEDERAL REGISTER of September 10, 1969 (34 FR 14248), the Food and Drug Administration announced its conclusions that the drug products described below are effective in the treatment of certain ocular infections. The drug products were also classified as possibly effective for certain other indications. In response to that notice, the less-than-effective indications were deleted from the labeling of the drug products. No person has submitted any data in support of the less-than-effective indications, and they are now reclassified to lacking substantial evidence of effectiveness. Other drugs included in the September 10, 1969 notice are not affected by the conclusions of this notice. This notice offers an opportunity for hearing concerning the downgraded indications and states the conditions for marketing such drugs for the indications for which they continue to be regarded as effective. Persons who wish to request a hearing may do so on or before January 17, 1977.

NDA 8-724; Sodium Sulfacetamide Ointment; ICN Pharmaceuticals, 222 No. Vincent Ave., Covina, CA 91722.

NDA 7-757; Gantrisin Ophthalmic Solution containing sulfisoxazole diolamine; Rhode Laboratories, Division of Hoffman-LaRoche, Inc., Nutley, NJ 07110.

NDA 8-414; Gantrisin Ophthalmic Ointment containing sulfisoxazole diolamine; Roche Laboratories.

Such drugs are regarded as new drugs (21 U.S.C. 321(p)). Supplemental new drug applications are required to revise the labeling in and to update previously approved applications providing for such drugs. An approved new drug application is a requirement for marketing such drug products.

In addition to the holder(s) of the new drug application(s) specifically named above, this notice applies to all persons who manufacture or distribute a drug product, not the subject of an approved new drug application, that is identical, related, or similar to a drug product named above, as defined in 21 CFR 310.6. It is the responsibility of every drug manufacturer or distributor to review this notice to determine whether it covers any drug product he manufactures or distributes. Any person may request an opinion of the applicability of this notice to a specific drug product he manufactures or distributes that he may be identical, related, or similar to a drug product named in this notice by writing to the Food and Drug Administration, Bureau of Drugs, Division of Drug Labeling Compliance (HFD-310), 5600 Fishers Lane, Rockville, MD 20852.

A. *Effectiveness classification.* The Food and Drug Administration has reviewed all available evidence and concludes that the drugs are effective for the indications listed in the labeling conditions below and lack substantial evidence of effectiveness for all their other labeled indications.

B. *Conditions for approval and marketing.* The Food and Drug Administration is prepared to approve abbreviated new drug applications and abbreviated supplements to previously approved new drug applications under conditions described herein.

1. *Form of drug.* The drug is in solution or ointment form suitable for ophthalmic administration.

2. *Labeling conditions.* a. The label bears the statement, "Caution: Federal law prohibits dispensing without prescription."

b. The drug is labeled to comply with all requirements of the act and regulations, and the labeling bears adequate information for safe and effective use of the drug. The Indications are as follows:

For the treatment of conjunctivitis, corneal ulcer, and other superficial ocular infections due to susceptible microorganisms, and as an adjuct in systemic sulfonamide therapy of trachoma.

3. *Marketing status.* a. Marketing of such drug products that are now the subject of an approved or effective new drug application may be continued provided that, on or before (insert date 60 days after date of publication in the FEDERAL REGISTER), the holder of the application submits, if he has not previously done so, (i) a supplement for revised labeling as needed to be in accord with the labeling conditions described in this notice, and complete container labeling if current container labeling has not been submitted, and (ii) a supplement to provide updating information with respect to items 6 (components), 7 (composition), and 8 (methods, facilities, and controls) of new drug application form FD-356H (21 CFR 314.1(c)) to the extent required in abbreviated applications (21 CFR 314.1(f)).

b. Approval of an abbreviated new drug application (21 CFR 314.1(f) must be obtanied prior to marketing such product. Marketing prior to approval of a new drug application will subject such products, and those persons who caused the products to be marketed, to regulatory action.

C. *Notice of opportunity for hearing.* On the basis of all the data and information available to him, the Director of the Bureau of Drugs is unaware of any adequate and well-controlled clinical investigation, conducted by experts qualified by scientific training and experience, meeting the requirements of section 505 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355) and 21 CFR 314.111 (a)(5), demonstrating the effectiveness of the drug(s) for the indication(s) lacking substantial evidence of effectiveness referred to in paragraph A. of this notice.

Notice is given to the holder(s) of the new drug application(s), and to all other interested persons, that the Director of the Bureau of Drugs proposes to issue an order under section 505(e) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355(e)), withdrawing approval of the new drug application(s) and all amendments and supplements thereto providing for the indication(s) lacking substantial evidence of effectiveness referred to in paragraph A. of this notice on the ground that new information before him with respect to the drug product(s), evaluated together with the evidence available to him at the time of approval of the application(s), shows there is a lack of substantial evidence that the drug product(s) will have all the effects it purports or is represented to have under the conditions of use prescribed, recommended, or suggested in the labeling. An order withdrawing approval will not issue with respect to any application(s) supplemented, in accord with this notice, to delete the claim(s) lacking substantial evidence of effectiveness.

In addition to the ground for the proposed withdrawal of approval stated above, this notice of opportunity for hearing encompasses all issues relating to the legal status of the drug products subject to it (including identical, related, or similar drug products as defined in 21 CFR 310.6), e.g., any contention that any such product is not a new drug because it is generally recognized as safe and effective within the meaning of section 201(p) of the act or because it is exempt from part or all of the new drug provisions of the act pursuant to the exemption for products marketed prior to June 25, 1938, contained in section 201 (p) of the act, or pursuant to section 107(c) of the Drug Amendments of 1962; or for any other reason.

In accordance with the provisions of section 505 of the act (21 U.S.C. 355) and the regulations promulgated thereunder (21 CFR Parts 310, 314), the applicant(s) and all other persons who manufacture or distribute a drug product which is identical, related, or similar to a drug product named above (21 CFR 310.6), are hereby given an opportunity for a hearing to show why approval of the new drug application(s) providing for the claim(s) involved should not be withdrawn and an opportunity to raise, for administrative determination, all issues relating to the legal status of a drug product named above and all identical, related, or similar drug products.

If an applicant or any person subject to this notice pursuant to 21 CFR 310.6 elects to avail himself of the opportunity for a hearing, he shall file (1) on or before January 17, 1977, a written notice of appearance and request for hearing, and (2) on or before February 15, 1977, the data, information, and analyses on which he relies to justify a hearing, as specified in 21 CFR 314.200. Any other interested person may also submit comments on this proposal to withdraw approval. The procedures and requirements governing this notice of opportunity for hearing, a notice of appearance and request for

hearing, a submission of data, information, and analyses to justify a hearing, other comments, and a grant or denial of hearing, are contained in 21 CFR 314.200.

The failure of an applicant or any other person subject to this notice pursuant to 21 CFR 310.6 to file timely written appearance and request for hearing as required by 21 CFR 314.200 constitutes an election by such person not to avail himself of the opportunity for a hearing concerning the action proposed with respect to such drug product and a waiver of any contentions concerning the legal status of such drug product. Any such drug product labeled for the indication(s) lacking substantial evidence of effectiveness referred to in paragraph A. of this notice may not thereafter lawfully be marketed, and the Food and Drug Administration will initiate appropriate regulatory action to remove such drug products from the market. Any new drug product marketed without an approved NDA is subject to regulatory action at any time.

A request for a hearing may not rest upon mere allegations or denials, but must set forth specific facts showing that there is a genuine and substantial issue of fact that requires a hearing. If it conclusively appears from the face of the data, information, and factual analyses in the request for the hearing that there is no genuine and substantial issue of fact which precludes the withdrawal of approval of the application, or when a request for hearing is not made in the required format or with the required analyses, the Commissioner will enter summary judgment against the person(s) who requests the hearing, making findings and conclusions, denying a hearing.

All submissions pursuant to this notice of opportunity for hearing shall be filed in quintuplicate. Such submissions, except for data and information prohibited from public disclosure pursuant to 21 U.S.C. 331(j) or 18 U.S.C. 1905, may be seen in the office of the Hearing Clerk (address given below) during working hours, Monday through Friday.

Communications forwarded in response to this notice should be identified with the reference number DESI 5963, directed to the attention of the appropriate office named below, and addressed to the Food and Drug Administration, 5600 Fishers Lane, Rockville, MD 20857.

Supplements (identify with NDA number): Division of Anti-Infective Drug Products, (HFD-140), Rm. 12B-45, Bureau of Drugs.

Original abbreviated new drug applications (identify as such): Division of Generic Drug Monographs (HFD-530), Bureau of Drugs.

Request for Hearing (identify with Docket number appearing in the heading of this notice): Hearing Clerk, Food and Drug Administration (HFC-20), Rm. 4-65.

Requests for the report of the National Academy of Sciences-National Research Council: Public Records and Document Center (HFC-18), Rm. 4-62.

Other communications regarding this notice: Drug Efficacy Study Implementation Project Manager (HFD-501), Bureau of Drugs.

(Federal Food, Drug, and Cosmetic Act (secs. 502, 505, 52 Stat. 1050-1053, as amended (21 U.S.C. 352, 355)) and under the authority delegated to the Director of the Bureau of Drugs (21 CFR 5.31) (recodification published in the FEDERAL REGISTER of June 15, 1976 (41 FR 24262)).)

Dated: December 6, 1976.

J. RICHARD CROUT,
Director, Bureau of Drugs.

[FR Doc.76-36750 Filed 12-16-76;8:45 am]

Health Resources Administration

ARIZONA

Redesignation of Health Service Areas

Correction

In FR Doc. 36459, appearing at page 54228, in the issue of Monday, December 13, 1976, on page 54229, in column 1, line 2, place a "3" behind the word "Area".

Social Security Administration

SECRETARY OF HEALTH, EDUCATION, AND WELFARE DEPARTMENT

Redelegations of Authority Pertaining to the Reimbursement of Suppliers of End-Stage Renal Disease Services Under the Medicare Program, and to the Withdrawal of Approval of Medicare Coverage of Such Suppliers of Services

Subsection (g) of section 226 of the Social Security Act (the Act), 42 U.S.C. 426(g), as added to title II of the Act by section 299I of Pub. L. 92-603 (the Social Security Amendments of 1972), authorizes the Secretary of Health, Education, and Welfare (the Secretary) to limit reimbursement for kidney transplant and dialysis services, under the Medicare program, to kidney disease treatment centers which meet such requirements as the Secretary prescribes by regulation. These regulations must include requirements for a minimal utilization rate for covered procedures, and for a medical review board to screen the appropriateness of patients for the proposed treatment procedures. Final regulations on the conditions for coverage of suppliers of such end-stage renal disease (ESRD) services were recently approved by the Secretary and published in the FEDERAL REGISTER (41 FR 22501-22, dated June 3, 1976), as Subpart U of Social Security Regulations No. 5 (20 CFR, Part 405 of Chapter III).

Authority to implement the provisions contained in subsection (g) of section 226 of the Act is derived by the Commissioner of Social Security (the Commissioner) from the Secretary's general delegation of authority to the Commissioner with respect to those functions vested in the Secretary by title II of the Act, as amended (33 FR 5836). The Commissoiner may redelegate such authority to the extent he deems appropriate.

The ESRD program became effective on July 1, 1973, and operated under interim regulations published in the FEDERAL REGISTER of June 29, 1973 (38 FR 17210). To provide the public with a formal opportunity to participate in the formulation of the interim regulations, these regulations were republished as a notice of proposed rulemaking (39 FR 35814, dated October 4, 1974). Among other things, these regulations provided that Medicare reimbursement would be limited to those facilities which were in operation on June 1, 1973; provided renal services prior to that date; and had not substantially expanded their capacity to render such services since that date. However, services rendered by facilities which were not furnishing renal services on June 1, 1973, or which had substantially expanded their capacity to render such services since that date, would be reimbursed only if the facility in question was granted an exception—through demonstration of both a need for the services and ability to deliver these services effectively and efficiently with an appropriate ESRD treatment delivery system. End-stage renal disease facilities in the latter category had to file an application for an exception in order to qualify for reimbursement. As of September 1, 1976, the effective date of the final ESRD regulations, no new applications for exception under the interim regulations are being accepted. Beginning 6 months after that effective date, no further exceptions will be granted under the interim regulations. Also, as of March 1, 1977, determinations with respect to a facility's approval or nonapproval for reimbursement under the final regulations will supersede determinations made under the interim regulations.

I. Notice is hereby given that, on September 2, 1974, the Commissioner redelegated authority to adjudicate requests from applicant facilities under the ESRD exception procedure to the following Social Security Administration (SSA) officials:

A. Deputy Commissioner of Social Security.

B. Assistant Commissioner, Field (This position has since been abolished.)

C. Director and Deputy Director, Bureau of Health Insurance (The position of Deputy Bureau Director has since been abolished.)

D. Deputy Director (Program Operations) and Assistant Deputy Director (Program Operations), Bureau of Health Insurance.

E. Assistant Bureau Director, State Operations and Deputy Assistant Bureau Director, State Operations, Bureau of Health Insurance (These positions have since been retitled as Director, Division of State Operations and Deputy Director, Division of State Operations, respectively.)

F. Regional Commissioners.

G. Regional Representatives and Deputy Regional Representatives, Health Insurance. (These positions have since been retitled as Regional Medicare Di-

rectors and Deputy Regional Medicare Directors, respectively.)

II. Notice is also hereby given that the Commissioner has redelegated, to the SSA positions specified below, authority to determine that suppliers of ESRD services qualify to have their services reimbursed under the Medicare program, pursuant to subsection (g) of section 226 of the Act:

Delegates	*Scope of authority*
A. Deputy Commissioner of Social Security.	A. Any case, without restriction.
B. Director, Bureau of Health Insurance.	B. Cases within the jurisdiction of the Bureau of Health Insurance.
C. Chief, Provider Certification Branch, Division of State Operations, Bureau of Health Insurance.	C. Cases within the jurisdiction of the Provider Certification Branch, Division of State Operations, Bureau of Health Insurance.
D. Regional Commissioners.	D. Cases within the jurisdiction of the respective Office of the Regional Commissioner.
E. Regional Medicare Directors and Deputy Regional Medicare Directors, Bureau of Health Insurance.	E. Cases within the jurisdiction of Regional Offices, Bureau of Health Insurance.
F. All positions in the direct line of supervision between the positions specified in items B. and C. above.	F. Cases within the jurisdiction of the component headed by the particular delegate.

III. Notice is further hereby given that the Commissioner has redelegated, to the SSA positions specified below, authority to withdraw approval of the coverage of a supplier of ESRD services under the Medicare program, pursuant to subsection (g) of section 226 of the Act, at such time and upon such reasonable notice to the supplier of services and to the public as may be specified in Subpart O of Social Security Regulations No. 5, after determing that the supplier of services no longer meets the conditions for coverage described in Subpart U of Social Security Regulations No. 5:

Delegates	*Scope of Authority*
A. Deputy Commissioner of Social Security.	A. Any case, without restriction.
B. Director, Bureau of Health Insurance.	B. Cases within the jurisdiction of the Bureau of Health Insurance.
C. Deputy Director (Program Operations) and Assistant Deputy Director (Program Operations) Bureau of Health Insurance.	C. Cases within the jurisdiction of components reporting to the Deputy Director (Program Operations), Bureau of Health Insurance.
D. Director, Division of State Operations and Deputy Director, Division of State Operations, Bureau of Health Insurance.	D. Cases within the jurisdiction of the Division of State Operations, Bureau of Health Insurance.
E. Regional Commissioners.	E. Cases within the jurisdiction of the respective Office of the Regional Commissioner.
F. Regional Medicare Directors and Deputy Regional Medicare Directors, Bureau of Health Insurance.	F. Cases within the jurisdiction of Regional Offices, Bureau of Health Insurance.

IV. The redelegations specified in sections II and III above are effective as of the date that this notice thereof is published in the FEDERAL REGISTER. Those redelegations specified in section I above were effective as of September 2, 1974.

V. Any actions taken by incumbents of those SSA positions designated in sections I, II and III above which, in effect, involve the exercise of the redelegations described therein prior to the date that this notice is published in the FEDERAL REGISTER, are hereby affirmed and ratified.

VI. Further redelegations of the authorities specified in sections I, II and III above are not authorized, except that, upon receipt of formal concurrence from the Director, Bureau of Health Insurance, Regional Medicare Directors, Bureau of Health Insurance may further redelegate the authority specified in section II above to other positions at or above the Program Officer level in Regional Offices, Bureau of Health Insurance.

Dated: December 13, 1976.

J. B. CARDWELL,
Commissioner of Social Security.

[FR Doc.76-37112 Filed 12-16-76;3:45 am]

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Office of Assistant Secretary for Community Planning and Development

[Docket No. N-76-635]

COMMUNITY DEVELOPMENT BLOCK GRANTS

Closing Date for Submission of Applications for Areawide Programs

On September 29, 1976, HUD published interim regulations in the FEDERAL REGISTER, with respect to Community Development Block Grant (CDBG) Areawide discretionary funding (41 FR 43104). A notice also appeared in the FEDERAL REGISTER on September 28, 1976, pertaining to the closing date for submission of applications for grants for areawide programs (41 FR 42692). The September 28 Notice stated that applications for areawide programs under § 570.404(b) of the interim regulations, submitted by units of general local government which are Participating Jurisdictions in Areawide Housing Opportunity Plans and which have received a supplemental allocation of housing assistance pursuant to 24 CFR Part 891, must be received by December 31, 1976.

The purpose of this notice is to modify the submission date for such applications in order to allow ample time for completion and packaging of applications, including the required A-95 review. In order to receive consideration for funding pursuant to 24 CFR Part 570.404(b), two copies of the complete CDBG application package must be received by the Assistant Secretary for Community Planning and Development by 5 p.m. (Washington, D.C. time) on April 13, 1977.

The request shall be addressed to:

Assistant Secretary for Community Planning and Development, Department of Housing and Urban Development, 451 7th Street SW, Room 7149, Washington, D.C. 20410.

In addition, two copies of the application package shall be addressed to the HUD Area Office serving the Areawide Planning Organization and applicant's jurisdictions, and one copy to the HUD Regional Office.

Issued in Washington, D.C. December 10, 1976.

WARREN H. BUTLER,
Acting Assistant Secretary for Community Planning and Development.

[FR Doc.76-37085 Filed 12-16-76;8:45 am]

Office of Assistant Secretary for Housing-Federal Housing Commissioner

[Docket No. D-76-471]

ACTING ASSISTANT SECRETARY FOR HOUSING-ACTING FEDERAL HOUSING COMMISSIONER

Designation

Section A. Designation. The officials appointed to, or designated to serve as Acting during a vacancy in the following positions are hereby designated to serve as Acting Assistant Secretary for Housing-Acting Federal Housing Commissioner during the absence of the Assistant Secretary for Housing-Federal Housing Commissioner with all the powers, functions and duties delegated or assigned to the Assistant Secretary for Housing-Federal Housing Commissioner: Provided, That no official is authorized to serve as Acting Assistant Secretary for Housing-Acting Federal Housing Commissioner unless all other officials whose appointed, or designated Acting, position titles precede his in this designation are unable to act by reason of absence:

1. Deputy Assistant Secretary for Housing-Deputy Federal Housing Commissioner.

2. Deputy Assistant Secretary for Insured and Direct Loan Programs.

3. Deputy Assistant Secretary for Assisted Housing.

4. Executive Assistant.
5. Director, Office of Management.

Sec. B. Authorization. Each head of an organizational unit of Housing is authorized to designate an employee under his jurisdiction to serve as Acting during the absence of the head of the unit.

Sec. C. Supersedure. This designation supersedes the designation of Acting Assistant Secretary for Housing-Acting Federal Housing Commissioner published at 40 FR 12304, March 18, 1975. (Secretary's delegation of authority to designate Acting officials, 36 FR 5004, Mar. 16, 1971)

Effective date: This designation to serve an Acting Assistant Secretary for Housing-Acting Federal Housing Commissioner is effective December 17, 1976.

JAMES L. YOUNG,
Assistant Secretary for Housing-Federal Housing Commissioner.

[FR Doc.76-37154 Filed 12-16-76;8:45 am]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

REDDING DISTRICT ADVISORY BOARD

Planning Committee Meeting

Notice is hereby given that the Redding District Multiple Use Advisory Board of the Bureau of Land Management will meet in Redding, California on January 18-20, 1977. The meeting will be devoted to election of board officers, a recap of the board's 1976 efforts, a staff briefing on the Cinder Cone Planning Unit, and a field trip of the Cinder Cone Planning Unit.

On January 18, 1977, the board will meet at 7:30 p.m. at the Redding District Office, 2460 Athens Avenue, Redding, California. The agenda will include the election of officers, discussion of the resolutions drafted at the November 18, 1976 meeting, a summary of the 1976 board efforts, and staff briefing of the Cinder Cone Planning Unit.

On January 19, 1977, a field examination of the northern portion of the Cinder Cone Planning Unit will commence at 7:45 a.m. from the Redding District Office. A scheduled stop is planned for 9 a.m. at the Fort Crook Museum parking lot in Fall River Mills, California to provide a meeting point for members of the public wanting to participate in the field tour.

On January 20, 1977, a field examination of the southern portion of the Cinder Cone Planning Unit will commence at 8 a.m. from the Charm Motel parking lot in Burney, California. This field trip will conclude at the Redding District Office at 2 p.m. The board will convene at 2:30 p.m. in the district office to discuss and present recommendations concerning the Cinder Cone Planning Unit.

The meetings and field trips will be open to the public. Members of the public wishing to participate in the field trips will have to furnish their own transportation. Time will be available for statements by members of the public. Those wishing to make oral statements should notify the District Manager, Redding District, 2460 Athens Avenue, Redding, California 96001 prior to the meeting. Any interested persons may file a written statement with the board for its consideration. Written statements may be submitted at the meeting or mailed to the Redding District Manager at the cited address.

Further information regarding this meeting may be obtained from Mr. Art Derby, Public Affairs Officer, Bureau of Land Management, 2460 Athens Avenue, Redding, California 96001. His telephone number is (916) 246-5325. Minutes of the meeting will be available for public inspection 30 days after the meeting at the Redding District Office, Bureau of Land Management, 2460 Athens Avenue, Redding, California 96001.

WAYNE W. ZINNE,
Acting Redding District Manager.

[FR Doc.76-37109 Filed 12-16-76;8:45 am]

Bureau of Reclamation

SOUTHERN NEVADA WATER PROJECT, SECOND STAGE

Public Hearing on Draft Environmental Statement

Pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969, the Department of the Interior has prepared a draft environmental statement for the Southern Nevada Water Project, Second Stage. This statement (INT DES 76-51) filed with the Council on Environmental Quality on December 7, 1976, is available to the public as specified in the notice of availability.

The Southern Nevada Water Project is a water supply system for the Las Vegas area. The first stage consists of intake facilities at Lake Mead, eight pumping plants, a main aqueduct 4 miles long, a 4-mile-long tunnel, and 30 miles of pipelines and laterals. The State of Nevada constructed the Alfred Merritt Smith Water Treatment Facility in conjunction with the first stage.

The second stage consists of five new pumping plants, modifications to four existing first stage pumping plants, a 2.5-mile long second barrel to the main aqueduct installed beside the first stage, and 30 miles of new aqueduct and pipelines with a capacity of 166,800 acre-feet per year. The State of Nevada plans a major expansion of the Alfred Merritt Smith Water Treatment Facility in conjunction with the second stage.

A public hearing will be held in Las Vegas, Nevada, in Room 17 of the Las Vegas Convention Center, 3150 Paradise Road, Las Vegas, Nevada, on January 18, 1977, to receive views and comments from interested organizations or individuals relating to the environmental impact of the project. The hearing will commence at 2 p.m., and continue until 5 p.m. The meeting will reconvene at 6:30 p.m., that evening. Oral statements at the hearing will be limited to periods of 10 minutes. Speakers will not trade their time to obtain a longer oral presentation; however, the person authorized to conduct the hearing may allow any speaker to provide additional comment after all persons wishing to comment have been heard. Speakers will be scheduled according to the time preference mentioned in their letters or telephone requests whenever possible, and any scheduled speaker not present when called will lose his position in the scheduled order, and his name will not be called again until the end of the order. Requests for scheduled presentations will be accepted up to 4 p.m., on January 17, 1977, and any subsequent requests will be handled on a first-come-first-serve basis following the scheduled presentations.

Organizations or individuals desiring to present statements at the hearing should contact Regional Director Manuel Lopez, Jr., Bureau of Reclamation, P.O. Box 426, Boulder City, Nevada 89005, telephone (702) 293-8464, and announce their intention to participate. Written comments from those wishing to supplement their oral presentations at the hearing should be received by January 30, 1977, for inclusion in the hearing record.

Dated: December 13, 1976.

CLIFFORD I. BARRETT,
Commissioner of Reclamation.

[FR Doc.76-37102 Filed 12-16-76;8:45 am]

Office of the Secretary

[INT FES 76-64]

CROW CEDED AREA COAL LEASE DEVELOPMENT PROPOSAL

Availability of Final Environmental Statement

Pursuant to section 102(2)(c) of the National Environmental Policy Act, the Bureau of Indian Affairs has prepared a Final Environmental Statement for the Westmoreland Resources Crow Ceded Area Coal Lease, Tracts II and III, which is located in Bighorn County, Montana.

The environmental statement considers human and physical environmental effects associated with the approval of a 30,876 acre coal mining lease on Crow Ceded Area.

The U.S. Geological Survey has prepared a Draft Environmental Statement for the Westmoreland Resources Absoloka Mine, Crow Indian Ceded Area, Bighorn County, Montana for a proposed 20-year plan of mining and reclamation on 2,151 acres within Tract III. INT DES 76/45. This statement was made available to the public on November 9, 1976.

Copies of the BIA statement will be available for inspection at the following locations:

Bureau of Indian Affairs, Division of Trust Facilitation, Room 4554—Department of the Interior Bldg., Washington, D.C. 20245, Telephone: (202) 343-4004.

Bureau of Indian Affairs, Billings Area Office, Billings, Montana 59103. Telephone: (406) 657-6145.

Bureau of Indian Affairs, Crow Indian Agency, Crow Agency, Montana 59022. Telephone: (406) 638-2671.

Copies of the Final Environmental Statement may be obtained from the Area Director, Bureau of Indian Affairs, 316 N. 26th Street, Billings, Montana 59101.

Dated: December 15, 1976.

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

[FR Doc.76-37208 Filed 12-16-76;8:45 am]

[FES 76-63]

OROVILLE-TONASKET UNIT EXTENSION OKANOGAN—SIMILKAMEEN DIVISION, CHIEF JOSEPH DAM PROJECT, WASHINGTON

Availability of Final Environmental Statement and Final Report

Pursuant to section 102(2)(C) of the National Environmental Policy Act of 1969, the Department of the Interior has prepared a final environmental impact statement and final report concerning the proposed replacement of the deteriorated irrigation system of the Oroville-Tonasket Irrigation District in north-central Washington with a new buried pipe system. Pumping plants will be installed along the Similkameen and Okanogan Rivers.

Copies of the statement and final report 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.

Office of the Regional Director, Bureau of Reclamation, P.O. Box 043, 550 W. Fort Street, Boise, Idaho 83724, telephone (208) 342-2711.

Chief Joseph Dam Project Office, Bureau of Reclamation, P.O. Box 346, Wapato Way, Mason, Washington 98831, telephone (509) 687-3511.

Single copies of the final statement and final report may be obtained on request to the Commissioner of Reclamation or the Regional Director. Copies will also be available for inspection in libraries in north-central Washington. Please refer to the statement number above.

Dated: December 14, 1976.

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

[FR Doc.76-37182 Filed 12-16-76;8:45 am]

INTERNATIONAL TRADE COMMISSION

GOVERNMENT IN THE SUNSHINE

Commission Meeting

Interested members of the public are invited to attend and to observe the meeting of the United States International Trade Commission to be held on December 21, 1976, beginning at 9:30 a.m., in the Hearing Room of the United States International Trade Commission, 701 E Street, NW., Washington, D.C. 20436. The Commission plans to consider the following agenda items in open session:

1. Agenda of future meetings;
2. Minutes of November 18, 19, 23, 24, 30, and December 1 (2 sets), 1976, and retirement minutes for Messrs. V. Mariner, H. McClain, and C. Twining;
3. Ratification List 76-12;
4. Reorganization including:
(a) briefing by Mr. Ramsdale; (b) selection of Director of Administration; (c) selection of Director, Policy and Planning; (d) selection of Director of Industries; (e) selection of Deputy Director of Operations; and (f) selection of Director of Operations.
5. Footwear (Inv. TA-201-18)—briefing;
6. Stoves and motors (Inv. 332-79)—briefing;
7. Personnel (action jackets GC-76-149 and ED-76-24), and Commissioner Bedell's memorandum dated December 8, 1976, subject: Exemption from the freeze order to permit recruitment for a Public Information Officer;
8. Proposed amendments to the General Rules of Practice and Procedure (see memorandum dated November 29, 1976, from the General Counsel's Advisory Staff);
9. Mushrooms (Inv. TA-201-17)—vote on the question of injury; and
10. Any other items left over from previous agenda.

If you have any questions concerning the agenda for the December 21, 1976, Commission meeting, please contact the Secretary to the Commission at (202) 523-0161. Public access to any documents considered by the Commission at the meeting may be obtained under the provisions of Subpart C of the Commission's rules (19 CFR 201.17-201.21).

Issued: December 14, 1976.

By order of the Commission

KENNETH R. MASON,
Secretary.

[FR Doc.76-37180 Filed 12-16-76;8:45 am]

DEPARTMENT OF LABOR

Employee Benefits Security Office

[Application No. L-317]

EMPLOYEE BENEFIT PLANS

Pendency of Exemption Relating to A Transition Involving the Teamsters-Rock Products and Ready Mixed Concrete Industries Training and Upgrading Fund

Notice is hereby given of the pendency before the Department of Labor (the Department) of a proposed exemption from the restrictions of section 406(a) of the Employee Retirement Income Security Act of 1974 (the Act). The pending exemption was requested in an application filed by the trustees of the Teamsters-Rock Products and Ready Mixed Concrete Industries Training and Upgrading Fund (the Plan), to allow the Plan to lease equipment on a short term basis from parties in interest. The application was filed pursuant to section 408 (a) of the Act and in accordance with the procedures set forth in ERISA Procedure 75-1 (40 FR 18471, April 28, 1975).

Summary of Representations. The application contains representations with regard to the pending exemption which are summarized below. Interested persons are referred to the application on file with the Department for the complete representations of the applicants.

Various employers in the rock products and ready mixed concrete industry of Southern California have entered into collective bargaining agreements with various locals of the Teamsters Union for training and upgrading present and potential empoyees. The purpose of the program is to develop a more highly skilled labor force by training employees to operate the specialized equipment used by the employers.

The Plan is not sufficiently capitalized to purchase the equipment needed to implement the full field portion of the training program. In view of this financial limitation, the Plan must lease the required equipment. It is impossible, at this time, to present any precise schedule of training if the exemption is granted. It is anticipated that equipment will be needed for training purposes on a short term basis. However, such equipment is generally not available for lease on a short term basis (less than one year) from non-industry sources. Therefore, in most instances the contributing employers will constitute the only available source of such equipment.

In implementing the training program, both contributing employers and sources outside the industry will be contacted in each geographical section in which training is undertaken to determine whether the required equipment is available. The Plan will select one location in each geographical area for training all participants of the Plan who are employed or live within that area. Employers who will bid on equipment leases with the Plan constitute parties in interest solely by virtue of being employers of employees who are covered by the Plan. Employers who are Trustees of the Plan or who have officers, directors or employees who are Trustees of the Plan will be excluded from leasing equipment to the Plan.

The Plan will not enter into any equipment lease with a contributing employer for any equipment which can be rented from outside sources, at the same or lower cost to the Plan. In making the cost analysis, the Plan will take into account the direct cost of equipment rental, additional direct costs established by the lessor, cost of transportation of equipment to the training location, the cost of driver-trainers and insurance. The Plan will utilize whatever equipment sources result in the lowest cost to the Plan for specific equipment.

The pending exemption, if granted, will be subject to the condition that the Trustees keep records of transactions made pursuant to the exemption.

As soon as feasible after this notice is published in the FEDERAL REGISTER it will be posted in all union halls, a request will be sent to each contributing employer to post the notice in every yard,

and the notice will be published in the next edition of the Southern California Teamster, a monthly periodical circulated to all dues paying members of the union. The notification will include a copy of the notice as published in the FEDERAL REGISTER. Copies of all such notifications will be forwarded to the Department at the time they are made available for distribution.

General Information. 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 does not relieve a fiduciary or other party in interest with respect to a plan to which the exemption is applicable from certain other provisions of the Act, including any prohibited transaction provisions to which the exemption does not apply and 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 plan's participants and beneficiaries and in a prudent fashion in accordance with section 404(a)(1)(B) of the Act;

(2) The pending exemption does not extend to transactions prohibited under section 406(b) of the Act;

(3) Before an exemption may be granted under section 408(a) of the Act, the Department must find that the exemption is administratively feasible, in the interests of the plan and of its participants and beneficiaries, and protective of the rights of participants and beneficiaries of the plan; and

(4) The pending exemption, if granted, will be supplemental to, and not in derogation of, any other provisions of the Act, 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 or other exemption or a transitional rule.

All interested persons are invited to submit written comments on the pending exemption contained herein. All written comments (preferably six copies) should be addressed to the Office of Regulatory Standards and Exceptions, Pension and Welfare Benefit Programs, Room C-4526, U.S. Department of Labor, 200 Constitution Avenue, NW., Washington, D.C. 20216, Attention: Application No. L-317.

In order to receive consideration, such comments must be received by the Department on or before February 14, 1977. The application for exemption referred to herein and all such comments will be available for public inspection at the Public Document Room, Pension and Welfare Benefit Programs, U.S. Department of Labor, Room N-4677, 200 Constitution Avenue, NW., Washington, D.C. 20216.

Pending Exemption. Based upon the application, hereinabove described, the Department has under consideration the granting of the requested exemption under the authority of section 408(a) of the Act and in accordance with the procedures set forth in ERISA Procedure 75-1 (40 FR 18471, April 28, 1975) so that the restrictions of section 406(a) of the Act shall not prohibit the Plan from leasing equipment on a short term basis from persons who are parties in interest with respect to the Plan solely by reason of being contributing employers to the Plan pursuant to the terms, conditions and representations set forth in the application.

The pending exemption, if granted, will be subject to the express conditions that:

(a) The Plan maintain or cause to be maintained for a peroiod of six years from the date of each bid transaction such records as are necessary to enable the persons described in paragraph (b) to determine whether the terms of this exemption have been met, except that (1) a prohibited transaction will not be deemed to have occurred if, due to circumstances beyond the control of the Trustees, such records are lost or destroyed prior to the end of such six-year period, and (2) such employer shall not be subject to the civil penalty which may be assessed under section 502(i) of the Act, if such records are not maintained, or are not available for examination as required by paragraph (b) below;

(b) Notwithstanding anything to the contrary in subsections (a)(2) and (b) of section 504 of the Act, the records referred to in paragraph (a) be unconditionally available at their customery location for examination during normal business hours by duly authorized employees and representatives of (1) the Department of Labor, (2) plan participants and beneficiaries, (3) any employer of plan participants and beneficiaries, and (4) any employee organization any of whose members are covered by the Plan;

(c) The material facts and representations contained in the application are true and complete; and

(d) The application accurately describes all material terms of the transactions to be consummated pursuant to the exemption.

Signed at Washington, D.C., this 13th day of December 1976.

WILLIAM J. CHADWICK,
Administrator of Pension and Welfare Benefit Programs, U.S. Department of Labor.

[FR Doc.76-37030 Filed 12-13-76;4:00 pm]

Employment and Training Administration

EMPLOYMENT TRANSFER AND BUSINESS COMPETITION DETERMINATIONS UNDER THE RURAL DEVELOPMENT ACT

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 required 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 of 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. 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 St., NW., Washington, D.C. 20213.

Signed at Washington, D.C. this 13th day of December, 1976.

BEN BURDETSKY,
Deputy Assistant Secretary for Employment and Training.

Applications received during the week ending Dec. 10, 1976

Name of applicant	Location of enterprise	Principal product or activity
Archie D. Jackson	Harrisville, W. Va.	Lease of store facility.
Grady Farm Center, Inc	Whigham, Ga.	Buying and selling peanuts, grain and farm supplies.
Midstate Meat Co., Inc	Perry, Ga	Custom butchering of cattle and hogs; and retail sales of other meats.
King's Tuft, Inc	Chatsworth, Ga.	Manufacture and sales of broadloom carpets.
Hydra-Tool Co., Inc	Greenwood, Miss.	Manufacture of patented hydraulic metal fabricating machines.
Encino/Fairmont, division of U.S. Ind., Inc. (tenant of town of Mount Pleasant).	Mount Pleasant, N.C.	Manufacture of men's and boys' knitted shirts.
Grayling Inns	Grayling, Mich.	Motel and restaurant.
Genuine Parts Co. (tenant of the village of Carrollton).	Carrollton, Ohio	Distribution of automotive replacement parts and related supply items.

[FR Doc.76-37101 Filed 12-16-76;8:45 am]

Employment Standards Administration

MINIMUM WAGES FOR FEDERAL AND FEDERALLY ASSISTED CONSTRUCTION

General Wage Determination Decisions

Correction

In FR Doc. 76-36055 appearing at page 54100 in the issue for Friday, December 10, 1976, the following correction should be made.

On page 54146, an entry was inadvertently omitted from the table in the right column. As corrected that table should read as follows:

DECISION NO. VT76-2170

VERMONT HIGHWAY CONSTRUCTION

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
MILLWRIGHTS (CONT'D)					
Remainder of State	$ 6.90	.35	.30		
PILEDRIVERMEN					
Townshend, Brookline, Westminister, Putney, Drummersoon, Brattleboro, Guilford, Vernon, Halifax, Whitingham, Marlboro and Newrane	6.78	.35	.50		
Rupert, Dorset, Winhall, Londonderry, Jamaica, Wardsboro, Dover, Wilmington, Readsboro, Stamford, Pownal, Bennington Shaftsbury, Arlington, and Sandgate	6.71	.40	.		
Remainder of State	7.00	.35	.30		
TRUCK DRIVERS:					
Two axle equipment	5.35				
Three axle equipment	5.50				
Specialized earth moving equipment	5.60				
AUGER MACHINE, POST DRIVER OP., GUARD RAIL	5.50				
POWER EQUIPMENT OPERATORS:					
Caledonia County					
Backhoes and shovels	8.35	.45	.60		.05
Bulldozer	8.15	.55	.70		.05
Compactors, compressors, and scrapers	8.10	.45	.60		.05
Crane and shovel-gradall	8.20	.35	.50		.05
Dozer-scraper, Mechanic, Paver, and rollers	7.75	.35	.50		.05
Front End Loaders	8.60	.55	.70		.05
Grader	7.95	.35	.50		.05
Oilers	6.75	.55	.70		.05

FOOTNOTE:

a. Two paid holidays (memorial Day & Independence Day), provided he works at least two (2) full days in the calendar week in which the holidays falls.

Office of the Secretary

PRIVACY ACT OF 1974

Annual Notice of Systems of Records

In FR Doc. 76-36194 appearing at page 54724 in the issue for Tuesday, December 14, 1976, make the following changes:

1. On page 54724:
   a. The second column, the first paragraph, the phrase "Categories of individuals covered by the system:" should be deleted.
   b. The third paragraph, the phrase "Categories of records in the system:" should be deleted.
   c. The fifth paragraph, the phrase "Authority for maintenance of the system:" should be deleted.
   d. The sixth paragraph, the phrase "Routine uses of records in the system, including categories of users and the purposes of such uses:" should be deleted.
   e. The last paragraph, the word "Storage:" should be deleted.
2. On page 54725, the first column, the fourth paragraph, the word "Safeguards:" should be deleted.
3. On page 54727 under DOL/ESA-6:
   a. The authority for maintenance of the system should read "30 U.S.C. 938, 20 CFE 730.1 et. seq. (proposed but not promulgated)."
   b. Under Safeguards, the material after the word "only." should be deleted.
   c. Immediately following the paragraph on Safeguards, insert the following paragraph:
   "Retention and disposal: Being determined at this time."
4. On page 54733 under DOL/ETA-7:
   a. The authority for maintenance of the system should read "Public Law 414, Immigration and Nationality Act, as amended by Public Law 89-236."
   b. Under record source categories, the last line should read "tions." and DOL/ETA-8 should be centered above the next system name.
5. On page 54734 under DOL/ETA-13:
   a. The system name should read "One Percent Employee-Employer Sample File."
   b. The categories of individuals covered by the system should read "One percent of all employed persons covered by SSA in the U.S."
6. On page 54736, under DOL/LMSA-4, under systems exempted from certain provisions of the act, the first line of paragraph "a." should read "Criminal law enforcement. In accordance with paragraph 3(j)(2) of the Privacy Act, information maintained".
7. On page 54737, under DOL/LMSA-4, the first line of paragraph "b." should read "Other law enforcement. In accordance with paragraph 3(k)(2) of the Privacy Act, investigatory material compiled for".
8. On page 54742, under DOL/OSAM-3 (which begins on page 54741) under record source categories:
   a. The first line of paragraph "b." should read "Other law enforcement. In accordance with paragraph 3(k)(2) of the act, other investigatory material including cer-".
   b. The first line of paragraph "c." should read "Protective service. In accordance with paragraph 3(k)(3) of the act, OI investigatory material maintained in con-".
   c. The first line of paragraph "d." should read "Contract investigations. In accordance with paragraph 3(k)(5) of the act, investigatory material compiled".

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

[Notice 76-113]

BELL & HOWELL CO.

Intent To Grant Foreign Exclusive Patent License

In accordance with the NASA Foreign Licensing Regulations, 14 CFR 1245.405(e), the National Aeronautics and Space Administration announces its intention to grant to the Bell & Howell Company, Chicago, Illinois, an exclusive patent license in Austria, Canada, France, Italy, Japan, Great Britain, Netherlands and West Germany, for the invention covered by the foreign counterparts of U.S. Patent Application Serial No. 623,561, for "Plastic Lens Antireflection Coating," filed on October 20, 1975. Copies of the U.S. application for patent can be obtained from NASA. Interested parties should submit written inquiries or comments within 60 days to the Assistant General Counsel for Patent Matters, Code GP, National Aeronautics and Space Administration, Washington, DC, 20546.

Dated: December 10, 1976.

S. NEIL HOSENBALL,
General Counsel.

[FR Doc.76-37115 Filed 12-16-76;8:45 am]

[Notice 76-114]

FASTCO OF CALIFORNIA

Intent To Grant Exclusive Patent License

Notice is hereby given of intent to grant to Fastco of California, Paramount, California, a limited exclusive, revocable license to practice the invention described in U.S. Patent No. 3,942,398, for "Zero Torque Gear Head Wrench," issued to NASA on March 9, 1976, to the Administrator of the National Aeronautics and Space Administration on behalf of the United States of America. The proposed exclusive license will be for a limited number of years and will contain other appropriate terms and conditions to be negotiated in accordance with the NASA Patent Licensing Regulations, 14 CFR 1245.2, as revised April 1, 1972. NASA will grant the exclusive license unless within 30 days of this Notice, the Chairman, Inventions and Contributions Board, NASA, Washington, D.C. 20546, receives in writing any of the following together with supporting documentation: (i) A statement from any person setting forth reasons why it would not be in the best interest of the United States to grant the proposed exclusive license; or (ii) an application for a nonexclusive license under such invention in accordance with § 1245.206(b), in which applicant states that he has already brought or is likely to bring the invention to practical application within a reasonable period. The Board will review all written responses to the Notice and then recommend to the Administrator whether to grant the exclusive license.

Dated: December 10, 1976.

S. NEIL HOSENBALL,
General Counsel.

[FR Doc.76-37116 Filed 12-16-76;8:45 am]

[Notice (76-112)]

NASA RESEARCH AND TECHNOLOGY ADVISORY COUNCIL PANEL ON GENERAL AVIATION TECHNOLOGY

Meeting

The NASA Research and Technology Advisory Council Panel on General Aviation Technology will meet on January 5-7, 1977, at the NASA Langley Research Center, Hampton, Virginia 23665. The meeting will be held in Conference Room 225 of Building 1219. Members of the public will be admitted on a first-come, first-served basis, up to the seating capacity of the room, which is about 50 persons. All visitors must report to the Langley Research Center Receptionist in Building 1219.

The NASA Research and Technology Advisory Council Panel on General Aviation Technology serves in an advisory capacity only. The current Chairman is Mr. John Olcott. There are 14 members. The following list sets forth the approved agenda and schedule for the January 5-7, 1977, meeting of the Panel on General Aviation Technology. For further information, please contact Mr. Roger L. Winblade, NASA Headquarters, Area Code (202) 755-2399.

JANUARY 5, 1977

Time	*Topic*
9 a.m.	Welcoming Remarks (Purpose: To officially welcome the members of the General Aviation Technology Panel to the Langley Research Center.)
9:20 a.m.	Chairman's Report (Purpose: To summarize action taken at the July 1976 meeting of the Research and Technology Advisory Council and to review for disposition recommendations previously made by the Panel.)

Time	Topic
10:15 a.m.	Executive Secretary's Report (Purpose: To brief the Panel on developments since last meeting including any program and organizational changes, and current status of FY 1977/78 program.)
11:15 a.m.	Hydrogen Enrichment Program (Purpose: To brief Panel on progress and current status on research activities aimed at applying this concept to aircraft engines.)
1 p.m.	Stall/Spin Program (Purpose: To review for Panel comments and recommendations NASA plans for expanded and accelerated stall/spin research.)
2:15 p.m.	Composite Materials Research (Purpose: To discuss with the Panel current plans and future options for an expanded research effort in composite materials for light aircraft.)
3 p.m.	Aerial Applications Technology (Purpose: To review for Panel comment and recommendation the current status of planning efforts for the proposed aerial application technology program.)
4 p.m.	Cooling Drag (Purpose: To review for Panel current status and future plans for research to reduce reciprocating engine cooling drag.)
	JANUARY 6, 1976
8:30 a.m.	Ames Research Center Program Report (Purpose: To provide Panel with current status and progress in general aviation programs at the Ames Research Center.)
9:15 a.m.	Lewis Research Center Program Report (Purpose: To provide Panel with current status and progress in general aviation programs at the Lewis Research Center.)
10:15 a.m.	Wallops Flight Center Program Report (Purpose: To provide Panel with current status and progress in general aviation programs at the Wallops Flight Center.)
11 a.m.	Langley Research Center Program Report (Purpose: To provide the Panel with current status and progress in general aviation programs at the Langley Research Center.)
4 p.m.	Panel Summary (Purpose: To provide the Panel members with an opportunity to obtain additional information or clarification information presented during preceding sessions.)
	JANUARY 7, 1977
8:30 a.m.	Member Reports and Recommendations (Purpose: To provide the opportunity for individual member reports and discussion in the formulation of recommendations.)
12 noon	Adjournment.

JOHN M. COULTER,
Acting Assistant Administrator for DOD and Interagency Affairs, National Aeronautics and Space Administration.

DECEMBER 10, 1976.

[FR Doc.76-37114 Filed 12-16-76;8:45 am]

NATIONAL LABOR RELATIONS BOARD

CHAIRMAN'S TASK FORCE

Meeting

The Chairman's Task Force on the National Labor Relations Board will hold open meetings at 9 a.m. on Tuesday, January 11, 1977, and at 9 a.m. on Wednesday, January 12, 1977, in the Board hearing room and other offices of the agency located at 1717 Pennsylvania Avenue, N.W., Washington, D.C.

The Task Force agenda for both meeting days will consist of consideration of comments made by interested persons on the "Interim Report and Recommendations of the Chairman's Task Force on the NLRB for 1976". Time permitting, the Task Force committees may also continue their deliberations on further recommendations.

Requests for further information on the meeting should be addressed to Mr. Earl D. Proctor, Secretary for the Task Force. He may be reached by telephone on (202) 254-8047.

Dated this 14th day of December 1976 in Washington, D.C.

JOHN C. TRUESDALE,
Executive Secretary.

[FR Doc.76-37179 Filed 12-16-76;8:45 am]

OFFICE OF THE SPECIAL REPRESENTATIVE FOR TRADE NEGOTIATIONS

GENERALIZED SYSTEM OF PREFERENCES

Conclusion of Review Regarding Duty-Free Treatment for Angostura Aromatic Bitters

A FEDERAL REGISTER notice of May 14, 1976 (41 FR 20027) announced that the Trade Policy Staff Committee was reviewing, and was including in public hearings scheduled for June 1-4, 1976, the question of whether products like or directly competitive with angostura aromatic bitters, entering under item no. 168.15 of the Tariff Schedules of the United States (TSUS), were being produced in the United States on January 3, 1975, the date of enactment of the Trade Act of 1974. This review was undertaken in response to a request made on behalf of A-W Brands, Inc.

Pursuant to section 504(d) of the Trade Act of 1974 (19 U.S.C. 2464(d), 88 Stat. 2071), a determination of no such domestic production would have caused the "competitive-need" limit set forth in section 504(c)(1)(B) of the Trade Act not to apply. That limit requires that beneficiary developing countries not receive duty-free treatment under the GSP for eligible articles that, during the preceding calendar year, such countries exported to the United States in quantities exceeding 50 percent of the total U.S. imports of such articles. Application of this limit currently causes imports of angostura aromatic bitters to be ineligible for duty-free treatment when imported from Trinidad, although the article is eligible for GSP benefits when imported from other beneficiary developing countries.

As a result of its review, the TPSC has concluded that articles like or directly competitive with angostura aromatic bitters, entering under TSUS item no. 168.15, were being produced in the United States on January 3, 1975. Accordingly, the "competitive-need" limit set forth in section 504(c)(1)(B) of the Trade Act of 1974 will continue to apply to that article.

WILLIAM B. KELLY, Jr.,
Chairman, Trade Policy Staff Committee.

[FR Doc.76-37099 Filed 12-16-76;8:45 am]

GENERALIZED SYSTEM OF PREFERENCES

Conclusion of Review of Petition To Withdraw GSP Benefits From Leather Wearing Apparel

As was announced in previous FEDERAL REGISTER notices of April 1, April 30, and May 14, 1976, several interested parties had petitioned the Trade Policy Staff Committee (TPSC), pursuant to regulations codified at 15 CFR Ch. XX, Part 2007, requesting that the eligibility of leather wearing apparel, entering under item no. 791.75 of the Tariff Schedules of the United States (TSUS), for duty-free treatment under the Generalized System of Preferences (GSP) provided for in Title V of the Trade Act of 1974 (88 Stat. 2066-2071, 19 U.S.C. 2461-2465), be withdrawn.

Public hearings were held with respect to those petitions, and a number of other petitions, in Washington, D.C. from June 1-4, 1976. A FEDERAL REGISTER notice of September 8, 1976 (41 FR 37859) announced that action was being deferred on the petitions regarding leather apparel, pending receipt by the TPSC of information that had been requested from the U.S. International Trade Commission (USITC), and pending a review by the TPSC to be completed within 90 days.

The TPSC has completed that review, taking into account the information that was requested and received from the USITC, the presentations made at the public hearings in June, 1976, and all other available information. The recommendations of the TPSC have been reveiwed by the Trade Policy Review Group (TPRG), an interagency commit-

tee composed of Assistant-Secretary-level representatives of the Office of the Special Representative for Trade Negotiations, the Council on International Economic Policy, and the Departments of Agriculture, Commerce, Defense, Interior, Labor, State, and Treasury. The TPRG, like the TPSC, is a subcommittee of the cabinet-level Trade Policy Committee.

On the basis of the TPSC and TPRG reviews, the petitions in case no. 76–2, to remove from GSP eligibility leather wearing apparel entering under TSUS item no. 791.75, have been denied.

In addition to the information furnished by the USITC with respect to current production and employment trends in the domestic industry, the TPSC and TPRG particularly noted the fact that leather apparel imports from the two GSP beneficiary countries that supplied the largest amount of such imports during 1976 are expected to be ineligible for duty-free treatment under GSP in 1977, by reason of the "competitive-need" limits set forth in section 504(c) of the Trade Act. During the first ten months of 1976, a relatively small proportion of leather apparel imports came from countries that are expected to maintain GSP eligibility for leather apparel during 1977. Moreover, leather apparel imports from such countries constituted a small proportion of domestic production and consumption.

This denial does not preclude interested parties from petitioning the TPSC again with respect to the eligibility status of leather wearing apparel.

CLAYTON K. YEUTTER,
Deputy Special Representative for Trade Negotiations, Chairman, Trade Policy Review Group.

[FR Doc.76–37100 Filed 12–16–76;8:45 am]

SECURITIES AND EXCHANGE COMMISSION

[File No. 500–1]

AMINEX RESOURCES CORP.

Suspension of Trading

DECEMBER 9, 1976.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the common stock of Aminex Resources Corp. being traded otherwise than on a national securities exchange is required in the public interest and for the protection of investors;

Therefore, pursuant to section 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 10 a.m. (EDT) on December 9, 1976 through December 18, 1976.

By the Commission.

GEORGE A. FITZSIMMONS,
Secretary.

[FM Doc.76–37145 Filed 12–16–76;8:45 am]

[Rel. No. 9566]

FIRST AMERICAN-AUSTRALIAN INVESTORS LIMITED

Filing of Application

DECEMBER 13, 1976.

In the Matter of FIRST AMERICAN-AUSTRALIAN INVESTORS LIMITED, c/o Dominick & Dominick, Inc., 55 Water Street, New York, New York 10041, (811–2041).

NOTICE IS HEREBY GIVEN that Dominick & Dominick, Incorporated ("Applicant") filed, on behalf of First American-Australian Investors Limited ("FAAI"), an application on November 5, 1976, for an order of the Commission, pursuant to section 8(f) of the Investment Company Act of 1940, declaring that a closed-end diversified management investment company registered under the Investment Company Act of 1940 ("Act"), has ceased to be an investment company as defined in the Act. All interested persons are referred to the application on file with the Commission for a statement of the representations contained therein, which are summarized below.

FAAI, a company incorporated under the laws of the Australian Capital Territory, registered under the Act pursuant to an order of the Commission under section 7(d) of the Act issued on May 12, 1971. The application states that on May 25, 1976, the Registrar of Companies of the Australian Capitol Territory struck the name of FAAI off the Register pursuant to section 308 of the Companies Ordinance 1962–1974 of the Australian Capital Territory, and that FAAI was thereby dissolved by operation of law. According to the application, Applicant was the sponsor of FAAI and, at the time of the dissolution of FAAI, owned beneficially all of the outstanding shares of FAAI. The Applicant represents that FAAI has never made a public offering of its shares, has no shares currently outstanding, and has no outstanding debts or liabilities.

Section 8(f) of the Act provides, in pertinent part, that whenever the Commission on its own motion or upon application, finds that a registered investment company has ceased to be an investment company, it shall so declare by order, and upon the taking effect of such order the registration of such company shall cease to be in effect.

Notice is further given that any interested person may, not later than January 6, 1977, at 5:30 p.m. submit to the Commission in writing a request for a hearing on the application accompanied by a statement as to the nature of his interest, the reasons for such request, and the issues, if any, of fact or law proposed to be controverted, or he may request that he be notified if the Commission shall order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request shall be served personally or by mail upon Applicant at the address stated above. Proof of such service (by affidavit or, in the case of an attorney-at-law, by certificate) shall be filed contemporaneously with the request. As provided by Rule 0–5 of the Rules and Regulations promulgated under the Act, an order disposing of the application will be issued as of course following said date unless the Commission thereafter orders a hearing upon request, or upon the Commission's own motion. Persons who request a hearing, or advice as to whether a hearing is ordered, will receive any notices and orders issued in this matter, including the date of the hearing (if ordered) and any postponements thereof.

For the Commission, by the Division of Investment Management, pursuant to delegated authority.

GEORGE A. FITZSIMMONS,
Secretary.

[FR Doc.76–37146 Filed 12–16–76;8:45 am]

DEPARTMENT OF TRANSPORTATION

FEDERAL RAILROAD ADMINISTRATION

[FRA Waiver Petition No. HS–76–12]

VERMONT RAILWAY, INC.

Petition for Exemption From the Hours of Service Act

The Vermont Railway, Inc. of Burlington, Vermont, has petitioned the Federal Railroad Administration pursuant to 45 U.S.C. 64a(e) for an exemption, with respect to certain employees, from the Hours of Service Act, as amended, 45 U.S.C. 61–64(b).

Interested persons are invited to participate in this proceeding by submitting written data, views, or comments. Communications should be submitted in triplicate to the Docket Clerk, Office of Chief Counsel, Federal Railroad Administration, Attention: FRA Waiver Petition No. HS–76–12, Room 5101, 400 Seventh Street SW, Washington, D.C. 20590. Communications received before January 15, 1977, will be considered before final action is taken on this petition. All comments received will be available for examination by interested persons during business hours in Room 5101, Nassif Building, 400 Seventh Street, SW, Washington, D.C. 20590.

Issued in Washington, D.C. on December 9, 1976.

DONALD W. BENNETT,
Chairman, Railroad Safety Board.

[FR Doc.76–37088 Filed 12–16–76;8:45 am]

COUNCIL ON ENVIRONMENTAL QUALITY

ENVIRONMENTAL IMPACT STATEMENTS

Availability

Environmental impact statements received by the Council on Environmental Quality from December 6 through December 10, 1976. 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. (January 17, 1977) 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 10 cents per page from the Environmental Law Institute, 1346 Connecticut Avenue, Washington, D.C. 20036.

DEPARTMENT OF AGRICULTURE

Contact: Coordinator of Environmental, Quality Activities, Office of the Secretary, U.S. Department of Agriculture, Room 359–A, Washington, D.C. 20250, 202–447–3965.

FOREST SERVICE

Draft

Big Sur Coastal Unit Plan, Los Padres N.F., Monterey County, Calif., December 10: Proposed is the selection of a land use plan for the management of the western portion of the Monterey Ranger District, Los Padres National Forest. The proposed plan recommends that maintenance of the unique visual qualities of the area be emphasized. Strong recreational emphasis, particularly for dispersed types of recreation, is given. There are also provisions in the plan for emphasis, particularly for dispersed types of recreation, is given. There are also provisions in the plan for sustaining or increasing wildlife and botanical populations. This plan is intended to guide the development and land use of only National Forest System lands lying within the Unit boundaries. (156 pages). (ELR Order No. 61735.)

Algaecide Treatment, Snow and Quemado Lakes, Gila N.F., Catron County, N. Mex., December 7: Proposed is the implementation of a blue green algae control program for Snow and Quemado Lakes located on Gila National Forest, Catron County, New Mexico. The project calls for utilization of a copper sulfate algaecide for a limited one year period and allows for utilization of either Simazine or Hydrothol on a long term basis. The objective is to prevent massive buildups of blue green algae thereby maintaining the valuable recreational and fishery resources. Adverse impacts include possible effects on non-target organisms, potential buildup of copper to toxic levels, and introduction of small amounts of chemicals into the Gila wilderness (26 pages). (ELR Order No. 61719.)

Rogue-Illinois Unit Plan, Siskiyou N.F., Josephine County, Oreg., December 10: Proposed is a land use plan for the management of the 444,511-acre Rogue-Illinois Planning Unit on the Siskiyou National Forest. The preferred alternative recommends a balanced mix of land allocations designed to sustain a high level of timber harvest; to protect the qualities of the Rogue and Illinois Rivers; to provide recreational opportunities; and to protect and manage the soil, water, fish, wildlife, timber, visual, and other resources. (281 pages). (ELR Order No. 61737.)

Final

North End Planning Unit, Deerlodge N.F., Granite and Powell Counties, Mont., December 10: Proposed is the implementation of a revised Mutliple Use Plan for the North End Planning Unit of the Deerlodge National Forest in Montana. The 41,804-acre unit will be subdivided in the following maner: 4134 acres of roadless area, 1573 acres for dispersed recreation, 3710 acres for a big game winter range, 5134 acres for protection of watershed, and 27,253 acres in various combinations for timber, wildlife, recreation, livestock and water values. Negative effects include disturbance of soil, vegetation, water, and wildlife (308 pages). Comments made by: DOI, USDA, EPA, State agencies, and concerned citizens. (ELR Order No. 61734.)

RURAL ELECTRIFICATION ADMINISTRATION

Final

Spurlock Station Unit 2 and Transmission, Mason County; Ky., December 6: The action relates to the use of guaranteed loan funds to finance the construction of Spurlock Unit No. 2, related substations, and related transmission lines from the generating station, in Mason County, Kentucky. The project includes construction of a 500 MW coal-fired steam electric generating unit at the existing station, 58 miles of new 354 kV transmission line to the new 345/138 kV substation at Avon, and 13 miles of 345 kV tieline to the Stuart Plant. Adverse impacts of the project include the release of oxides of nitrogen and sulfur and particulates from the burning of coal, and visual intrusion of the transmission lines (415 pages). Comments made by: USDA, DOI, EPA, State and local agencies, and concerned citizens. (ELR Order No. 61707.)

SOIL CONSERVATIVE SERVICE

Draft

E. Branch Brandywine Creek Watershed, Chester County, Pa., December 9: Proposed is the completion of the Brandywine Creek Watershed Project, which was approved for construction in October 1972. Project actions that have been installed include conservation land treatment, one floodwater retarding dam, and two multiple purpose dams that include storage for flood prevention, water supply, and recreation. The project described in this statement consists only of the land treatment and structural measures remaining to be installed on the East Branch Brandywine Creek Watershed. Adverse effects include relocation of three homes (93 pages). (ELR Order No. 61723.)

DEPARTMENT OF DEFENSE

ARMY

Contact: Mr. George A. Cunney, Jr., Acting Chief, Environmental Office, Directorate of Installations, Office of the Deputy Chief of Staff for Logistics, Washington, D.C. 20310, 202–OX–4–4269.

Draft

Research Department Explosive and High Melting Explosive Expansion Facility, Oklahoma, Tennessee, and Indiana, December 10: The proposed action consists of constructing and operating a large chemical/industrial complex to manufacture the explosives RPX (Research Department Explosive) and HMX (High Melting Explosive) and various blended products. The final site selected will be capable of accommodating a total of four RDX/HMX lines. Three sites are still in contention for the facility: McAlester Naval Ammunition Depot in southeastern Oklahoma; Milan Army Ammunition Plant in west-central Tennessee; and Newport Army Ammunition Plant in west-central Indiana. (450 pages.) (ELR Order No. 61725.)

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, S.W., Washington, D.C. 20314, 202–693–6795.

Draft

Great Lakes–St. Lawrence Seaway Navigational Season Extension (2) December 7: The Secretary of the Army, acting through the Chief of Engineers, is in the process of conducting a Survey Study and a Demostration Program directed toward evaluating the feasibility of extending the navigation season on the Great Lakes–St. Lawrence Seaway System. The Demonstration Program has been conducted during the past five winter seasons and will terminate on 31 December 1976. This EIS consists of an Interim Feasibility Report concerning this extension. (Detroit District.) (75 pages.) (ELR Order No. 61716.)

Sebewaing River, O&M of Navigation and Flood Control, several counties, Mich., December 10: Proposed is a plan for the operation and maintenance of navigation and flood control facilities on the Sebewaing River, Michigan. The proposed action calls for the maintenance dredging of the Sebewaing River navigation and flood control channel, repair of stop-logs and other structures forming the flood protection project, maintenance of navigation structures protecting the channel, and, as necessary, dynamiting the ice jams to prevent flooding of the village of Sebewaing. Dredging and disposal activities will have temporary adverse effects on water quality, organisms living in and on the bottom sediments, and aesthetics. (Detroit District.) (125 pages.) (ELR Order No. 61733.)

Redwood River Flood Control, Marshall, Lyon County, Minn., December 8: Proposed is a flood control projection the Redwood River at Marshall, Minnesota. The recommended plan consists of about 3.6 miles of levee, 0.9 mile of channel modification and attendant overflow and interior drainage works to provide a 100-year degree of protection against flooding. Related recreational improvements will include a 6-mile long cross-country ski trial, improvements to outdoor games area, and picnicking facilities. Long-term adverse effects include the conversion of 15.8 acres of agricultural land. The project will require a total of 47.5 acres of land. (St. Paul District.) (61 pages.) (ELR Order No. 61722.)

Final

Talkeetna, Flood and Bank Erosion Control, Alaska, December 8: The proposed action is the construction of flood control structures on the Talkeetna River, Alaska. The project involves construction of a 600-ft. dike, 740 feet of bank grading and seeding, and 1,660 feet of rock revetment. The purpose of the structural measures is to prevent bank erosion by flood waters of the Talkeetna and Susitna Rivers. Approximately two acres of vegetation along the riverbanks will be lost. (Anchorage District.) (86 pages.) Comments made by: DOI, DOC, USDA, DOT, EPA, State and local agencies, and concerned citizens. Order No. 61721.)

Gulf Intracoastal Waterway, Pearl to Apalachee Bay, Florida, and Mississippi, December 10: The statement concerns the continued operation and maintenance to authorized dimensions of the Gulf Intracoastal Waterway from Pearl River, Louisiana-Mississippi to Apalachee Bay, Florida. Primary adverse effects include loss of benthic communitity in the dredged material; turbidity, mudflows, and lower water quality in the area of the cutterhead and open water disposal sites; and displeasing appearance of the fast land disposal sites. (Mobile District.), (313 page.) Comments made by: USDA, DOC, HEW, HUD, DOI, DOT, EDA, USCG, State and local agencies, and concerned citizens. (ELR Order No. 61721.)

Redmond Dam and Reservoir, Marion and Council Grove, Lyon County, Coffey, Kans., December 10: This statement proposes a project for operation and maintenance of John Redmond Dam and Reservoir, Marion and Council Grove Lakes, Kansas. The activities would consist of reservoir regulation,

flood control, management of land resources and facilities, management of leases, easements and other outgrants, and project management and maintenance activities. Adverse impacts include soil erosion and/or compaction due to heavy recreational use, traffic in unauthorized areas, and alterations of the natural environment through recreational development and other minor construction activities. (Tulsa District.) (120 pages.) Comments made by: EPA, HUD, DOI, DOT, USDA, AHP, State agencies and concerned individuals. (ELR Order No. 61731.)

Loyalsock Township Local Flood Protection, Lycoming County, Pa., December 7: The proposed project provides for the utilization of the proposed Williamsport Beltway highway to double as a levee for flood protection in Loyalsock Township, Pennsylvania. The subject project will provide commercial, industrial, and residential development subject to flooding during high waters and directly affected by flooding during the 1972 flood. Adverse effects include soil erosion and sedimentation. (Baltimore District.) (128 pages.) Comments made by: DOI, EPA, HUD, USDA, HEW, State and county agencies, industry, and private individuals. (ELR Order No. 61717.)

Captain's Cove Development, Chincoteague Bay, Accomack County, Va., December 6: Proposed is the granting of a permit for dredge and fill operations at Captain's Cove Development, a recreational second home development which is currently under construction on the navigable waters of Chinocteague Bay. The permit will allow construction of water-oriented recreational facilities and the development of waterfront property. Adverse impacts which have or will take place includes the loss of salt marsh areas and the induced development of homes within the flood plain. (Norfolk District.) (350 pages.) Comments made by: EPA, DOC, DOI, AHP, USDA, HUD, State and local agencies, and concerned citizens. (ELR Order No. 61705.)

Supplement

Camp Nine Road Relocation, New Melones Lake (S–1), several counties, California, December 10: This statement supplements a final EIS filed with CEQ in July, 1972 concerning the New Melones Lake Project on the Stanislaus River, California. Proposed is the relocation of about 1 mile of the Camp Nine Road and construction of a replacement bridge about 500 feet long. Adverse effects include the disturbance of two cultural resource sites, the destruction of one cultural site, and the alteration of the natural setting of seven other cultural resource sites. Approximately 8 acres of land will be disturbed by construction, and some existing vegetation and wildlife habitat will be removed. (Sacramento District.) (20 pages.) (ELR Order No. 61739.)

Grays Harbor and Chehalis River Navigation Project (S–1), Grays Harbor County, Wash., December 6: The proposed action is the relocation 6,000 feet south of the Sand Island Reach of the existing navigation channel at Grays Harbor, Washington. The project will also realign the reach with prevailing flood and ebb tide currents. Initial dredging of an estimated 3.0 million c.y. and annual maintenance dredging of 300,000 c.y. will be required. The project will result in a net gain of 16.9 acres of marine habitat. Adverse effects include destruction of bottom dwelling organisms, increased turbidity, and impacts to habitat and organisms contiguous to the channel. (Seattle District.) (65 pages.) (ELR Order No. 61708.)

ENVIRONMENTAL PROTECTION AGENCY

Contact: Ms. Rebecca W. Hanmer, Director, Office of Federal Activities, Room WSMW 537, 401 M Street, S.W., Washington, D.C. 20460, 202–755–0780 (stop 460).

Draft

Henderson 201 Wastewater Treatment System, Warren, Franklin, and Vance Counties, N.C., December 7: Proposed is the development of a wastewater treatment system to service the Greater Henderson area in North Carolina. The project consists of the necessary facilities to process and treat approximately 3.7 million gallons per day (MGD) of water. The major environmental impacts resulting from implementation of any of the three alternatives considered will be those associated with the water quality downstream of wastewater treatment plant discharges. (Region IV.) (273 pages.) (ELR Order No. 61713.)

Final

Greeley Region Wastewater Management, Weld County, Colo., December 7: Proposed is the granting of funds to Greeley, Colorado for the construction of wastewater treatment facilities. The city of Greeley has recommended the building of a regional wastewater treatment facility in the Delta agricultural area east of the city near the confluence of the Cache La Poudre and South Platte Rivers. The initial phase would include construction of a 4 million gallon/day modular plant. The existing 6 million gal./day activated sludge portion of the First Avenue plant would be upgraded as necessary and the trickling filter on the south side would be deactivated. Adverse impacts include odor, flooding, and potential secondary impacts from induced growth. (Region VIII.) (363 pages.) Comments made by: DOI, USDA, FEA, COE, HUD, HEW, State and local agencies, and concerned citizens. (ELR Order No. 61709.)

Final

Aspen/Snowmass 201 Wastewater Facilities, Aspen County, Colo., December 10: Proposed is a regional wastewater treatment plant in the combined Aspen and Snowmass resort areas, Colorado. The principal river drainage for the area is the Roaring Fork River which is threatened by increased future discharges from point (sewage plant) and nonpoint (runoff) sources. In Aspen the closing of the older of the 2 existing plants is recommended and in Snowmass capacity will be increased in 1977 from 0.8 to 1.6 mgd. Because the 201 project is not considered a growth stimulant, adverse impacts will be minimal. (Region VIII.) (125 pages.) Comments made by: HEW, DOI, HUD, USDA, FEA, State and local agencies, and concerned citizens. (ELR Order No. 61738.)

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Contact: Mr. Richard H. Broun, Director, Office of Environmental Quality, Room 7258, 451 7th Street, S.W., Washington, D.C. 20410, 202–755–6308.

Draft

Leslie Estates Development, Dade County, Dade County, Fla., December 7: Proposed is a Planned Unit Development covering 455 acres in Dade County, Florida. The development will consist of some 770 single family detached units, 929 townhouse units, 275 low density garden apartments, and 1728 high density garden apartments. There will also be a neighborhood shopping complex, an office park, and a 20-acre school-park site. The development is bounded on the north by Snake Creek Canal, on the east by N.W. 27th Avenue, on the south by N.W. 191st Street, and on the west by N.W. 37th Avenue. Adverse effects include construction disruption. (30 pages.) (ELR Order No. 61715.)

Belinda City Subdivision, Wilson Co., Wilson County, Tenn., December 7: Proposed is the granting of an application by Belinda City, Inc., a private development company, for HUD Subdivision Feasibility Analysis. The purpose of such application is to attempt to qualify proposed housing construction for GHA Home Mortgage Insurance and VA Home Loan Guarantees. The site of the proposed development is within two miles of the Nashville-Davidson County line, and its development will affect both Wilson and Davidson Counties in Middle Tennessee. Marginally productive agricultural and woodlands will be converted into a primarily residential community. (100 pages.) (ELR Order No. 61712.)

Section 104(h)

Draft

Winston-Salem State University, Community Project No. 3, Winston-Salem and Forsyth Counties, N.C., December 10: Proposed is the Greater Winston-Salem State University Community Development Project No. 3. The project area is bounded by I–40 on the north, Salem Creek on the south, U.S. 52 on the west and an irregular line crossing the Winston-Salem State University campus and following Stadium Drive on the east. Special activities proposed include acquisition, relocation, clearance, and site improvements on 12.81 acres of residential land. The land will provide right-of-way for the relocation of Stadium Drive south of Claremont Avenue and 8.25 acres for expansion of the Winston-Salem State University campus. (105 pages.) (ELR Order No. 61730.)

Final

Pensacola Senior Citizens Center, Escambia County, Fla., December 10: Proposed is the construction of a Senior Citizens Center in the City of Pensacola, Florida. The 12–15,000 sq. ft. facility, located in the western watershed of Bayou Texar, will house a social hall/theater with seating for approximately 200 persons; 2 club rooms; a solarium; a game room and snack area; kitchen, arts and crafts rooms restrooms; and administrative offices. The construction of the Center will result in off site erosion and sedimentation, increase in noise and air pollution, and loss of .35 acres of ground cover (27 pages.) Comments made by: EPA. (ELR Order No. 61729.)

Final

Union Community Water System, Greene County, Ala., December 10: The proposed project is a water supply system designated to serve the most heavily populated and developed rural areas of north Greene County, Alabama. This project forms the core of the Union-Snoddy-Mantua project. The Union-Snoddy-Mantua project in turn forms the major elements of a water supply and distribution system for the rural areas in the northern half of the county. The proposed system is to construct mains of 6" and 8" in the rights-of-way of existing roadways. Also, various sized smaller lines are propcsed for the distribution system, all to be located in road rights-of-way. Comments made by: USDA, EPA, HEW, and State, and local agencies. (ELR Order No. 61724.)

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 INDIAN AFFAIRS

Draft

Mancos Canyon Indian Park, Montezuma County, Colo., December 6: The proposed action is the development of the Mancos Canyon Indian Park that will protect, preserve, and interpret numerous rivers located in Mancos Canyon on the Ute Mountain Ute Indian Reservation. The project includes a modern access road, foot trails, camp facilities in the park, and a modern motel and restaurant near the park entrance. Adverse impacts resulting from the development will be the excavation of ruins, and the introduction of many visitors to a relatively unvisited area. (142 pages) (ELR Order No. 61706.)

BUREAU OF LAND MANAGEMENT

Final

Lower Cook Inlet, OCS Oil & Gas Lease Sale, Alaska, December 7: Proposed is the leasing of 152 tracts (.9 million acres) of OCS lands at Lower Cook Inlet, Alaska. The tracts are located offshore of the Kenai Peninsula and the west coast of Lower Cook Inlet with distance to shore ranging from 6 to 22 miles, and at water depths from 35 to 80 meters. If implemented, the sale will be held in early 1977. The major adverse impact is the possibility of accidental or chronic oil spills which would disturb the wildlife and have impacts on onshore development. (793 pages). Comments made by: DOC, DOT, ERDA, NRC, EPA, FPC, AHP, DOI, and State and local agencies concerned citizens. (ELR Order No. 61720.)

BUREAU OF RECLAMATION

Draft

S. Nevada Water Project, Second Stage, Clark County, Nev., December 7: Proposed is the second stage of the Southern Nevada Water Project, a water supply system for the Las Vegas area. (Stage One was completed in 1971.) The second stage consists of five new pumping plants, modifications to four existing first stage pumping plants, a 2.5-mile long second barrel to the main aqueduct installed beside the first stage, and 30 miles of new aqueduct and pipelines with a capacity of 166,800 acre-feet per year. The State of Nevada plans a major expansion of the Alfred Merritt Smith Water Treatment Facility in conjunction with the second stage. A slight deterioration of the water quality is expected. (140 pages.) (ELR Order No. 61710.)

INTERNATIONAL BOUNDARY AND WATER COMMISSION

Contact: Mr. T. R. Martin, Special Asst. U.S. Section IBWC, ARA/MEX., Room 3906A, Washington, D.C. 20520, 202-632-1317.

Final

Amistad Hydroelectric Plant, Rio Grande, Val Verde County, Tex., December 10: Proposed is the construction and operation of a conventional hydroelectric facility at Amistad Dam and Reservoir on the Rio Grande in Val Verde County, Texas. The plant will provide fast-response energy to a total electric power system covering a large part of southern Texas. Construction activities would cause minor degradation of water quality in the immediate vicinity of the project; produce some beneficial and adverse effects to the economy and some beneficial and adverse effects to the economy and way of life within the local community; and consume both renewable and nonrenewable resources. (83 pages.) Comments made by: EPA, AHP, DOC, HEW, USDA, FPC, DOI, STAT, State and local agencies, and concerned citizens. (ELR Order No. 61736.)

DEPARTMENT OF TRANSPORTATION

Contact: Mr. Martin Convisser, Director, Office of Environmental Affairs, U.S. Department of Transportation, 400 7th Street, S.W., Washington, D.C. 20590, 202-426-4357.

FEDERAL AVIATION ADMINISTRATION

Final

Noise Reduction Requirements, Subsonic Transport A, December 10: The proposed action is an amendment of the Federal Aviation Regulations, Part 36 to provide for three stages of noise reduction, to require new applications for type certificates to comply with noise limits more restrictive than those in current Appendix C, and to increase the severity of the acoustical change requirements for airplanes that comply with current Appendix C. These proposals would apply to transport category large airplanes and to turbojet powered airplanes. Minor increases in fuel consumption would result. (88 pages) Comments made by: EPA, HUD, DOI, NASA, and State and local agencies interested groups and persons. (ELR Order No. 61727.)

FEDERAL HIGHWAY ADMINISTRATION

Draft

F.A. Primary Route 662, Sangamon County, Ill., December 7: Proposed is the financing, with Federal-Aid matching funds, of the construction costs of a section of an area service highway from ½ mile north of Wabash Avenue (Illinois Route 54) southeast of Springfield to Peoria Road (U.S. Business Route 66) north of Springfield, a total distance of 7.5 miles. The improvement will be a divided four-lane rural type highway with partial access control. The planned facility would require the relocation of a small stream at five locations, and would increase noise levels in the area. (Region 5) (100 pages) (ELR Order No. 61711.)

Final

U.S. 501, I-85 to Wellington Drive, Durham County, North Carolina, December 7: The proposed action is improvement to US 501, Duke Street-Roxboro Road from the interchange of Duke Street with I-85 north to Wellington Road in Durham, North Carolina. The selected alternative provides for 5 lanes all along the 2.75-mile project length. Adverse impacts include the possibility of relocation of families and businesses, noise levels, and the removal of ornamental trees and shrubs. (Region 4) (114 pages). Noise levels exceeding the FHWA design noise levels, and the removal of ornamental trees and shrubs. Comments made by: DOI, ICC, USDA, COE, EPA, GSA, HEW, and State and local agencies concerned citizens. (ELR Order No. 61714.)

U.S. 14, Evansville to Madison, Wisconsin, in Dane County, Wisc., December 7: The proposed project consists of reconstructing Highway 14, from Highway 92 near the south Dane County line, northerly to the intersection with County Highway "MM" located 0.64 mile north of the village of Oregon. The recommended project provides for an ultimate expressway facility south of Oregon and a freeway facility bypassing the village to connect with the freeway section of relocated Highway 14 between Oregon and Madison. The project will require 280 acres of land currently used for agricultural purposes and 46 acres of untillable wildlife habitat. Two families were affected by the project; acquisition of the land has already been partially accomplished. (Region 5) (137 pages) Comments made by: DOT, DOI, EPA, HEW, USDA, State and county agencies concerned citizens. (ELR Order No. 61718.)

U.S. COAST GUARD

Final

Dumbarton Bridge Replacement, Alameda and San Mateo Counties, Calif., December 10: Proposed is the improvement of Route 84 between Route 7 in Alameda County and Route 101 in San Mateo County, California. The existing 2-land, low level lift span bridge will be replaced with a 4-lane, high level bridge. Project plans also call for widening and realigning the east and west approaches, constructing a new easterly connection to Route 7, and constructing and/or improving 3 westerly connections to Route 101. Major adverse impacts include degradation of air, loss of wildlife habitat, and increased noise levels. (420 pages) Historical sites, eight archeological sites, and the proposed San Francisco National Wildlife Refuge. Comments made by: EPA, AHP, COE, USN, DOI, DOT, and State and local agencies concerned citizens. (ELR Order No. 61726.)

GARY L. WIDMAN,
General Counsel.

[FR Doc.76-37354 Filed 12-16-76;9:48 am]

INTERSTATE COMMERCE COMMISSION

[Notice No. 214]

ASSIGNMENT OF HEARINGS

DECEMBER 14, 1976.

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 139381 Spirit of '76 Overland Express, Inc., now assigned January 19, 1977, at Chicago, Ill. is postponed indefinitely. No. 35479 Southern Railway Company, ET Al V. Seaboard Coast Line Railroad Co., et. al. now being assigned for continue hearing on January 18, 1977, at the Offices of the Interstate Commerce Commission, Washington, D.C.

MC 108119 (Sub-No. 51), E. L. Murphy Trucking Company, now being assigned January 12, 1977 (1 day), at San Francisco, California; in Room 510 5th Floor, 210 Main Street.

MC 95540 (Sub 954), Watkins Motor Lines, Inc. now being assigned February 8, 1977 for continued hearing at the Offices of the Interstate Commerce Commission in Washington, D.C.

FF 480, Midwest Container Services, Inc. now being assigned February 17, 1977 for continued hearing at the Offices of the Interstate Commerce Commission in Washington, D.C.

MC 45656 (Sub No. 20) Anderson Truck Line, Inc. now being assigned March 1, 1977 (9 days), at Charlotte, North Carolina in a hearing room to be later designated.

MC 136786 (Sub No. 91), Robco Transportation, Inc., now assigned January 17, 1977 at Washington, D.C., has been postponed to February 1, 1977 at the Offices of the Interstate Commerce Commission, Washington, D.C.

MC 123048 Sub 338, Diamond Transportation System, Inc.; And MC 114211 Sub 264, Warren Transport, Inc., now being assigned February 23, 1977, at the Office of the Interstate Commerce Commission, Washington, D.C.

MC-F 12881, Cassens Transport Company-Purchase-Square Deal Cartage, Now being assigned February 15, 1977, at the Office of the Interstate Commerce Commission, Washington, D.C.

MC-F 12884, O'Boyle Tank Lines, Inc.—Control And Merger-Shipley Transfer, Inc., ET AL, now being assigned February 22, 1977, at the Office of the Interstate Commerce Commission, Washington, D.C.

MC 117604 (Sub-No. 11), Meadors Freight Lines, Inc., now assigned January 10, 1977 at Atlanta, Georgia has been postponed indefinitely.

MC 111871 (Sub-No. 10), Southeastern Freight Lines, now being assigned March 1, 1977 (19 days), at Columbia, South Carolina; in hearing room to be later designated.

MC 109064 (Sub 31), Tex-O-Ka-N Transportation Co., Inc. now being assigned March 1, 1977 (1 day), at Dallas, Texas in a hearing room to be later designated.

MC 133095 (Sub 105), Texas Continental Express, Inc. now being assigned March 2, 1977 (1 day), at Dallas, Texas in a hearing room to be later designated.

MC 82841 (Sub 186), Hunt Transportation, Inc. now being assigned March 3, 1977 (1 day), at Dallas, Texas in a hearing room to be later designated.

MC 73165 (Sub 390), Eagle Motor Lines, Inc. now being assigned March 4, 1977 (1 day), at Dallas, Texas in a hearing room to be later designated.

MC 133655 (Sub 94), Trans-National Truck, Inc. now being assigned March 7, 1977, (2 days), at Dallas, Texas in a hearing room to be later designated.

MC 142369, Clarence Cornish Automotive Service, Inc. dba Clarence Cornish Wrecker Service now being assigned March 9, 1977 (3 days), at Dallas, Texas in a hearing room to be later designated.

ROBERT L. OSWALD,
Secretary.

[FR Doc.76-37152 Filed 12-16-76;8:45 am]

[Notice No. 167]

MOTOR CARRIER TEMPORARY AUTHORITY APPLICATIONS

DECEMBER 10, 1976.

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 January 3, 1977. 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 ICC Field Office to which protests are to be transmitted.

MOTOR CARRIERS OF PROPERTY

No. MC 43685 (Sub-No. 18TA) (Correction) filed October 18, 1976, published in the FEDERAL REGISTER issue of November 2, 1976, and republished as corrected this issue. Applicant: MERCER TRUCKING CO., INC., N. 1414 Fancher Road, P.O. Box 11585, Spokane, Wash. 99211. Applicant's representative: George Hart, 1100 IBM Bldg., Seattle, Wash. 98101. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Crushed scrap automobiles and scrap metal*, from points in Montana, on the one hand, and to points in Washington and Oregon on the other, for 180 days. Supporting shippers: McCracken Metals, Inc., 631 E. Aluminum St., Butte, Mont. J. B. Junk & Salvage, 520 18th St., N., Lewiston, Idaho 83501. Auto Disposal Service, Inc., 8820 Goddard Place, Boise, Idaho 83704. Send protests to: L. D. Boone, Transportation Specialist, Bureau of Operations, Interstate Commerce Commission, 858 Federal Bldg., 915 Second Ave., Seattle, Wash. 98174. The purpose of this republication is to correct the applicant's name.

No. MC 51146 (Sub-No. 481TA) filed December 6, 1976. Applicant: SCHNEIDER TRANSPORT, INC., 2661 S. Broadway, P.O. Box 2298, Green Bay, Wis. 54304. Applicant's representative: James W. Muldoon, Suite 1815, 50 W. Broad St., Columbus, Ohio 43215. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Adhesives*, when moving in mixed loads with paper and paper products, from Chillicothe and Schooleys, Ohio, to points in the United States (except Maryland, Virginia, the District of Columbia, points in North Carolina east of U.S. Highway 25, and points in South Carolina east of a line beginning at the North Carolina-South Carolina state line and extending southeast along U.S. Highway 176 to Columbus, then east along I-20 to Florence, then south along U.S. Highway 52 to Charleston), for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operations authority. Supporting shipper: The Mead Corporation, Talbott Tower, Dayton, Ohio 45402. Send protests to: Gail Daugherty, Transportation Assistant, Interstate Commerce Commission, U.S. Federal Bldg., and Courthouse, 517 E. Wisconsin Ave., Room 619, Milwaukee, Wis. 53202.

No. MC 89684 (Sub-No. 96TA), filed December 2, 1976. Applicant: WYCOFF COMPANY, INCORPORATED, 560 S. 300 West, Salt Lake City, Utah 84101. Applicant's representative: Robert G. Shepherd, Jr., 600 S. Cherry St., No. 717, Denver, Colo. 80222. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: (a) *General commodities* (except articles of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, those requiring special equipment, and Classes A and B posions). Restriction: The service authorized herein is subject to the following conditions: Said service is restricted (1) to the transportation of packages or articles each weighing not more than 100 pounds, and (2) against the transportation of packages or articles weighing more than 200 pounds in the aggregate from one consignor at one location to one consignee at one location during a single day; (b) The intermediate points of Wheatland and Douglas, Wyo., and the off-route point of Glenrock, Wyo., from Denver, Colo., over Interstate Highway 25 and U.S. Highway 87 to Casper, Wyo., and return over the same route; Alternative Routes: From Denver, Colo., over Interstate Highway 25 and U.S. Highway 87 to Cheyenne, Wyo., thence over Interstate Highway 80 or U.S. Highways 30 and 87 to Rawlins, Wyo., thence over U.S. Highway 287 to Muddy Gap, Wyo., and thence over U.S. Highway 220 to Casper, Wyo., and return over the same route; from Denver, Colo., over U.S. Highway 287 to Laramie, Wyo., thence over Interstate Highway 80 or U.S. Highways 30 and 287 to Rawlins, Wyo., thence over U.S. Highway 287 to Muddy Gap, Wyo., and thence over U.S. Highway 220 to Casper, Wyo., and return over the same route. Applicant intends to tack its existing authority with MC 89684, at Fort Collins, Colo., and Rawlins, Wyo., for 180 days. Supporting shippers: There are approximately 80 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 protest to: Lyle D. Helfer, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 5301 Federal Bldg., 125 S. State St., Salt Lake City, Utah 84138.

No. MC 107452 (Sub-No. 8TA), filed November 29, 1976. Applicant: R. D. BROWN, doing business as BROWN TRUCKING, Greybull Heights, Greybull, Wyo. 82426. Applicant's representative: James B. Hovland, 425 Gate City Bldg., Fargo, N. Dak. 58102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transport-

ing: *Bentonite clay*, in bulk, in pneumatic tank vehicles, from the facilities of American Colloid Corp., at or near Lovell, Wyo., to points in Washington, Oregon, Nevada, Idaho, California, Arizona, Colorado and Utah, restricted against the transportation of oil field commodities as defined in Mercer Extension-Oil Field Commodities, 74 M.C.C. 459, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: American Colloid Co., P.O. Box 228, Skokie, Ill. 60076. Send protests to: Paul A. Naughton, District Supervisor, Interstate Commerce Commission, Room 1006, Federal Bldg. and Post Office, 100 E. "B" St., Casper, Wyo. 82601.

No. MC 109533 (Sub-No. 81TA) (correction) filed November 24, 1976, published in the FEDERAL REGISTER issue of December 6, 1976, and republished as corrected this issue. Applicant: OVERNITE TRANSPORTATION COMPANY, 1000 Semmes Ave., Richmond, Va. 23224. Applicant's representative: C. H. Swanson, P.O. Box 1216, Richmond, Va. 23209. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk and those requiring special equipment), between Cincinnati and Portsmouth, Ohio, serving all intermediate points; from Cincinnati over Interstate Highway 71 to junction U.S. Highway 35, thence over U.S. Highway 35 to Chillicothe, Ohio, thence over U.S. Highway 23 to Portsmouth and return over the same route. Applicant intends to tack its existing authority with MC 109533 (Subs-48 and 71), applicant also intends to interline at Cincinnati, Ohio; Charleston, W. Va.; Atlanta, Ga., Baltimore, Md.; Richmond, Va.; Charlotte, N.C., and Birmingham, Ala., for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shippers: There are approximately 32 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: Paul D. Collins, District Supervisor, Bureau of Operations, Room 10-502, Federal Bldg., 400 N. 8th St., Richmond, Va. 23240. The purpose of this republication is to correct the territorial description.

No. MC 112627 (Sub-No. 23TA) filed December 6, 1976. Applicant: OWENS BROS., INC., P.O. Box 247, Dansville, N.Y. 14437. Applicant's representative: S. Michael Richards, 44 North Ave., P.O. Box 225, Webster, N.Y. 14580. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Malt beverages*, from Columbus, Ohio, to Olean, N.Y., for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: Anthony Sanzo, President, Sanzo Beverage, Inc., P.O. Box 466, Olean, N.Y. 14760. Send protests to: Morris H. Gross, District Supervisor, Interstate Commerce Commission, U.S. Courthouse and Federal Bldg., 100 S. Clinton St., Room 1259, Syracuse, N.Y. 13202.

No. MC 113106 (Sub-No. 46TA) filed November 30, 1976. Applicant: THE BLUE DIAMOND COMPANY, 4401 E. Fairmount Ave., Baltimore, Md. 21224. Applicant's representative: Chester A. Zyblut, 1030 15th St., N.W., Washington, D.C. 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Paper and paper products*, from the plantsite of Union Camp, at Franklin, Va., to points in New York (except New York, N.Y., and points in Nassau and Suffolk Counties, N.Y.), and Pennsylvania, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: W. F. Worrell, Manager, Traffic Analysis, Union Camp Corporation, 1600 Valley Road, Wayne, N.J. Send protests to: William L. Hughes, District Supervisor, Interstate Commerce Commission, 814-B Federal Bldg., Baltimore, Md. 21201.

No. MC 119765 (Sub-No. 40TA) filed December 3, 1976. Applicant: EIGHT WAY XPRESS, INC., 5402 S. 27th St., P.O. Box 7356, Omaha, Nebr. 68107. Applicant's representative: Arlyn L. Westergren, Suite 530 Univac Bldg., 7100 West Center Road, Omaha, Nebr. 68106. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats and packinghouse products*, from the plantsite of American Beef Inc., at Oakland, Iowa and Omaha, Nebr., to St. Louis, Mo., and its commercial zone, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: M. J. Sheehan, Vice-President, American Beef Packers, Inc., 7000 W. Center Road, Omaha, Nebr. 68106. Send protests to: Carroll Russell, District Supervisor, Interstate Commerce Commission, Suite 620, 110 N. 14th St., Omaha, Nebr. 68102.

No. MC 119765 (Sub-No. 41TA) filed December 3, 1976. Applicant: EIGHT WAY XPRESS, INC., 5402, S. 27th St., P.O. Box 7356, Omaha, Nebr. 68107. Applicant's representative: Arlyn L. Westergren, Suite 530 Univac Bldg., 7100 West Center Road, Omaha, Nebr. 68106. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat by-products and articles distributed by meat packinghouses* (except hides and commodities in bulk), from the plantsites and facilities utilized by Meilman Food Industries, at or near Sioux Falls, S. Dak., to points in California, Georgia, Pennsylvania, Illinois, Massachusetts, Michigan, Nebraska, New York, Oregon and Wisconsin, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: Lester Pucik, Traffic Manager, Meilman Food Industries, 1900 Lee, Whitehall, Wis. 54773. Send protests to: Carroll Russell, District Supervisor, Interstate Commerce Commission, Suite 620, 110 N. 14th St., Omaha, Nebr. 68102.

No. MC 119880 (Sub-No. 90TA) filed December 6, 1976. Applicant: DRUM TRANSPORT, INC., 617 Chicago St., P.O. Box 2056, East Peoria, Ill. 61611. Applicant's representative: B. N. Drum (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Alocohol and grain neutral spirits*, in bulk, in tank vehicles, from Delavan and Peoria, Ill., to Bardstown, Ky., for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: Hiram Walker & Sons, Inc., D. J. Anderson, General Traffic Manager, Foot of Edmund St., Peoria, Ill. 61601. Send protests to: Patricia A. Roscoe, Transportation Assistant, Interstate Commerce Commission, Everett McKinley Dirksen Bldg., 219 S. Dearborn St., Room 1386, Chicago, Ill. 60604.

No. MC 123389 (Sub-No. 34TA) filed December 2, 1976. Applicant: CROUSE CARTAGE COMPANY, P.O. Box 586, Hwy 30W, Carroll, Iowa 51401. Applicant's representative: James E. Ballenthin, 630 Osborn Bldg., St. Paul, Minn. 55102. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat poducts and meat by-products and articles distributed by meat packinghouses*, as described in Sections A and C of Appendix I to the report in *Description in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except hides and commodities in bulk), from the plants and facilities utilized by Spencer Foods, Inc., at or near Spencer and Hartley, Iowa, to points in Illinois, restricted to the transportation of traffic originating at the plants and facilities utilized by Spencer Foods, Inc., at or near Spencer and Hartley, Iowa, and destined to points in Illinois, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: Bill D. Gardner, Corporate Traffic Manager, Spencer Foods, Inc., P.O. Box 1228, Spencer, Iowa 51301. Send protests to: Carroll Russell, District Supervisor, Interstate Commerce Commission, Suite 620, 110 N. 14th St., Omaha, Nebr. 68102.

No. MC 127820 (Sub-No. 9TA), filed December 2, 1976. Applicant: TRANSSERVICE, INC., 1943 S. Lawn Extension, Coshocton, Ohio 43812. Applicant's representative: Taylor C. Burneson, 1631 Northwest Professional Plaza, Columbus, Ohio 43220. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Cast iron pipe, pipe fittings, valves, fire hydrants, and accessories* used in the installation thereof, from the plantsite and warehouse facilities of Clow Corporation,

at or near Coshocton, Ohio, to points in Minnesota and Wisconsin, under a continuing contract with Clow Corporation, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: Clow Corporation, 1211 W. 22nd St., Oak Brook, Ill. 60521. Send protests to: Frank L. Calvary, District Supervisor, Interstate Commerce Commission, 220 Federal Bldg., & U.S. Courthouse, 85 Marconi Blvd., Columbus, Ohio 43215.

No. MC 134806 (Sub-No. 42TA), filed December 6, 1976. Applicant: B-D-R TRANSPORT, INC., P.O. Box 813, Brattleboro, Vt. 05301. Applicant's representative: Francis J. Ortman, 7101 Wisconsin Ave., Suite 605, Washington, D.C. 20014. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Titanium rings and metal alloy rings*, from points in Los Angeles County, Calif., to points in Connecticut, under a continuing contract with Pratt & Whitney Aircraft, Division of United Technologies Corp., 400 Main St., East Hartford, Conn. Send protests to: David A. Demers, District Supervisor, Interstate Commerce Commission, P.O. Box 548, Montpelier, Vt. 05602.

No. MC 136952 (Sub-No. 4TA), filed December 2, 1976. Applicant: ADAMIC TRUCKING, INC., 15522 Rider Road, Burton, Ohio 44021. Applicant's representative: Lewis S. Witherspoon, 88 E. Broad St., Columbus, Ohio 43215. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Plastic horticultural trays and plastic insert trays*, from Sandusky, Ohio, to points in Connecticut, Florida, Georgia, Massachusetts, New Jersey, New York, North Carolina, Pennsylvania, Rhode Island and Texas, under a continuing contract with Foster Grant Co., Inc., for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: Foster Grant Co., Inc., 400 Broadway, Sandusky, Ohio 44870. Send protests to: James Johnson, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 181 Federal Office Bldg., 1240 E. Ninth St., Cleveland, Ohio 44199.

No. MC 138555 (Sub-No. 6TA), filed December 6, 1976. Applicant: ROBERT H. COWEN, doing business as COWEN TRUCK LINE, Rt. #2, Perrysville, Ohio 44864. Applicant's representative: Boyd B. Ferris, 50 W. Broad St., Columbus, Ohio 43215. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Household appliances and materials, equipment and supplies* (except commodities in bulk), used in the manufacture of household appliances, between North Canton, Ohio; St. Louis, Mo.; and Chicago, Ill., under a continuing contract with The Hoover Company, for 180 days. Supporting shipper: The Hoover Company, North Canton, Ohio 44720. Send protests to: James Johnson, District Supervisor, Interstate Commerce Commission, Bureau of Operations, 181 Federal Office Bldg., 1240 E. Ninth St., Cleveland, Ohio 44199.

No. MC 140829 (Sub-No. 34TA), filed December 2, 1976. Applicant: CARGO CONTRACT CARRIER CORP., P.O. Box 206, U.S. Highway 20, Sioux City, Iowa 51102. Applicant's representative: William J. Hanlon, 55 Madison Ave., Morristown, N.J. 07960. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meat, meat products, meat by-products and articles distributed by meat packinghouses*, as described in Sections A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 (except commodities in bulk), from the plantsite and storage facilities of Wilson Foods Corporation, at or near Cherokee, Iowa, to points in Massachusetts, New York, New Jersey and Pennsylvania. Restriction: The operations authorized herein are restricted to the transportation of traffic originating at the named origin and destined to points in the above-named destination states, for 180 days. Applicant has also filed an underlying ETA seeking up to 90 days of operating authority. Supporting shipper: A. N. Brent, Manager, Transportation, Wilson Foods Corporation, P.O. Box 26724, Oklahoma City, Okla. 73126. Send protests to: Carroll Russell, District Supervisor, Interstate Commerce Commission, Suite 620, 110 N. 14th St., Omaha, Nebr. 68102.

By the Commission.

ROBERT L. OSWALD,
Secretary.

[FR Doc.76-37153 Filed 12-16-76;8:45 am]

federal register

FRIDAY, DECEMBER 17, 1976



PART II:

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 Secertary 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, 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 original General Wage Determination Decision.

NEW GENERAL WAGE DETERMINATION DECISIONS

Mississippi	MS76–1139

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.

Alabama:	
AL76–1124	Oct. 29, 1976.
Florida:	
FL76–1135	Nov. 26, 1976.
Georgia:	
GA76–1120	Oct. 29, 1976.
Hawaii:	
HI76–5092	Sept. 24, 1976.
Idaho:	
ID76–5112	Nov. 26, 1976.
Illinois:	
IL76–2132	Oct. 29, 1976.
IL76–2153	Nov. 26, 1976.
IL76–2154	Dec. 3, 1976.
Kentucky:	
KY76–1077	July 23, 1976.
KY76–1129	Nov. 26, 1976.
Louisiana:	
LA76–4187	Nov. 19, 1976.
Maryland:	
MD76–3272	Nov. 12, 1976.
Massachusetts:	
MA76–2098;MA76–2099;MA 76–2100.	Aug. 13, 1976.
MA76–2101; MA76–2103	Aug. 20, 1976.
MA76–2102	Sept. 3, 1976.
Michigan:	
MI76–2139	Nov. 19, 1976.
Mississippi:	
MS76–1020	Jan. 30, 1976.
Nevada:	
NV76–5098	Oct. 29, 1976.
New Mexico:	
NW76–4182	Nov. 12, 1976.
Texas:	
TX76–4110	July 2, 1976.
TX76–4125	July 23, 1976.
TX76–4152	Sept. 24, 1976.
TX76–4169	Oct. 8, 1976.
Virginia:	
MD76–3285	Nov. 19, 1976.
Washington, D.C.:	
DC76–3284	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 decisions being superseded.

Mississippi:		
MS75–1067	(MS76–1137)	Dec. 12, 1975.
Missouri:		
MO76–4159	(MO76–4191)	Oct. 1, 1976.
Tennessee:		
TN76–1116	(TN76–1131)	Oct. 8, 1976.
Texas:		
TX76–4106	(TX76–4192)	July 2, 1976.
Wisconsin:		
AR–3151 (WI76–2157); AR–3152 (WI76–2158); AR–3153 (WI76–2160); AR–3155 (WI76–2161); AR–3159 (WI76–2167); AR–3161 (WI76–2168).		Oct. 11, 1974.

Change in publication dates. Due to the forthcoming holidays the FEDERAL REGISTER will not be published on Friday, December 24 or 31. Modifications and supersedeas decisions to general wage determination decisions scheduled for publication on these two dates will be published on the following Tuesday of each week, December 28, 1976 and January 4, 1977.

Signed at Washington, D.C., this 10th day of December 1976.

RAY J. DOLAN,
Assistant Administrator,
Wage and Hour Division.

STATE: Mississippi
DECISION NUMBER: MS76-1139
DESCRIPTION OF WORK: Sewer Line, and Water Line Construction.

COUNTY: Statewide *See below
DATE: Date of Publication

	ZONE I	ZONE II	ZONE III	ZONE IV	ZONE V	ZONE V
	Basic Hourly Rates	Basic Hourly Rates	Basic Hourly Rates	Basic Hourly Rates	Basic Hourly Rates	Basic Hourly Rates
Bricklayers		5.50				
Carpenters & form setters	4.53	5.50	4.00	4.50	7.00	5.38
Cement masons	4.10	2.61	4.00	3.75	3.18	4.50
Chain saw operators	3.00					
Electricians		8.95+a	8.95+a	7.16	8.95+a	
Grade checkers		2.75				
Ironworkers:						
Structural			8.10+b		8.10+b	
Reinforcing	4.00		2.88		6.00	
Laborers:						
Air tool operator						2.75
Laborers	2.50	2.61	2.81	2.50	3.00	2.50
Mortar mixers	3.25					
Pipelayers	3.00	3.00	3.48	3.15	4.00	4.00
Painters		3.90			4.75	
Truck drivers	2.50	2.61	4.50	3.00		3.50
Welders	4.00				3.33	
POWER EQUIPMENT OPERATORS:						
Backhoe	3.97	4.09	4.41	4.00	5.29	5.00
Bulldozer	4.08	4.25	5.00	3.75	4.86	4.25
Concrete finishing machine		6.63				
Crane	5.00	4.75	5.00	4.00	5.50	7.00
Drilling machine	4.00	3.76	4.10		4.10	5.27
Elevating grader		4.25				
Front end loader	3.50	3.50	5.00	4.00		5.00
Graddall		4.98				
Mechanic	4.09	4.50	5.58	5.50		4.00
Motor patrol	3.50	4.00	4.50	4.55		
Oiler-greaser	4.00	2.70	4.25	4.50	3.38	2.75
Piledriver		5.00			5.00	
Roller	3.00		3.50	3.60		
Scraper	4.50	4.25	4.50	4.55	4.00	
Tractor	2.50	2.65			5.00	4.00
Trenching machine		3.50	4.01	5.00		4.75
Winch		4.25	4.25			3.35

FOOTNOTES:

a. .37 Health & Welfare; .09 Pension; .06 Apprentice Training

b. .35 Health & Welfare; .35 Pension; .04 Apprentice Training

* COUNTIES:

ZONE I: Alcorn, Benton, Calhoun, Chickasaw, Choctaw, Clay, Itawamba, Lafayette, Lee, Lowndes, Marshall, Monroe, Oktibbeha, Pontotoc, Prentiss, Tippah, Tishomingo, Union, and Webster.

ZONE II: Bolivar, Carroll, Coahoma, DeSoto, Grenada, Leflore, Montgomery, Panola, Quitman, Sunflower, Tallahatchie, Tate, Tunica, Washington, and Yalobusha.

ZONE III: Claiborne, Copiah, Hinds, Holmes, Humphreys, Issaquena, Madison, Rankin, Sharkey, Simpson, Warren, and Yazoo.

ZONE IV: Attala, Clarke, Jasper, Kemper, Lauderdale, Leake, Neshoba, Newton, Noxubee, Scott, Smith, and Winston.

ZONE V: Adams, Amite, Covington, Forrest, Franklin, Greene, Jefferson, Jefferson Davis, Jones, Lamar, Lawrence, Lincoln, Marion, Perry, Pike, Walthall, Wayne, and Wilkinson.

ZONE VI: George, Hancock, Harrison, Jackson, Pearl River, and Stone.

MODIFICATIONS P. 1

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
Decision # AL76-1124 - Mod. #1 (41 FR-47719 - October 29, 1976) Mobile County, Alabama.					
Change:					
Boilermakers	9.50	.75	1.00		.02
Sheet metal workers	10.03	.45	.50		.04
Decision # FL76-1135 - Mod. #1 (41 FR-52234 - November 26, 1976) Leon County, Florida					
Change:					
Laborers:					
Concrete cutters, (grouters; Gunnite workers, Mason tenders, Mechanical tool operators; Mortar mixers, Pipelayers; Plasterers tenders, Power buggy operators.	4.40	.20			
DECISION #GA76-1120 - Mod. #3 (41 FR-47722 - October 29, 1976) Chatham County, Georgia					
Change:					
Boilermakers	9.50	.75	1.00		.02
Ironworkers:					
Structural, ornamental, and reinforcing	8.80	.55	.60		.03
DECISION #HI76-5092 - Mod. #4 (41 FR 42099 - September 24, 1976) Statewide Hawaii					
Change:					
Roofers	$9.15	.80	.50		.10

MODIFICATIONS P. 2

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
DECISION #ID76-5112 - Mod. #2 (41 FR 52236 - November 26, 1976) Statewide Idaho					
Change:					
Bricklayers; Stonemasons:					
Blaine, Camas, Cassia, Gooding, Jerome, Lincoln, Minidoka, Twin Falls Counties	$9.90	.35	.40		
Carpenters:					
Remainder of Counties and Idaho County (south of the northern boundary of Township #29 North):					
Carpenter; Floor Layer; Shingler; Drywall Applicator and Installer	9.18	.52	.50	.50	.10
Sawfiler; Piledriverman; Bridgeman and Wharf Builder	9.35	.52	.50	.50	.10
Millwright; Machine erector; Piledriverman's boom man	9.47	.52	.50	.50	.10
Cement Masons:					
Remainder of Counties and Idaho County (south of the 46th Parallel):					
Cement Masons	8.67	.74	.45	.50	.10
Power Trowel; Power Grinder; Gunite and Composition Floorlayer	8.87	.74	.45	.50	.10
Electricians:					
Remaining Counties:					
Electricians	10.60	.45	1% + .50		1%
Cable Splicers	11.66	.45	1% + .50		1%

DECISION #ID76-5112 (Cont'd):

Change (Cont'd):	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
Laborers:					
(AREA 2):					
Remaining Counties and Idaho County (south of 46th Parallel):					
Group 1	$7.21	.65	.87	.20	.10
Group 2	7.31	.65	.87	.20	.10
Group 3	7.41	.65	.87	.20	.10
Group 4	7.51	.65	.87	.20	.10
Group 5	7.56	.65	.87	.20	.10
Group 6	7.81	.65	.87	.20	.10
Group 7	8.06	.65	.87	.20	.10
Group 8	7.36	.65	.87	.20	.10
Group 9	7.51	.65	.87	.20	.10
Group 10	7.81	.65	.87	.20	.10
Painters:					
Benewah, Bonner, Boundary, Clearwater, Idaho County (north of 46th Parallel), Kootenai, Latah, Lewis, Nez Perce, Shoshone Counties:					
Brush	9.77	.40	.70		.02
Spray; Steel; Steam Cleaning; Rollers (over 9" or 10" handle); Finish Drywall Taper	10.02	.40	.70		.02
Swing Stage; Over 30 ft. high	10.12	.40	.70		.02
Bitumastic; Sand Blast; Bridge; Towers; Stacks; Steeples; Tanks on legs	10.17	.40	.70		.02
Plasterers:					
Remainder of Counties	8.57	.45	.45	.35	

DECISION #ID76-5112 (Cont'd):

Change (Cont'd):	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
Power Equipment Operators:					
(AREA 2):					
Remaining Counties and Idaho County (south of 46th Parallel):					
Group 1	$8.56	.70	.75		.10
Group 2	8.72	.70	.75		.10
Group 3	9.09	.70	.75		.10
Group 4	9.40	.70	.75		.10
Group 5	9.57	.70	.75		.10
Group 6	9.75	.70	.75		.10
Group 7	10.11	.70	.75		.10
Group 8	10.34	.70	.75		.10
Group 9	10.57	.70	.75		.10
Group 10	10.81	.70	.75		.10
Roofers:					
Ada, Adams, Boise, Camas, Canyon, Custer, Elmore, Gem, Idaho County (south of 46th Parallel), Lemhi, Owyhee, Payette, Valley, Washington Counties:					
Roofers; Kettlemen	8.60	.60	.30	.50	
Roofers working with coal tar and pitch products	10.60	.60	.30	.50	
Truck Drivers:					
(AREA 1):					
Benewah, Bonner, Boundary, Clearwater, Idaho County (north of 46th Parallel), Kootenai, Latah, Lewis, Nez Perce, Shoshone Counties:					
Group 1	9.28	1.07	.70		
Group 2	9.32	1.07	.70		
Group 3	9.38	1.07	.70		
Group 4	9.47	1.07	.70		
Group 5	9.68	1.07	.70		
Group 6	9.72	1.07	.70		
Group 7	9.78	1.07	.70		

DECISION #ID76-5112 (Cont'd):

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
Change (Cont'd):					
Truck Drivers (Cont'd):					
(AREA 1) (Cont'd):					
Group 8	$9.82	$1.07	.70		
Group 9	9.93	1.07	.70		
Group 10	9.97	1.07	.70		
Group 11	10.28	1.07	.70		
Group 12	10.42	1.07	.70		
Group 13	10.58	1.07	.70		
Group 14	10.72	1.07	.70		
Truck Drivers:					
(AREA 2):					
Remainder of Counties and Idaho County (south of 46th Parallel):					
Group 1	8.41	.65	.65	.25	.10
Group 2	8.47	.65	.65	.25	.10
Group 3	8.53	.65	.65	.25	.10
Group 4	8.59	.65	.65	.25	.10
Group 5	8.64	.65	.65	.25	.10
Group 6	8.90	.65	.65	.25	.10
Group 7	8.96	.65	.65	.25	.10
Group 8	9.02	.65	.65	.25	.10
Group 9	9.13	.65	.65	.25	.10
Group 10	9.19	.65	.65	.25	.10
Group 11	9.25	.65	.65	.25	.10
Group 12	9.31	.65	.65	.25	.10
Group 13:					
Class A	8.79	.65	.65	.25	.10
Class B	8.90	.65	.65	.25	.10
Class C	9.13	.65	.65	.25	.10
Class D	9.31	.65	.65	.25	.10
Class E	9.42	.65	.65	.25	.10
Class F	9.54	.65	.65	.25	.10
Class G	9.82	.65	.65	.25	.10
Class H	10.05	.65	.65	.25	.10
Class I	10.28	.65	.65	.25	.10
Group 14:	9.70	.65	.65	.25	.10

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
DECISION #IL76-2132 - Mod. #1 (41 FR 47729 - October 29, 1976) Alexander, Franklin, Gallatin, Hamilton, Hardin, Jackson, Jefferson, Johnson, Marion, Massac, Perry, Pope, Pulaski, Saline, Union, White & Williamson Counties, Illinois					
OMIT:					
Bricklayers & Stonemasons:					
Jackson & Perry Counties:					
Bricklayers, Stonemasons, Terrazzo & Tile Workers	$9.35		.40		
CHANGE:					
Bricklayers & Stonemasons:					
Remainder of Counties	9.35	.35	.40		
Carpenters:					
Marion County:					
Centralia & Vicinity					
Carpenters, Piledrivermen & Soft Floor Layers	9.06	.45	.50		.02
Millwrights	9.41	.45	.50		.02
Salem & Vicinity					
Carpenters, Piledrivermen & Soft Floor Layers	8.76	.45	.50		.02
Millwrights	9.11	.45	.50		.02
Remainder of Counties:					
Carpenters, Piledrivermen, Millwrights & Soft Floor Layers	9.00	.35	.35		.02
Cement Masons:					
Franklin, Hamilton, Jefferson & Williamson Cos.	9.15				
Electricians	11.20	.40	11%		1%
Laborers:					
Marion County	7.75		.30		.035
Plumbers & Steamfitters:					
Franklin, Hamilton, Jefferson, Saline, Willaimson & Gallatin Counties	11.20	.35	.55		.04

MODIFICATIONS P. 7

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
DECISION #IL76-2153 - Mod. #1 (41 FR 52253 - November 26, 1976) Clay, Crawford, Edwards, Effingham, Fayette, Hamilton, Jasper, Jefferson, Lawerence, Marion, Richland, Wabash, Wayne & White Counties, Illinois					
CHANGE: Electricians: Edwards, Hamilton, Jefferson, Marion, Clay, Wayne & White Counties; Remainder of Effingham & Fayette Counties	$11.20	.40	11%		1%
DECISION #IL76-2154 - Mod. #1 (41 FR 53256 - December 3, 1976) Alexander, Franklin, Gallatin, Hardin, Jackson, Johnson, Massac, Perry, Pope, Pulaski, Randolph, Saline, Union & Williamson Counties, Illinois					
CHANGE: Electricians	$11.20	.40	11%		1%

MODIFICATIONS P. 8

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
DECISION #KY76-1077 - Mod. #3 (41 FR-30525 - July 23, 1976) Warren County, Kentucky					
Change:					
Lathers	7.90		.20	.40	.01
Plumbers	10.65	.60	.75	.77	.10
Sheet metal workers	11.99	1.067	.80		.14
DECISION #KY76-1129 - Mod. #1 (41 FR-52257 - November 26, 1976) Hardin, Jefferson, and Meade Counties, Kentucky					
Change:					
Boilermakers	10.80	.75	1.00		.02
Plumbers:					
Zone 1 Jefferson County	10.65	.60	.75	.77	.10
Zone 2 Outside of Jefferson & Warren Counties and within 35 mile radius of Jefferson and Warren Counties Courthouses and entire Ft. Knox Reservation	11.10	.60	.75	.77	.10
Zone 3 Beyond 35 mile radius of Jefferson & Warren Counties Courthouses	11.35	.60	.75	.77	.10
Sheet metal workers:					
Zone 1 Jefferson County	10.74	1.067	.80		.14
Zone 2 Hardin & Meade Counties including Ft. Knox Reservation	11.99	1.067	.80		.14

MODIFICATIONS P. 9

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
DECISION #LA76-4187 - Mod. #1 (41 FR 51288 - November 19, 1976) Statewide Louisiana					
Change:					
Glaziers:					
Zone 2	$ 7.25		.25		
Laborers (Highway Construction):					
Group 1:					
Zone 4	5.50	.15	.20		.05
Group 2:					
Zone 4	5.60	.15	.20		.05
Group 3:					
Zone 4	6.05	.15	.20		.05
Group 4:					
Zone 5	6.30	.15	.20		.05
Lathers:					
Zone 2	8.88	.20	.30		.05
Plumbers & pipefitters:					
Zone 6	10.38	.67	.72		.08

MODIFICATIONS P. 10

BALTIMORE REGION RAPID TRANSIT SYSTEM

DECISION NO. MD76-3272-Mod. #1 (41 FR50147-November 12, 1976) Baltimore, Harford, and Howard Counties and Baltimore City, Md.	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
ADD: LABORERS:					
GROUP I	$ 8.00	.30	.50		.075
GROUP II	8.25	.30	.50		.075
GROUP III	8.75	.30	.50		.075
GROUP IV	9.00	.30	.50		.075

CLASSIFICATIONS

TUNNELS, RAISES AND SHAFTS - FREE AIR

GROUP I
Brakeman, bull gang, dumper, trackman, concrete man

GROUP II
Chuck tender, powderman in prime house, form setters and movers, nippers, cableman, hosemen, groutman, bell or signalman, top or bottom, vibrator operator, caulkers' helpers, air tool operator

GROUP III
Miners, rodmen, re-bar underground, concrete or gunnite nozzlemen, switchmen, powderman, timberman and re-timberman, wood steel including liner plate or any other support material, motorman, caulkers, diamond drill operators, riggers, cement finishers - underground, welders and burners, shield driver, air trac operator, shotcrete nozzleman and potman, brakemen.

GROUP IV
Mucking machine operator (air)

BALTIMORE REGION RAPID TRANSIT SYSTEM

DECISION NO. MD76-3272-Mod. #1 (Cont'd)
(41 FR50147-November 12, 1976)
Baltimore, Harford, and Howard Counties and Baltimore City, Maryland

ADD:	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
Laborers:					
GROUP I	$ 7.00	.30	.50		.075
GROUP II	7.10	.30	.50		.075
GROUP III	7.25	.30	.50		.075
GROUP IV	7.35	.30	.50		.075
GROUP V	7.40	.30	.50		.075
GROUP VI	8.00	.30	.50		.075
GROUP VII	8.00	.30	.50		.075

CLASSIFICATIONS

LABORERS:
GROUP I - Carloader, choker setter, concrete crewman, crushed feeder, demolition laborer (including salvaging all material, loading and cleaning up), wrecking, driller helper, dumpman, flagman, fence erector and installer (including installation and erection of fence, guard rails, median rails, reference posts, guide posts and right-of-way markers), form stripper, general laborers, railroad track laborer, riprap man, scale man, stake jumper, structure mover (includes foundation, separation, preparation, cribbing, shoring, jacking and unloading of structures), water nozzleman, timber bucker and faller, truck loader
GROUP II - Combined air and water nozzlemen, cement handler, dope pot fireman (nonmechanical), form cleaning machine, mechanical railroad equipment (includes spiker, puller, tie cleaner, tamper pipe wrapper, power driven wheelbarrow, signalman operators of hand derricks, towmasters, scootcretes, buggymobiles and similar equipment), tamper or rammer operator, trestle, scaffold builders over one tier high, power tool operator (gas, electric or pneumatic), sandblast or gunnite tailhose man, scaffold erector (steel or wood), vibrator operator (up to 4'), asphalt cutter, mortar men, shorer and lagger, creosote material handler, corrosive enamel or equal, paving breaker and jackhammer operators, topman,
GROUP III - Multi-section pipe layer, non-mentallic clay and concrete pipe layer (including caulker, collarman, joiner, rigger and jacker) thermite welder and corrugated metal culvert pipe layer
GROUP IV - Asphalt block pneumatit cutter, asphalt roller, walking chain-saw with attachment, concrete saw (walking), high scalers, erectors, laser beam, switchman cage tenders, air tugger, grout laborer, well point installers, air-trac operator
GROUP V - Asphalt screeder, big drills, cut of the hole drills (4½" piston or larger) down the hole drills (3½" piston or larger), gunnite or sandblaster nozzleman, asphalt raker, asphalt tamper, form setter, cutting torch operator, shotcrete nozzleman and porman
GROUP VI - Powderman, master form setters, mechanic-welder
GROUP VII - Brick paver (asphalt block paver, asphalt block saw man, asphalt block grinder; hastings block or similar type)

BALTIMORE REGION RAPID TRANSIT SYSTEM

DECISION NO. MD76-3272- Mod. #1 (Cont'd)
(41 FR50147-November 12, 1976)
Baltimore, Harford, and Howard Counties and Baltimore City, Md.

ADD: LABORERS: COMPRESSED AIR RATES	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
Gauge Pressure Pounds					
0-12	$10.333	a	b		c
12-14	14.165	a	b		c

FOOTNOTES:

a. The employer pays 2.40 to health and welfare per day.

b. The employer pays 4.00 to pension per day.

c. The employer pays .60 training fund per day.

DECISION NO. MA76-2098- Mod #3 (41 FR 34514- August 13, 1976) Essex County, Massachusetts	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
Change:					
Elevator constructors	$11.445	.545	.35	4%+a+b	.02
Elevator constructors' helpers	70%JR	.545	.35	4%+a+b	.02
Elevator constructors' helpers (prob.)	50%JR	.545	.35	4%+a+b	.02
Line construction:					
Linemen	12.00	.65	1%	d	3/8of1%
Equipment operators	11.28	.65	1%	d	3/8of1%
Driver Groundman	9.03	.65	1%	d	3/8of1%
Groundman	7.68	.65	1%	d	3/8of1%
Plumbers:					
Lynn, Lynnfield, Nahant, Saugus and Swampscott	10.80	1.02	1.28		.05
Remainder of Co: (Plumbers and steamfitters)	9.90	1.35	.52		.05
Piledrivermen	10.15	.60	1.00		

DECISION NO. MA76-2099- Mod #2 (41 FR 34519- August 13, 1976) Franklin County, Massachusetts					
Change:					
Carpenters and Soft floor layers:					
Leverett, Shutesbury, Sunderland	9.15	.45	1.00	.25	.02
Monroe and Monroe Bridge	8.64	.55	1.00		.04
Remainder of County	9.15	.45	1.00	.50	.02
Electricians: Remainder of County:					
Electrical contracts under $75,000	8.30	.70	1%+.40		.02
Electrical contracts over $75,000	10.21	.70	1%+.40		.02
Shaft and tunnel work	10.71	.70	1%+.40		.02
Piledrivermen	10.15	.60	1.00		

DECISION NO. MA76-2100- Mod #2 (41 FR 34522- August 13, 1976) Hampden County, Massachusetts	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
Change:					
Carpenters and Soft floor layers	$9.15	.45	1.00	.25	.02
Electricians:					
Chester, Holyoke, & that portion of Chicopee north of the line as specified in the full decision:					
Electrical contracts under $75,000	8.30	.70	1%+.40		.02
$75,000 and over	10.21	.70	1%+.40		.02
Shaft and tunnel work	10.71	.70	1%+.40		.02
Remainder of County	9.60	.50	1%+.30	.43	.02+a
Piledrivermen	10.15	.60	1.00		

DECISION NO. MA76-2101- Mod #2 (41 FR 35369- August 20, 1976) Hampshire County, Massachusetts					
Change:					
Carpenters	9.15	.45	1.00	.25	.02
Electricians:					
Belchertown, Ware	9.60	.50	1%+.30	.43	.02+a
Remainder of County:					
Electrical contracts $75,000 and over	10.21	.70	1%+.40		.02
Contracts under $75,000	8.30	.70	1%+.40		.02
Shaft and tunnel work	10.71	.70	1%+.40		.02
Piledrivermen	10.15	.60	1.00		

DECISION NO. MA76-2102- Mod #2 (41 FR 37479- September 3, 1976) Middlesex County, Massachusetts Change:	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
Cement masons:					
Bedford, Burlington, Lowell, Billerica, Tyngsboro, Westford, Tewksbury, Acton, Littleton, Dracut, Wilmington, Dunstable, Chelmsford, and Carlisle	$9.80	.90	.70		.02
Elevator constructors	11.445	.545	.35	4%+a+b	.02
Elevator constructors' helpers	70%JR	.545	.35	4%+a+b	.02
Elev. constructors' helpers (prob)	50%JR	.545	.35	4%+a+b	.02
Line construction:					
Linemen	12.00	.65	1%	d	3/8of1%
Equipment operator	11.28	.65	1%	d	3/8of1%
Driver groundman	9.03	.65	1%	d	3/8of1%
Groundman	7.68	.65	1%	d	3/8of1%
Piledrivermen	10.15	.60	1.00		
Plumbers:					
Arlington, Cambridge, Everett, Malden, Medford, Melrose, Newton, N. Reading, Reading, Somerville, Stoneham, Wakefield, Watertown Winchester, and Woburn	10.80	1.02	1.28	.05	
DECISION NO. MA76-2103- Mod #2 (41 FR 35373- August 20, 1976 Norfolk County, Massachusetts					
Change:					
Electricians: Avon, Holbrook, Randolph, and Stoughton:					
Elec. contracts under $40,000	9.15	6%	5%	2%	.5%
Elec. contracts $40,000 or over	11.05	6%	5%	2%	.5%
Residential	6.60	.50	5%	2%	.5%
Elevator constructors	11.445	.545	.35	4%+a+b	.02
Elevator constructors' helpers	70%JR	.545	.35	4%+a+b	.02
Elev. constructors' helpers (prob)	50%JR	.545	.35	4%+a+b	.02
Line construction:					
Linemen	12.00	.65	1%	d	3/8of1%
Equipment operator	11.28	.65	1%	d	3/8of1%
Driver Groundman	9.03	.65	1%	d	3/8of1%
Groundman	7.68	.65	1%	d	3/8of1%
Piledrivermen	10.15	.60	1.00		
Plumbers and Gasfitters:					
Bellingham, Braintree, Brookline, Canton, Cohasset, Dedham, Foxboro, Franklin, Millis, Milton, Needham, Norfolk, N. Weymouth, Norwood, Plainville, Quincy, Sharon, S. Weymouth, Walpole, Westwood, Weymouth, & Wrentham	10.30	1.02	1.28		.05

DECISION #MI76-2139 - Mod. #2 (41 FR 51313 - November 19, 1976) Macomb, Monroe, Oakland, Washtenaw & Wayne Counties, Michigan CHANGE:	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
Carpenters:					
Remainder of Counties	$10.48	.75	9%	11%	.04
Decision # MS76-1020 - Mod. # 1 (41 FR 4780 - January 30, 1976) Hancock, Harrison, Jackson, and Pearl River Counties, Mississippi. Change:					
Bricklayers:					
Bricklayers	8.40	.40			
Blockmasons	8.40	.40			
Marble masons	8.40	.40			
Stonemasons	8.40	.40			
Plasterers	8.30	.40			
Terrazzo workers	8.30	.40			
Tile setters	8.30	.40			
Cement masons	7.78	.40			
Ironworkers:					
Hancock, Pearl River, and western 2/3 of Harrison Co.	10.19	.30	.35		.04
Jackson Co, and eastern 1/3 of Harrison Co.	9.23	.30	.40		
Laborers:					
Laborers	5.05	.15	.15		
Air tool opeators, Asphalt rakers, Mason tenders, Mortar mixers, Pipe wrappers, Post hole digger operators, Plasterers tenders.	5.20	.15	.15		

DECISION #NV76-5098 - Mod. #4
(41 FR 47812 - October 29, 1976)
Statewide (excluding the Nevada Test Site and Tonopah Test Range), Nevada

Change:

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
Electricians:					
Clark, Lincoln, Nye County (south of Mt. Diablo Base Line):					
Electricians; Technicians	$13.81	.73	1% + .40		.08
Cable Splicers	14.14	.73	1% + .40		.08
Nye County (north of Mt. Diablo Base Line) and Remaining Counties including Lake Tahoe Area:					
Electricians; Technicians	12.33	.67	1% + .77		.08
Cable Splicers	13.56	.67	1% + .77		.08
Line Construction Workers:					
Remaining Counties (excluding Lake Tahoe Area):					
Lineman	12.33	.67	1% + .77		.08
Line Equipment Operator	11.10	.67	1% + .77		.08
Groundman	9.25	.67	1% + .77		.08
Cable Splicers	13.56	.67	1% + .77		.08
Plasterers:					
Remaining Counties	10.52	.65	1.00		.03
Sheet Metal Workers:					
Clark, Esmeralda, Lincoln, Nye County (south half), White Pine Counties	11.43	.93	1.60	1.00	.07

DECISION NO: NM76-4182 - Mod. #2
(41 FR 50163 - November 12, 1976)
Statewide, New Mexico

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
ADD:					
ELECTRICIANS - ZONE V	$5.80	.30	1%		1/4%
ELECTRICIANS DEFINITION(Zone V)					

ELECTRICIANS DEFINITION - ZONE V

Single or multiple, family dwelling or apartments up to and including 26 units under one roof not exceeding two stories - Bernalillo, Santa Fe, Taos, Rio Arriba, Sandoval, Valencia and San Juan Counties, but not on the Navajo Indian Reservation.

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
DECISION #TX76-4110 - Mod. #5					
(41 FR 27652 - July 2, 1976)					
Lubbock County, Texas					
Change:					
Electricians:					
Electricians	$ 9.25	.40	1%		1/10%
Cable splicers	9.50	.40	1%		1/10%
Line Construction:					
Linemen	9.25	.40	1%		
Operators	80%JR	.40	1%		
Groundmen (more than 1 year experience)	55%JR	.40	1%		
Groundman (less than 1 year experience)	50%JR	.40	1%		
Flat bed truck operator	70%JR	.40	1%		
Plumbers & steamfitters	8.81	.39	.40		.04
DECISION #TX76-4125 - Mod. #5					
(41 FR 30563 - July 23, 1976)					
Bee, Kleberg & Nueces Cos., Texas					
Change:					
Carpenters:					
Millwrights	9.05				1%
DECISION #TX76-4152 - Mod. #5					
(41 FR 42152 - September 24, 1976)					
Travis County, Texas					
Change:					
Line Construction:					
Linemen	10.20	.40	1%		1/2%
Groundmen	5.61	.40	1%		1/2%
Groundmen (1st year)	5.10	.40	1%		1/2%

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
DECISION #TX76-4169 - Mod. #3					
(41 FR 44662 - October 8, 1976)					
Bowie County, Texas					
Change:					
Line Construction:					
Lineman	$ 9.80		1%		1/2%
Cable splicer	10.09		1%		1/2%
Hole digger operator, heavy equipment operators (or pole cat equivalent); powderman	8.92		1%		1/2%
Line truck driver (winch operator	8.04		1%		1/2%
Jackhammerman	7.35		1%		1/2%
Groundman	6.57		1%		1/2%
Groundman, 1st year	4.90		1%		1/2%
Truck driver (flat bed, ton & half & under)	6.96		1%		1/2%
DECISION #MD76-3285 - Mod. # 1					
(41 FR 51308 - November 19, 1976)					
Montgomery and Prince Georges Counties, Maryland; Arlington and Fairfax Counties, Virginia; and For WMATA - Rapid Rail Transit System Projects Only, Alexandria, Virginia					
Change:					
BUILDING CONSTRUCTION, (INCLUDING WMATA- RRTS)					
Truck Drivers:					
Boom trucks	$7.60	.415	.425	g+j	
Small dump, water sprinkler, grease and oil	7.35	.415	.425	g+j	
Flat, pick-up hauling materials, small euclids, dump over 8 wheels	7.45	.415	.425	g+j	
Trailers, low boys, tractor pulls	7.65	.415	.425	g+j	
Helpers	7.20	.415	.425	g+j	
Carryalls, large euclids, euclid water sprinkler, tunnel work under ground	7.75	.415	.425	g+j	
Mechanics	7.50	.415	.425	g+j	
Omit:					
Footnote (f)					

MODIFICATIONS P. 21

DECISION #DC76-3284 - Mod. # 1
(41 FR 51368 - November 19, 1976)
Washington, D. C.

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
Change:					
BUILDING AND HEAVY CONSTRUCTION, (INCLUDING WMATA)					
TRUCK DRIVERS:					
Boom trucks	$7.60	.415	.425	g+j	
Small dump, water sprinkler, grease and oil	7.35	.415	.425	g+j	
Flat, pick-up hauling materials, small euclids, dump over 8 wheels	7.45	.415	.425	g+j	
Trailers, low boys, tractor pulls	7.65	.415	.425	g+j	
Helpers	7.20	.415	.425	g+j	
Carryalls, large euclids, euclid water sprinkler, tunnel work under ground	7.75	.415	.425	g+j	
Mechanics	7.50	.415	.425	g+j	
OMIT:					
Footnote (f)					

STATE: Mississippi
DECISION NUMBER: MS76-1137
COUNTY: Statewide *See below
DATE: Date of Publication
Supersedes Decision No.: MS75-1067 dated December 12, 1975 in 40 FR-58046
DESCRIPTION OF WORK: Highway Construction.

MS76-1137 - (Cont'd)

	ZONE I	ZONE II	ZONE III	ZONE IV	ZONE V	ZONE VI
	Basic Hourly Rates	Basic Hourly Rates	Basic Hourly Rates	Basic Hourly Rates	Basic Hourly Rates	Basic Hourly Rates
Air tool operator	3.25	3.25	3.25	3.00	3.50	3.35
Asphalt raker	2.90	2.50	3.25	3.00	2.75	3.25
Bricklayers	5.50	5.50	5.00	5.50	5.00	7.00
Carpenters	4.30	4.50	4.60	4.00	4.50	5.10
Carpenters helper	3.00	3.25	3.50	3.25	3.50	3.50
Cement masons (Finisher)	4.10	4.15	4.25	3.85	4.50	4.95
Concrete saw operator	3.25	3.25	3.25	4.00	3.25	5.00
Electricians	5.50	6.00	7.00	7.00	6.00	6.00
Form setter	4.30	4.00	3.75	3.20	3.25	3.25
Grade checker	3.75	3.00	3.00	2.50	3.25	3.10
Ironworkers, reinforcing	4.50	3.50	4.05	3.50	4.50	5.25
Ironworkers, structural	4.00	3.75	3.75	3.00	3.00	4.50
Laborer, unskilled	2.75	2.30	2.30	2.30	2.30	3.00
Mason tender (Cement mason helper)	3.00	3.00	3.00	3.00	3.25	3.50
Painter (Structural steel)	4.75	3.50	5.00	4.50	4.00	4.00
Piledriverman	3.00	3.25	3.00	3.15	4.25	4.50
Truck driver	2.75	2.50	3.00	2.75	2.75	3.00
Tugboat operator						3,75
Welder	4.70	3.70	4.00	3.00	4.25	5.00
POWER EQUIPMENT OPERATORS:						
"A" frame truck (winch)			5.00	3.75	3.75	4.50
Aggregate spreader operator	3.25	3.25	3.00	3.25	3.50	3.50
Air compressor	3.50	2.75	3.25	3.25	3.50	3.00
Asphalt distributor-spreader operator	3.45	3.00	3.35	3.20	3.00	3.50
Asphalt plant	3.25	3.00	3.00	3.00	3.25	4.00
Backhoe or shovel operator	4.00	3.50	4.00	4.00	4.00	4.35
Bulldozer operator	4.25	4.20	4.00	3.50	4.00	4.50
Concrete batch plant operator	4.25	4.00	4.00	3.10	3.50	4.25
Concrete breaker & hydro-hammer operator	2.75	2.50	2.50			
Concrete finishing machine operator	4.00	3.50	3.50	4.00	3.75	4.00
Concrete paving machine operator	3.50	3.50	3.50	3.50	3.25	3.55
Concrete spreader machine operator	3.50	3.00	4.25	3.25	3.00	3.25
Crane, dragline operator	5.00	4.85	5.20	4.25	5.00	5.50
Crusher feeder operator		3.00	3.00	3.50	3.25	3.25
Curing machine operator	3.00	3.00	3.00	3.00		3.00
Earth auger	4.00	3.00	4.25	2.80	3.25	4.00
Fireman	3.00	3.00	3.60	3.00	3.00	3.00
Guard rail post driver	3.00	3.50	3.50	3.20	2.80	3.50
Joint filler	2.75	2.50	2.50		3.00	3.00
Joint setter	2.75		3.50	3.00	3.50	
Loader operator (all types)	3.75	3.50	3.80	3.30	3.75	4.00
Mechanic	4.60	4.10	4.50	3.85	4.50	4.50
Mechanic helper	3.75	3.75	3.00	3.00	3.75	3.50
Mixer operator (all types)	3.65	3.50	3.60	2.75	3.50	3.00
Motor patrol operator	4.65	4.40	4.00	4.00	4.50	4.50
Mulcher operator	2.75	2.75	2.75	2.75	2.75	3.00
Oiler-greaser	3.35	3.50	3.00	2.75	3.45	3.25
Piledriver operator	4.00	4.25	4.00	4.25	4.75	5.00
Pipelayer	3.50	3.00	3.25	3.00		3.50
Roller operator (self-propelled)	3.15	2.75	3.15	3.00	3.25	3.20
Scales (all types)	3.00	2.50	2.75	2.50	3.00	3.40
Scraper operator	4.55	4.00	4.00	3.25	3.95	3.75
Steel machine operator			2.50			3.00
Striping machine operator	4.25	3.85	4.00	4.25	4.00	3.90
Sub grader machine operator	3.15	4.00				3.60
Tractor operator (track type)	3.25	2.50	4.00	2.85	3.50	3.00
Tractor operator (wheel type)	2.80	2.50	2.75	2.75	2.75	3.00
Trenching machine	3.00	4.00	3.00	3.00	3.00	4.00

COUNTIES:

*ZONE I: Alcorn, Benton, Calhoun, Chicksaw, Choctaw, Clay, Itawamba, Lafayette, Lee, Lowndes, Marshall, Monroe, Oktibbeha, Pontotoc, Prentiss, Tippah, Tishomingo, Union and Webster.

*ZONE II: Bolivar, Carroll, Coahoma, DeSoto, Grenada, Leflore, Montgomery, Panola, Quitman, Sunflower, Tallahatchie, Tate, Tunica, Washington, & Yalobusha.

*ZONE III: Claiborne, Copiah, Hinds, Holmes, Humphreys, Issaquena, Madison, Rankin, Sharkey, Simpson, Warren and Yazoo.

*ZONE IV: Attala, Clarke, Jasper, Kemper, Lauderdale, Leake, Neshoba, Newton, Noxubee, Scott, Smith, and Winston.

*ZONE V: Adams, Amite, Covington, Forrest, Franklin, Greene, Jefferson, Jefferson Davis, Jones, Lamar, Lawrence, Lincoln, Marion, Perry, Pike, Walthall, Wayne, and Wilkinson.

*ZONE VI: George, Hancock, Harrison, Jackson, Pearl River, and Stone.

SUPERSEDEAS DECISION

STATE: Missouri
DECISION NO. MO76-4191 DATE: Date of Publication
Supersedes Decision No. MO76-4159 dated October 1, 1976, in 41 FR 43584
DESCRIPTION OF WORK AND LOCATION
Highway Construction
Statewide except Jasper County
Heavy Construction

Adair	Gasconade	Montgomery
Andrew	Gentry	Morgan
Atchison	Greene	Newton
Audrain	Grundy	Nodaway
Barton	Harrison	Osage
Bates	Henry	Perry
Benton	Hickory	Pettis
Bollinger	Holt	Phelps
Boone	Howard	Pike
Buchanan	Jackson	Platte
Caldwell	Jefferson	Polk
Callaway	Johnson	Pulaski
Camden	Knox	Putnam
Cape Girardeau	Laclede	Ralls
Carroll	Lafayette	Randolph
Cass	Lawrence	Ray
Cedar	Lewis	St. Charles
Chariton	Lincoln	St. Clair
Clark	Linn	St. Francois
Clay	Livingston	St. Louis and City
Clinton	McDonald	Ste. Genevieve
Cole	Macon	Saline
Cooper	Madison	Schuyler
Crawford	Maries	Scott
Dade	Marion	Scotland
Dallas	Mercer	Shelby
Daviess	Miller	Sullivan
DeKalb	Moniteau	Vernon
Franklin	Monroe	Warren
		Washington
		Worth

DECISION NO. MO76-4191

CARPENTERS & PILEDRIVERMEN:	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
ZONE 1	$9.96	.50	.70	.50	.03
ZONE 2	10.20	.50	.30		.05
ZONE 3	10.46	.50	.70		
ZONE 4	9.81	.50	.70	.50	.03
ZONE 5	10.45	.50	.30		.03
ZONE 6	9.85	.50	.30		.03
ZONE 7	8.95	.50	.70	.50	.03
ZONE 8	10.45	.20			.03
ZONE 9	10.32	.33			.03
ZONE 10	10.22	.23			.03
ZONE 11	10.17	.33	.15		.03

AREAS COVERED BY CARPENTERS & PILEDRIVERMEN ZONES

ZONE 1 - Franklin, Jefferson, St. Charles, Lincoln and Warren Counties.
ZONE 2 - Clay, Jackson, Platte and Ray Counties
ZONE 3 - St. Louis County & City
ZONE 4 - Pike, St. Francois & Washington Counties
ZONE 5 - Cass and Lafayette Counties
ZONE 6 - Atchison, Andrew, Barry, Barton, Bates, Buchanan, Caldwell, Camden, Carroll, Cedar, Christian, Clinton, Dade, Dallas, Daviess, DeKalb, Douglas Gentry, Greene, Grundy, Harrison, Henry, Hickory, Holt, Johnson, Laclede, Lawrence, Livingston, McDonald, Mercer, Newton, Nodaway, Ozark, Polk, St. Clair, Saline, Stone, Taney, Vernon, Webster, Worth & Wright Counties
ZONE 7 - Crawford, Dent, Gasconade, Iron, Madison, Maries, Montgomery, Phelps, Pulaski, Reynolds, Shannon and Texas Counties.
ZONE 8 - Boone, Cooper & Howard Counties
ZONE 9 - Adair, Audrain, Benton, Callaway, Chariton, Clark, Knox, Lewis, Linn, Macon, Marion, Monroe, Morgan, Pettis, Putnam, Ralls, Randolph, Schuyler, Scotland, Shelby and Sullivan Counties
ZONE 10 - Bollinger, Butler, Cape Girardeau, Carter, Dunklin, Howell, Mississippi, New Madrid, Oregon, Pemiscot, Perry, Ripley, Ste. Genevieve, Scott, Stoddard and Wayne Counties
ZONE 11 - Cole, Miller, Moniteau and Osage Counties.

DECISION NO. MO76-4191

CEMENT MASONS:	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
ZONE 1	9.475	.40	.50	.50	
ZONE 2	10.93				
ZONE 3	8.90	.90	.85		
ZONE 4	9.655	.40	.50	1.25	
ZONE 5	7.05	.70	.30	.35	
ZONE 6	8.75				
ZONE 7	9.325				
ZONE 8	9.75				
ZONE 9	7.40				
ZONE 10	9.30	.40	.50		
ZONE 11	9.75				
ZONE 12	8.30		.50		
ZONE 13	9.60	.90	.85		

AREAS COVERED BY CEMENT MASONS ZONES

ZONE 1 - Bates, Carroll, Cass and Lafayette Counties
ZONE 2 - Dent, Phelps, Pulaski and Texas Counties
ZONE 3 - Crawford, Franklin, Iron, Lincoln, Madison, Reynolds, Shannon, St. Francois, Ste. Genevieve, Warren & Washington Counties on projects less than $100,000.00.
ZONE 4 - Clay, Jackson, Platte and Ray Counties
ZONE 5 - Bollinger, Butler, Cape Girardeau, Carter, Dunklin, Mississippi, New Madrid, Oregon, Pemiscot, Perry, Ripley, Scott, Stoddard and Wayne Counties
ZONE 6 - Cedar, Christian, Dade, Dallas, Douglas, Greene, Howell, Laclede, Ozark, Polk, Stone, Taney, Webster and Wright Counties
ZONE 7 - Benton, Henry, Hickory, Johnson, Morgan, Pettis, Saline and St. Clair Counties
ZONE 8 - Adair, Audrain, Boone, Chariton, Cooper, Howard, Linn, Macon, Moniteau, Monroe, Randolph, Shelby, Schuyler, Sullivan and Putnam Cos.
ZONE 9 - Barry, Barton, Lawrence, McDonald, Newton and Vernon Counties.
ZONE 10 - Andrew, Atchison, Buchanan, Caldwell, Clinton, Daviess, DeKalb, Gentry, Grundy, Harrison, Holt, Livingston, Mercer, Nodaway and Worth Counties.
ZONE 11 - Callaway, Camden, Cole, Gasconade, Maries, Miller, Montgomery, and Osage Counties
ZONE 12 - Clark, Knox, Lewis and Scotland Counties.
ZONE 13 - St. Louis City and County, Jefferson and St. Charles Counties; and Counties of Crawford, Franklin, Iron, Lincoln, Madison, Reynolds, Shannon, St. Francois, Ste. Genevieve, Warren and Washington on projects $100,000.00 and over.

DECISION NO. MO76-4191

ELECTRICIANS	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
ZONE 1					
Electrical contracts over $7,500.00	$9.70	4%	1%	11.5%	½%
Electrical contracts $7,500.00 and under	8.35	4%	1%	11.5%	½%
ZONE 2	11.22	.39	1%+.51	.80	.06
ZONE 3					
Electrical contracts over $5,000.00	11.22	.39	1%+.51	.80	.06
Electrical contracts $5,000.00 and under	10.67	.39	1%+.51	.80	.06
ZONE 4					
Electrical contracts over $5,000.00	11.22	.39	1%+.51	.80	.06
ZONE 5					
Electrical contracts over $5,000.00	11.22	.39	1%+.51	.80	.06
Electrical contracts $5,000.00 and under	10.06	.39	1%+.51	.80	.06
ZONE 6	10.30	.55	1%+5½%	15½%	.10
ZONE 7					
Electrical contracts over $10,000.00	10.30	.55	1%+5½%	15½%	.10
ZONE 8					
Electrical contracts $10,000.00 and under	9.64	.55	1%+5½%	15½%	.10
ZONE 9					
Electrical contracts $10,000.00 and under	7.45	.55	1%+5½%	15½%	.10
ZONE 10					
Electrical contracts $10,000.00 and under	5.27	.55	1%+5½%	15½%	.10

DECISION NO MO76-4191

ELECTRICIANS CONTD:	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
ZONE 11	$10.325	.47	1%+.50	6%	.02
ZONE 12	10.815	.47	1%+.50	6%	.02
ZONE 13	10.59	.35	1%	7%	.01
ZONE 14					
Electrical contracts over $10,000.00	10.82	.35	1%	7%	.01
Electrical contracts $10,000.00 and under	10.59	.35	1%	7%	.01
ZONE 15					
Electrical contracts over $10,000.00	11.18	.35	1%	7%	.01
Electrical contracts $10,000.00 and under	10.59	.35	1%	7%	.01
ZONE 16					
Electricians	9.15	.35	1%		.01
Cable splicers	9.50	.35	1%		.01
ZONE 17					
Electricians	10.25	.27	1%	7%+.30	½ of 1%
Cable splicers	10.50	.27	1%	7%+.30	½ of 1%

AREAS COVERED BY ELECTRICIANS ZONES

ZONE 1 - Adair, Audrain (That part east of Highway 19), Clark, Knox, Lewis, Linn, Macon, Marion, Monroe, Montgomery, Pike, Putnam, Ralls, Schuyler, Scotland, Shelby and Sullivan Counties:
Electrical contracts over $7,500.00
Electrical contracts $7,500.00 and under
ZONE 2 - Western half of Clay & Jackson Cos. not including Blue Springs; Northern half of Platte Co.; North Western portion of Cass Co. not including Pleasant Hill
ZONE 3 - Remainder of Clay, Jackson, Platte & Cass Counties:
Electrical contracts over $5,000.00
Electrical contracts $5,000.00 and under
ZONE 4 - Bates, Benton, Henry, Johnson, Lafayette and Pettis Counties:
Electrical contracts over $5,000.00
Electrical contracts $5,000.00 and under
ZONE 5 - Carroll, Cooper, Morgan, Ray & Saline Counties:
Electrical contracts over $5,000.00
Electrical contracts $5,000.00 and under
ZONE 6 - St. Charles County, St. Louis County and City
ZONE 7 - Bollinger, Butler, Cape Girardeau, Carter, Dunklin, Franklin, Iron, Jefferson, Lincoln, Madison, Mississippi, New Madrid, Pemiscot, Perry, Reynolds, Ripley, Scott, St. Francois, Ste. Genevieve, Stoddard, Warren, Washington and Wayne Counties:
Electrical contracts over $10,000.00
ZONE 8 - Franklin, Jefferson, Lincoln and Warren Counties
Electrical contracts $10,000.00 and under
ZONE 9 - Bollinger, Cape Girardeau, Perry, Scott, St. Francois and Ste. Genevieve Counties:
Electrical Contracts $10,000.00 and under
ZONE 10 -Butler, Carter, Dunklin, Iron, Madison, Mississippi, New Madrid, Pemiscot, Ripley, Reynolds, Stoddard, Washington and Wayne Counties:
Electrical contracts $10,000.00 and under
ZONE 11 -Christian, Dallas, Douglas, Greene, Hickory, Howell, Laclede, Oregon, Ozark, Polk, Shannon, Stone, Taney, Texas, Webster, and Wright Counties
ZONE 12 -Pulaski County
ZONE 13 -Andrew, Buchanan, Clinton and DeKalb Counties
Zone 14-Caldwell, Daviess, Gentry, Holt and Nodaway Counties:
Electrical contracts over $10,000.00
Electrical contracts $10,000.00 and under
ZONE 15 -Atchinson, Grundy, Harrison, Livingston, Mercer and Worth Counties:
Electrical contracts $10,000.00 and under
Electrical contracts over $10,000.00
ZONE 16 -Barry, Barton, Cedar, Dade, Lawrence, McDonald, Newton, St. Clair, and Vernon Counties
ZONE 17 - Audrain (except Cuivre Township), Boone, Callaway, Camden, Chariton, Cole, Crawford, Dent, Gasconade, Howard, Maries, Miller, Moniteau, Osage, Phelps and Randolph Counties

DECISION NO. MO76-4191

IRONWORKERS:

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
ZONE 1	10.625	.55	.70		.05
ZONE 2	9.60	.70	1.00	1.00	.05
ZONE 3	9.475	.70	1.00	1.00	.05
ZONE 4	9.35	.45	.50		.10
ZONE 5	10.25	.50	.30		
ZONE 6	8.71	.45	.40		.04
ZONE 7	9.10	.45	.65		.02

AREAS COVERED BY IRONWORKERS ZONES

ZONE 1 - Audrain, Boone, Callaway, Cole, Crawford, Dent, Franklin, Gasconade, Iron, Jefferson, Lincoln, Madison, Maries, Miller, Montgomery, Osage, Perry, Phelps, Pike, Pulaski, Reynolds, Shannon, St. Charles, St. Francois, St. Louis & City, Ste. Genevieve, Texas, Warren, Washington, and Wright Counties

ZONE 2 - Andrew, Atchison, Barton, Bates, Benton, Buchanan, Caldwell, Camden, Carroll, Cass, Cedar, Chariton, Clay, Clinton, Cooper, Dallas, Daviess, DeKalb, Gentry, Grundy, Harrison, Henry, Hickory, Holt, Howard, Jackson, Johnson, Laclede, Lafayette, Linn, Livingston, Mercer, Moniteau, Morgan, Nodaway, Pettis, Platte, Polk, Putnam, Randolph, Ray, St. Clair, Saline, Sullivan, Vernon and Worth Counties.

ZONE 3 - Christian, Dade, Douglas, Greene and Webster Counties.

ZONE 4 - Barry, Lawrence, McDonald, Newton and Stone Counties.

ZONE 5 - Adair, Clark, Knox, Lewis, Macon, Marion, Monroe, Ralls, Schuyler, Scotland and Shelby Counties.

ZONE 6 - Howell, Oregon, Ozark and Taney Counties

ZONE 7 - Butler, Bollinger, Carter, Cape Girardeau, Dunklin, Mississippi, New Madrid, Pemiscot, Ripley, Scott, Stoddard and Wayne Counties.

DECISION NO. MO76-4191

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
LABORERS:					
GROUP 1					
ZONE 1	7.98	.50	.50	.50	.10
ZONE 2	6.58	.50	.50	.50	.10
ZONE 3	6.58	.50	.50	.50	.10
ZONE 4	8.75	.40	.50		.10
ZONE 5	7.85	.40	.50		.10
ZONE 6	7.85	.40	.50		.10
GROUP 2					
ZONE 1	8.13	.50	.50	.50	.10
ZONE 2	6.73	.50	.50	.50	.10
ZONE 3	6.73	.50	.50	.50	.10
ZONE 4	8.90	.40	.50		.10
ZONE 5	8.00	.40	.50		.10
ZONE 6	8.00	.40	.50		.10
GROUP 3					
ZONE 1	8.28	.50	.50	.50	.10
ZONE 2	6.88	.50	.50	.50	.10
ZONE 3	6.88	.50	.50	.50	.10
ZONE 4	9.05	.40	.50		.10
ZONE 5	8.15	.40	.50		.10
ZONE 6	8.15	.40	.50		.10
GROUP 4					
ZONE 1	8.48	.50	.50	.50	.10
ZONE 2	7.08	.50	.50	.50	.10
ZONE 3	7.08	.50	.50	.50	.10
ZONE 4	9.25	.40	.50		.10
ZONE 5	8.35	.40	.50		.10
ZONE 6	8.35	.40	.50		.10
GROUP 5					
ZONE 1	8.73	.50	.50	.50	.10
ZONE 2	7.33	.50	.50	.50	.10
ZONE 3	7.33	.50	.50	.50	.10
ZONE 4	9.50	.40	.50		.10
ZONE 5	8.60	.40	.50		.10
ZONE 6	8.60	.40	.50		.10

DECISION NO. MO76-4191

CLASSIFICATION DEFINITIONS

GROUP 1 - General laborc - Carpenter tenders; salamander tenders; dump man and ticket takers on stock piles; flagmen; loading trucks under bins, hoppers, and conveyors; track men and all other general laborers.

GROUP 2 - First Semi-Skill - Air tool operator; cement handler, bulk or sack; dump man on earth fill; georgie buggie man; material batch hopper man; scale man; spreader on asphalt machine; material mixer man (except on manholes); coffer dams; riprap pavers - rock, block or brick; signal man; scaffolds over ten feet not self-supported from ground up; skipman on concrete paving; wire mesh setters on concrete paving; all work in connection with sewer, water, gas, gasoline, oil, drainage pipe, conduit pipe, tile & duct lines and all other pipe lines; power tool operator; all work in connection with hydraulic or general dredging operations; form setter helpers; puddlers (paving only); straw blower nozzleman.

GROUP 3 - Second Semi-Skill - Asphalt plant platform man; chuck tender; crusher feeder; men handling creosote ties or creosote materials; men working with and handling epoxy material or materials (where special protection is required); head pipe layer on sewer work; topper of standing trees; batter board man on pipe and ditch work; vibrator man; feeder man on wood pulverizers; board and willow mat weavers and cable tiers on river work; deck hands; pile dike and revetment work; all laborers working on underground tunnels less than 25 feet where compressed air is not used; abutment and pier hole men working six (6) feet or more below ground; men working in coffer dams for bridge piers and footings in the river

GROUP 4 - Third Semi-Skill - Laser beam man; asphalt raker; barco tamper; jackson or any other similar tamp; wagon driller; churn drills; air track drills and all other similar drills; cutting torch man; form setters; liners and stringline men on concrete paving, curb, gutters, ditch liners, etc.; hot mastic kettleman; hot tar applicator; hand blade operators; manhole builder helpers and mortar men on brick or block manholes; sand blasting and gunite nozzle men; rubbing concrete; air tool operator in tunnels; caulker and lead man; screed man on asphalt machine, chain or concrete saw; cliff scalers working from scaffolds, bosuns' chairs or platforms on dams or power plants over ten (10) feet above ground; grade checker on cuts and fills; string line man for electronic grade control; pressure groutmen

GROUP 5 - Fourth Semi-Skill - Manhole builders, - brick or block; dynamite and powder men; welder

AREA COVERED BY LABORERS

ZONE 1 - Buchanan, Cass and Lafayette Counties

ZONE 2 - Andrew, Barton, Bates, Benton, Caldwell, Carroll, Cedar, Christian, Clinton, Dade, Dallas, DeKalb, Greene, Henry, Johnson, Laclede, Lawrence, Livingston, Newton, Pettis, Polk, St. Clair, Saline, Vernon, Webster and Wright Counties

ZONE 3 - Atchison, Barry Camden, Daviess, Douglas, Gentry, Grundy, Harrison, Hickory, Holt, McDonald, Mercer, Morgan, Nodaway, Ozark, Stone Taney and Worth Counties

ZONE 4 - Franklin, Jefferson, and St. Charles Counties

ZONE 5 - Audrain, Bollinger, Boone, Callaway, Cape Girardeau, Chariton, Cole, Cooper, Crawford, Dent, Gascoande, Howard, Iron, Lincoln, Madison, Maries, Marion, Miller, Mississippi, Moniteau, Monroe, Montgomery, New Madrid, Osage, Pemiscot, Perry, Phelps, Pike, Pulaski, Ralls, Randolph, Reynolds, St. Francois, Ste. Genevieve, Scott, Warren and Washington Counties.

ZONE 6 - Adair, Butler, Carter, Clark, Dunklin, Howell, Knox, Lewis, Linn, Macon, Oregon, Putnam, Ripley, Schuyler, Scotland, Shelby, Shannon, Stoddard, Sullivan, Texas and Wayne Counties.

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LABORERS:	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
ZONE 8					
GROUP 1	8.30	.50	.50	.75	.10
GROUP 2	8.45	.50	.50	.75	.10
GROUP 3	8.60	.50	.50	.75	.10
GROUP 4	8.80	.50	.50	.75	.10
GROUP 5	9.10	.50	.50	.75	.10

CLASSIFICATION DEFINITIONS

GROUP 1 - General Laborer - Carpenter tenders, salamander tenders; dump man, & ticket takers on stock piles; flagmen; loading trucks under bins, hoppers and conveyors; track men and all other general laborers

GROUP 2 - First Semi-Skill - Air tool operator; cement handler (bulk or sack); chain or concrete saw; deck hands; dump man on earth fill; grade checkers on cuts and fills; georgie buggies man; material batch hopper man; scale man; material mixer man (except on manholes, coffer dams, abutments and pierhole men working below ground); riprap pavers rock, block or brick; signal man; scaffolds over 10 ft. not self-supported from ground up; skipman on concrete paving; vibrator man; wire mesh setters on concrete paving; all work in connection with sewer, water, gas, gasoline, oil, drainage pipe, conduit pipe, tile & duct lines and all other pipe lines; power tool operator; all work in connection with hydraulic or general dredging operations; form setter helpers; pudlers (paving only)

GROUP 3 - Second Semi-Skill - Crusher feeder; men handling creosote ties or creosote materials; men working with and handling epoxy material or materials (where special protection is required); head pipe layer on sewer work; topper of standing trees; batter board man on pipe & ditch work; feeder man on wood pulverizers; board and willow mat weavers and cable tiers on river work; all laborers working on underground tunnels where compressed air is not used

GROUP 4 - Third Semi-Skill.- Spreader on screed man on asphalt machine; asphalt raker; laser beam man; barco tamper; jackson or any other similar tamp; wagon driller, churn drills, air track drills and all other similar drills; cutting torch man; form setter; liners and stringline men on concrete paving, curb, gutters and etc.; hot mastic kettleman; hot tar applicator; hand blade operators; manhole builders helpers and mortar men on brick or block manholes; sand blasting and gunnite nozzle men; rubbing concrete; air tool operator in tunnels

GROUP 5 - Fourth Semi-Skill - Manhole builder (brick or block); dynamite and powder men.

AREA COVERED BY LABORERS

ZONE 8 - Clay, Jackson, Platte and Ray Counties

DECISION NO. MO76-4191

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
LABORERS:					
ZONE 7 - St. Louis City and County:					
General laborer	8.675	.40	.90		.03
Wrecking	8.55	.40	.90		.03
Plumbers laborer	9.05	.40	.90		.03
Dynamiter or powderman	9.175	.40	.90		.03

DECISION NO. MO76-4191

LINE CONSTRUCTION:	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
ZONE 1					
Lineman	$10.56	.38	1%+.15		½%
Heavy equipment operator	9.83	.38	1%+.15		½%
Groundman powderman	7.34	.38	1%+.15		½%
Groundman	6.97	.38	1%+.15		½%
Groundman (1st year)	5.99	.38	1%+.15		½%
ZONE 2					
Lineman	10.09	.38	1%+.15		½%
Heavy equipment operator	9.62	.38	1%+.15		½%
Groundman powderman	7.01	.38	1%+.15		½%
Groundman	6.48	.38	1%+.15		½%
Groundman (1st year)	4.93	.38	1%+.15		½%
ZONE 3					
Lineman & cable splicers	10.75	.40	1%	12½%	½%
Groundman - winch driver	7.90	.40	1%	12½%	½%
Groundman - driver	7.62	.40	1%	12½%	½%
Equipment operator	9.61	.40	1%	12½%	½%
Groundman - 1st 6 mos.	6.11	.40	1%	12½%	½%
Groundman - next 12 mos.	6.36	.40	1%	12½%	½%
Groundman - next 12 mos.	6.98	.40	1%	12½%	½%
Groundman - thereafter	7.62	.40	1%	12½%	½%
ZONE 4					
Lineman	9.77	.35	1%		.25%
Groundman - Class I	8.35	.35	1%		.25%
Groundman - Class II	6.83	.35	1%		.25%
Groundman - Class A	6.23	.35	1%		.25%
Groundman - 1st. 6 mos.	5.95	.35	1%		.25%

AREAS COVERED BY LINE CONSTRUCTION

ZONE 1 - Bates, Benton, Carroll, Cass, Clay, Henry, Johnson, Jackson, Lafayette, Pettis, Platte, Ray and Saline Counties.

ZONE 2 - Andrew, Atchison, Barry, Barton, Buchanan, Caldwell, Cedar, Christian, Clinton, Dade, Dallas, Daviess, DeKalb, Douglas, Gentry, Greene, Grundy, Harrison, Hickory, Holt, Laclede, Lawrence, Livingston, McDonald, Mercer, Newton, Nodaway, Ozark, Polk, St. Clair, Stone, Taney, Vernon, Webster, Worth and Wright Counties

ZONE 3 - Crawford, Franklin, Iron, Jefferson, Reynolds, St. Charles, St. Francois, St. Louis, Washington, Adair, Audrain, Boone, Callaway, Camden, Carter, Chariton, Clark, Cole, Cooper, Dent, Gasconade, Howard, Howell, Knox, Lewis, Lincoln, Linn, Macon, Maries, Marion, Miller, Moniteau, Monroe, Montgomery, Morgan, Oregon, Osage, Perry, Phelps, Pike, Pulaski, Putnam, Ralls, Randolph, Ripley, Ste. Genevieve, Schuyler, Scotland, Shannon, Shelby, Sullivan, Texas and Warren Counties

ZONE 4 - Bollinger, Butler, Cape Girardeau, Dunklin, Madison, Mississippi, New Madrid, Pemiscot, Scott, Stoddard, and Wayne Counties.

DECISION NO. MO76-4191

PAINTERS:	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
ZONE 1					
Brush & roller	9.49	.55	.70		.07
Spray	10.49	.55	.70		.07
Bridge	10.24	.55	.70		.07
ZONE 2					
Brush	7.40		.25		
Spray	8.15		.25		
ZONE 3					
Brush	6.80				
Spray	7.20				
ZONE 4					
Brush and roller	7.75	.45	.35		
Spray, structural steel and sandblasting	10.00	.45	.35		
ZONE 5					
Brush	8.75				
Spray, taping machine	9.75				
Bridges 75 ft. in height	9.75				
All structural steel over 50 ft. in height	9.50				
Sandblasting	9.75				
Bridge	9.50				
ZONE 6					
Brush	9.20	.45	.35		
Spray	10.20	.45	.35		
Structural steel 30 ft.. or more	9.60	.45	.35		
ZONE 7					
Brush	7.25				
Soray	7.75				
ZONE 8					
Brush, roller	7.92		.30		
Spray	8.295		.30		

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PAINTERS CONTD:	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
ZONE 9					
Brush	$8.90		.20		
Spray	9.40		.20		
ZONE 10					
Brush	9.46	.30	.30		
Spray	10.96	.30	.30		
ZONE 11					
Brush, bridge & construction steel	7.85				
Spray	8.35				
ZONE 12					
Brush	6.25				
Structural steel	7.75				
Spray	6.55				

AREA COVERED BY PAINTERS

ZONE 1 - Bates, Caldwell, Carroll, Cass, Clay, Henry, Jackson, Johnson, Lafayette, Livingston, Platte, and Ray Counties
ZONE 2 - Bollinger, Cape Girardeau, Dunklin, Mississippi, New Madrid, Pemiscot, Scott and Stoddard Counties
ZONE 3 - Lincoln and Pike Counties
ZONE 4 - Camden, Crawford, Dent, Laclede, Maries, Miller, Phelps, Pulaski and Texas Counties
ZONE 5 - Benton, Cooper, Moniteau, Morgan, Pettis and Saline Counties
ZONE 6 - Andrew, Atchison, Buchanan, DeKalb, Gentry, Holt, Nodaway and Worth Counites
ZONE 7 - Adair, Knox, Linn, Macon, Putnam, Schuyler, Scotland, Shelby and Sullivan Counties
ZONE 8 - Barry, Barton, Cedar, Dade, Lawrence, McDonald, Newton, St. Clair and Vernon Counties
ZONE 9 - Audrain, Boone, Callaway, Chariton, Cole, Gasconade, Howard, Monroe, Montgomery, Osage and Randolph Counties
ZONE 10- Jefferson, St. Charles and St. Louis & City Counties
ZONE 11- Christian, Dallas, Douglas, Greene, Hickory, Howell, Ozark, Polk, Stone, Taney, Webster and Wright Counties
ZONE 12- St. Francois and Ste. Genevieve Counties

DECISION NO. M076-4191

POWER EQUIPMENT OPERATORS:	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
ZONE 1					
GROUP I	10.10	.50	1.00	.75	.10
GROUP II	9.85	.50	1.00	.75	.10
GROUP III	9.60	.50	1.00	.75	.10
GROUP IV	8.60	.50	1.00	.75	.10
GROUP V	10.35	.50	1.00	.75	.10
GROUP VI	10.60	.50	1.00	.75	.10
GROUP VII	10.10	.50	1.00	.75	.10
GROUP VIII	9.10	.50	1.00	.75	.10
ZONE 2					
GROUP I	8.52	.35	.40		
GROUP II	8.52	.35	.40		
GROUP III	7.97	.35	.40		
GROUP IV	7.52	.35	.40		
GROUP V	9.32	.35	.40		
GROUP VI	10.07	.35	.40		
GROUP VII	10.52	.35	.40		
GROUP VIII	11.27	.35	.40		
GROUP IX	9.02	.35	.40		
GROUP X	8.02	.35	.40		
GROUP XI	8.52	.35	.40		
ZONE 3					
GROUP I	10.25	.35	.65	.40	.02
GROUP II	10.05	.35	.65	.40	.02
GROUP III	9.85	.35	.65	.40	.02
GROUP IV	9.25	.35	.65	.40	.02
GROUP V	10.50	.35	.65	.40	.02
GROUP VI	10.75	.35	.65	.40	.02
GROUP VII	11.00	.35	.65	.40	.02
ZONE 4					
GROUP I	9.80	.35	.65	.40	.02
GROUP II	9.45	.35	.65	.40	.02
GROUP III	9.25	.35	.65	.40	.02
GROUP IV	8.40	.35	.65	.40	.02
GROUP V	10.05	.35	.65	.40	.02
GROUP VI	10.30	.35	.65	.40	.02
GROUP VII	10.55	.35	.65	.40	.02

DECISION NO. M076-4191

POWER EQUIPMENT OPERATORS CONTD:	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
ZONE 5					
GROUP I	10.10	.50	1.00	.75	.10
GROUP II	9.90	.50	1.00	.75	.10
GROUP III	9.70	.50	1.00	.75	.10
GROUP IV	8.60	.50	1.00	.75	.10
GROUP V	10.35	.50	1.00	.75	.10
GROUP VI	10.60	.50	1.00	.75	.10
GROUP VII	10.85	.50	1.00	.75	.10
GROUP VIII	9.10	.50	1.00	.75	.10
ZONE 6					
GROUP I	9.35	.50	1.00	.75	.10
GROUP II	9.00	.50	1.00	.75	.10
GROUP III	8.80	.50	1.00	.75	.10
GROUP IV	7.60	.50	1.00	.75	.10
GROUP V	9.35	.50	1.00	.75	.10
GROUP VI	9.60	.50	1.00	.75	.10
GROUP VII	9.85	.50	1.00	.75	.10
GROUP VIII	8.10	.50	1.00	.75	.10
ZONE 7					
GROUP I	10.35	.50	.25		.02
GROUP II	10.00	.50	.25		.02
GROUP III	9.80	.50	.25		.02
GROUP IV	8.35	.50	.25		.02
GROUP V	10.60	.50	.25		.02
GROUP VI	10.85	.50	.25		.02
GROUP VII	11.10	.50	.25		.02
GROUP VIII	9.10	.50	.25		.02
ZONE 8					
GROUP I	10.35	.50	.25		.02
GROUP II	10.00	.50	.25		.02
GROUP III	9.80	.50	.25		.02
GROUP IV	8.35	.50	.25		.02
GROUP V	10.60	.50	.25		.02
GROUP VI	10.85	.50	.25		.02
GROUP VII	11.10	.50	.25		.02
GROUP VIII	9.10	.50	.25		.02

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CLASSIFICATION DEFINITIONS

POWER EQUIPMENT OPERATORS ZONE 1

GROUP I - Asphalt paver and spreader; asphalt plant console operator; auto grader; back hoe; blade operator, all types; boilers-2; booster pump on dredge; boring machine (truck or crane mounted); bulldozer operator; clamshell operator; compressor maintenance operator-2; concrete plant operator, central mix; concrete mixer paver; crane operator; derrick or derrick trucks; ditching machine; dragline operator; dredge engineman; dredge operator; drillcat with compressor mounted on cat; drilling or boring machine, rotary, self-propelled; highloader-fork lift; hoisting engine-2 active drums; locomotive operator, standard gauge; mechanics and welders, field or shop; maintenance operator; mucking machine; piledriver operator; pitman crane operator; pump-2; quad-trac; scoop operator-all types; scoops in tandem; self-propelled rotary drill (Leroy or Equal-not Ait Trac); shovel operator; side discharge spreader; side boom cats; skimmer scoop operator; slip-form paver (CMI, REX, OR Equal); throttle man; truck crane; welding machine maintenance operator-2

GROUP II - "A" frame truck; aspahlt hot mix silo; asphalt plant fireman; drum or boiler; asphalt plant mixer operator; asphalt plant man; asphalt roller operator; backfiller operator; chip spreader; concrete batch plant, dry, power operated; concrete mixer operator, skip loader; concrete pump operator; crusher operator; elevating grader operator; greaser; hoisting engine-1 drum; Latourneau rooter; multiple compactor; pavement breaker, self-propelled, of the hydra-hammer or similar type; power shield; pug mill operator; stump cutting machine; towboat operator; tractor operator-over 50 h.p.

GROUP III - Boilers - 1; chip spreader (front man); churn drill operator; compressor maintenance operator - 1; concrete saws, self-propelled; conveyor operator; distributor operator; finishing machine operator; fireman, rig; float operator; form grader operator; pump; pump maintenance operator, other than dredge; roller operator, other than high type asphalt; screening and washing plant operator; self-propelled street broom or sweeper; siphons and jets; sub-grading machine operator; tank car heater operator-combination boiler and booster; tractor, 50 hp or less, without attachments; vibrating machine operator, not hand; welding machine maintanance operator - 1

GROUP IV - Mechanic's helper, oiler

GROUP V - Clamshells, 3 yd. capacity or over, crane or rigs 80 ft. of boom or over (including jib); draglines, 3 yd. capacity or over; pile drivers, 80 ft. of boom or over (including jib); shovels, 3 yd. capacity or over

GROUP VI - Crane or rigs, over 200 ft. of boom (including jib)

GROUP VII - Hoist (each additional drum over 1 drum)

GROUP VIII - Oiler driver, all types

Men working in tunnels or shafts (not air shafts or coffer dams) of twenty-five (25) ft. or more in lenght or depth will be paid fifty cents (50c) per hour above the regular classification.

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POWER EQUIPMENT OPERATORS ZONE 2

GROUP I - Backhoe; cableway; crane, crawler or truck; crane, hydraulic-truck or cruiser mounted - 16 tons & over; crane, locomotive; derrick, steam; derrick car & derrick boat; dragline; dredge; gradeall, crawler or tire mounted; locomotive, gas, steam & other powers; pile driver, land or floating; scoop, skimmer; shovel, power (steam, gas, electric, or other powers), switch boat; whirley

GROUP II - Air tugger 2/air compressor; anchor-placing barge; asphalt spreader; athey force feed loader (self-propelled); backfilling machine; boat operator-push boat or tow boat (job site); boiler, high pressure breaking in period; boom truck, placing or erecting; boring machine footing foundation; bullfloat; cherry picker; combination concrete hoist & mixer such as mixermobile; compressors, two, not more than 20 ft. apart; compressors, not more than five ft. apart; compressor-welder combination; concrete breaker (truck or tractor mounted); concrete pump, such as a pump-crete machine; concrete spreader; conveyor, large (not self-propelled), hoisting or moving brick and concrete into, or into and on floor level, one or both; crane, hydraulic-rough terrain, self-propelled; crane hydraulic-truck or cruiser mounted-under 16 tons; drilling machines, self-powered, used for earth or rock drilling or boiring (wagon drills and any hand drills obtaining power from other sources including concrete breakers jackhammers and barco equipment - no engineer required); elevating grader; engine man, dredge; excavator or powerbelt machine; finishing machine, self-propelled oscillating screed; forklift; grader, road with power blade; highlift; hoist, concrete and brick (brick cages on concrete skips operating in or on tower, towermobile, or similar equipment); hoist, stack; hydro-hammer; lad-a-vator, hoisting brick or concrete; loading machine (such as barber-greene); mechanic, on job site; mixer, paving; mixermobile; mucking machine; pipe cleaning machine; pipe wrapping machine; plant asphalt; plant, concrete producing or ready-mix job site; plant heating-job site; plant mixing-job site; plant, power, generating-job site; pump, self-powered, over 2" (one operator will operate two); pumps, electric submersible, one through three, over 4"; quad-track; roller, asphalt, top or sub-grade; scoop, tractor drawn; spreader box; sub-grader; tie tamper; tractor-crawler, or sheel type with or without power unit, power take-offs, and attachments regardless of size; trenching machine; tunnel boring machine; vibrating machine, automatic, automatic propelled; welding machines (gasoline or diesel) more than one but not over four (regardless of size); well drilling machine

GROUP III - Air tugger w/plant air; boiler, for power or heating on construction projects; boiler, temporary; compressor, air-one; compressor air (mounted on truck); concrete saw, self-propelled; conveyor, large (not self-propelled); conveyor large (not self-propelled moving brick and concrete (distributing) on floor level; curb finishing machine; ditch paving machine; elevator (building construction or alteration); endless chain hoist; fireman; form grader; generator, one over 30 KW or any number developing over 30 KW; greaser; hoist, one drum regardless of size (except brick or concrete); lad-a-vator, other hoisting; manlift; mixer, asphalt, over 8 cu. ft. capacity, mixer, if two or more mixers of one bag capacity or less are used by one employer on job, an operator is required; mixer, with outside loader, 2 bag capacity or more; mixer, with side loader, regardless of size, not paver; oiler on dredge; oiler on truck crane;

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POWER EQUIPMENT OPERATORS ZONE 2 CONTD:

GROUP III CONTD: - pug mill operator; pump, sump-self-powered, automatic controlled over 2" during use in connection with construction work; sweeper, street, welding machine, one over 400 amp.; winch operating from truck

GROUP IV - Boat operator-outboard motor (job site); conveyor (such as con-vay-it) regardless of how used; oiler; sweeper, floor

GROUP V - Air pressure; oiler engineer; operating under ten pounds

GROUP VI - Air pressure, oiler engineer operating over ten pounds

GROUP VII - Air pressure engineer operating under ten pounds

GROUP VIII - Air pressure engineer operating over ten pounds

GROUP IX - Crane-piledriving with leads; crane using rock socket tool; dragline - 7 cu. yds. & over; shovel, power - 7 cu. yds, and over; crane, climbing (such as Linden); derrick, diesel, gas, electric hoisting material and erecting steel - 150' or more above ground; hoist, three or more drums; scoop, tandem; tractor, tandem crawler

GROUP X - Heaters

Crane with boom (including jib), over 100' from pin to pin (add 1c per foot to maximum of 75c) above basic rate for crane

GROUP XI - Mud jack (where mud jack is used in conjunction with an air compressor, operator)

Work in tunnel or tunnel shaft, .25c above base rate.

POWER EQUIPMENT OPERATORS ZONE 3 and 4

GROUP I - Asphalt finishing machine & trench widening spreader; asphalt plant console operator; autograder; automatic slipform paver; back hoe; blade operator - all types; boat operator - tow; boilers - 2; central mix concrete plant operator; clam shell operator; concrete mixer paver; crane operator; derrick or derrick trucks; ditching machine; dozer operator; dragline operator; dredge booster pump; dredge engineman; dredge operator; drill cat with compressor mounted on cat; drilling or boring machine rotary self-propelled; highloader; hoisting engine - 2 active drums; launchhammer wheel; locomotive operator - standard gauge; mechanics and welders; mucking machine; piledriver operator; pitman crane operator; push cat operator; quad-trac; scoop operator; sideboom cats; skimmer scoop operator; trenching machine operator; truck crane, shovel operator

GROUP II - A-frame; asphalt hot-mix silo; asphalt roller operator; asphalt plant fireman (drum or boiler); asphalt plant man; asphalt plant mixer operator; backfiller operator; barber-greene loader; boat operator (bridge & dams); chip spreader; compressor maintenance operator - 2; concrete mixer operator - skip loader; concrete plant operator, concrete pump operator; crusher operator; dredge oiler; elevating grader operator; fork lift; greaser-fleet; hoisting engine - 1; locomotive operator - narrow gauge; multiple compactor; pavement breaker; powerbroom - self-propelled; power shield; rooter; slip-form finishing machine; stumpcutter machine; side discharge concrete spreader; throttle man; tractor operator (over 50 hp); welding machine maintenance operator - 2 winch truck

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POWER EQUIPMENT OPERATORS ZONE 3 and 4 CONTD

GROUP III - Boilers - 1; chip spreader (front man); churn drill operator; clef plane operator; compressor maintenance operator - 1; concrete saw operator (self-propelled); conveyor operator; curb finishing machine; distributor operator; finishing machine, operator; fireman - rig; flex plane operator; float operator; form grader operator; generator-maintenance operator; light plant maintenance operator; maintenance operator; oiler driver; pugmill operator; pump maintenance operator (other than dredge); roller operator, other than high type asphalt; screening & washing plant operator; Siphons & Jets; subgrading machine operator; spreader box operator, self-propelled (not asphalt); tank car heater operator (combination Boiler & Booster); ulmac, ulric or similar spreader; vibrating machine operator, not hand; welding machine maintenance operator - 1; Tractor operator (50 hp or less)

GROUP IV - Oiler

GROUP V - Dragline operator - 3 yds. & over; shovel - 3 yds. & over; clamshell - 3 yds. & over; crane, rigs or piledrivers, 100' to 150' of boom (incl. jib); hoists - each additional active drum over 2 drums

GROUP VI - Tandem scoop operator; crane, rigs or piledrivers, 150' to 200' of boom (incl. jib)

GROUP VII - Crane, rigs or piledrivers 200 ft of boom or over (incl. jib)

POWER EQUIPMENT OPERATORS ZONES 5, 6, 7, and 8

GROUP I - Asphalt finishing machine & trench widening spreader; asphalt plant console operator; automatic slipform paver; autograder; back-hoe; blade operator, - all types; boat operator - tow; boilers - 2; central mix concrete plant operator; clamshell operator; concrete mixer paver; crane operator; derrick or derrick trucks; ditching machine; dozer operator; dragline operator; dredge booster pump; dredge engineman; dredge operator; drill cat with compressor mounted on cat; drilling or boring machine rotary self-propelled; highloader; hoisting engine - 2 active drums; launchhammer wheel; locomotive operator - standard gauge; mechanics and welders; mucking machine; piledriver operator; pitman crane operator; push cat operator; quad-trac; shovel operator; sideboom cats; skimmer scoop operator all types; trenching machine operator; truck crane.

GROUP II - A-frame; aspahlt hot mix silo; asphalt plant fireman (drum or boiler); asphalt roller operator; asphalt plant man; asphalt plant mixer operator; backfiller operator; barber-greene loader; boat operator (bridge & dams); chip spreader; compressor maintenance operator - 2; concrete mixer operator - skip loader; concrete plant operator; concrete pump operator; crusher operator; dredge oiler; elevating grader operator; fork lift; greaser-fleet; hoisting engine - 1; locomotive operator - narrow gauge; multiple compactor, pavement breaker; power-broom - self-propelled; power shield; rooter; slip form finishing machine; stumpcutter machine; side discharge concrete spreader; throttle man; tractor operator (over 50 hp); welding machine maintenance operator - 2 winch truck

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POWER EQUIPMENT OPERATORS ZONES 5, 6, 7, and 8 CONTD:

GROUP III - Boilers - 1; chip spreader (front man); churn drill operator; clef plane operator; compressor maintenance operator - 1; concrete saw operator (self-propelled); conveyor operator; curb finishing machine; distributor operator; finishing machine operator; fireman rig; flex plane operator; float operator; form grader operator; generator-maintenance operator; light plant maintenence operator; maintenance operator; oiler driver; pugmill operator; pump maintenance operator other than dredge; roller operator, other than high type asphalt; screening & washing plant operator; siphons & jets; subgrading machine operator; spreader box operator, self-propelled (not asphalt); tank car heater operator (combination boiler & booster); ulmac, ulric or similar spreader; vibrating machine operator; welding machine maintenance operator - 1; tractor operator (50 hp or less)
GROUP IV - Oiler
GROUP V - Dragline operator - 3 yds. & over; shovel - 3 yds. & over; clamshell - 3 yds. & over; crane, rigs or piledrivers, 100' to 150' of boom (incl. jib), hoists - each additional active drum over 2 drums
GROUP VI - Tandem scoop operator; crane, rigs or piledrivers, 150' to 200' of boom (incl. jib)
GROUP VII - Crane rigs, or piledrivers 200 ft. of boom or over (incl. jib)
GROUP VIII - Oiler - drivers

AREAS COVERED BY POWER EQUIPMENT OPERATORS ZONES

ZONE 1 - Clay, Jackson, Platte and Ray Counties
ZONE 2 - St. Louis City & County
ZONE 3 - Franklin, Jefferson, Lincoln, St. Charles, and Warren Counties
ZONE 4 - Adair, Audrain, Bollinger, Boone, Butler, Callaway, Cape Girardeau, Carter, Clark, Cole, Crawford, Dent, Dunklin, Gascoande, Howell, Iron, Knox, Lewis, Macon, Madison, Maries, Marion, Miller, Mississippi, Moniteau, Monroe, Montgomery, Morgan, New Madrid, Oregon, Osage, Pemiscot, Perry, Phelps, Pike, Pulaski, Putnam, Ralls, Randolph, Reynolds, Ripley, St. Francois, Ste. Genevieve, Schuyler, Scotland, Scott, Shannon, Shelby, Stoddard, Texas, Washington, and Wayne Counties
ZONE 5 - Buchanan, Cass, Clinton and Lafayette Counties
ZONE 6 - Andrew, Atchison, Bates, Benton, Caldwell, Carroll, Chariton, Cooper, Daviess, DeKalb, Gentry, Grundy, Harrison, Henry, Holt, Howard, Johnson, Linn, Livingston, Mercer, Nodaway, Pettis, Saline, Sullivan and Worth Counties
ZONE 7 - Christian, Greene, Lawrence and Taney Counties
ZONE 8 - Barry, Barton, Camden, Cedar, Dade, Dallas, Douglas, Hickory, Laclede, McDonald, Newton, Ozark, Polk, St. Clair, Stone, Vernon Webster and Wright Counties

DECISION NO. M076-4191

TRUCK DRIVERS	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
ZONE 1 - St. Louis City and County					
GROUP 1	6.99	a	b	c&d	
GROUP 2	7.19	a	b	c&d	
GROUP 3	7.29	a	b	c&d	

FOOTNOTES:
a - Employer contribution of $12.50 per week
b - Employer contribution of $12.50 per week
c - Paid Holidays; New Year's Day, Thanksgiving Day, Memorial Day, Independence Day, Friday after Thanksgiving Day, Labor Day, Veternas Day, Christmas.
d - Paid vacation of 3 days for 600 hours of service in any one contract year;
4 days paid vacation for 800 hours of service in any one contract year;
5 days paid vacation for 1,000 hours of service in any one contract year

CLASSIFICATION DEFINITIONS

GROUP 1 - Truck or trailers of a water level capacity of 11.99 cu. yds. or less for lift trucks, job site ambulances, pick-up trucks, flat bed trucks
GROUP 2 - Trucks or trailers of a water level capacity of 12.0 cu. yds. up to 22.0 cu. yds. including euclids, speedace & similar equipment of same capacity
GROUP 3 - Truck or trailers of a water level capacity of 22.0 cu. yds. & over including euclids, speedace & all floats, flat bed trailers & boom trucks & similar equipment of same capacity

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TRUCK DRIVERS	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
ZONE 2					
GROUP 1	8.59	.50	1.00	.75	
GROUP 2	8.79	.50	1.00	.75	
GROUP 3	9.10	.50	1.00	.75	
GROUP 4	9.25	.50	1.00	.75	
GROUP 5	8.365	.50	1.00	.75	

CLASSIFICATION DEFINITIONS
TRUCK DRIVERS

GROUP 1 - One team; station wagons; pickups, material, single axle; tank wagon, single axle
GROUP 2 - Two teams; material tandem; semi-trailers, winch, fork distributor drivers and operators, agitator and transit mix, tank wagon, tandem or semi-trailers, insley wagons, dump, excavating, 5 cu. yds, & over, dumpsters, half-tracks, speedace, euclids and other similar excavating equipment
GROUP 3 - A-frame, low boy, boom
GROUP 4 - Mechanics & welders
GROUP 5 - Mechanic's helpers, oilers, & greasers

AREA COVERED BY TRUCK DRIVERS ZONES

ZONE 2 - Clay, Jackson, Platte and Ray Counties

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TRUCK DRIVERS	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	App. Tr.
ZONE 3					
GROUP 1	10.90				
GROUP 2	11.05				
GROUP 3	11.12				
GROUP 4	11.02				
GROUP 5	10.80				
ZONE 4					
GROUP 1	10.20				
GROUP 2	10.35				
GROUP 3	10.42				
GROUP 4	10.31				
GROUP 5	10.10				
ZONE 5					
GROUP 1	9.69	.50	1.00		
GROUP 2	9.84	.50	1.00		
GROUP 3	9.91	.50	1.00		
GROUP 4	9.80	.50	1.00		
GROUP 5	9.59	.50	1.00		
ZONE 6					
GROUP 1	8.83	.50	.75		
GROUP 2	8.98	.50	.75		
GROUP 3	9.10	.50	.75		
GROUP 4	8.99	.50	.75		
GROUP 5	8.73	.50	.75		
ZONE 7					
GROUP 1	8.10	.50	1.00		
GROUP 2	8.25	.50	1.00		
GROUP 3	8.37	.50	1.00		
GROUP 4	8.26	.50	1.00		
GROUP 5	8.00	.50	1.00		

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CLASSIFICATION DEFINITIONS
TRUCK DRIVERS

GROUP 1 - Flat bed trucks - single axle; station wagon; pickup trucks; material trucks - single axle; tank wagon - single axle
GROUP 2 - Flat bed trucks - tandem axle; material trucks, tandem axle; tank wagon - tandem axle
GROUP 3 - Semi and/or pole trailers; winch fork and steel trucks; Insley wagons, dumpsters, half tracks, speedace, euclids, and other similar equipment, a-frame and derrick trucks, float or low boy, distributor drivers and operators, tank wagon, semi-trailer
GROUP 4 - Agitator and transit mix trucks
GROUP 5 - Warehouseman

AREAS COVERED BY TRUCK DRIVERS ZONES

ZONE 3 - Franklin, Jefferson and St. Charles Counties
ZONE 4 - Lincoln and Warren Counties
ZONE 5 - Buchanan, Cass, Johnson and Lafayette Counties
ZONE 6 - Andrew, Audrain, Barton, Bates, Benton, Bollinger, Boone, Caldwell, Callaway, Camden, Cape Girardeau, Carroll, Carter, Cedar, Chariton, Christian, Clinton, Cole, Cooper, Crawford, Dade, Dallas, Daviess, DeKalb, Dent, Douglas, Gasconade, Greene Henry, Hickory, Howard, Iron, Laclede, Lawrence, Linn, Livingston Macon, Madison, Maries, Marion, Miller, Mississippi, Moniteau, Monroe, Montgomery, Morgan, New Madrid, Newton, Osage, Pemiscot, Perry, Pettis, Phelps, Pike, Polk, Pulaski, Ralls, Randolph, Reynolds, St. Clair, St. Francois, Ste. Genevieve, Saline, Scott, Shannon, Shelby, Stoddard, Texas, Vernon, Washington, Wayne, Webster, and Wright Counties
ZONE 7 - Adair, Atchison, Barry, Butler, Clark, Dunklin, Gentry, Grundy, Harrison, Holt, Howell, Knox, Lewis, McDonald, Mercer Nodaway, Oregon, Ozark, Putnam, Ripley, Schuyler, Scotland, Stone, Sullivan, Taney, and Worth Counties

SUPERSEDEAS DECISION

STATE: Tennessee COUNTY: Shelby
DECISION NUMBER: TN76-1131 DATE: Date of Publication
Supersedes Decision No.: TN76-1116 dated October 8, 1976, in 41 FR 44658
DESCRIPTION OF WORK: Building Construction (excluding single family homes and garden type apartments up to and including 4 stories), Heavy, Water, Sewer and Utility Construction.

BUILDING CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
Asbestos workers	11.20	.45	.50		.02
Boilermakers	9.50	.75	1.00		.02
Bricklayers, Stonemasons	9.85	.43	.20		.10
Carpenters, Piledrivermen, Soft floor layers	9.25	.30	.30		.065
Cement masons:					
Cement masons	8.875	.45	.55		.10
Cement masons machine operator	9.125	.45	.55		.10
Electricians:					
Electricians, Linemen	9.53	.75	1%+.40		.5%
Cable splicers	9.63	.75	1%+.40		.5%
Elevator constructors	9.43	.495	.32	4%+a+b	.02
Elevator constructors' helpers	70%JR	.495	.32	4%+a+b	.02
Elevator constructors' helpers (Prob.)	50%JR				
Glaziers	9.20	.35	.20		
Ironworkers	9.15	.65	.60		.125
Lathers	9.30	.25			.01
Leadburners	10.50	.40	.25	c	.01
Line Construction:					
Linemen	9.53	.75	1%+40		3/8%
Special Equipment operator	7.15	.75	1%+40		3/8%
Cable splicer	9.63	.75	1%+40		3/8%
Groundmen:					
1st year	3.81	.75	1%+40		3/8%
2nd year	4.77	.75	1%+40		3/8%
Marble setters, Terrazzo workers tile setters	8.20	.45	.20		.05
Marble setters helpers, Terrazzo setters helpers, Tile setters helpers	4.05				
Millwrights	9.55	.46	.30		.06
Painters:					
Commercial	8.85	.40	.45		.06
Industrial	9.10	.40	.45		.06
Plasterers	9.65				.01
Plumbers	10.37	.40	.30		
Roofers:					
Composition	9.10		.25		.03
Slate, tile, asbestos & precast tile	9.35		.25		.03
Sheet metal workers	9.71	3%+.55	.25	.25	.02
Sprinklers	10.10	.60	.90		.08
Steamfitters, air conditioning mechanics and pipefitters	10.47	.30	.30		
Truck drivers:					
Up to 5 tons	6.10		d		
5 tons & over incl., special equipment	6.50		d		
Welders, riggers, & riveters 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. 6 paid holidays: A through F.

b. 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.

c. 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, and the regular scheduled work days immediately preceding and following the holiday.

d. Employer contribution of $5.00 per week.

TN76-1131 - (Cont'd)

BUILDING CONSTRUCTION LABORERS:	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
GROUP A	6.125	.25	.30		.05
GROUP B	6.225	.25	.30		.05
GROUP C	6.275	.25	.30		.05
GROUP D	6.475	.25	.30		.05
GROUP E	6.675	.25	.30		.05
GROUP F	6.80	.25	.30		.05

GROUP A: General and common laborers, concrete laborers, track laborer walkers, cement finisher helper, plumber helpers, carpenters tenders, asphalt rakers tampers, form strippers, roofing helpers.

GROUP B: Well driller helpers, storm and sanitary pipe layers, mat weavers, motor buggie operators.

GROUP C: Chain saw operator, jackhammer, vibrator and electric hammer and all air tool and pneumatic tools.

GROUP D: Deep hole men

GROUP E: Powdermen, toolroom attendant, torchman on demolition and salvage, sand hog (free air).

GROUP F: Hod carriers, mason tenders and plasterers tenders.

TN76-1131 - (Cont'd)

BUILDING CONSTRUCTION POWER EQUIPMENT OPERATORS:	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
CLASS A	8.925	.40	.50		
CLASS B	8.495	.40	.50		
CLASS C	7.795	.40	.50		
CLASS D	7.395	.40	.50		

CLASS A: Shovels, backhoes, draglines, cranes, gantrys, gradall, winch with boom, motor patrol, trenching machine (18" & over), pile driver, tug boat operator, mechanics (heavy), central mixing plant, locomotive engineer, strattle carriers, core drills (over 3"), tower cranes, hydro cranes, austin western (and similar type cranes), drilling of piling, tugger, earth freezing equipment, 3 drum hoist, sid boom, dredge operator (engineer), hopto, pump crete, mucking machines, cableways, central compressor plant, derrick boat, concrete pump, welders (men from the craft), helicopter operator, well point system, sweeper, bulldozers, pans, scrapers, tra-xcavators, fork lift, front end loader.

CLASS B: Trenching machines (18" and smaller), tandem rollers, pavers, mobile mixers (rubber tired, mobile, mixed on job), back filler, blade graders, dinkey operator over 10 tons, elevating graders, winches (operated from trucks or tractors, without booms and powered by other than the truck), distributors, bituminous surfaces, 1 and 2 drum hoist, grout pumps, motor boat, switchman, earth compactors (motorized-Buffalo-Springfield type)

CLASS C: Locomotive fireman (on boilers 100 h.p. and over), operator, air compressor (stationary), earth drills, scale operators, tractors (40 h.p. and less), motor crane driver and oiler, pumps (larger than 4"), dinkey operators (10 tons and less), oilers or gantrys, greasers

CLASS D: Air compressor operator, mechanic helper, locomotive fireman, welding machine operators, deck hand, elevator operators.

TN76-1131 (Cont'd)

HEAVY CONSTRUCTION	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
Bricklayers	6.40				
Carpenters or leademan	5.35				
Cement masons	5.35				
Electricians	6.15				
Ironworkers, reinforcing	5.10				
Ironworkers, structural	5.70				
Laborers:					
Laborers, unskilled, Flagman	3.25				
Chain saw, Concrete rubber, Mortar mixer, Pipelayer	3.50				
Air tool operator, firemen	3.55				
Concrete edger	3.65				
Concrete saw operator, fence erector, guard rail erector	3.75				
Asphalt raker	3.85				
Sign erector	3.95				
Form setter, Steel road	4.25				
Powderman	4.55				
Nozzleman or gunman (gunite)	5.35				
Painters or sand blaster	5.35				
Truck drivers:					
2 & 3 axles	3.65				
4 & 5 axles or more or heavy duty off-the-road trucks	4.30				
Welders - receive rate prescribed for craft performing operation to which welding is incidental.					
POWER EQUIPMENT OPERATORS:					
Pump operator, welder helper	3.40				
Ditch paver, mechanic helper	3.55				
Curb machine	3.65				
Motor crane driver, mulcher or seeder, scale operator	3.75				
Tractor, farm	3.80				
Concrete mixer, less than 1 yd, Earth drill	3.85				
Track drill	4.00				
Dozer or loader - stock pile only	4.10				
Oiler, roller, other than finish	4.15				

TN76-1131 - (Cont'd)

POWER EQUIPMENT OPERATORS (CONT"D):	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
Distributors (bituminous)	4.35				
Tractor, crawler, utility	4.40				
Spreader (self-propelled)	4.50				
Asphalt paver, central mixing (asphalt or concrete), Concrete finishing machine, mechanic, Class II, Motor patrol (rough), Roller (high-type), Soil cement machine	4.65				
Tractor - boom & hoist, trenching machine	4.80				
Bulldozer or push dozer, scraper	5.25				
Backhoe, concrete paver, Cranes, end loader, Mechanic, Class I, Motor patrol finish, pile-driver, Shovel	5.35				

TN76-1131 - (Cont'd)

WATER, SEWER AND UTILITIES	Basic Hourly Rates	Fringe Benefits Payments				
		H & W	Pensions	Vacation	App. Tr.	Others
Bricklayers	$3.50					
Carpenters	3.50					
Cement masons	3.00					
Laborers	2.30					
Truck drivers:						
Up to 3 tons	2.32					
Over 3 tons	2.50					
Power Equipment Operators:						
Air compressors	2.37					
Backhoe	3.50					
Blade grader	3.50					
Bulldozer	3.45					
Cranes, derricks & draglines	3.85					
Front end loader	3.50					
Mechanics	3.42					
Motor grader	3.50					
Scrapers	3.34					
Shovels	3.50					
Tractors	2.37					
Trenching machines	3.30					

STATE: Texas
DECISION NO.: TX76-4192
COUNTIES: Jefferson & Orange
DATE: Date of Publication
Supersedes Decision No. TX76-4106, dated July 2, 1976, in 41 FR 27649.
DESCRIPTION OF WORK: Building (including Residential) Construction

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
ASBESTOS WORKERS:					
Jefferson County	$10.00	.70	.70		.06
Orange County	9.845	.475	.70		.04
BOILERMAKERS	9.00	.50	1.00		.02
BRICKLAYERS & STONEMASONS	11.005	.38	.30		.04
CARPENTERS:					
Carpenters:					
Commercial	9.685		.30		.05
Residential construction of not more than two units and condonimium townhouses of not more than 6 units, excluding all apartments construction and multiple buildings for rental purposes	7.45		.30		
Millwrights	8.605				
Piledrivermen	7.96		.30		
CEMENT MASONS	9.30				
ELECTRICIANS	10.80	.40	1%+.285		.06
ELEVATOR CONSTRUCTORS	9.76	.545	.35	4%+a+b	.02
ELEVATOR CONSTRUCTORS' HELPERS	70%JR	.545	.35	4%+a+b	.02
ELEVATOR CONSTRUCTORS' HELPERS (PROB.)	50%JR				
GLAZIERS:					
Northern half of Jefferson Co.	9.075				
Southern half of Jefferson Co. & all of Orange Co.:					
Commercial	9.40				
Residential	9.25				
IRONWORKERS	9.10	.55	.85		.10
LABORERS:					
GROUP 1 - Common laborer; asphalt ironer & raker; sand blaster, exclusive of preparation for painters; dumper, spotter & wagon drill; powderman-blaster; well driller	6.25	.28	.40		.02
GROUP 2 - Carpenter tender	6.30	.28	.40		.02
GROUP 3 - Cement masons tender; air tool operator (jackhammer-vibrator)	6.35	.28	.40		.02

DECISION NO. TX76-4192

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
LABORERS (CONT'D):					
GROUP 4 - Plaster & lather tender; pipelayers, non-metallic pipe, including handling & laying pumpcrete pipe	$ 6.45	.28	.40		.02
GROUP 5 - Mortar mixers, hod carriers & mason tender	6.50	.28	.40		.02
GROUP 6 - Machine man & nozzleman for gunniting 1½" & over	6.625	.28	.40		.02
LATHERS	9.385	.30			.01
LINE CONSTRUCTION:					
Linemen	11.085	.40	1%		1/2%
Groundmen	8.09	.40	1%		1/2%
PAINTERS:					
Southern half of Jefferson County and all of Orange County:					
GROUP 1 - Brush, wood & wall, paperhanger:					
Commercial	9.40				
Residential	9.25				
GROUP 2 - Brush, steel:					
Commercial	9.45				
Residential	9.30				
GROUP 3 - Spray:					
Commercial	9.90				
Residential	9.77				
GROUP 4 - Sandblaster, power cleaning; All time spent rigging:					
Commercial	9.725				
Residential	9.51				
GROUP 5 - Brush, hot paint or creosote:					
Commercial	10.15				
Residential	9.51				
GROUP 6 - Spray, hot paint or creosote:					
Commercial	10.65				
Residential	10.04				
Twenty-five cents (25c) per hour premium on all work from stage, chair, window jack or ledge in all classifications					

DECISION NO. TX76-4192

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
PAINTERS (CONT'D):					
Northern half of Jefferson County:					
GROUP 1 - Brush:					
Commercial	$ 9.175				
Residential	8.925				
GROUP 2 - Paper & vinyl hanger:					
Commercial	9.425				
Residential	9.175				
GROUP 3 - Brush, steel:					
Commercial	9.35				
GROUP 4 - Spray:					
Commercial	9.60				
Residential	9.35				
Twenty-five cents (25c) per hour above the prevailing wage rate when working on window jacks or ledge, swing stage, bosun chair, cat walks, spider & skates in all classifications					
PIPEFITTERS	9.86	.35	.72		.08
PLASTERERS	9.70	.52	.30		.02
PLUMBERS	10.52	.30			.03
ROOFERS:					
Roofers	8.49	.20	.25	.25	.03
Kettlemen	7.92	.20	.25	.25	.03
Helpers	5.52	.20	.25	.25	.03
SHEET METAL WORKERS:					
Commercial	9.50	3%+.40	.27		.10
Work on a single family dwelling or multiple family housing unit less than 3 stories in height where each individual family apartment is individually conditioned by a separate & independent unit or system	6.38	3%+.40	.27		.10
SPRINKLER FITTERS	10.90	.60	.90		.08
TILE SETTERS	9.495	.38	.30		.04

DECISION NO. TX76-4192

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
TRUCK DRIVERS:					
GROUP 1 - Under 1½ tons & wash, grease, fireman, fuel pump operators when used on construction	$ 4.40				
GROUP 2 - 1½ tons thru 2½ tons, dump truck less than 7 yds., town driver	4.69				
GROUP 3 - Over 2½ tons, farm tractors (when used to transport personnel or material), fork lifts (when used in warehouses, storage yards & when used to transport material), floats, hydraulic tail gate lifts	4.85				
GROUP 4 - Euclids (not self-loading)	4.95				
GROUP 5 - Warehousemen-material checker	4.965				
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 rate
b - Paid Holidays A thru F

PAID HOLIDAYS
A-New Years' Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day

DECISION NO. TX76-4192

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
POWER EQUIPMENT OPERATORS					
GROUP 1	$10.035		.25		
GROUP 2	8.50		.25		
GROUP 3	7.88		.25		
GROUP 4	7.69		.25		

POWER EQUIPMENT OPERATORS CLASSIFICATION DEFINITIONS

GROUP 1 - Heavy Duty Mechanic; Blade Grade, Self-propelled; Bull Clam; Back Filler; Derrick - Power Operated, all types; Draglines; Push Cat Operator; Bull Dozer and all types of Cat Tractors; Cable-Way; Back-Hoe; Shovel; Crane-Power Operated, all types; Elevating Grader, Self-propelled; Hoist - motor driven, two drums or more; Mix mobile; Winch Truck; Locomotive Crane; Mixer, 14 cu. ft. or more; Paving Mixer, all sizes; Piledrivers; Scraper - heavy type, over 3 cu. yds.; Trench Machine, all sizes; Gradall; High-Lift; Foundation Boring Machines; Gasoline or Diesel driven welding machines - 7 to 12 machines; Concrete Machine; Drill Operator - Water Well; DW-10 Euclid; Tournapulls; Asphalt Plants; Crushing Machines and Batch-plants; Scoopmobiles; Fingerlift Operator; Elevator when used to haul men or material on construction work; Well Point Systems & operation of similar dewatering devices

GROUP 2 - Air Compressor; Blade Grade - Towed; Flex Plane; Form Grader; Mixer, less than 14 cu. ft.; Pump, Pulsometer; Truck Crane Driver; Gasoline or Diesel Driven Welding Machines, 3 to 6 machines; Hoist - Single Drum; Scraper, 3 cu. yds. or less; Conveyors - power operated

GROUP 3 - Fireman

GROUP 4 - Oiler

SUPERSEDEAS DECISION

STATE: Wisconsin

COUNTIES: Ashland, Bayfield and Douglas

DECISION NUMBER: WI76-2157

DATE: Date of Publication

Supersedes Decision No. AR-3151, dated October 11, 1974 in 39 FR 36706

DESCRIPTION OF WORK: Building (including residential) Construction

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
ASBESTOS WORKERS	$ 9.70	.30	.25	1.00	
BOILERMAKERS	10.30	.85	1.00		.02
BRICKLAYERS	9.56	.45	.45		.01
CARPENTERS: Ashland County	7.94	.30	.25	.15	
Bayfield & Douglas Cos	9.05	.30	.40	.30	
CEMENT MASONS: Douglas County	9.65	.30			
Ashland & Bayfield Counties	8.74	.45	.45		.01
ELECTRICIANS	10.15	4%	1%	11%	3%
ELEVATOR CONSTRUCTORS:					
Constructors	9.325	.495	.32	4%+a+b	.02
Helpers	70%JR	.495	.32	4%+a+b	.02
Helpers (Prob.)	50%JR				
IRONWORKERS	10.50	.30	.55	.10	.02
LATHERS	10.00	.30			.04
LEADBURNERS	9.25	.35		c	.01
LINE CONSTRUCTION:					
Linemen	9.37	.35	1%		.5%
Digger, crane, tractor, winch truck operators	7.77	.35	1%		.5%
Truck tractor & line trucks w/o winch	6.16	.35	1%		.5%
Experienced Groundman	5.88	.35	1%		.5%
MILLWRIGHTS & PILEDRIVERMEN:					
Ashland County	8.14	.30	.25	.15	
Bayfield & Douglas Counties					
Millwrights	9.28	.30	.40	.30	
Piledrivermen	9.05	.30	.40	.30	
PAINTERS:					
Brush	9.63	.30	.20		.05
Spray	10.13	.30	.20		.05
PLASTERERS	9.65	.30		.45	
PLUMBERS	8.46	.30	.75	1.00	.05
ROOFERS	9.23	.30	.25	1.00	
SHEET METAL WORKERS	9.60	.62	.40		.03
SOFT FLOOR LAYERS	9.05	.30	.40	.30	
SPRINKLER FITTERS	11.40	.60	.90		.08
TERRAZZO WORKERS	9.56	.45	.45		.01
TILE SETTERS	9.56	.45	.45		.01
Welders receive rate prescribed for craft performing operation to which welding is incidental.					

DECISION NO. WI76-2157

PAID HOLIDAYS:
A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.

FOOTNOTES:

a. Holidays: A through F

b. Employer contributes 4% 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

c. Holidays: A through F plus Washington's Birthday and Good Friday, providing employee has worked 45 full days during the 120 calendar days prior to the holiday, regularly scheduled work days immdiately preceding and following the holiday.

DECISION NO. WI76-2157 WISC. 18 - LAB G

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
LABORERS:					
GENERAL LABOR:					
Handling of material for carpenters, craftsmen, cleaning forms, rough, grading, digging shallow trenching, tool checkers, general labor around building & construction work	$ 8.05	.30	.35		
CONCRETE WORK:					
Concrete, bituminous concrete aggregates for walls, footings, foundations, floors, any other const. Mixing, handling, conveying, pouring, vibrating, gunniting, etc. Operating motorized wheelbarrows, buggies or machine of similar character, the hooking on, signaling, dumpling & unhooking of bucket when concrete or aggregates are conveyed by crane, derrick, or similar method. Placing of concrete or aggregates, Assembly, uncoupling cleaning, etc. of equipment used in mixing or conveying concrete, aggregates or mortar, all vibrating, grinding, spreading, flowing, puddling, leveling and strike-off of concrete or aggregates by floating, rodding or screening, Loading, unloading, etc., of prestressed or pre-cast concrete, slabs, wall, etc. Mixing, handling, conveying, placing & spreading of grout, cutting of concrete or aggregate	8.05	.30	.35		
Jackhammer, concrete busters, air spades, sheeting drivers, air hammers, jumping jack tamper	8.30	.30	.35		
Vibrators, macon tenders, tile & terrazzo helpers demolition & wrecking laborers, Lanscaping	8.05	.30	.35		

DECISION NO.WI76-2157 WISC. 18 LAB G

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
LABORERS:					
CONCRETE WORK: (CONT'D)					
Steel burners & steel form setters, mixing by hand for two or more bricklayers, hod carriers & plaster laborers	$ 8.30	.30	.35		
Mixing by hand for one bricklayer, operator of power machinery used in cleaning brick roofing helper & Kettlemen, jack men on slip forms, underpinning, lagging, bracing, propping, shoring and all basement work etc.	8.05	.30	.35		
Miners, shafts, tunnels, underground sewers, drilling & blasting & compressed air work under ground or in compression chamber	8.40	.30	.35		
SEWER WORK:					
Pipelayers, cement manhole builder	8.30	.30	.35		
Bottom man and bracers, caulker & joint man, swamper on a pipe gang, buffing machine man	8.20	.30	.35		
Kettlemen, top man	8.05	.30	.35		
DYNAMITE MAN	8.50	.30	.35		
Handling creosoted lumber, pileing square timber & like material where covered with creosote applying bit, or creosote on wood, steel or cement	8.30	.30	.35		
Work on towers or scaffolds 25 ft. or more above ground	8.30	.30	.35		
BITUMINOUS WORKER:					
Dumper, ironer, smoother, shoveler, loader, utility man Raker, luteman	8.20	.30	.35		
STEEL WORK:					
Handling of all rods, mesh & material for use in reinforcing concrete const. hoisting rods, mesh & other materials except when a derrick or outrigger operated by other than hand is used	8.05	.30	.35		

DECISION NO. WI76-2157

POWER EQUIPMENT OPERATORS	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
GROUP I	$ 10.02	.70	.70		.10
GROUP II	9.77	.70	.70		.10
GROUP III	9.47	.70	.70		.10
GROUP IV	9.37	.70	.70		.10
GROUP V	9.16	.70	.70		.10
GROUP VI	8.92	.70	.70		.10

GROUP I - Cranes, Shovels, Draglines, Backhoes, Clamshells, Derricks, Caisson rigs, Pile driver, Skid rigs, Derrick operator and traveling crane (Bridge type), Concrete paver (over 27E), Concrete spreader and distributor

GROUP II - Material hoists, Tractor or truck mounted hydraulic Backhoe Tractor or truck mounted hydraulic crane (5 tons or under), Manhoist, tractor (over 40 h.p), Bulldozer (over h.p.), Endloader (over 40 h.p.), Forklift (25' and over), Motor patrol, Scraper operator, Sideboom, Straddle carrier, Mechanic and welder, Bituminous plant and paver operator, Roller (over 5 tons), Rotary drill operator and blaster, Trencher (wheel type or chain type having over 8-inch bucket)

GROUP III - Concrete and grout pumps, Backfiller, Concrete auto breaker (large), Concrete finishing machine (Road type), Roller (rubber tire), Concrete batch hopper, Concrete conveyor systems, Concrete mixers (14S or over), Screw type pumps, and gypsum pumps, Tractor, Bulldozer, End-loader (under 40 h.p.), Pumps (well points), Trencher (chain type having bucket 8-inch and under), Industrial locomotives, roller (under 5 tons) and firemen (pile drivers and derricks)

GROUP IV - Hoists (automatic), Forklift (12' to 25'), Tampers-compactors riding type),Asssistant engineer, "A" frame and winch trucks, Concrete auto breaker, hydro-hammer (small), Booms and sweeper, Hoists (tuggers), stump chipper (large), Boats, Safety, Work, Barges and launch)

GROUP V - Shouldering machine operator, Screed operator, Farm or industrial tractor mounted equipment, Post hole diggers, Stone crushers and Screening plants, Firemen (asphalt plants), Air compressor (300 CFM or over)

GROUP VI - Generators over 15 KW, Pumps over 3", Augers (vertical and horizontal), combination small equipment operator; Air, electric Hydraulic jacks (slip form), Compressors (under 300 CFM); Welding machines, Heaters (mechanical), Prestress machines, Bobcats, Generators (under 150 KW), Pumps (3" and under); Winches (small electric),Oiler and greaser, Boiler operators (temporary heat), Rotary drill helpers, Conveyor, Forklift (12' and under)

SUPERSEDEAS DECISION

STATE: Wisconsin

COUNTIES: Barron, Dunn, Polk & St. Croix Counties

DECISION NUMBER: WI76-2158

DATE: Date of Publication

Supersedes Decision No. AR-3152, dated October 11, 1974 in 39 FR 36823

DESCRIPTION OF WORK: Building Construction, (excluding single family homes and garden type apartments up to and including 4 stories).

49-Wisconsin B

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
ASBESTOS WORKERS	$10.57	.51	.65		.02
BOILERMAKERS	10.30	.85	1.00		.02
BRICKLAYERS	9.19	.55	.25		.04
CARPENTERS:					
Carpenters	9.20	.30	.40		.03
Millwrights & Piledrivermen	9.60	.30	.40		.03
CEMENT MASONS	9.19	.55	.25		.04
ELECTRICIANS: (Hudson, St Joseph & Troy Twps. in St. Croix Co.	10.05	5 3/4%	4%	11½%	¼%
ELECTRICIANS (Remainder of Area)	10.35	5%	1%		
ELEVATOR CONSTRUCTORS:					
Constructors	10.345	.545	.35	4%+a+b	.02
Helpers	7.24	.545	.35	4%+a+b	.02
Helpers (Prob.)	50%JR				
IRONWORKERS: Structural, Ornamental and Reinforcing	10.35	.55	.55		.02
LABORERS:					
Laborers, common	7.24	.30	.30		.02
Mason Tender	7.24	.30	.30		.02
Mortar mixer & plasterer laborer air, gas & electric equipment, vibrator operator, Kettlemen, dumpmen & pittmen, Burner on wrecking, Scaffold builder & washing walls on swinging scaffold	7.39	.30	.30		.02
Gunnite man & nozzle men, puddlers (when concrete pumps & when working behind paving machine), Cement dumper	7.39	.30	.30		.02
Jackhammer	7.49	.30	.30		.02
LABORERS:					
Western ½ OF County	8.51	.50	.40	.81	.08
Eastern ½ of County	9.30				
LEADBURNERS	9.25	.35		a	.01
LINE CONSTRUCTION:					
Linemen	9.37	.35	1%		.5%
Heavy Truck Driver	6.46	.35	1%		.5%
Light Truck Driver	6.16	.35	1%		.5%
Groundmen 1st 6 Months	5.09	.35	1%		.5%
Equipment Operator	7.77	.35	1%		.5%
Groundmen - Thereafter	5.88	.35	1%		.5%

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
PAINTERS:					
Brush	$ 8.15			5%	
Structural Steel	8.40			5%	
Sandblaster & Spray	8.65			5%	
Swing Stage	8.40			5%	
PLASTERERS	8.73	.45	.25	.60	.03
PLUMBERS & STEAM FITTERS	9.47	.45	.60	1.00	
ROOFERS	9.32			3%+.10	.03
SHEET METAL WORKERS	9.60	.62	.40		
SPRINKLER FITTERS	8.00	.25			.05
TRUCK DRIVERS:					
Two axle	7.40	g	h	.20	
3 or more axles	7.50	g	h	.20	

PAID HOLIDAYS:

A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day;

FOOTNOTES:

A. Employer contributes 4% of 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.

b. Holidays A through F

c. Holidays, A thru F plus Washington's Birthday, Good Friday and Christmas eve, providing employee has worked 45 full dyas during the 120 calendar days prior to the holiday, and the regularly scheduled work days immediately preceding and following the holidays.

g. $14.25 per week for each employee.

h. $12.00 per week for each employee

DECISION NO. WI76-2158-

POWER EQUIPMENT OPERATORS	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
GROUP I	$ 10.02	.70	.70		.10
GROUP II	9.77	.70	.70		.10
GROUP III	9.47	.70	.70		.10
GROUP IV	9.37	.70	.70		.10
GROUP V	9.16	.70	.70		.10
GROUP VI	8.92	.70	.70		

GROUP I - Cranes, Shovels, Draglines, Backhoes, Clamshells, Derricks, Caisson rigs, Pile driver, Skid rigs, Derrick operator and traveling crane (Bridge type), Concrete paver (over 27E), Concrete spreader and distributor

GROUP II - Material hoists, Tractor or truck mounted hydraulic Backhoe Tractor or truck mounted hydraulic crane (5 tons or under), Manhoist, tractor (over 40 h.p), Bulldozer (over h.p.), Endloader (over 40 h.p.), Forklift (25' and over), Motor patrol, Scraper operator, Sideboom, Straddle carrier, Mechanic and welder, Bituminous plant and paver operator, Roller (over 5 tons), Rotary drill operator and blaster, Trencher (wheel type or chain type having over 8-inch bucket)

GROUP III - Concrete and grout pumps, Backfiller, Concrete auto breaker (large), Concrete finishing machine (Road type), Roller (rubber tire), Concrete batch hopper, Concrete conveyor systems, Concrete mixers (14S or over), Screw type pumps, and gypsum pumps, Tractor, Bulldozer, End-loader (under 40 h.p.), Pumps (well points), Trencher (chain type having bucket 8-inch and under), Industrial locomotives, roller (under 5 tons) and firemen (pile drivers and derricks)

GROUP IV - Hoists (automatic), Forklift (12' to 25'), Tampers-compactors riding type),Asssistant engineer, "A" frame and winch trucks, Concrete auto breaker, hydro-hammer (small), Booms and sweeper, Hoists (tuggers), stump chipper (large), Boats, Safety, Work, Barges and launch)

GROUP V - Shouldering machine operator, Screed operator, Farm or industrial tractor mounted equipment, Post hole diggers, Stone crushers and Screening plants, Firemen (asphalt plants), Air compressor (300 CFM or over)

GROUP VI - Generators over 15 KW, Pumps over 3", Augers (vertical and horizontal), combination small equipment operator; Air, electric Hydraulic jacks (slip form), Compressors (under 300 CFM); Welding machines, Heaters (mechanical), Prestress machines, Bobcats, Generators (under 150 KW), Pumps (3" and under); Winches (small electric),Oiler and greaser, Boiler operators (temporary heat), Rotary drill helpers, Conveyor, Forklift (12' and under)

STATE: Wisconsin COUNTIES: Brown, Door, Kewaunee & Oconto

DECISION NUMBER: WI76-2160 DATE: Date of Publication

Supersedes Decision No.AR-3153, dated October 11, 1974 in 39 FR 36825

DESCRIPTION OF WORK: Building Construction, (excluding single family homes and garden type apartments up to and including 4 stories)

5 - Wisconsin

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
ASBESTOS WORKERS	$ 9.66	.45	.20	.65+c	.03
BOILERMAKERS	10.30	.85	1.00		.02
BRICKLAYERS & MARBLE SETTERS & STONEMASONS	8.15	.45	.35	.55	.02
CARPENTERS	8.82	.30	.40		.02
CEMENT MASONS	8.20	.45	.35		.02
ELECTRICIANS	10.26	.52	1%		1/8%
ELEVATOR CONSTRUCTORS:					
Constructors	10.04	.545	.35	4%+a+b	.02
Helpers	70%JR	.545	.35	4%+a+b	.02
Helpers (Prob.)	50%JR				
IRONWORKERS:					
Structural, Ornamental & Reinforcing	10.06	.95	.70	1.15	.15
LATHERS	8.15	.50		.50+a	.01
LEADBURNERS	8.75		.30		.01
MILLWRIGHTS & PILEDRIVERMEN	9.22	.30	.40		.03
PAINTERS:					
Brush	7.95	.60			
Structural	8.35	.60			
Spray	8.35	.60			
Swing Stage	8.35	.60			
PLASTERERS	8.15	.45	.35	.55	.02
PLUMBERS & STEAMFITTERS	10.40	.55	.90		.03
ROOFERS: Composition	8.38			.30	
SHEET METAL WORKERS	9.01	.50	.30	.90	
SOFT FLOOR LAYERS	8.82	.30	.40		.03
TERRAZZO WORKERS & TILE SETTERS	8.15	.45	.35	.55	.02
Welders - receive rate prescribed for craft performing operation to which welding is incidental.					

DECISION NO. WI76-2160 5 - Wisconsin

PAID HOLIDAYS:

A-New Year's Day B-Memorial Day; D-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.

FOOTNOTES:

a. Holidays, a through F

b. Employer contributes 4% regularly hourly rate tO vacaion pay credit for employee who has worked in business more than 5 years. Employer contributes 2% of regular hourly rate to vacation pay credit for employer who has worked in businesss less than 5 years

c. .05 holiday pay.

DECISION NO. WI76-2160

Wisconsin 15 - Lab

BUILDING CONSTRUCTION

LABORERS	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
CLASS I	$ 7.28	.30	.30		.02
CLASS II	7.33	.30	.30		.02
CLASS III	7.48	.30	.30		.02

CLASS I - Construction laborers, form stripper, form oiler, form cleaner, dump men, pit men, building wrecker, plumbers laborer, motorized buggy operator, concrete laborer, air spade and chipping hammer, drag tender and signal man, concrete pumps and nozzle man, bituminous worker

CLASS II - Plasterer tender, hod carrier, dry cement handler, kettlemen, vibrator operator, slacking line, tile setter helpers, core drill operator

CLASS III - Jackhammer operator, driller, gunite men, burner on wrecking, air operated concrete breaker, sheeting driver, power tamper, fork lift operator, jumping jack, terrazzo grinder, mortar and plaster mixer, creosote worker, bob cat operator, sand blaster, welder, mud jack operator, precast erector bituminous raker and luteman

DECISION NO. WI76-2160

POWER EQUIPMENT OPERATORS	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
GROUP I	$ 10.02	.70	.70		.10
GROUP II	9.77	.70	.70		.10
GROUP III	9.47	.70	.70		.10
GROUP IV	9.37	.70	.70		.10
GROUP V	9.16	.70	.70		.10
GROUP VI	8.92	.70	.70		.10

GROUP I - Cranes, Shovels, Draglines, Backhoes, Clamshells, Derricks, Caisson rigs, Pile driver, Skid rigs, Derrick operator and traveling crane (Bridge type), Concrete paver (over 27E), Concrete spreader and distributor

GROUP II - Material hoists, Tractor or truck mounted hydraulic Backhoe Tractor or truck mounted hydraulic crane (5 tons or under), Manhoist, tractor (over 40 h.p), Bulldozer (over h.p.), Endloader (over 40 h.p.), Forklift (25' and over), Motor patrol, Scraper operator, Sideboom, Straddle carrier, Mechanic and welder, Bituminous plant and paver operator, Roller (over 5 tons), Rotary drill operator and blaster, Trencher (wheel type or chain type having over 8-inch bucket)

GROUP III - Concrete and grout pumps, Backfiller, Concrete auto breaker (large), Concrete finishing machine (Road type), Roller (rubber tire), Concrete batch hopper, Concrete conveyor systems, Concrete mixers (14S or over), Screw type pumps, and gypsum pumps, Tractor, Bulldozer, End-loader (under 40 h.p.), Pumps (well points), Trencher (chain type having bucket 8-inch and under), Industrial locomotives, roller (under 5 tons) and firemen (pile drivers and derricks)

GROUP IV - Hoists (automatic), Forklift (12' to 25'), Tampers-compactors riding type), Assistant engineer, "A" frame and winch trucks, Concrete auto breaker, hydro-hammer (small), Booms and sweeper, Hoists (tuggers), stump chipper (large), Boats, Safety, Work, Barges and launch)

GROUP V - Shouldering machine operator, Screed operator, Farm or industrial tractor mounted equipment, Post hole diggers, Stone crushers and Screening plants, Firemen (asphalt plants), Air compressor (300 CFM or over)

GROUP VI - Generators over 15 KW, Pumps over 3", Augers (vertical and horizontal), combination small equipment operator; Air, electric Hydraulic jacks (slip form), Compressors (under 300 CFM); Welding machines, Heaters (mechanical), Prestress machines, Bobcats, Generators (under 150 KW), Pumps (3" and under); Winches (small electric), Oiler and greaser, Boiler operators (temporary heat), Rotary drill helpers, Conveyor, Forklift (12' and under)

STATE: Wisconsin COUNTIES: Columbia, Dane, Iowa & Sauk
DECISION NUMBER: WI76-2161 DATE: Date of Publication
Supersedes Decision No. AR-3155, dated October 11, 1974 in 39 FR 36829
DESCRIPTION OF WORK: Building Construction and residential construction in Dane County only.

13 - Wisconsin

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
ASBESTOS WORKERS	$ 10.57	.60	.70	1.00	.04
BOILERMAKERS	10.30	.85	1.00		.02
BRICKLAYERS	9.29	.55	.60		
CARPENTERS	9.37	.30	.40		.03
CEMENT MASONS	9.35	.45	.40		
ELECTRICIANS:					
Electricians	9.95	.74	1%	7%	.75%
ELEVATOR CONSTRUCTORS:					
Constructors	10.175	.545	.35	4%+a+b	.02
Helpers	7.12	.545	.35	4%+a+b	.02
Helpers (Prob.)	50%JR				
GLAZIERS	9.15	.40	.30	.45	.01
IRONWORKERS: Structural, ornamental & reinforcing	10.22	.50	.25		.03
BRICKLAYERS (Columbia & Sauk Cos)	9.60	.55	.30		
CEMENT MASONS (Columbia & Sauk Counties)	9.35	.55	.40		
LATHERS	9.05	.45	.20	.50	.01
LEADBURNERS	8.75		.30	c	.01
LINE CONSTRUCTION:					
Linemen	9.37	.35	1%		.5%
Digger, crane & tractor operator	7.77	.35	1%		.5%
Winch truck or truck tractor	6.46	.35	1%		.5%
Line truck w/o winch	6.16	.35	1%		.5%
Experienced groundman	5.88	.35	1%		.5%
MILLWRIGHTS & Piledrivermen	9.77	.30	.30		.03
PAINTERS:					
Brush	8.69	.60	.30	.30	.01
Spray	9.44	.60	.30	.30	.01
Structural steel (brush)	8.84	.60	.30	.30	.01
Swing stage	8.94	.60	.30	.30	.01
Sandblaster	8.69	.60	.30	.30	.01
PLASTERERS (Columbia & Sauk Cos.)	9.36	.55	.40		
PLASTERERS	9.20	.45	.40	.25	
PLUMBERS	10.64	.45	.40		.3%
ROOFERS	9.80				
SOFT FLOOR LAYERS	9.37	.30	.40		.03
SPRINKLER FITTERS	8.75	.30	.40		.05
STEAMFITTERS	10.39	.45	.65		.3%
TERRAZZO WORKERS	9.25	.55	.30		
TILE SETTERS	9.00	.45	.30		
Welders receive rate prescribed for craft performing operation to which welding is incidental					

DECISION NO. WI76-2161

PAID HOLIDAYS:
A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day

FOOTNOTES:

a. Holidays: AthroughF.

b. Employer contributes 4% of regular hourly rate to Vaction Pay Credit for employee who has worked in business mroe 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.

c. Holidays, A thru F plus Washington's Birthday, Good Friday and Christmas Eve, providing employee has worked 45 full days during the 120 calendar days prior to the holiday, and the regularly scheduled work days immediately preceding and following the holidays.

Wisconsin 14 - Lab A

BUILDING, SEWER, WATER, EXCAVATING AND INCIDENTAL PAVING	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
Laborers, Building;					
Pneumatic tool op., air hammer, jackhammer, concrete buster, sheeting driver, air spade	$ 8.78	.30	.30		.02
Vibrator, air tamper & mortar mixer	8.68	.30	.30		.02
General laborer, concrete work, form stripeers, mason tenders, building wreckers	8.53	.30	.30		.02

DECISION NO. WI76-2161

POWER EQUIPMENT OPERATORS	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
GROUP I	$ 10.02	.70	.70		.10
GROUP II	9.77	.70	.70		.10
GROUP III	9.47	.70	.70		.10
GROUP IV	9.37	.70	.70		.10
GROUP V	9.16	.70	.70		.10
GROUP VI	8.92	.70	.70		.10

GROUP I - Cranes, Shovels, Draglines, Backhoes, Clamshells, Derricks, Caisson rigs, Pile driver, Skid rigs, Derrick operator and traveling crane (Bridge type), Concrete paver (over 27E), Concrete spreader and distributor

GROUP II - Material hoists, Tractor or truck mounted hydraulic Backhoe Tractor or truck mounted hydraulic crane (5 tons or under), Manhoist, tractor (over 40 h.p), Bulldozer (over h.p.), Endloader (over 40 h.p.), Forklift (25' and over), Motor patrol, Scraper operator, Sideboom, Straddle carrier, Mechanic and welder, Bituminous plant and paver operator, Roller (over 5 tons), Rotary drill operator and blaster, Trencher (wheel type or chain type having over 8-inch bucket)

GROUP III - Concrete and grout pumps, Backfiller, Concrete auto breaker (large), Concrete finishing machine (Road type), Roller (rubber tire), Concrete batch hopper, Concrete conveyor systems, Concrete mixers (14S or over), Screw type pumps, and gypsum pumps, Tractor, Bulldozer, End-loader (under 40 h.p.), Pumps (well points), Trencher (chain type having bucket 8-inch and under), Industrial locomotives, roller (under 5 tons) and firemen (pile drivers and derricks)

GROUP IV - Hoists (automatic), Forklift (12' to 25'), Tampers-compactors riding type), Asssistant engineer, "A" frame and winch trucks, Concrete auto breaker, hydro-hammer (small), Booms and sweeper, Hoists (tuggers), stump chipper (large), Boats, Safety, Work, Barges and launch)

GROUP V - Shouldering machine operator, Screed operator, Farm or industrial tractor mounted equipment, Post hole diggers, Stone crushers and Screening plants, Firemen (asphalt plants), Air compressor (300 CFM or over)

GROUP VI - Generators over 15 KW, Pumps over 3", Augers (vertical and horizontal), combination small equipment operator; Air, electric Hydraulic jacks (slip form), Compressors (under 300 CFM); Welding machines, Heaters (mechanical), Prestress machines, Bobcats, Generators (under 150 KW), Pumps (3" and under); Winches (small electric), Oiler and greaser, Boiler operators (temporary heat), Rotary drill helpers, Conveyor, Forklift (12' and under)

STATE: Wisconsin COUNTY: Kenosha
DECISION NUMBER: WI76-2167 DATE: Date of Publication
Supersedes Decision No. AR-3159, dated October 11, 1974 in 39 FR 36837
DESCRIPTION OF WORK: Building Construction (including Residential)

30 - Wisconsin

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
ASBESTOS WORKERS	$10.57	.60	.70	1.00	.04
BOILERMAKERS	10.30	.85	1.00		.02
BRICKLAYERS & STONEMASONS	10.35	.40	.40		
CARPENTERS	9.85	.40	.60	.50	
CEMENT MASONS (BUILDING)	8.76	.40	.60	.50	
ELECTRICIANS	11.34	.45	1%	.25	.75%
ELEVATOR CONSTRUCTORS:					
Constructors	11.17	.545	.35	4%+a+c	.02
Helpers	7.82	.545	.35	4%+a+c	.02
Helpers (PROb.)	50%JR	→			
IRONWORKERS: Structural & Ornamental & Reinforcing	10.06	.95	.70	1.15	.15
MILLWRIGHTS	10.11	.40	.60		.03
LATHERS	8.23	.40	1.45		
LEADBURNERS	9.25	.30		e	.01
PAINTERS:					
Brush & Roller	8.575	.40	.40		
Structural STee;	8.725	.40	.40		
Spray	9.32	.40	.40		
Swing stage	8.775	.40	.40		
PILEDRIVERMEN	9.93	.40	.60		.03
PLASTERERS	8.88	.40	.40		
PLUMBERS & STEAMFITTERS	10.97	.50	.40	g.95	
SPRINKLER FITTERS	8.00	.25	.40		.05
SOFT FLOOR LAYERS-Resilient floor layer	9.95	.40	.50		.03
TERRAZZO WORKERS	9.42	.80	.60	.47	
TILE SETTERS	8.58	.50	.50	.50	
Welders - receive rate prescribed for operation to which welding is incidental.					

DECISION NO. WI76-2167

PAID HOLIDAYS:
A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.

FOOTNOTES:

a. Holidays, A through F

b. Includes .21 holidays pay

c. Employer contributes 4% of regulur hourly rate to Vacation Pay Credit for employee who has worked in business more than 5 years. Employer contributes 2% of regularly hourly rate to Vacation Pay Credit for employee who has worked in business less than 5 years.

d. $8.00 per week

e. Holidays, A through F plus Washington's Birthday, Good Friday and Christmas Eve, providing employee worked 45 full days during the 120 calendar days prior to the holiday, and the regularly scheduled work days immediately preceding and following the holidays.

f. $7.30 per week

g. Holidays: A through F plus Christmas Eve, the day after Thanksgiving and Good Friday.

H. Additional payment of 4 hours per month plus .03 per hourly weekly for employee who has worked less than 5 years - 6-2/3 hours per month for employee who has worked 5 years or more.

Wisconsin 20 - LAB-1 H

BUILDING CONSTRUCTION LABORERS	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
Laborers, Mason Tenders	$ 7.56	.40	.60	.60	
Plaster tender	7.72	.40	.60	.60	
Air, electric & gas tool operator	7.88	.40	.60	.60	
Jack hammer, fork lift, buggies	8.26	.40	.60	.60	

DECISION NO. WI76-2167

POWER EQUIPMENT OPERATORS	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
GROUP I	$ 10.02	.70	.90		.10
GROUP II	9.77	.70	.90		.10
GROUP III	9.47	.70	.90		.10
GROUP IV	9.37	.70	.90		.10
GROUP V	9.16	.70	.90		.10
GROUP VI	8.92	.70	.90		.10

GROUP I - Cranes, Shovels, Draglines, Backhoes, Clamshells, Derricks, Caisson rigs, Pile driver, Skid rigs, Derrick operator and traveling crane (Bridge type), Concrete paver (over 27E), Concrete spreader and distributor

GROUP II - Material hoists, Tractor or truck mounted hydraulic Backhoe Tractor or truck mounted hydraulic crane (5 tons or under), Manhoist, tractor (over 40 h.p), Bulldozer (over h.p.), Endloader (over 40 h.p.), Forklift (25' and over), Motor patrol, Scraper operator, Sideboom, Straddle carrier, Mechanic and welder, Bituminous plant and paver operator, Roller (over 5 tons), Rotary drill operator and blaster, Trencher (wheel type or chain type having over 8-inch bucket)

GROUP III - Concrete and grout pumps, Backfiller, Concrete auto breaker (large), Concrete finishing machine (Road type), Roller (rubber tire), Concrete batch hopper, Concrete conveyor systems, Concrete mixers (14S or over), Screw type pumps, and gypsum pumps, Tractor, Bulldozer, End-loader (under 40 h.p.), Pumps (well points), Trencher (chain type having bucket 8-inch and under), Industrial locomotives, roller (under 5 tons) and firemen (pile drivers and derricks)

GROUP IV - Hoists (automatic), Forklift (12' to 25'), Tampers-compactors riding type),Asssistant engineer, "A" frame and winch trucks, Concrete auto breaker, hydro-hammer (small), Booms and sweeper, Hoists (tuggers), stump chipper (large), Boats, Safety, Work, Barges and launch)

GROUP V - Shouldering machine operator, Screed operator, Farm or industrial tractor mounted equipment, Post hole diggers, Stone crushers and Screening plants, Firemen (asphalt plants), Air compressor (300 CFM or over)

GROUP VI - Generators over 15 KW, Pumps over 3", Augers (vertical and horizontal), combination small equipment operator; Air, electric Hydraulic jacks (slip form), Compressors (under 300 CFM); Welding machines, Heaters (mechanical), Prestress machines, Bobcats, Generators (under 150 KW), Pumps (3" and under); Winches (small electric),Oiler and greaser, Boiler operators (temporary heat), Rotary drill helpers, Conveyor, Forklift (12' and under)

STATE: Wisconsin

COUNTIES: Langlade, Lincoln & Marathon

DECISION NUMBER: WI76-2168

DATE: Dateof Publication

Supersedes Decision No. AR-3161,dated October 11, 1974 in 39 FR 36841

DESCRIPTION OF WORK: Building Construction, (excluding single family homes and garden type apartments up to and including 4 stories)

37 - Wisconsin C

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
ASBESTOS WORKERS	$ 9.66	.45	.20	.65	.06
BOILERMAKERS	10.30	.85	1.00		.02
BRICKLAYERS & STONEMASONS	8.80	.45	.25		.05
CARPENTERS	8.82	.30	.40		.03
Millwrights & Piledrivermen	9.22	.30	.40		.03
CEMENTMASONS	8.30	.45	.25		
ELECTRICIANS	9.60	.45	1%	7½%	1/8%
ELEVATOR CONSTRUCTORS:					
Constructors	10.04	.545	.35	4%+a+b	.02
Helpers	7.03	.545	.35	4%+a+b	.02
Helpers (Prob.)	50%JR				
IRONWORKERS: Structural, Ornamental and Reinforcing	10.22	.50	.25		.03
LABORERS: Laborers	7.28	.30	.30		.02
Air tool op. (jackhammer, vibrator)	7.48	.30	.30		.02
Mason tender and concrete worker	7.33	.30	.30		.02
Mortar mixers	7.33	.30	.30		.02
Building wrecker, form stripper and scaffold builder	7.28	.30	.30		.02
Kettle, concrete buster & gunnite men	7.48	.30	.30		.02
LATHERS (Southeastern corner of County)	8.35	.40	.50	.50	
Lathers (Western ½ of County)	9.30				
Lathers (Remainder of County)	8.15	.50		.50	
PAINTERS:					
Brush	8.50				
Spray & Structural steel	9.00				
PLASTERERS	8.80	.45	.25		.05
PLUMBERS	9.66	.50	.30	1.00+b	
ROOFERS	8.00			d	
SHEET METAL WORKERS	9.96	.45	.30		.04
SOFT FLOOR LAYERS - Resilient floor layers	8.82	.30	.40		.03
SPRINKLER FITTERS	8.00	.25	.40		.05
STEAMFITTERS	9.66	.50	.30	1.00+b	
TERRAZZO WORKERS	8.55	.45	.25		.05
TILE SETTERS	8.55	.45	.25		.05

DECISION NO. WI76-2168

37 - Wisconsin

PAID HOLIDAYS:

A-New Year's Day; B-Memorial Day; C-Independence Day; D-Labor Day; E-Thanksgiving Day; F-Christmas Day.

FOOTNOTES:

a. Employer contributes 4% of regular hourly rate to vacation pay credit for employer who has worked in business more than 5 years. Employer contributes 2% of regularhourly rate to vacation pay credit for employee who has worked in business less than 5 years.

b. Holidays: A through F

c. Includes .05 Holiday pay.

d. 1 week's vacation after 1 year's employment

e. $30.67 per month for eachemployee

DECISION NO. WI76-2168

POWER EQUIPMENT OPERATORS

	Basic Hourly Rates	Fringe Benefits Payments			
		H & W	Pensions	Vacation	Education and/or Appr. Tr.
GROUP I	$ 10.02	.70	.70		.10
GROUP II	9.77	.70	.70		.10
GROUP III	9.47	.70	.70		.10
GROUP IV	9.37	.70	.70		.10
GROUP V	9.16	.70	.70		.10
GROUP VI	8.92	.70	.70		.10

GROUP I - Cranes, Shovels, Draglines, Backhoes, Clamshells, Derricks, Caisson rigs, Pile driver, Skid rigs, Derrick operator and traveling crane (Bridge type), Concrete paver (over 27E), Concrete spreader and distributor

GROUP II - Material hoists, Tractor or truck mounted hydraulic Backhoe Tractor or truck mounted hydraulic crane (5 tons or under), Manhoist, tractor (over 40 h.p), Bulldozer (over h.p.), Endloader (over 40 h.p.), Forklift (25' and over), Motor patrol, Scraper operator, Sideboom, Straddle carrier, Mechanic and welder, Bituminous plant and paver operator, Roller (over 5 tons), Rotary drill operator and blaster, Trencher (wheel type or chain type having over 8-inch bucket)

GROUP III - Concrete and grout pumps, Backfiller, Concrete auto breaker (large), Concrete finishing machine (Road type), Roller (rubber tire), Concrete batch hopper, Concrete conveyor systems, Concrete mixers (14S or over), Screw type pumps, and gypsum pumps, Tractor, Bulldozer, End-loader (under 40 h.p.), Pumps (well points), Trencher (chain type having bucket 8-inch and under), Industrial locomotives, roller (under 5 tons) and firemen (pile drivers and derricks)

GROUP IV - Hoists (automatic), Forklift (12' to 25'), Tampers-compactors riding type),Asssistant engineer, "A" frame and winch trucks, Concrete auto breaker, hydro-hammer (small), Booms and sweeper, Hoists (tuggers), stump chipper (large), Boats, Safety, Work, Barges and launch)

GROUP V - Shouldering machine operator, Screed operator, Farm or industrial tractor mounted equipment, Post hole diggers, Stone crushers and Screening plants, Firemen (asphalt plants), Air compressor (300 CFM or over)

GROUP VI - Generators over 15 KW, Pumps over 3", Augers (vertical and horizontal), combination small equipment operator; Air, electric Hydraulic jacks (slip form), Compressors (under 300 CFM); Welding machines, Heaters (mechanical), Prestress machines, Bobcats, Generators (under 150 KW), Pumps (3" and under); Winches (small electric),Oiler and greaser, Boiler operators (temporary heat), Rotary drill helpers, Conveyor, Forklift (12' and under)

[FR Doc.76-36864 Filed 12-16-76;8:45 am]

federal register

FRIDAY, DECEMBER 17, 1976



PART III:

FEDERAL MEDIATION AND CONCILIATION SERVICE

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

■

PRIVACY ACT OF 1974

Systems of Records

FEDERAL MEDIATION AND CONCILIATION SERVICE

PRIVACY ACT OF 1974

Notices of Systems of Records

The purpose of this document is to give notice that the systems of records identified in the notices published in the Federal Register at 40 FR 39037 continue in effect. This notice is published in compliance with the requirement of 5 USC 552a(e)(4) as added by Section 3 of the Privacy Act—1974.

James F. Scearce,
National Director.

INDEX OF SYSTEM NAMES

System
FMCS/I Agency Internal Personnel Record—Agency Employee
FMCS/II Agency Pay Records—Agency Employee
FMCS/III Agency Personnel Security Records—Agency Employee
FMCS/IV Arbitrator Personal Data File—Arbitrator/Arbitrator Applicant

FMCS—I

System name: Agency Internal Personnel Records

System location: National Office

Federal Mediation and Conciliation Service
Washington, D.C. 20427
Region 1
Federal Mediation and Conciliation Service
2937 Federal Building
26 Federal Plaza
New York, NY 10007
Region 2
Federal Mediation and Conciliation Service
401 Mall Building
4th and Chestnut Streets
Philadelphia, PA 19106
Region 3
Federal Mediation and Conciliation Service
Suite 400
1422 W. Peachtree Street, NW.
Atlanta, GA 30309
Region 4
Federal Mediation and Conciliation Service
1525 Superior Building
815 Superior Avenue, N.E.
Cleveland, OH 44114
Region 5
Federal Mediation and Conciliation Service
1402 Dirksen Building
219 S. Dearborn Street
Chicago, IL 60604
Region 6
Federal Mediation and Conciliation Service
Chromalloy Plaza—Fifth Floor
120 S. Central
St. Louis, MO 63105
Region 7
Federal Mediation and Conciliation Service
Box 36007
450 Golden Gate Avenue
San Francisco, CA 94102
Region 8
Federal Mediation and Conciliation Service
Federal Building, Room 644
915 Second Avenue
Seattle, WA 98174

Categories of individuals covered by the system: Agency Employees

Categories of records in the system: The records in this system are Agency internal operating records used in the operation of the Agency's personnel management program. This record system contains the following files:

1. Personnel Folders—correspondence and other documents relating to employee debt, station transfer, employee evaluations, background information, and recommendations for promotion.

2. Station Transfer Requests—request forms and related documents.

3. Performance Evaluation Files—evaluations of new employees.

4. Applicant Files—where applicable, employment applications, personal resumes, correspondence relating to medical examination and conditions, qualifications or suitability for employment. documents related to verifying qualifications, rating sheet for years of qualifying experience, and interview reports of FMCS staff.

5. Employee Conduct Files—records relating to employee performance, code of conduct, and possible disciplinary/corrective action.

6. Employee Productivity Statistics—self explanatory.

Authority for maintenance of the system: Title II, Labor Management Relations Act, 1947, As Amended.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: A. In the event that the above system of records maintained by this Agency to carry out its functions indicates a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether federal, state, local or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulations or order issued pursuant thereto.

B. Information within this system of records is referred to appropriate sources from which information is requested in the course of an investigation as to suitability for initial or continued employment to the extent necessary to identify the individual, inform the source of the nature and purpose of the investigation, and to identify the type of information requested.

C. Information within this system of records is referred to members of Congress to the extent necessary to answer routine letters of inquiry concerning employment applications.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: These records are stored in both locked and unlocked file cabinets, depending upon the nature of the record and availability of filing equipment. Data may be retrieved by an individual's name. Access to these records is restricted to appropriate employees of the National Office and the Regional Office. Files are retained indefinitely, subject to periodic review.

System manager(s) and address:

Director of Administration
Federal Mediation and Conciliation Service
Washington, D.C. 20427

Notification procedure: Individuals seeking knowledge of whether the system contains information about them should direct their inquiries in writing to the Director of Administration, FMCS at the aforementioned address. All such inquiries should include the requestor's name and any other information that may be helpful in locating the files.

Record access procedures: See Notification

Record source categories: Information is obtained directly from the individual concerned, whenever possible. However, also included is information obtained from Agency personnel and occasionally from sources outside the Agency.

Systems exempted from certain provisions of the act: In order to preserve the accuracy of information necessary for determining suitability for employment, the identity of a confidential source is exempted from disclosure under 5 USC 552 (a) (k) (5). The exemption is published in this issue of the Federal Register.

FMCS—II

System name: Agency Pay Records

System location:

Federal Mediation and Conciliation Service
Washington, D.C. 20427

Categories of individuals covered by the system: Agency Employees

Categories of records in the system: The records in this system are used to administer the agency pay system. The records in an employee's pay file may be copies of a personnel action form, tax withholding certificates, notification of check mailing address, allotment forms, health and life insurance forms, retirement forms, and the salary clearance form. The travel records consist of a request

for travel, travel authorization, travel vouchers, transportation requests, authorizations, and reimbursements for expenses incurred in connection with an official change of duty station. The system also contains computer listings reflecting pay data, leave records, and time and attendance records.

Authority for maintenance of the system: 5 USC Chapters 51, 53, and 57.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: None.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: These records are maintained in original/duplicate document form and filed by an individual's name. The files are contained in regular file cabinets, access to which is restricted to Budget and Finance Division personnel only. These records are maintained and disposed of in accordance with the Federal Property Management Regulation 101-11.4 (General Records Schedules 2, 6, and 9).

System manager(s) and address:

Director of Administration
Federal Mediation and Conciliation Service
Washington, D.C. 20427

Notification procedure: Individuals seeking knowledge of whether the system contains information about them should direct their inquiries to the Director of Administration, FMCS, at the aforementioned address. All such inquiries should indicate name, and any other information that may be helpful in locating the file.

Record access procedures: See above.

Record source categories: Information is obtained directly from the individual concerned.

FMCS—III

System name: Agency Personnel Security Records

System location:

Federal Mediation and Conciliation Service
Washington, D.C.

Categories of individuals covered by the system: Agency Employees

Categories of records in the system: Various information pertaining to the background investigation and issuance of clearances.

Authority for maintenance of the system: Executive Order 10450 and 10501, or other Statutory/Regulatory requirements.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: A. A record from this system of records may be disclosed as a "routine use" to a federal, state or local agency maintaining civil, criminal, or other relevant enforcement information or other pertinent information, such as current licenses, if necessary to obtain information relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant, or other benefit.

B. The existence and date of security clearance are furnished to government agencies or private firms dealing in classified matters.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: These records are maintained in original/duplicate document form and filed by an individual's name. They are used by agency management officials in determining suitability for employment and in issuing security clearances. The files are contained in locked security file cabinets, access to which is restricted. The Agency Personnel Security Officer determines personnel who are authorized to review these records. These records are maintained and disposed of in accordance with the Federal Personnel Manual and the Federal Property Management Regulation 101-11.4 (General Records Schedule 18).

System manager(s) and address:

Agency Personnel Security Officer
Federal Mediation and Conciliation Service
Washington, D.C. 20427

Notification procedure: Individuals seeking knowledge of whether the system contains information about them should direct their inquiries to the Agency Personnel Security Officer at the above address.

Record access procedures: All inquiries relating to the Civil Service Commission background reports or national agency checks should be addressed to Director, Bureau of Personnel Investigations, U.S. Civil Service Commission, 1900 E Street, Washington, D.C. All other requests for agency security records should be directed in writing to the Director of Administration at the address provided above. All such inquiries should indicate name and any other information that may be helpful in locating the file.

Record source categories: Information is obtained directly from the individual on an application for background investigation which is furnished to the Civil Service Commission.

FMCS—IV

System name: Arbitrator Personal Data File

System location:

Federal Mediation and Conciliation Service
Washington, D.C. 20427

Categories of individuals covered by the system: Arbitrator Applicants and Arbitrators

Categories of records in the system: The first category of records consists of arbitrator applicant records (those not accepted). These records contain personal resumes, the personal data questionnaire listing education, professional background and experience, confidential and other recommendations as to acceptability, and correspondence pertaining to rejection from placement on the panel. The second category of records consists of current arbitrator files (those currently on the roster), and contain the same information as in the applicant files. In addition, such files include correspondence with an arbitrator regarding standard fee, interest in only certain cases, complaints, and other correspondence related to case handling procedures, and biographical sketches summarizing information contained in the personal data questionnaire.

Authority for maintenance of the system: Title II Labor Management Relations Act, 1947, as amended.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Biographical sketches are furnished to the parties requesting the referral of a panel of arbitrators.

They are also furnished to persons conducting research on the arbitration process in a particular area.

Data furnished by the applicant or arbitrator and other sources listed above is routinely disclosed to appropriate persons or organizations outside the agency in the course of verification or evaluation for the purpose of admittance to or retention on the roster. Data furnished by any source in the nature of a complaint or inquiry about the arbitrator's performance or qualifications are routinely referred to the appropriate person outside the agency in the course of investigating an arbitrator's eligibility for retention on the roster.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: These records are maintained in original/duplicate document form and computer tape. In either case, they are retrieved by an individual name or identification number. Access is restricted to Office of Arbitration personnel, and Management Systems personnel on a limited basis only. These files are used for purposes of referring arbitration panels to labor/management. Presently, the files are stored in lateral file cabinets. Files on active arbitrators are maintained as long as the individual is utilized for referral of panels. Arbitrator applicant files are maintained for two years. After the two year retention period, a separate listing of rejected arbitrator applicants is prepared and the file is destroyed.

System manager(s) and address:

Director of Office of Arbitration Services
Federal Mediation and Conciliation Service
Washington, D.C. 20427

Notification procedure: Individuals seeking knowledge of whether the system contains information about them should direct their inquiries in writing to the Director of Administration, FMCS, or Director of Arbitration Services, FMCS, at the aforementioned address. All such inquiries should indicate name and any other information that may be helpful in locating the file.

Record access procedures: See Notification.

Record source categories: Direct from the individual, sources furnished by the individual, or obtained by FMCS.

Systems exempted from certain provisions of the act: In order to preserve the accuracy of information necessary for determining appointment to the roster for arbitration records, the identity of a confidential source is exempted from disclosure under 5 USC 552(a)(k)(5). The exemption is published in this issue of the Federal Register.

[FR Doc.76-35710 Filed 11-30-76;4:33 pm]

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

PRIVACY ACT OF 1974

Systems of Records

The purpose of this document is to give notice that the records of the National Foundation on the Arts and the Humanities identified in notices published in the Federal Register (40 F.R. 49288) of October 21, 1975 and in the Federal Register (41 F.R. 13893) of March 31, 1976 continue in effect.

In addition, the Foundation has identified an additional system of records for which no public notice as yet has been published in the Federal Register. Consequently, in accordance with 5 U.S.C. 552a(e)(4) and (11), section 3 of the Privacy Act of 1974 (Public Law 93-579), notice is hereby given that the Foundation proposes to establish a new system of records including information concerning past and present participants in the Arts Endowment's Work Experience Internship Program.

Pursuant to 5 U.S.C. 552a(o) and guidelines for implementing the Privacy Act established by the Office of Management and Budget in OMB Circular No. 108, Transmittal Memorandum No. 1, dated September 30, 1975 and Transmittal Memorandum No. 3, dated May 17, 1976, the required "Report on New Systems" has been transmitted to the Congress, the Privacy Protection Study Commission, and the Office of Management and Budget.

Interested persons are invited to submit written comments on this notice to the Office of General Counsel, National Endowment for the Arts, 2401 E Street, NW., Washington, D.C. 20506. All written comments received on or before January 17, 1977, will be considered by the Foundation before adoption of a final notice.

Nancy Hanks,
Chairman, National Endowment for the Arts.

Robert Kingston,
Deputy Chairman, National Endowment for the Humanities.

ALPHABETICAL LIST OF SYSTEMS NAMES

Consultants—NFAH—1
Contracts—NFAH—2
Employee Payroll and Leave and Attendance Records and Files—NFAH—3
Equal Employment Opportunity Case File—NFAH—4
Grant Applications—NFAH/NEA—5
Grant Applications—NFAH/NEH—6
Grants to Individuals—NFAH/NEA—7
Grants to Individuals and Institutions—NFAH/NEH—8
Personnel Records—NFAH—9
Reviewer File—NFAH/NEH—10
Interns—NFAH/NEA—11

NFAH—1

System name: Consultants—NFAH—1.

System location: NEA—2401 E St. NW, Washington, D.C. 20506.

System location: NEH—806 15th St. NW, Washington, D.C. 20506.

Categories of individuals covered by the system: Past and present members of the National Council on the Arts, the National Council on the Humanities, Advisory Panels to the Arts Endowment and Advisory Panels to the Humanities Endowment.

Categories of records in the system: Contains name, address and telephone number of individual. Contains compensation claims, travel diaries, notification of personnel actions, correspondence. May contain curriculum vitae and press clippings.

Authority for maintenance of the system: National Foundation on the Arts and the Humanities Act of 1965, as amended (20 U.S.C. 951 et seq.).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Identification of Foundation consultants and their activities; disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of the individual about whom the record is maintained.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Maintained in 9 inch by 12 inch folders.

Retrievability: Indexed by name.

Safeguards: Records are maintained in lockable drawers or file cabinets.

Retention and disposal: Retained indefinitely.

System manager(s) and address: Director, Program Offices—NEA/NEH, Director, Program Information—NEA, Director, Public Information—NEH, Director, Planning—NEA, Secretary to the National Council on the Arts—NEA, Office of the General Counsel—NEH.

NEA—2401 E St. NW, Washington, D.C. 20506.
NEH—806 15th St. NW, Washington, D.C. 20506

Notification procedure: See Title 45 CFR Part 1115.

Record access procedures: Same as above.

Record source categories: Individual on whom record is maintained, newspapers and journals, Foundation employees.

NFAH—2

System name: Contracts—NFAH—2

System location: NEA—Office of General Counsel, Room 1338, 2401 E St. NW, Washington, D.C. 20506.

System location: NEH—Office of the General Counsel, Room 1000, 806 15th St. NW, Washington, D.C. 20506.

Categories of individuals covered by the system: Individuals who have entered into contracts with the Foundation.

Categories of records in the system: Contains contract, including name and address of contractor, specific and general contract provisions, contract amendments, correspondence, relevant back-up material.

Authority for maintenance of the system: National Foundation on the Arts and the Humanities Act of 1965, as amended (20 U.S.C. 951 et seq.).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: General Accounting Office audits, general congressional oversight; disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of the individual about whom the record is maintained.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Maintained in 12 inch by 10 inch folders.

Retrievability: Indexed by name and number

Safeguards: Records are maintained in a lockable file cabinet.

Retention and disposal: Retained indefinitely.

System manager(s) and address: General Counsel—NEA, Room 1338, 2401 E St. NW, Washington, D.C. 20506. General Counsel—NEH, Room 1000, 806 15th St. NW, Washington, D.C. 20506.

Notification procedure: See Title 45 CFR Part 1115.

Record access procedures: Same as above.

Record source categories: Individual on whom the record is maintained. Foundation employees involved in contract development, administration, and execution.

NFAH—3

System name: Employee payroll and leave and attendance records and files—NFAH—3

System location: Finance Office, NFAH, 806 15th St. NW, Washington, D.C. 20506.

Categories of individuals covered by the system: Foundation Employees.

Categories of records in the system: Records consist of manual files containing payroll-related information for Foundation employees. Payroll and leave and attendance records and information includes many records or information also maintained in employee's official personnel folder and related files maintained in accordance with Civil Service Commission regulations and of which notice has been given by the Commission in its notice of Governmentwide systems of personnel records. Payroll and related information consists of various forms which disclose on a biweekly, year-to-date, and in some cases an annual basis, payroll and leave data for each employee relating to rate and amount of pay, leave, and hours worked, and leave balances; tax and retirement deductions; life insurance and health insurance deductions; savings allotments; savings bond and charity deductions; mailing addresses and home addresses.

Authority for maintenance of the system: National Foundation on the Arts and the Humanities Act of 1965, as amended (20 U.S.C. 951 et seq.), Federal Personnel Manual and Treasury Fiscal Requirements Manual.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Used to prepare payroll and to meet Government payroll recordkeeping and reporting requirements, and for retrieving and supplying payroll and leave information as required for agency needs. Civil Service Commission Notice of Governmentwide Systems of Personnel Records: "C.S.C.—General Personnel Records (Official Personnel folder and records related thereto)"; disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of the individual about whom the record is maintained.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Time and attendance files maintained on 8 inch by 5 inch cards included with other information maintained in 9 inch by 12 inch folders.

Retrievability: Indexed by name.

Safeguards: Records are maintained in a lockable file cabinet.

Retention and disposal: Records maintained for three years or until audited by the General Accounting Office.

System manager(s) and address: Finance Manager, Room 807, Shoreham Building, 806 15th St. NW, Washington, D.C. 20506.

Notification procedure: See Title 45 CFR Part 1115.

Record access procedures: Same as above.

Record source categories: Individual on whom the record is maintained.

NFAH—4

System name: Equal Employment Opportunity Case File—NFAH—4.

System location: Room 812, 806 15th St. NW, Washington, D.C. 20506.

Categories of individuals covered by the system: Foundation employees and job applicants.

Categories of records in the system: Contains transcripts, documentation concerning pre-complaint counseling activities, documentation concerning filing of complaint, written records of terms of adjustment and disposition of complaint.

Authority for maintenance of the system: Title 5 CFR Chapter I, Part 713.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Implementation of Foundation program for equal opportunity in employment and personnel operations; disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of the individual about whom the record is maintained.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Maintained in 9 inch by 12 inch folders.

Retrievability: Retrievable by name.

Safeguards: Maintained in lockable filing cabinets.

Retention and disposal: Retained indefinitely.

System manager(s) and address: Equal Employment Opportunity Officer, Room 812, 806 15th St. NW, Washington, D.C. 20506.

Notification procedure: See Title 45 CFR Part 1115.

Record access procedures: Same as above.

Record source categories: Individual on whom the record is maintained. Foundation employees involved in the claim or proceeding.

NFAH/NEA—5

System name: Grant Applications—NFAH/NEA—5.

System location: 2401 E St. NW, Washington, D.C. 20506.

Categories of individuals covered by the system: Individuals applying to the National Endowment for the Arts for financial assistance.

Categories of records in the system: Grant application, sample of work where appropriate.

Authority for maintenance of the system: National Foundation on the Arts and the Humanities Act of 1965, as amended (20 U.S.C. 951 et seq.).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: General Administration of grant review process; statistical research; congressional oversight and analysis of trends; disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of the individual about whom the record is maintained.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: 9 inch by 12 inch folders.

Retrievability: Indexed by name and number.

Safeguards: Records are maintained in a lockable file cabinet.

Retention and disposal: After receipt of final reports, retired to National Archives. Retained in National Archives for three years. Then shipped to St. Louis, Mo.

System manager(s) and address: Grants Officer, Room 1101, 2401 E St. NW, Washington, D.C. 20506.

Notification procedure: See Title 45 CFR Part 1115.

Record access procedures: Same as above.

Record source categories: Individual on whom the record is maintained.

NFAH/NEH—6

System name: Grant Applications—NFAH/NEH—6.

System location: 806 15th St. NW, Washington, D.C. 20506.

Categories of individuals covered by the system: Individuals and institutions applying to the National Endowment for the Humanities for financial assistance.

Categories of records in the system: Grant application, sample of work where appropriate.

Authority for maintenance of the system: National Foundation on the Arts and the Humanities Act of 1965, as amended (20 U.S.C. 951 et seq.).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: General administration of grant review process; statistical research; congressional oversight and analysis of trends; disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of the individual about whom the record is maintained.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: 9 inch by 12 inch folders.

Retrievability: Indexed by name of applicant.

Safeguards: Records are maintained in a lockable filing cabinet.

Retention and disposal: After receipt of final reports, retired to National Archives. Retained in National Archives for three years. Then shipped to St. Louis, Mo.

System manager(s) and address: Grants Officer—NEH, Room 522, 806 15th St. NW, Washington, D.C. 20506.

Notification procedure: See Title 45 CFR Part 1115.

Record access procedures: Same as above.

Record source categories: Individual and institution on whom the record is maintained.

NFAH/NEA—7

System name: Grants to Individuals NFAH/NEA—7.

System location: 2401 E St. NW, Washington, D.C. 20506.

Categories of individuals covered by the system: Individuals receiving grant awards (fellowships) from the National Endowment for the Arts.

Categories of records in the system: Grant application, including sample of work where appropriate, award notification letter, grant award acceptance agreement, payment schedule, relevant correspondence, final report.

Authority for maintenance of the system: National Foundation on the Arts and the Humanities Act of 1965, as amended (20 U.S.C. 951 et seq.).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: General administration

of grant review and award process; statistical research; congressional oversight and analysis of trends; disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of the individual about whom the record is maintained.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Maintained in 9 inch by 12 inch folders.

Retrievability: Indexed by name and number.

Safeguards: Records are maintained in lockable filing cabinets.

Retention and disposal: After receipt of final reports, retired to National Archives. Retained in National Archives for three years. Then shipped to St. Louis, Mo.

System manager(s) and address: Grants Officer, Room 1101, 2401 E St. NW, Washington, D.C. 20506.

Notification procedure: See Title 45 CFR Part 1115.

Record access procedures: Same as above.

Record source categories: Individual on whom the record is maintained. Employees involved in administration of the grant.

NFAH/NEH—8

System name: Grants to Individuals and Institutions—8

System location: 806 15th St. NW, Washington, D.C. 20506.

Categories of individuals covered by the system: Individuals and institutions receiving grant awards from the National Endowment for the Humanities.

Categories of records in the system: Grant application including sample of work where appropriate, award notification letter, grant award acceptance agreement, payment schedule, relevant correspondence, final report.

Authority for maintenance of the system: National Foundation on the Arts and the Humanities Act of 1965, as amended (20 U.S.C. 951 et seq.).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Administrative processing, general statistical research, congressional analysis of trends; disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of the individual about whom the record is maintained.

Information concerning grantees, principal investigator's location of grantee, title of grant, field of study, type of grantee, special characteristics, length of award, application date, date of recommendation, grant number, division and program element, amount and brief description of purpose of award is routinely forwarded to the Smithsonian Science Information Exchange (SSIE) and the Foreign Area Research Unit (FARU) in the Intelligence and Research Office of the Department of State.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Maintained in 9 inch by 12 inch folders.

Retrievability: Indexed by name of individual, name of institution, and number.

Safeguards: Records are maintained in a lockable filing cabinet.

Retention and disposal: After receipt of final reports, retired to National Archives. Retained in National Archives for three years. Then shipped to St. Louis, Mo.

System manager(s) and address: Grants Officer—NEH, Room 522, 806 15th St. NW, Washington, D.C. 20506.

Notification procedure: See Title 45 CFR Part 1115.

Record access procedures: Same as above.

Record source categories: Individual on whom the record is maintained. Employees involved in administration of the grant.

NFAH—9

System name: Personnel Records—NFAH—9.

System location: Room 410, 806 15th St. NW, Washington, D.C. 20506.

Categories of individuals covered by the system: Foundation employees.

Categories of records in the system: Contains copies of official personnel records, consultants' employment files.

Authority for maintenance of the system: National Foundation on the Arts and the Humanities Act of 1965, as amended (20 U.S.C. 951 et seq.).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Identification of Foundation Employees and their personnel records. Used for internal reporting; also referred to any appropriate agency, private organization or official in the course of an employment or security clearance investigation; disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of the individual about whom the record is maintained.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Maintained in 9 inch by 12 inch folders.

Retrievability: Retrieved by name.

Safeguards: Stored in lockable file cabinets.

Retention and disposal: Retained during course of employment and for one month subsequent to termination thereof; thereafter sent to St. Louis, Mo.

System manager(s) and address: Personnel Officer, Room 410, 806 15th St. NW, Washington, D.C. 20506.

Notification procedure: See Title 45 CFR Part 1115.

Record access procedures: Same as above.

Record source categories: Individual to whom the record pertains, Foundation employees.

NFAH/NEH—10

System name: Reviewer File—NFAH/NEH—10

System location: Room 1104, 806 15th Street, NW., Washington, D.C. 20506.

Categories of individuals covered by the system: Scholars and experts in humanities who are willing to donate time to comment on applications received by the Endowment.

Categories of records in the system: Contains addresses, fields of expertise, and notations of applications forwarded for review.

Authority for maintenance of the system: National Foundation on the Arts and the Humanities Act of 1965, as amended 20 U.S.C. 951 et seq.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: The records are used by Endowment staff, principally in the division of research grants for the purpose of mailing applications to appropriate scholars for their evaluations, which are the basis of our peer review system; disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of the individual about whom the record is maintained.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Maintained on 5 inch by 8 inch cards filed in boxes by field and on 3 inch by 5 inch cards alphabetically by name.

Retrievability: Retrieved by discipline and/or name.

Safeguards: Room locked after office hours; files are not permitted to be removed at any time from room.

Retention and disposal: Retained even when no longer used.

System manager(s) and address: Deputy Director, Division of Research Grants, Room 1101, 806 15th Street, NW., Washington, D.C. 20506.

Notification procedure: See Title 45 CFR Part 1115.

Record access procedures: Available to NEH staff, through Division of Research Grants.

Record source categories: Individual to whom the record pertains; foundation employees note use of records on cards.

NFAH/NEA—11

System name: Interns—NFAH/NEA—11

System location: NEA—Office of Staff Development Officer, Room 1250, 2401 E St., NW., Washington, D.C. 20506.

Categories of individuals covered by the system: Past and present participants in the Endowment's Work Experience Internship Program.

Categories of records in the system: Contains resume and essay submitted by candidate, letters of recommendation, grant award letter, cash request, correspondence.

Authority for maintenance of the system: National Foundation on the Arts and the Humanities Act of 1965, as amended (20 U.S.C. 951 et seq.)

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Identification of past and present participants in Work Experience Internship Program, general reference purposes; disclosure may be made to a congressional office from the record of an individual in response to an inquiry from the congressional office made at the request of the individual about whom the record is maintained.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Maintained in 9 inch by 12 inch folders.

Retrievability: Indexed by name.

Safeguards: Records are maintained in lockable filing cabinets.

Retention and disposal: Retained indefinitely.

System manager(s) and address: Staff Development Officer, Room 1250, 2401 E St., NW., Washington, D.C. 20506.

Notification procedure: See Title 45 CFR Part 1115.

Record access procedures: Same as above.

Record source categories: Individual on whom the record is maintained, reference sources for individual.

[FR Doc.76-36667 Filed 12-9-76;3:05 pm]

federal register

FRIDAY, DECEMBER 17, 1976



PART IV:

UNITED STATES ARMS CONTROL AND DISARMAMENT AGENCY

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PRIVACY ACT OF 1974

Systems of Records

UNITED STATES ARMS CONTROL AND DISARMAMENT AGENCY

PRIVACY ACT OF 1974

Systems of Records

The purpose of this document is to give notice again that the systems of records identified in notices published in the Federal Register at 40 FR 39665-39669 on August 28, 1975, as amended at 41 FR 21624-21626 on May 26, 1976, continue in effect. Formal notice of the existence and character of these systems of records was initially given at 41 FR 29012 on July 14, 1976.

As required by 5 U.S.C. 552a(e)(4) the U.S. Arms Control and Disarmament Agency hereby gives annual notice of the existence and character of its systems of records as published at 40 FR 39665-39669 on August 28, 1975, and amended at 41 FR 21624-21626 on May 26, 1976.

Effective date. This notice shall be effective December 17, 1976.

Dated: December 1, 1976.

John F. Lehman, Jr.
Acting Director

ACDA—1

System name: Official Personnel Records—ACDA

System location: Agency Headquarters, Department of State Building, 320 21st St., NW., Washington, D.C. 20451

Categories of individuals covered by the system: All ACDA personnel, including consultants.

Categories of records in the system: Records relating to employment, including but not limited to personal qualifications statement, performance rating, personnel actions, insurance and conflict of interest, except to the extent controlled by the CSC.

Authority for maintenance of the system: Executive order 10561.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Available to ACDA management officials for use in evaluating performance and entitlement to rights under the Federal Personnel System. Also generally available to management officials in other agencies in connection with pre-employment verification.

In the event that these records indicate a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, State, local or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto.

A record from this system of records may be disclosed as a routine use to a Federal, State or local agency maintaining civil, criminal or other relevant enforcement information or other pertinent information, such as current licenses, if necessary to obtain information relevant to an agency decision concerning the hiring or retention of an employee. The issuance of a security clearance, the letting of a contract, or the issuance of a license, grant or other benefit.

A record from this system of records may be disclosed to a Federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

The information contained in this system of records will be disclosed to the Office of Management and Budget in connection with the review of private relief legislation as set forth in OMB Circular No. A-19 at any stage of the legislative coordination and clearance process as set forth in that circular.

Disclosure may be made to a congressional office as a routine use from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Disclosure may be made to financial and credit institutions for loan and credit purposes to verify the employee's employment with ACDA, date of employment, present and past positions, titles, grades, salaries, and duty stations.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system: The policies and practices of the agency regarding storage, retrievability, access control, retention and disposal of these records are directed by the Civil Service Commission in accordance with Federal Personnel Manual Supplement 296-31.

Storage: Same as above.

Retrievability: Same as above.

Safeguards: Same as above.

Retention and disposal: Same as above.

System manager(s) and address: Personnel Officer, Rm 5720.

Notification procedure: Privacy Act Officer, Rm 5725.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Both internal agency sources and other federal agencies which have previously employed an ACDA employee.

ACDA—2

System name: Pending Personnel Files—ACDA

System location: Agency Headquarters

Categories of individuals covered by the system: All individuals currently under consideration for employment, including pending consultants.

Categories of records in the system: Forms relating to employment, including but not limited to personal qualifications statement, resume, and tenure, health insurance and life insurance forms.

Authority for maintenance of the system: 22 U.S.C. 2581

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Used by ACDA management for the evaluation of employment potential and to establish entitlement to rights under the Federal Personnel System.

In the event that these records indicate a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred as a routine use, to the appropriate agency, whether Federal, State, local or foreign, charged with the reponsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued, pursuant thereto.

A record from this system of records may be disclosed as a routine use to a Federal, State or local agency maintaining civil, criminal or other relevant enforcement information or other pertinent information, such as current licenses, if necessary to obtain information relevant to an agency decision concerning the hiring or retention of an employee. The issuance of a security clearance, the letting of a contract, or the issuance of a license, grant or other benefit.

A record from this system of records may be disclosed to a Federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

Disclosure may be made to a congressional office as a routine use from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Maintained in standard file folders.

Retrievability: By last name of individual.

Safeguards: Records are maintained in a bar-lock steel cabinet.

Retention and disposal: Records are maintained only until a final decision is made regarding employment and are then either destroyed or replaced by an official personnel folder; access limited to ACDA management on a need-to-know basis.

System manager(s) and address: Personnel Officer, Rm. 5720.

Notification procedure: Privacy Act Officer, Rm. 5725.

Record access procedures: Privacy Act Officer, Rm 5725.

Contesting record procedures: Same as above.

Record source categories: Individual on whom the record is maintained, previous employers, internal agency sources.

ACDA—3

System name: Security Records—ACDA

System location: Agency Headquarters

Categories of individuals covered by the system: All current and former ACDA employees, including employees of contractors.

Categories of records in the system: Contains questionnaires completed by the individual. Personal qualifications statement, AEC1 (Parts I & II), AEC—0115 security acknowledgement, release forms. Contains forms relating to security clearances, including letter requesting investigation, investigative reports, memo of security clearance, notification of "Q" clearance, reports of security violations and classified visit requests, may also contain memo of medical determination and memo advising of eligiblity for special clearances.

Authority for maintenance of the system: 22 U.S.C. 2585

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Used by a limited number of ACDA management officials and management officials of other agencies to evaluate employment potential, suitability for federal employment, and access to classified information.

In the event that these records indicate a violation or potential violation of law, whether civil, criminal, or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred as a routine use to the appropriate agency, whether Federal, State, local or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto.

A record from this system of records may be disclosed as a routine use to a Federal, State or local agency maintaining civil, criminal or other relevant enforcement information or other pertinent information, such as current licenses, if necessary to obtain information relevant to an agency decision concerning the hiring or retention of an employee. The issuance of a security clearance, the letting of a contract or the issuance of a license, grant or other benefit.

A record from this system of records may be disclosed to a Federal agency; in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

The information contained in this system of records will be disclosed to the Office of Management and Budget in connection with the review of private relief legislation as set forth OMB Circular No. A-19 at any stage of the legislative coordination and clearance process as set forth in that circular.

Disclosure may be made to a congressional office as a routine use from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Maintained in standard file folders.

Retrievability: By last name of individual.

Safeguards: Files maintained in accordance with the strictest security requirements applicable to classified documents, records maintained in a three-way combination lock steel container, access only on a need-to-know basis, based on the above routine uses.

Retention and disposal: Records once established are maintained indefinitely.

System manager(s) and address: Chief of Security, Rm 5731.

Notification procedure: Privacy Act Officer, Rm 5725.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Federal investigative agencies, State Department Medical Bureau, individual on whom the record is maintained, internal agency sources.

Systems exempted from certain provisions of the act: Investigatory material compiled solely for the purpose of determining suitability, eligibility, or qualifications for federal civilian employment, military service, federal contracts, or access to classified information is exempted from the provisions of the act, in accordance with subsection (K)(5) of the act and section 603.7(A)(3) of the agency regulations concurrently published, but only to the extent that the disclosure of such material would reveal the identity of a source who furnished information to the government under an express promise that the identity of the source would be held in confidence, or, prior to the effective date of this section, under an implied promise that the identity of the source would be held in confidence. Investigatory material compiled for law enforcement purposes is also exempted from the provisions of the act, in accordance with subsection (K)(2) of the act and section 603.7(A)(2) of the agency regulations concurrently published, provided however that if any individual is denied any right, privilege, or benefit to which he would otherwise be entitled by federal law, or for which he would otherwise be eligible, as a result of the maintenance of such material, such material shall be provided to such individual, except to the extent that the disclosure of such material would reveal the identity of a source who furnished information to the government under an express promise that the identity of the source would be held in confidence, or, prior to the effective date of this section, under an implied promise that the identity of the source would be held in confidence.

ACDA—4

System name: Statements by principals during the Strategic Arms Limitation Talks, Mutual Balanced Force Reduction Negotiations, and the Standing Consultative Committee—ACDA.

System location: Agency Headquarters.

Categories of individuals covered by the system: Members of Delegations of U.S. and foreign governments concerned with the subject negotiations.

Categories of records in the system: Transcripts of official statements made by principals in negotiating sessions.

Authority for maintenance of the system: 22 U.S.C. 2551; Executive Order 11044, Sec. 4.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Available as necessary background material to ACDA officers and management officials of other agencies concerned with the formulation and implementation of U.S. Arms Control objectives.

Disclosure may be made to a congressional office as a routine use from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Maintained on computer tape.

Retrievability: Indexed by several data elements, including last name of principal. Discs are stored in accordance with strictest security measures applicable to secret/restricted data. They are loaded only upon request. Listings prepared from tapes are maintained in accordance with security requirements, according to the highest classification on the list.

Safeguards: Access limited, on a need-to-know basis, to ACDA managers and management of other federal agencies with appropriate security clearances, who are involved in formulation of arms control policy.

Retention and disposal: Records are maintained indefinitely.

System manager(s) and address: Chief, Communications and Service Section, Rm. 5666.

Notification procedure: Privacy Act Officer, Rm. 5725.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Transcripts of negotiations.

System name:

Systems exempted from certain provisions of the act: Because the information contained in this system is data classified for reasons of national security pursuant to Executive Order 11652, it has been ruled exempt from the disclosure provisions of the act by section 603.7(A)(1) of concurrently published agency regulations in accordance with sec. (K)(1) of the act.

ACDA—5

System name: Top Secret Document Control File—ACDA

System location: Agency Headquarters.

Categories of individuals covered by the system: Any individual holding a top secret document under ACDA's physical control.

Categories of records in the system: Contains a listing of those Top Secret Documents to which an individual has had access and for which he is accountable.

Authority for maintenance of the system: Executive Order 11652, Sec. 6(E).

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Available to ACDA management to determine personal accountability for Top Secret Documents also available as a routine use to Federal law enforcement officials to determine access to and accountability for top secret documents.

In the event that these records indicate a violation or potential violation of law, whether civil, criminal or regulator in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, State, local or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto.

A record from this system of records may be disclosed as a routine use to a Federal, State, or local agency maintaining civil, criminal or other relevant enforcement information or other pertinent information, such as current licenses, if necessary to obtain information relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant or other benefit.

A record from this system of records may be disclosed to a Federal agency in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

Disclosure may be made to a congressional office as a routine use from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Maintained on data index cards.

Retrievability: Through card sorting.

Safeguards: Records maintained in bar-lock steel cabinet. Access limited, on a need-to-know basis.

Retention and disposal: Records are maintained indefinitely.

System manager(s) and address: Chief, Communications and Services Section, Rm. 5666.

Notification procedure: Privacy Act Officer, Rm. 5725.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Internal agency sources.

ACDA—6

System name: Document Classifier Data Index—ACDA

System location: Agency Headquarters

Categories of individuals covered by the system: ACDA personnel with authority under Executive Order 11652 to classify documents in the interest of national security.

Categories of records in the system: Contains names listing of documents classified by a particular individual.

Authority for maintenance of the system: Executive Order 11652, Sec. 13.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Available to ACDA management officials and management officials of other agencies on a need-to-know basis, for the purpose of determining the original classifier of a classified document and to identify any misuse of the National Security Classification Authority.

In the event that these records indicate a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, State, local or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto.

A record from this system of records may be disclosed as a routine use to a Federal, State, or local agency maintaining civil, criminal or other relevant enforcement information, or other pertinent information, such as current licenses, if necessary to obtain information relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant or other benefit.

A record from this system of records may be disclosed to a Federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

Disclosure may be made to a congressional office as a routine use from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Maintained on data index cards.

Retrievability: Retrieved by card sorting.

Safeguards: Records maintained in a standard bar-lock steel cabinet.

Retention and disposal: Records are maintained indefinitely.

System manager(s) and address: Chief, Communications and Services Section, Rm. 5666.

Notification procedure: Privacy Act Officer, Rm. 5725.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Internal agency sources.

ACDA—7

System name: Congressional Information and Attitudes File—ACDA

System location: Agency Headquarters

Categories of individuals covered by the system: Selected U.S. Senators and Representatives

Categories of records in the system: Contains biographical material, voting records, Public Statements by members of Congress relating to arms control issues, correspondence and records of conversations and briefings by agency personnel.

Authority for maintenance of the system: 22 U.S.C. 2551.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Available to agency officials for background and briefing purposes.

Disclosure may be made to a congressional office as a routine use from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Maintained on standard file folders.

Retrievability: Filed by last name.

Safeguards: Maintained in bar-lock steel cabinet.

Retention and disposal: Maintained until the Subject Member of Congress leaves office.

System manager(s) and address: Congressional liason officer, Rm. 5534.

Notification procedure: Privacy Officer, Rm. 5725.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Congressional Directory, Congressional Quarterly, Congressional Records, Members of Congress on whom records are maintained, public speeches and minutes of meetings.

ACDA—8

System name: External Contracts (Other than Small Purchases)—ACDA

System location: Control Data Corp., 6003 Executive Blvd. Rockville, Md. 20852.

Categories of individuals covered by the system: Individuals performing work on contracts for the agency.

Categories of records in the system: Name of individual, amount of contract, date of award, title of contract, research category, fiscal year, type of business, reporting requirements.

Authority for maintenance of the system: 22 U.S.C. 2571, 2581; 40 U.S.C. 481.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Available to agency officials for the purpose of determining progress on agency contracts, including research and completed research in various categories and dollar amount by fiscal year. Also available to Congressional committees for purposes of authorization hearings.

In the event that these records indicate a violation or potential violation of law, whether civil, criminal, or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, State, local or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation, or order issued pursuant thereto.

A record from this system of records may be disclosed as a routine use to a Federal State or local agency maintaining civil, criminal or other relevant enforcement information or other pertinent information, such as current licenses, if necessary to obtain information relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant or other benefit.

A record from this system of records may be disclosed to a Federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license grant or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

The information contained in this system of records will be disclosed to the Office of Management and Budget in connection with the review of private relief legislation as set forth in OMB Circular No. A-19 at any stage of the legislative coordination and clearance process as set forth in that circular.

Disclosure may be made to a congressional office as a routine use from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Maintained on computer tape.

Retrievability: By last name of contractor or project number.

Safeguards: Computer printouts are kept in bar-lock steel cabinets; access limited on a need-to-know basis, in accordance with the above routine uses.

Retention and disposal: Records are maintained for six years after final settlement and then destroyed.

System manager(s) and address: Contracting Officer, Rm. 5534.

Notification procedure: Privacy Act Officer, Rm. 5725.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Individual on whom the record is maintained, internal agency sources.

ACDA—9

System name: Privacy Act Requests File—ACDA

System location: Agency Headquarters

Categories of individuals covered by the system: Requesters for information or other services provided by the agency under The Privacy Act of 1974.

Categories of records in the system: Requests for information or other services provided by the agency under The Privacy Act of 1974, including but not limited to agency responses thereto.

Authority for maintenance of the system: 5 U.S.C. 552A.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Available to agency officials for use in monitoring and evaluating requests for information or other services provided by the agency under The Privacy Act of 1974. In the event that these records indicate a violation or potential violation of law, whether civil, criminal or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, State, local or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto.

A record from this system of records may be disclosed as a routine use to a Federal, State or local agency maintaining civil, criminal or other relevant enforcement information or other pertinent information, such as current licenses, if necessary to obtain information relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant or other benefit.

A record from this system of records may be disclosed to a Federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

Disclosure may be made to a congressional office as a routine use from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Maintained in standard file folders.

Retrievability: By last name of individual requester.

Safeguards: Records are maintained in a bar-lock steel cabinet.

Retention and disposal: Records are maintained as long as the systems of records which have been the subject of Privacy Act requests are active, or for a period of five years after the agency response to the request, whichever is longer.

System manager(s) and address: Privacy Officer, Rm. 5725.

Notification procedure: Same as above.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Authors of Privacy Act requests.

ACDA—10

System name: Freedom of Information Act Requests

System location: Agency Library, Department of State Building, Rm. 5672 320 21st St., NW., Washington, D.C. 20451.

Categories of individuals covered by the system: Requesters for information under the Freedom of Information Act.

Categories of records in the system: Requests for information under the Freedom of Information Act and agency disposition thereof.

Authority for maintenance of the system: 5 U.S.C. 552.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Available to agency officials for use in monitoring and evaluating requests for information under the Freedom of Information Act.

Disclosure may be made to a congressional office as a routine use from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Maintained on standard 3x5 file cards.

Retrievability: By last name of individual requester.

Safeguards: Records are maintained in a bar-lock steel cabinet.

Retention and disposal: Records are maintained indefinitely.

System manager(s) and address: Freedom of Information Officer, Rm. 5672.

Notification procedure: Privacy Act Officer, Rm. 5725.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Authors of Freedom of Information Act requests.

ACDA—11

System name: World Military Expenditures Mailing List—ACDA

System location: Agency headquarters, Department of State Building, 320 21st St., NW., Washington, D.C. 20451.

Categories of individuals covered by the system: Requesters of the publication "World Military Expenditures and Arms Transfers".

Categories of records in the system: Names and addresses of requesters of the publication.

Authority for maintenance of the system: 22 U.S.C. 2551.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Available to Agency officials for use in disseminating current editions of the publication "World Military Expenditures and Arms Transfers".

Disclosure may be made to a congressional office as a route use from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Maintained on standard 3x5 file cards.

Retrievability: By last name of requester.

Safeguards: Records are maintained in a bar-lock steel cabinet.

Retention and disposal: Records are maintained indefinitely.

System manager(s) and address: Project Officer for WMEAT.

Notification procedure: Privacy Act Officer, Room 5725.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Authors of requests for the publication.

ACDA—12

System name: ACDA mailing list

System location: State Department Computer Bank, Department of State Building, 320 21st St., NW., Washington, D.C. 20451.

Categories of individuals covered by the system: Requesters of information on arms control and related affairs.

Authority for maintenance of the system: 22 U.S.C. 2551.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Available to Agency officials for use in disseminating public information and publications concerning arms control and related affairs.

Disclosure may be made to a congressional office as a routine use from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Maintained on computer tape.

Retrievability: By last name of requester.

Safeguards: Records are maintained in the computer which has limited access for official use only by authorized personnel.

Retention and disposal: Records are maintained for two years at which time the individuals are sent an address card which must be filled out and returned or the name and address of the individual concerned will be removed from the list.

System manager(s) and address: Deputy Public Affairs Advisor, Room 5923:

Notification procedure: Privacy Act Officer, Room 5725.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Authors of requests for information on arms control and related affairs.

ACDA—13

System name: Travel Authorization File—ACDA

System location: Agency Headquarters, Department of State Building, 230 21st St., NW., Washington, D.C. 20451.

Categories of individuals covered by the system: Any individuals who travel on Agency business.

Categories of records in the system: Travel authorizations and completed travel vouchers.

Authority for maintenance of the system: 31 U.S.C. 200; 31 U.S.C. 66a.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Available to Agency officials for use in monitoring official Agency travel.

In the event that these records indicate a violation or potential violation of law, whether civil, criminal, or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, State, local or foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto.

A record from this system of records may be disclosed as a routine use to a Federal, State, or local agency maintaining civil, criminal or other relevant enforcement information or other pertinent information, such as current licenses, if necessary to obtain information relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant or other benefit.

A record from this system of records may be disclosed to a Federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant or other benefit by the requesting agency, to the extent that the information is relevant and necessary to the requesting agency's decision on the matter.

The information contained in this system of records will be disclosed to the Office of Management and Budget in connection with the review of private relief legislation as set forth in OMB Circular No. A-19 at any stage of the legislative coordination and clearance process as set forth in that circular.

Disclosure may be made to a congressional office as a routine use from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Maintained in standard file folders.

Retrievability: By last name of traveler.

Safeguards: Records are maintained in a bar-lock steel cabinet.

Retention and disposal: Records are maintained three years.

System manager(s) and address: Budget Officer, State Department Annex No. 6, Room 804.

Notification procedure: Privacy Act Officer, Room 5725.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Individuals who travel on official Agency business.

ACDA—14

System name: Confidential Statement of Employment and Financial Interests Records—ACDA

System location: Agency Headquarters, Department of State Building, 320 21st St., NW., Washington, D.C. 20451.

Categories of individuals covered by the system: Special Government employees (consultants) of the Agency and individuals occupying positions listed in 22 CFR 606.735-71(a).

Categories of records in the system: Statements of Employment and Financial Interests and letters and memoranda relating thereto, except to the extent controlled by the CSC.

Authority for maintenance of the system: Exceutive Order 11222.

Routine uses of records maintained in the system, including categories of users and the purposes of such uses: Available to the Agency Ethics Counselor and Deputy Ethics Counsel and to other Agency personnel on a need-to-know basis as may be required in the performance of their duties. Records in the system may also be used as follows, except that information from a statement may be disclosed only upon the determination of the CSC or the ACDA Director that such disclosure is for good cause shown;

In the event that these records indicate a violation or potential violation of law, whether civil, criminal, or regulatory in nature, and whether arising by general statute or particular program statute, or by regulation, rule or order issued pursuant thereto, the relevant records in the system of records may be referred, as a routine use, to the appropriate agency, whether Federal, State, local or

foreign, charged with the responsibility of investigating or prosecuting such violation or charged with enforcing or implementing the statute, or rule, regulation or order issued pursuant thereto.

A record from this system of records may be disclosed as a routine use to a Federal, State, or local agency maintaining civil, criminal or other relevant enforcement information or other pertinent information, such as current licenses, if necessary to obtain information relevant to an agency decision concerning the hiring or retention of an employee, the issuance of a security clearance, the letting of a contract, or the issuance of a license, grant or other benefit.

A record from this system of records may be disclosed to a Federal agency, in response to its request, in connection with the hiring or retention of an employee, the issuance of a security clearance, the reporting of an investigation of an employee, the letting of a contract, or the issuance of a license, grant or other benefit by the requesting agency, to the extent that the information is relevant and necesssary to the requesting agency's decision on the matter.

The information contained in this system of records will be disclosed to the Office of Management and Budget in connection with the review of private relief legislation as set fourth in OMB Circular No. A-19 at any stage of the legislative coordination and clearance process as set forth in that circular.

Disclosure may be made to a congressional office as a routine use from the record of an individual in response to an inquiry from the congressional office made at the request of that individual.

Policies and practices for storing, retrieving, accessing, retaining, and disposing of records in the system:

Storage: Maintained in standard file folders.

Retrievability: By last name of employee.

Safeguards: Records are maintained in a three-way combination lock steel container located in the office of the Deputy Ethics Counselor.

Retention and disposal: Records are maintained indefinitely.

System manager(s) and address: Ethics Counselor, Room 5534.

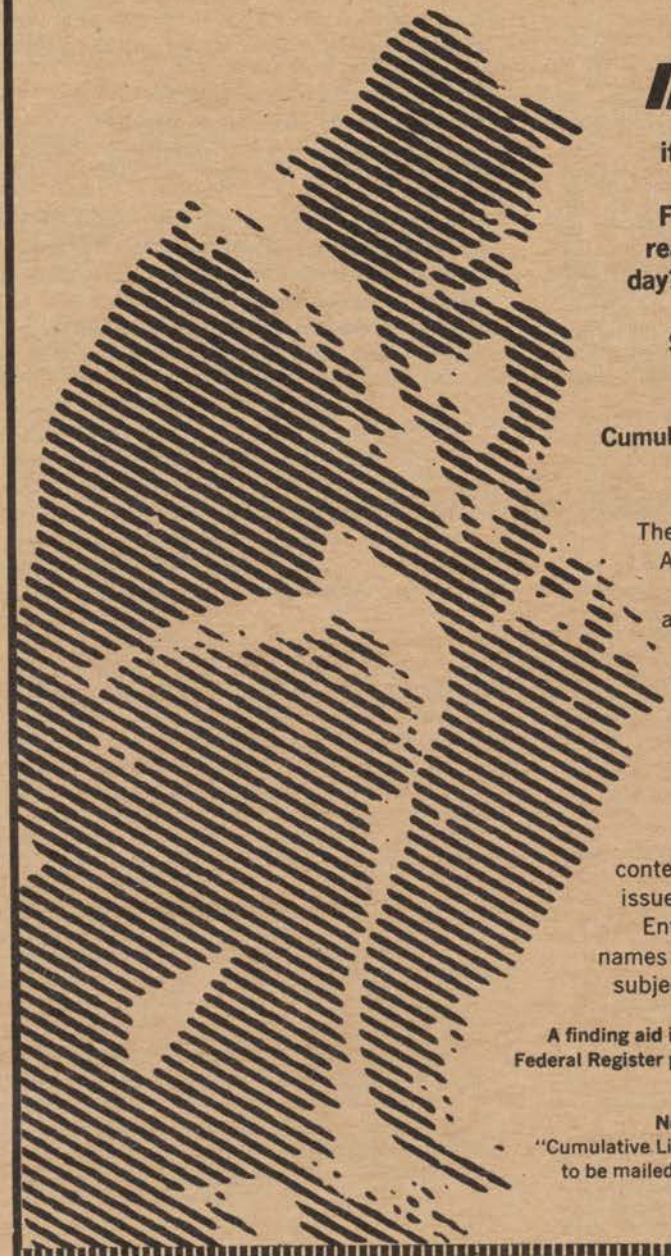
Notification procedure: Privacy Act Officer, Room 5725.

Record access procedures: Same as above.

Contesting record procedures: Same as above.

Record source categories: Individuals who file Confidential Statements of Employment and Financial Interests with the Agency.

[FR Doc.76-35799 Filed 12-1-76;4:29 pm]



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