

WEDNESDAY, OCTOBER 12, 1977



## highlights

### IMPORTANT NOTICE TO FEDERAL AGENCIES

For information on new billing codes required on all documents submitted for publication in the Federal Register after October 1, 1977, see back cover of this issue.

### "THE FEDERAL REGISTER—WHAT IT IS AND HOW TO USE IT"

Workshops include a brief history of the FEDERAL REGISTER, the difference between legislation and regulations, the relationship of the FEDERAL REGISTER to the Code of Federal Regulations, the elements of a typical FEDERAL REGISTER document, and an introduction to the finding aids.

#### OUT OF TOWN WORKSHOPS PREVIOUSLY ANNOUNCED

Baton Rouge, Louisiana, 10-26-77

(Details: 42 FR 49851, 9-28-77)

For reservations call: Mrs. Jeri Shread at (504) 344-7679

Houston, Texas, 10-27-77

(Details: 42 FR 49851, 9-28-77)

For reservations call: Tony Williams at (713) 226-5787

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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 |
| DOT/NHTSA       | USDA/FNS   |           | DOT/NHTSA       | USDA/FNS   |
| DOT/FAA         | USDA/REA   |           | DOT/FAA         | USDA/REA   |
| DOT/OHMO        | CSC        |           | DOT/OHMO        | CSC        |
| DOT/OPSO        | LABOR      |           | DOT/OPSO        | LABOR      |
|                 | HEW/ADAMHA |           |                 | HEW/ADAMHA |
|                 | HEW/CDC    |           |                 | HEW/CDC    |
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|                 | HEW/PHS    |           |                 | HEW/PHS    |

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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S. 1322..... Pub. L. 95-122  
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1977; 91 Stat. 1093). Price: \$.50.

S. 126..... Pub. L. 95-124  
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S. 602..... Pub. L. 95-123  
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# presidential documents

[ 3195-01 ]

## Title 3—The President

Executive Order 12013

October 7, 1977

### Relating to the Transfer of Certain Statistical Policy Functions

By virtue of the authority vested in me by the Constitution and statutes of the United States of America, including Reorganization Plan No. 2 of 1970 (5 U.S.C. App. II), Section 202 of the Budget and Accounting Procedures Act of 1950 (31 U.S.C. 581c), and Section 301 of Title 3 of the United States Code, and as President of the United States of America, in order to transfer certain functions from the Director of the Office of Management and Budget to the Secretary of Commerce and for other purposes, it is hereby ordered as follows:

SECTION 1. Section 1 of Executive Order No. 11541 of July 1, 1970, is amended by adding thereto the following new subsection:

“(c) The delegation to the Director of the Office of Management and Budget, pursuant to subsection (a) of this Section, of the functions vested in the Director of the Bureau of the Budget by Section 103 of the Budget and Accounting Procedures Act of 1950 (31 U.S.C. 18b) and subsequently transferred to the President by Part I of Reorganization Plan No. 2 of 1970 (5 U.S.C. App. II), is terminated on October 9, 1977.”.

SEC. 2. Executive Order No. 10253 of June 11, 1951, is amended as follows:

(a) “Director of the Bureau of the Budget” is deleted in Section 1 and “Secretary of Commerce” is substituted.

(b) “Director” is deleted wherever it appears in Sections 1, 2, 4, 5, and 6 and “Secretary” is substituted therefor.

(c) “Bureau of the Budget” is deleted in Section 6 and “Department of Commerce” is substituted.

(d) A new Section 8 is added as follows:

“Sec. 8. The performance of the functions vested in the Secretary by this Order shall be subject to any authority or responsibility vested in the Director of the Office of Management and Budget, including Chapter 35 of Title 44 of the United States Code (the Federal Reports Act).”.

SEC. 3. Executive Order No. 10033, as amended, is further amended as follows:

(a) “Director of the Bureau of the Budget” is deleted in Section 1 and “Secretary of Commerce” is substituted.

(b) “Director” is deleted wherever it appears in Sections 1, 2(a), 2(b), 2(c), 3, 4, and 5 and “Secretary” is substituted therefor.



(c) A new Section 7 is added as follows:

"Sec. 7. The performance of the functions vested in the Secretary by this Order shall be subject to any authority or responsibility vested in the Director of the Office of Management and Budget, including Chapter 35 of Title 44 of the United States Code (the Federal Reports Act)."

SEC. 4. Section 4 of Executive Order No. 11961 of January 19, 1977, is amended by deleting—

"the Council on International Economic Policy shall perform the function of making periodic reports to the Committees of the Congress as set forth in Section 4(a)(3) of the Act"

and substituting therefor—

"the Secretary of Commerce shall perform the functions set forth in Sections 4(a)(3) and (5)(c) of the Act".

SEC. 5. The records, property, personnel, and unexpended balances of appropriations, available or to be made available, which relate to the functions transferred or reassigned from the Director of the Office of Management and Budget to the Secretary of Commerce by the delegations made in this Order, are hereby transferred to the Secretary of Commerce.

SEC. 6. The Director of the Office of Management and Budget shall make such determinations, issue such orders, and take all steps necessary or appropriate to ensure or effectuate the transfers or reassignments provided by this Order, including the transfer of funds, records, property, and personnel.

SEC. 7. The Secretary of Commerce shall provide advice to the Director of the Office of Management and Budget with respect to the review and preparation of that portion of the annual Budget of the U.S. Government dealing with the gathering, interpreting, and disseminating of statistics and statistical information.

SEC. 8. (a) There is hereby established the Statistical Policy Coordination Committee, hereinafter referred to as the Committee, which shall be composed of the following members, and such other heads of Executive agencies as the President may designate:

- (1) The Secretary of Commerce, who shall be the Chairman.
- (2) The Secretary of State.
- (3) The Secretary of the Treasury.
- (4) The Secretary of Defense.
- (5) The Attorney General.
- (6) The Secretary of the Interior.
- (7) The Secretary of Agriculture.
- (8) The Secretary of Labor.
- (9) The Secretary of Health, Education, and Welfare.



- (10) The Secretary of Housing and Urban Development.
- (11) The Secretary of Transportation.
- (12) The Secretary of Energy.
- (13) The Chairman, Council of Economic Advisers.
- (14) The Director of the Office of Management and Budget.
- (15) The Chairman, Board of Governors of the Federal Reserve System is invited to be a member.

(b) The Chairman may designate any other member to act as Chairman during the absence of the Chairman. Each member of the Committee may designate an alternate to serve whenever the regular member is unable to attend any meeting. The Chairman may invite the heads of other Executive agencies or their alternates to participate in Committee deliberations whenever matters which affect the interests of such agencies are to be considered.

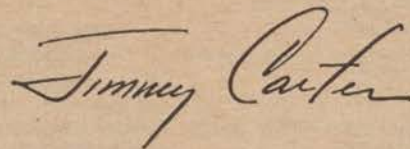
(c) The Committee shall advise and assist the President with respect to the improvement, development, and coordination of Federal and other statistical services, and shall perform such other related duties as the President may prescribe.

(d) The Secretary of Commerce, to the extent permitted by law, shall provide such administrative support and such funds as may be necessary to support the functions of the Committee.

(e) Executive agencies shall, to the extent permitted by law, provide such information and assistance as the Committee or the Chairman may request to assist in carrying out the functions of the Committee.

SEC. 9. Any rules, regulations, orders, directives, circulars, or other actions taken pursuant to the functions transferred or reassigned from the Director of the Office of Management and Budget to the Secretary of Commerce by the delegations made in this Order, shall remain in effect until amended, modified, or revoked pursuant to the delegations made in this Order.

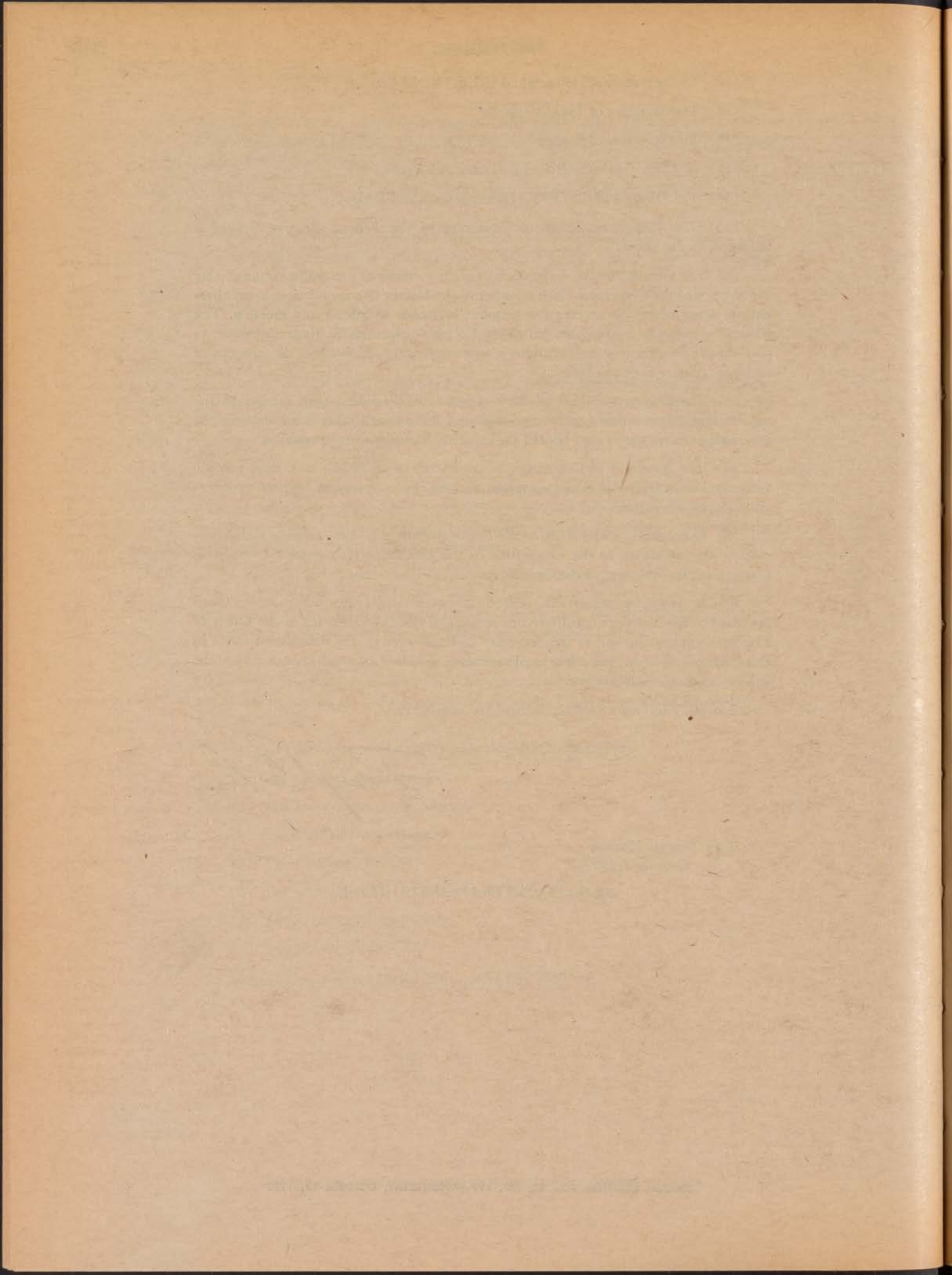
SEC. 10. This Order shall be effective October 9, 1977.



THE WHITE HOUSE,  
October 7, 1977.

[FR Doc. 77-29975 Filed 10-11-77; 11:59 am]







# 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.

## [3410-02]

### Title 7—Agriculture

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

##### PART 966—TOMATOES GROWN IN FLORIDA

###### Expenses and Rate of Assessment

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Final rule.

**SUMMARY:** This regulation authorizes expenses of \$119,500 and establishes a rate of assessment of 0.35 cent (\$0.0035) per 30-pound equivalent of tomatoes for the functioning of the Florida Tomato Committee. The regulation will enable the committee to collect assessments from first handlers on all assessable tomatoes handled and to use the resulting funds for its expenses.

**EFFECTIVE DATE:** August 1, 1977.

**FOR FURTHER INFORMATION CONTACT:**

Charles R. Brader, Deputy Director, Fruit and Vegetable Division, AMS, U.S. Department of Agriculture, Washington, D.C. 20250. Telephone: 202-447-3545.

**SUPPLEMENTARY INFORMATION:** Marketing Agreement No. 125 and Order No. 966, both as amended, regulate the handling of tomatoes grown in designated counties in Florida. It is effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674). The Florida Tomato Committee, established under the order, is responsible for its local administration.

Notice was published in the September 20 FEDERAL REGISTER (42 FR 47209) regarding the proposals. It afforded interested persons an opportunity to file written comments not later than October 4, 1977. None was filed.

After consideration of all relevant matters, including the proposals in the notice, it is found that the following expenses and rate of assessment should be approved.

It is further found that good cause exists for not postponing the effective date of this section until 30 days after publication in the FEDERAL REGISTER (5 U.S.C. 553) because this part requires that the rate of assessment for a particular fiscal period shall apply to all assessable tomatoes from the beginning of such period.

The regulation is as follows:

## § 966.214 Expenses and rate of assessment.

(a) The reasonable expenses that are likely to be incurred during the fiscal period ending July 31, 1978, by the Florida Tomato Committee for its maintenance and functioning and for such other purposes as the Secretary may determine to be appropriate will amount to \$119,500.

(b) The rate of assessment to be paid by each handler in accordance with this part shall be 0.35 cent (\$0.0035) per 30-pound container or equivalent quantity, of tomatoes handled by him as the first handler thereof during the fiscal period.

(c) Unexpended income in excess of expenses for the fiscal period may be carried over as a reserve.

(d) Terms used in this section have the same meaning as when used in the marketing agreement and this part.

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

Dated: October 5, 1977.

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

[FR Doc. 77-29745 Filed 10-11-77; 8:45 am]

## [1505-01]

### Title 17—Commodity and Securities Exchanges

#### CHAPTER II—SECURITIES AND EXCHANGE COMMISSION

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

###### CFR Correction

In Title 17 of the Code of Federal Regulations, revised as of April 1, 1977, Part 210 is corrected as follows:

1. In § 210.3-17(c), appearing on page 271, the reference to "§ 210.3-16(g)" is changed to read "§ 210.3-16(q)".

2. In § 210.5-02, under caption "25. Accounts and notes payable", appearing on page 277, paragraph (c) is reinstated as follows:

(c) The amount and terms (including commitment fees and the condition under which lines may be withdrawn) of unused lines of credit for short-term financing shall be disclosed, if significant, in the notes to the financial statements. The amount of these lines of credit which support a commercial paper borrowing arrangement or similar arrangements shall be separately identified.

3. In § 210.6-03, appearing on page 285, under caption "8. Investments—other

than securities.", the reference to "§ 210.6-02(f)" is changed to "§ 210.6-02(f)".

4. In § 210.9-05, appearing on page 315, in paragraph (a), line 2, the word "furnished" is corrected to read "furnished". The fourth line "ules of banks shall be furnished in sub-" should be deleted.

5. In § 210.11-02, appearing on page 317, the first sentence is corrected to read as follows:

"A summary shall be given for each class of other stockholders' equity as set forth in the related balance sheet," and, in caption "3. Other additions.", the second line consisting of the words "forth in the related balance sheet.", should be removed.

6. In § 210.12-08, appearing on page 321, at the beginning of footnote 3, add the following sentence: "Show by major classifications in each part, such as franchises, goodwill, etc.", before the sentence beginning with the word "If".

7. In § 210.12-12, appearing on page 323, in footnote 1, the second sentence, change the second word "of" to "or", following the word "consolidation".

8. In § 210.12-33, appearing on page 328, in footnote 5, the word "If" should appear at the beginning of the third sentence.

## [6740-02]

### Title 18—Conservation of Power and Water Resources

#### CHAPTER I—FEDERAL POWER COMMISSION

##### SUBCHAPTER D—APPROVED FORMS, FEDERAL POWER ACT

[Docket No. RM77-19; Order No. 554-A]

##### PART 141—STATEMENTS AND REPORTS (SCHEDULES)

###### Parallel Reporting Extension

AGENCY: Federal Power Commission.

ACTION: Final Rule.

**SUMMARY:** On September 15, 1976, the Commission issued Order No. 554 in Docket No. RM76-16, 41 FR 41687, requiring a limited period of parallel reporting of Form No. 3-P or other electric bill data used to compute the Consumer Price Index (CPI) in both a format existing at that time and in a new format. The parallel reporting is to insure continuity in data at a time when the Bureau of Labor Statistics (BLS) is revising the Consumer Price Index. In September 1976 it was expected that parallel reporting would be terminated in September 1977. Due to delays in implementing the revised CPI, BLS asked the Commission to order an additional fifteen months of parallel reporting from September 1977 through December 1978. Order No. 554-A implements BLS' request.



EFFECTIVE DATE: September 30, 1977.  
FOR FURTHER INFORMATION CONTACT:

William Graban, Bureau of Power,  
202-275-4731.

This order amends Order No. 554<sup>1</sup> by directing an addition in the length of time certain information is to be reported to the Commission monthly on Form No. 3-P. The amendment does not involve altering 18 CFR 141.28 which specifies the information to be completed on Form No. 3-P.

The Bureau of Labor Statistics (BLS) is revising the Consumer Price Index (CPI). The revisions include some changes in the information to be collected as well as some changes in the individual utilities required to submit reports. To insure continuity, in April, 1976 BLS requested the Commission to institute a parallel reporting system. Utilities previously submitting CPI data on the existing schedule of Form No. 3-P were to continue submitting that information through September 1977. At the same time, utilities chosen to submit data for the revised CPI were to commence reporting on the revised schedule of Form No. 3-P immediately. Because some of the utilities already submitting CPI data on the existing schedule were also to submit data to the revised CPI; a certain amount of parallel reporting was expected to occur. The Commission ordered such parallel reporting in Order No 554.

KENNETH F. PLUMB,  
Secretary.

[FR Doc. 77-29737 Filed 10-11-77; 8:45 am]

## [ 1505-01 ]

### Title 19—Customs Duties

#### CHAPTER I—UNITED STATES CUSTOMS SERVICE

[T.D. 77-241]

#### GENERAL PROVISIONS; VESSELS IN FOREIGN AND DOMESTIC TRADES; TRANSPORTATION IN BOND AND MERCHANDISE IN TRANSIT; CUSTOMS FINANCIAL AND ACCOUNTING PROCEDURE; ENTRY OF MERCHANDISE; PERSONAL DECLARATIONS AND EXEMPTIONS

NOTE.—The following document was originally published at 42 FR 54274, October 5, 1977. It is being republished today to correct various editorial and stylistic errors.

AGENCY: United States Customs Service, Department of the Treasury.

ACTION: Final rule.

SUMMARY: This rule revises the Customs Regulations setting forth the gen-

eral provisions relating to the operation of the United States Customs Service. This revision, which is part of the general revision of the Customs Regulations, follows a new format and contains changes or additions to language to clarify the former provisions.

EFFECTIVE DATE: November 4, 1977.  
FOR FURTHER INFORMATION CONTACT:

Richard M. Belanger, Attorney, Regulations and Legal Publications Division, United States Customs Service, 1301 Constitution Avenue, NW., Washington, D.C. 20229 (202-566-8237).

#### SUPPLEMENTARY INFORMATION:

##### BACKGROUND

On August 13, 1976, a notice of proposed rulemaking which would revise the Customs Regulations setting forth general provisions relating to the operation of the Customs Service was published in the FEDERAL REGISTER (41 FR 34261). The revision is part of the general revision of the Customs Regulations, and replaces Part 1 with a new Part 101. Part 101 follows a new format, and contains changes or additions to language to clarify the former provisions. No substantive changes were proposed. Interested parties were given until October 12, 1976, to submit data, views, or arguments in regard to the proposal.

##### DISCUSSION OF COMMENTS

The Customs Service received comments which pointed out several clerical or typographical errors. These have been corrected. Other comments involved substantive changes to the Customs Regulations and, consequently, were beyond the scope of this revision. These comments will be considered separately at a later time as possible amendments to new Part 101.

After review of the proposed revision, the following changes have been made:

1. The table in § 101.3 is updated to include the following changes in Customs regions, districts, and ports: Orlando, Fla., Battle Creek, Mich., and Grand Rapids, Mich., have been designated ports of entry; the port limits of Charleston, S.C., Mobile, Ala., Progreso, Tex., Dayton, Ohio, and Erie, Pa., have been extended; Richmond County, N.J., has been transferred from Region III to Region II; and the district of St. Albans, Vt., has been reorganized.

2. The table in § 101.4 is updated to reflect the transfer of supervision over the Customs station at Los Ebanos, Texas, from Hidalgo to Rio Grande City, and the reorganization of the St. Albans, Vt., district.

3. Sections 101.6 (Assignment of Customs regions to regional directors, internal affairs), 101.7 (Office of Investigations), and 101.8 (Customs laboratories) of the proposed revision are deleted. The matter formerly contained in these sections will be published annually in a

notice in the FEDERAL REGISTER in accordance with 5 U.S.C. 552(a)(1).

4. Section 101.0, relating to the scope of this part of the Customs Regulations, is changed to eliminate references to the subject matter of the deleted sections referred to in the previous paragraph.

5. Sections 101.9, 101.10, and 101.11 of the proposed revision are respectively redesignated §§ 101.6, 101.7, and 101.8. The index and Appendix I to Part 101 are changed to reflect these deletions and redesignations. Appendix I is further changed by adding a parallel reference table listing in order the old section numbers and their corresponding new section numbers.

In addition to the above changes, a number of editorial corrections have been made to the text of the provisions originally proposed. Further, conforming changes have been made to other sections of the Customs Regulations necessitated by this revision.

Accordingly, Part 1 is deleted, conforming changes are made to Parts 4, 18, and 24, and new Part 101 is adopted, as set forth below.

##### DRAFTING INFORMATION

The primary author of this revision was Richard M. Belanger, Attorney, Regulations and Legal Publications Division, Office of Regulations and Rulings, United States Customs Service (202-566-8237). However, personnel from other offices of the United States Customs Service participated in the development of the revision, both in matters of substance and style.

G. R. DICKERSON,  
Acting Commissioner of Customs.

Approved: September 22, 1977.

BETTE B. ANDERSON,  
Under Secretary of the  
Treasury.

#### PART 1—GENERAL PROVISIONS

Chapter I of Title 19, Code of Federal Regulations, is amended by deleting Part 1.

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

#### PART 4—VESSELS IN FOREIGN AND DOMESTIC TRADES

##### § 4.6 [Amended]

Section 4.6(b) is amended by substituting "101.1(b)" for "1.1".

##### § 4.81 [Amended]

Section 4.81(g)(6) is amended by substituting "101.4 (a) and (b)" for "1.3 (b) and (c)".

##### § 4.96 [Amended]

Sections 4.96 (d) and (e) are amended by substituting "101.4" for "1.2(b)" wherever it appears therein.

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

<sup>1</sup> Issued September 15, 1976 in Docket No. RM76-16, 41 FR 41087.

\* This Order was approved at the Meeting of July 20, 1977.



**PART 18—TRANSPORTATION IN BOND AND MERCHANDISE IN TRANSIT**

**§ 18.13 [Amended]**

Section 18.13(a) is amended by substituting "101.4" for "1.2".

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

**PART 24—CUSTOMS—FINANCIAL AND ACCOUNTING PROCEDURE**

**§ 24.17 [Amended]**

Section 24.17(a) (4) is amended by substituting "101.4" for "1.2" and "101.4 (b)" for "1.2(c)".

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

Chapter I of Title 19, Code of Federal Regulation, is amended by adding a new Part 101 to read as follows:

**PART 101—GENERAL PROVISIONS**

- Sec.
- 101.0 Scope.
  - 101.1 Definitions.
  - 101.2 Authority of Customs officers.
  - 101.3 Customs regions, districts and ports.
  - 101.4 Entry and clearance of vessels at Customs stations.
  - 101.5 Customs preclearance offices in foreign countries.
  - 101.6 Hours of business.
  - 101.7 Customs seal.
  - 101.8 Identification cards.

**AUTHORITY:** R.S. 251, as amended, sec. 624, 46 Stat. 759, 77A Stat. 14, 79 Stat. 1317; 5 U.S.C. 301, 19 U.S.C. 66, 1202 (Gen. Hdnote 11), 1624, Reorganization Plan I of 1965; 3 CFR 1965 Supp. Additional authority and statutes interpreted or applied are cited in the text or following the section affected.

**§ 101.0 Scope.**

This part sets forth general regulations governing the authority of Customs officers, and the location of Customs regions, districts, and ports of entry, and of Customs stations. It further sets forth regulations concerning the entry and clearance of vessels at Customs stations and a listing of Customs preclearance offices in foreign countries. In addition, this part contains provisions concerning the hours of business of Customs offices, the Customs seal, and the identification cards issued to Customs officers and employees.

**§ 101.1 Definitions.**

As used in this chapter, the following terms shall have the meanings indicated unless either the context in which they are used requires a different meaning or a different definition is prescribed for a particular part or portion thereof:

(a) *Area*. "Area" refers to any of the three administrative areas created in the Customs district of New York City, New York, which is coextensive with Customs Region II, New York City, New York, and identified as Kennedy Airport Area, Newark Area, and New York Seaport Area, each of which is under the jurisdiction of an area-director of Customs.

(b) *Customs district*. A "Customs district" is the geographical area under the

jurisdiction of a district director of Customs.

(c) *Customs region*. A "Customs region" is the geographical area under the jurisdiction of a regional commissioner of Customs.

(d) *Customs station*. A "Customs station" is any place, other than a port of entry, at which Customs officers or employees are stationed, under the authority contained in article IX of the President's Message of March 3, 1913 (T.D. 33249), to enter and clear vessels, accept entries of merchandise, collect duties, and enforce the various provisions of the Customs and navigation laws of the United States.

(e) *Customs territory of the United States*. "Customs territory of the United States" includes only the States, the District of Columbia, and Puerto Rico.

(f) *Date of entry*. The "date of entry" or "time of entry" of imported merchandise shall be the effective time of entry of such merchandise, as defined in § 141.68 of this chapter.

(g) *Date of exportation*. "Date of exportation" or "time of exportation" shall be as defined in § 152.1(c) of this chapter.

(h) *Date of importation*. "Date of importation" means, in the case of merchandise imported otherwise than by vessel, the date on which the merchandise arrives within the Customs territory of the United States. In the case of merchandise imported by vessel, "date of importation" means the date on which the vessel arrives within the limits of a port in the United States with intent then and there to unload such merchandise.

(i) *Duties*. "Duties" means Customs duties and any internal revenue taxes which attach upon importation.

(j) *Entry or withdrawal for consumption*. "Entry or withdrawal for consumption" means entry for consumption or withdrawal from warehouse for consumption.

(k) *Importer*. "Importer" means the person primarily liable for the payment of any duties on the merchandise, or an authorized agent acting on his behalf. The importer may be:

- (1) The consignee, or
- (2) The importer of record, or
- (3) The actual owner of the merchandise, if an actual owner's declaration and superseding bond has been filed in accordance with § 141.20 of this chapter, or

(4) The transferee of the merchandise, if the right to withdraw merchandise in a bonded warehouse has been transferred in accordance with subpart C of Part 144 of this chapter.

(l) *Port and port of entry*. The terms "port" and "port of entry" refer to any place designated by Executive order of the President, by order of the Secretary of the Treasury, or by Act of Congress, at which a Customs officer is authorized to accept entries of merchandise to collect duties, and to enforce the various provisions of the Customs and navigation laws. The terms "port" and "port of entry" incorporate the geographical area under the jurisdiction of a port director

when such port is one other than a district headquarters port. (The Customs District of the Virgin Islands, although under the jurisdiction of the Secretary of the Treasury, has its own Customs laws (48 U.S.C. 1406(i)). This district, therefore, is outside the Customs territory of the United States and the ports thereof are not "ports of entry" within the meaning of these regulations.)

(m) *Principal field officer*. A "Principal field officer" is an officer in the field service whose immediate supervisor is located at Customs Service Headquarters.

**§ 101.2 Authority of Customs officers.**

(a) *Supremacy of delegated authority*. Action taken by any person pursuant to authority delegated to him by the Secretary of the Treasury, whether directly or by subdelegation, shall be valid despite the existence of any statute or regulation, including any provision of this chapter, which provides that such action shall be taken by some other person. Any person acting under such delegated authority shall be deemed to have complied with any statute or regulation which provides or indicates that it shall be the duty of some other person to perform such action.

(b) *Consolidation of functions*. Any reorganization of the Customs Service or consolidation of the functions of two or more persons into one office which results in the failure of a designated customs officer to perform an action required by statute or regulation, shall not invalidate the performance of that action by any other Customs officer.

**§ 101.3 Customs regions, districts and ports.**

(a) *Redesignation of Customs districts and ports of entry*. The Under Secretary of the Treasury, pursuant to authority delegated by the Secretary of the Treasury, is authorized from time to time, as the needs of the Customs Service may require, to rearrange or consolidate the Customs districts, to discontinue ports of entry by abolishing them and establishing others in their place, and to change the location of the headquarters in any Customs district as the needs of the Customs Service may require.

(b) *Customs regions, districts and ports of entry listed*. The following is a list of Customs regions and districts, with a list of the ports in each district. (The Customs region of New York City, New York, is coextensive with the Customs district of New York City, New York). The first-named port in each district, listed in capital letters, is the headquarters port. Many of the ports listed were created by the President's message of March 3, 1913, concerning a reorganization of the Customs Service pursuant to the Act of August 24, 1912 (37 Stat. 434; 19 U.S.C. 1). Subsequent orders of the President or of the Secretary of the Treasury which affected these ports, or which created (or subsequently affected) additional ports, are cited following the name of the ports.



## RULES AND REGULATIONS

| Region |                   | Districts             |   |   |
|--------|-------------------|-----------------------|---|---|
| No.    | Head-quarters     | Name and headquarters | Area  | Ports of entry  |
|        | Boston, Mass.     | Portland, Maine.      | The States of Maine and New Hampshire except the county of Coos.  | <p>PORTLAND, MAINE, including territory described in E.O. 9297, Feb. 1, 1943; 8 F.R. 1479.</p> <p>Bangor, Maine, including Brewer, Maine (E.O. 9297, Feb. 1, 1943; 8 F.R. 1479).</p> <p>Bar Harbor, Maine, including Mount Desert Island, the city of Ellsworth, and the townships of Hancock, Sullivan, Sorrento, Gouldsboro, and Winter Harbor (E.O. 4572, Jan. 27, 1927).</p> <p>Bath, Maine, including Booth Bay and Wiscasset (E.O. 4556, Dec. 15, 1925).</p> <p>Belfast, Maine, including Searsport (E.O. 6754, June 28, 1934).</p> <p>Bridgewater, Maine (E.O. 8079, Apr. 4, 1939; 4 F.R. 1475).</p> <p>Calais, Maine, including townships of Calais, Robbinston, and Baring (E.O. 6284, Sept. 13, 1933).</p> <p>Eastport, Maine, including Lubec and Cutler (E.O. 4296, Aug. 26, 1925).</p> <p>Fort Fairfield, Maine.</p> <p>Fort Kent, Maine.</p> <p>Houlton, Maine (E.O. 4156, Feb. 14, 1925).</p> <p>Jackman, Maine, including the townships of Jackman, Sandy Bay, Bald Mountain, Holeb, Attuan, Lowelltown, Dennistown, and Moose River (T.D. 54683).</p> <p>Jonesport, Maine, including the towns (townships) of Beals, Jonesboro, Roque Bluffs, and Machiasport (E.O. 4296, Aug. 26, 1925; E.O. 8695, Feb. 25, 1941).</p> <p>Limestone, Maine.</p> <p>Madawaska, Maine.</p> <p>Portsmouth, N.H., including Kittery, Maine.</p> <p>Rockland, Maine.</p> <p>Van Buren, Maine.</p> <p>Vanceboro, Maine.</p> |
|        | St. Albans, Vt.   |                       | The State of Vermont and the county of Coos, N.H.   | <p>ST. ALBANS, VT., including township of St. Albans (E.O. 3925, Nov. 13, 1923; E.O. 7032, June 15, 1937; 2 F.R. 1042; T.D. 77-165).</p> <p>Beecher Falls, Vt.</p> <p>Burlington, Vt., including the town of South Burlington (T.D. 54677).</p> <p>Derby Line, Vt.</p> <p>Highgate Springs/Alburg, Vt., including territory described in T.D. 77-165.</p> <p>Norton, Vt., including the territory described in T.D. 73-249.</p> <p>Richford, Vt.</p>  |
|        | Boston, Mass.     |                       | The State of Massachusetts.   | <p>BOSTON, including territory and waters adjacent thereto described in T.D. 56493.</p> <p>Fall River, including territory described in T.D. 54476.</p> <p>Gloucester.</p> <p>Lawrence, including the territory described in T.D. 71-12; E.O. 5444, Sept. 16, 1930; E.O. 10088, Dec. 3, 1949; 14 F.R. 7287.</p> <p>New Bedford.</p> <p>Plymouth.</p> <p>Salem, including Beverly, Marblehead, Lynn, and Peabody (E.O. 9207, July 29, 1942).</p> <p>Springfield (T.D. 69-189).</p> <p>Worcester.</p>   |
|        | Providence, R.I.  |                       | The State of Rhode Island.  | <p>PROVIDENCE, including the territory described in T.D. 67-3.</p> <p>Newport.</p>  |
|        | Bridgeport, Conn. |                       | The State of Connecticut.   | <p>BRIDGEPORT, including territory described in T.D. 68-224.</p> <p>Hartford, including territory described in T.D. 68-224.</p> <p>New Haven, including territory described in T.D. 68-224.</p> <p>New London, including territory described in T.D. 68-224.</p>  |
|        | Ogdensburg, N.Y.  |                       | The counties of Clinton, Essex, Franklin, St. Lawrence, Jefferson, and Lewis, in the State of New York.   | <p>OGDENSBURG.</p> <p>Alexandria Bay, including territory described in E.O. 10042, Mar. 10, 1949; 14 F.R. 1155.</p> <p>Cape Vincent.</p> <p>Champlain-Rouses Point, including territory described in T.D. 67-68.</p> <p>Chateaugay.</p> <p>Clayton.</p> <p>Fort Covington.</p> <p>Massena (T.D. 54834).</p> <p>Trout River (T.D. 56074).</p>  |
|        | Buffalo, N.Y.     |                       | The counties of Oswego, Oneida, Onondaga, Cayuga, Seneca, Wayne, Broome, Tompkins, Chenango, Madison, Cortland, Hamilton, Schuyler, Chemung, Herkimer, Monroe, Ontario, Livingston, Yates, Steuben, Orleans, Genesee, Wyoming, Allegany, Erie, Niagara, Cattaraugus, Chautauqua, and Tioga, in the State of New York. | <p>BUFFALO - NIAGARA FALLS, N.Y., (T.D. 56512).</p> <p>Oswego.</p> <p>Rochester.</p> <p>Sodus Point.</p> <p>Syracuse.</p> <p>Utica.</p>   |



| Region |                     |                       | Districts  |  |
|--------|---------------------|-----------------------|--|--|
| No.    | Head-quarters       | Name and headquarters | Area   | Ports of entry   |
| II     | New York City, N.Y. | New York City, N.Y.   | The counties of Sussex, Passaic, Hudson, Bergen, Essex, Union, Middlesex, and Monmouth, in the State of New Jersey and that part of the State of New York not expressly included in the districts of Buffalo and Ogdensburg. (The district is divided into 3 areas; namely, Kennedy Airport area, Newark area, and New York seaport area, the limits of which are described in T.D. 71-19 and T.D. 76-59). | NEW YORK, N.Y., including territory described in E.O. 4205, Apr. 15, 1925; T.D. 53786. Albany, N.Y. Perth Amboy, N.J.  |
| III    | Baltimore, Md.      | Philadelphia, Pa.     | The State of Pennsylvania except the county of Erie, the State of Delaware, and that part of the State of New Jersey not included in the district of New York City.  | PHILADELPHIA, PA., including Camden and Gloucester City, N.J., and territory described in E.O. 7840, Mar. 15, 1938; 3 F.R. 687; T.D. 53738 and T.D. 54303. Chester Pa. (E.O. 7706, Sept. 11, 1937; 2 F.R. 1948). Harrisburg, Pa. (T.D. 71-233). Pittsburgh, Pa., including the territory described in T.D. 67-107. Wilkes-Barre/Scranton, Pa., including the territory described in T.D. 75-64. Wilmington, Del., including territory described in T.D. 54202; E.O. 4496, Aug. 12, 1926. BALTIMORE, MD., including territory described in T.D. 68-123. Annapolis, Md. Cambridge, Md. (E.O. 3888, Aug. 13, 1923). Crisfield, Md. WASHINGTON, D.C., including the territory described in T.D. 68-67. Alexandria, Va. (T.D. 68-67).   |
|        |                     | Baltimore, Md.        | The State of Maryland except the counties of Montgomery and Prince Georges.  |  |
|        |                     | Washington, D.C.      | The District of Columbia, the counties of Montgomery and Prince Georges, in the State of Maryland; the counties of Loudoun, Fairfax, and Arlington, and the city of Alexandria, in the State of Virginia, including any independent cities and towns within the boundaries of such counties.   |  |
|        |                     | Norfolk, Va.          | The State of Virginia except the counties of Loudoun, Fairfax, and Arlington, and the city of Alexandria, including any independent cities and towns within the boundaries of such counties, and the State of West Virginia.   | NORFOLK AND NEWPORT NEWS including the waters and shores of Hampton Roads. Cape Charles City. Charleston, W. Va., including the territory described in T.D. 73-221. Reedville. Richmond-Petersburg, including the territory described in T.D. 68-179.  |
| IV     | Miami, Fla.         | Wilmington, N.C.      | The State of North Carolina.   | WILMINGTON, including townships of Northwest, Wilmington, and Cape Fear (E.O. 7701, Dec. 3, 1937; 2 F.R. 2679, and territory described in E.O. 10042, Mar. 10, 1949; 14 F.R. 1155). Beaufort-Morehead City (T.D. 55637). Charlotte (T.D. 56079). Durham (E.O. 4876, May 3, 1928), including territory described in E.O. 9433, Apr. 6, 1944; 9 F.R. 3761. Reidsville (E.O. 5159, July 18, 1929), including territory described in E.O. 9433, Apr. 6, 1944; 9 F.R. 3761. Winston-Salem (E.O. 2366, Apr. 24, 1916). CHARLESTON, including territory described in T.D. 76-142. Georgetown. Greenville-Spartanburg, S.C., including territory described in T.D. 70-148. SAVANNAH, including territory described in E.O. 8367, Mar. 5, 1940; 5 F.R. 985. Atlanta, including territory described in T.D. 55548. Brunswick. TAMPA, including territory described in T.D. 68-91. Boca Grande. Fernandina Beach, including St. Marys, Ga. (T.D. 53033). Jacksonville (T.D. 69-45). Orlando (T.D. 76-306). Port Canaveral, Fla., including territory described in T.D. 66-212. St. Petersburg (E.O. 7928, July 14, 1938; 3 F.R. 1749, including territory described in T.D. 53994). |
|        |                     | Charleston, S.C.      | The State of South Carolina.   | MIAMI, FLA., including territory described in T.D. 53514. Key West, including territory described in T.D. 53994. Port Everglades (E.O. 5770, Dec. 31, 1931), including territory described in T.D. 53514. Mail: Fort Lauderdale, Fla. West Palm Beach (E.O. 4324, Oct. 15, 1925), including territory described in T.D. 53514.   |
|        |                     | Savannah, Ga.         | The State of Georgia, except the north shore of the St. Marys River and the city of St. Marys, Ga.   |  |
|        |                     | Tampa, Fla.           | The north shore of the St. Marys River and the city of St. Marys, Ga., and all the State of Florida lying east of the east bank of the Ochlockonee River except the counties of Hendry, Indian River, St. Lucie, Martin, Okeechobee, Palm Beach, Collier, Broward, Monroe, and Dade.   |  |
|        |                     | Miami, Fla.           | The counties of Hendry, Indian River, St. Lucie, Martin, Okeechobee, Palm Beach, Collier, Broward, Monroe, and Dade in the State of Florida.   |  |



## RULES AND REGULATIONS

| Region |                  |                                    | Districts  |  |
|--------|------------------|------------------------------------|--|--|
| No.    | Head-quarters    | Name and headquarters              | Area   | Ports of entry   |
| V      | New Orleans, La. | San Juan, P.R.                     | The Commonwealth of Puerto Rico.   | SAN JUAN, including territory described in T.D. 54017.<br>Aguadilla.<br>Fajardo.<br>Guanica.<br>Humacao, including the territory described in T.D. 70-157.<br>Jobos (E.O. 9162, May 13, 1942).<br>Mayaguez (T.D. 22305).<br>Ponce, including territory described in T.D. 54017.  |
|        |                  | Charlotte Amalie, St. Thomas, V.I. | All of the Virgin Islands of the United States.  | CHARLOTTE AMALIE, ST. THOMAS, V.I.<br>Christiansted, St. Croix.<br>Coral Bay, St. John.<br>Cruz Bay, St. John.<br>Frederiksted, St. Croix.   |
|        |                  | Mobile, Ala.                       | The State of Alabama and that part of the State of Mississippi lying south of lat. 31° N., and that part of the State of Florida lying west of the east bank of the Ochlockonee River.   | MOBILE, ALA., including territory described in T.D. 76-259.<br>Apalachicola, Fla.<br>Birmingham, Ala.<br>Carrabelle, Fla. (E.O. 7508, Dec. 11, 1936; 1 F.R. 2149).<br>Gulfport, Miss.<br>Panama City, Fla. (E.O. 3919, Nov. 1, 1923).<br>Pascagoula, Miss., including territory described in T.D. 56333.<br>Pensacola, Fla.<br>Port St. Joe, Fla. (E.O. 7818, Feb. 17, 1938; 3 F.R. 503).  |
|        |                  | New Orleans, La.                   | The States of Tennessee, Arkansas, and Louisiana, except the parishes of Cameron and Calcasieu and that part of the State of Mississippi lying north of lat. 31° N.  | NEW ORLEANS, LA., including territory described in T.D. 74-206.<br>Baton Rouge, La. (E.O. 5993, Jan. 13, 1933), including territory described in T.D. 53514 and T.D. 54381.<br>Chattanooga, Tenn.<br>Greenville, Miss., including the territory described in T.D. 73-325.<br>Knoxville, Tenn., including the territory described in T.D. 75-128.<br>LITTLE ROCK-NORTH LITTLE ROCK, ARK., including territory described in T.D. 70-146.<br>Memphis, Tenn.<br>Morgan City, La., including territory described in T.D. 66-266.<br>Nashville, Tenn.<br>Vicksburg, Miss., including territory described in T.D. 72-123. |
| VI     | Houston, Tex.    | Port Arthur, Tex.                  | That part of the State of Texas from Sabine Pass north along State line to north boundary line of Shelby County; west to Neches River; down western shore of said river to north boundary of Jefferson County; westerly along said boundary to east boundary of Liberty County; south to Gulf; also the parishes of Cameron and Calcasieu in the State of Louisiana. | BEAUMONT, ORANGE, PORT ARTHUR AND SABINE, TEX., including territory described in T.D. 74-231.<br>Lake Charles, La. (E.O. 5475, Nov. 3, 1930) including territory described in T.D. 54137.  |
|        |                  | Galveston, Tex.                    | The counties of Galveston, Matagorda, Chambers, Calhoun, Refugio, Brazoria, San Patricio, Nueces, and Aransas in the State of Texas.   | GALVESTON, including Port Bolivar and Texas City.<br>Corpus Christi (E.O. 8288, Nov. 22, 1939; 4 F.R. 4691).<br>Freeport (E.O. 7632, June 15, 1937; 2 F.R. 1042).<br>Port Lavaca-Point Comfort, Tex. (T.D. 56115).   |
|        |                  | Houston, Tex.                      | That part of the State of Texas lying north of lat. 33° N. and that part of the State of Texas lying east of long. 97° W., except the territory embraced in the Port Arthur and Galveston districts. Also, the counties of Dallas and Tarrant and the State of Oklahoma.   | HOUSTON, TEX., including territory described in T.D. 54469.<br>Amarillo, Tex. (T.D. 75-129).<br>Dallas-Fort Worth, Tex., including territory described in T.D. 73-297.<br>Oklahoma City, Okla., including territory described in T.D. 66-132.<br>Tulsa, Okla. (T.D. 69-142).   |
|        |                  | Laredo, Tex.                       | That part of the State of Texas lying west of long. 97° W. and east of the Pecos River except that territory included in the Houston and Galveston districts.  | LAREDO.<br>Brownsville, Tex. including territory described in T.D. 54900.<br>Del Rio.<br>Eagle Pass.<br>Hidalgo (E.O. 3609, Jan. 9, 1922).<br>Lubbock, Tex. (T.D. 75-143).<br>Progreso, Tex. including territory described in T.D. 75-339.<br>Rio Grande City.<br>Roma (E.O. 4830, Mar. 14, 1928).<br>San Antonio.   |
|        |                  | El Paso, Tex.                      | That part of the State of Texas lying west of the Pecos River and the States of New Mexico and Colorado.   | EL PASO, TEX. (T.D. 54407).<br>Albuquerque, N. Mex., including the territory described in T.D. 74-304.<br>Columbus, N. Mex.<br>Denver, Colo.<br>Fabens, Tex. (E.O. 4869, May 1, 1928).<br>Presidio, Tex. (E.O. 2702, Sept. 7, 1917).   |



| Region |                       | Districts             |   |  |
|--------|-----------------------|-----------------------|---|--|
| No.    | Head-quarters         | Name and headquarters | Area  | Ports of entry   |
| VII    | Los Angeles, Calif.   | Nogales, Ariz.        | The State of Arizona.....   | NOGALES, including the territory described in T.D. 71-196.<br>Douglas, including territory described in E.O. 9382, Sept. 25, 1943; 8 F.R. 13083.<br>Lukeville (E.O. 10088, Dec. 3, 1949; 14 F.R. 7287).<br>Naco.<br>Phoenix, Ariz. (T.D. 71-103).<br>San Luis (E.O. 5322, Apr. 9, 1930).<br>Sasabe (E.O. 5008, Apr. 22, 1931).   |
|        |                       | San Diego, Calif.     | The counties of San Diego and Imperial in the State of California.  | SAN DIEGO (T.D. 54741), including the territory described in T.D. 66-229.<br>Andrade (E.O. 4780, Dec. 13, 1927).<br>Calxico.<br>Tecate (E.O. 4780, Dec. 13, 1927).   |
|        |                       | Los Angeles, Calif.   | That part of the State of California lying south of the northern boundaries of the counties of San Luis Obispo, Kern, and San Bernardino, except the counties of San Diego and Imperial and that part of the State of Nevada comprising Clark County. | LOS ANGELES-LONG BEACH, including territory described in T.D. 55341; T.D. 56383.<br>Las Vegas, Nev., including the territory described in T.D. 73-55.<br>Port San Luis.  |
| VIII   | San Francisco, Calif. | San Francisco, Calif. | That part of the State of California lying north of the northern boundaries of the counties of San Luis Obispo, Kern, and San Bernardino, and the State of Utah and the State of Nevada except Clark County.  | SAN FRANCISCO-OAKLAND, CALIF., including all points on San Francisco Bay and territory described in E.O. 10042 Mar. 10, 1949; 14 F.R. 1155; and T.D. 53738 and including territory described in T.D. 56020.<br>Eureka, Calif.<br>Fresno, Calif., including the territory described in T.D. 74-18.<br>Reno, Nev., including the territory described in T.D. 73-56.<br>Salt Lake City, Utah (T.D. 69-76).<br>HONOLULU (T.D. 53514).<br>Hilo.<br>Kahului.<br>Nawiliwili-Port Allen (E.O. 4385, Feb. 25, 1926), including the territory described in T.D. 56424.   |
|        |                       | Honolulu, Hawaii.     | The State of Hawaii.....  | Columbia River (Portland, Astoria, Longview), including territory described in T.D. 73-338.<br>Coos Bay, Oreg. (E.O. 4094, Oct. 28, 1924, E.O. 5193, Sept. 14, 1929; E.O. 5445, Sept. 16, 1930; E.O. 9533, Mar. 23, 1945; 10 F.R. 3173).<br>Newport, Oreg.   |
|        |                       | Portland, Oreg.       | The State of Oregon and that part of the State of Washington which embraces the waters of the Columbia River and the north bank of the said river west of long. 119° W.   | PUGET SOUND (Seattle, Anacortes, Bellingham, Everett, Friday Harbor, Neah Bay, Olympia, Port Angeles, Port Townsend, Tacoma), including the territory described in T.D. 75-130.<br>Aberdeen, including territory described in T.D. 56229.<br>Blaine (E.O. 5835, Apr. 13, 1932).<br>Boundary (T.D. 67-65).<br>Danville.<br>Ferry.<br>Frontier (T.D. 67-65).<br>Laurier.<br>Lynden (E.O. 7632, June 15, 1937; 2 F.R. 1042).<br>Metaline Falls (E.O. 7632, June 15, 1937; 2 F.R. 1042).<br>Nighthawk.<br>Oroville (E.O. 5206, Oct. 11, 1929).<br>South Bend-Raymond (T.D. 53576).<br>Spokane.<br>Sumas. |
|        |                       | Seattle, Wash....     | The State of Washington except that part which embraces the waters of the Columbia River and the north bank of the said river west of long. 119° W.   | ANCHORAGE, ALASKA (T.D. 55205; T.D. 68-50).<br>Alecan, Alaska (T.D. 71-210).<br>Fairbanks (E.O. 8064, Mar. 9, 1939; 4 F.R. 1191).<br>Juneau.<br>Ketchikan, Alaska, including the territory described in T.D. 74-100.<br>Kodiak, Alaska (T.D. 55206).<br>Pelican (E.O. 10238, Apr. 27, 1951; 16 F.R. 3627).<br>Petersburg (E.O. 4132, Jan. 24, 1925).<br>Sand Point (T.D. 53514).<br>SITKA, including territory described in T.D. 55609.<br>Skagway.<br>Wrangell, including territory described in T.D. 56420.  |
|        |                       | Anchorage, Alaska.    | The State of Alaska.....  | GREAT FALLS, MONT.<br>Butte, Mont., including the territory described in T.D. 73-121.<br>Del Bouda, Mont. (E.O. 7947, Aug. 9, 1938; 3 F.R. 1965). Mail: Cut Bank, Mont.<br>Eastport, Idaho.<br>Morgan, Mont. (E.O. 7632, June 15, 1937; 2 F.R. 1042). Mail: Loring, Mont.<br>Opheim, Mont. (E.O. 7632 June 15, 1937; 2 F.R. 1042).<br>Piesan, Mont. (E.O. 7632, June 15, 1937; 2 F.R. 1042). Mail: Babb, Mont.<br>Porthill, Idaho.<br>Raymond, Mont. (E.O. 7632, June 15, 1937; 2 F.R. 1042).  |
|        |                       | Great Falls, Mont.    | The States of Montana, Idaho, and Wyoming.  |  |



## RULES AND REGULATIONS

| Region |               |                       | Districts   |  |
|--------|---------------|-----------------------|---|--|
| No.    | Head-quarters | Name and headquarters | Area  | Ports of entry   |
| IX     | Chicago, Ill. | Pembina, N. Dak.      | The States of North Dakota and South Dakota and the counties of Kittson, Roseau, Lake of the Woods, Marshall, Beltrami, Polk, Red Lake, and Pennington in the State of Minnesota. | <p>Roosville, Mont. (E.O. 7632, June 15, 1937 2 F.R. 1042). Mail: Eureka, Mont.</p> <p>Scobey, Mont. (E.O. 7632, June 15, 1937; 2 F.R. 1042).</p> <p>Sweetgrass, Mont.</p> <p>Turner, Mont. (E.O. 7632, June 15, 1937; 2 F.R. 1042).</p> <p>Whitetail, Mont. (E.O. 7632, June 15, 1937; 2 F.R. 1042).</p> <p>Whitlash, Mont. (E.O. 7632, June 15, 1937; 2 F.R. 1042).</p>  |
|        |               |                       |   | <p>PAMBINA, N. DAK.</p> <p>Ambrose, N. Dak. (E.O. 5835, Apr. 13, 1932).</p> <p>Antler, N. Dak.</p> <p>Baudette, Minn. (E.O. 4422, Apr. 19, 1926).</p> <p>Carbury, N. Dak. (E.O. 5137, June 17, 1929).</p> <p>Dunseith, N. Dak. (E.O. 7632, June 15, 1937; 2 F.R. 1042).</p> <p>Fortuna, N. Dak. (E.O. 7632, June 15, 1937; 2 F.R. 1042).</p> <p>Hannah, N. Dak.</p> <p>Hansboro, N. Dak.</p> <p>Maida, N. Dak. (E.O. 7632, June 15, 1937; 2 F.R. 1042).</p> <p>Necche, N. Dak.</p> <p>Noonan, N. Dak. (E.O. 7632, June 15, 1937; 2 F.R. 1042).</p> <p>Northgate, N. Dak.</p> <p>Noyes, Minn. (E.O. 5835, Apr. 13, 1932).</p> <p>Pinecreek, Minn. (E.O. 7632, June 15, 1937; 2 F.R. 1042).</p> <p>Portal, N. Dak.</p> <p>Roseau, Minn. (E.O. 7632, June 15, 1937; 2 F.R. 1042).</p> <p>Sarles, N. Dak.</p> <p>Sherwood, N. Dak.</p> <p>St. John, N. Dak. (E.O. 5835, Apr. 13, 1932).</p> <p>Walhalla, N. Dak.</p> <p>Warroad, Minn.</p> <p>Westhope, N. Dak. (E.O. 4236, June 1, 1925).</p> |
|        |               |                       |   | <p>MINNEAPOLIS-ST. PAUL, including the territory described in T.D. 60-15.</p>  |
|        |               |                       |   | <p>DULUTH, MINN., AND SUPERIOR, WIS., including the territory described in T.D. 55904.</p>   |
|        |               |                       |   | <p>Ashland, Wis.</p> <p>Grand Portage, Minn. (T.D. 56073).</p>   |
|        |               |                       |   | <p>International Falls-Ranier, Minn., including the territory described in T.D. 66-246.</p>  |
|        |               |                       |   | <p>MILWAUKEE, including the territory described in T.D. 72-105.</p>  |
|        |               |                       |   | <p>Green Bay, including the townships of Ashwaubenon, Allouez, Preble, and Howard, and the city of De Pere (T.D. 54997).</p>   |
|        |               |                       |   | <p>Manitowish.</p>   |
|        |               |                       |   | <p>Marquette, including Menominee, Mich.</p>   |
|        |               |                       |   | <p>Racine, including the city of Kenosha and the townships of Mt. Pleasant and Somers (T.D. 54884).</p>  |
|        |               |                       |   | <p>Sheboygan.</p>  |
|        |               |                       |   | <p>CHICAGO, ILL., including the territory described in T.D. 71-121.</p>  |
|        |               |                       |   | <p>Des Moines, Iowa, including the territory described in T.D. 75-104.</p>   |
|        |               |                       |   | <p>Omaha, Nebr., including the territory described in T.D. 73-228.</p>   |
|        |               |                       |   | <p>Peoria, Ill., including the territory described in T.D. 72-130.</p>   |
|        |               |                       |   | <p>CLEVELAND, OHIO, including the territory described in T.D. 77-232.</p>  |
|        |               |                       |   | <p>Akron, Ohio (E.O. 4597, Feb. 25, 1927), including the territory described in T.D. 77-232.</p>   |
|        |               |                       | The States of Ohio, Kentucky, that part of the State of Indiana lying south of lat. 41° N., and the county of Erie in the State of Pennsylvania.                                  | <p>Ashtabula/Conneaut, Ohio, including the territory described in T.D. 77-232.</p>   |
|        |               |                       |   | <p>Cincinnati, Ohio, including the territory described in T.D. 75-144.</p>   |
|        |               |                       |   | <p>Columbus, Ohio.</p>   |
|        |               |                       |   | <p>Dayton, Ohio, including the territory described in T.D. 76-77.</p>  |
|        |               |                       |   | <p>Erie, Pa., including the territory described in T.D. 77-5.</p>  |
|        |               |                       |   | <p>Evansville, Ind.</p>  |
|        |               |                       |   | <p>Indianapolis, Ind.</p>  |
|        |               |                       |   | <p>Lawrenceburg, Ind., including Greendale (E.O. 6634, Mar. 7, 1934).</p>  |
|        |               |                       |   | <p>Louisville, Ky., including the territory described in T.D. 77-232.</p>  |
|        |               |                       |   | <p>Sandusky, Ohio.</p>   |
|        |               |                       |   | <p>Toledo, Ohio, including the territory described in T.D. 71-157.</p>   |
|        |               |                       |   | <p>ST. LOUIS, MO., including the territory described in T.D. 69-224.</p>   |
|        |               |                       |   | <p>Kansas City, Mo., including Kansas City, Kans., and North Kansas City, Mo. (E.O. 8528, Aug. 27, 1940), including the territory described in T.D. 67-56.</p>   |
|        |               |                       |   | <p>St. Joseph, Mo.</p>   |
|        |               |                       |   | <p>Wichita, Kans., including the territory described in T.D. 74-93.</p>  |
|        |               |                       |   | <p>The States of Missouri and Kansas, and that part of the State of Illinois lying south of lat. 36° N.</p>  |



| Region |              | Districts             |   |  |
|--------|--------------|-----------------------|---|--|
| No.    | Headquarters | Name and headquarters | Area  | Ports of entry   |
|        |              | Detroit, Mich.        | The State of Michigan except the island of Isle Royale and the county of Menominee, Mich. | DETROIT, including the territory described in E.O. 9073, Feb. 25, 1942; 7 F.R. 1588; and T.D. 53738.<br>Battle Creek (T.D. 76-233).<br>Grand Rapids (T.D. 77-4).<br>Muskegon (E.O. 8315, Dec. 22, 1930), including territory described in T.D. 56230.<br>Port Huron, including territory described in T.D. 53576.<br>Saginaw-Bay City (T.D. 53738).<br>Sault Ste. Marie. |

**§ 101.4 Entry and clearance of vessels at Customs stations.**

(a) *Entry at Customs station.* A vessel shall not be entered or cleared at a Customs station, or any other place that is not a port of entry, unless entry or clearance is authorized by the district director for the district in which such station or place is located pursuant to the provisions of section 447, Tariff Act of 1930, as amended (19 U.S.C. 1447).

(b) *Authorization to enter.* Authorization to enter or be cleared at a Customs station shall be granted by the district director for the district in which such station or place is located provided the district director is notified in advance of the arrival of the vessel concerned and the following conditions are met:

(1) Such Customs supervision as may be necessary can be provided,

(2) All applicable Customs and navi-

gation laws and regulations are complied with.

(3) The owner, master or agent of a vessel sought to be entered at a Customs station reimburses the Government for the salary and expenses of the Customs officer or employee stationed at or sent to such Customs station or other place which is not a port of entry for services rendered in connection with the entry or clearance of such vessel, and

(4) Except as otherwise provided by these regulations, the Government is reimbursed by the interested parties for the expenses, including any per diem allowed in lieu of subsistence, but not the salary of a Customs officer or employee for services rendered in connection with the entry or delivery of merchandise.

(c) *Customs stations designated.* The Customs stations and the ports of entry having supervision thereof are listed below:

| District              | Customs stations   | Port of entry having supervision   |
|-----------------------|--|--|
| Portland, Maine       | Bucksport, Maine<br>Coubria Gore, Maine<br>Easton, Maine<br>Forest City, Maine<br>Hamlin, Maine<br>Knoxford Line (Mars Hill)<br>Monticello, Maine<br>Orient, Maine | Belfast.<br>Jackman.<br>Fort Fairfield.<br>Houlton.<br>Van Buren.<br>Bridgewater.<br>Houlton.<br>Do. |
| St. Albans, Vt.       | Beebe Plains, Vt.<br>Canaan, Vt.<br>East Richford, Vt.<br>Newport, Vt.<br>North Troy, Vt.<br>Pittsburg, N.H.<br>West Berkshire, Vt.                                | Derby Line.<br>Beecher Falls.<br>Richford.<br>Derby Line, Vt.<br>Do.<br>Beecher Falls.<br>Richford.  |
| Boston, Mass.         | Provincetown, Mass.  | Plymouth.  |
| Ogdensburg, N.Y.      | Cannons Corners, N.Y.<br>Churubusco, N.Y.<br>Hogansburg, N.Y.<br>Jamieson's Line, N.Y.<br>Morristown, N.Y.<br>Waddington, N.Y.                                     | Moosers.<br>Chateaugay.<br>Massena.<br>Trout River.<br>Ogdensburg.<br>Do.                            |
| Philadelphia, Pa.     | Atlantic City, N.J.<br>Lewes, Del.<br>Port Norris, N.J.<br>Tuckerton, N.J.   | Philadelphia.<br>Do.<br>Do.<br>Do.   |
| Baltimore, Md.        | Salisbury, Md.   | Baltimore.   |
| Miami, Fla.           | Fort Pierce, Fla.  | West Palm Beach.   |
| Mobile, Ala.          | Biloxi, Miss.  | Mobile.  |
| New Orleans, La.      | Gramercy, La.<br>Houma, La.  | New Orleans.<br>Morgan City.   |
| Houston, Tex.         | Muskogee, Okla.  | Tulsa, Oklahoma.   |
| Laredo, Tex.          | Amistad Dam, Tex.<br>Falcon Dam, Tex.<br>Los Ebanos, Tex.  | Del Rio.<br>Roma.<br>Rio Grande City.  |
| El Paso, Tex.         | Antelope Wells, N. Mex. (mail: Hachita, N. Mex.)<br>Fort Hancock, Tex.<br>Marathon, Tex.   | Columbus.<br>Fabens.<br>El Paso.   |
| Nogales, Ariz.        | Lochiel, Ariz.<br>Tucson, Ariz.  | Nogales.<br>Do.  |
| San Diego, Calif.     | Campo, Calif.  | Tecate.  |
| Los Angeles, Calif.   | Port Hueneme, Calif.   | Los Angeles.   |
| San Francisco, Calif. | Monterey, Calif.   | San Francisco.   |
| Seattle, Wash.        | Point Roberts, Wash.   | Blaine.  |
| Anchorage, Alaska     | Annette Island, Alaska<br>Eagle, Alaska<br>Haines, Alaska<br>Hyder, Alaska<br>Tok, Alaska  | Ketchikan.<br>Fairbanks.<br>Skagway.<br>Ketchikan.<br>Fairbanks.                                     |
| Great Falls, Mont.    | Wild Horse, Mont.<br>Willow Creek, Mont.   | Great Falls.<br>Do.  |
| Pembina, N. Dak.      | Grand Forks, N. Dak.<br>Lancaster, Minn.<br>Oak Island, Minn.  | Pembina.<br>Noyes.<br>Warroad.   |



| District         | Customs stations  | Port of entry having supervision |
|------------------|---|----------------------------------|
| Duluth, Minn.    | Crane Lake, Minn.                                       | International Falls/Ranier;      |
|                  | Ely, Minn.  | Grand Portage.                   |
| Cleveland, Ohio. | Fairport, Ohio.   | Cleveland.                       |
|                  | Huron, Ohio.  | Sandusky.                        |
|                  | Lorain, Ohio.   | Cleveland.                       |
|                  | Marblehead-Lakeside, Ohio.                              | Sandusky.                        |
|                  | Put-in-Bay, Ohio.                                       | Do.                              |
| Detroit, Mich.   | Algonac, Mich.  | Port Huron.                      |
|                  | Alpena, Mich.   | Saginaw-Bay City.                |
|                  | Detour, Mich.   | Sault Ste. Marie.                |
|                  | Escanaba, Mich.   | Do.                              |
|                  | Grand Haven, Mich.                                      | Muskegon.                        |
|                  | Houghton, Mich.   | Sault Ste. Marie.                |
|                  | Marine City, Mich.                                      | Port Huron.                      |
|                  | Marquette, Mich.  | Sault Ste. Marie.                |
|                  | Roberts Landing, Mich. (mail: Route 1, Algonac, Mich.). | Port Huron.                      |
|                  | Rogers City, Mich.                                      | Saginaw-Bay City.                |

(d) *Temporary Customs stations.* Customs stations may be designated for a temporary time only, to provide Customs facilities where needed because of certain large-scale operations. Because these designations change from time to time they are not listed. However, current information as to the existence of such stations in any district may be obtained from the district director.

#### § 101.5 Customs preclearance offices in foreign countries.

Listed below are the preclearance offices in foreign countries where United States Customs officers are stationed and the Customs districts under which they function:

| Customs office:                  | Customs district having supervision |
|----------------------------------|-------------------------------------|
| Montreal, Quebec.                | St. Albans, Vt.                     |
| Toronto, Ontario.                | Buffalo, N.Y.                       |
| Kindley Field, Bermuda.          | Kennedy Airport area, Jamaica, N.Y. |
| Nassau, Bahama Islands.          | Miami, Fla.                         |
| Vancouver, British Columbia.     | Seattle, Wash.                      |
| Prince Rupert, British Columbia. | Anchorage, Alaska.                  |
| Winnipeg, Manitoba.              | Pembina, N. Dak.                    |

#### § 101.6 Hours of business.

Except as specified in paragraphs (a)-(g) of this section, each Customs office shall be open for the transaction of general Customs business between the hours of 8:30 a.m. and 5 p.m. on all days of the year:

(a) *Saturdays, Sundays and national holidays.* In addition to Saturdays, Sundays, and any other calendar day designated as a holiday by Federal statute or Executive order, Customs offices shall be closed on the following national holidays:

- (1) The first day of January.
- (2) The third Monday of February.
- (3) The last Monday of May.
- (4) The fourth day of July.
- (5) The first Monday of September.
- (6) The second Monday of October.
- (7) The fourth Monday of October.
- (8) The fourth Thursday of November.
- (9) The twenty-fifth day of December.

If a holiday falls on Saturday, the day immediately preceding such Saturday will be observed. If a holiday falls on Sunday, the day immediately following such Sunday will be observed. (5 U.S.C. 6103(b) (1); (E.O. No. 11582, January 1, 1971; 34 FR 2957; 3 CFR Ch. 11)

(b) *Local conditions requiring different hours.* If, because of local conditions, different but equivalent hours are required to maintain adequate service, such hours shall be observed provided the Commissioner of Customs approves them and provided further that a notice of business hours is prominently displayed at the principal entrance and in each public room of the Customs office.

(c) *Fixing of hours.* At each port or station where there is no full-time Customs employee, the appropriate district director shall, with the approval of the regional commissioner of Customs, fix the hours during which the Customs office will be open for the transaction of general Customs business. Notice of such hours shall be prominently displayed at the principal entrance of the office.

(d) *State and local holidays.* Each Customs office shall be open for the transaction of business on all state and local holidays occurring on days other than Saturdays, Sundays, and national holidays listed in paragraph (a) of this section. The appropriate principal field officer may excuse any employee(s) without charge to leave when a state or local holiday interferes with the performance of his work in a Customs office.

(e) *Services performed outside a Customs office.* Customs services required to be performed outside a Customs office shall be furnished between the hours of 8 a.m. and 5 p.m. (or between the corresponding hours at ports where different but equivalent hours are required for the maintenance of adequate service and are approved by the Commissioner of Customs) on all days when the Customs office is open for the transaction of general Customs business. The regional commissioner of Customs shall, from time to time, and upon reasonable advance notice to the principal local officer concerned, issue instructions for the furnishing of such services on Saturdays.

(f) *Customs services not within prescribed hours.* Where there is a regularly recurring need for Customs services outside the hours prescribed in paragraphs (a)-(e) of this section and the volume and duration of the required services are uniformly such as to require, of themselves or in immediately consecutive combination with other essential Customs activities of the port, the full time of one or more Customs employees, the necessary number of regular tours of duty to

furnish such services on all days of the year except Sundays and national holidays may be established with the approval of the Commissioner of Customs.

(g) *Customs services furnished private interests.* Other than as specified in this section, Customs services shall be furnished private interests only in accordance with the provisions of section 24.16 of this chapter.

#### § 101.7 Customs seal.

(a) *Design.* According to the design furnished by the Department of the Treasury, the Customs seal of the United States shall consist of the seal of the Department of the Treasury surrounded by an outer circle in which appear the words "Treasury" at the top and "U.S. Customs Service" at the bottom.

(b) *Use of the Customs seal.* The Customs seal currently in official use, including the dies, rolls, plates, and like devices now in the possession of the Bureau of Engraving and Printing, shall continue to be equally effective as the official seal of the United States Customs Service and shall continue to be so used by each Customs officer and employee having possession of the seal until that particular device requires replacing and is replaced. Use of the United States Customs seal shall be restricted in the following manner:

(1) The Customs seal of the United States shall be impressed upon all official documents requiring the impress of a seal. It shall be impressed upon all marine documents and landing certificates, certificates of weight, gauge, or measure, and similar classes of documents for outside interests.

(2) The impress of the seal is not necessary on documents passing within the Customs Service nor shall the seal be used in the manner of a notary seal to indicate authority to administer oaths.

#### § 101.8 Identification cards.

Each Customs employee shall be issued an appropriate identification card with that employee's photograph and signature, signed by the appropriate issuing officer.

### PART 141—ENTRY OF MERCHANDISE

#### § 141.62 [Amended]

Section 141.62(a) is amended by substituting "101.6" for "1.7".

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

### PART 148—PERSONAL DECLARATIONS AND EXEMPTIONS

#### § 148.22 [Amended]

Section 148.22 is amended by substituting "101.5" for "1.4".

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

### APPENDIX I—PARALLEL REFERENCE TABLES

(This table shows the relation of revised Part 101 to superseded 19 CFR Part 1.)



| Revised Part 101, section: | Superseded<br>19 CFR section |
|----------------------------|------------------------------|
| 101.0                      | New.                         |
| 101.1(a)                   | New.                         |
| 101.1(b)                   | 1.2(a).                      |
| 101.1(c)                   | 1.2(a).                      |
| 101.1(d)                   | 1.3(a), footnote<br>5.       |
| 101.1(e)                   | New.                         |
| 101.1(f)                   | 1.11.                        |
| 101.1(g)                   | 1.11.                        |
| 101.1(h)                   | 1.11.                        |
| 101.1(i)                   | 1.11.                        |
| 101.1(j)                   | 1.11.                        |
| 101.1(k)                   | 1.11.                        |
| 101.1(l)                   | 1.2(b), footnote<br>2.       |
| 101.1(m)                   | New.                         |
| 101.2(a)                   | 1.1 (a), (b).                |
| 101.2(b)                   | 1.1(c).                      |
| 101.3(a)                   | Footnote 1 to<br>1.2(b).     |
| 101.3(b)                   | 1.2(c), footnote<br>3.       |
| 101.4(a)                   | 1.3(b).                      |
| 101.4(b)                   | 1.3 (b) and (c).             |
| 101.4(c)                   | 1.3(d).                      |
| 101.4(d)                   | Footnote 7 to<br>1.3(d).     |
| 101.5                      | 1.4.                         |
| 101.6(a)                   | 1.7(a), footnote<br>10.      |
| 101.6(b)                   | 1.7(b).                      |
| 101.6(c)                   | 1.7(c).                      |
| 101.6(d)                   | 1.7(d).                      |
| 101.6(e)                   | 1.7(e).                      |
| 101.6(f)                   | 1.7(f).                      |
| 101.6(g)                   | 1.7(g).                      |
| 101.7(a)                   | 1.8(a).                      |
| 101.7(b)                   | 1.8(a).                      |
| 101.7(b) (1)               | 1.8(b).                      |
| 101.7(b) (2)               | 1.8 (b) and (c).             |
| 101.8                      | 1.9.                         |

(This table shows the relation of the old sections of Part 1 to the new sections in revised Part 101.)

| Old Section | New Section        |
|-------------|--------------------|
| 1.1 (a)     | 101.2 (a)          |
| 1.1 (b)     | 101.2 (a)          |
| 1.1 (c)     | 101.2 (b)          |
| 1.1 (d)     | None               |
| 1.1 (e)     | None               |
| 1.2 (a)     | 101.1 (b), (c)     |
| 1.2 (b)     | 101.1 (d)          |
| footnote 1  | 101.3 (a)          |
| footnote 2  | 101.1 (1)          |
| 1.2 (c)     | 101.3 (b)          |
| footnote 3  | 101.3 (b)          |
| 1.3 (a)     | 101.1 (d)          |
| footnote 5  | 101.1 (d)          |
| 1.3 (b)     | 101.4 (a), (b)     |
| footnote 6  | None               |
| 1.3 (c)     | 101.4 (b)          |
| 1.3 (d)     | 101.4 (c)          |
| footnote 7  | 101.4 (d)          |
| 1.4         | 101.5              |
| 1.4 (a)     | None               |
| 1.5         | None               |
| 1.6         | None               |
| 1.7 (a)     | 101.6 (a)          |
| footnote 10 | 101.6 (a)          |
| 1.7 (b)     | 101.6 (b)          |
| 1.7 (c)     | 101.6 (c)          |
| 1.7 (d)     | 101.6 (d)          |
| 1.7 (e)     | 101.6 (e)          |
| 1.7 (f)     | 101.6 (f)          |
| 1.7 (g)     | 101.6 (g)          |
| 1.8 (a)     | 101.7 (a), (b)     |
| 1.8 (b)     | 101.7 (b) (1), (2) |
| 1.8 (c)     | 101.7 (b) (2)      |
| 1.9         | 101.8              |
| 1.10        | None               |
| 1.11        | 101.1 (f)-(k)      |

[FR Doc. 77-29176 Filed 10-4-77; 8:45 am]

[ 4110-07 ]

Title 20—Employees' Benefits

CHAPTER III—SOCIAL SECURITY ADMINISTRATION, DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

[Reg. No. 16]

PART 416—SUPPLEMENTAL SECURITY INCOME FOR THE AGED, BLIND, AND DISABLED

Income, Resources, and Exclusions

EXCLUSION OF HOUSING ASSISTANCE PAYMENTS FROM COUNTABLE INCOME OR RESOURCES

AGENCY: Social Security Administration, HEW.

ACTION: Final rules.

SUMMARY: The Administration amends its regulations concerning the exclusion of certain housing assistance payments from consideration as income or a resource for purposes of the Supplemental Security Income program. These amendments implement specific provisions of the Housing Authorization Act of 1976, effective October 1, 1976. The amendments provide that the value of any assistance paid with respect to a dwelling unit under the United States Housing Act of 1937, the National Housing Act, section 101 of the Housing and Urban Development Act of 1965, or title V of the Housing Act of 1949 may not be considered as income or a resource for the purpose of determining the eligibility of, or the amount of benefits payable to, any person living in such a unit for assistance under title XVI of the Social Security Act.

EFFECTIVE DATE: The amendments shall be effective October 12, 1977.

FOR FURTHER INFORMATION CONTACT:

Mr. S. J. Weissman, Legal Assistant, 6401 Security Boulevard, Baltimore, Md. 21235, telephone 301-594-7341.

SUPPLEMENTARY INFORMATION: On March 28, 1977, these amendments were published in the FEDERAL REGISTER (42 FR 16380) as interim regulations.

Interested parties were given the opportunity to submit within 45 days data, views, or arguments pertaining to the interim regulations. No adverse comments were received. Accordingly, the amendments are hereby adopted without change as set forth below.

(Secs. 1102, 1611, 1612, 1613, 1631, Social Security Act, 49 Stat. 647, as amended, 86 Stat. 1466, 86 Stat. 1468, 86 Stat. 1470, 86 Stat. 1475 (42 U.S.C. 1302, 1382, 1382a, 1382b, 1383); sec. 2(h) of Pub. L. 94-375, 90 Stat. 1068.)

(Catalog of Federal Domestic Assistance Program No. 13.807, Supplemental Security Income Program.)

NOTE.—The Social Security 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.

Dated: July 22, 1977.

DON WORTMAN,  
Acting Commissioner  
of Social Security.

Approved: October 3, 1977.

JOSEPH A. CALIFANO, JR.,  
Secretary of Health,  
Education, and Welfare.

Part 416 of Chapter III of Title 20 of the Code of Federal Regulations is amended as set forth below:

1. Section 416.1146 is amended by revising the material preceding paragraph (a) and by revising paragraph (k) to read as follows:

§ 416.1146 Exclusions from income; provided by other statutes.

For the purpose of § 416.1145(a), payments or benefits provided under a Federal statute other than title XVI of the Social Security Act where exclusion from income is required by such statute include:

(k) Effective October 1, 1976, the value of any assistance paid with respect to a dwelling unit under the United States Housing Act of 1937, the National Housing Act, section 101 of the Housing and Urban Development Act of 1965, or title V of the Housing Act of 1949, as provided by section 2(h) of Pub. L. 94-375 (90 Stat. 1068).

2. Section 416.1236 is amended by revising the introductory text of paragraph (a) and adding new paragraph (a) (12) to read as follows:

§ 416.1236 Exclusions from resources; provided by other statutes.

(a) For the purpose of § 416.1210(j), payments or benefits provided under a Federal statute other than title XVI of the Social Security Act where exclusion from resources is required by such statute include:

(12) Effective October 1, 1976, the value of any assistance paid with respect to a dwelling unit under the United States Housing Act of 1937, the National Housing Act, section 101 of the Housing and Urban Development Act of 1965, or title V of the Housing Act of 1949, as provided by section 2(h) of Pub. L. 94-375 (90 Stat. 1068).

[FR Doc. 77-29793 Filed 10-11-77; 8:45 am]

[ 4410-01 ]

Title 21—Food and Drugs

CHAPTER II—DRUG ENFORCEMENT ADMINISTRATION, DEPARTMENT OF JUSTICE

PART 1316—ADMINISTRATIVE FUNCTIONS, PRACTICES, AND PROCEDURES

Confidentiality of Research Subjects and Exemption From Prosecution for Researchers

AGENCY: Drug Enforcement Administration.



**ACTION: Final rule.**

**SUMMARY:** The effect of this order is to limit the authority of the Drug Enforcement Administration, in granting confidentiality of identity of research subjects, to those areas specified in 21 U.S.C. 872(a), and to provide discretionary authority in granting exemption from prosecution for researchers as provided in 21 U.S.C. 872(d). In addition, more detailed information is required of petitioners under both sections to better enable the Drug Enforcement Administration to evaluate requests received pursuant to these sections.

**DATES:** Effective date, October 12, 1977.

**FOR FURTHER INFORMATION CONTACT:**

Craig E. Richardson, Attorney, Office of Chief Counsel, Drug Enforcement Administration, telephone 202-633-1404.

**SUPPLEMENTARY INFORMATION:**

A notice was published in the *FEDERAL REGISTER* on Tuesday, June 21, 1977, proposing the amendment of §§ 1316.21 and 1316.22 of Title 21 of the Code of Federal Regulations. All interested persons were given until July 18, 1977, to submit their comments or objections in writing regarding this proposal.

One comment was received in response to the proposal from the Director of the Alcohol and Drug Abuse Institute of the University of Washington, Seattle, Wash. The comment was considered and in light of its contents no changes were made in the proposed regulations. No further comments or objections were received, nor were there any requests for a hearing, and in view thereof, the Administrator of the Drug Enforcement Administration finds that:

1. The regulations as amended will limit the authority of the Drug Enforcement Administration to grant confidentiality of identity of research subjects to those areas of research specified in 21 U.S.C. 872(a) (2-6).

2. The regulations as amended will provide the Drug Enforcement Administration with more detailed information to better enable DEA to evaluate requests received pursuant to these sections.

3. The regulations as amended will provide the Drug Enforcement Administration with discretionary authority to grant exemption from prosecution for researchers in accordance with 21 U.S.C. 872(d).

Therefore, under the authority vested in him by the Act and by the regulations of the Department of Justice, the Administrator of the Drug Enforcement Administration hereby orders that §§ 1316.21 and 1316.22 of Title 21 of the Code of Federal Regulations (CFR) be amended to read as follows:

**§ 1316.21 Confidentiality of identity of research subjects.**

(a) Any person conducting a bona fide research project directly related to the enforcement of the laws under the jurisdiction of the Attorney General concerning drugs or other substances which

are or may be subject to control under the Controlled Substances Act (84 Stat. 1242; 21 U.S.C. 801) who intends to maintain the confidentiality of the identity of those persons who are the subjects of such research may petition the Administrator of the Drug Enforcement Administration for a grant of confidentiality: *Providing, That:* (1) The Attorney General is authorized to carry out such research under the provisions of Section 502(a) (2-6) of the Controlled Substances Act of 1970 (21 U.S.C. 872(a) (2-6)); and the research is being conducted with funds provided in whole or part by the Department of Justice; or

(2) The research is of a nature that the Attorney General would be authorized to carry out under the provisions of Section 502(a) (2-6) of the Controlled Substances Act (21 U.S.C. 872(a) (2-6)), and is being conducted with funds provided from sources outside the Department of Justice.

(b) All petitions for Grants of Confidentiality shall be addressed to the Administrator, Drug Enforcement Administration, 1405 I Street NW., Washington, D.C. 20537, and shall contain the following:

(1) A statement as to whether the research protocol requires the manufacture, production, import, export, distribution, dispensing, administration, or possession of controlled substances, and if so the researcher's registration number or a statement that an application for such registration has been submitted to DEA;

(2) The location of the research project;

(3) The qualifications of the principal investigator;

(4) A general description of the research or a copy of the research protocol;

(5) The source of funding for the research project;

(6) A statement as to the risks posed to the research subjects by the research procedures and what protection will be afforded to the research subjects;

(7) A statement as to the risks posed to society in general by the research procedures and what measures will be taken to protect the interests of society;

(8) A specific request to withhold the names and/or any other identifying characteristics of the research subjects; and

(9) Statements establishing that a grant of confidentiality is necessary to the successful completion of the research project.

(c) The grant of confidentiality of identity of research subjects shall consist of a letter issued by the Administrator, which shall include:

(1) The researcher's name and address.

(2) The researcher's registration number, if applicable.

(3) The title and purpose of the research.

(4) The location of the research project.

(5) An authorization for all persons engaged in the research to withhold the

names and identifying characteristics of persons who are the subjects of such research, stating that persons who obtain this authorization may not be compelled in any Federal, State, or local civil, criminal, administrative, legislative, or other proceeding to identify the subjects of such research for which this authorization was obtained.

(6) The limits of this authorization, if any.

(7) A statement to the effect that the grant of confidentiality of identity of research subjects shall be perpetual but shall pertain only to the subjects of the research described in the research protocol, the description of the research submitted to DEA, or as otherwise established by DEA.

(d) Within 30 days of the date of completion of the research project, the researcher shall so notify the Administrator. The Administrator shall issue another letter including the information required in paragraph (c) of this section and stating the starting and finishing dates of the research for which the confidentiality of identity of research subjects was granted; upon receipt of this letter, the researcher shall return the original letter of exemption.

**§ 1316.22 Exemption from prosecution for researchers.**

(a) Upon registration of an individual to engage in research in controlled substances under the Controlled Substances Act (84 Stat. 1242; 21 U.S.C. 801), the Administrator of the Drug Enforcement Administration, on his own motion or upon request in writing from the Secretary or from the researcher or researching practitioner, may exempt the registrant when acting within the scope of his registration, from prosecution under Federal, State, or local laws for offenses relating to possession, distribution or dispensing of those controlled substances within the scope of his exemption. However, this exemption does not diminish any requirement of compliance with the Federal Food, Drug and Cosmetic Act (21 U.S.C. 301).

(b) All petitions for Grants of Exemption from Prosecution for the Researcher shall be addressed to the Administrator, Drug Enforcement Administration, 1405 I Street NW., Washington, D.C. 20537 and shall contain the following:

(1) The researcher's registration number if any, for the project;

(2) The location of the research project;

(3) The qualifications of the principal investigator;

(4) A general description of the research or a copy of the research protocol;

(5) The source of funding for the research project;

(6) A statement as to the risks posed to the research subjects by the research procedures and what protection will be afforded to the research subjects;

(7) A statement as to the risks posed to society in general by the research procedures and what measures will be



taken to protect the interests of society;  
(8) A specific request for exemption from prosecution by Federal, State, or local authorities for offenses related to the possession, distribution, and dispensing of controlled substances in accord with the procedures described in the research protocol;

(9) A statement establishing that a grant of exemption from prosecution is necessary to the successful completion of the research project.

(c) Any researcher or practitioner proposing to engage in research requesting both exemption from prosecution and confidentiality of identity of research subjects may submit a single petition incorporating the information required in §§ 1316.21(b) and 1316.22(b).

(d) The exemption shall consist of a letter issued by the Administrator, which shall include:

(1) The researcher's name and address;

(2) The researcher's registration number for the research project;

(3) The location of the research project;

(4) A concise statement of the scope of the researcher's registration;

(5) Any limits of the exemption; and

(6) A statement that the exemption shall apply to all acts done in the scope of the exemption while the exemption is in effect. The exemption shall remain in effect until completion of the research project or until the registration of the researcher is either revoked or suspended or his renewal of registration is denied. However, the protection afforded by the grant of exemption from prosecution during the research period shall be perpetual.

(e) Within 30 days of the date of completion of the research project, the researcher shall so notify the Administrator. The Administrator shall issue another letter including the information required in paragraph (d) of this section and stating the date of which the period of exemption concluded; upon receipt of this letter the researcher shall return the original letter of exemption.

Dated: October 6, 1977.

PETER B. BENSINGER,  
Administrator, Drug Enforcement  
Administration.

[FR Doc. 77-29794 Filed 10-11-77; 8:45 am]

## [ 4830-01 ]

### Title 26—Internal Revenue

#### CHAPTER I—INTERNAL REVENUE SERVICE, DEPARTMENT OF THE TREASURY SUBCHAPTER A—INCOME TAX

[T.D. 7512]

#### PART 1—INCOME TAX; TAXABLE YEARS BEGINNING AFTER DECEMBER 31, 1953

##### Deduction for Alimony in Determining Adjusted Gross Income

AGENCY: Internal Revenue Service, Treasury.

ACTION: Final regulation.

SUMMARY: This document contains amendments to the income tax regulations relating to the allowance of deductions for alimony. Changes in the applicable tax law were made by the Tax Reform Act of 1976. These regulations affect taxpayers who are making deductible alimony payments and provide them with the guidance needed to comply with the law.

DATE: The amendment applies to taxable years beginning after December 31, 1976.

FOR FURTHER INFORMATION CONTACT:

Kyllikki Kusma of the Legislation and Regulations Division, Office of the Chief Counsel, Internal Revenue Service, Attention: CC:LR:T, 202-566-3671, not a toll-free call.

SUPPLEMENTARY INFORMATION:

#### BACKGROUND

This document contains amendments to the Income Tax Regulations (26 CFR Part 1) under section 62 of the Internal Revenue Code of 1954 in order to conform such regulations to the provisions of section 502 of the Tax Reform Act of 1976 (90 Stat. 1559).

Under prior law a deduction for qualifying alimony payments was to be taken in the year paid as an itemized deduction from adjusted gross income in arriving at taxable income. Section 502(a) of the Tax Reform Act of 1976 changes the deduction for qualifying alimony payments from an itemized deduction to a deduction from gross income in arriving at adjusted gross income. Therefore, a deduction for alimony will be available to taxpayers who do not elect to itemize their deductions because their zero bracket amount is more than their itemized deductions as well as those who elect to itemize their deductions. In addition, section 502(b) of the Tax Reform Act of 1976 enables the taxpayer to take qualifying alimony deductions into consideration in estimating withholding allowances.

#### DRAFTING INFORMATION

The principal author of this regulation was Kyllikki Kusma of the Legislation and Regulations Division of the Office of Chief Counsel, Internal Revenue Service. However, personnel from other offices of the Internal Revenue Service and Treasury Department participated in developing the regulation, both on matters of substance and style.

#### ADOPTION OF AMENDMENTS TO THE REGULATIONS

Accordingly, the regulations under section 62 of the Internal Revenue Code of 1954 (26 CFR Part 1) are amended as follows:

##### § 1.62 [Deleted]

Paragraph 1. Section 1.62 is deleted.  
Par. 2. Section 1.62-1 is amended by

inserting a new paragraph (c) (16) after paragraph (c) (15), to read as follows:

##### § 1.62-1 Adjusted gross income.

(c) \* \* \*

(16) For taxable years beginning after December 31, 1976, the deduction for alimony and separate maintenance payments allowed by section 215.

Because this amendment merely conforms the regulations to changes in the Code made by section 502 of the Tax Reform Act of 1976, no notice of proposed rulemaking need be made prior to the promulgation of the proposed Treasury decision.

(Sec. 7805, Internal Revenue Code of 1954 (68A Stat. 917; (26 U.S.C. 7805)).)

WILLIAM E. WILLIAMS,  
Acting Commissioner  
of Internal Revenue.

Approved: September 30, 1977.

LAURENCE N. WOODWORTH,  
Assistant Secretary of the  
Treasury.

[FR Doc. 77-29774 Filed 10-11-77; 8:45 am]

## [ 3810-71 ]

### Title 32—National Defense

#### CHAPTER VI—DEPARTMENT OF THE NAVY

##### SUBCHAPTER B—NAVIGATION

#### PART 706—CERTIFICATIONS AND EXEMPTIONS UNDER THE INTERNATIONAL REGULATIONS FOR PREVENTING COLLISIONS AT SEA, 1972

##### Miscellaneous Amendments

AGENCY: Department of the Navy, DOD.

ACTION: Final rule.

SUMMARY: The purpose of this rule is to amend Part 706 to reflect that the Secretary of the Navy has determined that *USS Memphis (SSN 691)* and *USS Omaha (SSN 692)* are vessels of the Navy which, due to their special construction and purpose, cannot comply fully with certain provisions of the International Regulations for Preventing Collisions at Sea, 1972 (72 COLREGS) without interfering with their special functions. The intended effect of this rule is to warn mariners on international waters.

EFFECTIVE DATE: October 5, 1977.

FOR FURTHER INFORMATION CONTACT:

Lieutenant M. D. Seiders, JAGC, USN, Admiralty Division, Office of the Judge Advocate General, Navy Department, Washington, D.C. 20370, (202-694-5188).

SUPPLEMENTARY INFORMATION: This amendment to Part 706 provides notice that the Secretary of the Navy has certified that *USS Memphis (SSN 691)* and *USS Omaha (SSN 692)* are



vessels of the Navy which, due to their special construction and purpose, cannot comply fully with 72 COLREGS: Rule 21(a) regarding the arc of visibility of the masthead light; Rule 21(b) regarding the arc of visibility and location of sidelights; Rule 21(c) regarding the arc of visibility and location of the stern light; Annex I, section 2(a)(i), regarding the height of the masthead light; and Annex I, section 2(k), regarding the height of the anchor lights, without interfering with their special functions. The Secretary of the Navy has also certified that the above-mentioned lights are located in closest possible compliance with the applicable 72 COLREGS requirements.

This amendment also provides notice that the Secretary of the Navy has exempted *USS Memphis* and *USS Omaha* from full compliance with certain provisions of the 72 COLREGS pursuant to 72 COLREGS Rule 38. The Secretary of the Navy has determined that the keels of these ships were laid prior to July 15, 1977, and that the ships comply with the requirements of the International Regulations for Preventing Collisions at Sea, 1960. These ships are members of the SSN 688 class; therefore, the exemptions granted for that class in the existing tables in § 706.3 are applicable.

Since this amendment pertains to a military and foreign-affairs function of the United States, the rule making re-

quirements of 5 U.S.C. 553 do not apply. Accordingly, 32 CFR Part 706 is amended as follows:

#### § 706.2 [Amended]

1. The third Table One of § 706.2 is amended by inserting the following between "*USS Philadelphia SSN-690 6.10*" and "*USS George Washington SSBN-598 4.11*":

| Vessel         | No.     | Distance in meters of forward masthead light below minimum required height, Sec. 2(a)(i) annex I |
|----------------|---------|--|
| U.S.S. Memphis | SSN-691 | 6.10   |
| U.S.S. Omaha   | SSN-692 | 6.10   |

2. The fourth Table Three of § 706.2 is amended by inserting the following between "*USS Philadelphia SSN-690 238° 115° 252° 4.2 6.1 2.0 1.6 below*" and "*USS George Washington SSBN-598 240° 118° 255° 3.8 46.0 2.1 0.6 below*":

| Vessel         | No.     | Masthead light, arc of visibility; rule 21(a) (in degrees) | Side lights, arc of visibility; rule 21(b) (in degrees) | Stern light, arc of visibility; rule 21(c) (in degrees) | Side lights, distance inboard of ship's sides in meters; sec. 3(b), annex I | Stern light, distance forward of stern in meters; rule 21(c) | Forward anchor light, height above hull in meters; sec. 2(K), annex I | Anchor lights, relationship of aft light to forward light in meters; sec. 2(K), annex I |
|----------------|---------|--|---|---|---|--|---|---|
| U.S.S. Memphis | SSN-691 | 236  | 115   | 252   | 4.3   | 6.1  | 2.0   | 1.6 below.  |
| U.S.S. Omaha   | SSN-692 | 236  | 115   | 252   | 4.2   | 6.1  | 2.0   | Do.   |

Effective date: The effective date of this amendment will be October 5, 1977.

Dated: October 5, 1977.

W. GRAHAM CLAYTOR, Jr.,  
Secretary of the Navy.

[FR Doc.77-29863 Filed 10-11-77;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.

[3410-02]

## DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

[7 CFR Parts 905, 944]

### HANDLING OF ORANGES, GRAPEFRUIT, TANGERINES, AND TANGELOS GROWN IN FLORIDA; IMPORTS

#### Proposed Rulemaking

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Proposed rules.

**SUMMARY:** This notice invites written comment on a proposal that would continue through September 24, 1978, current minimum grade and size requirements for Florida oranges, grapefruit, tangerines and tangelos and imported grapefruit. The regulation will expire on November 13, 1977, unless extended. The proposed action is designed to assure shipment of ample supplies of fruit of acceptable grades and sizes in the interest of growers and consumers.

**DATES:** Comments must be received on or before October 25, 1977.

**PROPOSED EFFECTIVE DATE:** November 14, 1977.

**ADDRESS:** Send two copies of comments to: Hearing Clerk, United States Department of Agriculture, Room 1077 South Building, Washington, D.C. 20250, where they will be made available for public inspection during business hours (7 CFR 1.27(b)).

**FOR FURTHER INFORMATION CONTACT:**

Charles R. Brader, 202-447-3545.

**SUPPLEMENTARY INFORMATION:** The Department is considering extension of the regulations, as hereinafter set forth, effective under the marketing agreement, and Order No. 905 (7 CFR Part 905), regulating handling of oranges, grapefruit, tangerines, and tangelos grown in Florida, effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), and to a conforming extension of the regulation for imported grapefruit, effective pursuant to Section 8e of the act. The proposed action is based upon recommendations of the Growers Administrative Committee and Shippers Advisory Committee, established under the marketing order.

The proposed action reflects the committees' appraisal of the need for regulation of shipments of the specified varieties of fruits during the period November 14, 1977, through September 24, 1978, based on the supply and current and prospective market conditions. The ac-

tion is designed to assure shipment of ample supplies of fruit of acceptable grades and sizes in the interest of growers and consumers.

The proposal is as follows:

1. The proposed requirements for the specified varieties shipped from the production area to points in the United States, Canada or Mexico (domestic) and from the production area to destinations outside the Continental United States, Canada or Mexico (export) are the same as those contained in §§ 905.565 (Orange Regulation 76), 905.566 (Grapefruit Regulation 78), 905.567 (Tangerine Regulation 49) and 905.568 (Tangelo Regulation 49), 42 FR 47547-47550.

The proposed new regulation would read as follows:

#### § 905.301 Orange, Grapefruit, Tangerine, and Tangelo Regulation 301.

**Order.** (a) During the period specified in Column (2) of Table I no handler shall ship between the production area and any point outside thereof in continental United States, Canada, or Mexico, any variety of fruit listed in Column (1) of such table unless such variety meets the applicable minimum grade and size (with tolerances for size as specified in paragraph (c) hereof) specified for such variety in Column (3) and (4) of such table.

TABLE I

| Variety<br>(1)                                    | Regulation<br>period<br>(2)      | Minimum<br>grade<br>(3) | Minimum<br>size<br>(diameter)<br>(4) |
|---|----------------------------------|-------------------------|--------------------------------------|
| Oranges:  |                                  |                         |                                      |
| Early and midseason                               | Sept. 26, 1977 to Sept. 24, 1978 | U.S. No. 1              | 2 1/4                                |
| Navel   | do                               | U.S. No. 1 Golden       | 2 1/4                                |
| Valencia and other late type                      | do                               | U.S. No. 1              | 2 1/4                                |
| Temple  | do                               | do                      | 2 1/4                                |
| Murcott honey                                     | do                               | Florida No. 1           | 2 1/4                                |
| Grapefruit:                                       |                                  |                         |                                      |
| Seeded, except pink                               | do                               | U.S. No. 1              | 3 1/4                                |
| Seeded, pink                                      | do                               | do                      | 3 1/4                                |
| Seedless, except pink                             | do                               | Improved No. 2          | 3 1/4                                |
| Seedless, pink                                    | do                               | do                      | 3 1/4                                |
| Tangerines: Dancy and similar, including Robinson | do                               | U.S. No. 1              | 2 1/4                                |
| Tangelos: Tangelos                                | do                               | do                      | 2 1/4                                |

(b) During the period specified in Column (2) of Table II no handler shall ship to any destination outside the continental United States, other than Canada or Mexico, any variety of fruit listed in Column (1) of such table unless such variety meets the applicable minimum grade and size (with tolerances for size as specified in paragraph (c) hereof) specified for such variety in Columns (3) and (4) of such table.

| Variety<br>(1)                                    | Regulation<br>period<br>(2)      | Minimum<br>grade<br>(3) | Minimum<br>size<br>(diameter)<br>(4) |
|---|----------------------------------|-------------------------|--------------------------------------|
| Oranges:  |                                  |                         |                                      |
| Early and midseason                               | Sept. 26, 1977 to Sept. 24, 1978 | U.S. No. 1              | 2 1/4                                |
| Navel   | do                               | U.S. No. 1 Golden       | 2 1/4                                |
| Valencia and other late type                      | do                               | U.S. No. 1              | 2 1/4                                |
| Temple  | do                               | do                      | 2 1/4                                |
| Murcott honey                                     | do                               | Florida No. 1           | 2 1/4                                |
| Grapefruit:                                       |                                  |                         |                                      |
| Seeded, except pink                               | do                               | U.S. No. 1              | 3 1/4                                |
| Seeded, pink                                      | do                               | do                      | 3 1/4                                |
| Seedless, except pink                             | do                               | Improved No. 2          | 3 1/4                                |
| Seedless, pink                                    | do                               | do                      | 3 1/4                                |
| Tangerines: Dancy and similar, including Robinson | do                               | U.S. No. 1              | 2 1/4                                |
| Tangelos: Tangelos                                | do                               | do                      | 2 1/4                                |

(c) **Size Tolerances:** In the determination of minimum size as prescribed in Tables I and II, the following tolerances are permitted (1) for oranges, as set forth in § 51.1152 of the U.S. Standards for Grades of Florida Oranges and Tangelos, except that such tolerances for other than Navel, Temple, and Murcott Honey Oranges shall be based only on the oranges in the lot measuring

2 1/4 inches or smaller in diameter, and the tolerance for Murcott Honey oranges shall be as specified in § 51.1818 of the U.S. Standards for Grades of Florida Tangerines; (2) for grapefruit, as specified in § 51.761 of the U.S. Standards for Grades of Florida Grapefruit; (3) for tangerines, as specified in § 51.1818 of the U.S. Standards for Grades of Florida Tangerines; and (4) for tan-



gelos, as set forth in § 51.1152 of the U.S. Standards for Grades of Florida Oranges and Tangelos.

(d) Terms used in the marketing order, including Improved No. 2 grade for grapefruit, when used herein, mean the same as is given to the terms in the order; Florida No. 1 grade for murcotts means the same as provided in Rule No. 20-35.03 of the Regulations of the Florida Department of Citrus, and terms relating to grade, except Improved No. 2 grade for grapefruit, and diameter shall mean the same as is given to the terms in the revised U.S. Standards for Grades of Florida Oranges and Tangelos (7 CFR 51.1140-51.1180), the revised U.S. Standards for Florida Tangerines (7 CFR 51.1810-51.1835), or the revised U.S. Standards for Grades of Florida Grapefruit (7 CFR 51.750-51.784).

2. The proposed action for imported grapefruit would be accomplished by redesignating § 944.114 (Grapefruit Regulation 18; 42 FR 47550-47551) as § 944.101 (Grapefruit Regulation 1) and amending the provisions of paragraph (a) thereof to read as follows:

#### § 944.101 Grapefruit Regulation 1.

(a) *Applicability to imports.* Pursuant to section 8e of the act and Part 944—Fruits; Import Regulations, during the period specified in Column (2) of Table I, specified in § 905.301, the importation into the United States of any variety of grapefruit listed in Column (1) of said table is prohibited unless such variety meets the applicable minimum grade and size specified for such variety in Columns (3) and (4) of said table. In the determination of minimum size as prescribed in Table I, a tolerance is permitted as specified in paragraph (c) of § 905.301.

Dated: October 4, 1977.

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

[FR Doc.77-29634 Filed 10-11-77;8:45 am]

#### [ 3410-02 ]

##### [ 7 CFR Part 929 ]

#### CRANBERRIES GROWN IN CERTAIN STATES

##### Proposed Expenses, Rate of Assessment, and Carryover of Unexpended Funds

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Proposed rule.

SUMMARY: This notice invites written comments on proposed expenses and a rate of assessment for the 1977-78 fiscal period, to be collected from handlers to support activities of the Cranberry Marketing Committee which locally administers the Federal marketing order covering cranberries.

DATES: Comments must be received on or before October 27, 1977. Proposed effective dates: September 1, 1977, through August 31, 1978.

ADDRESSES: Sent two copies of comments to the Hearing Clerk, U.S. Department of Agriculture, Room 1077, South Building, Washington, D.C. 20250, where they will be available for public inspection during business hours (7 CFR 1.27(b)).

#### FOR FURTHER INFORMATION CONTACT:

Charles R. Brader, 202-447-3545.

SUPPLEMENTARY INFORMATION: The proposals under consideration were submitted by the committee, established under Marketing Order No. 929, as amended (7 CFR Part 929), regulating the handling of cranberries grown in the States of Massachusetts, Rhode Island, Connecticut, New Jersey, Wisconsin, Michigan, Minnesota, Oregon, Washington, and Long Island in the State of New York, effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), as the agency to administer its terms and provisions. The proposals are:

(a) Expenses that are reasonable and likely to be incurred by the Cranberry Marketing Committee during the period September 1, 1977, through August 31, 1978, will amount to \$75,835.56.

(b) The rate of assessment for said period payable by each handler in accordance with § 929.41 is fixed at \$0.03 per barrel or equivalent quantity of cranberries.

(c) Unexpended assessment funds in excess of expenses incurred during the fiscal period ended August 31, 1977, shall be carried over as a reserve in accordance with § 929.42.

Dated: October 6, 1977.

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

[FR Doc.77-29813 Filed 10-11-77;8:45 am]

#### [ 3410-02 ]

##### [ 7 CFR Part 999 ]

#### FILBERT IMPORTS

##### Proposed Grade and Size Standard Requirements

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Proposed regulation.

SUMMARY: This proposal would require that all filberts imported into the United States meet the same grade and size standards required of filberts grown in Oregon and Washington. This regulation would implement a recent amendment to the Agricultural Marketing Agreement Act of 1937.

DATES: Written comments to this proposal must be received by December 16, 1977.

ADDRESSES: Written comment should be submitted in duplicate to the Hearing Clerk, Room 1077, South Building, U.S. Department of Agriculture, Washington, D.C. 20250. All written submissions

will be made available for public inspection at the office of the Hearing Clerk during regular business hours.

#### FOR FURTHER INFORMATION CONTACT:

Charles R. Brader, Deputy Director, Fruit and Vegetable Division, Agricultural Marketing Service, U.S. Department of Agriculture, Washington, D.C. 20250 (202-447-3545).

SUPPLEMENTARY INFORMATION: This proposal would regulate the importation of filberts as required by section 8e (7 U.S.C. 608e-1) of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674; and as further amended by Public Law 95-113 approved September 29, 1977), hereinafter referred to as the "act".

Section 8e of the act provides, in part, that whenever a marketing order issued by the Secretary of Agriculture pursuant to section 8c of the act (7 U.S.C. 608c) contains any terms or conditions regulating the grade, size, quality, or maturity of filberts produced in the United States, the importation of filberts into the United States shall be prohibited during the period of time the order is in effect, unless the imported commodity complies with the grade, size, quality, and maturity provisions of the order or comparable restrictions promulgated under section 8e. Order No. 982, as amended (7 CFR Part 982), regulating the handling of filberts grown in Oregon and Washington (hereinafter referred to as the "order"), contains terms and conditions regulating the grade and size of filberts. Virtually all commercially produced U.S. filberts are grown in these two States.

The proposal contains grade and size requirements identical to those for filberts grown in Oregon and Washington and handled under the order. All inshell filberts shall be of a quality equal to or better than the requirements of U.S. No. 1 grade and medium size as defined in the U.S. Standards for Filberts in The Shell. This requirement is identical to Oregon No. 1 grade and medium size as defined in the Oregon Standards for Filberts In Shell and prescribed for inshell filberts under the order.

All shelled filberts shall be of a quality equal to or better than the requirements prescribed in Exhibit A of the import regulation. These requirements are identical to the requirements for Oregon No. 1 whole and broken grade for shelled filberts as contained in Oregon Grade Standards for Filbert (Hazelnut) Kernels, and prescribed for shelled filberts under the order.

Also included in the proposal are other requirements which pertain to the importation of filberts (e.g., inspection and certification, reconditioning, exemptions and compliance).

The proposal is as follows:

#### § 999.400 Regulation governing the importation of filberts.

(a) *Definitions.*—(1) "Filberts" means filberts or hazelnuts.



(2) "Inshell filberts" means filberts, the kernels or edible portions of which are contained in the shell.

(3) "Shelled filberts" means the kernels of filberts after the shells are removed.

(4) "Person" means any individual, partnership, corporation, association, or other business unit.

(5) "USDA inspector" means a Federal or Federal-State inspector, Fruit and Vegetable Quality Division, Food Safety and Quality Service, United States Department of Agriculture, or any other duly authorized employee of the USDA.

(6) "Importation" means release from custody of the United States Bureau of Customs.

(b) *Grade and size requirements.*—Except as provided in paragraph (d) of this section, no person shall import into the United States any lot of filberts unless the filberts meet the following requirements, which are identical to those for filberts grown in Oregon and Washington and handled pursuant to Order No. 982, as amended (7 CFR Part 982):

(1) *Inshell filberts.* All inshell filberts shall be of a quality equal to or better than the requirements of U.S. No. 1 grade and medium size as defined in the U.S. Standards for Filberts in the Shell (7 CFR 51). The U.S. No. 1 grade, medium size is identical to the Oregon No. 1 grade, medium size (as defined in the Oregon Grade Standards Filberts in Shell) and prescribed for inshell filberts under Order No. 982, as amended.

(2) *Shelled filberts.* All shelled filberts shall be of a quality equal to or better than the requirements prescribed in Exhibit A of this section. These requirements are identical to the requirements for Oregon No. 1 whole and broken grade for shelled filberts (as contained in Oregon Grade Standards for Filbert (Hazelnut) Kernels and prescribed for shelled filberts under Order No. 982, as amended).

(c) *Inspection and certification requirements.*—(1) *General.* Compliance with the grade and size requirements of paragraph (b) of this section shall be determined on the basis of an inspection and certification by a USDA inspector.

(2) *Inspection.* Inspection shall be performed by USDA inspectors in accordance with the Regulations Governing the Inspection and Certification of Fresh Fruits and Vegetables and Related Products (7 CFR Part 51). The cost of each such inspection and related certification shall be borne by the applicant. Whenever filberts are offered for inspection, the applicant shall furnish any labor and pay any costs incurred in moving and opening containers as may be necessary for proper sampling and inspection. The applicant shall also furnish the USDA inspector the entry number and such other identifying information for each lot as he may request. Inspection must be completed prior to the importation of filberts. The applicant should make advance arrangements with the USDA inspection office to avoid delay in scheduling the inspection.

(3) *Certification.* Each lot of filberts inspected in accordance with subparagraph (1) of this paragraph shall be covered by an inspection certificate. Each such certificate shall set forth, among other things, the following:

- (i) The date and place of inspection.
- (ii) The name of the applicant.
- (iii) The name of the importer.
- (iv) The quantity, and identifying marks of the lot inspected.
- (v) The statement, if applicable: "Meets U.S. import requirements under section 8e of the AMA Act of 1937".

(vi) If the lot fails to meet the import requirements, a statement to that effect and the reasons therefor.

(d) *Exemptions.* Notwithstanding any other provisions of this section, the importation of any lot of filberts which does not exceed 115 pounds in net weight shall be exempt from the requirements of this section.

(e) *Reconditioning prior to importation.* Nothing contained in this section shall be deemed to preclude reconditioning filberts prior to importation, in order that such filberts may be made eligible to meet the applicable grade and size regulations prescribed in paragraph (b) of this section.

(f) *Other restrictions.* The provisions of this section do not supersede the Federal Plant Quarantine Act of 1912, the Federal Food, Drug, and Cosmetic Act, or any other applicable laws or regulations or the need to comply with applicable food and sanitary regulations of city, county, State, or Federal agencies.

(g) *Compliance.* Any person who violates any provision of this section shall be subject to a forfeiture in the amount prescribed in section 8a(5) of the Agricultural Marketing Agreement Act of 1937, as amended (Secs. 1-19, 48 Stat. 31, as amended; 7 U.S.C. 601-674), or, upon conviction, a penalty in the amount prescribed in section 8c(14) of said act, or to both such forfeiture and penalty. False representations to any agency of the United States on any matter within its jurisdiction, knowing it to be false, is a violation of 18 U.S.C. 1001 which provides for a fine or imprisonment or both.

#### EXHIBIT A

##### GRADE REQUIREMENTS FOR SHELLED FILBERTS

Filbert kernels or portions of filbert kernels shall meet the following requirements:

- (1) Well dried; and
- (2) Clean.
- (3) Free from:
  - (i) Foreign material;
  - (ii) Mold;
  - (iii) Rancidity; or
  - (iv) Insect injury
- (4) Free from serious damage caused by:
  - (i) Serious shriveling; or
  - (ii) Other means.
- (5) Size; No size requirements.

#### TOLERANCES

In order to allow for variation incident to proper grading and handling the following tolerances, by weight, are permitted as specified:

- (1) For foreign material: 0.02 of one percent, for foreign material.
- (2) For defects: Five percent for kernels or portions of kernels which are below the requirements of this grade; including not

more than one percent for moldy, rancidity or insect injury.

#### APPLICATION OF STANDARDS

The grade of a lot of filbert kernels shall be determined on the basis of a composite sample drawn from containers in various locations in the lot. However, any container or group of containers in which the filberts are obviously of a quality, type, or size materially different from that in the majority of containers shall be considered a separate lot, and shall be sampled separately.

#### DEFINITIONS

##### *Similar type*

"Similar type" means that the kernels are of the same general type and appearance. For example, kernels of the round type shall not be mixed with those of the long type. Color of the kernels shall not be considered, since there is often a marked difference in skin color of kernels of similar type.

##### *Well dried*

"Well dried" means that the kernels are firm and crisp, not containing more than 6 percent moisture.

##### *Clean*

"Clean" means practically free from plainly visible adhering dirt or other foreign material.

##### *Foreign material*

"Foreign material" means any substance other than the filbert kernel, or portions of kernels. (Loose skins, pellicles or corky tissue which have become separated from the kernels shall not be considered as foreign materials; provided that this material does not exceed .02 of one percent by weight).

##### *Serious damage*

"Serious damage" means any specific defect described in this section; or an equally objectionable variation of any one of these defects, or any other defect, or any combination of defects, which seriously detracts from the appearance or the edible or marketing quality of the individual portion of kernel or of the lot as a whole. The following defects shall be considered as serious damage:

- (a) "Serious Shriveling" means when the kernel is seriously shrunken, wrinkled and tough.
- (b) "Moldy" means that there is a visible growth of mold either on the outside or inside of the kernel.
- (c) "Rancidity" means that the kernel is noticeably rancid to the taste. An oily appearance of the flesh does not necessarily indicate a rancid condition.
- (d) "Insect injury" means that the insect, frass or web is present, or the kernel or portion of kernel show definite evidence of insect feeding.

Dated: October 6, 1977.

FLOYD F. HEDLUND,

Director,

Fruit and Vegetable Division.

[FR Doc.77-29814 Filed 10-11-77; 8:45 am]

[3410-05]

Commodity Credit Corporation

[7 CFR Part 1464]

TOBACCO LOAN PROGRAM

1977 Burley Tobacco Grade Loan Rates

AGENCY: Commodity Credit Corporation, USDA.



## ACTION: Proposed Rule.

**SUMMARY:** This proposal would establish the grade loan rates to be applied to the various grades of 1977 crop burley tobacco to provide price support as required by the Agricultural Act of 1949, as amended. This action will provide producers with appropriate levels of support for the various grades of tobacco.

**DATES:** Comments must be received by November 11, 1977, to be sure of consideration.

**ADDRESSES:** Send comments to the Director, Price Support and Loan Division, ASCS, U.S. Department of Agriculture, P.O. Box 2415, Washington, D.C. 20013.

## FOR FURTHER INFORMATION CONTACT:

Robert P. Hieronymus, 202-447-5753.

**SUPPLEMENTARY INFORMATION:** Section 106 of the Agricultural Act of 1949, as amended, requires that the 1977 crop of burley tobacco be supported at the level of 117.3 cents per pound. The average level of support for burley tobacco is increased by 7.3 percent over the 1976 level. It is anticipated that price support will be provided through loans to producer associations which will receive the tobacco from the producers and advance to the producers the support price for the tobacco received. In accordance with Section 403 of the Act, the price support advances will be based on grade loan rates which will average the required level of support when weighted by the anticipated grade percentages.

The public is invited to submit written data, views and recommendations to the Director, Price Support and Loan Division, Agricultural Stabilization and Conservation Service, USDA, P.O. Box 2415, Washington, D.C. 20013.

All written submissions made pursuant to this notice will be made available for public inspection at the Office of the Director during regular business hours (8:15 a.m. to 4:45 p.m.).

## PROPOSED RULE

Under the Tobacco Loan Program published in this Part, Commodity Credit Corporation proposes to establish loan rates by grades for the 1977 crop of burley tobacco, type 31, as set forth herein. These proposed rates are calculated to provide the level of support of 117.3 cents per pound as determined under Section 106 of the Agricultural Act of 1949 (7 U.S.C. 1445). Accordingly, it is proposed that 7 CFR 1464.21 be revised to read as follows:

<sup>1</sup> Only the original producer is eligible to receive advances. Tobacco graded "U" (unsound), "W" (wet), "No-G" (no-grade), or scrap will not be accepted. Cooperatives are authorized to deduct \$1 per hundred pounds to apply against overhead costs.

§ 1464.21 1977 Crop Burley Tobacco, Type 31, Loan Schedule.<sup>1</sup>

[Dollars per 100 lb, farm sales weight]

| Grade | Loan rate | Grade | Loan rate | Grade | Loan rate |
|-------|-----------|-------|-----------|-------|-----------|
| B1F   | 129       | T4F   | 117       | C3V   | 119       |
| B2F   | 128       | T5F   | 111       | C4V   | 117       |
| B3F   | 126       | T3FR  | 119       | C5V   | 111       |
| B4F   | 123       | T4FR  | 116       | C4G   | 107       |
| B5F   | 119       | T5FR  | 109       | C5G   | 101       |
| B1FR  | 128       | T3R   | 114       | X1L   | 128       |
| B2FR  | 127       | T4R   | 111       | X2L   | 127       |
| B3FR  | 125       | T5R   | 105       | X3L   | 125       |
| B4FR  | 122       | T4D   | 104       | X4L   | 120       |
| B5FR  | 118       | T5D   | 100       | X5L   | 115       |
| B1R   | 125       | T4K   | 102       | X1F   | 128       |
| B2R   | 124       | T5K   | 99        | X2F   | 127       |
| B3R   | 122       | T4VF  | 112       | X3F   | 125       |
| B4R   | 119       | T5VF  | 106       | X4F   | 120       |
| B5R   | 113       | T4VR  | 105       | X5F   | 115       |
| B4D   | 109       | T5VR  | 101       | X4M   | 117       |
| B5D   | 104       | T4GF  | 101       | X5M   | 107       |
| B3K   | 118       | T5GF  | 96        | X4G   | 107       |
| B4K   | 116       | T4GR  | 97        | X5G   | 99        |
| B5K   | 110       | T5GR  | 92        | M1F   | 110       |
| B3M   | 120       | C1L   | 129       | M2F   | 109       |
| B4M   | 116       | C2L   | 128       | M3F   | 108       |
| B5M   | 107       | C3L   | 126       | M4F   | 106       |
| B3VF  | 122       | C4L   | 123       | M5F   | 104       |
| B4VF  | 117       | C5L   | 119       | M3FR  | 106       |
| B5VF  | 114       | C1F   | 129       | M4FR  | 104       |
| B3VR  | 117       | C2F   | 128       | M5FR  | 100       |
| B4VR  | 113       | C3F   | 126       | N1L   | 100       |
| B5VR  | 110       | C4F   | 123       | N2L   | 93        |
| B3GF  | 112       | C5F   | 119       | N1F   | 96        |
| B4GF  | 110       | C3K   | 118       | N1R   | 93        |
| B5GF  | 106       | C4K   | 115       | N2R   | 87        |
| B3GR  | 106       | C5K   | 109       | N1G   | 87        |
| B4GR  | 104       | C3M   | 121       | N2G   | 79        |
| B5GR  | 101       | C4M   | 119       |       |           |
| T3F   | 122       | C5M   | 111       |       |           |

Signed at Washington, D.C., on October 4, 1977.

RAY FITZGERALD,  
Executive Vice President,  
Commodity Credit Corporation.

[FR Doc.77-29632 Filed 10-11-77;8:45 am]

[3410-37]

## Food Safety and Quality Service

[7 CFR Part 2852]

## PREPARATION FOR UPDATING THE U.S. STANDARDS FOR GRADES OF GRAPEFRUIT JUICE

AGENCY: Food Safety and Quality Service, USDA.

ACTION: Solicitation of Views and Comments.

**SUMMARY:** Take notice that the Fruit and Vegetable Quality Division of the Food Safety and Quality Service, U.S. Department of Agriculture, is encouraging citizens' participation in updating the standards for grapefruit juice. These standards are used to assign a quality grade (A, B or Substandard) to grapefruit juice. The quality grade is based on three factors: (1) Color of the juice; (2) absence of defects (seed particles, specks, membrane particles, core and peel); and (3) flavor of the juice (naturally occurring sugar, added sugar, naturally occurring acid, sugar-acid balance and bitterness).

**DATE:** Comments must be received on or before January 10, 1978.

**ADDRESS:** Send comments to: Chief, Processed Products Branch, Fruit and Vegetable Quality Division, Food Safety and Quality Service, U.S. Department of Agriculture, Washington, D.C. 20250. Comments will be available for public inspection at the same address during regular business hours.

## FOR FURTHER INFORMATION CONTACT:

Dale C. Dunham, Processed Products Branch, Fruit and Vegetable Quality Division, Food Safety and Quality Service, U.S. Department of Agriculture, Washington, D.C. 20250 (202-447-4693).

**SUPPLEMENTARY INFORMATION:** Two color types of grapefruit are grown in the United States—white (white-fleshed grapefruit) and pink (pink or red-fleshed grapefruit). Each color type is used in the commercial production of grapefruit juice.

Grapefruit juice varies in color because: (1) The juice is made from all white-fleshed grapefruit; (2) the juice is made from all pink-fleshed grapefruit; (3) the juice is made from mixed white-fleshed grapefruit and pink-fleshed grapefruit; or (4) the juice is processed from grapefruit harvested in the fall, winter or spring months (natural pigments in grapefruit change color as the fruit ripens).

Good color does not necessarily indicate good flavor in grapefruit juice. Just the opposite occurs in fully-ripened white-fleshed grapefruit—the juice is more amber color and less bright while the flavor is generally considered at its peak. Currently, the U.S. standards assign a lower quality grade to grapefruit juice which is amber color and somewhat dull. The color is usually the only reason for the lower quality grade. There is reason to believe that the standards should be changed if this is a fault.

On the other hand there is also reason to believe that if color is reduced in importance for determining the quality grade, less desirable fruit such as hybrids (cross between grapefruit and other citrus fruits), could be added in small amounts and receive a "grade A" quality grade. The possibility that this situation could occur would be greatest during the fall crop. There would be less chance of it occurring during the winter and spring crops because of availability of the hybrid fruit.

The USDA has been requested to update the U.S. standards for grades of grapefruit juice. The following are options relative to the grapefruit juice standards:



| Choice  | Suggested advantages   | Suggested disadvantages   |
|---|--|---|
| Retain the current U.S. standards unchanged.  | Either poor color or poor flavor limits juice to lower quality grades.   | Color is given too much importance. Mixed juice (white and pink) is limited to a lower quality grade. Juice from properly ripened grapefruit may be assigned a lower quality grade only because of color. Hybrid fruit could be added in small amounts. |
| Option No. 1—Revise the current U.S. standards by making color non-limiting in grade A and grade B.   | More accurately evaluate the quality of juice from ripe grapefruit by putting more emphasis on flavor and less emphasis on color. Permits blending of juice from white grapefruit and pink grapefruit. | Only flavor would limit juice which has both poor color and poor flavor to lower quality grades. Hybrid fruit could be added in small amounts.  |
| Option No. 2—Revise current U.S. standards by partial limiting rule for color (permits top grade B color in "grade A" quality grade).                       | do   | Difficult to determine top "grade B" color from bottom "grade B" color with the trained eye. Only an instrument can make the determination.   |
| Option No. 3—Revise the current U.S. standards by partial limiting rule for color and flavor (permits poorer color only when accompanied by better flavor). | do   | The critical cutoff point between low A and high A flavor is difficult to judge.  |
| Option No. 4—Revise current U.S. standards by eliminating color as a quality factor.  | Color could be determined by an instrument and reported as either white or pink. Very equitable.   | Ignores color as a factor in the quality grade of grapefruit juice.   |

Comments, suggestions, and recommendations will be welcome until January 10, 1978, and should be sent to:

Chief, Processed Products Branch, Fruit and Vegetable Quality Division, FSQS, U.S. Department of Agriculture, Washington, D.C. 20250.

The response would be used to develop a formal notice of proposed rulemaking at a later date.

Dated: October 3, 1977.

ROBERT ANGELOTTI,  
Administrator.

[FR Doc.77-29579 Filed 10-11-77;8:45 am]

[4110-07]

# DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Social Security Administration

[20 CFR Part 416]

[Regs. No. 16]

## SUPPLEMENTAL SECURITY INCOME FOR THE AGED, BLIND, AND DISABLED

### Referral of Blind and Disabled Individuals For Appropriate Rehabilitation Services

AGENCY: Social Security Administration, HEW.

ACTION: Notice of Proposed Rule Making.

SUMMARY: This proposed rule implements amendments to the Social Security Act which were enacted and effective October 20, 1976 relating to the supplemental security income for the aged, blind, and disabled program. This legislation requires the Secretary of Health, Education, and Welfare to (1) refer blind or disabled individuals age 16 or over and under age 65 who are receiving Supplemental Security Income benefits to the appropriate State Agency administering the State plan for vocational rehabilitation, and (2) to refer blind and disabled children under age 16 who are receiving Supplemental Security Income benefits, to the agency administering the State plan for crippled children's serv-

ices under title V of the Social Security Act or to another agency (which administers programs providing services to disabled children and which the Governor of the State has determined is capable of administering the State plan in a more efficient and effective manner) for appropriate services. Also, the law as amended no longer requires that all blind and disabled persons must accept vocational rehabilitation services in order to be eligible for benefits. Under the amended law, this requirement applies only to persons age 16 or over. The proposed amendments to the regulations reflect these changes in the law.

DATES: Comments must be received on or before November 28, 1977.

ADDRESSES: Prior to final adoption of the proposed amendments to the regulations, consideration will be given to any data, views, or arguments pertaining thereto which are submitted in writing to the Commissioner of Social Security, Department of Health, Education, and Welfare, P.O. Box 1585, Baltimore, Md. 21203. Copies of all comments received in response to this notice will be available for public inspection during regular business hours at the Washington Inquires Section, Office of Information, Social Security Administration, Department of Health, Education, and Welfare, North Building, Room 5131, 330 Independence Avenue SW., Washington, D.C. 20201.

FOR FURTHER INFORMATION CONTACT:

Harry Short, Legal Assistant, 6401 Security Boulevard, Baltimore, Md. 21235, telephone 301-594-7414.

SUPPLEMENTARY INFORMATION: Prior to passage of Pub. L. 94-566, title XVI of the Social Security Act (Supplemental Security Income For The Aged, Blind, and Disabled (SSI)) provided for referral of all individuals (including children) receiving SSI benefits because of blindness or disability, to the State agency administering the State plan for vocational rehabilitation services ap-

proved under the Vocational Rehabilitation Act of 1973 (29 U.S.C. Chapter 16). There was no provision in the law for rehabilitation services specifically suitable for children.

As required by section 501(b) of Pub. L. 94-566, medical criteria for determining disability (as defined in section 1614(a)(3) of the Social Security Act (42 U.S.C. 1382c)) of children under age 18 were published as final regulations on March 16, 1977, in the FEDERAL REGISTER (42 FR 14705). Regulations relating to vocational rehabilitation services for children under age 16 and the criteria for approval of State plans and any other regulations necessary to the proper administration of the program will be issued at a later date.

The proposed amendments are to be issued under the authority of sections 1102 and 1615 of the Social Security Act, as amended; 49 Stat. 647, as amended; 86 Stat. 1474, as amended; 42 U.S.C. 1302, and 1382d.

(Catalog of Federal Domestic Assistance Program No. 13.807—Supplemental Security Income Program.)

NOTE.—The Social Security 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.

Dated: September 2, 1977.

J. B. CARDWELL,  
Commissioner of Social Security.

Approved: September 29, 1977.

JOSEPH A. CALIFANO, Jr.,  
Secretary of Health, Education,  
and Welfare.

Part 416, Subpart Q of Chapter III of Title 20 of the Code of Federal Regulations is amended to read as follows:

1. Section 416.1703 is revised to read as follows:

§ 416.1703 Referral of blind and disabled individuals for appropriate services.

(a) *Individuals age 16 or over.* A disabled or blind individual age 16 or over and under age 65 who is receiving benefits under this part is referred to the appropriate State agency administering the State plan for vocational rehabilitation services approved under the Rehabilitation Act of 1973 (see also 45 CFR 401.120ff published at 39 FR 25436, July 10, 1974) for a review of that individual's need for and utilization of available vocational rehabilitation services.

(b) *Individuals under age 16.* A disabled or blind individual who has not attained age 16 is referred for appropriate services to (1) the State agency administering the State plan for crippled children's services under title V of the Social Security Act, or (2) another agency providing services to disabled children which the Governor of the State has determined is capable of administering the State plan in a more efficient and effective manner.

(c) Such referrals are made:



(1) At the time it is determined that an individual is eligible for benefits based on disability or blindness; and

(2) At such other times as may be scheduled according to individual circumstances.

2. Section 416.1705 is revised to read as follows:

**§ 416.1705 Ineligibility for benefits because of refusal to accept vocational rehabilitation services.**

A disabled or blind individual age 16 or over and under age 65, who is receiving benefits under this part, and who has been referred to an appropriate State agency administering a State plan for vocational rehabilitation shall not be eligible for benefits for any month in which he or she refuses, without good cause (see § 416.1707), to accept vocational rehabilitation services available to him or her under a State plan approved under the Rehabilitation Act of 1973 (see § 416.1328(a) regarding suspension of benefits).

[FR Doc.77-29820 Filed 10-11-77;8:45 am]

## [ 8320-01 ]

### VETERANS ADMINISTRATION

#### [ 38 CFR Part 21 ]

#### VETERANS EDUCATION

##### Prompt Refunds

AGENCY: Veterans Administration.

ACTION: Proposed Rule.

**SUMMARY:** This amendment is intended to provide a definition of "prompt refund" to correct a problem arising from unreasonable delay by some schools in making refunds. It is hoped that the schools will be more expeditious and uniform in their refunds.

An error is also corrected which has erroneously told the schools to refund the portion of the tuition earned and to keep the portion not earned. The rule is correctly stated in all places except one where this erroneous phrasing is longstanding.

The Veterans Administration also makes editorial changes which reflect the agency's policy of using precise terms for gender in its regulations.

**DATES:** Comments must be received on or before November 11, 1977. It is proposed to make this amendment effective the date of final approval.

**ADDRESSES:** Send written comments to: Administrator of Veterans Affairs (271A), Veterans Administration, 810 Vermont Avenue NW., Washington, D.C. 20420.

Comments will be available for inspection at the address shown above during normal business hours until November 21, 1977.

**FOR FURTHER INFORMATION CONTACT:**

June C. Schaeffer, Assistant Director for Benefits and Facilities, Education

and Rehabilitation Service, Department of Veterans Benefits, Veterans Administration, 810 Vermont Avenue, NW., Washington, D.C. 20420 (202-389-2092).

#### SUPPLEMENTARY INFORMATION:

Section 21.4255 is based upon an earlier Korean Conflict regulation. At some point in time in the past the Korean Conflict regulation contained the language regarding refunds currently found in § 21.4254(c) (13). It was then amended to include elsewhere in its provisions, the same principles stated in § 21.4255(e), at which time the author apparently mistakenly referred to the "refund" rather than "charge" to be made upon pro rata refund determinations. The effect of the shift in language is to require the school to refund to the student the amount of tuition earned by the school and to keep the amount of the tuition not earned by the school. Obviously, this is the reverse of the correct result.

A new paragraph (f) is added to provide for nonaccredited courses the same definition of "prompt" refund provided in § 21.4256 for correspondence courses. The same problem regarding delay in the payment of refunds to the students as existed in correspondence courses exists in the case of nonaccredited courses. The intent is to make clear to the parties involved what minimum delay will be acceptable.

#### ADDITIONAL COMMENT INFORMATION

Interested persons are invited to submit written comments, suggestions, or objections regarding the proposal to the Administrator of Veterans Affairs (271A), Veterans Administration, 810 Vermont Avenue, NW., Washington, D.C. 20420. All written comments received will be available for public inspection at the above address only between the hours of 8 a.m. and 4:30 p.m. Monday through Friday (except holidays), until November 21, 1977. Any person visiting Central Office for the purpose of inspecting any such comments will be received by the Central Office Veterans Services Unit in room 132. Such visitors to any VA field station will be informed that the records are available for inspection only in Central Office and furnished the address and the above room number.

**ECONOMIC IMPACT:** The Veterans Administration has determined that this document does not contain a major proposal requiring preparation of an Economic Impact Statement under Executive Order 11821, as amended by Executive Order 11949, and OMB Circular A-107.

Approved: October 4, 1977.

By direction of the Administrator.

RUFUS H. WILSON,  
Deputy Administrator.

It is proposed to amend 38 CFR Part 21 as follows:

In § 21.4255, paragraphs (d) and (e) are revised and paragraph (f) is added so that the revised and added material reads as follows:

#### § 21.4255 Refund policy; nonaccredited courses.

A refund policy will meet the requirements of § 21.4254(c) (13), if it provides that the amount charged for tuition, fees, and other charges for a portion of the course does not exceed the approximate pro rata portion of the total charges for tuition, fees, and other charges that the length of the completed portion of the course bears to the total length when the school makes provision for refund within the following limitations:

(d) *Books, supplies, and equipment.* Where the veteran or eligible person purchases his or her books, supplies, and equipment from a bookstore or other source, and the cost of such items is separate and independent from the charge made by the school for tuition and fees, he or she may retain or dispose of such items at his or her own discretion. Where the school furnishes the books, supplies, and equipment, with the cost thereof included in the total charge payable to the school for the course, and the veteran or eligible person withdraws or is discontinued prior to the completion of the course, refund will be made in full for the amount of the charge for the unissued books, supplies, and equipment. Issued items may be disposed of at the discretion of the veteran or eligible person.

(e) *Tuition and other charges.* Where the school either has or adopts an established policy for the refund of the unused portion of tuition, fees, and other charges subject to proration, which is more favorable to the veteran or eligible person than the approximate pro rata basis as provided in this section, such established policy will be applicable. Otherwise, the school may charge a sum which does not vary more than 10 percent from the exact pro rata portion of such tuition, fees, and other charges that the length of the completed portion of the course bears to its total length. The exact proration will be determined on the ratio of the number of days of instruction completed by the student to the total number of instructional days in the course.

(f) *Prompt refund.* In the event that the veteran, spouse, surviving spouse or child fails to enter the course or withdraws or is discontinued therefrom at any time prior to completion of the course, the unused portion of the tuition, fees and other charges paid by the individual shall be refunded promptly. Any institution which fails to forward any refund due within 40 days after such a change in status, shall be deemed, prima facie, to have failed to make a prompt refund, as required by this section.

[FR Doc.77-29761 Filed 10-11-77;8:45 am]



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by changes in their biochemical and physical environments. Educational use of the article will include preceptor training of post-doctoral research fellows in electron microscopy techniques. Application received by Commissioner of Customs: August 29, 1977.

Docket Number: 77-00347. Applicant: National Animal Disease Center, P.O. Box 70, Ames, Iowa 50010. Article: LKB 8800A Ultratome III Ultramicrotome. Manufacturer: LKB Produkter AB, Sweden. Intended use of article: The article is intended to be used for studies of normal and diseased animal tissue. Tissues will be prepared in various embeddings and will vary in density, consistency and tensile strength for ultrathin sectioning. Experiments will be conducted to elucidate the pathogenesis of economically important diseases of livestock and as a consequence provide means for control and eventual eradication of such diseases. Application received by Commissioner of Customs: August 29, 1977.

Docket Number: 77-00348. Applicant: Wayne State University, School of Medicine, 540 E. Canfield, Detroit, Mich. 48201. Article: LKB 8800A Ultratome III Ultramicrotome and Modular Table Complete, Model 2128-720. Manufacturer: LKB Produkter AB, Sweden. Intended use of article: The article is intended to be used for investigation of the fine structure of the retina and the mode of function of its constituent cells specifically the maintenance and renewal of photoreceptor elements. Animals maintained under controlled dark-light cycles will be studied at different intervals to establish the means by which the phagocytic removal of the outer segment material is accomplished. The article will also be used by a number of investigators with independent programs many of which involve the same sort of cytochemical localization and specificity as the above and include the localization (in retina) of those sites where acetylcholine serves as the effective neurotransmitter; localization of free (non-membrane) phospholipids in the female reproductive tract; characterization of membrane structure in lens fiber cells as well as other projects. In addition, the article will be used in the courses Cell and Tissue Ultrastructure, Microscopic Anatomy, Human Reproduction, and individualized Research and Directed Study Courses, all relating to the application of fine structure study techniques involving sectioning of plastic embedded tissues prior to light and electron microscopy. Application received by Commissioner of Customs: August 29, 1977.

Docket Number: 77-00349. Applicant: City College of New York Research Foundation, 138 St. and Convent Ave., New York, N.Y. 10031. Article: Spin Lock CPS-2 NMR Pulse Spectrometer and Accessories. Manufacturer: Spin-Lock Electronics Co., Canada. Intended use of article: The article will provide capabilities for detecting and quantitating the formation of each of the ternary enzyme-metal-PRPP complexes and the quaternary enzyme-metal-

PRPP-nitrogenous substrate complexes using water-proton relaxation rate enhancement techniques. Application received by Commissioner of Customs: August 29, 1977.

Docket Number: 77-00350. Applicant: University of Massachusetts, Department of Polymer Science and Engineering, Amherst, Mass. 01003. Article: Electron Microscope, Model JEM-100CX/SEG/BST and Accessories. Manufacturer: JEOL Ltd., Japan. Intended use of article: The article is intended to be used for the investigation of the microstructure, including distribution of phases, crystal structure; phase transformations and distribution of elements using X-ray microanalysis. The materials to be studied are crystalline and non-crystalline solids including polymers and biopolymers, metal alloys, minerals, ceramics. Experiments to be conducted include: low dose STEM imaging of radiation sensitive polymer crystal and spherulites; BF-DF studies of phase distribution in polymer blends; lattice imaging high resolution defect studies of metal alloys; X-ray microanalysis of phases in polymers, minerals, metals, frozen microemulsion, frozen biological tissues for spatial distribution maps of elements ( $Z \geq 11$ ); crystal structure determination of fine second phases using micro diffraction; secondary electron imaging of fracture surfaces. In addition, the article will be used for educational purposes in the courses: PSE 721. Electron Microscopy and Diffraction and PSE 722. Electron Microscopy Laboratory. Application received by Commissioner of Customs: August 29, 1977.

Docket Number: 77-00351. Applicant: The University of California at San Diego, La Jolla, Calif. 92093. Article: Electron Microscope, Model EM 10A and Accessories. Manufacturer: Carl Zeiss, West Germany. Intended use of article: The article is intended to be used in the study of the morphology and function of structures involved in meiotic crossing-over by comparing wild-type (crossover proficient) and crossover deficient mutants in *Drosophila melanogaster* females. Specific experiments to be conducted involve reconstruction analysis of the synaptonemal complex of the recombination nodule performed in wild-type and in each of the 10 crossover defective mutants. Various crossover-defective mutants are being used as probes into the function of the two known structures involved in meiotic crossing-over by determining whether and how these mutants alter the quantitative and qualitative parameters; they are also being used as probes for other structures by asking whether they affect any structures not presently thought to be involved in meiotic crossing-over. Also, the cytological phenotype of the mutants will be used to further elucidate the defect in the mutants themselves. The article will also be used in the training of predoctoral students in Biology 203A and Biology 299. Application received by Commissioner of Customs: August 29, 1977.

Docket Number: 77-00352. Applicant: Massachusetts Institute of Technology, 77 Massachusetts Avenue, Cambridge, Mass. 02139. Article: IMS-3F Ion Microprobe. Manufacturer: Cameca Instruments, France. Intended use of article: The article will be used to determine the trace element concentrations and isotopic ratios on small (1-10  $\mu$ ) sample areas of natural minerals and ores and synthetic laboratory minerals. Experiments will be conducted to obtain an understanding of the processes governing geochemical distribution of the elements in terrestrial and lunar materials. In particular, the article will be used (a) to study the fine-scale (micron) distribution of trace elements (<10 ppm) between coexisting phases (minerals) in natural and laboratory samples, and (b) fine scaled variations in isotopic ratio caused either by fractionation or radiogenic processes. The article will also be used by graduate students doing Ph. D. thesis studies. Application received by Commissioner of Customs: August 29, 1977.

Docket Number: 77-00353. Applicant: New York Zoological Society, Weston Road, Lincoln, Mass. 01733. Article: Continuous Recording Oscilloscope Camera, Model PC-3A and Accessories. Manufacturer: Nihon Kohden, Baytronix, Ltd., Canada. Intended use of article: The article is intended to be used in a comparative study of songs of humpback whales throughout the world to gain a better understanding of vocal behavior as it elucidates the social structure, migratory paths, behavior and their extraordinary and little known system of communication conservation. Application received by Commissioner of Customs: August 30, 1977.

(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.

[FE Doc.77-29765 Filed 10-11-77;8:45 am]

[6315-01]

## COMMUNITY SERVICES ADMINISTRATION

### PUBLIC POLICY FORUMS

Future Programs and Priorities in CSA's War Against Poverty; Notice of Hearing, Roanoke, Va.

Roanoke, Va. will be the site of a Public Policy Forum held by the Community Services Administration, the Federal anti-poverty agency.

CSA's legislation, the Economic Opportunity Act of 1964 as amended, requires that CSA be an advocate on behalf of the poor; that it be a "national laboratory" for developing new or more effective ways to combat poverty in America; and that it provide direct services to poor people who are not served, or who are under-served, by other agencies.

Through the Public Policy Forum CSA wants to learn, especially from the poor



themselves, what people believe the Agency should do to meet its legislative mandate in the future. For example, what should CSA do differently which will help poor people in such areas as housing, energy, economic development, and aging? What should CSA's priorities be in the next three years?

CSA wishes to hear from its constituents on these questions. Therefore, the public residing within the area of Federal Region III (Delaware, District of Columbia, Maryland, Pennsylvania, Virginia, and West Virginia) is invited to participate in these public hearings to be held October 14 and 15, 1977, in Roanoke, Va. Anyone interested can participate by registering and speaking or submitting a written statement if unable to appear personally. Each participant will have an opportunity to make a five minute statement which will be followed by a short discussion with the CSA panel which will be chaired by CSA's Deputy Director, William W. Allison.

CSA also invites and welcomes the attendance of the general public at this hearing.

If you wish to present your views and ideas to the panel, please call Ted Edlich or Charlene Chambers, Total Action Against Poverty in Roanoke Valley (TAP), Roanoke, Va., 703-345-6781.

#### SUMMARY INFORMATION

Time: October 14, 1977, 9 a.m.-12 noon, 3 p.m.-7 p.m.; October 15, 1977, 10 a.m.-2 p.m.

Place: Roanoke Civic Center, Exhibit Hall Parlor B, 710 Williams Rd. NE., Roanoke, Va.

Registration: October 14, 8 a.m.; October 15, 9 a.m.

GRACIELA (GRACE) OLIVAREZ,  
Director.

[FR Doc.77-29904 Filed 10-11-77;8:45 am]

#### [ 6560-01 ]

### ENVIRONMENTAL PROTECTION AGENCY

[FRL 803-3]

### SCIENCE ADVISORY BOARD, ECOLOGY ADVISORY COMMITTEE

#### Open Meeting

Under Pub. L. 92-463, notice is hereby given that a meeting of the Ecology Advisory Committee of the Science Advisory Board will be held on October 31 and November 1, 1977, beginning at 9 a.m., in the Administrator's Conference Room (Room 1101), Waterside Mall West Tower, 401 M Street SW., Washington, D.C.

This is the fourteenth meeting of the Ecology Advisory Committee. The agenda includes a report on Science Advisory Board activities; discussions on the collection and maintenance of scientific specimens, integrated pest management, river drainage basin ecosystem research, and activities of the Office of Research and Development; consideration of the need for long-term ecological research on coastal waters; briefing on the feasibility study of the possible containment or removal of kepone contaminants in

the James River; items for the Committee's future consideration; and member items of interest.

The meeting is open to the public. Any member of the public wishing to attend, participate, or obtain information should contact Dr. J. Frances Allen, Executive Secretary, Ecology Advisory Committee, 703-557-7720.

Dated: October 5, 1977.

RICHARD M. DOWD,  
Staff Director,  
Science Advisory Board.

[FR Doc.77-29731 Filed 10-11-77;8:45 am]

#### [ 6560-01 ]

[FRL 803-2]

### SCIENCE ADVISORY BOARD EXECUTIVE COMMITTEE, SUBCOMMITTEE ON SCIENTIFIC CRITERIA FOR PHOTO-CHEMICAL OXIDANTS

#### Meeting

Under Pub. L. 92-463, notice is hereby given that a two-day meeting of the Subcommittee on Scientific Criteria for Photochemical Oxidants of the Science Advisory Board will be held on November 10 and 11, 1977, in Conference Room A (Room 1112), Crystal Mall Building No. 2, 1921 Jefferson Davis Highway, Arlington, Va. The meeting will start at 9 a.m. on November 10, 1977.

The purpose of the meeting will be to provide advice and consultation on air quality criteria for photochemical oxidants and, specifically, to review and comment on a draft document entitled, "Air Quality Criteria for Photochemical Oxidants and Oxidant Precursors," prepared by the Agency's Office of Research and Development.

The meeting will be open to the public. Any member of the public wishing to attend or submit a paper should contact the Secretariat, Science Advisory Board (A-101), U.S. Environmental Protection Agency, Washington, D.C. 20460, by c.o.b., November 3, 1977. Please ask for Mrs. Ilene F. Stein, or Ms. Barbara Robinson.

The telephone number is 703-557-7720.

RICHARD M. DOWD,  
Staff Director,  
Science Advisory Board.

OCTOBER 4, 1977.

[FR Doc.77-29730 Filed 10-11-77;8:45 am]

#### [ 6560-01 ]

[FRL 803-7]

### STATE OF MINNESOTA

#### Determination of Primary Enforcement Responsibility

This public notice is issued under section 1413 of the Safe Drinking Water Act, Pub. L. 93-523, December 16, 1974, and § 142.10 of the National Interim Primary Drinking Water Regulations, published in the FEDERAL REGISTER on January 20, 1976.

A submission, dated May 20, 1977, has been received from the Commissioner of Health, requesting a determination that the Minnesota Department of Health has met requirements for primary enforcement responsibility for public water systems in the State of Minnesota, in accordance with the provisions of this Act.

In response, I determined on July 22, 1977, that the Minnesota Department of Health has met all conditions of the Safe Drinking Water Act and subsequent regulations for the assumption of primary enforcement responsibility for public water systems in the State of Minnesota. The State—

(1) Has adopted drinking water regulations which are no less stringent than the National Interim Primary Drinking Water Regulations;

(2) Has adopted and will implement adequate procedures for the enforcement of such State regulations, including adequate monitoring and inspections;

(3) Will keep such records and make such reports as required;

(4) Will issue variances and exemptions in accordance with the provisions of the National Interim Primary Drinking Water Regulations;

(5) Has adopted and can implement an adequate plan for the provision of safe drinking water under emergency circumstances.

A copy of my preliminary determination was published in the FEDERAL REGISTER on August 5, 1977. At that time I asked for public comment and scheduled a public hearing to consider this application. The hearing was held on August 31, 1977. No comments adverse to my preliminary decision have been received, either during the public comment period or at the public hearing.

Therefore, I am affirming my determination that the Minnesota Department of Health has met all conditions of the Safe Drinking Water Act and subsequent regulations for the assumption of primary enforcement responsibility for public water systems in the State of Minnesota.

Dated: September 26, 1977.

GEORGE R. ALEXANDER, JR.,  
Regional Administrator, Region V,  
Environmental Protection Agency.

[FR Doc.77-29811 Filed 10-11-77;8:45 am]

#### [ 6560-01 ]

[FRL 804-3]

### RESOURCE CONSERVATION COMMITTEE

#### Public Meeting

The Resource Conservation Committee is the cabinet level interagency committee set up under Section 8002(j) of the Resource Conservation and Recovery Act. The Committee is responsible for studying and making recommendations on a wide range of resource conservation policies.

This Committee is attempting to gather public comments and input on the issue of Federal legislation for beverage container deposits. It is charged with the responsibility of reporting to the Presi-



dent and the Congress late this year on the subject. Input from the public is solicited to assist and guide this committee in reaching a position on beverage container deposit legislation. As one method of gathering pertinent information, a public meeting has been scheduled on October 19, 1977, 9 a.m. at the Department of Commerce, 14th and Constitution Avenue, NW., Main Auditorium.

This meeting will provide an opportunity for a brief oral presentation. The following questions highlight the issues for which public input is sought:

1. What should the Resource Conservation Committee recommend regarding the development of Federal beverage container legislation? Should the Federal Government set general guidelines or develop specific container legislation?
2. What alternatives to beverage container deposit legislation will accomplish similar results and what are their relative impacts on pollution and energy and materials consumption?

3. Should there be more guidelines for the States to develop their own respective legislation? If Federal legislation were developed, should it supersede State and local laws?

4. What are the economic consequences, both positive and negative, of resource conservation as it relates to beverage container legislation or guidelines? Should there be compensation for economic losses and, if so, how should this be accomplished? Should any requirements be levied on unrefunded deposits?

6. What are the environmental impacts, both positive and negative, which may occur as a result of beverage container legislation or guidelines?

7. Is additional research on this subject necessary prior to a legislative proposal or the promulgation of guidelines? What should such research focus upon?

8. What are the key elements that should appear in beverage container guidelines or legislation?

9. To what extent should this committee consider the type of beverage container charge? Should charges be focused upon the type of beverages or should they be focused on the type of container? Should the Committee consider containers other than beverage containers?

10. What should be the limits on the deposits considered? Should they focus upon the size, the value of the container, the solid waste management costs, including litter pickup, the incentive necessary to assure high rates of return, or other factors? To what degree should container guidelines or legislation develop requirements on issues such as pull-top containers, or the standardization of containers? Where in the distribution chain is the best point for a deposit to originate?

11. If beverage container deposit legislation is to be considered by the committee, how should its implementation be developed? To what extent are cost data available for the variety of State and local programs addressing beverage container legislation?

Interested parties who are unable to attend or wish to make more extended comment, are encouraged to submit written comments, with the assurance that they will receive equally complete consideration by the Committee. Written comments must be received by Susan Mann by November 2, 1977.

Comments and questions should be directed to Susan B. Mann, Public Participation Liaison, Resource Conservation Committee (WH-463), 401 M Street SW., Washington, D.C. 20460 (202) 755-9145.

Dated: October 7, 1977.

THOMAS C. JORLING,  
Acting Deputy Administrator,  
Environmental Protection  
Agency.

[FR Doc. 77-29937 Filed 10-11-77; 9:24 am]

[ 6560-01 ]

[FRL 804-4]

#### INTERAGENCY TESTING COMMITTEE REPORT

##### Receipt and Request for Comments

AGENCY: Environmental Protection Agency (EPA).

SUMMARY: EPA has received from the Interagency Testing Committee established under section 4(e) of the Toxic Substances Control Act (TSCA) a report identifying chemical substances and mixtures which the Committee recommends that EPA give priority consideration for promulgation for testing rules under section 4 of the Act. This report appeared October 12, 1977, in the FEDERAL REGISTER. In accordance with section 4(e) (1) (B), the Agency is providing a 90-day period in which interested persons are invited to submit comments on the Committee's report.

BACKGROUND: Section 4 of TSCA authorizes the EPA Administrator to promulgate regulations requiring testing of chemicals in order to develop data relevant to a determination of the risks which such chemicals may present to human health and the environment.

Section 4(e) establishes an Interagency Testing Committee and requires the Committee to submit its initial recommendations as to testing priorities by October 1, 1977. These recommendations are required to be in the form of a list of chemicals or groups of chemicals, together with the Committee's reasons for each recommendation. The Agency is required to initiate rulemaking for these chemicals within 12 months of their inclusion on the priority list or to publicly state its reasons for not doing so:

AVAILABILITY: The Committee's report appeared October 12, 1977, in the FEDERAL REGISTER. Persons wishing to receive additional copies should call or write to:

Mrs. Phyllis Tucker, Council on Environmental Quality, 722 Jackson Place NW., Washington, D.C. 20006, 202-633-7074.

In developing its report, the Testing Committee relied almost exclusively on published or other generally available information. A number of general references are given in the report; references for specific chemicals are expected to be included in the dossiers which the Testing Committee plans to provide to EPA in the next few weeks. Results of the Testing Committee's scoring of chemicals for their exposure and biological activity are available for public inspection at the EPA library, 401 M Street SW., Washington, D.C. 20460, between 8:30 a.m. and 4:30 p.m., weekdays. Public comments on the Testing Committee's preliminary list, published in July 1977, are also available at the EPA library.

REQUEST FOR COMMENTS: EPA invites all interested persons to submit comments on all aspects of the Testing Committee's report, including its recommendations. In view of the statutory deadline for initiating rulemaking (or stating reasons for not doing so), the Agency requests that comments be submitted no later than January 12, 1978.

Comments should bear the identifying notation OTS-040002 and should be submitted in triplicate to the U.S. Environmental Protection Agency, Office of Toxic Substances (WH-557), Federal Register Section, 401 M Street, SW., Washington, D.C. All written comments will be available for public inspection in Room 619, East Tower, at the same address, between 8:30 a.m. and 4:30 p.m., weekdays.

Dated: October 7, 1977.

DOUGLAS M. COSTLE,  
Administrator.

[FR Doc. 77-29938 Filed 10-11-77; 9:24 am]

[ 6712-01 ]

#### FEDERAL COMMUNICATIONS COMMISSION

[FCC 77-664; CSR-1095, etc.]

#### FREMONT CABLE TV, INC.

#### Declaratory Ruling and Order

Adopted: September 21, 1977.

Released: October 5, 1977.

In re: Fremont Cable TV, Inc., Fremont, Calif., CSR-1095, CSC-174 (CA010), petition for special relief, petition for order to show cause.

1. Section 76.55 of the Commission's rules provides, in part:

(a) Where a television broadcast signal is required to be carried by a community unit, pursuant to the rules in this subpart:

(2) The signal shall, on request of the station licensee or permittee, be carried on the system on the channel number on which the station is transmitting, except where technically infeasible;

At issue in the above-captioned matters is whether the arrangement of the channel selector provided by Fremont Cable TV, Inc. to the subscribers of its cable



television system at Fremont, Calif., is in compliance with this rule.

2. The cable television system has a 30-channel capacity. Subscribers select the desired signal to view by using a channel selector provided by the cable system, rather than using the channel selector on their television receivers. The face of this channel selector is rectangular in shape and includes 15 channel selection buttons arranged horizontally. In order to utilize 30 channels using only 15 selector buttons, two signals are controlled by each button. Above the buttons is a label indicating in two rows the channel numbers and call signs of the stations which may be received. Another switch determines whether the subscriber will view the signals designated on the top row of the label or the signals designated on the bottom row of the label. (Although not so designated on the channel selectors, petitioners refer to these as the A and B banks or bands.) Thus, to select a particular signal to view, the subscriber depresses the appropriate one of the 15 buttons and adjusts a second switch, in either order. (See appendix)

3. Petitioners are two television broadcast stations each of whom contends that it is not located at the appropriate position on the channel selector. In CSR-1095, Miami Valley Broadcasting Corp., licensee of Station KTVU (Ind., Channel 2), Oakland, Calif., requests a ruling that it is entitled to be carried at the second position on the "A" (top) band, rather than elsewhere. In CSC-174, Chronicle Broadcasting Co., licensee of Television Broadcast Station KRON (NBC, Channel 4), San Francisco, Calif., requests that the cable system be ordered to cease and desist from violation of the Rules because the signal of Station KRON is not located on the channel selector at the fourth position on the "A" (top) band. In each proceeding, Fremont Cable TV filed opposition comments to which petitioner replied. KTVU also filed a statement in support of KRON's petition.

#### ARGUMENTS

4. Station KTVU, Channel 2, appears at the first position of the second row of the label on the channel selector. It requests to be carried on channel "2A" rather than channel "1B."<sup>1</sup> KTVU argues that its current carriage position thwarts its interest in developing and maintaining its identity and results in viewer confusion as to its channel identity. Its concern is in possible audience error in identifying KTVU in audience surveys. Moreover, it argues that carriage of its signal on channel "2B" would also violate the rule. It contends that the rule was designed to make channel configurations on cable systems resemble off-air configurations. It notes that the

other market VHF stations, its competitors, are carried on the "A" band; yet its signal is relegated to the "B" band along with specialty stations whose programming is of limited appeal and less attractive. Thus, it states that it is at a competitive disadvantage. The rule, it argues, was designed to maintain the same local competitive situation; "on channel carriage" includes "on band" carriage. Therefore, it argues that its signal is carried off-channel contrary to the rule.

5. Station KRON, Channel 4, appears at the 12th position of the first row of the label on the channel selector ("12A"). Since it is not being carried on channel "4A," it contends that it is being carried off-channel; thus an order to show cause should be issued.

6. Fremont Cable TV argues that it is in strict compliance with § 76.55(a)(2). The cable system has done specifically what the rule required. The signal is available to all subscribers. Every station is labeled as clearly as possible. The channel selection buttons are not identified by number. It argues that there is no possible confusion for any subscriber. The cable system states that no subscriber, if asked, would suggest that he was watching "channel 1B."

7. Fremont Cable TV further argues that petitioners have not shown themselves adversely affected by the status quo. Yet granting the petitions would impose a substantial burden on the cable system. Change might require relicensing the microwave facilities which use AML-delivered frequencies. Also, the existing channel traps, used to prevent non-paying subscribers from receiving the pay-TV signal, can be used on only one channel. Redesignating the channel used for pay-TV would necessitate the purchase and installation of 4,000 new traps (at \$8 each), and pay-TV operations would have to cease during the conversion period due to agreements with pay-TV program suppliers.

8. In reply, Station KTVU stresses that the cost of complying with the rule does not excuse non-compliance, and thus provides no basis for denial of the request. Yet the status quo places KTVU at a competitive disadvantage with its VHF market competitors. KTVU again argues that § 76.55(a)(2) requires on-channel on-band carriage. The "B" band is less attractive and can result in viewer confusion and a decline in KTVU's local channel identity. The purpose of the rule is to maintain off-air channel configurations.

9. In its reply, Station KRON states that there is no factual dispute, nor is there controlling Commission precedent. KRON notes that the first four channel positions are reserved for use by the cable system. Two stations on the top row are not in normal sequence: Station KCRA-TV, Channel 3, is at the sixth position; Station KRON, Channel 4, is at the 12th position. It states that there is no technical reason for KRON to be at the 12th position rather than the fourth position. It summarizes Fremont's argument to be

that compliance with the rule exists upon the posting of a channel number and call sign on any button, irrespective of where the button is located on the converter. Yet, KRON argues, the sequence followed by the ordinary viewer in selecting a program would be like that used in reading or writing, i.e., proceeding from left to right on the first row before repeating the procedure for the second row.<sup>2</sup> KRON contends that, were the Commission to agree with the cable system's argument, then a cable system using a circular dial could rearrange the channel numbers out of sequence and in any manner, so long as the correct channel number appeared. Such an argument, it suggests, would quickly be rejected.

#### DECISION

10. The cable television system has complied with the rule. The purpose of the rule was to assure, wherever possible, that the channel number indicated on the channel selector corresponded with the number designation of the channel whose signal appeared on the screen of the television receiver. Here, the selection buttons are not numbered. The only numbers on the channel selector are those of the corresponding television channels. The rules does not refer to sequence of numbering. What one station might believe to be the proper layout for numbering on a particular channel selector might be inappropriate to another station. Here, others may believe the preferred location to be that nearest the selection buttons. Moreover, here the channel selector not only indicates the correct corresponding channel number as provided by the rule, but also the call sign of the station. It serves little purpose for the Commission to examine each type of channel selector which may appear when the purpose of the rule has been met. In discussing the language of this rule in regard to rules which preceded the current rule, the Commission stated: "So long as the requirements of the rules are met, the CATV operator should be free to decide how the channels on its cable are to be utilized." Para. 70, "Second Report and Order in Docket 14895," FCC 66-220, 2 FCC 2d 725, 754 (1966); see also paras. 133-35, "First Report and Order in Docket 14895," 38 FCC 683, 732-33 (1965). The cable operator should, of course, exercise good faith to assure that the purpose and spirit of the rule are met. The petitions will be denied. In view of the foregoing, a grant of the petitions would not be consistent with the public interest.

Accordingly, it is ordered, That the petition (CSR-1095) filed by Miami Valley Broadcasting Corp. on December 21, 1976, is denied.

It is further ordered, That the "Petition for Order to Show Cause" (CSC-

<sup>1</sup> Petitioner notes that the habit of writing from left to right supplanted the earlier forms of writing in the fifth century. "The New International Encyclopedia," Vol. I, page 465.

<sup>2</sup> KTVU notes that the Commission's decision in this matter would serve as precedent for a number of other area cable television systems where on-channel carriage of its signal via converters is subject to the same attack.



174) filed by Chronicle Broadcasting Co. on March 28, 1977, is denied.

FEDERAL COMMUNICATIONS  
COMMISSION,<sup>2</sup>  
VINCENT J. MULLINS,  
Secretary.

[FR Doc.77-29770 Filed 10-11-77;8:45 am]

# [ 6712-01 ]

## NATIONAL INDUSTRY ADVISORY COMMITTEE BROADCAST SERVICES SUBCOMMITTEE

### Meeting

Pursuant to the provisions of the Pub. L. 92-463, announcement is made of a public meeting of the Broadcast Services Subcommittee of the National Industry Advisory Committee to be held Thursday, October 27, 1977. The Subcommittee will meet at the FCC building, 1919 M Street, NW., Washington, D.C., Room 847 at 10 a.m.

**PURPOSE:** To consider proposals related to the Emergency Broadcast System (EBS).

### AGENDA ITEMS:

1. Chairman's opening remarks.
2. Defense Civil Preparedness Agency demonstration of a "public emergency alerting technique".
3. Consideration of a Defense Civil Preparedness Agency proposal to include National Warning System (NAWAS) terminals at control points of the emergency broadcast system.
4. Consideration of a proposed basic emergency broadcast system (EBS) plan.
5. New Business, closing comments and adjournment.

Any member of the general public may attend or file a written statement with the Committee either before or after the meeting. Any member of the public wishing to make an oral statement must consult with the committee prior to the meeting. Those desiring more specific information about the meeting may telephone the Emergency Communications Division, FCC, (202) 632-7232.

FEDERAL COMMUNICATIONS  
COMMISSION,  
VINCENT J. MULLINS,  
Secretary.

[FR Doc.77-29771 Filed 10-11-77;8:45 am]

# [ 6730-01 ]

## FEDERAL MARITIME COMMISSION UNITED STATES LINES, ET AL. Agreements Filed

Notice is hereby given that the following agreements have been filed with

<sup>2</sup> Attachment filed as a part of the original document. Chairman Wiley not participating; Commissioner Fogarty concurring in the result.

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 agreements at the Washington office of the Federal Maritime Commission, 1100 L Street NW., Room 10126; or may inspect the agreements at the Field Offices located at New York, N.Y., New Orleans, La., San Francisco, Calif., and Old San Juan, P.R. Comments on such agreements, including requests for hearing, may be submitted to the Secretary, Federal Maritime Commission, Washington, D.C. 20573, on or before November 1, 1977. Any person desiring a hearing on the proposed agreements 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 agreements (as indicated hereinafter) and the statement should indicate that this has been done.

### Notice of agreements filed by:

Mr. Stuart R. Breidbart, Corporate Counsel,  
United States Lines, Inc., One Broadway,  
New York, N.Y. 10004.

Agreement No. DC-123, between United States Lines, Inc. (USL) and Matson Navigation Co. (Matson), is a memorandum of agreement whereby USL and Matson agree to jointly and severally employ the services of an independent party for: (a) Cargo inspections; (b) the issuing of freight corrections and the collecting of undercharges; and (c) the billing and collecting of storage and detention charges in Guam. USL and Matson agree to meet from time-to-time to discuss and attempt to reach agreement on tariff matters solely covering free time, demurrage, detention and rules covering inspection and administrative fees to apply against misdeclarations of description, weight, mixture provisions or cube.

Agreement No. DC-124, among USL, Matson, and The Adherence Group International, N.V. (TAG), provides for USL and Matson each to appoint and employ TAG to act as its exclusive independent contractor for inspection of cargo, documentation examination, billing and collecting legal charges due for free time, demurrage and detention at the Territory of Guam for all cargo between ports and points in the Continental U.S.A. and ports and points in the Territory of Guam. As compensation for

its service, USL and Matson shall separately pay TAG \$50,000 per year.

Dated: October 5, 1977.

By order of the Federal Maritime Commission.

FRANCIS C. HURNEY,  
Secretary.

[FR Doc.77-29764 Filed 10-11-77;8:45 am]

# [ 6210-01 ]

## FEDERAL RESERVE SYSTEM HUNTINGTON BANCSHARES, INC.

### Acquisition of Bank

Huntington Bancshares, Inc., Columbus, Ohio, has applied for the Board's approval under section 3(a)(3) of the Bank Holding Company Act (12 U.S.C. 1842(a)(3)) to acquire 100 percent (less directors' qualifying shares) of the voting shares of the successor by merger to the Franklin National Bank, Franklin, Ohio. The factors that are considered in acting on the application are set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

The application may be inspected at the offices of the Board of Governors or at the Federal Reserve Bank of Cleveland. Any person wishing to comment on the application should submit views in writing to the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551, to be received not later than October 25, 1977.

Board of Governors of the Federal Reserve System, October 5, 1977.

GRIFFITH L. GARWOOD,  
Deputy Secretary of the Board.

[FR Doc.77-29747 Filed 10-11-77;8:45 am]

# [ 6210-01 ]

## JOHN-WADE CO.

### Formation of Bank Holding Company

John-Wade Co., Santa Ana, Calif., has applied for the Board's approval under section 3(a)(1) of the Bank Holding Company Act (12 U.S.C. 1842(a)(1)) to become a bank holding company by retaining 59 percent of the voting shares of Coast Bancorp, Long Beach, Calif., a bank holding company that owns directly 99 percent of the voting shares of Coast Bank, Long Beach, Calif. The factors that are considered in acting on the application are set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

The application may be inspected at the offices of the Board of Governors or at the Federal Reserve Bank of San Francisco. Any person wishing to comment on the application should submit views in writing to the Secretary, Board of Governors of the Federal Reserve System, Washington, D.C. 20551, to be received not later than November 2, 1977.



Board of Governors of the Federal Reserve System, October 5, 1977.

GRIFFITH L. GARWOOD,  
Deputy Secretary of the Board.

[FR Doc.77-29748 Filed 10-11-77;8:45 am]

## [ 6210-01 ]

### LEDONK INVESTMENT CO.

#### Formation of Bank Holding Company

LeDonk Investment Co., McLaughlin, S. Dak., has applied for the Board's approval under section 3(a) (1) of the Bank Holding Company Act (12 U.S.C. 1842(a) (1)) to become a bank holding company by acquiring 92.2 percent or more of the voting shares of the First State Bank of McLaughlin, McLaughlin, S. Dak. The factors that are considered in acting on the application are set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

The application may be inspected at the offices of the Board of Governors or at the Federal Reserve Bank of Minneapolis. Any person wishing to comment on the application should submit views in writing to the Reserve Bank, to be received not later than October 31, 1977.

Board of Governors of the Federal Reserve System, October 5, 1977.

GRIFFITH L. GARWOOD,  
Deputy Secretary of the Board.

[FR Doc.77-29749 Filed 10-11-77;8:45 am]

## [ 6210-01 ]

### UB FINANCIAL CORP.

#### Order Approving Retention of an Office of H. S. Pickrell Co.

UB Financial Corp., Phoenix, Ariz., a bank holding company within the meaning of the Bank Holding Company Act, has applied for the Board's approval, under section 4(c) (8) of the Act (12 U.S.C. 1843(c) (8)) and § 225.4(b) (2) of the Board's Regulation Y (12 CFR 225.4 (b) (2)), to retain an office of H. S. Pickrell Co., Phoenix, Ariz., located in Mesa, Ariz., and continue to engage in mortgage banking activities, including originating, selling, and servicing mortgage loans. Such activities have been determined by the Board to be closely related to banking (12 CFR 225.4(a) (1) and (3)).

Notice of the application, affording opportunity for interested persons to submit comments and views on the public interest factors, has been duly published (42 FR 39478). 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 section 4(c) (8) of the Act (12 U.S.C. 1842 (c) (8)).

Applicant is the fourth largest banking organization in Arizona and controls one bank, United Bank of Arizona. H. S. Pickrell Co. ("Pickrell") is engaged in the mortgage banking business and makes, sells, and services loans secured by mortgages or deeds of trust on real

property, and arranges for such loans by insurance companies, savings and loan associations, commercial and savings banks, pension funds, and other institutional investors. Pickrell has its main office in Phoenix and maintains other offices in Tucson and Mesa, Ariz., and Albuquerque, N. Mex.

By Order of March 28, 1972, Applicant received the Board's approval to retain Pickrell. In April 1972, Pickrell opened a new office in Mesa, Ariz., without the prior approval of the Board. Applicant has indicated that it was in the process of completing its assimilation of Pickrell and was unaware that the Mesa office had been newly established. Thus, Applicant's approval from the Board to retain Pickrell did not include the Mesa office and the operation of that office would constitute a violation of the Board's Regulation Y.<sup>1</sup>

In acting on applications pursuant to section 4(c) (8) of the Act to retain offices in situations where the necessary prior approval of the Board was not obtained for such offices, the Board applies the same standards as it does to applications to establish such offices initially. In addition, the Board considers the competitive effects of such proposals as of the time that the offices were established.

At the time that it approved Applicant's application to retain Pickrell, the Board noted that only a slight amount of existing competition existed between Applicant and Pickrell. Neither Applicant nor Pickrell had more than a minor share of the mortgage banking business in any local market in Arizona, or in the State as a whole. The Board concluded at that time that Applicant's acquisition of Pickrell would have no adverse effects on competition and would strengthen Pickrell's competitive position in the State. Inasmuch as the Mesa office of Pickrell that is the subject of this application was opened de novo, it appears that Applicant's retention of that office would likewise have no adverse effects upon either potential or existing competition. Moreover, there is no evidence in the record indicating that retention of this office would result in any undue concentration of resources, unfair competition, conflicts of interests, unsound banking practices or other adverse effects on the public interest.

As indicated above, the subject application is an after-the-fact request for the Board's approval to conduct operations at an office that was opened in violation of the Board's Regulation Y. It is the Board's view, on the basis of the facts and circumstances of the subject application, that the violation was inadvertent. In acting on this application the Board has taken into consideration the fact that Applicant, upon becoming aware of the existence of the violation, took steps to conform its operations to the Act by filing the subject application. In addition, Applicant's management has taken steps to prevent violations from occurring in the future, including

<sup>1</sup> See 12 CFR 225.4(c) (2).

the initiation of an affirmative program under the direction of one of its officers to ensure that the management of Applicant's subsidiaries is aware of its responsibilities under the Bank Holding Company Act. The Board expects that these actions will assist Applicant in avoiding a recurrence of similar violations. In light of the above and other information in the record evidencing Applicant's intent to comply with the requirements of the Bank Holding Company Act, the Board has determined that the circumstances of the above violation do not warrant denial of the application.

Based upon the foregoing and other considerations reflected in the record, the Board has determined that the balance of the public interest factors the Board is required to consider under section 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.

By order of the Board of Governors,<sup>2</sup> effective October 3, 1977.

GRIFFITH L. GARWOOD,  
Deputy Secretary of the Board.

[FR Doc.77-29750 Filed 10-11-77;8:45 am]

## [ 6210-01 ]

### UB FINANCIAL CORP.

#### Order Approving Credit-Related Insurance Activities

UB Financial Corp., Phoenix, Ariz., a bank holding company within the meaning of the Bank Holding Company Act, has applied for the Board's approval, under section 4(c) (8) of the Act (12 U.S.C. 1843(c) (8)) and § 225.4(b) (2) of the Board's Regulation Y (12 CFR 225.4 (b) (2)), to recommence through its subsidiary, H. S. Pickrell Co., the activity of acting as broker or agent for the sale, by mail solicitation, of credit-related life and accident and health insurance, solely in connection with extensions of credit by H. S. Pickrell Co. Such activities have been determined by the Board to be closely related to banking (12 CFR 225.4 (a) (9)).

Notice of the application, affording opportunity for interested persons to submit comments and views on the public interest factors, has been duly published (42 FR 39478). 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 section 4(c) (8) of the Act (12 USC 1482 (c) (8)).

<sup>2</sup> Voting for this action: Chairman Burns and Governors Gardner, Wallich, Coldwell, Jackson, Partee, and Lilly.



Applicant is the fourth largest banking organization in Arizona and controls one bank, United Bank of Arizona. H. S. Pickrell Co. ("Pickrell") is engaged in the mortgage banking business and makes, sells, and services loans secured by mortgages or deeds of trust on real property, and arranges of such loans by insurance companies, savings and loan associations, commercial and savings banks, pension funds, and other institutional investors. Pickrell has its main office in Phoenix and maintains other offices in Tucson and Mesa, Ariz., and Albuquerque, N. Mex.

By Order of March 28, 1972, the Board approved Applicant's application to retain Pickrell. The Board's Order was limited to an approval for Applicant to acquire Pickrell and engage in mortgage banking activities. It appears that in addition to mortgage banking activities, Pickrell has participated in certain credit life and credit accident and health insurance activities which were not included in Applicant's application to retain Pickrell.

Pickrell provided lists of its mortgagors to an unaffiliated third party insurance company which solicited the purchase of credit life insurance. In those instances where a mortgagor elected to purchase such insurance, the insurance company forwarded the necessary forms to Pickrell to allow Pickrell to impound and pay the insurance premiums out of the mortgagor's monthly payment. Pickrell received a share of the premiums for handling the payments. Pickrell also mailed material prepared by the insurance company to the mortgagor describing the availability of credit accident and health insurance. If the mortgagor elected to purchase that insurance, Pickrell again handled the premium payments in return for a share of the premium.

In the Board's view, Pickrell's actions constitute engaging in credit insurance activities. Since Applicant's approval from the Board did not include engaging in insurance activities, Pickrell's participation in those activities constituted a violation of the Board's Regulation Y.<sup>2</sup>

In acting on applications pursuant to section 4(c) (8) of the Act to continue to engage in activities in situations where the necessary prior approval of the Board was not obtained for such activities, the Board applies the same standards as it does to applications to commence such activities initially. In addition, the Board considers the competitive effects of such proposals as of the time that the activity was commenced.

The credit insurance Pickrell offers is a supplementary service and has no competitive significance independent of the mortgage credit extended by Pickrell. Credit insurance is readily available from other financial institutions in the market. It does not appear that Applicant's engaging in insurance activities would have any significant adverse effect on existing or future competition. Moreover, there is no evidence in the record

indicating that approval of this proposal would result in any undue concentration of resources, unfair competition, conflicts of interests, unsound banking practices or other adverse effects on the public interest.

As indicated above, the subject application is an after-the-fact request for the Board's approval to engage in activities that were commenced in violation of the Board's Regulation Y. It is the Board's view, on the basis of the facts and circumstances of the subject application, that the violation was the result of a misinterpretation of the Act. In acting on this application the Board has taken into consideration the fact that Applicant, upon becoming aware of the existence of the violation, immediately ceased the activity and took steps to conform its operations to the Act by filing the subject application. In addition, Applicant's management has taken steps to prevent violations from occurring in the future, including the initiation of an affirmative program under the direction of one of its officers to ensure that the management of Applicant's subsidiaries is aware of its responsibilities under the Bank Holding Company Act. The Board expects that these actions will assist Applicant in avoiding a recurrence of similar violations. In consideration of the above and other information in the record evidencing Applicant's intent to comply with the requirements of the Bank Holding Company Act, the Board has determined that the circumstances of the above violation do not warrant denial of the application.

Based upon the foregoing and other considerations reflected in the record, the Board has determined that the balance of the public interest factors the Board is required to consider under section 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.

By order of the Board of Governors,<sup>3</sup> effective October 3, 1977.

GREFFITH L. GARWOOD,  
Deputy Secretary of the Board.

[FR Doc.77-29751 Filed 10-11-77; 8:45 am]

## [ 6210-01 ]

### AMERICAN HOLDING CO. OF LINDSAY, INC.

#### Formation of Bank Holding Company

American Holding Company of Lindsay, Inc., Lindsay, Okla., has applied for the Board's approval under section 3(a)

<sup>3</sup> Voting for this action: Chairman Burns and Governors Gardner, Wallich, Coldwell, Jackson, Partee, and Lilly.

(1) of the Bank Holding Company Act (12 U.S.C. 1842(a) (1)) to become a bank holding company by acquiring 80 percent or more of the voting shares of American Exchange Bank, Lindsay, Okla. The factors that are considered in acting on the application are set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

The application may be inspected at the 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 Reserve Bank, to be received not later than October 31, 1977.

Board of Governors of the Federal Reserve System, October 5, 1977.

ROBERT E. MATTHEWS,  
Assistant Secretary of the Board.

[FR Doc. 77-29797 Filed 10-11-77; 8:45 am]

## [ 6210-01 ]

### FEDERAL OPEN MARKET COMMITTEE Authorization for Domestic Open Market Operations

On September 30, 1977, the Federal Open Market Committee voted to increase from \$2 billion to \$3 billion the limit on Federal Reserve Bank holdings of special short-term certificates of indebtedness purchased directly from the Treasury, specified in paragraph 2 of the Authorization for Domestic Open Market Operations, effective immediately. The amended paragraph reads as follows:

2. The Federal Open Market Committee authorizes and directs the Federal Reserve Bank of New York, or, under special circumstances, such as when the New York Reserve Bank is closed, any other Federal Reserve Bank, to purchase directly from the Treasury for its own account (with discretion, in cases where it seems desirable, to issue participations to one or more Federal Reserve Banks) such amounts of special short-term certificates of indebtedness as may be necessary from time to time for the temporary accommodation of the Treasury: *Provided*, That the rate charged on such certificates shall be a rate  $\frac{1}{4}$  of 1 percent below the discount rate of the Federal Reserve Bank of New York at the time of such purchases; and *provided further*, That the total amount of such certificates held at any one time by the Federal Reserve Banks shall not exceed \$3 billion.

NOTE.—For paragraph 2 the Authorization see 40 FR 10660.

By order of the Federal Open Market Committee, October 6, 1977.

ARTHUR L. BROIDA,  
Secretary.

[FR Doc.77-29796 Filed 10-11-77; 8:45 am]

## [ 6210-01 ]

### PARISH NATIONAL CORP.

#### Formation of Bank Holding Company

Parish National Corp., Bogalusa, La., has applied for the Board's approval under section 3(a) (1) of the Bank Holding Company Act (12 U.S.C. 1842(a) (1)) to become a bank holding company by acquiring 81 percent or more of the voting shares of Parish National Bank, Bo-

<sup>2</sup> See 12 CFR 225.4(c) (2).



galusa, La. The factors that are considered in acting on the application are set forth in section 3(c) of the Act (12 U.S.C. 1842(c)).

The application may be inspected at the offices of the Board of Governors or at the Federal Reserve Bank of Atlanta. Any person wishing to comment on the application should submit views in writing to the Reserve Bank, to be received not later than November 4, 1977.

Board of Governors of the Federal Reserve System, October 5, 1977.

ROBERT E. MATTHEWS,  
Assistant Secretary of the Board.

[FR Doc.77-29798 Filed 10-11-77;8:45 am]

## [ 1505-01 ]

### GENERAL SERVICES ADMINISTRATION

[FPR Temporary Reg. 41]

#### AGENCY PROCUREMENT REQUESTS FOR AUTOMATED DATA PROCESSING EQUIP- MENT, SOFTWARE, MAINTENANCE SERVICES, AND SUPPLIES

##### General Services Administration Action Correction

In FR Doc. 77-29101 appearing on page 54009 in the issue for Tuesday, October 4, 1977, the Temporary Regulation number in the headings was printed as "FPMR Temporary Reg. 41." It should read "FPR Temporary Reg. 41," as set forth above.

[FPR Temporary Reg. 42]

#### CHANGES IN THE SMALL BUSINESS ACT BY PUB. L. 95-89

##### Correction

In FR Doc. 77-29102 appearing on page 54009 in the issue for Tuesday, October 4, 1977, the Temporary Regulation number in the headings was printed as "FPMR Temporary Reg. 42." It should read "FPR Temporary Reg. 42," as set forth above.

## [ 4110-12 ]

### DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Office of the Secretary

#### ADVISORY COMMITTEE ON NATIONAL HEALTH INSURANCE ISSUES

##### Meetings

Notice of the establishment of the Advisory Committee on National Health Insurance Issues was published in the April 21, 1977 FEDERAL REGISTER (Vol. 42, No. 77, Pages 20675 and 20676).

Pursuant to Pub. L. 92-463, notice is hereby given of one meeting of the Advisory Committee to be held on Friday, October 21, 1977 from 9 a.m. until 12:30 p.m. and from 1:30 p.m. until 5:30 p.m. in the HEW North Building Auditorium at 330 Independence Avenue SW., Washington, D.C.

The purpose of this meeting will be to hear from selected national organizations on the potential impact of National Health Insurance.

A second meeting is to be held on Friday, November 4, 1977 from 9 a.m. until 12:30 p.m. and from 2 p.m. until 5:30 p.m. and another on Saturday, November 5, 1977 from 9 a.m. until 1 p.m. in the HEW South Portal Building Auditorium at 200 Independence Avenue SW., Washington, D.C.

The purpose of this meeting will be to discuss major issues related to the development of an National Health Insurance proposal.

These meetings will be open to the public.

Further information on these meetings may be obtained from Dr. James J. Mongan on 202-245-6275.

Dated: October 6, 1977.

JAMES J. MONGAN,  
Deputy Assistant Secretary for  
Health, National Institutes of  
Health.

[FR Doc.77-29763 Filed 10-11-77;8:45 am]

## [ 4110-12 ]

### PRESIDENT'S COMMITTEE ON MENTAL RETARDATION

#### Meeting

The President's Committee on Mental Retardation was established by Executive Order to provide advice and assistance in the area of mental retardation to the President including evaluation of the adequacy of the national effort to combat mental retardation; coordination of activities of Federal agencies; provision of adequate liaison between foundations and other private organizations; and development of information designed for dissemination to the general public.

The Committee will meet on October 28, 29, and 30, 1977, 9 a.m. to 5 p.m., at the Chateau Motor Hotel, 201 Lake Street, Shreveport, Louisiana. At the meeting, the Committee will discuss full citizenship rights, humane service systems, trends in residential facilities, public awareness, and prevention of mental retardation.

These meetings are open to the public.

Further information on the President's Committee on Mental Retardation may be obtained from Mr. Fred J. Krause, Executive Director, President's Committee on Mental Retardation, Room 2614, ROB No. 3, 7th and D Streets, SW., Washington, D.C. 20201, telephone Area Code 202-245-7634.

Dated: September 26, 1977.

FRED J. KRAUSE,  
Executive Director, President's  
Committee on Mental Retar-  
dation.

[FR Doc.77-29257 Filed 10-11-77;8:45 am]

## [ 4310-84 ]

### DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[S 46]

CALIFORNIA

Application

OCTOBER 3, 1977.

Notice is hereby given that pursuant to Section 28 of the Mineral Leasing Act of 1920, as amended (30 U.S.C. 185), the Standard Pipe Line Co. of Oildale, Calif., has filed an application to amend its existing pipeline right-of-way S 46, granted September 15, 1966, for the purpose of transporting crude oil across the public lands, from a 6" on surface pipeline to a 10" buried pipeline, and to include within the right-of-way, two 6" gas pipelines, one 6" water line and an access road across the following described public lands:

MOUNT DIABLO MERIDIAN

T. 30 S., R. 22 E.,  
Sec. 22, NE 1/4.

The purpose of this notice is to inform the public that the Bureau will be proceeding with consideration of whether the application should be approved and, if so, under what terms and conditions.

Interested persons desiring to express their views should do so promptly. Persons submitting comments should include their name and address and send them to the undersigned at E-2841 Federal Office Building, 2800 Cottage Way, Sacramento, Calif. 95825.

VIOLA ANDRADE,  
Acting Chief, Lands Section,  
Branch of Lands and Miner-  
als Operations.

[FR Doc.77-29766 Filed 10-11-77;8:45 am]

## [ 4410-01 ]

### DEPARTMENT OF JUSTICE

Drug Enforcement Administration

[Docket No. 77-14]

DAVID BROTHERS, T/A BLUE HILL DRUG  
CO.

#### Revocation of Registration

On March 28, 1977, the Administrator of the Drug Enforcement Administration (DEA), directed to Mr. David Brothers, as pharmacist and owner of Blue Hill Drug Co. (Respondent) an Order to Show Cause requesting the Respondent to show why his DEA registration AB-1949809 should not be revoked for the reason that on December 15, 1976, in the Municipal Court of Dorchester District within the County of Suffolk, Mass., David Brothers was convicted of a violation of 94(c) Section 32, of the Massachusetts General Laws a felony relating to the distribution of controlled substances. On April 4, 1977, the Respondent, through his attorney, requested a



hearing on the proposed revocation. At the conclusion of prehearing matters, a formal hearing was conducted on July 28, 1977, before Administrative Law Judge Francis L. Young.

Judge Young certified the entire record with his recommended findings of fact and conclusions of law and decision to the Administrator pursuant to 21 CFR 1316.65 on September 20, 1977. The Administrator, pursuant to 21 CFR 1316.66, hereby publishes the final order in this matter.

Judge Young found, *inter alia*, that Respondent pleaded guilty to a felony offense, as alleged in the Government's Order to Show Cause dated March 28, 1977, which provided a lawful basis for revoking Respondent's DEA registration pursuant to 21 U.S.C. 824(a)(2). Judge Young also found that on March 18, 25, May 28, July 2, August 19, and September 14, 1977, Respondent dispensed controlled substances without a prescription in violation of Massachusetts General Laws. Furthermore, he found that an audit supervised by Special Agent Robert Sampson of the Drug Enforcement Administration during an accountability investigation at Blue Hill Drug Co. on October 28, 1976, revealed shortages of Dexamyl spanules No. 2, Biphedamine 20 caps, Dexamyl tablets, Eskatrol spanules, Tylenol with codeine No. 3 tabs, Doriden tablets, Noludar caps, Tussar II SF pints, and Tussar II pints.

Judge Young stated in his discussion that Respondent's illegal sales of controlled substances to Detective Jackson were not isolated incidents. This was evidenced by Respondent's conduct during the drug purchases and the shortages in controlled substances revealed in the accountability investigation at Blue Hill Drug Co. He concluded that Respondent had flagrantly violated his trust and responsibility as a pharmacist registered to handle and dispense controlled substances and recommended to the Administrator that Respondent's registration be revoked.

The Administrator adopts the findings and recommendations of the Administrative Law Judge and upon consideration of the entire record and pursuant to the authority vested in the Attorney General and redelegated to the Administrator of the Drug Enforcement Administration, the Administrator hereby orders that the registration issued to Blue Hill Drug Co., David Brothers, Proprietor, under registration No. AB1949809 be revoked, effective November 11, 1977.

Dated: October 6, 1977.

PETER B. BENSINGER,  
Administrator.

[FR Doc. 77-29772 Filed 10-11-77; 8:45 am]

[4410-01]

[Docket No. 76-36]

ROBERT O'NEAL MOODY

Denial of Application for Registration

On September 15, 1976, the Administrator of the Drug Enforcement Ad-

ministration (DEA) directed to Robert O'Neal Moody, trading as Moody Drugs, Florence, Ala. (hereinafter, "Respondent"), an Order to Show Cause why Respondent's application should not be denied, pursuant to 21 U.S.C. 823, for the reason that on January 27, 1975, in the United States District Court for the Northern District of Alabama, Respondent was convicted on three counts of violations of 21 U.S.C. 841(a)(1); all felonies relating to distributing, dispensing, and possessing with the intent to distribute, controlled substances. By an undated correspondence posted on September 29, 1976, addressed to and received by the Administrator on October 4, 1976, Respondent, through his attorney, requested a hearing on the Order to Show Cause.

After various preliminary activities, including preparation of prehearing statements and their submission, and the holding of a prehearing conference by telephone and the making of various disclosures and inspection of documents by both sides, a hearing was held on May 24, 1977, in the United States Tax Court Courtroom, Memphis, Tenn., Administrative Law Judge Francis L. Young presiding. On September 14, 1977, Judge Young certified to the Administrator, pursuant to 21 CFR 1316.65, his recommended findings of fact and conclusion of law, a recommended decision, and the record of the proceedings in this matter. The Administrator has fully considered the foregoing and, pursuant to 21 CFR 1316.66, hereby publishes his final order in this proceeding based upon the record, and upon the findings of fact and conclusion of law set forth below.

The Administrative Law Judge found, *inter alia*, that Respondent was convicted, on his plea of guilty, of all three counts of a three count indictment of unlawfully distributing or dispensing controlled substances, to wit: Phentermine, cocaine, and sodium pentobarbital. Accordingly, Judge Young concluded that there was a lawful basis for denying Respondent's pending application for registration. The Administrative Law Judge further found that an audit of Respondent's pharmacy, conducted by DEA compliance investigators and other drug law enforcement officials subsequent to Respondent's arrest for the above-referred crimes, disclosed significant shortages and overages in Respondent's controlled substance inventory, and that this audit further disclosed that Respondent failed to record "loans" of controlled substances made by him to others, contrary to applicable regulations.

The Administrator adopts these findings of fact and conclusion of law and, therefore, concludes that the registration of Robert O'Neal Moody, trading as Moody Drugs, should be denied.

In so concluding, the Administrator is mindful of the entire record in this matter. In it, the evidence most favorable to Respondent appears as numerous affidavits by his townspeople which purport to relate how they and the community regard Respondent. The frequent refrain

in these affidavits and included in the Administrative Law Judge's findings of fact was that Respondent's arrest was the work of an overzealous drug abuse agent, and that despite Respondent's arrest for selling drugs he was a good citizen and pharmacist and should be allowed to continue to operate his pharmacy business as before.

While the sentiment of Respondent's hometown community may be helpful in appropriate cases where that is an overriding concern, in the present matter it offers no help in predicting whether Respondent will now comply with drug control regulations and abstain from further criminal drug activities. What does help in forecasting Respondent's future controlled substance activities is his past experiences: in the present matter they include numerous significant overages and shortages in his controlled substance inventory; occasions where, in violation of the Act and DEA regulations, he supplied controlled substances to others while retaining no adequate records reflecting the transactions; and, most importantly, he has on three separate occasions personally sold cocaine and other controlled substances in illegal drug deals.

Thus, there is evidence that Respondent not only lacks the ability to prevent diversion, but that he has actually created it through his direct criminal involvement in illegal drug sales.

In light of the record in this matter, Respondent does not appear to be an acceptable applicant for the granting of a DEA registration to dispense controlled substances in compliance with the law, and accordingly, under the authority vested in the Attorney General and delegated to the Administrator of DEA, the Administrator hereby orders that the application for registration dated December 4, 1975, submitted by Respondent be, and the same hereby is, denied, effective immediately.

Dated: October 6, 1977.

PETER B. BENSINGER,  
Administrator, Drug Enforcement  
Administration.

[FR Doc. 77-29773 Filed 10-11-77; 8:45 am]

[7536-01]

## NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

### National Endowment for the Arts MEDIA ARTS ADVISORY PANEL Meeting

Pursuant to section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92-463), notice is hereby given that a closed meeting of the Media Arts Advisory Panel (American Film Institute) to the National Council on the Arts will be held on October 29, 1977, from 9 a.m. to 6 p.m., in Room 1422, Columbia Plaza Building, 2401 E Street NW., Washington, D.C. 20506.

This meeting is for the purpose of Panel review, discussion, evaluation, and



recommendation on applications for financial assistance under the National Foundation on the Arts and the Humanities Act of 1965, as amended, including discussion of information given in confidence to the agency by grant applicants in accordance with the determination of the Chairman published in the FEDERAL REGISTER of March 17, 1977. These sessions may be closed to the public pursuant to subsection (c) (4), (6), and 9(B) of section 552b of Title 5, United States Code.

Further information with reference to this meeting can be obtained from Mr. Robert M. Sims, Advisory Committee Management Officer, National Endowment for the Arts, Washington, D.C. 20506, or call 202-634-6377.

ROBERT M. SIMS,  
*Administrative Officer, National  
Endowment for the Arts, Na-  
tional Foundation on the Arts  
and the Humanities.*

[FR Doc.77-29768 Filed 10-11-77;8:45 am]

## [ 7536-01 ]

### SPECIAL PROJECTS ADVISORY PANEL

#### Meeting

Pursuant to Section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92-463), notice is hereby given that a meeting of the Special Projects Advisory Panel to the National Council on the Arts will be held on October 26, 1977, from 9:30 a.m. to 5:30 p.m., October 27, 1977, from 9:30 a.m. to 5 p.m., and on October 28, 1977, from 9:30 a.m. to 3:45 p.m., in the Eugene O'Neill Theatre Center, 305 Great Neck Road, Waterford, Conn. 06385.

This meeting will be open to the public. Further information with reference to this meeting can be obtained from Mr. Robert M. Sims, Advisory Committee Management Officer, National Endowment for the Arts, Washington, D.C. 20506, or call 202-634-6378.

ROBERT M. SIMS,  
*Administrative Officer, National  
Endowment for the Arts.*

[FR Doc.77-29769 Filed 10-11-77; 8:45 am]

## [ 7536-01 ]

### VISUAL ARTS ADVISORY PANEL

#### Meeting

Pursuant to Section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92-463), notice is hereby given that a meeting of the Visual Arts Advisory Panel to the National Council on the Arts will be held on October 27-28, 1977, from 9:30 a.m. to 5:30 p.m., in Room 1115, Columbia Plaza Building, 2401 E Street NW., Washington, D.C. 20506.

A portion of this meeting will be open to the public on October 27, 1977, from 9:30 a.m. to 5:30 p.m., and October 28, 1977, from 11 a.m. to 5:30 p.m. The

agenda for these sessions will include a discussion on policy.

The remaining sessions of this meeting on October 28, 1977, from 9:30 a.m. to 11 a.m., are for the purpose of Panel review, discussion, evaluation, and recommendation on applications for financial assistance under the National Foundation on the Arts and the Humanities Act of 1965, as amended, including discussion of information given in confidence to the agency by grant applicants. In accordance with the determination of the Chairman published in the FEDERAL REGISTER March 17, 1977, these sessions will be closed to the public pursuant to subsections (c) (4), (6), and 9(B) of section 552(b) of Title 5, United States Code.

Further information with reference to this meeting can be obtained from Mr. Robert M. Sims, Advisory Committee Management Officer, National Endowment for the Arts, Washington, D.C. 20506, or call 202-624-6377.

ROBERT M. SIMS,  
*Administrative Officer, National  
Endowment for the Arts, Na-  
tional Foundation on the Arts  
and the Humanities.*

[FR Doc.77-29767 Filed 10-11-77;8:45 am]

## [ 7555-01 ]

### NATIONAL SCIENCE FOUNDATION

#### OFFICE OF SCIENCE AND SOCIETY, ETHICS AND VALUES IN SCIENCE AND TECHNOLOGY PROGRAM

##### Experts Meeting

An experts meeting on "Professional Ethics and Engineering Students" will be held from 8 a.m. until 4:30 p.m. on Friday, October 28, 1977, at Howard University, 2400 6th St. NW., Washington, D.C.

The purpose of the meeting is to advance the EVIST program objective of introducing ethical and value issues into the informal education of engineering students, by identifying the major issues, engineering students' needs, and mechanisms likely to meet those needs.

While this meeting is not considered to be a meeting of an "advisory committee" as that term is defined in Section 3 of the Federal Advisory Committee Act (Pub. L. 91-463), the meeting is believed to be of sufficient importance and interest to the general public to be announced in the FEDERAL REGISTER as a meeting open for public attendance.

The meeting will be chaired by Dr. William A. Blanpied, Director of the EVIST program, and coordinated by Dr. Taft Broome, Department of Civil Engineering, Howard University. Because of space limitations, members of the public who wish to attend this meeting should call 202-282-7770 no later than October 25, 1977.

M. REBECCA WINKLER,  
*Acting Committee  
Management Officer.*

[FR Doc.77-29784 Filed 10-11-77;8:45 am]

## [ 7555-01 ]

### SUBCOMMITTEE ON LAW AND SOCIAL SCIENCES OF THE ADVISORY COMMITTEE FOR SOCIAL SCIENCES

#### Meeting

In accordance with the Federal Advisory Committee Act, Pub. L. 92-463, as amended, the National Science Foundation announces the following meeting:

Name: Subcommittee on Law and Social Sciences of the Advisory Committee for Social Sciences.

Date and time: October 28, 1977—9:00 a.m. to 5:00 p.m.

Place: Room 321, National Science Foundation, 1800 G Street NW., Washington, D.C. 20550.

Type of meeting: Part Open—Open portion from 9:00 a.m. to 12:00 noon. Closed portion from 12:00 noon to 5:00 p.m.

Contact person: Dr. H. Laurence Ross, Program Director, Law and Social Sciences Program, Room 316, National Science Foundation, Washington, D.C. 20550, telephone (202-632-5816).

Summary minutes: May be obtained from the Committee Management Coordinator, Division of Personnel and Management, Room 248, National Science Foundation, 1800 G Street NW., Washington, D.C. 20550.

Purpose of subcommittee: To provide advice and recommendations concerning support for research in law and social sciences.

Agenda: October 28, 1977—9:00 a.m. to 12 noon—Open meeting to discuss grants policy. 12 noon to 5:00 p.m. closed, to review and evaluate research proposals and projects as part of the selection process for awards.

Reason for closing: The proposals being reviewed include information of a proprietary or confidential nature, including technical information; financial data, such as salaries; and personal information concerning individuals associated with the proposals. These matters are within exemptions (4) and (6) of 5 U.S.C. 552b(c), Government in the Sunshine Act.

Authority to close meeting: This determination was made by the Committee Management Officer pursuant to provisions of section 10(d) of Pub. L. 92-463. The Committee Management Officer was delegated the authority to make such determinations by the Acting Director, NSF, on February 18, 1977.

M. REBECCA WINKLER,  
*Acting Committee  
Management Officer.*

[FR Doc.77-29785 Filed 10-11-77;8:45 am]

## [ 7555-01 ]

### SUBCOMMITTEE ON SOCIAL AND DEVELOPMENTAL PSYCHOLOGY OF THE ADVISORY COMMITTEE FOR BEHAVIORAL AND NEURAL SCIENCES

#### Meeting

In accordance with the Federal Advisory Committee Act, Pub. L. 92-463, as amended, the National Science Foundation announces the following meeting:

Name: Subcommittee on Social and Developmental Psychology of the Advisory Committee for Behavioral and Neural Sciences.

Date and time: October 31–November 1, 1977—9 a.m. to 5 p.m. each day.



Place: Room 338, National Science Foundation, 1800 G Street NW., Washington, D.C. 20550.

Type of meeting: Closed.

Contact person: Kelly G. Shaver, Program Director for Social and Developmental Psychology, Room 317, National Science Foundation, Washington, D.C. 20550, telephone (202-632-5714).

Purpose of subcommittee: To provide advice and recommendations concerning support for research in social and developmental psychology.

Agenda: To review and evaluate research proposals and projects as part of the selection process for awards.

Reason for closing: The proposals and projects being reviewed include information of a proprietary or confidential nature, including technical information, financial data, such as salaries; and personal information concerning individuals associated with the proposals and projects. These matters are within exemptions (4) and (6) of 5 U.S.C. 552(b)(c), Government in the Sunshine Act.

Authority to close meeting: This determination was made by the Committee Management Officer pursuant to provisions of section 10(d) of Pub. L. 92-463. The Committee Management Officer was delegated the authority to make such determinations by the Acting Director, NSF, on February 18, 1977.

M. REBECCA WINKLER,

Acting Committee Management Officer.

[FR Doc.77-29783 Filed 10-11-77;8:45 am]

[ 8010-01 ]

## SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-14025; File No. SR-Amex-77-16]

### AMERICAN STOCK EXCHANGE, INC. Self-Regulatory Organization; Proposed Rule Change

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934, 15 U.S.C. 78s(b)(1), as amended by Pub. L. 94-29, 16 (June 4, 1975), notice is hereby given that on September 15, 1977, the above-mentioned self-regulatory organization filed with the Securities and Exchange Commission Amendment No. 1 to a rule change proposal published previously (42 FR 37262 (July 20, 1977)).

*Text of Amendment No. 1 to SR-Amex-77-16 (Brackets indicate deletions; italicizing indicates new material)*

#### REPORTING OF OPTIONS POSITIONS

Rule 906. (a) Each member and member organization shall file with the Exchange a report with respect to each account in which the member or member organization has an interest, each account of a partner, officer director, or employee of such member organization, and each customer account, which has [(i) an aggregate long position, or (ii) an aggregate short position or (iii) an aggregate uncovered short position, in option contracts of any class of options dealt in on the Exchange in excess of such number of option contracts as shall be fixed from time to time by the Exchange as requiring reporting pursuant to this Rule. Such report shall identify the person or persons having an interest in such account and shall identify separately the total number of option con-

tracts of each such class comprising the long position, short position and uncovered short position, in such account.] *established an aggregate position of 200 or more option contracts (whether long or short) of the put class and the call class on the same side of the market covering the same underlying security, combining for purposes of this rule (i) long positions in put options with short positions in call options, and (ii) short positions in put options with long positions in call options.* The report shall be in such form as may be prescribed by the Exchange and shall be filed no later than the close of business on the next business day following the day on which the transaction or transactions requiring the filing of such report occurred. Whenever a report shall be required to be filed with respect to an account pursuant to this paragraph, the member or member organization filing the same shall file with the Exchange such additional periodic reports with respect to such account as the Exchange may from time to time prescribe.

(b) (No Change)

(c) Every member and member organization shall file with the Exchange a report reflecting the aggregate uncovered short positions in each [option contract of a class] series of options dealt in on the Exchange in (1) each account in which the member or member organization has an interest, (2) all accounts of partners, principal executive officers and directors of such member organization and (3) all accounts of customers. Such report shall be made as of the 15th of each month (or more frequently if required by the Exchange) and shall be submitted not later than the second business day following the date as of which the report is made.

\*\*\* Commentary

[.01 The Exchange will notify members and member organizations of the reporting limits established pursuant to this Rule.]

[.02] .01 A clearing member organization which clears Exchange transactions for another member organization in a single omnibus account, need not file the reports specified in this Rule with respect to positions in such account [However] provided the member organization whose Exchange option transactions are cleared through such omnibus account [must] files the reports required by this Rule. However, a clearing member organization which clears Exchange option transactions for a non-member in a single omnibus account must file the reports required by this Rule.

[.03] .02 A member organization shall not be required to file the reports specified in this Rule with respect to positions in the accounts of specialists or specialist units, registered traders or options principals cleared by such member organization provided such positions are reported pursuant to Rules 191 and 958B.

[.04] .03 All reports required by this Rule shall be filed with the Membership [Compliance] Surveillance Division of the Exchange, on forms prescribed by the Exchange. [All such reports shall include the name, address and social security or taxpayer identification number of the person or persons having an interest in the account.]

[.05 With respect to open exercise positions see reporting requirements under Rule 983.]

#### STATEMENT OF BASIS AND PURPOSE

The purpose of the proposed rule change, and Amendment No. 1 thereto, is to change the manner in which certain information is reported to the Exchange

by Amex member firms pursuant to Amex Rule 906. Under its proposals, the Amex seeks to require its members to report options positions of accounts utilizing "same side of the market" computations. Reporting of positions would be required initially when an account establishes a position of 200 or more put and/or call contracts in an underlying stock on the same side of the market. Additional information with respect to underlying stock positions will also be required to be filed with the Exchange for accounts which need to file options positions reports.

Amendment No. 1 is comprised of proposed changes in Amex Rule 906 designed to conform the text of Rule 906 to the new reporting forms proposed previously pursuant to Commission Rule 19b-4.

The basis for the proposed rule change and Amendment No. 1 thereto is found in Section 6(b)(5) of the Securities Exchange Act of 1934 ("the 1934 Act"), as amended, which provides, in pertinent part, that the rules of the Exchange be designed to promote just and equitable principles of trade and protect investors and the public interest.

No comments were received or solicited with respect to the proposed change.

The Amex has determined that neither the proposed rule change nor Amendment No. 1 impose any burden on competition.

On or before November 16, 1977, or within such longer period (i) as the Commission may designate up to 90 days of such date if it finds such longer period to be appropriate and publishes its reasons for so finding or (ii) as to which the above-mentioned self regulatory organization consents, the Commission will:

(a) By order approve such proposed rule change; or (b) Institute proceedings to determine whether the proposed rule change should be disapproved.

Interested persons are invited to submit written data, views, and arguments concerning the foregoing. Persons desiring to make written submissions should file six copies thereof with the Secretary of the Commission, Securities and Exchange Commission, Washington, D.C. 20549. Copies of the filing with respect to the foregoing and of all written submissions will be available for inspection and copying in the Public Reference Room, 1100 L Street NW., Washington, D.C. Copies of such filing will also be available for inspection and copying at the principal office of the above-mentioned self-regulatory organization. All submissions should refer to the file number referenced in the caption above and should be submitted on or before November 2, 1977.

For the Commission by the Division of Market Regulation, pursuant to delegated authority.

GEORGE A. FITZSIMMONS,

Secretary.

OCTOBER 4, 1977.

[FR Doc.77-29800 Filed 10-11-77;8:45 am]



## [8010-01]

[Rel. No. 20198; 70-6059]

## APPALACHIAN POWER CO.

## Proposed Issue and Sale of First Mortgage Bonds at Competitive Bidding

OCTOBER 5, 1977.

In the matter of Appalachian Power Co., 40 Franklin Road, Roanoke, Va. 24009.

Notice is hereby given that Appalachian Power Co. ("Appalachian"), an electric utility subsidiary company of American Electric Power Co., Inc. ("AEP"), a registered holding company, has filed an application with this Commission pursuant to the Public Utility Holding Company Act of 1935 ("Act"), designating Section 6(b) of the Act and Rule 50 promulgated thereunder as applicable to the proposed transaction. All interested persons are referred to the application, which is summarized below, for a complete statement of the proposed transaction.

Appalachian proposes to issue and sell, subject to the competitive bidding requirements of Rule 50 under the Act, up to \$26,000,000 principal amount of First Mortgage Bonds (the "new bonds"), to mature in not less than 5 years and not more than 30 years. The interest rate (which will be a multiple of  $\frac{1}{8}$  of 1%) and the price (which will be not less than 100%, unless Appalachian shall authorize a lower percentage not less than 99%, and shall not exceed 102.75% of the principal amount of the bonds thereof) will be determined by competitive bidding. The terms of the bonds will preclude Appalachian from redeeming any such bonds prior to November 1, 1982, if such redemption is for the purpose of refunding such bonds with proceeds of funds borrowed at a lower effective interest cost. The bonds will be issued under and secured by the Mortgage and Deed of Trust, dated as of December 1, 1940, to Banker Trust Co., and a new Supplemental Indenture thereto which will be dated as of the first day of the month in which the Bonds are to be issued. Appalachian shall notify prospective bidders no later than 72 hours prior to the time designated for the submission of bids of the maturity date of the bonds.

The proceeds of the offering will be used to pay at maturity, or to reimburse Appalachian's treasury for the payment at maturity of, Appalachian's 3 $\frac{1}{8}$ % Series Bonds, due December 1, 1977, of which \$26,586,000 was outstanding on August 31, 1977. It is stated that since the proceeds of sale will aggregate less than the principal amount of said 3 $\frac{1}{8}$ % Series, Appalachian will utilize other funds, to the extent required, to provide for such payment at maturity.

The fees and expenses to be incurred in connection with the proposed issue and sale of the new bonds and the fees and expenses of counsel for the underwriters, to be paid by the successful bidders, will be supplied by amendment. It

is stated that the State Corporation Commission of Virginia and the Tennessee Public Service Commission have jurisdiction over the proposed transaction and that no other state commission and no federal commission, other than this Commission, has jurisdiction over the proposed transaction.

Note is further given that any interested person may, not later than October 31, 1977, request in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by said application which he desires to controvert; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request should be served personally or by mail upon the applicant at the above-stated address, and proof of service (by affidavit or, in case of an attorney at law, by certificate) should be filed with the request. At any time after said date, the application, as filed or as it may be amended, may be granted as provided in Rule 23 of the General Rules and Regulations promulgated under the Act, or the Commission may grant exemption from such rules as provided in Rules 20(a) and 100 thereof or take such other action as it may deem appropriate. 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 Corporate Regulation, pursuant to delegated authority.

GEORGE A. FITZSIMMONS,  
Secretary.

[FR Doc.77-29801 Filed 10-12-77; 8:45 am]

## [8010-01]

[File No. 500-1]

## BERNARD SCREEN PRINTING CORP.

## Suspension of Trading

OCTOBER 4, 1977.

It appearing to the Securities and Exchange Commission that the summary suspension of trading in the securities of Bernard Screen Printing Corp. being traded on a national securities exchange or otherwise 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 on a national securities exchange or otherwise is suspended, for the period from 10 a.m. (EDT) on October 4, 1977, through October 13, 1977.

By the Commission.

GEORGE A. FITZSIMMONS,  
Secretary.

[FR Doc.77-29802 Filed 10-11-77; 8:45 am]

## [8010-01]

[Release No. 14020; SR-BSE-77-2]

## BOSTON STOCK EXCHANGE INC.

## Order Approving Proposed Rule Change

OCTOBER 3, 1977.

In the matter of Boston Stock Exchange, Inc., 53 State Street, Boston, Mass. 02109.

On June 9, 1977, the Boston Stock Exchange, Inc. filed with the Commission, pursuant to Section 19(b) of the Securities Exchange Act of 1934 (the "Act"), as amended by the Securities Acts Amendments of 1975, and Rule 19b-4 thereunder, copies of a proposed rule change to amend a number of its Constitutional provisions concerning its Board of Governors (Art. II), Exchange committees (Art. IX), transfer of membership (Art. XIII), Exchange Presidents' duties (Art. XV), the binding effect of its rules (Art. XVII), meetings (Art. XXI), associate membership (Art. XXII), and market maker membership (Art. XXV).<sup>1</sup>

Notice of the proposed rule change together with the terms of substance of the proposed rule change was given by publication of a Commission Release (Securities Exchange Act Release No. 13642 (June 14, 1977)) and by publication in the Federal Register (42 FR 32598 (June 27, 1977)).

The Commission finds that the proposed rule change is consistent with the requirements of the Act and the rules and regulations thereunder applicable to national securities exchanges, and in particular the requirements of Section 6, and the rules and regulations thereunder.<sup>2</sup>

It is therefore ordered, pursuant to Section 19(b)(2) of the Act, that the

<sup>1</sup> The BSE filed Amendment No. 1 to this rule filing on August 17, 1977. That amendment adds in several provisions a general cross-reference to the provisions of the Act concerning disciplinary actions and also deletes BSE Article XVII, Section 3 (concerning the binding effect of the Bylaws and Rules of the Boston Stock Exchange Clearing Corporation).

<sup>2</sup> The Commission notes that minor changes are being made in BSE Article XXII, Section 1 which currently provides for a limited class of membership without voting rights, known as associate members. This class of membership is created through reciprocal agreements between the BSE and the Philadelphia Stock Exchange, Inc., and the BSE and the Montreal Stock Exchange. The Commission has raised questions as to the consistency of this provision with the Act. (See Securities Exchange Act of 1934 Rel. No. 13027, December 1, 1976.) In addition, the Commission at some future date may, in its continuing review of self-regulatory rules, determine that this provision does not provide "fair representation" for associate members in accordance with Section 6(b)(3) of the Act, or that this class of membership is too limited. Accordingly, the Commission finding that the amendments to Article XXII, Section 1 which are contained in this proposal are consistent with the requirements of the Act is subject to such limitations.



above-mentioned proposed rule change be, and it hereby is, approved.

For the Commission by the Division of Market Regulation, pursuant to delegated authority.

GEORGE A. FITZSIMMONS,  
Secretary.

[FR Doc.77-29803 Filed 10-11-77;8:45 am]

# [ 8010-01 ]

[Release No. 34-14023; File No. SR-CBOE-1977-17]

## CHICAGO BOARD OPTIONS EXCHANGE, INC.

### Self-Regulatory Organization; Proposed Rule Change

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934, 15 U.S.C. 78s(b)(1) as amended by Pub. L. No. 94-29, 16 (June 4, 1975), notice is hereby given that on September 12, 1977, the above-mentioned self-regulatory organization filed with the Securities and Exchange Commission a proposed rule change as follows:

#### STATEMENT OF THE TERMS OF SUBSTANCE OF THE PROPOSED RULE CHANGE

(Brackets indicate deletions; italicizing indicates additions)

##### REPORTS RELATED TO POSITION LIMITS

Rule 4.13(a). Each member shall file with the Department of Compliance on each business day a report, in such form as may be prescribed, giving the name, address, and social security or tax identification number of any customer who, on the previous business day, held [aggregate long or short positions of 100 or more options of any single class of options dealt in on the Exchange] *an options position in excess of such number of options contracts as shall be fixed by the Board from time to time.* [The report shall indicate for each such class of option contracts the number of option contracts comprising each such position and, in the case of short positions, whether covered or uncovered.]

(b) No change.

(c) No change.

\* \* \* Interpretations and Policies:

.01 The Exchange has determined that an aggregate position of 400 option contracts for the same underlying security on the same side of the market (combining for this purpose long positions in put options with short positions in call options, and short positions in put options with long positions in call options) shall be reported pursuant to paragraph (a) of this Rule.

#### EXCHANGE'S STATEMENT OF BASIS AND PURPOSE

The purpose of the proposed rule change is to make the reporting requirements of this rule consistent with recent changes in the position limits rule which make that rule applicable to positions on the "same side of the market." This change will also eliminate the necessity for additional changes in the text of the rule should the language of the position limits rule again be modified.

Additionally, it has become apparent to the Exchange that the position reporting level as previously set resulted

in a volume of reports so high as to be of little surveillance value. Therefore, the reporting level specified in Interpretation .01 has been adjusted based on careful study and consideration of the Exchange's experience with the past reporting level, the potential surveillance value of new reporting levels and the effect of put option trading on such reporting.

The basis for the proposed rules change is contained in those provisions of Section 6(b)(5) of the Act which require that the Exchange's rules provide for the promotion of just and equitable principles of trade, and protection of investors and the public interest.

Comments have not been solicited regarding these proposed rules change.

The Exchange believes that no burden will be imposed upon competition by this proposed rule change.

On or before November 16, 1977, or within such longer period (i) as the Commission may designate up to 90 days of such date if it finds such longer period to be appropriate and publishes its reasons for so finding or (ii) as to which the above-mentioned self-regulatory organization consents, the Commission will:

(A) By order approve such proposed rule change, or

(b) Institute proceedings to determine whether the proposed rule change should be disapproved.

Interested persons are invited to submit written data, views and arguments concerning the foregoing. Persons desiring to make written submissions should file 6 copies thereof with the Secretary of the Commission, Washington, D.C. 20549. Copies of the filing with respect to the foregoing and all written submission will be available for inspection and copying in the Public Reference Room, 1100 L Street NW., Washington, D.C. Copies of such filing will also be available for inspection and copying at the principal office of the above-mentioned self-regulatory organization. All submissions should refer to the file number referenced in the caption above and should be submitted on or before November 2, 1977.

For the Commission by the Division of Market Regulation, pursuant to delegated authority.

GEORGE A. FITZSIMMONS,  
Secretary.

OCTOBER 4, 1977.

[FR Doc.77-27804 Filed 10-11-77;8:45 am]

# [ 8010-01 ]

[Rel. No. 20195; 70-6060]

## INDIANA & MICHIGAN ELECTRIC CO.

### Proposed Agreement With Municipal Authority for Construction of Pollution Control Equipment Financed by Sale of Revenue Bonds

OCTOBER 4, 1977.

Notice is hereby given that Indiana & Michigan Electric Company ("I&M"), an electric utility subsidiary company of

American Electric Power Company, Inc., a registered holding company, has filed an application-declaration with this Commission designating Sections 9(a) and 12(d) of the Public Utility Holding Company Act of 1935 ("Act") and Rule 44(b)(3) promulgated thereunder as applicable to the proposed transactions. All interested persons are referred to the application-declaration, which is summarized below, for a complete statement of the proposed transactions.

I&M states that in order to comply with prescribed environmental quality control standards of the State of Indiana it has been and will be necessary to construct certain high efficiency electrostatic precipitators ("Project") for particulate emission control and related facilities at its Breed Plant. By resolution of December 5, 1973, the City of Sullivan, Indiana ("City"), determined that it would authorize and issue one or more series of its pollution control revenue bonds ("Revenue Bonds") to finance the cost of engineering, design, acquisition, and construction of the Project and to reimburse or repay I&M in connection with I&M's expenditures relating to the Project.

I&M proposes to enter into an agreement of sale ("Agreement") with the City whereby the City will construct and equip the Project. To finance the Project, the City will issue Revenue Bonds in an initial principal amount of up to \$25,000,000 ("Series A Bonds") and additional Revenue Bonds in principal amounts presently estimated not to exceed \$20,000,000, sufficient to cover construction costs of the Project. The proceeds from the sale of the Series A Bonds will be deposited by the City with the Trustee ("Trustee") under an indenture to be entered into between the City and such Trustee (the "Indenture") pursuant to which the Series A Bonds are to be issued and secured. Such proceeds will be applied to payment of the cost of construction of the project. The Agreement also will provide for the sale of the Project to I&M, the payment by I&M of the purchase price of the Project in semi-annual installments over a term of years, and the assignment and pledge to the Indenture Trustee of the City's interest in, and of the monies receivable by the City under, the Agreement.

The Agreement will provide that each installment of the purchase price for the Project payable by I&M will be in such an amount (together with other monies held by the Trustee under the Indenture for that purpose) as will enable the City to pay, when due, (i) the interest on the Revenue Bonds, any additional bonds and any refunding bonds, (ii) the principal amount of the Revenue Bonds, any additional bonds and any refunding bonds payable at the time of their respective stated maturities and (iii) amounts, including any accrued interest, payable in connection with any mandatory redemption of the Revenue Bonds, any additional bonds or any refunding bonds. The Agreement also obligates I&M to pay the fees and charges



of the Trustee, as well as certain administrative expenses of the City. The Agreement further provides that I&M may prepay the purchase price of the Project (i) by paying, under certain conditions, amounts sufficient to redeem all the Revenue Bonds then outstanding and all other amounts payable under the Indenture or (ii) at any time by depositing in the Indenture's Bond Fund or delivering to the Trustee amounts sufficient to provide for the release of the Indenture. Upon prepayment, I&M may terminate the Agreement.

I&M proposes to convey equipment previously constructed (the "Existing Facilities"), subject to I&M's First Mortgage lien to the City and I&M will receive out of the Revenue Bond proceeds, an amount equal to I&M's original cost of the Existing Facilities. The Existing Facilities will be included in the Project which I&M will repurchase from the City pursuant to the Agreement. The proceeds realized from the sale of the Existing Facilities will be used to retire unsecured short-term debt of I&M, including the financing of part of its construction program. As of August 31, 1977, there were notes payable to banks and commercial debt outstanding in the amount of \$49,100,000 and it is expected that I&M will have short-term debt outstanding not to exceed \$65,000,000 at the time of the transfer of the Existing Facilities. The estimated cost of I&M's construction program for 1977 is \$146,000,000, exclusive of construction costs in connection with the Donald C. Cook Nuclear Plant by I&M's wholly owned subsidiary, Indiana & Michigan Power Company. Said costs for the Cook plant are estimated at \$84,000,000 for 1977. I&M had expended \$14,250,000 for the Existing Facilities as of June 30, 1977; and it is estimated that it will have expended \$19,000,000 at the time of the transfer of these facilities. It is estimated that the Project will in the aggregate cost approximately \$46,000,000.

It is contemplated that the Revenue Bonds will be sold by the City pursuant to arrangements with a group of underwriters represented by E. F. Hutton & Company, Inc. In accordance with the laws of the State of Indiana, the interest rate to be borne by the Revenue Bonds will be fixed by the common council of the City. While I&M will not be a party to the underwriting arrangements for the Revenue Bonds, the Agreement will provide that the terms of the Revenue Bonds and their sale by the City shall be satisfactory to I&M.

I&M has been advised that the annual interest rates on obligations, interest on which is tax exempt, historically have been and can be expected at the time of issue of the Revenue Bonds to be 1½ percent to 2½ lower than the rates on obligations of like tenor and comparable quality, interest on which is fully subject to federal income tax.

The Series A bonds will be dated on or about the first day of the month in which they are issued, will bear interest semi-annually and will mature at a date or dates not more than 30 years from the date of their issuance. It is expected that the Series A bonds will not be redeemable at the option of the City within 10 years from their issue date except under certain circumstances and terms specified in the Indenture.

The application-declaration states that the fees and expenses incident to the proposed disposition of the Existing Facilities and the acquisition of the Project (as distinguished from and excluding fees and expenses incident to the sale of the Revenue Bonds by the City payable out of the proceeds of such sale) will be supplied by amendment. It is stated that the execution of, delivery of and performance under the Agreement of I&M, the disposition of the Existing Facilities and the acquisition of the Project is possibly subject to the jurisdiction of the Michigan Public Service Commission and the Public Service Commission of Indiana, and that no other state commission and no federal commission, other than this Commission, has jurisdiction over the proposed transactions.

Notice is further given that any interested person may, not later than October 28, 1977, request in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by the application-declaration which he desires to controvert; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request should be served personally or by mail upon the applicant-declarant at the above-stated address, and proof of service (by affidavit or, in case of an attorney at law, by certificate) should be filed with the request. At any time after said date, the application-declaration, as filed, or as it may be amended, may be granted and permitted to become effective as provided in Rule 23 of the General Rules and Regulations promulgated under the Act, or the Commission may grant exemption from such rules as provided in Rules 20(a) and 100 thereof or take such other action as it may deem appropriate. 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 Corporate Regulation, pursuant to delegated authority.

GEORGE A. FITZSIMMONS,  
Secretary.

[FR Doc.77-29805 Filed 10-11-77; 8:45 am]

## [8010-01]

[Administrative Proceeding No. 3-5274; File No. 24LA-0036]

### MAJOR RESOURCES, INC.

#### Order Temporarily Suspending Exemption Statement of Reasons Therefor, and Notice of Opportunity for Hearing

OCTOBER 4, 1977.

#### I

Major Resources, Inc. ("Major") is a Florida corporation located at 9700 Gandy Boulevard, Suite 311, St. Petersburg, Florida, 33702. It was organized on June 17, 1976. It plans to engage in the business of acquiring businesses or situations with a large growth potential that requires capital and management. The company has acquired an 80 percent interest in Rhenium Corporation, a Florida corporation which owns or has mineral rights to two contiguous mine properties located in Octane, Arizona.

On April 29, 1977, Major filed a Notification pursuant to Regulation A in connection with the proposed public offering of 100,000 shares of its 5 cent par value Class B common stock at \$1.25 per share with the Los Angeles Regional Office. The filing has not been cleared by the Los Angeles Office.

#### II

The Commission, on the basis of information reported to it by its staff, has reasonable cause to believe:

A. The Regulation A exemption is not available to the Issuer because an Order of Permanent Injunction in connection with the purchase or sale of securities was issued by the 6th Circuit Court of Miami, Pinellas County, Florida on January 12, 1968 against Robert C. Miller ("Miller"), a promoter, affiliate, predecessor, officer, director, and principal shareholder of the Issuer, who continues to be active in its affairs.

B. The Notification and Offering Circular of Major Resources contain untrue statements of material facts and omit to state material facts necessary in order to make the statements made, in the light of the circumstances under which they were made, not misleading in the following respects:

1. Item 6(b) of the Issuer's Notification contains false statements with respect to actions against the Issuer, its predecessor or Affiliated Issuers, and actions against directors and officers.

2. The failure to disclose that Miller is the subject of an injunction involving violations of the Florida securities laws.

C. The offering would be made in violation of Section 17 of the Securities Act of 1933.

#### III

It appearing to the Commission that it is in the public interest and for the protection of investors that the exemption of Major Resources, Inc. under Regulation A be temporarily suspended:



It is order, pursuant to Rule 261 of the General Rules and Regulations under the Securities Act of 1933, as amended, that the exemption of the issuer under Regulation A be, and hereby is temporarily suspended.

It is further ordered, pursuant to Rule 7 of the Commission's Rules of Practice, that the issuer file an answer to the allegations contained in the order within thirty days of the entry thereof.

Notice is hereby given that any person having any interest in the matter may file with the Secretary of the Commission a written request for a hearing within thirty days after the entry of this order; that within twenty days after receipt of such request, the Commission will, or at any time upon its own motion may, set the matter down for hearing at a place to be designated by the Commission for the purpose of determining whether this order of suspension should be vacated or made permanent, without prejudice, however, to the consideration and presentation of additional matters at the hearing; and that notice of the time and place for the said hearing will be promptly given by the Commission. If no hearing is requested and none is ordered by the Commission, the order shall become permanent on the thirtieth day after its entry and shall remain in effect unless it is modified or vacated by the Commission.

By the Commission.

GEORGE A. FITZSIMMONS,  
Secretary.

[FR Doc.77-29806 Filed 10-11-77;8:45 am]

## [ 8010-01 ]

[Administrative Proceeding File Nos. 3-5246; 81-262]

### MPB CORP.

#### Application and Opportunity for Hearing

OCTOBER 5, 1977.

Notice is hereby given that MPB Corporation ("Applicant") has filed an application pursuant to Section 12(h) of the Securities Exchange Act of 1934, as amended (the "1934 Act"), that Applicant be granted an exemption from the provisions of Sections 13 and 15(d) of that Act.

Sections 13 and 15(d) of the 1934 Act require that issuers of securities registered pursuant to Section 12 or issuers that have filed a registration statement that has become effective pursuant to the Securities Act of 1933, must file certain periodic reports with the Commission for the protection of investors and to insure fair dealing in the security.

Section 12(h) of the 1934 Act empowers the Commission to exempt in whole or in part, any issuer or class of issuers from the provisions of Sections 13 and 15(d), if the Commission finds, by reason of the number of public investors, amount of trading interest in the securities and nature and extent of the activities of the issuer, income or assets of the issuer or otherwise, that such exemption is not inconsistent with the pub-

lic interest or the protection of investors.

The Applicant states, in part: 1. Applicant is subject to the reporting provisions of Sections 13 and 15(d) of the 1934 Act.

2. On November 16, 1976, the Applicant became a wholly-owned subsidiary of Wheelabrator-Frye Inc. As a result, all of Applicant's outstanding securities are now owned by Wheelabrator.

In the absence of an exemption, Applicant would be subject to the periodic reporting requirements of Sections 13 and 15(d) of the 1934 Act through March 27, 1977.

The Applicant contends that there would be no useful purpose served by the filing of continued reports for the fiscal year ending March 27, 1977, in view of the fact it has but one stockholder.

For a more detailed statement of the information presented, all persons are referred to the Application which is on file in the offices of the Commission at 500 North Capitol Street NW., Washington, D.C. 20549.

Notice is further given that any interested person not later than October 31, 1977 may submit to the Commission in writing his views or any substantial facts bearing on this Application or the desirability of a hearing thereon. Any such communication or request should be addressed to: George A. Fitzsimmons, Secretary, Securities and Exchange Commission, 500 North Capitol Street, NW., Washington, D.C. 20549, and should state briefly the nature of the interest of the person submitting such information or requesting the hearing, the reason for such request, and the issues of fact and law raised by the Application which he desires to controvert. At any time after that date, an order granting the Application in whole or in part may be issued upon request or upon the Commission's own motion.

By the Commission.

GEORGE A. FITZSIMMONS,  
Secretary.

[FR Doc.77-29807 Filed 10-11-77;8:45 am]

## [ 8010-01 ]

[Release No. 20193; 70-6058]

### MONONGAHELA POWER CO., ET. AL.

#### Proposed Issuance of Promissory Notes to County in Connection With Financing of Pollution Control Facilities

OCTOBER 3, 1977.

Monongahela Power Co. ("Monongahela"), 1310 Fairmont Avenue, Fairmont, W. Va. 26554, The Potomac Edison Co. ("Potomac"), Downsville Pike, Hagerstown, Md. 21740, and West Penn Power Co. ("West Penn"), 800 Cabin Hill Drive, Greensburg, Pa. 15601, each wholly owned electric utility subsidiaries of Allegheny Power System, Inc., a registered holding company, have filed a declaration and amendments thereto with this Commission pursuant to the Public Utility Holding Company Act of 1935 ("Act") designating Sections 6(a) and 7

of the Act and Rule 50 promulgated thereunder as applicable to the following proposed transactions. All interested persons are referred to the declaration, which is summarized below, for a complete statement of the proposed transaction.

Monongahela, Potomac, and West Penn (collectively, the "Companies") propose to finance certain air and water pollution control equipment and facilities including a flue gas desulfurization system, associated sludge disposal and handling facilities, lime unloading handling and storage facilities, precipitators, fly ash handling systems, cooling water facilities, waste water treatment facilities and associated land, interests in land and equipment (collectively, the "Facilities") now under construction at the Pleasants Power Station ("Pleasants") located in Pleasants County, W. Va. The Facilities are required to meet air and water quality standards in effect under federal and state regulations. Pleasants will have, when completed, two 626,000 kw (net) steam electric generating units which are scheduled for commercial operation in March of 1979 and March of 1980. Pleasants is owned jointly by Monongahela, Potomac, and West Penn as tenants in common. Monongahela owns 25%, Potomac owns 30%, and West Penn owns 45% of Pleasants. It is stated that the estimated cost of the Facilities, when completed, is expected to be in excess of \$200 million. As of December 31, 1977, the Companies expect to have expended approximately \$70 million in connection with the Facilities.

To finance construction of the Facilities, the Companies propose to issue nonnegotiable secured pollution control notes (collectively, the "Notes") pursuant to a Pollution Control Financing Agreement ("Agreement") with Pleasants County, W. Va. ("County"). The County will issue and sell its tax-exempt pollution control revenue bonds (the "Bonds") in an aggregate principal amount not to exceed \$100,000,000 and the issues in respect of Monongahela's, Potomac's, and West Penn's interest in Pleasants will not exceed \$25,000,000, \$30,000,000, and \$45,000,000, respectively. The Bonds will be issued and sold in one or more series with a maturity of not less than five nor more than forty years. The Bonds in respect of each Company's interest will be issued under separate trust indentures (collectively, the "Indentures") between the County and a trustee, and will be sold in one or more series, at such times, in such principal amounts, at such interest rates, and for such prices as shall be approved by that Company. The Indentures provide that the proceeds of the sale of the Bonds shall be applied to the cost of the Facilities. The proceeds to be received by each Company from the sale of the Bonds will be added to each Company's general funds to reimburse the treasury of each Company for expenditures made or to be made in connection with the Facilities.

It is stated that concurrently with the issuance of each series of Bonds, each



Company will execute and deliver its nonnegotiable pollution control note or notes corresponding to such series of Bonds with respect to principal amount, interest rate and redemption provisions. Installments of principal on such notes will correspond to mandatory sinking fund payments and stated maturities with respect to the Bonds. Payments on the Notes will be made to the trustees under the Indentures and applied by the trustees to pay the maturing principal, interest, redemption prices and other costs on the Bonds as the same become due. The Companies also propose to pay trustees fees or other expenses incurred by the County. Each Company's notes will provide for prepayment of principal corresponding with the redemption provisions of the related bonds. The obligations of each Company to pay for its interest in the Facilities is several and not joint, and the notes delivered by each Company are the obligations solely of that Company. Each Company's notes will be secured by a lien on that Company's portion of the Facilities. Said lien will be created by a separate Deed of Trust and Security Agreement ("Deed of Trust") between each Company and a trustee, will be for the benefit of the holders of the Bonds, and will be subject to the lien of such Company's first mortgage, as supplemented and amended.

It is stated that the Bonds will bear interest semi-annually at rates to be determined. The Bonds will be secured by the Notes and by the assignment, pursuant to the Indentures, of the County's right, title and interest in the Agreement. The Bonds will be issued pursuant to the Indentures. It is proposed that the Bonds will be subject to redemption at any time on or after 10 years from the date of issuance, in whole or in part, at the option of the Companies, initially with a premium of 3% of the principal amount and declining by  $\frac{1}{2}$  of 1% thereafter. The Bonds will be entitled to the benefit of mandatory redemption sinking funds calculated to retire prior to maturity not less than 25% of the aggregate principal amount of the bonds in respect of each Company.

It is not possible to ascertain in advance precisely the interest rate which may be obtained in connection with the issuance of the Bonds. However, the Companies have been advised that tax-exempt bonds such as these have historically carried an annual interest rate approximately two percent lower than comparable taxable long-term corporate bonds. The maximum amount of Bonds that are expected to be sold to finance the Facilities and, consequently, the principal amount of the pollution control notes may be adjusted downward prior to the date of issue.

It is expected that the County will engage Goldman, Sachs & Co. to provide financial advice and, together with such other underwriters as may be designated, underwrite the sale of the Bonds. Fees, commissions, and expenses of the underwriters and legal counsel will be included in the total cost of the Facilities. The

Companies have been informed that the County has legal authority to issue tax exempt revenue bonds in accordance with the proposed documents.

The Companies request exception from the competitive bidding requirements of Rule 50 for the proposed issuance of the Notes pursuant to paragraph (a)(5) thereof.

The Public Utilities Commission of Ohio has jurisdiction over the proposed issuance of the pollution control notes by Monogahela; the Public Utility Commission of Pennsylvania has jurisdiction over the proposed issuance of the pollution control notes by West Penn; the State Corporation Commission of Virginia and the Public Service Commission of Maryland has jurisdiction over the proposed issuance of the pollution control notes by Potomac; the Public Service Commission of West Virginia has jurisdiction over the proposed execution and delivery of a Deed of Trust by Monogahela and Potomac. The Air Pollution Control Commission of the State of West Virginia will be required to certify that the Facilities are being constructed and installed for water and air quality purposes. No other State or Federal commission, other than this Commission, has jurisdiction over the proposed transactions.

A statement of the fees and expenses to be incurred in connection with the proposed transactions will be supplied by amendment.

Notice is further given that any interested person may, not later than October 28, 1977, request in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by said declaration which he desires to controvert; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request should be served personally or by mail upon the declarant at the above stated addresses, and proof of service (by affidavit or, in the case of an attorney at law, by certificate) should be filed with the request. At any time after said date, the declaration, as filed or as it may be amended, may be granted and permitted to become effective as provided in Rule 23 of the General Rules and Regulations permitted under the Act, or the Commission may grant exemption from such rules as provided in Rules 20(a) and 100 thereof or take such other action as it may deem appropriate. 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 Corporate Regulation, pursuant to delegated authority.

GEORGE A. FITZSIMMONS,  
Secretary.

[FR Doc. 77-29808 Filed 10-11-77; 8:45 am]

## [8010-01]

[Release No. 34-14024; File No. SR-PSE-77-28]

### PACIFIC STOCK EXCHANGE INC.

#### Self-Regulatory Organizations; Proposed Rule Change

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934, 15 U.S.C. 78s(b)(1), as amended by Pub. L. No. 94-29, 16 (June 4, 1975), notice is hereby given that on September 16, 1977, the above-mentioned self-regulatory organization filed with the Securities and Exchange Commission a proposed rule change as follows:

#### EXCHANGE'S STATEMENT OF THE TERMS OF SUBSTANCE OF THE PROPOSED RULE CHANGE

The Pacific Stock Exchange Inc. ("PSE") hereby requests to amend Section 7 of Rule VI of the Rules of its Board of Governors as follows (brackets indicate deletions and italicizing indicates additions):

#### RULE VI

##### EXCHANGE OPTIONS TRADING

##### Reporting of Options Positions

Sec. 7. (a) Each member organization shall file with the Exchange a report with respect to each account in which a member organization has an interest, each account of a partner, officer, director, or employee of such member organization, and each customer account which has (i) an aggregate long position, or (ii) an aggregate uncovered short position or (iii) an aggregate uncovered short position, in option contracts of any class of options dealt in on the Exchange in excess of 100 contracts. *an aggregate position on the same side of the market (long call and/or short put or short call and/or long put) in option contracts on the same underlying security dealt in on the Exchange in such number of option contracts as shall be determined from time to time by the Exchange.* Such report shall identify the person or persons having an interest in such account, [and] shall identify separately the total number of option contracts of each such class comprising the [long position, short position and uncovered short position in such account.] *reportable position in such account, and any other information requested by the Exchange.* The report shall be in such form as may be prescribed by the Exchange and shall be filed no later than the close of business on the next business day following the day on which the transaction or transactions requiring the filing of such report occurred. Whenever a report shall be required to be filed with respect to an account pursuant to this paragraph, the member organization filing the same shall file with the Exchange such additional periodic reports with respect to such account as the Exchange may from time to time prescribe.

(b) No change.

(c) No change.



Commentary: 01. [The Exchange will notify member organizations of the reporting limits established pursuant to this Section.] *The Exchange has determined that a report shall be filed pursuant to this Section for any account which has 200 or more option contracts on the same side of the market in the same underlying security.*

.02 No change.

.03 No change.

.04 with respect to open exercise positions see reporting requirements under Section 33.]

#### EXCHANGE'S STATEMENT OF BASIS AND PURPOSE

The basis and purpose of the foregoing proposed rule change is as follows:

The purpose of the proposed rule change in reporting requirements for options positions was prompted by the commencement of put option trading.

Under current rules, accounts are limited to maximum positions of 1,000 call and/or put contracts on the same side of the market on the same underlying security and reports are required when an account establishes an option position of 100 or more contracts. The Exchange now proposes to obtain similar useful information with respect to such call and/or put positions by establishing initial reporting requirements when an account establishes a position of 200 or more contracts on the same side of the market. Thus, the Exchange will obtain, in some cases, information with respect to accounts that it otherwise would not obtain under the present requirements. For example, if an account has a long position of 590 put options and a short position of 60 call options on the same underlying security, such account would be in violation of the position limits rule since the total number of contracts on the same side of the market exceeded 1,000. Today a firm need only report the long put position. Under the new reporting requirements, the total long put/short call positions indicated in the above example would be reported to the Exchange. Thus, the proposed rule change would enable the PSE to more effectively monitor current position limits, and potential position limits violations.

It should be noted that under the prior position limit rule concerning 500 contracts of the same class and the same expiration month, a firm was required to report to the Exchange all accounts which had options positions of 100 contracts or more, in essence, a 20 percent report-to-limit ratio. Under the new position limits rule (1,000 option contracts on the same side of the market in the same underlying security) an increase in the reporting requirements to 200 contracts would maintain the same 20 percent report-to-limit ratio.

The basis for the proposed rule change is to enable the PSE to promote just and equitable principles of trade and to protect investors and the public interest.

Comments have neither been solicited nor received from members on the proposed rule change.

The proposed rule change imposes no burden upon competition.

On or before November 16, 1977, or within such longer period (i) as the Commission may designate up to 90 days of such date if it finds such longer period to be appropriate and publishes its reasons for so finding or (ii) as to which the above-mentioned self-regulatory organization consents, the Commission will:

(A) By order approve such proposed rule change, or

(B) Institute proceedings to determine whether the proposed rule change should be disapproved.

Interested persons are invited to submit written data, views and arguments concerning the foregoing. Persons desiring to make written submissions should file six copies thereof with the Secretary of the Commission, Securities and Exchange Commission, Washington, D.C. 20549. Copies of the filing with respect to the foregoing and of all written submissions will be available for inspection and copying in the Public Reference Room, 1100 L Street NW., Washington, D.C. Copies of such filing will also be available for inspection and copying at the principal office of the above-mentioned self-regulatory organization. All submissions should refer to the file number referenced in the caption above and should be submitted on or before November 2, 1977.

For the Commission by the Division of Market Regulation, pursuant to delegated authority.

GEORGE A. FITZSIMMONS,  
Secretary.

OCTOBER 4, 1977.

[FR Doc. 77-29809 Filed 10-11-77; 8:45 am]

#### [8010-01]

[Rel. No. 20196; 70-6032]

#### WEST TEXAS UTILITIES CO. AND PUBLIC SERVICE CO. OF OKLAHOMA

#### Proposed Purchase of Computer Services From Associate Company

OCTOBER 5, 1977.

Notice is hereby given that West Texas Utilities Co. ("WTU"), P.O. Box 841, Abilene, Tex. 79604, and Public Service Co. of Oklahoma ("PSO"), P.O. Box 201, Tulsa, Okla. 74102, electric utility subsidiaries of Central and South West Corp. ("CSW"), a registered holding company, have filed an application-declaration and an amendment thereto with this Commission pursuant to the Public Utility Holding Company Act of 1935 ("Act"), designating sections 12(b) and 13 of the Act and rules 86, 87, 90, and 91, promulgated thereunder as applicable to the proposed transaction. All interested persons are referred to the application-declaration, as amended, which is summarized below, for a complete statement of the proposed transaction.

WTU proposes to purchase, at a cost determined in accordance with section 13 of the Act and the applicable rules

thereunder, electronic data processing services from PSO by using the excess capacity of automatic computing facilities which PSO already operates and by paying PSO an allocated cost which reflects WTU's use.

The computer services proposed to be provided by PSO to WTU include processing of customer billing, revenues and statistics, payroll, property accounting, general accounting and load flow, and cash forecasts. WTU will continue to perform all of its own keypunch and printing operations, maintain and revise its programs and contract with nonaffiliates, when necessary, for the processing of its urgent load flow studies. PSO and WTU state that the computing equipment involved in the proposed transaction will not be used in the dispatch of electric power or energy.

In order to compute the cost of services purchased by WTU, PSO has identified the sources of its overall costs, including (a) personnel; (b) rental of software, services and hardware; (c) prices for purchased hardware; and (d) general supplies. These sources are combined in varying proportions in each of the services which PSO would supply to WTU.

Each service has been analyzed to determine its cost components and their relative significance. WTU and PSO state that they have designated the "computer resource unit" ("CRU") as a dimensionless measurement which will relate all the various services on a single scale. For example the following table illustrates the CRU equivalents of computer services:

| Service   | CRU equivalent |
|---|----------------|
| 1 CPU-second (one second of use of the central processing unit) -----   | 1              |
| 1 CPU-minute (or sixty CPU-seconds) -----   | 60             |
| 1 kilobyte of memory times CPU-minute -----   | 1,262          |
| 1 Disc EXCP (where EXCP is a unit of execution; here, one occasion of withdrawal of data from a disc of data) ----- | 0.00309        |
| 1 Tape EXCP -----   | 0.01162        |
| 1 Tape mount -----  | 124            |
| 1 Print EXCP (where EXCP is a unit of execution; here, one line of print) -----                                     | 0.0442         |
| 1 Card read EXCP (here, reading one card) -----   | 0.209          |
| 1 Approximate.  |                |

Each CRU has on initial value of \$0.02065. WTU and PSO state that this value is based on budgeted 1977 costs and that billings will be adjusted retroactively on the basis of actual costs. PSO states that its billings to WTU will reflect the relevant cost components of each service provided, measured on a common basis, while also ensuring that WTU will pay only the costs of the services provided it. The billing procedure will also enable PSO to retain a means for monitoring the efficiency of the work performed.

PSO and WTU state that the computer sharing will permit both companies to process information at a lower cost than would be possible were WTU to maintain



its own smaller-scale data processing facilities or to purchase such services from outside the CSW System. PSO and WTU state that they selected the arrangement proposed herein based on anticipated mutual savings forecast by the results of a joint study conducted by FAIM Information Services, Inc., a non-affiliated consulting firm, which compared the costs and benefits of prior computer operations with the alternatives of (i) time-sharing and (ii) consolidation of the two companies hardware and software.

PSO and WTU further state that the annual savings of this proposed consolidation arrangement is estimated to be initially at least \$50,000 for WTU and \$50,000 for PSO.

It is stated that no State commission and no Federal commission, other than this Commission, has jurisdiction with respect to the proposed transaction. Fees and expenses to be incurred in connection with the proposed transaction are estimated at \$2,500, including \$450 in legal fees.

Notice is further given that any interested person may, not later than October 31, 1977, request in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by said application-declaration, as amended, which he desires to controvert; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C. 20549. A copy of such request should be served personally or by mail upon the applicants-declarants at the above-stated addresses, and proof of service (by affidavit or, in case of an attorney at law, by certificate) should be filed with the request. At any time after said date, the application-declaration, as amended, or as it may be further amended, may be granted and permitted to become effective as provided in Rule 23 of the General Rules and Regulations promulgated under the Act, or the Commission may grant exemption from such rules as provided in Rule 20(a) and 100 thereof or take such other action as it may deem appropriate. 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 Corporate Regulation, pursuant to delegated authority.

GEORGE A. FITZSIMMONS,  
Secretary.

[FR Doc.77-29810 Filed 10-11-77;8:45 am]

## [4710-01]

### DEPARTMENT OF STATE

#### Agency for International Development

#### HOUSE GUARANTY PROGRAM FOR THE REPUBLIC OF KOREA

##### Information for Investors

The Agency for International Development (AID) has authorized a guaranty of an amount not to exceed \$15,000,000 for a housing guaranty program for the Republic of Korea to be carried out by the Korea National Housing Corporation (KNHC). KNHC desires to receive proposals from eligible U.S. investors, as defined below, for a loan to KNHC not to exceed \$15,000,000, the repayment of which would be guaranteed by AID as to the principal and interest on such loan. The KNHC desires to discuss with interested eligible U.S. investors, the terms on which such a loan investment would be made. The eligible U.S. investor and the terms of the loan must be acceptable to AID and disbursements of the loan would be subject to certain conditions required of KNHC by AID. The guaranty will be backed by the full faith and credit of the United States of America and would be issued pursuant to authority in section 221 of the Foreign Assistance Act of 1961, as amended. Proceeds of the loan will be used for the financing of lower income housing projects in the Republic of Korea. This project is referred to as 489-HG-007.

Eligible investors are invited to submit proposals for the project. However, proposals should state clearly the project number to which a specific proposal relates.

Eligible investors interested in extending a guaranteed loan to KNHC should communicate promptly with counsel for KNHC:

Duncan, Cameron, Esq., Cameron, Hornbostel, and Adelman, 1707 H Street NW., Washington, D.C. 20006.

Investors eligible to receive a guaranty are those specified in section 238(c) of the Act. They are: (1) U.S. citizens; (2) domestic corporations, partnerships, or associations substantially beneficially owned by U.S. citizens; (3) foreign corporations whose share capital is at least 95 percent owned by U.S. citizens; and (4) foreign partnerships or associations wholly owned by U.S. citizens.

To be eligible for a guaranty, the loan must be repayable in full no later than the thirtieth anniversary of the first disbursement of the principal amount thereof and the interest rate may be no higher than the maximum rate to be established by AID.

The KNHC projects a schedule of disbursements covering approximately 12 months from the date of the loan agreement and prospective investors should consider this in proposing a guaranteed loan to the KNHC. In addition, the in-

vestor must provide for the servicing of his loan, i.e., recordation and disposition of loan payments received from the KNHC.

Information as to eligibility of investors and other aspects of the AID housing guaranty program can be obtained from:

Director, Office of Housing, Agency for International Development, Room 625, SA-12, Washington, D.C. 20523.

This notice is not an offer by AID or by the KNHC. The KNHC and not AID will select an investor and negotiate the terms of the proposed plan.

Dated: October 4, 1977.

PETER M. KIMM,  
Director, Office of Housing.

[FR Doc.77-29877 Filed 10-11-77;8:45 am]

## [4910-61]

### DEPARTMENT OF TRANSPORTATION

#### Saint Lawrence Seaway Development Corporation

#### ADVISORY BOARD

##### Meeting

Pursuant to Section 10(a) of the Federal Advisory Committee Act (Pub. L. 92-463; 5 U.S.C. App. I), notice is hereby given of a meeting of the Advisory Board of the Saint Lawrence Seaway Development Corporation, to be held at 10 a.m., November 11, 1977, in the Offices of the Corporation at 800 Independence Avenue SW., Washington, D.C. 20591. The agenda for this meeting is as follows: Opening Remarks; Approval of Minutes; Administrator's Report; Review of Public Comments on Proposed Revision of Tariff of Tolls; Closing Remarks.

Attendance is open to the interested public but limited to the space available. Reservations and further information may be obtained from Robert D. Kraft, Deputy General Counsel, Saint Lawrence Seaway Development Corporation, 800 Independence Avenue SW., Washington, D.C. 20591 (202-426-3574).

Issued at Washington, D.C., October 5, 1977.

D. W. OBERLIN,  
Administrator.

[FR Doc.77-29762 Filed 10-11-77;8:45 am]

## [4810-31]

### DEPARTMENT OF THE TREASURY

#### Bureau of Alcohol, Tobacco and Firearms

[Notice No. 313; Reference: ATF O 1100.67A]

#### AUTHORITIES OF THE DIRECTOR; DISTRIBUTION AND USE OF DENATURED ALCOHOL AND RUM REGULATIONS

##### Delegation Order

1. Purpose. This order is being issued to delegate certain authorities now



vested in the Director by regulations in 27 CFR Part 211, to the Assistant Director, Technical and Scientific Services.

2. *Cancellation.* ATF O 1100.67, Delegation Order—Authorities of the Director in 27 CFR Part 211, Distribution and Use of Denatured Alcohol and Rum Regulations, dated August 16, 1976 (41 FR 35541), is canceled.

3. *Background.* The Director has authority, under current regulations, to take final action on matters relating to denatured distilled spirits and the procurement, use, disposition, and recovery of denatured alcohol, specially denatured rum, and articles containing denatured spirits. It has been administratively determined that certain authorities now vested in the Director by regulations in 27 CFR Part 211, Distribution and Use of Denatured Alcohol and Rum Regulations, belong at a lower organizational level and should be delegated.

4. *Delegations.* Pursuant to the authority vested in the Director by the Treasury Department Order No. 221, dated June 6, 1972, and by 26 CFR 301.7701-9, there is hereby delegated to the Assistant Director, Technical and Scientific Services, the authority to take final action on the following matters relating to 27 CFR Part 211, Distribution and Use of Denatured Alcohol and Rum Regulations:

a. Approval or disapproval of containers, other than those specified in regulations, for the conveyance of large quantities of denatured spirits or articles, under 27 CFR 211.11.

b. Approval or disapproval of all formulas and processes submitted on ATF F 1479-A except formulas for rubbing alcohol and rubbing alcohol base, under 27 CFR 211.23.

c. Approval or disapproval of new labels or facsimiles for adopted formulas, under 27 CFR 211.62.

d. Requests for the submission of samples of (1) any ingredient included in formulas submitted on ATF F 1479-A, and (2) proprietary antifreeze solutions containing completely denatured alcohol, under 27 CFR 211.107.

e. Restrictions on ATF F 1479-A covering the size of containers in which an article may be sold, the maximum quantity which may be sold to any person at one time, the class of vendee to which an article may be sold and the specific use for which an article may be sold, under 27 CFR 211.108.

f. To require that samples of labels, or facsimiles or sketches of such labels, be attached to each copy of ATF F 1479-A covering articles which do not contain denatured spirits, and to require that manufacturers and reproducers submit advertising matter for articles, under 27 CFR 211.106.

g. Approval of other suitable materials for packages containing more than 5 gallons of completely denatured alcohol, under 27 CFR 211.116.

h. Approval or disapproval of extraneous matter to be printed on labels for completely denatured alcohol, under 27 CFR 211.121.

1. Approval of other suitable materials as containers for packaging proprietary antifreeze solutions, under 27 CFR 211.123.

j. Approval or disapproval of ATF F 1479-A covering the manufacture or proprietary solvent formulations, under 27 CFR 211.170.

k. Approval or disapproval of ATF F 1479-A covering the use of proprietary solvents in the manufacture of articles for sale, under 27 CFR 211.172.

l. Approval or disapproval of ATF F 1479-A covering the manufacture of special industrial solvent formulations, under 27 CFR 211.180.

m. Approval or disapproval of ATF F 1479-A covering the use of special industrial solvents in the manufacture of articles for sale, under 27 CFR 211.182.

n. Approval or disapproval of labels for products specified under paragraph 211.191, under 27 CFR 211.197.

o. Approval or disapproval of ATF F 1479-A covering the reprocessing of duplicating and printing fluids containing 1 percent or more by weight of a glycol ether and 10 percent or more by weight of methyl alcohol into printing ink for sale, under 27 CFR 211.200.

p. Approval or disapproval of ATF F 1479-A covering the manufacture of solvents for own use (but not for sale), under 27 CFR 211.200.

q. Action to impose label requirements on containers of articles, other than those specified in this part, containing specially denatured alcohol, under 27 CFR 211.201 and 27 CFR 211.108.

4. *Coordination with other offices.* The authority delegated under paragraphs 3a, 3g, and 3i of this order shall be carried out in coordination with the Chief, Industry Control Division (Regulatory Enforcement) in Bureau Headquarters.

5. *Redelegation.* The authorities delegated herein may be redelegated in Bureau Headquarters but not below the level of chemist in the Chemical Branch.

Effective date: This order becomes effective on October 12, 1977.

STEPHEN E. HIGGINS,  
Acting Director.

OCTOBER 4, 1977.

[FR Doc.77-29734 Filed 10-11-77;8:45 am]

## [4810-25]

### Office of the Secretary

[Supplement to Dept. Circular Public Debt Series—No. 23-77]

### TREASURY NOTES OF SERIES F-1982

#### Interest Rate

OCTOBER 6, 1977.

The Secretary of the Treasury announced on October 5, 1977, that the interest rate on the notes described in Department Circular—Public Debt Series—No. 23-77, dated September 28, 1977, will be 7½ percent per annum. Accordingly, the notes are hereby redesignated 7½ percent Treasury Notes of Series F-1982. Interest on the notes

will be payable at the rate of 7½ percent per annum.

DAVID MOSSO,  
Fiscal Assistant Secretary.

[FR Doc.77-29795 Filed 10-11-77;8:45 am]

## [7035-01]

### INTERSTATE COMMERCE COMMISSION

[Notice No. 495]

#### ASSIGNMENT OF HEARINGS

OCTOBER 6, 1977.

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 106497 (Sub-No. 141), Parkhill Truck Co., now assigned November 1, 1977 at Louisville, Ky., is canceled and transferred to Modified Procedure.

MC 130444, Nancy H. Nagle, now assigned November 21, 1977, at Richmond, Va., is canceled and transferred to Modified Procedure.

MC 60066 (Sub-No. 11), Bee Line Motor Freight, Inc., now assigned November 1, 1977, at Lincoln, Nebr., will be held in the Sixth Floor Hearing Room, New State Office Building, 391 Centennial Mall South.

MC 2202 (Sub-No. 528), Roadway Express, Inc., now assigned November 1, 1977, at Atlanta, Ga., will be held in Room 305, 1252 West Peachtree Street NW.

MC 140612 (Sub-No. 19), Robert F. Kazimour, now assigned November 2, 1977 at St. Louis, Mo., will be held in Court Room 3, 5th Floor, U.S. Courthouse & Customs, 1114 Market St.

MC 119792 (Sub-No. 61), Chicago Southern Transportation Co., now assigned November 3, 1977, at St. Louis, Mo., will be held in Court Room 3, 5th Floor, U.S. Courthouse & Customs, 1114 Market Street.

AB 43 (Sub-No. 27), Illinois Central Gulf Railroad Co., Abandonment Between Seely And Mande In Williamson County, Ill. and P.D. 28360, American Rail Heritage, Ltd.—Acquisition And Operation—Over The Illinois Central Gulf Railroad Co. Located In Williamson County, Ill., now assigned November 7, 1977 (1 week), will be held at the City Hall, 100 Tower Square Plaza, Marion, Ill., on November 7, 8, 10, and 11, 1977, and November 9, 1977, at the Marion Carnegie Library, 206 South Market Street, Marion, Ill.

MC 133095 (Sub-No. 157), Texas Continental Express, Inc., now being assigned January 17, 1978 (1 day) at Albuquerque, N. Mex. in a hearing room to be later designated.

MC 118130 (Sub-No. 76), South Eastern Xpress, Inc., now being assigned January 19, 1978 (2 days) at Dallas, Tex., in a hearing room to be later designated.

MC-F 13182, Newman Bros. Trucking Co.—Purchase—E.M. Keller & Co., Inc., and MC 120761 (Sub-No. 21), Newman Bros. Trucking Co., now being assigned January 23,



1978 (1 week) at Dallas, Tex., in a hearing room to be later designated.

MC 112801 (Sub-No. 193), Transport Service Co., now assigned October 13, 1977 in Chicago, Ill., is canceled and application dismissed.

MC 48315 (Sub-No. 7), Hopkins Motor Coach, Inc., now being assigned November 28, 1977 (1 week) for hearing in Salisbury, Md., in a hearing room to be later designated.

MC 134817 (Sub-No. 2), Owenton Express, Inc., now being assigned January 16, 1978 at Frankford, Ky., in a hearing room to be later designated.

MC-F 13196, LTL Perishables, Inc.—Purchase—Benson Transport, Inc., and MC 135874 Sub 83, LTL Perishables, Inc., now being assigned January 25, 1978 (3 days), at St. Paul, Minn., in a hearing room to be later designated.

MC 114211 (Sub-No. 297), Warren Transport, Inc., now being assigned January 23, 1978 (2 days), at St. Paul, Minn., in a hearing room to be later designated.

MC 142715 (Sub-No. 5), Lenertz, Inc., now being assigned January 19, 1978 (2 days), at St. Paul, Minn., in a hearing room to be later designated.

MC 133689 (Sub-No. 110), Overland Express, Inc., and MC 134477 (Sub-No. 160), Schanno Transportation, Inc., now being assigned January 17, 1978 (2 days), at St. Paul, Minn., in a hearing room to be later designated.

MC 42000 (Sub-No. 5), Texas Interstate Motor Express, Inc., now being assigned January 16, 1978 (1 week), at Austin, Tex., in a hearing room to be later designated.

MC 107912 (Sub-No. 18), Rebel Motor Freight, Inc., now being assigned December 12, 1977 (1 week), at Jackson, Miss., in a hearing room to be later designated.

MC 121630 (Sub-No. 5), Lemore Transportation, Inc., d.b.a. Royal Trucking Co., now being assigned November 21, 1977 (1 day), for continued hearing, in a hearing room to be later designated.

MC 119777 (Sub-No. 336), Ligon Specialized Hauler, Inc., now assigned October 13, 1977, at Dallas, Tex., is canceled and application dismissed.

AB 10 (Sub-No. 10), Wabash Railroad Co. & Norfolk & Western Railway Co., Abandonment Portion of Moberly Division and Abandonment of Trackage Rights & Joint Trackage—Over Connecting Lines in the Counties of Brown, Adams & Hancock, Ill. and the city of Keokuk, Iowa now assigned November 2, 1977 at Carthage, Ill., will be held in Hancock County Cooperative Extension Service, 550 North Materson.

MC 112304 (Sub-No. 117) Ace Doran Hauling & Rigging Co., now assigned November 7, 1977 at St. Louis, Mo., will be held in Court Room 3 5th Floor, U.S. Courthouse & Customs, 1114 Market St.

MC 113325 (Sub-No. 146), Slay Transportation Co., Inc., now assigned November 8, 1977, at St. Louis, Mo., will be held in Court Room 3, 5th Floor, U.S. Courthouse & Customs, 1114 Market street.

MC 119619 (Sub-No. 98), Distributors Service Co., now assigned November 9, 1977, at St. Louis, Mo., will be held in Court Room 3, 5th Floor, U.S. Courthouse & Customs, 1114 Market Street.

MC 124511 (Sub-No. 30), John F. Oliver, now assigned November 10, 1977, at St. Louis, Mo., will be held in Court Room 3, 5th Floor, U.S. Courthouse & Customs, 1114 Market Street.

MC 133095 (Sub-No. 156), Texas-Continental Express, Inc., and MC 136786 (Sub-No. 115), Robco Transportation, Inc., now being assigned December 6, 1977 (1 day), for hearing in Omaha, Nebr., in a hearing room to be later designated.

MC 139876 (Sub-No. 4), A B C Transit Co., Inc., now being assigned December 7, 1977

(1 day), for hearing in Omaha, Nebr., in a hearing room to be later designated.

MC 140829 (Sub-No. 43), Cargo Contract Carrier Corp., now being assigned December 8, 1977 (2 days), for hearing in Omaha, Nebr., in a hearing room to be later designated.

MC 28060 (Sub-No. 34), Willers, Inc., d.b.a. Willers Truck Service, MC 107515 (Sub-No. 1069), Refrigerated Transport Co., Inc., and MC 140829 (Sub-No. 42), Cargo Contract Carrier Corp., now being assigned December 12, 1977 (2 days), for hearing in Omaha, Nebr., in a hearing room to be later designated.

MC 125951 (Sub-No. 21), Silvey Refrigerated Carriers, Inc., now being assigned December 14, 1977 (3 days), for hearing in Omaha, Nebr., in a hearing room to be later designated.

MC 41098 (Sub-No. 42), Global Van Lines, Inc., now assigned November 1, 1977, at Los Angeles, Calif., and will be held in Court Room 8529, U.S. Customs Court House, 300 North Los Angeles Street.

MC 142532 (Sub-No. 1), Sunshine Cartage Corp., now assigned November 28, 1977, at Miami, Fla., and will be held in the Florida Public Service Commission, Room 121, 8400 NW 52d Street.

AB 19 (Sub-No. 34), The Pittsburg And Western Railroad Co. and The Baltimore & Ohio Railroad Co. Abandonment Near Parker Landing and Mt. Jewett In Armstrong, Clarion, Forest, Elk, and McKean Counties, Pa., now assigned November 7, 1977, at Kane, Pa., is canceled and application dismissed.

MC 112822 (Sub-No. 419), Bray Lines, Inc., now being assigned January 4, 1978 (3 days), at San Francisco, Calif., in a hearing room to be later designated.

MC 113388 (Sub-No. 109), Lester C. Newton Trucking Co., now being assigned November 14, 1977, at the Offices of the Interstate Commerce Commission in Washington, D.C.

MC 113678 (Sub-No. 659), Curtis, Inc., now being assigned January 9, 1978 (2 weeks), at San Francisco, Calif., in a hearing room to be later designated.

MC 108676 (Sub-No. 103), A. J. Metler Hauling & Rigging, Inc., and MC 123407 (Sub-No. 365), Sawyer Transport, Inc., now assigned November 1, 1977, at Buffalo, N.Y., will be held in Room 1440, Federal Building, 111 West Huron Street.

MC 116677 (Sub-No. 3), Sheridan Travel Bureau, Inc., now assigned November 2, 1977, at Buffalo, N.Y., will be held in Room 1440, Federal Building, 111 West Huron Street.

MC 116519 (Sub-No. 40), Frederick Transport Ltd., now assigned November 7, 1977, at Buffalo, N.Y., will be held in Room 1440, Federal Building, 111 West Huron Street.

MC 139579 (Sub-No. 4), George H. Golding, Inc., now assigned November 10, 1977, at Buffalo, N.Y., will be held in Room 1440, Federal Building, 111 West Huron Street.

MC 129600 (Sub-No. 28), Polar Transport, Inc., now assigned November 8, 1977 at Miami, Fla., and will be held in Room 228, Federal Office Building, 51 Southwest 1st Avenue.

MC 107012 (Sub-No. 232), North American Van Lines, Inc., now assigned November 14, 1977, at Omaha, Nebr., and will be held in Room 616, Union Pacific Plaza, 110 North 14th Street, 14th and Dodge.

MC 124211 (Sub-No. 284), Hilt Truck Line, Inc., now assigned November 9, 1977 at Omaha, Nebr., and will be held in Room 616, Union Pacific Plaza, 110 North 14th Street, 14th & Dodge.

MC 142978, W. L. Davis, Inc., now assigned November 8, 1977, at Omaha, Nebr., and

will be held in Room 616, Union Pacific Plaza, 110 North 14th Street, 14th & Dodge.

MC 42710 (Sub-No. 13), Ben's Transfer & Storage Co., Inc., now assigned November 8, 1977, at Boise, Idaho, and will be held in Room 214, Bankruptcy Court, U.S. Post Office, North 8th & Bannock Streets.

No. 36616, Agrico Chemical Co., et al -v- Seaboard Coast Line Railroad Co., now assigned November 16, 1977 at Tampa, Fla. and will be held in Room 412, Federal Building, 500 Zack Street.

MC 118159 (Sub-No. 205), National Refrigerated Transport, Inc., now assigned November 15, 1977, at Tampa, Fla., and will be held in Room 412, Federal Building, 500 Zack Street.

MC 115491 (Sub-No. 133), Commercial Carrier Corp., now assigned November 14, 1977, at Tampa, Fla., and will be held in Room 412, Federal Building, 500 Zack Street.

MC 105813 (Sub-No. 219), Belford Trucking Co., Inc., now assigned November 9, 1977, at Miami, Fla., and will be held in Room 228, Federal Office Building, 51 Southwest 1st Avenue.

MC 121644 (Sub-No. 2), S & W Freight Lines, Inc., now being assigned November 14, 1977 (1 week), for continued hearing at Sheraton North Lake Inn, I-285 and La Vista Road, Tucker (Atlanta), Ga.

H. G. HOMME, Jr.,  
Acting Secretary.

[FR Doc.77-29781 Filed 10-11-77; 8:45 am]

## [7035-01]

[Notice No. 496]

### ASSIGNMENT OF HEARINGS

OCTOBER 6, 1977.

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.

#### Correction<sup>1</sup>

MC 134035 Sub 18, Douglas Trucking Co. now being assigned October 17, 1977 (2 days) at Dallas, Texas and will be held in Room 5A15-17, Federal Building, 1100 Commerce Street.

H. G. HOMME, Jr.,  
Acting Secretary.

[FR Doc.77-29782 Filed 10-11-77; 8:45 am]

## [7035-01]

[Finance Docket Nos. 27972, 28464]

### LOUISVILLE AND NASHVILLE RAILROAD CO.

#### Draft Environmental Impact Statement

SEPTEMBER 30, 1977.

Finance Docket No. 27972, Louisville and Nashville Railroad Company track-

<sup>1</sup> This notice corrects the number of hearing days.



age rights over Grand Trunk Western Railroad Company South Bend Subdivision between Munster, Lake County, Indiana and Thornton Junction, Cook County, Illinois; Finance Docket No. 28464, Louisville and Nashville Railroad Company construction of connecting track over Grand Trunk Western Railroad Company at Munster, Lake County, Indiana.

On August 30, 1977, the Commission's Section of Energy and Environment issued a draft environmental impact statement for the subject proceedings. Comments on the draft statement were requested on or before October 24, 1977.

Section 303 of the Railroad Revitalization and Regulatory Reform Act of 1976 requires that evidentiary hearings in Commission rail proceedings be completed within 180 days. The Commission may, in its discretion, extend the time period for a period of not more than 90 days.

In view of the above statutory time limitations, requests for extensions of the October 24, 1977, commenting period will not be possible.

H. G. HOMME, Jr.,  
Acting Secretary.

[FR Doc. 77-29779 Filed 10-11-77; 8:45 am]

## [ 7035-01 ]

[Notice No. 235]

**MOTOR CARRIER TRANSFER  
PROCEEDINGS**

OCTOBER 12, 1977.

Application filed for temporary authority under section 210a(b) in connection with transfer application under section 212(b) and transfer rules, 49 CFR Part 1132:

No. MC-FC 77309. By application filed October 3, 1977, MILLER FREIGHTWAYS, INC., 160 Governor Street, East Hartford, Conn. 06108, seeks temporary authority to transfer the operating rights of Wm. H. Mino Express, Inc., 160 Governor Street, East Hartford, Conn. 06108, under section 210a(b). The transfer to MILLER FREIGHTWAYS, INC., of the operating rights of Wm. H. Mino Express, Inc., is presently pending.

By the Commission.

H. G. HOMME, Jr.,  
Acting Secretary.

[FR Doc. 77-29780 Filed 10-11-77; 8:45 am]

## [ 7035-01 ]

[AB 12 (Sub-No. 56)]

**SOUTHERN PACIFIC TRANSPORTATION  
CO.**

**Abandonment Between Brentham and Giddings in Washington, Fayette and Lee Counties, Tex.**

SEPTEMBER 30, 1977.

The Interstate Commerce Commission hereby gives notice that: 1. The Commission's Section of Energy and Environment has prepared an environmental threshold assessment survey in the above-entitled proceeding in which it was concluded that the proceeding does not constitute a major Federal action significantly affecting the quality of the human environment within the meaning of the National Environmental Policy Act of 1969 (NEPA), 42 U.S.C. 4321, et seq.

2. A notice setting forth this conclusion was served August 3, 1977, and no substantive comments in opposition, of an environmental nature, have been received by the Commission in response to said notice.

3. This proceeding is now ready for further disposition within the Office of Hearings or the Office of Proceedings as appropriate.

H. G. HOMME, Jr.,  
Acting Secretary.

[FR Doc. 77-29778 Filed 10-11-77; 8:45 am]



# sunshine act meetings

This section of the FEDERAL REGISTER contains notices of meetings published under the "Government in the Sunshine Act" (Pub. L. 94-409), 5 U.S.C. 552b(e)(3).

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|  | Item    | [ 6351-01 ]   |
|--|---------|---|
| Board of Governors of the Federal Reserve System | 1       | 2   |
| Commodity Futures Trading Commission             | 2, 3    | COMMODITY FUTURES TRADING COMMISSION.   |
| Federal Communications Commission                | 4, 5    | TIME AND DATE: 10 a.m., October 11, 1977.   |
| Federal Election Commission                      | 6       | PLACE: 2033 K Street NW., Washington, D.C., 5th Floor Hearing Room.   |
| Federal Energy Regulatory Commission             | 7, 8, 9 | STATUS: Parts of this meeting will be open to the public. The rest of the meeting will be closed to the public. |
| Federal Home Loan Bank Board                     | 10      | MATTERS TO BE CONSIDERED:   |
| Federal Trade Commission                         | 11      | Portions open to the public:  |
| National Labor Relations Board                   | 12      | 1. Economic Analysis of the MidAmerica Changer Operation.   |
| Securities and Exchange Commission               | 13      | 2. Projection of November Commission Agendas.   |
| Tennessee Valley Authority                       | 14      | Portions closed to the public:  |

## [ 6210-01 ]

1

### BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM.

FEDERAL REGISTER CITATION OF PREVIOUS ANNOUNCEMENT: Sent to FEDERAL REGISTER on October 4, 1977.

PREVIOUSLY ANNOUNCED TIME AND DATE OF THE MEETING: 10 a.m., Wednesday, October 12, 1977.

CHANGES IN THE MEETING: Postponement of the following open item until an undetermined date:

Proposed amendment to Subpart C of Regulation J (Collection of Checks and Other Items by Federal Reserve Banks), to be published for comment, proposing a regulatory framework for financial depository institutions using Federal Reserve automated clearing house facilities.

As so modified, the previously announced open items for this meeting are:

1. Policy statement concerning procedures for the early filing of retention applications or divestiture plans by bank holding companies with limited grandfather privileges.

2. Report to the Federal Deposit Insurance Corporation regarding the competitive factors involved in the proposed merger of Bank of Oglethorpe, Oglethorpe, Ga., with The Citizens Bank of Montezuma, Montezuma, Ga.

3. Any agenda items carried forward from a previously announced meeting.

CONTACT PERSON FOR MORE INFORMATION:

Mr. Joseph R. Coyne, Assistant to the Board, 202-452-3204.

Dated: October 6, 1977.

THEODORE E. ALLISON,  
Secretary of the Board.

[S-1533-77 Filed 10-6-77;2:41 pm]

## [ 6351-01 ]

3

### COMMODITY FUTURES TRADING COMMISSION.

TIME AND DATE: 11 a.m., October 14, 1977.

PLACE: 8th Floor Conference Room, 2033 K Street NW., Washington, D.C.

STATUS: Closed.

MATTERS TO BE CONSIDERED: Surveillance Briefing.

CONTACT PERSON FOR MORE INFORMATION:

Jean Webb, 254-6314.

[S-1539-77 Filed 10-6-77;3:47 pm]

## [ 6712-01 ]

4

### FEDERAL COMMUNICATIONS COMMISSION.

TIME AND DATE: 9:30 a.m., Thursday, October 13, 1977.

PLACE: Room 856, 1919 M Street NW., Washington, D.C.

STATUS: Open Commission Meeting.

MATTERS TO BE CONSIDERED:

Agenda, Item No., and Subject

General—1—Amendment of the summary decision procedure (§ 1.251) to permit the fil-

ing of a motion at any time, with the permission or upon the invitation of the presiding officer.

General—2—Position Reallocation for Fiscal Year 1978.

General—3—Petition for waiver of the importation cutoff date in Section 15.115, filed by L.J.N. Toys, Ltd.

Safety and Special Radio Services—1—Revision of rules in the Personal Radio Services (Docket No. 20120).

Common Carrier—1—Tariff filings for SCAN and Series 6000.

Common Carrier—2—Waiver request filed by A.T. & T. on July 1, 1977 in response to the Commission's decision in Docket No. 18128, Private Line Rate Case, 61 FCC 2d 587 (1976) regarding the carrier's Series 1000 (Private Line Telegraph) service wherein A.T. & T. seeks permission to depart from establishing a full-cost-rate structure envisioned in Docket No. 18128.

Common Carrier—3—Petitions for reconsideration of grants to Arizona Mobile Telephone Co., et al., for Domestic Public Land Mobile Radio Service facilities and Application for review of order staging the grants.

Common Carrier—4—Reconsideration of Section 214 Grants for Dataphone Digital Service and Dataphone Switched Digital Service.

Common Carrier—5—Reconsideration of Docket No. 20452, A.T. & T. Interconnection Facilities for IRCs, and petitions to reject and suspend A.T. & T. tariffs filed to implement Commission's Decision in Docket No. 20452.

Cable Television—1—Order adopting rules of procedure relating to petitions for orders to show cause involving cable television systems.

Cable Television—2—Petition for modification of Mass. Cablevision, Inc. Certificate of Compliance and/or Further Proceedings filed by Cape Cod Cablevision Co., franchised cable operator at Falmouth, Mass.

Cable Television—3—Petition for special relief filed jointly by KMIR-TV and KPLM-TV, Palms Springs, Calif. (CSR-1087).

Cable Television—4—Petition for special relief filed by Springfield Television Broadcasting, Inc., licensee of Television Broadcast Station WRLP, Greenfield, Mass. (CSR-680).

Assignment of License and Transfer of Control—1—Application for the voluntary transfer of control of Rocket Radio, Inc., licensee of station WFPM, Fort Valley, Ga., from Paul Reehling, Mary Jo Reehling, and Mary Suelzer to Radio Fort Valley, Inc. (BTC-8253).

Renewal—1—Report on the processing of renewals under employment reporting and processing standards.

Aural—1—Application for construction permit filed by Grindstone Broadcasting Corp. (WDEA-FM), Ellsworth, Maine (BPH-10083); petition to deny filed by Penobscot Broadcasting Corp. (WPBC), Bangor, Maine.

Aural—2—Application for construction permit filed by Por Favor, Inc. (KUKA), San Antonio, Tex.

Aural—3—Applications for deleted facilities of Station KISN, Vancouver, Wash.

Aural—4—Applications for the AM facilities of former station KOIL, Omaha, Nebr.; ap-



plications for new FM station to operate on the channel formerly assigned to KEFM, Omaha, Nebr.

Television—1—Application of Margaret S. Downey for a CP for a new 100-watt UHF translator in Springfield, Mass.; petitions to deny by 3 cable television systems (BPTT-3079).

Broadcast—1—Report and Order amending Section 74.1266 to permit unattended operation of FM translator stations (Docket No. 21020).

Broadcast—2—Application for review of the Report and Order which granted an FM channel assignment to Ogallala, Nebr. (Docket No. 20070).

Broadcast—3—Order of Clarification designating frequency offset for Altoona, Pa., drop-in (Docket No. 20418).

#### CONTACT PERSON FOR MORE INFORMATION:

Samuel M. Sharkey, FCC Public Information Officer, telephone 202-632-7260.

Issued: October 6, 1977.

[S-1536-77 Filed 10-6-77; 3:46 pm]

#### [6712-01]

5

#### FEDERAL COMMUNICATIONS COMMISSION.

TIME AND DATE: Follows 9:30 a.m. Open Meeting, Thursday, October 13, 1977.

PLACE: Room 856, 1919 M Street NW., Washington, D.C.

STATUS: Closed Commission Meeting.

#### MATTERS TO BE CONSIDERED:

##### *Agenda, Item No., and Subject*

Hearing—1—Applications for review, filed by Melvin Pulley and by the Broadcast Bureau in the Quitman, Miss., FM proceeding (Docket Nos. 20196 and 20197).

Hearing—2—Briefs filed pursuant to Commission's Memorandum Opinion and Order excepting a late waiver of hearing in the San Diego, Calif., program production show cause proceeding (Docket No. 20130).

Hearing—3—Motion for special relief in the San Jose, Calif., comparative renewal FM proceeding (Docket Nos. 20611-12).

Hearing—4—Application for review of the Review Board's Decision granting the renewal application of International Fueling Co., Inc. (International), denying the application of Technical Aeroservice, Inc. (Technical), and dismissing the application of Jenney Beechcraft, Inc. (Jenney), for an Aeronautical Advisory Station to serve L. G. Hanscom Field, Bedford, Mass.; and Motion to Strike Safety and Special Radio Services Bureau's Comments (Docket Nos. 20853, 20854, and 20855).

Hearing—5—Two applications for review in the Sumiton, Ala., new standard broadcast station proceeding (Docket No. 18204).

Hearing—6—Draft Decision in the Apple Valley, Calif., revocation proceeding involving BHA Enterprises, licensee of KAVR and KAVR-FM (Docket No. 19844).

General—1—Application for review of a letter from the General Counsel to White Mountain seeking orders to ask the Court for a remand of appeal pending, *White Mountain Broadcasting Co. Inc. v. FCC*, D.C. Cir. No. 76-2009.

Common Carrier—1—Closure of Common Carrier Bureau Office in St. Louis, Mo.

Renewal—1—Petitions to deny renewal ap-

plication of Lee Broadcasting Corporation, licensee of standard broadcast station WTUP, Tupelo, Miss., filed by North Mississippi Coalition for Better Broadcasting (NMCBB) and Jack Benney et al. (Benney).

#### CONTACT PERSON FOR MORE INFORMATION:

Samuel M. Sharkey, FCC Public Information Officer, telephone 202-632-7260.

Issued: October 6, 1977.

[S-1537-77 Filed 10-6-77; 3:46 pm]

#### [6715-01]

6

#### FEDERAL ELECTION COMMISSION.

DATE AND TIME: Thursday, October 13, 1977, at 2 p.m.

PLACE: 1325 K Street NW., Washington, D.C.

STATUS: Portions of this meeting will be open to the public and portions will be closed to the public.

#### MATTERS TO BE CONSIDERED:

Portions open to the public:

- I. Future meetings.
- II. Correction and approval of minutes—September 29, 1977.
- III. Appropriations and budget.
- IV. 2 U.S.C. section 455, Commission Memorandum No. 1487.
- V. Pending legislation.
- VI. Classification actions.
- VII. EEO plans.
- VIII. Liaison with other Federal agencies.
- IX. Report on pending litigation.
- X. Routine administrative matters.

Portions closed to the public (executive session):

- Audit matters.
- Compliance.
- FOIA appeal.
- Personnel.

#### PERSON TO CONTACT FOR INFORMATION:

David Fiske, Press Officer, telephone 202-523-4065.

MARJORIE W. EMMONS,  
Secretary to the Commission.

[S-1535-77 Filed 10-6-77; 3:46 am]

#### [6740-02]

7

OCTOBER 1, 1977.

#### FEDERAL ENERGY REGULATORY COMMISSION.

The following notice of meeting is published pursuant to Section 3(a) of the Government in the Sunshine Act (Pub. L. 94-409), 5 U.S.C. 552b.

TIME AND DATE: October 1, 1977, 12:40 p.m.

PLACE: 825 North Capitol Street NE.

STATUS: Open.

MATTER TO BE CONSIDERED: Approval of regulations to be issued jointly with the Secretary of Energy relating to the transfer of pending proceedings.

#### CONTACT PERSON FOR MORE INFORMATION:

Lois D. Cashell, Acting Secretary, telephone 202-275-4166.

[S-1541-77 Filed 10-6-77; 4:46 am]

#### [6740-02]

8

OCTOBER 1, 1977.

#### FEDERAL ENERGY REGULATORY COMMISSION.

The following notice of meeting is published pursuant to Section 3(a) of the Government in the Sunshine Act (Pub. L. 94-409), 5 U.S.C. 552b.

TIME AND DATE: October 3, 1977, 10 a.m.

PLACE: 825 North Capitol Street NE.

STATUS: Open.

#### MATTER TO BE CONSIDERED:

1. Announcement of appointments.
2. Approval of continuity document.
3. Approval of delegations to staff.
4. Other administrative matters.

#### CONTACT PERSON FOR MORE INFORMATION:

Kenneth F. Plumb, Secretary, telephone 202-275-4166.

[S-1542-77 Filed 10-6-77; 4:46 pm]

#### [6740-02]

9

OCTOBER 3, 1977.

#### FEDERAL ENERGY REGULATORY COMMISSION.

The following notice of meeting is published pursuant to Section 3(a) of the Government in the Sunshine Act (Pub. L. 94-409), 5 U.S.C. 552b.

TIME AND DATE: October 5, 1977, 10 a.m.

PLACE: 825 North Capitol Street NE.

STATUS: Open.

#### MATTER TO BE CONSIDERED:

Agenda.

NOTE.—Items listed on the agenda may be deleted without further notice.

#### CONTACT PERSON FOR MORE INFORMATION:

Kenneth F. Plumb, Secretary, telephone 202-275-4166.

This is a list of matters to be considered by the Commission. It does not include a listing of all papers relevant to the items on the agenda. However, all public documents may be examined in the Office of Public Information, room 1000.

#### GAS AGENDA, REGULAR MEETING, OCTOBER 5, 1977

G-1.—Docket No. RP72-133 (PGA77-2), United Gas Pipe Line Co.

G-2.—Docket Nos. CP77-419, et al., Tennessee Gas Pipeline Co., a division of Tenneco Inc., et al.



G-3.—Dockets Nos. CP76-492, et al., National Fuel Gas Supply Corp., et al.

D-4.—Docket No. CP77-603, Trunkline Gas Co.

G-5.—Docket No. CP77-410, Sea Robin Pipeline Co. Docket No. CP77-494, Texas Eastern Transmission Corp. and Columbia Gulf Transmission Co.

G-6.—Docket No. CP75-287, Northwest Pipeline Corp. Docket No. CP75-110, Washington Natural Gas Co.

G-7.—Docket No. CP-77508, Northern Natural Gas Co.

POWER AGENDA, REGULAR MEETING,  
OCTOBER 5, 1977

P-1.—Docket No. ER77-581, Kansas Gas & Electric Co.

P-2.—Docket No. ER76-285, Public Service Co. of New Hampshire.

A-1.—Other administrative matters.

KENNETH F. PLUMB,  
Secretary.

[S-1543-77 Filed 10-6-77; 4:47 pm]

[ 6720-01 ]

10

FEDERAL HOME LOAN BANK BOARD.

"FEDERAL REGISTER" CITATION OF PREVIOUS ANNOUNCEMENT: Vol. 42, No. 192, page 54056, Tuesday, October 4, 1977.

PREVIOUSLY ANNOUNCED TIME AND DATE OF MEETING: 9:30 a.m., October 6, 1977.

STATUS: Open Meeting.

CONTACT PERSON FOR MORE INFORMATION:

Mr. Robert Marshall, 202-376-3012.

CHANGES IN THE MEETING:

THE FOLLOWING ITEM HAS BEEN CHANGED FROM THE OPEN TO THE CLOSED PORTION OF THE MEETING:

Consideration of Cost-of-Living Adjustment for Bank Retirees.

THE FOLLOWING ITEM HAS BEEN ADDED TO THE AGENDA FOR THE OPEN PORTION OF THE MEETING:

Consideration of Indianapolis Bank move to Merchants Plaza.

THE FOLLOWING ITEM HAS BEEN WITHDRAWN FROM THE AGENDA FOR THE OPEN MEETING:

Application to Increase Accounts of an Insurable Type (Merger); Cancellation of Membership and Insurance—United Savings and Loan Association of Palestine, Palestine, Illinois into Illinois Guarantee Savings and Loan Association, Effingham, Illinois.

No. 78, October 6, 1977.

[S-1544-77 Filed 10-7-77; 8:45 am]

[ 6750-01 ]

11

FEDERAL TRADE COMMISSION.

"FEDERAL REGISTER" CITATION OF PREVIOUS ANNOUNCEMENT: FR 42, October 6, 1977, Page No. 54526.

PREVIOUSLY ANNOUNCED TIME AND DATE OF THE MEETING: 10 a.m., Wednesday, October 12, 1977.

CHANGES IN THE AGENDA: The Federal Trade Commission has added the following matters to the agenda of its October 12, 1977, open meeting to begin at 9 a.m.

(1) Consideration of Proposed Trade Regulation Rule on Disclosure Requirements and Prohibitions Concerning Franchising, Previously Published in 39 FR 30360 (August 22, 1974).

(2) Report from General Counsel on Congressional Matters.

[S-1534-77 Filed 10-6-77; 2:41 pm]

[ 7545-01 ]

12

NATIONAL LABOR RELATIONS BOARD.

TIME AND DATE: 10 a.m., Wednesday, October 12, 1977.

PLACE: Board Conference Room, Sixth Floor, 1717 Pennsylvania Avenue NW., Washington, D.C. 20570.

STATUS: Parts of this meeting will be open to the public. The rest of the meeting will be closed to the public.

MATTERS TO BE CONSIDERED:

Portions open to the public:

Status of Task Force recommendations.

Portions closed to the public:

Consideration of applicant qualified for appointment to Administrative Law Judge.

Consideration of conversion of Subregion 38 (Peoria, Ill.) to full region status.

Consideration of supervisory training conference for Board supervisors.

Procedures in respect to three-year employee commitment.

Consideration of personnel matters in Office of Executive Secretary.

CONTACT PERSON FOR MORE INFORMATION:

John C. Truesdale, Esq., Executive Secretary, Washington, D.C. 20570. Telephone Number 202-254-9430.

[S-1540-77 Filed 10-6-77; 4:06 pm]

[ 8010-01 ]

13

SECURITIES AND EXCHANGE COMMISSION.

"FEDERAL REGISTER" CITATION OF PREVIOUS ANNOUNCEMENTS: 42 FR 53717, October 3, 1977 (and issue to be printed on October 6, 1977).

PREVIOUSLY ANNOUNCED TIMES AND DATES: Thursday, October 6, 1977, 1:30 p.m. Wednesday, October 12, 1977, at 10 a.m.

CHANGES IN THE MEETING: Rescheduling of closed meeting agenda.

The following item originally scheduled for the closed meeting at 1:30 p.m. on October 6, 1977 has been rescheduled for 9 a.m. on October 12, 1977: Discussion of regulatory matters bearing enforcement implications.

Additional staff consideration of the matter is required.

In addition, the closed meeting previously scheduled for 10 a.m. on Wednesday, October 12, 1977, will be held at 9 a.m. on Thursday, October 13, 1977, subject to the deletion of the following items:

Institution of administrative proceedings.

Chairman Williams and Commissioners Loomis, Evans, Pollack, and Karmel, voted to approve the above changes and determined that no earlier notice thereof was possible.

OCTOBER 6, 1977.

[S-1546-77 Filed 10-7-77; 11:01 am]

[ 8120-01 ]

[Meeting No. 1182]

14

TENNESSEE VALLEY AUTHORITY.

TIME AND DATE: 10:30 a.m., Thursday, October 13, 1977.

PLACE: Conference Room B-32, West Tower, 400 Commerce Avenue, Knoxville, Tenn.

STATUS: Open.

MATTERS TO BE CONSIDERED:

A—PERSONNEL ACTIONS

1. Change of status—Harry S. Fox from Acting Director to Director of Power Production, Office of Power, Chattanooga, Tenn.

2. Change of status from temporary to permanent—Jack R. Calhoun, Assistant Director of Power Production (Nuclear), Office of Power, Chattanooga, Tenn.

3. Change of status from temporary to permanent—Clem C. Schonhoff, Assistant Director of the Division of Power Production, Office of Power, Chattanooga, Tenn.

B—CONSULTING AND PERSONAL SERVICE CONTRACTS

1. Consulting contract with John B. Glude, Seattle, Wash.—Division of Forestry, fisheries, and Wildlife Development.

2. Renewal of consulting contract with Dr. Kenneth L. Dickson, Christiansburg, Va.—Division of Forestry, Fisheries, and Wildlife Development.

3. Renewal of consulting contract with Dr. John Cairns, Jr., Blacksburg, Va.—Division of Forestry, Fisheries, and Wildlife Development.

4. Renewal of consulting contract with Dr. Ulrich C. Luft, Albuquerque, N. Mex.—Division of Medical Services.

5. Renewal of consulting contract with Dr. Leonard A. Sagan, Palo Alto, Calif.—Division of Environmental Planning.

6. Consulting contract with Dr. Khalil Hosny Mancy, Ann Arbor, Mich.—Division of Environmental Planning.



7. Renewal of consulting contract with Sheppard T. Powell Associates, Baltimore, Md.—Office of Engineering Design and Construction.

8. Renewal of consulting contract with Weston Geophysical Engineers, Inc., Weston, Mass.—Office of Engineering Design and Construction.

#### C—PURCHASE AWARDS

1. Req. No. 551325—Necessary labor, materials, tools, equipment, supplies, and services to construct pumping stations for South Chickamauga Creek.

2. Req. No. 822048—Electrical penetrations for Hartsville and proposed Phipps Bend Nuclear Plants.

3. Req. No. 543371—Indefinite quantity term contract for carbon steel, warehouse quantities for any TVA nuclear project.

4. Amendment to Contract 76X72-71332—Indefinite quantity term contract for carbon steel, warehouse quantities for any TVA nuclear project.

5. Amendment to Contract 73X39-62032—Rental, purchase, and maintenance of Xerox equipment, accessories, and supplies for any TVA project or warehouse.

6. Contract No. B-553581—Rental, purchase, and maintenance of Xerox equipment, accessories, and supplies for any TVA project or warehouse.

7. Req. No. 145677—Tractor-scraper units for Allen, John Sevier, Kingston, and Shawnee Steam Plants.

8. Req. No. 145939—Indefinite quantity term contract for light distillate oil for Colbert, Johnsonville, Gallatin, and Allen Steam Plants.

9. Amendment to Contracts 73060-75210 and 75K60-84840-1 with General Electric Co., Chattanooga, Tenn., for nuclear steam supply systems for Hartsville and the proposed Phipps Bend Nuclear Plants.

10. Req. No. 822718—Flexible hose assemblies for Sequoyah and Watts Bar Nuclear Plants.

11. Amendment to Contract 76K50-87403 with J.E. Sirrine Co. for architect-engineering services for design of office and service buildings for Hartsville Nuclear Plant.

12. Req. No. 820719—Relief valves for Hartsville and proposed Phipps Bend Nuclear Plants.

13. Amendment to Contract 75X38-76352-5—Indefinite quantity term contract for WABCO Construction and Mining Equipment replacement parts for any TVA project or warehouse.

14. Req. No. 822107—Butterfly valves for Hartsville and proposed Phipps Bend Nuclear Plants.

15. Amendment to Contract 77P34-539829—Indefinite quantity term contract for genuine Diamond Power soot blower parts for any TVA project or warehouse.

16. Amendment to Contract 75K3-55479 with Control Data Corp., Rockville, Md., for computer time sharing and

remote batch processing services for Computing Services Branch.

17. Req. No. 822373—Air-conditioning units for Hartsville and proposed Phipps Bend Nuclear Plants.

18. Req. No. 542725—Air separation plant including installation for ammonia from coal projects, National Fertilizer Development Center, Muscle Shoals, Ala.

19. Req. No. 821985—2-inch and under gate, globe, check, and plug valves for Hartsville and proposed Phipps Bend Nuclear Plants.

20. Req. No. 144822—Indefinite quantity term contract for services of turbine and generator service engineers, mechanics, etc., for various power plants.

21. Req. No. 144874—Indefinite quantity term contract for services of turbine and generator service engineers, mechanics, etc., for various power plants.

22. Req. No. 551313—Construction pool equipment.

23. Amendment to indefinite quantity term Contract 7P70-141329 with Amoco Oil Co. for light distillate oil for Colbert, Johnsonville, Gallatin, and Allen Steam Plants.

24. Req. No. 554653—Steel sheet piling for Pickwick Landing lock.

25. Req. No. 820559—6.9-kV station service bus system for Hartsville and proposed Phipps Bend Nuclear Plants.

26. Req. No. 821952—Water chillers for Hartsville and proposed Phipps Bend Nuclear Plants.

27. Amendment to Contract 69P-87-T1 with Peabody Coal Co. for coal for TVA steam plants, to provide for construction and operation of coal preparation plant.

28. Amendments to Contract 72P-40-T18 with Falcon Coal Co., Inc., including purchase of additional coal.

29. Req. No. 529813—Coal for the Division of Chemical Operations.

30. Req. No. 42—Coal for TVA steam plants.

31. Req. No. 98-42—Movement of coal by rail, rail-to-barge transfer services, and barging services for Shawnee, Johnsonville, and Widows Creek Steam Plants.

#### D—PROJECT AUTHORIZATIONS

1. No. 3273—Muscle Shoals Reservation wastewater treatment system.

2. No. 3274—Assessment of load management potential for residential water heating and space conditioning on the TVA system.

#### E—FERTILIZER ITEMS

None.

#### F—POWER ITEMS

1. Letter agreement with city of Florence, Ala., and deed to city of Florence, Ala.—Sale of portion of TVA's Elgin 161-kV substation site.

2. Letter agreement with The Carborundum Co., Jacksboro, Tenn., and deed and bill of sale to The Carborundum Co.—Sale of TVA's Jacksboro 161-kV substation.

3. Lease and amendatory agreement with Lawrenceburg, Tenn., covering arrangements for 46-kV delivery at TVA's Lawrenceburg district substation.

4. Lease and amendatory agreement with Tusculumbia, Ala., covering arrangements for 46-kV delivery at TVA's Tusculumbia 46-kV substation.

5. New power contract with Joe Wheeler Electric Membership Corp.

6. Amendment to letter agreement with The Mead Corp.—Firm contract demand increase.

7. Letter agreement with East Kentucky Power Cooperative for short-term power.

8. Supplement to letter agreement with Nuclear Regulatory Commission covering arrangements for use of TVA reactor simulator facilities for training purposes.

#### G—REAL PROPERTY TRANSACTIONS

1. Resolution relating to sale of 50-year easement for an office building site, affecting approximately 0.5 acre of Muscle Shoals Reservation land—tract X2NPT-7B.

2. Resolution relating to grant of permanent easement for water transmission line, affecting approximately 0.92 acre of Upper Bear Creek Dam Reservation land—tract XTBCUR-2P.

3. Resolution relating to reconveyance of easement over tract XCR-672SP and grant of permanent easement over tract XCR-675SP for sewer line, water line, and lift station—Chickamauga Reservoir.

4. Resolution relating to reconveyance to TVA of public access area on Watts Bar Reservoir from the State of Tennessee—tract XTWBR-7.

5. Resolution relating to grant of permanent easements to the city of Tulahoma, Tenn., affecting approximately 37.58 acres of Normandy Reservoir land—tracts XTNRMR-3P and XTNRMR-1WT.

6. Agreement with Southern Railway Co., relating to track relocation and construction at Roane County, Tenn., 500-kV substation.

7. Bill of sale and quitclaim deed to the city of Columbus, Miss.—section of TVA's West Point-Columbus No. 1 (de-energized) 46-kV transmission line.

8. Supplemental agreement with Monroe County, Tenn.—Highway adjustments in Tellico Reservoir.

9. Filing of condemnation suits.

#### H—UNCLASSIFIED

1. Resolution relating to reports to Nuclear Regulatory Commission.

2. Interagency agreement between the U.S. Environmental Protection Agency and the Tennessee Valley Authority—mussel study.

3. Resolution relating to expenditures for entertainment of official visitors.

4. Resolution authorizing the Comptroller to write off certain uncollectible accounts receivable.



5. Resolution relating to contribution rates to the TVA Retirement System for fiscal year 1978.

6. Resolution relating to payment from power proceeds for fiscal year 1977 to the Treasury of the United States.

7. Resolution relating to short-term borrowing from the Treasury.

8. Approval of plans of Marshall County Board of Education for construction of outfall at Tennessee River Mile 363.0R for a sewage treatment system.

9. Agreement with Environmental Research and Technology, Inc., concerning sulfur oxide pollution study.

10. Supplement to agreement with the Beech River Watershed Development Authority relating to the water control system on the Beech River and future regional development.

11. Revised policy statement—Selection.

12. Interim budget plan for fiscal year 1978.

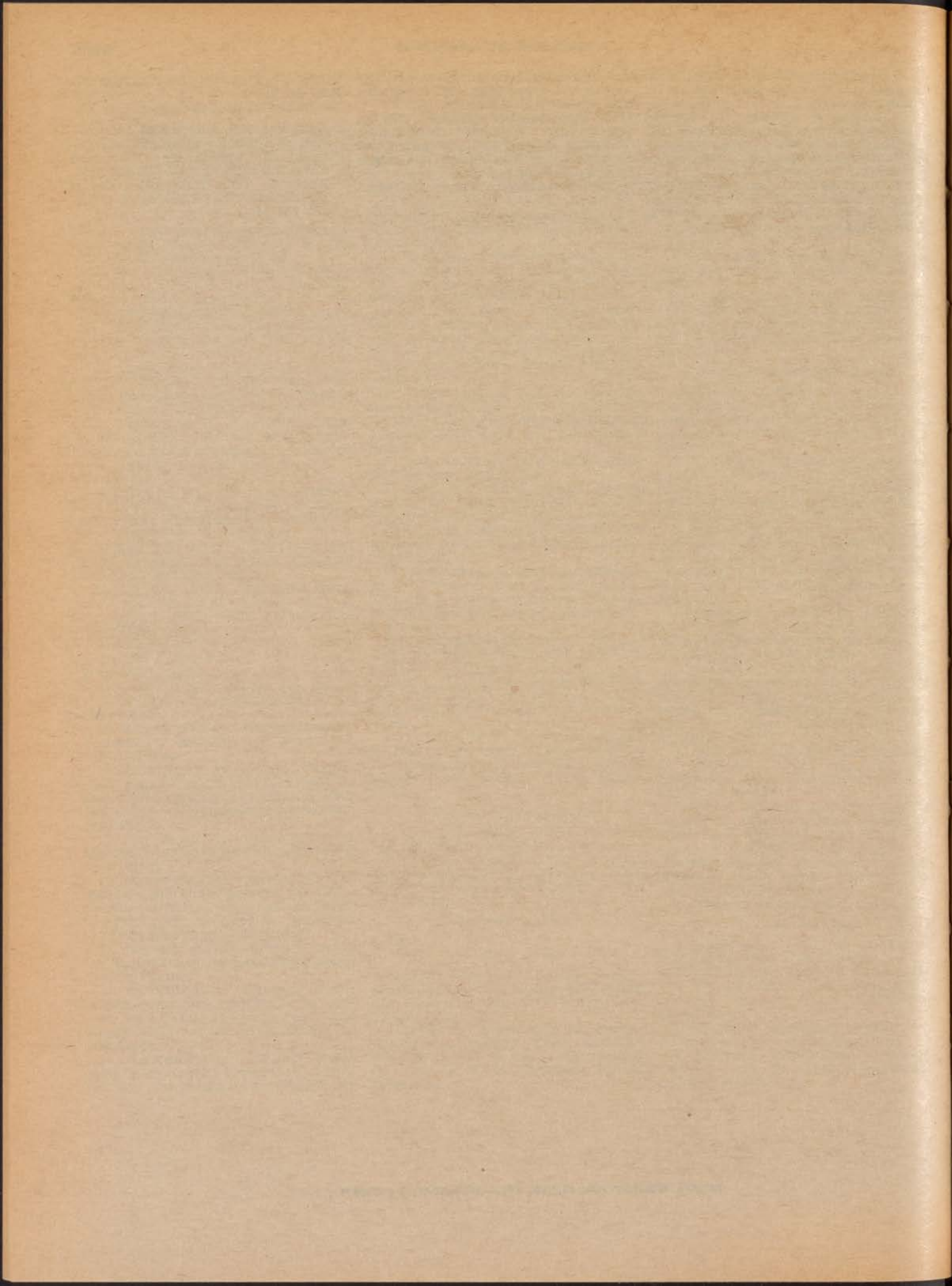
#### CONTACT PERSON FOR MORE INFORMATION:

[S-1545-77 Filed 10-7-77;9:48 am]

John Van Hol, Director of Information, or a member of his staff can respond to requests for information about this meeting. Call 615-632-3257, Knoxville, Tenn. Information also is available at TVA's Washington Office, 202-566-1401.

Dated: October 6, 1977.







Registered  
Federal

WEDNESDAY, OCTOBER 12, 1977

PART II



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DEPARTMENT OF  
HEALTH,  
EDUCATION, AND  
WELFARE

Office of Education



DIRECT, DISCRETIONARY  
GRANT PROGRAMS

Closing Dates for Receipt of Applications  
for Fiscal Year 1978



[4110-02]

DEPARTMENT OF HEALTH,  
EDUCATION, AND WELFARE

Office of Education

DIRECT, DISCRETIONARY GRANT  
PROGRAMSClosing Dates for Receipt of Applications  
for Fiscal Year 1978

The purpose of this notice is to inform potential applicants of closing dates for the receipt of applications for grants by the U.S. Office of Education. For the convenience of potential applicants, this notice includes most programs for which grant applications are filed with the Office of Education. (Closing dates are also included for the limited number of programs in which non-procurement contracts are awarded on the basis of applications). The only programs omitted from this notice are those for which it is not yet possible to specify a closing date because program regulations governing the award of grants are still being developed. Closing dates for these programs will be published as soon as possible.

Closing dates for a limited number of programs listed in this notice have been published previously. These closing dates are being republished in this notice, without change, so that potential applicants will be provided a single, comprehensive listing of as many program closing dates as possible. Under heading I, programs listed that have previously published their closing dates are designated by an asterisk.

Program closing dates are set forth in this notice in chronological order.

Applicants which decide to apply under one or more programs covered by this notice should take care to follow the instructions set forth under the closing date for each program, under heading III below. Closing dates and specific procedures vary from program to program. The instructions under each program's closing date inform applicants of (1) how to obtain application forms; (2) the regulations which govern the program; (3) whom to contact for additional information; and (4) other procedures to follow.

The Office of Education suggests that applicants consider sending applications by registered or certified mail. Under heading III below, separate dates are specified under each program for the use of registered or certified mail. Each of these dates is in advance of the regular closing date (specified under heading I, below) for each program. If the application is sent by registered or certified mail by the appropriate advance date specified for the use of registered or certified mail for each program under heading III below, the applicant is protected from unexpected circumstances causing the application to arrive late. If registered or certified mail is not used, and a new application arrives late, it cannot be accepted, no matter what unforeseen circumstances may have caused its lateness.

Under heading I below, a list is set forth of all closing dates contained in this notice. Specific instructions related

to each of these closing dates are set forth under heading III below, with programs listed in the same order as under heading I. Under heading II is a list of programs for which closing dates are not being announced at this time because program regulations governing applications are still being developed. Closing dates for these programs will be published as soon as possible.

The U.S. Office of Education is publishing this single notice of closing date to make it easier for applicants to submit their applications. In connection with this attempt to simplify its procedures, OE is also concerned with removing some of the often burdensome reporting requirements placed on grantees. Consequently, the Commissioner of Education has established a policy which limits the frequency of reporting in 108 of the Office of Education's discretionary programs to one annual fiscal report, one annual program report, and one final report, except where otherwise specifically required by statute or regulation. A study will be undertaken in FY 1978 to determine if any programs should be given an exemption to this policy. Upon its conclusion, OE will publish in the FEDERAL REGISTER any necessary regulation amendments and a list of all programs authorized for annual data collection only, accom-

panied by the approved form numbers, as well as a list of the authorized exemptions stipulating how frequently those exempted programs are authorized to collect fiscal and/or program data. The authorized forms associated with these exemptions will also be published at the same time. In a further effort to reduce reporting burdens to local educational agencies, State educational agencies, and institutions of higher education, the Commissioner has also directed a study of the most appropriate dates for requesting this information. Reporting dates determined as a result of this study will also be published in the subsequent announcement. Fiscal and program reports provided for in the subsequent notice will be the only such reports authorized by the Office of Education, and educational officials who are asked to provide information which is inconsistent with the notice should immediately contact the Executive Deputy Commissioner for Support Services to determine whether the additional data and information requested has been authorized by the Commissioner of Education.

The Office of Education anticipates that the second announcement will be published in the FEDERAL REGISTER in the second half of FY 1978.

## I. New closing dates and closing dates announced previously

| CFDA No.                         | Program title   | Closing date  |
|----------------------------------|---|---------------|
| *13.451A and B                   | Handicapped personnel preparation   | Oct. 14, 1977 |
| *13.438, 439 and<br>*13.440, 441 | Fulbright Hays training grants  | Nov. 4, 1977  |
| *13.443                          | Handicapped research and demonstration:<br>(1st cycle)  | Nov. 8, 1977  |
|                                  | (2nd cycle)   | Mar. 17, 1978 |
| *13.444A                         | Handicapped children's early education program (new awards)   | Nov. 9, 1977  |
| *13.403D                         | Bilingual education—basic programs (new awards and noncompeting continuations)  | Nov. 15, 1977 |
| *13.403E                         | Bilingual education—training program (new awards and noncompeting continuations)  | Do.           |
| *13.403G                         | Bilingual education—support services (new awards and noncompeting continuations)  | Do.           |
| *13.403F                         | Bilingual education—fellowship program (new awards and noncompeting continuations)  | Do.           |
| *13.403H                         | Bilingual education—contracts for coordination of technical assistance by State educational agencies (noncompeting continuations) | Do.           |
| *13.435B                         | Graduate and undergraduate—international studies program (new awards)   | Nov. 18, 1977 |
| *13.562C                         | Gifted and talented model projects (competitive contracts)  | Nov. 21, 1977 |
| *13.562A                         | Program for the gifted and talented   | Do.           |
| *13.562A and B                   | Gifted and talented (competitive continuations)   | Do.           |
| *13.444B                         | Handicapped children's early education program—outreach projects (noncompeting continuations)                                     | Nov. 23, 1977 |
| 13.503 A and B                   | Vocational education graduate leadership development program:<br>Institutional applications                                       | Nov. 28, 1977 |
|                                  | Individual applications   | Feb. 6, 1978  |
| *13.443C                         | Handicapped research and demonstration field initiated studies  | Dec. 7, 1977  |
| 13.468                           | Library training program  | Dec. 9, 1977  |
| 13.475                           | Library research and demonstration program  | Do.           |
| *13.561                          | Metric education program  | Dec. 12, 1977 |
| *13.564                          | Consumers' education program  | Dec. 16, 1977 |
| 13.434                           | Foreign language and area studies fellowship program  | Dec. 20, 1977 |
| 13.549                           | Ethnic heritage studies program   | Do.           |
| 13.566                           | Arts education program  | Dec. 29, 1977 |
| 13.543                           | Educational opportunity centers   | Jan. 4, 1978  |
| 13.482                           | Special services for disadvantaged students   | Do.           |
| 13.488                           | Talent search   | Do.           |
| 13.492                           | Upward bound  | Do.           |
| 13.436                           | Foreign language and area studies research program  | Jan. 6, 1978  |
| 13.433 A and B                   | Follow through—local project grants and sponsor grants  | Jan. 9, 1978  |
| 13.433C                          | Follow through—technical assistance   | Do.           |
| 13.563                           | Community education program   | Jan. 11, 1978 |
| 13.565                           | Women's educational equity act program:<br>(New awards)   | Jan. 12, 1978 |
|                                  | (Noncompeting continuations)  | Apr. 14, 1978 |
| 13.584                           | Bilingual vocational instructor training program  | Jan. 13, 1978 |
| 13.435 A and B                   | International studies centers and graduate and undergraduate international studies programs (noncompeting continuations)          | Jan. 16, 1978 |
| 13.555                           | Public service fellowships and institutional grants   | Do.           |
| 13.510                           | Cooperative education program   | Do.           |
| 13.533B                          | Right to Read state leadership and training program   | Jan. 17, 1978 |
| 13.554                           | Career education program  | Jan. 18, 1978 |
| 13.522                           | Environmental education program   | Jan. 20, 1978 |
| 13.569                           | Indian fellowship program   | Jan. 23, 1978 |
| 13.558                           | Bilingual vocational training program   | Jan. 25, 1978 |



| CFDA No.     | Program title   | Closing date  |
|--------------|---|---------------|
| 13.535 A & B | Special programs and projects to improve educational opportunities for Indian children.                                 | Jan. 27, 1978 |
| 13.551       | Indian education—grants to non-local educational agencies.  | Do.           |
| 13.536       | Special programs relating to adult Indian education.  | Jan. 31, 1978 |
| 13.533 G     | Right to read reading improvement projects (new awards).  | Feb. 3, 1978  |
| 13.534       | Indian elementary and secondary school assistance—grants to local educational agencies.                                 | Feb. 10, 1978 |
| 13.578       | Vocational educational teacher certification fellowship program.  | Feb. 17, 1978 |
| 13.406       | College library resources program.  | Feb. 21, 1978 |
| 13.444 A     | Handicapped children's early education model demonstration projects (non-competing continuations).                      | Feb. 24, 1978 |
| 13.444 B     | Handicapped children's early education program—outreach projects (new awards).  | Mar. 1, 1978  |
| 13.588       | Contract program for Indian tribes and Indian organizations.  | Mar. 13, 1978 |
| 13.567       | Domestic mining and mineral and mineral fuel conservation—fellowships.  | Mar. 17, 1978 |
| 13.533 E     | Right to read reading academy program (noncompeting continuations).   | Apr. 3, 1978  |
| 13.533 G     | Right to read reading improvement projects (noncompeting continuations).  | Do.           |
| 13.533 H     | Right to read special emphasis projects.  | Do.           |
| 13.676       | Strengthening research library resources program.   | Apr. 11, 1978 |
| 13.444 C     | Handicapped children's early education program—State implementation grants (new awards and noncompeting continuations). | Apr. 14, 1978 |
| 13.489 B     | Teacher corps "Twelfth Cycle" projects.   | May 26, 1978  |

\*Closing date previously announced.

## II. Closing dates for the following programs are not announced in this notice because program regulations and application packages are being developed

| CFDA No.                                      | Program title   |
|---|---|
| 13.580  | Graduate and professional study fellowships and institutional grants. |
| Number to be assigned.                        | Law clinical assistance program.                                      |
| 13.405  | Civil Rights Act—Title IV.  |
| 13.525, 526, 528, 529, 13.550, 532, 589, 590. | Emergency school aid programs.  |
| 13.443 D                                      | Handicapped research and demonstration model centers.                 |
| 13.446 A                                      | Handicapped media services and captioned films.                       |
| 13.520 A                                      | Handicapped specific learning disabilities.                           |
| 13.500  | Handicapped regional education program (noncompeting continuations).  |
| Number to be assigned.                        | Service learning centers.   |
| 13.416  | Teacher centers program.  |
| 13.454  | Strengthening developing institutions.                                |
| 13.557  | Community services and continuing education.                          |
| 13.413 A and B                                | Educational broadcasting.   |
| 13.489 C                                      | Teacher corps.  |

## III. NOTICES OF CLOSING DATES FOR A MAJORITY OF OE DISCRETIONARY GRANT PROGRAMS.

### CFDA 13.451 HANDICAPPED PERSONNEL PREPARATION

Closing Date—October 14, 1977

Notice is hereby given that, pursuant to the authority contained in sections 631, 632, and 634 of the Education of the Handicapped Act (20 U.S.C. 1431, 1432, and 1434), the U.S. Commissioner of Education has established a closing date of October 14, 1977, for receipt of applications for new and continuation training grants under Part D of the Act.

Applications must be received by the U.S. Office of Education Application Control Center on or before the aforementioned date.

A. *Availability of funds and estimated number and amount awards.* The estimated total amount of funds available under this grant program for Fiscal Year 1978 is \$45,750,000. An estimated 775 grants will be awarded, with an average totaling \$62,000.

B. *Applications sent by mail.* An application sent by mail should be addressed

as follows: U.S. Office of Education, Application Control Center, Washington, D.C. 20202, Attention: 13.451. An application sent by mail will be considered to be received on time by the Application Control Center if:

(1) The application was sent by registered or certified mail not later than October 11, 1977, as evidenced by the U.S. Postal Service postmark on the wrapper or envelope, or on the original receipt from the U.S. Postal Service; or

(2) The application is received on or before the closing date by either the Department of Health, Education, and Welfare, or the U.S. Office of Education mail rooms in Washington, D.C. In establishing the date of receipt, the Commissioner will rely on the time-date stamp of such mail rooms or other documentary evidence of receipt maintained by the Department of Health, Education, and Welfare, or the Office of Education.

C. *Hand-delivered applications.* An application to be hand-delivered must be delivered to the U.S. Office of Education, Application Control Center, Room 5673, Regional Office Building Three, 7th and D Streets SW., Washington, D.C. Hand-delivered applications will be accepted daily between the hours of 8 a.m. and 4 p.m. Washington, D.C., time except Saturdays, Sundays, or Federal holidays. Applications will not be accepted by the Application Control Center after 4 p.m., Washington, D.C., time on the closing date.

D. *Program information and forms.* Information and applications may be obtained from the Division of Personnel Preparation, Bureau of Education for the Handicapped, U.S. Office of Education, Washington, D.C. 20202.

E. *Applicable regulations.* Awards under the Handicapped Personnel Preparation program will be governed by the Office of Education General Provisions Regulations (45 CFR Parts 100, 100a) and the regulations which apply specifically to this program.

(45 CFR Parts 121 and 121f. Amendments to Part 121f were published in the FEDERAL REGISTER on April 19, 1977, 42 FR 20298-20300).

(20 U.S.C. 1431, 1432, and 1434.)

### CFDA-13.438A, 13.439A, 13.440A, 13.441A—FULBRIGHT-HAYS TRAINING GRANTS

Closing Date—November 4, 1977

Notice is hereby given that pursuant to the authority contained in section 102 (b) (6) of the Mutual Educational and Cultural Exchange Act of 1961 (22 U.S.C. 2452(b) (6)), applications are being accepted from eligible institutions for Fulbright-Hays training grants.

Eligible applicants for Fulbright-Hays training grants are as follows:

A. For the Faculty Research Abroad program, accredited institutions of higher education.

B. For the Doctoral Dissertation Research Abroad program, accredited institutions of higher education which offer doctoral programs in the fields of foreign languages and area studies.

C. For the Group Projects Abroad program, accredited institutions of higher education, State departments of education, private non-profit educational organizations, and consortiums of such entities.

D. For the Foreign Curriculum Consultants program, accredited institutions of higher education, State departments of education, local public school systems, private non-profit educational organizations, and consortiums of such entities.

Applications must be received by the U.S. Office of Education Application Control Center on or before November 4, 1977.

A. *Applications sent by mail.* An application sent by mail should be addressed as follows: U.S. Office of Education, Application Control Center, Washington, D.C. 20202, Attention: (as applicable: 13.438A Faculty Research Abroad; 13.439A Foreign Curriculum Consultants; 13.440A Group Projects Abroad; or 13.441A Doctoral Dissertation Research Abroad. An application sent by mail will be considered to be received on time by the Application Control Center if:

(1) The application was sent by registered or certified mail not later than October 31, 1977, as evidenced, by the U.S. Postal Service postmark on the wrapper or envelope, or on the original receipt from the U.S. Postal Service; or

(2) The application is received on or before the closing date by either the Department of Health, Education, and Welfare, or the U.S. Office of Education mail rooms in Washington, D.C. (In establishing the date of receipt, the Commissioner will rely on the time-date stamp of such mail rooms or other documentary evidence of receipt maintained by the Department of Health, Education, and Welfare, or the U.S. Office of Education.)

B. *Hand-delivered applications.* An application to be hand delivered must be taken to the U.S. Office of Education Application Control Center, Room 5673, Regional Office Building Three, 7th and D Streets SW., Washington, D.C. Hand delivered applications will be accepted daily between the hours of 8 a.m. and 4 p.m. Washington, D.C., time except



Saturdays, Sundays, or Federal holidays. Applications will not be accepted after 4 p.m. on the closing date.

**C. Program information and forms.** Information and application forms may be obtained from the International Studies Branch, Division of International Education, Bureau of Higher and Continuing Education, Office of Education, Regional Office Building Three, 7th and D Streets SW., Washington, D.C. 20202.

**D. Estimated Distribution of Program Funds.** The amount of funds available for the Fulbright-Hays Training programs for Fiscal Year 1978 will be approximately \$3,000,000 in addition to the equivalent of \$1,830,000 in special foreign currencies. The tentative number of awards for each program and their estimated average costs are as follows: Faculty Research Abroad—90 fellowships at an average cost of approximately \$10,400; Doctoral Dissertation Research Abroad—125 fellowships at an average cost of approximately \$9,300; Group Projects Abroad—45 grants at an average cost of approximately \$52,600; and Foreign Consultants—25 grants at an average cost of \$13,000.

The above statement with regard to the expected distribution of funds is an estimate and is for information purposes only; it does not bind the Office of Education except as may be required by applicable statute and regulation.

**E. Applicable regulations.** Awards made pursuant to this notice will be subject to the Office of Education General Provisions Regulations (45 CFR Part 100a) and the regulations for Modern Foreign Language Training and Area Studies (45 CFR Part 148).

(22 U.S.C. 2452(b) (6).)

CFDA-13.443A—HANDICAPPED RESEARCH AND DEMONSTRATION

**Closing Dates—First Cycle, November 8, 1977; Second Cycle, March 17, 1978**

Notice is hereby given that, pursuant to the authority contained in Sections 641 and 642 of Part E of the Education of the Handicapped Act (20 U.S.C. 1441, 1442), applications are being accepted for support for research and related purposes related to education of the handicapped. This announcement covers applications for new awards only for the Student Research program.

Under the Student Research program, the Office of Education is interested in a broad range of student initiated and directed research and research-related projects focusing on the education of handicapped children. Two award cycles are planned for Fiscal Year 1978. Proposals received for the first cycle will not be held over for the second cycle, but may be resubmitted.

Applications must be received by the U.S. Office of Education Application Control Center on or before the following dates: First Cycle, November 8, 1977; and for the Second Cycle, March 17, 1978.

**A. Availability of funds and estimated number and amount of awards.** The estimated total amount of funds available

for support of Student Research projects is \$250,000. Based on a median grant amount in recent years of approximately \$5,000, we anticipate that about 33 new grants will be awarded. The range of funding for student projects has been from \$350 to over \$20,000. However, the large majority of awards have been for under \$7,500.

**B. Multiple year awards.** While there is no legal limit on the duration of projects, the vast majority of student directed projects are for one year or less due to the limited tenure of students at applicant institutions. In the event that assistance is provided for multiple year projects, grant awards will be made for budget period of a single year's duration with continuation awards made on a non-competitive basis subject to satisfactory performance as determined pursuant to 45 CFR 121h.4(b) and the availability of funds in future fiscal years.

**C. Applications sent by mail.** An application sent by mail should be addressed as follows: U.S. Office of Education, Application Control Center, Washington, D.C. 20202, Attention: 13.443A. An application sent by mail will be considered to be received on time by the Application Control Center if:

(1) The application was sent by registered or certified mail not later than November 3, 1977 for First Cycle, and March 13, 1978 for Second Cycle, as evidenced by the U.S. Postal Service postmark on the wrapper or envelope, or on the original receipt from the U.S. Postal Service; or

(2) The application is received on or before the closing date by either the Department of Health, Education, and Welfare, or the U.S. Office of Education mailrooms in Washington, D.C. (in establishing the date of receipt, the Commissioner will rely on the time-date stamp of such mailrooms or other documentary evidence or receipt maintained by the Department of Health, Education, and Welfare, or the U.S. Office of Education.)

**D. Hand-delivered applications.** An application to be hand delivered must be taken to the U.S. Office of Education Application Control Center, Room 5673, Regional Office Building Three, 7th and D Streets SW., Washington, D.C. Hand delivered applications will be accepted daily between the hours of 8 a.m. and 4 p.m. Washington, D.C., time except Saturdays, Sundays, or Federal holidays. Applications will not be accepted after 4 p.m. Washington, D.C., time on the closing date.

**E. Program information and forms.** Further information and application forms may be obtained from the Research Projects Branch, Bureau of Education for the Handicapped, Office of Education, 400 Maryland Avenue SW. (Donohoe, 3165), Washington, D.C. 20202.

**F. Applicable regulations.** The regulations applicable to this program include the Office of Education General Provisions Regulations (45 CFR Parts 100 and 100a) and the regulations governing Re-

search in the Education of the Handicapped (45 CFR Parts 121 and 121h).

(20 U.S.C. 1441, 1442.)

CFDA-13.444A—HANDICAPPED CHILDREN'S EARLY EDUCATION PROGRAM

**Closing Date—November 9, 1977**

Notice is hereby given that pursuant to the authority contained in sections 623 and 624 of the Education of the Handicapped Act (20 U.S.C. 1423, 1424), the U.S. Commissioner of Education has established a final closing date of November 9, 1977 for receipt of applications. Applications for New Model Demonstration Projects (13.444A) must be received on or before the above date. The notice of closing for non-competing continuations will be published separately.

The funding level of the Handicapped Children's Early Education Program in Fiscal Year 1978 is expected to be \$22,000,000. These funds will be made available for new and non-competing continuation demonstration projects, technical assistance support activities, and outreach projects. The approximate number of new demonstration awards is 70. During previous years of the program, funding for new demonstration projects has averaged between \$60,000 and \$70,000.

Projects approved for funding under this program will be for a three-year period with annual review of progress. The funding level and distribution of project funds are predicated upon the allotment of funds and may vary according to the final appropriation made available during a specific fiscal year.

Applications must be received by the U.S. Office of Education Application Control Center on or before November 9, 1977.

**A. Applications sent by mail.** An application sent by mail should be addressed as follows: U.S. Office of Education, Application Control Center, Washington, D.C. 20202, Attention: 13.444A. An application sent by mail will be considered to be received on time by the Application Control Center if:

(1) The application was sent by registered or certified mail no later than November 4, 1977 as evidenced by the U.S. Postal Service postmark on the wrapper or envelope, or on the original receipt from the U.S. Postal Service; or

(2) The application is received on or before the closing date by either the Department of Health, Education, and Welfare, or the U.S. Office of Education mail rooms in Washington, D.C. In establishing the date of receipt, the Commissioner will rely on the time-date stamp of such mail rooms or other documentary evidence of receipt maintained by the Department of Health, Education, and Welfare, or the U.S. Office of Education.

**B. Hand delivered applications.** An application to be hand delivered must be delivered to the U.S. Office of Education, Application Control Center, Room 5673 Regional Office Building Three, 7th and D Streets SW., Washington, D.C. Hand delivered applications will be accepted daily between the hours of 8 a.m. and 4



p.m. Washington, D.C., time except Saturdays, Sundays, or Federal holidays. Applications for new awards will not be accepted by the Application Control Center after 4 p.m., Washington, D.C., time, on the closing date.

**C. Program information and forms.** Information and applications may be obtained from the Division of Innovation and Development, Bureau of Education for the Handicapped, U.S. Office of Education, Rm. 3100 Donohoe Building, 400 Maryland Avenue SW., Washington, D.C. 20202. Applications will be available on or about September 12, 1977.

**D. Applicable regulations.** The regulations applicable to this program include the Office of Education General Provisions Regulations (45 CFR Parts 100 and 100a) and the applicable program regulations (45 CFR Parts 121, 121d).

(20 U.S.C. 1423, 1424.)

#### CFDA-13.403D—BILINGUAL EDUCATION

##### Basic Programs of Bilingual Education—Initial Awards

**Closing Date—November 15, 1977**

Pursuant to the authority contained in section 721 of the Bilingual Education Act, Title VII of the Elementary and Secondary Act, of 1965, as amended by Pub. L. 93-380 (20 U.S.C. 880b-880b-13), the Commissioner of Education hereby gives notice that applications for initial awards of assistance for basic programs of bilingual education are being accepted from local educational agencies (including certain organizations of Indian tribes which operate schools for Indian children, and schools for Indian children on reservations which are operated or funded by the Department of Interior) and from institutions of higher education applying jointly with such agencies. Funds are available for grants to new applicants for basic programs.

**Closing date.** November 15, 1977.

**A. Application forms and information.** Application forms are being prepared but are not yet available. We anticipate the application forms and program information packages will be ready for mailing on or about September 15, 1977.

Applications must be prepared and submitted in accordance with the regulations, instructions, and forms included in the program information packages.

**B. Applications sent by mail.** An application sent by mail should be addressed to: U.S. Office of Education, Application Control Center, Attention: 13.403D, Washington, D.C. 20202. Applications must be received by the Application Control Center on or before the closing date.

An application sent by mail will be considered to be received on time by the Application Control Center if:

(1) The application was sent by registered or certified mail not later than November 10, 1977 as evidenced by the U.S. Postal Service postmark on the wrapper or envelope, or on the original

receipt from the U.S. Postal Service; or

(2) The application is received on or before November 15, 1977, by either the Department of Health, Education, and Welfare or the U.S. Office of Education mail rooms in Washington, D.C. In establishing the date of receipt, the Commissioner will rely on the time-date stamp of such mail rooms or other documentary evidence of receipt maintained by the Department of Health, Education, and Welfare, or the U.S. Office of Education.

**C. Hand-delivered applications.** An application to be hand-delivered must be taken to the U.S. Office of Education Application Control Center, Room 5673, Regional Office Building Three, 7th and D Streets SW., Washington, D.C. Hand-delivered applications will be accepted daily between the hours of 8 a.m. and 4 p.m. Washington, D.C., time except Saturdays, Sundays, and Federal holidays. Applications will not be accepted after 4 p.m. on the closing date.

**D. Program information.** The amount of funds which is expected to be available in fiscal year 1978 for initial awards of assistance for basic programs of bilingual education is \$22,500,000. The anticipated number of initial awards of assistance for basic programs of bilingual education is 136 with an expected average amount for the majority of initial awards at \$166,000.

This statement on the availability of funds is only an estimate and does not bind the Office of Education to any particular pattern of distribution, except as required by the Bilingual Education Act, applicable regulations, and appropriation acts.

**E. For further information contact:** The Office of Bilingual Education, Office of Education, 400 Maryland Avenue SW. (Reporter's Building, Room 421), Washington, D.C. 20202 (202-245-2600).

**F. Applicable regulations.** Grant awards made pursuant to this notice will be subject to the regulations in 45 CFR Part 123, relating to the Bilingual Education Act, published in the FEDERAL REGISTER on June 11, 1976 (41 FR 23862), and except where inconsistent with Part 123, to the Office of Education General Provisions Regulations in 45 CFR Parts 100, 100a, 100c, and 100d. In preparing applications, applicants' attention is directed in particular to Subpart B of 123—§§ 123.11-123.20 relating to Basic Programs of Bilingual Education.

(20 U.S.C. 880b-880b-13)

#### CFDA-13.403C—BILINGUAL EDUCATION

##### Basic Programs of Bilingual Education—Non-Competing Continuation Awards

**Closing Date—November 15, 1977**

Pursuant to the authority contained in section 721 of the Bilingual Education Act, Title VII of the Elementary and Secondary Act, of 1965, as amended by Pub. L. 93-380 (20 U.S.C. 880b-880b-13), the Commissioner of Education hereby gives notice that applications for the noncompeting continuation of assistance for basic programs of bilingual education are being accepted from local edu-

cational agencies (including certain organizations of Indian tribes which operate schools for Indian children, and schools for Indian children on reservations which are operated or funded by the Department of the Interior) and from institutions of higher education applying jointly with such agencies. Funds are available for grants to continue programs presently in operation pursuant to an approved project period in excess of one year.

**Closing date:** November 15, 1977.

**A. Application forms and information.** Application forms are being prepared but are not yet available. We anticipate the application forms and program information packages will be ready for mailing on or about September 15, 1977.

Applications must be prepared and submitted in accordance with the regulations, instructions, and forms included in the program information packages.

**B. Applications sent by mail.** An application sent by mail should be addressed to: U.S. Office of Education, Application Control Center, Attention: 13.403C, Washington, D.C. 20202. Applications should be received by the Application Control Center on or before the closing date.

An application sent by mail will be considered to be received on time by the Application Control Center if:

(1) The application was sent by registered or certified mail not later than November 10, 1977, as evidenced by the U.S. Postal Service postmark on the wrapper or envelope, or on the original receipt from the U.S. Postal Service; or

(2) The application is received on or before November 15, 1977, by either the Department of Health, Education, and Welfare, or the U.S. Office of Education mail rooms in Washington, D.C. In establishing the date of receipt, the Commissioner will rely on the time-date stamp of such mail rooms or other documentary evidence of receipt maintained by the Department of Health, Education, and Welfare, or the U.S. Office of Education.

**C. Hand-delivered applications.** An application to be hand-delivered must be taken to the U.S. Office of Education Application Control Center, Room 5673, Regional Office Building Three, 7th and D Streets SW., Washington, D.C. Hand-delivered applications will be accepted daily between the hours of 8 a.m. and 4 p.m. Washington, D.C., time except Saturdays, Sundays, and Federal holidays.

**D. Program information.** The amount of funds which is expected to be available in fiscal year 1978 for the continuation of basic programs of bilingual education is \$71,475,000. The anticipated number of noncompeting continuation awards for basic programs of bilingual education is 429 with an expected average amount for the majority of continuation awards at \$166,000.

This statement on the availability of funds is only an estimate and does not bind the Office of Education to any particular pattern of distribution, except as required by the Bilingual Education Act,



applicable regulations, and appropriation acts.

**E. For further information contact:** The Office of Bilingual Education, Office of Education, 400 Maryland Avenue SW. (Reporter's Building, Room 421), Washington, D.C. 20202 (202-245-2600).

**F. Applicable regulations.** Grant awards made pursuant to this notice will be subject to the regulations in 45 CFR Part 123, relating to the Bilingual Education Act, published in the *FEDERAL REGISTER* on June 11, 1976 (41 FR 23862), and except where inconsistent with Part 123, to the Office of Education General Provisions Regulations in 45 CFR Parts 100, 100a, 100c, and 100d. In preparing applications, applicants' attention is directed in particular to Subpart B of Part 123—§§ 123.11-123.20 relating to Basic Programs of Bilingual Education.

(20 U.S.C. 880b-880b-13.)

**CFDA-13.403E—BILINGUAL EDUCATION**

**Training Programs—Initial Awards**

**Closing Date—November 15, 1977**

Pursuant to the authority contained in Section 723 of the Bilingual Education Act, Title VII of the Elementary and Secondary Education Act of 1965, as amended by Pub. L. 93-380 (20 U.S.C. 880b-880b-13) the Commissioner of Education hereby gives notice that applications for initial awards of assistance for training programs are being accepted from one or more institutions of higher education which apply after consultation with, or jointly with, one or more local educational agencies; or one or more State educational agencies. Funds are available for grants to new applicants for training programs.

**Closing date.** November 15, 1977.

**A. Application forms and information.** Application forms are being prepared but are not yet available. We anticipate the application forms and program information packages will be ready for mailing on or about September 15, 1977.

Applications must be prepared and submitted in accordance with the regulations, instructions, and forms included in the program information packages.

**B. Applications sent by mail.** An application sent by mail should be addressed to: U.S. Office of Education, Application Control Center, Attention: 13.403E, Washington, D.C. 20202. Applications must be received by the Application Control Center on or before the closing date.

An application sent by mail will be considered to be received on time by the Application Control Center if:

(1) The application was sent by registered or certified mail not later than November 10, 1977, as evidenced by the U.S. Postal Service postmark on the wrapper or envelope, or on the original receipt from the U.S. Postal Service; or

(2) The application is received on or before November 15, 1977, by either the Department of Health, Education, and Welfare or the U.S. Office of Education mail rooms in Washington, D.C. In establishing the date of receipt, the Commissioner will rely on the time-date stamp of such mail rooms or other docu-

mentary evidence of receipt maintained by the Department of Health, Education, and Welfare or the U.S. Office of Education.

**C. Hand delivered applications.** An application to be hand-delivered must be taken to the U.S. Office of Education Application Control Center, Room 5673, Regional Office Building Three, 7th and D Streets, SW., Washington, D.C. Hand delivered applications will be accepted daily between the hours of 8 a.m. and 4 p.m. Washington, D.C., time except Saturdays, Sundays, and Federal holidays. Applications will not be accepted after 4 p.m. on the closing date.

**D. Program information.** The amount of funds which is expected to be available in Fiscal Year 1978 for initial awards of training programs is \$6,800,000. The anticipated number of initial awards for training programs is 68, with an expected average amount for initial awards at \$100,000.

This statement on the availability of funds is only an estimate and does not bind the Office of Education to any particular pattern of distribution, except as required by the Bilingual Education Act applicable regulations, and appropriation acts.

**E. For further information contact.** The Office of Bilingual Education, Office of Education, 400 Maryland Avenue SW. (Reporter's Building, Room 421), Washington, D.C. 20202 (202-245-2600).

**F. Applicable regulations:** Grant awards made pursuant to this notice will be subject to the regulations in 45 CFR Part 123, relating to the Bilingual Education Act, published in the *FEDERAL REGISTER* on June 11, 1976 (41 FR 23862), and except where inconsistent with Part 123, to the Office of Education General Provisions Regulations in 45 CFR Parts 100, 100a, 100c, and 100d. In preparing applications, applicants' attention is directed in particular to Subpart D of Part 123—§§ 123.31-123.40 relating to Training Programs of Bilingual Education.

(20 U.S.C. 880b-880b-13.)

**CFDA-13.403—BILINGUAL EDUCATION**

**Training Programs—Non-Competing Continuation Awards**

**Closing Date—November 15, 1977**

Pursuant to the authority contained in Section 723 of the Bilingual Education Act, Title VII of the Elementary and Secondary Education Act of 1965, as amended by Pub. L. 93-380 (20 U.S.C. 880b-880b-13), the Commissioner of Education hereby gives notice that applications for the non-competing continuation of training programs are being accepted from one or more institutions of higher education which apply after consultation with, or jointly with, one or more local educational agencies; or one or more State Educational agencies. Funds are available for grants to continue programs presently in operation pursuant to an approved project period in excess of one year.

**Closing date.** November 15, 1977.

**A. Application forms and information.** Application forms are being prepared but

are not yet available. We anticipate the application forms and program information packages will be ready for mailing on or about September 15, 1977.

Applications must be prepared and submitted in accordance with the regulations, instructions, and forms included in the program information packages.

**B. Applications sent by mail.** An application sent by mail should be addressed to: U.S. Office of Education, Application Control Center, Attention: 13.403E, Washington, D.C. 20202. Applications should be received by the Application Control Center on or before the closing date.

An application sent by mail will be considered to be received on time by the Application Control Center if:

(1) The application was sent by registered or certified mail not later than November 10, 1977, as evidenced by the U.S. Postal Service postmark on the wrapper or envelope, or on the original receipt from the U.S. Postal Service; or

(2) The application is received on or before November 15, 1977, by either the Department of Health, Education, and Welfare or the U.S. Office of Education mail rooms in Washington, D.C. In establishing the date of receipt, the Commissioner will rely on the time date stamp of such mail rooms or other documentary evidence of receipt maintained by the Department of Health, Education, and Welfare or the U.S. Office of Education.

**C. Hand-delivered applications.** An application to be hand-delivered must be taken to the U.S. Office of Education Application Control Center, Room 5673, Regional Office Building Three, 7th and D Streets, S.W., Washington, D.C. Hand-delivered applications will be accepted daily between the hours of 8 a.m. and 4 p.m. Washington, D.C., time except Saturdays, Sundays, and Federal holidays.

**D. Program information.** The amount of funds which is expected to be available in Fiscal Year 1978 for continuation of training programs is \$4,200,000. The anticipated number of non-competing continuation awards for training programs is 42, with an expected average amount of continuation awards at \$100,000.

This statement on the availability of funds is only an estimate and does not bind the Office of Education to any particular pattern of distribution, except as required by the Bilingual Education Act, applicable regulations, and appropriation acts.

**E. For further information contact.** The Office of Bilingual Education, Office of Education, 400 Maryland Avenue SW. (Reporter's Building, Room 421), Washington, D.C. 20202 (202-245-2600).

**F. Applicable Regulations.** Grant awards made pursuant to this notice will be subject to the regulations in 45 CFR Part 123, relating to the Bilingual Education Act, published in the *FEDERAL REGISTER* on June 11, 1976 (41 FR 23862), and except where inconsistent with Part 123, to the Office of Education General Provisions Regulations in 45 CFR Parts 100, 100a, 100c, and 100d. In preparing applications, applicants' at-



tention is directed in particular to Subpart D of Part 123—§§ 123.31–123.40 relating to Training Programs of Bilingual Education.

(20 U.S.C. 880b–880b–13.)

CFDA–13.403G—BILINGUAL EDUCATION  
SUPPORT SERVICES

*Closing date—November 15, 1977*

Pursuant to the authority contained in the Bilingual Education Act, Title VII of the Elementary and Secondary Education Act of 1965, as amended by Pub. L. 93–380 (20 U.S.C. 880b–13), the Commissioner of Education hereby gives notice that:

(1) Applications for initial awards of assistance for Training Resource Centers are being accepted from one or more local educational agencies; one or more institutions of higher education which apply after consultation with, or jointly with, one or more local educational agencies; or one or more State educational agencies.

(2) Applications for initial awards of assistance for Materials Development Centers are being accepted from one or more local educational agencies; or an institution of higher education which applies jointly with one or more local educational agencies.

(3) Applications for initial awards of assistance for Dissemination/Assessment Centers are being accepted from one or more local educational agencies; or an institution of higher education which applies jointly with one or more local educational agencies.

(4) Applicants considering a joint application are advised to follow all instructions to verify joint applicant status, as well as to complete Form OE 4561, "Certification Signatures for Bilingual Education Joint Application".

(5) Under § 123.22(d) of the program regulations, (45 CFR § 123.22(d)(1)), no more than one award for a training resource center, one award for a materials development center, and one award for a dissemination/assessment center will be made in a fiscal year in each service area designated under § 123.22 (a), (b), and (c), unless the Commissioner determines that additional awards are required to meet needs for such activities in a service area. Also, the Commissioner may award one or more specific projects without regard to the designated service area to meet the needs for such activities or to carry out the purposes of this subpart most effectively.

(6) Applicants that propose authorized activities without regard to the designated service area must set forth special justification of need for not following the service area designation.

(7) Potential applicants for initial awards, in order to assess their own chances for funding, should be aware of those service areas in which projects have already been approved in a prior fiscal year and will be reviewed for continuation on a non-competitive basis in FY 1978, in accordance with § 123.04 of the regulation (45 CFR § 123.04).

With respect to the training resource center activity, service areas 5 and 7 (45 CFR § 123.22(a)(1–8)), have training resource centers in operation which will be reviewed for refunding on a non-competitive basis.

With respect to the materials development center activity, service areas 1 and 7 (45 CFR § 123.22(b)(1–7)), have materials development centers in operation which will be reviewed for refunding on a non-competitive basis.

With respect to the dissemination/assessment center activity, service area 2 (45 CFR § 123.22(c)(1–3)), has a dissemination/assessment center in operation which will be reviewed for refunding on a non-competitive basis.

*Closing date: November 15, 1977.*

*A. Application forms and information.* Application forms are being prepared but are not yet available. We anticipate the application forms and program information packages will be ready for mailing on or about September 15, 1977.

Applications must be prepared and submitted in accordance with the regulations, instructions, and forms included in the program information packages.

*B. Applications sent by mail.* An application sent by mail should be addressed to: U.S. Office of Education, Application Control Center, Attention: 13.403G, Washington, D.C. 20202. Applications must be received by the Application Control Center on or before the closing date.

An application sent by mail will be considered to be received on time by the Application Control Center if:

(1) The application was sent by registered or certified mail not later than November 10, 1977, as evidenced by the U.S. Postal Service postmark on the wrapper or envelope, or on the original receipt from the U.S. Postal Service; or

(2) The application is received on or before November 15, 1977, by either the Department of Health, Education, and Welfare or the U.S. Office of Education mail rooms in Washington, D.C. In establishing the date of receipt, the Commissioner will rely on the time-date stamp of such mail rooms or other documentary evidence of receipt maintained by the Department of Health, Education, and Welfare or the U.S. Office of Education.

*C. Hand-delivered applications.* An application to be hand-delivered must be taken to the U.S. Office of Education Application Control Center, Room 5673, Regional Office Building Three, 7th and D Streets SW., Washington, D.C. Hand-delivered applications will be accepted daily between the hours of 8 a.m. and 4 p.m. Washington, D.C., time except Saturdays, Sundays, and Federal holidays. Applications will not be accepted after 4 p.m. on the closing date.

*D. Program information.* The amount of funds which is expected to be available in Fiscal Year 1978 for initial awards of assistance for support services for programs of bilingual education is \$14,600,000.

Funds expected to be available in FY 1978 for new competing awards for Re-

source Training Centers are estimated at \$6,800,000. Funds expected to be available in FY 1978 for new competing awards for Materials Development Centers are estimated at \$6,600,000. Funds expected to be available in FY 1978 for new competing awards for Dissemination/Assessment Centers are estimated at \$1,200,000.

This statement on the availability of funds is only an estimate and does not bind the Office of Education to any particular pattern of distribution, except as required by the Bilingual Education Act, applicable regulations, and appropriation acts.

*E. For further information contact:* The Office of Bilingual Education, Office of Education, 400 Maryland Avenue SW., (Reporter's Building, Room 421), Washington, D.C. 20202 (202–245–2600).

*F. Applicable regulations:* Grant awards made pursuant to this notice will be subject to the regulations in 45 CFR Part 123, relating to the Bilingual Education Act, published in the FEDERAL REGISTER on June 11, 1976 (41 FR 23862), and except where inconsistent with Part 123, to the Office of Education General Provisions Regulations in 45 CFR Parts 100, 100a, 100c, and 100d. In preparing applications, applicants' attention is directed in particular to Subpart C of Part 123—§§ 123.21–123.30 relating to Support Services for Programs of Bilingual Education.

(20 U.S.C. 880b–880b–13.)

CFDA–13.403G—BILINGUAL EDUCATION  
SUPPORT SERVICES

Non-Competing Continuation Awards

*Closing Date—November 15, 1977*

Pursuant to the authority contained in the Bilingual Education Act, Title VII of the Elementary and Secondary Education Act of 1965, as amended by Pub. L. 93–380 (20 U.S.C. 880b–880b–13) the Commissioner of Education hereby gives notice that:

(1) Applications for the non-competitive continuation of training resource centers are being accepted from one or more local educational agencies; one or more institutions of higher education which apply after consultation with, or jointly with, one or more local educational agencies; or one or more State educational agencies, and

(2) Applications for the non-competitive continuation of materials development centers and dissemination/assessment centers are being accepted from one or more local educational agencies; one or more institutions of higher education which apply jointly with one or more local educational agencies.

Funds are available for grants to continue centers presently in operation pursuant to an approved project period in excess of one year.

*Closing date: November 15, 1977.*

*A. Application forms and information.* Application forms are being prepared but are not yet available. We anticipate the application forms and program information packages will be ready for mailing on or about September 15, 1977.



Applications must be prepared and submitted in accordance with the regulations, instructions, and forms included in the program information packages.

**B. Applications sent by mail.** An application sent by mail should be addressed to: U.S. Office of Education, Application Control Center, Attention: 13.403G Washington, D.C. 20202. Applications should be received by the Application Control Center on or before the closing date.

An application sent by mail will be considered to be received on time by the Application Control Center if:

(1) The application was sent by registered or certified mail not later than November 10, 1977, as evidenced by the U.S. Postal Service postmark on the wrapper or envelope, or on the original receipt from the U.S. Postal Service; or

(2) The application is received on or before November 15, 1977, by either the Department of Health, Education, and Welfare or the U.S. Office of Education mail rooms in Washington, D.C. In establishing the date of receipt, the Commissioner will rely on the time-date stamp of such mail rooms or other documentary evidence of receipt maintained by the Department of Health, Education, and Welfare or the U.S. Office of Education.

**C. Hand-delivered applications.** An application to be hand-delivered must be taken to the U.S. Office of Education Application Control Center, Room 5673, Regional Office Building Three, 7th and D Streets SW., Washington, D.C. Hand-delivered applications will be accepted daily between the hours of 8 a.m. and 4 p.m. Washington, D.C., time except Saturdays, Sundays, and Federal holidays.

**D. Program information.** The amount of funds which is expected to be available in Fiscal Year 1978 for continuation awards for support services for programs of bilingual education is \$3,400,000. The anticipated number of non-competing continuation awards for support services is six. Two resources training centers; three materials development centers; and one dissemination/assessment center.

This statement on the availability of funds is only an estimate and does not bind the Office of Education to any particular pattern of distribution, except as required by the Bilingual Education Act, applicable regulations, and appropriation acts.

**E. For further information contact the Office of Bilingual Education, Office of Education, 400 Maryland Avenue SW. (Reporter's Building, Room 421), Washington, D.C. 20202 (202-245-2600).**

**F. Applicable regulations.** Grant awards made pursuant to this notice will be subject to the regulations in 45 CFR Part 123, relating to the Bilingual Education Act, published in the FEDERAL REGISTER on June 11, 1976 (41 FR 23862), and except where inconsistent with Part 123, to the Office of Education General Provisions Regulations in 45 CFR Parts 100, 100a, 100c, and 100d. In preparing applications, applicants' attention is directed in particular to Subpart C of 123—

§§ 123.11-123.20 relating to Support Services for Programs of Bilingual Education.

(20 U.S.C. 880b-880b-13.)

#### CFDA-13.403F—BILINGUAL EDUCATION

##### New Requests for Participation in Fellowship Program

**Closing Date—November 15, 1977**

Pursuant to the authority contained in section 723(a)(2) in the Bilingual Education Act, Title VII of the Elementary and Secondary Education Act of 1965, as amended by Pub. L. 93-380 (20 U.S.C. 880b-880b-13), the Commissioner of Education hereby gives notice that new requests for participation in the program of fellowships for trainers of bilingual education teachers are being accepted from institutions of higher education, after consultation with, or jointly with, one or more local educational agencies.

**Closing date: November 15, 1977.**

**A. Application forms and information.** Application forms are being prepared but are not yet available. We anticipate the application forms and programs information packages will be ready for mailing on or about September 15, 1977.

Applications must be prepared and submitted in accordance with the regulations, instructions, and forms included in the program information packages.

**B. Request for participation sent by mail.** A request for participation sent by mail should be addressed as follows: U.S. Office of Education, Application Control Center, Attention: 13.403F, Washington, D.C. 20202. A request for participation must be received by the Application Control Center on or before the closing date.

A request for participation sent by mail will be considered to be received on time by the Application Control Center if:

(1) The request for participation was sent by registered or certified mail not later than November 10, 1977, as evidenced by the U.S. Postal Service postmark on the wrapper or envelope, or on the original receipt from the U.S. Postal Service; or

(2) The request for participation is received on or before November 15, 1977, by either the Department of Health, Education, and Welfare or the U.S. Office of Education mail rooms in Washington, D.C. In establishing the date of receipt, the Commissioner will rely on the time-date stamp of such mail rooms or other documentary evidence of receipt maintained by the Department of Health, Education, and Welfare or the U.S. Office of Education.

**C. Hand-delivered requests for participation.** A request for participation to be hand-delivered must be taken to the U.S. Office of Education Application Control Center, Room 5673, Regional Office Building Three, 7th and D Streets SW., Washington, D.C. Hand-delivered requests for participation will be accepted daily between the hours of 8 a.m. and 4 p.m. Washington, D.C., time except Saturdays, Sundays, and Federal holidays. Applications will not be accepted after 4 p.m. on the closing date.

**D. Program information.** The amount of funds which is expected to be available in FY 1978 for new Bilingual Fellowship Programs is \$1,650,000. It is anticipated that approximately 20 institutions of higher education will be approved for the Bilingual Education Fellowship to individuals may be awarded, with an average amount of \$6,700 per fellowship awarded.

This statement on the availability of funds is only an estimate and does not bind the Office of Education to any particular pattern of distribution, except as required by the Bilingual Education Act applicable regulations, and appropriation acts.

**E. For further information contact:** The Office of Bilingual Education, Office of Education, 400 Maryland Avenue SW. (Reporter's Building, Room 421), Washington, D.C. 20202 (202-245-2600). Information required to be included in requests for participation is set out in the Bilingual Education Regulations at 45 CFR 123.42(a).

**F. Applicable regulations.** The Bilingual Education Fellowship Program will be subject to the regulations in 45 CFR Part 123—Subpart E, §§ 123.41-123.50—relating to Fellowships for Preparation of Teacher Training published in the FEDERAL REGISTER on June 11, 1976 (41 FR 23862).

(20 U.S.C. 880b-880b-13.)

#### CFDA-13.403—BILINGUAL EDUCATION

##### Continued Participation From Non-Competing Continuation Fellowship Programs

**Closing Date—November 15, 1977**

Pursuant to the authority contained in section 723(a)(2) in the Bilingual Education Act, Title VII of the Elementary and Secondary Education Act of 1965, as amended by Pub. L. 93-380 (20 U.S.C. 880b-880b-13), the Commissioner of Education hereby gives notice that requests for participation for the non-competing continuation of fellowship programs for trainers of bilingual education teachers are being accepted from institutions of higher education, after consultation with, or jointly with, one or more local educational agencies.

**Closing date: November 15, 1977.**

**A. Application forms and information.** Application forms are being prepared but are not yet available. We anticipate the application forms and program information packages will be ready for mailing on or about September 15, 1977.

Applications must be prepared and submitted in accordance with the regulations, instructions, and forms included in the program information packages.

**B. Request for participation sent by mail.** A request for participation sent by mail should be addressed as follows: U.S. Office of Education, Application Control Center, Attention: 13.403, Washington, D.C. 20202. A request for participation should be received by the Application Control Center on or before the closing date.



A request for participation sent by mail will be considered to be received on time by the Application Control Center if:

(1) The request for participation was sent by registered or certified mail not later than November 10, 1977, as evidenced by the U.S. Postal Service postmark on the wrapper or envelope, or on the original receipt from the U.S. Postal Service; or

(2) The request for participation is received on or before November 15, 1977, by either the Department of Health, Education, and Welfare or the U.S. Office of Education mail rooms in Washington, D.C. In establishing the date of receipt, the Commissioner will rely on the time-date stamp of such mail rooms or other documentary evidence of receipt maintained by the Department of Health, Education, and Welfare or the U.S. Office of Education.

**C. Hand-delivered requests for participation.** A request for participation to be hand-delivered must be taken to the U.S. Office of Education Application Control Center, Room 5673, Regional Office Building Three, 7th and D Streets SW., Washington, D.C. Hand-delivered requests for participation will be accepted daily between the hours of 8 a.m. and 4 p.m. Washington, D.C., time except Saturdays, Sundays, and Federal holidays.

**D. Program information.** The amount of funds which is expected to be available in FY 1978 for the non-competing continuation Bilingual Education Fellowship Programs is \$3,350,000. It is anticipated that 23 institutions of higher education will continue to participate in the Bilingual Education Fellowship Program. An estimated 500 fellowships to individuals may be awarded, with an average amount of \$6,700 per fellowship award.

This statement on the availability of funds is only an estimate and does not bind the Office of Education to any particular pattern of distribution, except as required by the Bilingual Education Act applicable regulations, and appropriation acts.

**E. For further information contact:** The Office of Bilingual Education, Office of Education, 400 Maryland Avenue SW. (Reporter's Building, Room 421), Washington, D.C. 20202 (202-245-2600). Information required to be included in requests for participation is set out in the Bilingual Education Regulations at 45 CFR 123.42(a).

**F. Applicable regulations.** The Bilingual Education Fellowship Program will be subject to the regulations in 45 CFR Part 123—Subpart E, §§ 123.41–123.50—relating to Fellowships for Preparation of Teacher Training published in the FEDERAL REGISTER on June 11, 1976 (41 FR 23862).

(20 U.S.C. 880b–880b-13.)

#### CFDA-13.403H—BILINGUAL EDUCATION

Non-Competing Assistance Contracts for Coordination of Technical Assistance by State Educational Agencies for Programs of Bilingual Education

**Closing Date—November 15, 1977**

Pursuant to the authority contained in section 721 of the Bilingual Education Act, Title VII of the Elementary and Secondary Education Act of 1965, as amended by Pub. L. 93-380 (20 U.S.C. 880b–880b-13), notice is hereby given that applications for noncompeting assistance contracts for the coordination of technical assistance are being accepted from State Educational Agencies in the State where programs of bilingual education assisted under the Bilingual Education Act operated during the fiscal year preceding the fiscal year for which assistance is sought.

Funds made available pursuant to this notice shall be used for the coordination of technical assistance to programs of bilingual education assisted under the Bilingual Education Act and operated by local educational agencies in the State of the applicant.

The amount paid to any State educational agency pursuant to this notice shall not exceed five percent of the aggregate of the amounts paid under Part A of the Bilingual Education Act to local educational agencies in the State of such agency in the fiscal year preceding the fiscal year for which assistance under this subpart is sought.

**Closing date:** November 15, 1977.

**A. Application forms and information.** Application forms are being prepared but are not yet available. We anticipate that application forms and programs information packages will be ready for mailing on or about September 15, 1977.

Applications must be prepared and submitted in accordance with the regulations, instructions, and forms included in the program information packages.

**B. Applications sent by mail.** An application sent by mail should be addressed to: U.S. Office of Education, Application Control Center, Attention: 13.403H, Washington, D.C. 20202. Application should be received by the Application Control Center on or before the closing date.

An application sent by mail will be considered to be received on time by the Application Control Center if:

(1) The application was sent by registered or certified mail not later than November 10, 1977, as evidenced by the U.S. Postal Service postmark on the wrapper or envelope, or on the original receipt from the U.S. Postal Service; or

(2) The application is received on or before November 15, 1977, by either the Department of Health, Education, and Welfare or the U.S. Office of Education mail rooms in Washington, D.C. In establishing the date of receipt, the Commissioner will rely on the time-date stamp of such mail rooms or other documentary evidence of receipt maintained

by the Department of Health, Education, and Welfare or the U.S. Office of Education.

**C. Hand-delivered applications.** An application to be hand-delivered must be taken to the U.S. Office of Education, D Streets SW., Washington, D.C. Hand-delivered applications will be accepted daily between the hours of 8 a.m. and 4 p.m. Washington, D.C., time except Saturdays, Sundays, and Federal holidays.

**D. Program information.** The amount of funds available in Fiscal Year 1978 for assistance contracts for coordination of technical assistance is \$4,375,000. Awards are made annually on a noncompetitive basis as assistance contracts to State educational agencies in states where programs of bilingual education assisted under the Bilingual Education Act operated during the fiscal year preceding the fiscal year for which assistance is sought. Forty-six states are eligible for Fiscal Year 1978 funds. Awards shall not exceed five percent of the aggregate of the amounts under Part A of the Bilingual Education Act to local educational agencies in the State for Fiscal Year 1977.

This statement on the availability of funds is only an average and does not bind the Office of Education to any particular pattern of distribution, except as required by the Bilingual Education Act, applicable regulations, and appropriations acts.

**E. For further information contact.** The Office of Bilingual Education, Office of Education, 400 Maryland Avenue SW. (Reporter's Building, Room 421), Washington, D.C. 20202 (202-245-2600).

**F. Applicable regulations.** Assistance contracts awarded pursuant to this notice will be subject to the regulations in 45 CFR Part 123, relating to the Bilingual Education Act published in the FEDERAL REGISTER on June 11, 1976 (41 FR 23862), and except where inconsistent with Part 123, the Office of Education General Provisions Regulations in 45 CFR Part 100b. In preparing applications, applicants' attention is directed in particular to Subpart F of Part 123—§§ 123.51–123.60 relating to Coordination of Technical Assistance by State Educational Agencies.

(20 U.S.C. 880b–880b-13.)

#### CFDA-13.435B—GRADUATE AND UNDERGRADUATE INTERNATIONAL STUDIES PROGRAMS

**Closing Date—November 15, 1977**

Notice is hereby given that pursuant to the authority contained in section 601 (a) of Title VI of the National Defense Education Act of 1958, as amended (20 U.S.C. 511(a)), applications are being accepted from institutions of higher education for initial grants under the Graduate and Undergraduate International Studies Programs.

A separate Notice of Closing Date is published for applications for continuing grants under the Graduate and Undergraduate International Studies Programs.



Closing Date: November 18, 1977.

A. *Application forms and information.* Application forms and program information packages are available and will be mailed upon the publication of this notice in the *FEDERAL REGISTER*.

Applications must be prepared and submitted in accordance with the regulations, instructions, and forms included in the program information packages.

B. *Applications sent by mail.* An application sent by mail should be addressed to: U.S. Office of Education, Application Control Center, Attention: 13.435B, Washington, D.C. 20202. Applications must be received by the Application Control Center on or before the closing date.

An application sent by mail will be considered to be received on time by the Application Control Center if:

(1) The application was sent by registered or certified mail not later than November 14, 1977, as evidenced by the U.S. Postal Service postmark on the wrapper or envelope, or on the original receipt from the U.S. Postal Service; or

(2) The application is received on or before the closing date by either the Department of Health, Education, and Welfare or the U.S. Office of Education mail rooms in Washington, D.C. In establishing the date of receipt, the Commissioner will rely on the time-date stamp of such mail rooms or other documentary evidence of receipt maintained by the Department of Health, Education, and Welfare, or the U.S. Office of Education.

C. *Hand-delivered applications.* An application to be hand-delivered must be taken to the U.S. Office of Education, Application Control Center, Room 5673, Regional Office Building Three, 7th and D Streets SW., Washington, D.C. Hand-delivered applications will be accepted daily between the hours of 8 a.m. and 4 p.m. Washington, D.C., time, except Saturdays, Sundays, or Federal holidays. Applications will not be accepted after 4 p.m. on the closing date.

D. *Program Information.* The amount of funds available for initial grants under the Graduate and Undergraduate International Studies Programs will be approximately \$731,000 for Fiscal Year 1978. Under the Graduate International Studies Program, it is expected that five to ten initial grants will be awarded at an average of approximately \$40,000. Under the Undergraduate International Studies Program it is expected that ten to sixteen initial grants will be awarded at an average cost of \$35,000. Grants for either Graduate or Undergraduate Programs will not exceed \$45,000 for a single institution or \$70,000 for a consortium.

The above statement with regard to the expected distribution of funds is basically for informational purposes and does not bind the Office of Education except as may be required by the applicable statute and regulation.

E. *For further information contact:* Dr. Richard Thompson, Chief, International Studies Branch, U.S. Office of Education, 7th and D Streets SW., Washington, D.C. 20202. Telephone 202-245-2356.

F. *Applicable regulations.* Awards pursuant to this notice will be subject to the Office of Education General Provisions Regulations (45 CFR Parts 100-100a) and the regulations for Modern Foreign Language and Area Studies (45 CFR Part 146 published in the *FEDERAL REGISTER* on May 23, 1977 at 42 FR 26209.

(20 U.S.C. 511.)

#### CFDA 13.562C—GIFTED AND TALENTED MODEL PROJECTS

Programs for Gifted and Talented Competitive Continuation Assistance Contracts

Closing Date—November 21, 1977

Notice is hereby given that pursuant to the authority contained in Section 404(g) of Pub. L. 93-380 (20 U.S.C. 1863(g)), applications are being accepted for continuation contracts of assistance from public and private agencies to continue and operate model projects. Applications for continuation awards are competitive with other applications for continuation awards in the same year (45 CFR 160b.4 (c)(2)). Funds are available for contracts to continue the operation of model projects presently in operation pursuant to an approved project period in excess of one year. Continuation applications must be received by the U.S. Office of Education Application Control Center on or before November 21, 1977.

A. *Application sent by mail.* An application sent by mail should be addressed as follows: U.S. Office of Education, Application Control Center, Washington, D.C. 20202, Attention: 13.562C. Applications sent by mail will be considered to be received on time by the Application Control Center if:

(1) The application was sent by registered or certified mail not later than November 16, 1977 as evidenced by the U.S. Postal Service Postmark on the wrapper or envelope, or on the original receipt from the U.S. Postal Service; or

(2) The application is received on or before the closing date by either the Department of Health, Education, and Welfare, or the U.S. Office of Education mail rooms in Washington, D.C. In establishing the date of receipt, the Commissioner will rely on the time-date stamp of such mail rooms or other documentary evidence of receipt maintained by the Department of Health, Education, and Welfare, or the U.S. Office of Education.

B. *Hand-delivered applications.* An application to be hand delivered must be taken to the U.S. Office of Education, Application Control Center, Room 5673, Regional Office Building Three, 7th and D Streets SW., Washington, D.C. Hand delivered applications will be accepted daily between the hours of 8 a.m. and 4 p.m. Washington, D.C., time except Saturdays, Sundays, or Federal holidays. Applications will not be accepted after 4 p.m. on the closing date.

C. *Program information and forms.* The amount of funds which is expected to be available in Fiscal Year 1978 for the continuation of Gifted and Talented programs is \$1,328,360, out of which

\$210,000 is projected for Model Projects. The anticipated number of continuation assistance contracts for Gifted and Talented Model Projects is five. The funding level of multi-year Model Projects has been in the approximate range of \$40,000 in the past operational year. It is projected that many of these continuation projects may be funded at the same level this Fiscal Year.

This statement on the availability of funds is only an estimate and does not bind the Office of Education to any pattern of distribution, except as required by the applicable provision of the Gifted and Talented regulations, and appropriation acts.

Further information and application forms may be obtained from the Office of Gifted and Talented, U.S. Office of Education, 400 Maryland Avenue SW., Washington, D.C. 20202.

D. *Applicable regulations.* Assistance contract awards made pursuant to this notice are subject to the Regulations published in the *FEDERAL REGISTER* on May 6, 1976 (41 FR 18660, 45 CFR Part 160b, Subpart F) and the Office of Education General Provision Regulations (45 CFR Part 100a).

#### CFDA-13.562A—PROGRAM FOR THE GIFTED AND TALENTED

Closing Date—November 21, 1977

Pursuant to the authority contained in Section 404 (c) and (d) of Pub. L. 93-380, the Education Amendments of 1974 (20 U.S.C. 1863), the U.S. Commissioner of Education hereby gives notice that applications for initial awards will be accepted from: (1) State and local educational agencies for State-wide and locally based programs for gifted and talented children (20 U.S.C. 1863(c); 45 CFR Part 160b, Subpart C); and (2) State agencies for State personnel training projects (20 U.S.C. 1863(d); 45 CFR Part 160b, Subpart D).

Applications must be received by the U.S. Office of Education Application Control Center on or before November 21, 1977.

A. *Applications sent by mail.* An application sent by mail should be addressed as follows: U.S. Office of Education, Application Control Center, Washington, D.C. 20202, Attention: 13.562A for both State and local educational agency programs for gifted and talented children and State personnel training projects. An application sent by mail will be considered to be received on time by the Application Control Center if:

(1) The application was sent by registered or certified mail not later than November 16, 1977, as evidenced by the U.S. Postal Service postmark on the wrapper or envelope, or on the original receipt from the U.S. Postal Service; or

(2) The application is received on or before the closing date by either the Department of Health, Education, and Welfare or the U.S. Office of Education mail rooms in Washington, D.C. In establishing the date of receipt, the Commissioner will rely on the time-date stamp of such mail rooms or other documentary evidence of receipt maintained



by the Department of Health, Education, and Welfare or the U.S. Office of Education.

**B. Hand-delivered applications.** An application to be hand delivered must be taken to the U.S. Office of Education Application Control Center, Room 5673, Regional Office Building 3, 7th and D Streets SW., Washington, D.C. Hand delivered applications will be accepted daily between the hours of 8 a.m. and 4 p.m. Washington, D.C., time except Saturdays, Sundays, and Federal holidays. Applications will not be accepted after 4 p.m. on the closing date.

**C. Program information and forms.** The funding level and distribution of project funds vary according to the final appropriation made available during a specific fiscal year. The amount of funds available to the Program for Gifted and Talented during fiscal year 1978 is \$2.56 million. The projected allocation for initial awards is \$1,231,640. The allocation for continuations of current projects for which applications are being invited pursuant to separate notices of closing dates is \$1,328,360. It is expected that the funding level for specific categories of initial awards generally will not exceed \$1,011,640 for projects under Section 404(c), 45 CFR 160b, Subpart C; \$220,000 for projects under section 404(d), 45 CFR 160b, Subpart D. There is no fixed level of funding or number of grants projected. However, approximately thirty-five new projects and nineteen continuation projects are expected to be funded. The funding level for the past operational year has ranged between \$6,762 and \$190,000. Further information and application forms may be obtained from the Office of Gifted and Talented, U.S. Office of Education, 400 Maryland Avenue SW., Washington, D.C. 20202.

**D. Applicable regulations.** Grant awards made pursuant to this notice will be subject to the regulations published in the FEDERAL REGISTER on May 6, 1976 (41 FR 18660, 45 CFR Part 160b) and the Office of Education General Provisions Regulations (45 CFR Part 100a).

(20 U.S.C. 1863(c)(d).)

CFDA-13.152 A AND B—PROGRAM FOR THE GIFTED AND TALENTED

**Closing Date—November 21, 1977**

Pursuant to the authority contained in section 404 (c), (d), and (e) of Pub. L. 93-380, the Education Amendments of 1974 (20 U.S.C. 1863), the U.S. Commissioner of Education hereby gives notice that applications for the continuation of assistance are being accepted (1) from State educational agencies for statewide activities under § 160b.22 and Subpart D of the program regulation (45 CFR Part 160b; § 160b.22 and Subpart D), and (2) from colleges and universities and other non-profit institutions and agencies for graduate programs for leadership personnel, for internships, and for training institutions (45 CFR 160b.42(b) (1), (2), and (3)). Funds are available for grants to continue programs presently in operation pursuant to an approved project

period in excess of one year. Applications for continuation awards are competitive with other applications for continuation awards in the same year (45 CFR 160b.4 (c) (2)).

Applications must be received by the U.S. Office of Education Application Control Center on or before November 21, 1977.

**A. Applications sent by mail.** An application sent by mail should be addressed as follows: U.S. Office of Education, Application Control Center, Washington, D.C. 20202, Attention: 13.562A (from State Educational Agencies), and 13.562B (from colleges and universities, and other non-profit institutions and agencies). An application sent by mail will be considered to be received on time by the Application Control Center if:

(1) The application was sent by registered or certified mail not later than November 16, 1977, as evidenced by the U.S. Postal Service postmark on the wrapper or envelope, or on the original receipt from the U.S. Postal Service; or

(2) The application is received on or before the closing date by either the Department of Health, Education, and Welfare or the U.S. Office of Education mail rooms in Washington, D.C. In establishing the date of receipt, the Commissioner will rely on the time-date stamp of such mail rooms or other documentary evidence of receipt maintained by the Department of Health, Education, and Welfare or the U.S. Office of Education.

**B. Hand-delivered applications.** An application to be hand delivered must be taken to the U.S. Office of Education Application Control Center, Room 5673, Regional Office Building Three, 7th and D Streets SW., Washington, D.C. Hand delivered applications will be accepted daily between the hours of 8 a.m. and 4 p.m. Washington, D.C., time except Saturdays, Sundays, and Federal holidays. Applications will not be accepted after 4 p.m. on the closing date.

**C. Program information and forms.** The amount of funds which is expected to be available in Fiscal Year 1978 for continuation grants for Gifted and Talented programs under Subpart C, D, and E of 45 CFR Part 160b is approximately \$1,118,360 of which \$693,360 is projected for grants for Statewide activities and \$425,000 is projected for leadership personnel training programs. The anticipated number of continuation awards for these programs is fourteen. The funding level of continuation awards has ranged in the past operational year between \$13,000 and \$190,000. It is projected that many of these continuation projects may be funded at the same level this fiscal year.

This statement on the availability of funds is only an estimate and does not bind the Office of Education to any pattern of distribution, except as required by applicable provisions of Gifted and Talented regulations, and appropriation acts.

Further information and application forms may be obtained from the Office of Gifted and Talented, U.S. Office of Edu-

cation, 400 Maryland Avenue SW. (Donohoe Building, Room 4100), Washington, D.C. 20202.

**D. Applicable regulations.** Grant awards made pursuant to this notice are subject to the regulations published in the FEDERAL REGISTER on May 6, 1976 (41 FR 18660, 45 CFR Part 160b), and the Office of Education General Provisions Regulations (45 CFR Part 100a).

(20 U.S.C. 1863(d), and (e).)

CFDA-13.444B—HANDICAPPED CHILDREN'S EARLY EDUCATION PROGRAM

**Noncompeting Continuation Applications**

**Closing Date—November 23, 1977**

Notice is hereby given that, pursuant to the authority contained in sections 623 and 624 of the Education of the Handicapped Act (20 U.S.C. 1423, 1424), the U.S. Commissioner of Education has established a final closing date of November 23, 1977, for receipt of applications for noncompeting continuation grants for Handicapped Children's Early Education Program Outreach Projects (13.444B). Applications should be received on or before the above date.

Eligible applicants are those grantees whose projects have completed one or more years of outreach funding. (Potential applicants for support for new demonstration projects under the Handicapped Children's Early Education Program should apply under a separate program (13.444A).)

The funding level for the Handicapped Children's Early Education Program is expected to be approximately \$23 million for fiscal year 1978. Funding for outreach projects under 13.444B has averaged between \$50,000 and \$150,000. The approximate number of noncompeting continuation grants is 42.

**A. Applications sent by mail.** An application sent by mail should be addressed as follows: U.S. Office of Education, Application Control Center, Washington, D.C. 20202, Attention: 13.444B. An application sent by mail will be considered to be received on time by the Application Control Center if:

(1) The application was sent by registered or certified mail not later than November 18, 1977, as evidenced by the U.S. Postal Service postmark on the wrapper or envelope, or on the original receipt from the U.S. Postal Service; or

(2) The application is received on or before the closing date by either the Department of Health, Education, and Welfare, or the U.S. Office of Education mail rooms in Washington, D.C. In establishing the date of receipt, the Commissioner will rely on the time-date stamp of such mailrooms or other documentary evidence of receipt maintained by the Department of Health, Education, and Welfare, or the U.S. Office of Education.

**B. Hand-delivered application.** An application to be hand delivered must be delivered to the U.S. Office of Education, Application Control Center, Room 5673, Regional Office Building Three, 7th and D Streets SW., Washington, D.C.



Hand delivered applications will be accepted daily between the hours of 8 a.m. and 4 p.m. Washington, D.C., time except Saturdays, Sundays, or Federal holidays.

**C. Program information and forms.** Information and applications may be obtained from the Division of Innovation and Development, Bureau of Education for the Handicapped, U.S. Office of Education, 400 Maryland Avenue SW., Washington, D.C. 20202. Applications will be available on or about September 23, 1977.

**D. Applicable regulations.** The regulations applicable to this program include the Office of Education General Provisions Regulations (45 CFR Parts 100 and 100a) and the applicable program regulations (45 CFR Parts 121 and 121d).

(20 U.S.C. 1423, 1424.)

CFDA-13.503 — VOCATIONAL EDUCATION GRADUATE LEADERSHIP DEVELOPMENT PROGRAM

**Closing Dates — Institutional Applications, November 28, 1977; Individual Applications, February 6, 1978**

**(a) Application forms and information.** Application forms are being prepared but are not yet available. We anticipate the institutional application forms and program information packages will be ready for mailing on or about October 11, 1977, and the individual application forms and program information packages on or about December 2, 1977.

Applications must be prepared and submitted in accordance with the regulations, instructions, and forms included in the program information packages.

**(b) Applications sent by mail.** Applications sent by mail should be addressed to: U.S. Office of Education, Application Control Center, Attention: 13.503A for institutions and 13.503B for individuals, Washington, D.C. 20202. Applications must be received by the Application Control Center on or before the closing date.

An application sent by mail will be considered to have been received on time by the Application Control Center if:

(1) The application was sent by registered or certified mail (a) not later than November 23, 1977 for institutional applications, and (b) not later than February 1, 1978, for individual applications as evidenced by the U.S. Postal Service postmark on the wrapper or envelope, or on the original receipt from the U.S. Postal Service; or,

(2) The application is received on or before the closing date by either the Department of Health, Education, and Welfare, or the U.S. Office of Education mail rooms in Washington, D.C. In establishing the date receipt, the Commissioner will rely on the time-date stamp of these mail rooms or other documentary evidence of receipt maintained by the Department of Health, Education, and Welfare, or the U.S. Office of Education.

**(c) Hand-delivered applications.** An application to be hand-delivered must be taken to the U.S. Office of Education, Application Control Center, Room 5673, Regional Office Building Three, 7th and D Streets, SW., Washington, D.C. Hand-

delivered applications will be accepted daily between the hours of 8 a.m. and 4 p.m. Washington, D.C. time except Saturdays, Sundays, or Federal holidays. Applications will not be accepted after 4 p.m. on the closing date.

**(d) Program information.** Applications are being accepted from (1) schools of graduate study in the institutions of higher education to participate in the Vocational Education Graduate Leadership Development Program and (2) individuals to receive Leadership Development Awards for the program.

Potential applicants should be aware of the amount of funds available for the program for Fiscal Year 1978. The combined institutional support and individual stipend and dependency allowances will be approximately \$11,344 per individual for a total of approximately \$1,650,000. It is estimated that there will be approximately 145 individual awards and 24 institutional awards. All grants will be new awards. Leadership Development Awards will be made for a period not to exceed 36 months, and payments to individuals after the first year of the award period (in case of awards made for a period exceeding twelve months) are subject to the continued availability of Federal funds under section 172 of the Act.

**(e) List of approved institutions.** A list of institutions whose leadership development programs have been approved will be published in the FEDERAL REGISTER approximately January 6, 1978. Each individual applying for an award must indicate the first, second, and third choice of institution on the individual application form.

**(1) Institutional applications.** Institutions of higher education must submit applications for program approval under the Vocational Education Graduate Leadership Development Program directly to the U.S. Office of Education. These applications must be received in the U.S. Office of Education Application Control Center in Washington, D.C., on or before November 28, 1977.

**(2) Individual applications.** Applications from individuals for Leadership Development Awards must be received in the U.S. Office of Education, Application Control Center in Washington, D.C. on or before February 6, 1978. The applicant must submit one copy of the application to the State board for vocational education for the State in which the applicant is a resident, on or before January 20, 1978. The State board for vocational education must review each application, collect advice as to the merits of each application, and forward all applications and statements of advice to the Vocational Education Graduate Leadership Development Program (see address in paragraph (f) below), postmarked on or before February 3, 1978.

**(f) For further information and forms contact.** Vocational Education Graduate Leadership Development Program, Vocational Education Personnel Development, Division of Research and Demonstration, Bureau of Occupational

and Adult Education, U.S. Office of Education, 400 Maryland Avenue, SW., (Room 5652, ROB No. 3), Washington, D.C. 20202.

**(g) Applicable regulations.** The regulations applicable to these programs are the Office of Education General Provisions Regulations (45 CFR Parts 100, 100a) and the Vocational Education Graduate Leadership Development Program Regulation (45 CFR Part 105, Sections 301-312) which is included in the application package.

(20 U.S.C. 2402; 45 CFR Part 105, Sections 301-312.)

CFDA-13.443C—HANDICAPPED RESEARCH AND DEMONSTRATION

**Closing Date—December 7, 1977**

Notice is hereby given that, pursuant to the authority contained in sections 641 and 642 of Part E of the Education of the Handicapped Act (20 U.S.C. 1441, 1442), applications are being accepted for support for research and related purposes related to education of the handicapped. This announcement covers applications for new awards only for the Field Initiated Studies program. Under this program, the Office of Education is interested in a broad range of research-related projects focusing on the education of handicapped children.

Applications must be received by the U.S. Office of Education, Application Control Center on or before December 7, 1977.

**A. Availability of funds and estimated number and amount of awards.** The estimated total amount of funds available for support of new Field Initiated Studies projects is \$3,000,000. Based on a mean grant amount in recent years of approximately \$90,000, we anticipate that about 33 new grants will be awarded. The range of funding for 1977 projects was from \$8,496 to \$286,231 per year. However, the large majority of awards have been for under \$100,000 per year.

**B. Multiple-year awards.** While there is no legal limit on the duration of projects, the vast majority of Field Initiated projects are for one to three years. In the event that assistance is provided for multiple year projects, grant awards will be made for a budget period of a single year's duration with continuation awards made on a non-competitive basis subject to satisfactory performance as determined pursuant to 45 CFR 121h.4 (b) and the availability of funds in future fiscal years.

**C. Applications sent by mail.** An application sent by mail should be addressed as follows: U.S. Office of Education, Application Control Center, Washington, D.C. 20202, Attention: 13.443C. An application sent by mail will be considered to be received on time by the Application Control Center if:

(1) The application was sent by registered or certified mail not later than December 2, 1977, as evidenced by the U.S. Postal Service postmark on the wrapper or envelope, or on the original receipt from the U.S. Postal Service; or



(2) The application is received on or before the closing date by either the Department of Health, Education, and Welfare, or the U.S. Office of Education mailrooms in Washington, D.C. (In establishing the date of receipt, the Commissioner will rely on the time-date stamp of these mail rooms or other documentary evidence of receipt maintained by the Department of Health, Education, and Welfare, or the U.S. Office of Education.)

**D. Hand-delivered applications.** An application to be hand delivered must be taken to the U.S. Office of Education Application Control Center, Room 5673, Regional Office Building Three, 7th and D Streets, SW., Washington, D.C. Hand delivered applications will be accepted daily between the hours of 8:00 a.m. and 4:00 p.m., Washington, D.C. time except Saturdays, Sundays, or Federal holidays. Applications will not be accepted by the Application Control Center after 4:00 p.m., Washington, D.C. time, on the closing date.

**E. Program information and forms.** Further information and application forms may be obtained from the Research Projects Branch, Bureau of Education for the Handicapped, Office of Education, 400 Maryland Avenue SW., (Donohoe, 3165), Washington, D.C. 20202.

**F. Applicable regulations.** The regulations applicable to this program include the Office of Education General Provisions Regulations (45 CFR Parts 100 and 100a) and the applicable program regulations. (45 CFR Parts 121 and 121h.)

(20 U.S.C. 1441, 1442.)

#### CFDA-13.468—LIBRARY TRAINING PROGRAM

*Closing Date—December 9, 1977*

(a) **Application forms and information.** Application forms are being prepared but are not yet available. We anticipate the application forms and program information packages will be ready for mailing on or about October 5, 1977.

Application must be prepared and submitted in accordance with the regulations, instructions, and forms included in the program information packages.

(b) **Applications sent by mail.** An application sent by mail should be addressed to: U.S. Office of Education, Application Control Center, Attention: 13.468, Washington, D.C. 20202. Applications must be received by the Application Control Center on or before the closing date.

An application sent by mail will be considered to be received on time by the Application Control Center if:

(1) The Application was sent by registered or certified mail not later than December 5, 1977, as evidenced by the U.S. Postal Service postmark on the wrapper or envelope, or on the original receipt from the U.S. Postal Service; or

(2) The application is received on or before the closing date by either the Department of Health, Education, and Welfare or the U.S. Office of Education

mail rooms in Washington, D.C. In establishing the date of the receipt, the Commissioner will rely on the time-date stamp of these mail rooms or other documentary evidence of receipt maintained by the Department of Health, Education, and Welfare, or the U.S. Office of Education.

(c) **Hand-delivered applications.** An application to be hand-delivered must be taken to the U.S. Office of Education, Application Control Center, Room 5673, Regional Office Building Three, 7th and D Streets, SW., Washington, D.C. Hand-delivered applications will be accepted daily between the hours of 8 a.m. and 4 p.m. Washington, D.C. time except Saturdays, Sundays, or Federal holidays. Applications will not be accepted after 4 p.m. on the closing date.

(d) **Program information.** Applications are being accepted from institutions of higher education and library organizations and agencies for library training grants for institutes, fellowships, and traineeships.

In formulating proposals, potential applicants should be aware of the amount of funds available for the program for Fiscal Year 1978. It is anticipated that the total amount of funds available for the library training program specified in 45 CFR Part 132 will be \$2,000,000. It is also expected that for Fiscal Year 1978 (October 1, 1977–September 30, 1978), approximately 62 awards will be made (40 for fellowships and traineeships and 22 for institutes), and that the average amount of each grant will be approximately \$35,000. During Fiscal Year 1977, 92 applications were received from colleges and universities, and library organizations and agencies. A total of 62 grants was awarded: 37 for fellowships, 3 for traineeships, and 22 for institutes. In the fellowship category, the average grant was \$27,593, in the traineeship category, \$29,717, and in the institute category, \$40,341. All grants will be new awards, no funds are reserved for continuation awards. This statement on the availability of funds does not bind the Office of Education to any particular pattern of distribution except as required by the Higher Education Act, applicable regulations, and appropriations.

(e) **For further information and forms contact.** Frank Stevens, Division of Library Programs, Office of Libraries and Learning Resources, Attention 13.468, Bureau of Elementary and Secondary Education, U.S. Office of Education, 400 Maryland Avenue, S.W. (Room 3622, ROB No. 3), Washington, D.C. 20202, (202) 245-9530.

(f) **Applicable regulations.** The regulations applicable to this program are the Office of Education General Provisions Regulations (45 CFR Parts 100, 100a, and appendices) and the Library Training Program Regulations (45 CFR Part 132) published on May 17, 1974 in the *FEDERAL REGISTER*.

(20 U.S.C. 1021, 1031, and 1033.)

#### CFDA-13.475—LIBRARY RESEARCH AND DEMONSTRATION PROGRAM

*Closing date—December 9, 1977*

(a) **Application forms and information.** Application forms are being prepared but are not yet available. We anticipate the application forms and program information packages will be ready for mailing on or about October 5, 1977.

Applications must be prepared and submitted in accordance with the regulations, instructions, and forms included in the program information packages.

(b) **Applications sent by mail.** An application sent by mail should be addressed to: U.S. Office of Education, Application Control Center, Attention: 13.475, Washington, D.C. 20202. Applications must be received by the Application Control Center on or before the closing date.

An application sent by mail will be considered to be received on time by the Application Control Center if:

(1) The application was sent by registered or certified mail not later than December 5, 1977, as evidenced by the U.S. Postal Service postmark on the wrapper or envelope, or on the original receipt from the U.S. Postal Service; or

(2) The application is received on or before the closing date by either the Department of Health, Education, and Welfare or the U.S. Office of Education mailrooms in Washington, D.C. In establishing the date of receipt, the Commissioner will rely on the time-date stamp of these mailrooms or other documentary evidence of receipt maintained by the Department of Health, Education, and Welfare or the U.S. Office of Education.

(c) **Hand-delivered applications.** An application to be hand-delivered must be taken to the U.S. Office of Education, Application Control Center, Room 5673, Regional Office Building Three, 7th and D Streets, SW., Washington, D.C. Hand-delivered applications will be accepted daily between the hours of 8 a.m. and 4 p.m. Washington, D.C. time except Saturdays, Sundays, or Federal holidays. Applications will not be accepted after 4 p.m. on the closing date.

(d) **Program information.** Applications are being accepted from institutions of higher education and other public or private agencies, institutions, and organizations that are nonprofit for grants for research and demonstration projects relating to the improvement of libraries or the improvement of the training in librarianship.

In formulating proposals, potential applicants should be aware of the amount of funds available for the program for Fiscal Year 1978. It is anticipated that grants will be awarded in each of the categories specified in 45 CFR Part 133, that the total amount of funds available for the Library Research and Demonstration Program will be about \$1,000,000, and that 15–18 awards will be made. The average amount of each grant will be from \$50,000 to \$70,000. During Fiscal Year 1977, 180 applications were



received from institutions of higher education and other public or non-profit agencies and organizations. A total of 18 grants was awarded; the average grant was \$55,500. All grants will be new awards, no funds are reserved for continuation awards. This statement on the availability of funds does not bind the Office of Education to any particular pattern of distribution except as required by the Higher Education Act, applicable regulations, and appropriations. Rather, actual figures may vary widely from those given.

(e) *For further information and forms contact:* Paul Janaske, Division of Library Programs, Office of Libraries and Learning Resources, Attention 13.475, Bureau of Elementary and Secondary Education, U.S. Office of Education, 400 Maryland Avenue, SW. (Room 3124, ROB No. 3), Washington, D.C. 20202, (202) 245-9687.

(f) *Applicable regulations.* The regulations applicable to this program are the Office of Education General Provisions Regulations (45 CFR Parts 100, 100a) and the Library Research and Demonstration Program Regulations (45 CFR Part 133) published on May 17, 1974 in the FEDERAL REGISTER, and revised in the FEDERAL REGISTER on February 6, 1976.

(20 U.S.C. 1021, 1031, and 1033.)

CFDA-13.561—METRIC EDUCATION PROGRAM

*Closing Date—December 12, 1977*

Notice is hereby given that, pursuant to authority contained in section 403 of the Education Amendments of 1974, Pub. L. 93-380 (20 U.S.C. 1862), applications are being accepted for the Metric Education Program. This program is authorized to make grants and contracts to State education agencies, local educational agencies, institutions of higher education, and public and private nonprofit agencies, organizations, and institutions for the development, continuation, and expansion of metric education projects. Processing of these proposals will be subject to the availability of funds.

*Closing date: December 12, 1977.*

*A. Application forms and information.* Application forms and program information packages are available and will be mailed upon the publication of this Notice in the FEDERAL REGISTER.

Applications must be prepared and submitted in accordance with the regulations, instructions, and forms included in the program information packages.

*B. Applications sent by mail.* An application sent by mail should be addressed to: U.S. Office of Education, Application Control Center, Attention 13.561, Washington, D.C. 20202. Applications must be received by the Application Control Center on or before the closing date.

An application sent by mail will be considered to be received on time by the Application Control Center if:

(1) The application was sent by registered or certified mail not later than Wednesday, December 7, 1977, as evidenced by the U.S. Postal Service post-

mark on the wrapper or envelope, or on the original receipt from the U.S. Postal Service; or,

(2) The application is received on or before the closing date by either the Department of Health, Education, and Welfare or the U.S. Office of Education mail rooms in Washington, D.C. In establishing the date of receipt, the Commissioner will rely on the time-date stamp of such mail rooms or other documentary evidence of receipt maintained by the Department of Health, Education, and Welfare, or the U.S. Office of Education.

*C. Hand-delivered applications.* An Application to be hand-delivered must be taken to the U.S. Office of Education, Application Control Center, Room 5673, Regional Office Building 3, 7th and D Streets SW., Washington, D.C. Hand-delivered applications will be accepted daily between the hours of 8 a.m. and 4 p.m. Washington, D.C., time except Saturdays, Sundays, or Federal holidays. Applications will not be accepted after 4 p.m. on the closing date.

*D. State comment.* A local educational agency (LEA) must provide a copy of its application to the State educational agency (SEA) of the State within which the applicant is located concurrently with its submission of the application to the Office of Education. For verification of submission to the SEA, the LEA applicant must enclose, in its application to the Commissioner, a copy of the dated cover letter used to forward a copy of its application to the SEA. State educational agencies wishing to submit advice and comments on any application originating within their State may do so by forwarding such advice and comments to the Metric Education Program, U.S. Office of Education, Room 5640, Regional Office Building 3, 7th and D Streets SW., Washington, D.C. 20202. Advice and comments received from SEAs no later than Tuesday, December 27, 1977, will be considered in reviewing applications.

*E. Program information.* In formulating proposals, potential applicants should be aware of the amount of funds expected to become available for the program for Fiscal Year 1978 which will total \$2,090,000. The program has no legislatively prescribed priorities, therefore, all eligible agencies may compete for the available funds. It is expected that awards of State and multi-State metric education planning grants will generally be in the range of \$25,000-\$40,000 and \$50,000-\$110,000, respectively; the school-based metric instructional pilot and model project grants will generally be in the range of \$25,000-\$35,000; the national technical support effort will generally be in the range of \$175,000-\$225,000; and the grants for purposes of conducting preservice and inservice teacher development projects will generally be in the range of \$20,000-\$30,000. Public and private nonprofit organizations are eligible to apply for grants in all four areas. During the 1977 fiscal year, 614 applications were received from SEA's, LEA's, IHE's, and NONPROFIT's.

A total of 75 grants were awarded: 6, totaling \$189,167, went to State education agencies; 34, totaling \$873,550, to local education agencies; 27, totaling \$740,986, to institutions of higher education; and 8 totaling \$286,297, to non-profit public and private institutions. Applicants should be aware that funds are generally available only to cover educational cost as specified in section 160a.29 and other sections of the regulation. All grants will be new awards, no funds are reserved for continuation awards. A current grantee may apply for a new award on the same basis as an applicant not previously funded. Projects are for one year in duration.

*F. For further information contact:* Metric Education Program, U.S. Office of Education, Room 5640, Regional Office Building Three, 7th & D Streets, SW., Washington, D.C. 20202.

*G. Applicable regulations.* The regulations applicable to this program are the Office of Education General Provisions Regulations (45 CFR Part 100a) and the Metric Education Program Regulation (45 CFR 160a) published on April 21, 1975, in the FEDERAL REGISTER included in the application package.

(20 U.S.C. 1862; 45 CFR Part 160a.)

CONSUMERS' EDUCATION PROGRAM

CFDA—13.654

*Closing Date—December 16, 1977*

Notice is hereby given that, pursuant to the authority contained in Section 811 of the Elementary and Secondary Education Act of 1965, as enacted by Section 505 of the Education Amendments of 1972, Pub. L. 92-318, 20 U.S.C. 887d, applications for grants are being accepted from institutions of higher education, local educational agencies, State educational agencies, and other public and private non-profit organizations and institutions (including libraries) for the support of research, demonstration, and pilot projects designed to provide consumers' education to the public.

*Closing Date—December 16, 1977*

*A. Application forms and information:* Application forms and program information packages are available and will be mailed upon publication of this Notice in the FEDERAL REGISTER.

Applications must be prepared and submitted in accordance with the regulations, instructions, and forms included in the program information packages.

*B. Applications sent by mail:* An application sent by mail should be addressed to: U.S. Office of Education, Application Control Center, Attention 13.564, Washington, D.C. 20202. Applications must be received by the Application Control Center on or before the closing date.

An application sent by mail will be considered to be received on time by the Application Control Center if:

(1) The application was sent by registered or certified mail not later than December 12, 1977 as evidenced by the U.S. Postal Service postmark on the



wrapper or envelope, or on the original receipt from the U.S. Postal Service; or

(2) The application is received on or before the closing date by either the Department of Health, Education, and Welfare or the U.S. Office of Education mail rooms in Washington, D.C. In establishing the date of receipt, the Commissioner will rely on the time-date stamp of such mail rooms or other documentary evidence of receipt maintained by the Department of Health, Education, and Welfare, or the U.S. Office of Education.

**C. Hand-delivered application.** An application to be hand-delivered must be taken to the U.S. Office of Education, Application Control Center, Room 5673, Regional Office Building Three, 7th and D Streets SW., Washington, D.C. Hand-delivered applications will be accepted daily between the hours of 8:00 a.m. and 4:00 p.m. Washington, D.C. time except Saturdays, Sundays, or Federal Holidays. Applications will not be accepted after 4:00 p.m. on the closing date.

**D. State comment:** A local educational agency must provide a copy of its application to the State educational agency of the State within which the applicant is located concurrently with its submission of the application to the Office of Education. For verification of submission to the SEA, the LEA applicant must enclose, in its application to the Commissioner, a copy of the dated cover letter used to forward a copy of its application to the SEA. A State educational agency wishing to submit advice and comments on any LEA application originating within its State may do so by forwarding such advice and comments to the Office of Consumers' Education, U.S. Office of Education. (See address under "For Further Information Contact.") Advice and comments received from SEA's not later than January 6, 1978 will be considered in reviewing applications.

**E. Program information:** The amount of funds available under this program is \$4,068,000, with approximately \$3.6 million going for grant awards for applications submitted in response to this notice, and the balance for procurement contracts. It is estimated that a total of approximately 80 new grants will be awarded during Fiscal Year 1978. The average grant is expected to be about \$45,000, though no minimum or maximum amounts have been predetermined.

**F. For further information contact:** Dustin W. Wilson, Jr., 7th & D Sts., SW., Washington, D.C. 20202 (202-245-0636).

**G. Applicable regulations:** Awards made pursuant to this notice will be subject to (1) The Office of Education General Provisions Regulations (45 CFR Parts 100 and 100a) published in the FEDERAL REGISTER on November 6, 1973 and, (2) the regulation for the Consumers' Education Program published in the FEDERAL REGISTER on May 24, 1976 (41 FR 21191-21199).

(20 U.S.C. 887d.)

#### CFDA-13.434—FOREIGN LANGUAGE AND AREA STUDIES FELLOWSHIP PROGRAM

**Closing Date—December 20, 1977**

(a) **Application forms and information.** Application forms are being prepared but are not yet available. We anticipate the application forms and program information packages will be ready for mailing on or about October 14, 1977.

Applications must be prepared and submitted in accordance with the regulations, instructions, and forms included in the program information packages.

(b) **Applications sent by mail.** An application sent by mail should be addressed to: U.S. Office of Education, Application Control Center, Attention: 13.434A, Washington, D.C. 20202. Applications must be received by the Application Control Center on or before the closing date.

An application sent by mail will be considered to be received on time by the Application Control Center if:

(1) The application was sent by registered or certified mail not later than December 15, 1977, as evidenced by the U.S. Postal Service postmark on the wrapper or envelope, or on the original receipt from the U.S. Postal Service; or,

(2) The application is received on or before the closing date by either the Department of Health, Education, and Welfare or the U.S. Office of Education mail rooms in Washington, D.C. In establishing the date of receipt, the Commissioner will rely on the time-date stamp of these mail rooms or other documentary evidence of receipt maintained by the Department of Health, Education, and Welfare, or the U.S. Office of Education.

(c) **Hand-delivered applications.** An application to be hand-delivered must be taken to the U.S. Office of Education, Application Control Center, Room 5673, Regional Office Building Three, 7th and D Streets SW., Washington, D.C. Hand-delivered applications will be accepted daily between the hours of 8 a.m. and 4 p.m., Washington, D.C. time except Saturdays, Sundays, or Federal holidays. Applications will not be accepted after 4 p.m. on the closing date.

(d) **Program information.** Applications are being accepted from institutions of higher education for quotas of fellowships under the Foreign Language and Area Studies Fellowship program. Fellowships may be awarded through approved institutions to individuals undergoing advanced training in modern foreign languages and related area studies.

In formulating proposals potential applicants should be aware of the amount of funds available for Fiscal Year 1978. The Fellowship Program will be funded at approximately \$4,560,000 for an estimated 800 awards at an approximate unit cost of \$5,700. The tentative allocation of fellowships among language and area centers/programs according to world area is as follows: Africa 89; East Asia 193; Eastern Europe and the

U.S.S.R. 140; Latin America 75; Middle East 140; South Asia 88; Southeast Asia 70; and Western Europe 5. All grants will be new awards; no funds are reserved for continuation awards. A current grantee may apply for a new award on the same basis as an applicant not previously funded. Projects are for one year in duration.

(e) **For further information contact:** Mrs. Merion Kane, Fellowships Program Officer, International Studies Branch, Division of International Education, Bureau of Higher and Continuing Education, Office of Education, 400 Maryland Avenue SW. (Room 3669, ROB No. 3), Washington, D.C. 20202 (202-245-9808).

(f) **Applicable regulations.** The regulations applicable to this program are the Office of Education General Provisions Regulations (45 CFR Parts 100, 100a) and the Modern Foreign Language and Area Studies Program Regulations (45 CFR Part 146) published on May 23, 1977 in the FEDERAL REGISTER, also included in the application package.

(20 U.S.C. 511(b); 45 CFR Part 146, Subpart D.)

#### CFDA-13.549—ETHNIC HERITAGE STUDIES PROGRAM

**Closing Date—December 20, 1977**

(a) **Application forms and information.** Application forms are being prepared but are not yet available. We anticipate the application forms and program information packages will be ready for mailing on or about October 20, 1977.

Applications must be prepared and submitted in accordance with the regulations, instructions, and forms included in the program information packages.

(b) **Applications sent by mail.** An application sent by mail should be addressed as follows: U.S. Office of Education, Application Control Center, Attention: 13.549, Washington, D.C. 20202. Applications must be received by the Application Control Center on or before the closing date.

An application sent by mail will be considered to be received on time by the Application Control Center if:

(1) The application was sent by registered or certified mail not later than December 15, 1977, as evidenced by the U.S. Postal Service postmark on the wrapper or envelope, or on the original receipt from the U.S. Postal Service; or,

(2) The application is received on or before the closing date by either the Department of Health, Education, and Welfare, or the U.S. Office of Education mail rooms in Washington, D.C. In establishing the date of receipt, the Commissioner will rely on the time-date stamp of these mail rooms or other documentary evidence of receipt maintained by the Department of Health, Education, and Welfare, or the U.S. Office of Education.

(c) **Hand-delivered applications.** An application to be hand-delivered must be



taken to the U.S. Office of Education Application Control Center, Room 5673, Regional Office Building Three, 7th and D Streets SW., Washington, D.C. Hand-delivered applications will be accepted daily between the hours of 8 a.m. and 4 p.m. Washington, D.C. time, except Saturdays, Sundays, or Federal holidays. Applications will not be accepted after 4 p.m. on the closing date.

(d) *Program information.* Applications are being accepted from public and private nonprofit educational agencies, institutions, and organizations for grants under the Ethnic Heritage Studies Program.

The Ethnic Heritage Studies appropriation for fiscal year 1978 is expected to be \$2,300,000. The program expects to award 50 major grants averaging approximately \$37,500 in size. Contingent upon receipt of eligible competitive applications, support may be given to establishing two regional clearinghouses for the dissemination of information on ethnic studies. The amount of the award for these clearinghouses is expected to be about \$100,000 each. In addition, the program expects to award approximately 15 mini-grants not to exceed \$15,000 in size. The applications for all grants will be evaluated competitively under the funding criteria in 45 CFR 184.31. There are no continuation grants in the Ethnic Heritage Studies Program for this year and awards will be made for a 1-year project period.

The above statement with regard to the expected distribution of funds is basically for informational purposes and does not bind the Office of Education, except as may be required by the applicable statute and regulation.

(e) *For further information and forms contact:* Chief, Ethnic Heritage Studies Branch, Division of International Education, Bureau of Higher and Continuing Education, Office of Education, 400 Maryland Avenue SW. (Room 309, ROB No. 3), Washington, D.C. 20202 (202-245-9506).

(f) *Applicable regulations.* The regulations applicable to this program include the Office of Education General Provisions Regulations (45 CFR Part 100, 100a) and the Ethnic Heritage Studies Program regulations published in the FEDERAL REGISTER on May 20, 1975.

(20 U.S.C. 900 to 900a-5.)

#### CFDA-13.566—ARTS EDUCATION PROGRAM

*Closing date—December 29, 1977*

(a) *Application forms and information.* Application forms are being prepared but are not yet available. We anticipate the application forms and program information packages will be ready for mailing on or about October 26, 1977.

Applications must be completed and submitted in accordance with the regulations, instructions, and forms included in the program information packages.

(b) *Applications sent by mail.* An application sent by mail should be addressed to: U.S. Office of Education, Application Control Center, Attention: 13.566, Washington, D.C. 20202. Applica-

tions must be received by the Application Control Center on or before the closing date.

An application sent by mail will be considered to be received on time by the Application Control Center if:

(1) The application was sent by registered or certified mail not later than December 27, 1977, as evidenced by the U.S. Postal Service postmark on the wrapper or envelope, or on the original receipt from the U.S. Postal Service; or

(2) The application is received on or before the closing date by either the Department of Health, Education, and Welfare or the U.S. Office of Education mail rooms in Washington, D.C. In establishing the date of receipt, the Commissioner will rely on the time-date stamp of these mail rooms or other documentary evidence of receipt maintained by the Department of Health, Education, and Welfare, or the U.S. Office of Education.

(c) *Hand-delivered applications.* An application to be hand-delivered must be taken to the U.S. Office of Education, Application Control Center, Room 5673, Regional Office Building Three, 7th and D Streets SW., Washington, D.C. Hand-delivered application will be accepted daily between the hours of 8 a.m. and 4 p.m. Washington, D.C. time except Saturdays, Sundays, or Federal holidays. Applications will not be accepted after 4 p.m. on the closing date.

(d) *Program information.* Applications are being accepted for the Arts Education Program, which is authorized to make grants to State educational agencies (SEAs) and to local educational agencies (LEAs) for programs in which the arts are an integral part of elementary and secondary school education.

It is expected that \$750,000 in grants will be awarded to State and local educational agencies during fiscal year 1978. The distribution of funds between State and local educational agencies may vary from the initial reservation in § 160g.5 of the Arts Education regulation (published April 26, 1976 in the FEDERAL REGISTER at 17390), depending upon overall quality of applications and amounts requested for each type of program. In fiscal year 1976, State and local educational agencies each received approximately one-half of the total funds; in fiscal year 1977, LEAs received about 60 percent, or \$450,000, and SEAs 40 percent, or \$300,000.

During the 1977 fiscal year, 315 applications were received from LEAs and 51 from SEAs. A total of 77 grants was awarded: 47 to LEAs and 30 to SEAs. For fiscal year 1978, it is anticipated that about the same number of awards will be made and that grants will range from \$5,000 to \$10,000. All grants will be new awards; no funds are reserved for continuation awards. A current grantee may apply for a new award on the same basis as an applicant not previously funded. Projects are for 1 year in duration.

(e) *State comment.* A local educational agency must provide a copy of its application to the State educational agency of the State within which the applicant

is located at the same time it submits an application to the Office of Education. The LEA applicant must include, in its application to the Commissioner, a statement that this has been accomplished. The State educational agency, in consultation with the State Alliance for Arts Education Committee, if one exists, has an opportunity to review and comment on the application. A State educational agency wishing to submit advice and comment on an LEA application originating within its State may do so by forwarding that advice and comment to the Arts and Humanities Staff, (see address in paragraph (f)). Advice and comments received from SEAs not later than 30 days after the closing date will be considered in reviewing applications.

(f) *For further information and forms contact:* Arts and Humanities Staff, U.S. Office of Education, 400 Maryland Avenue SW. (Room 3728, Donohoe Building), Washington, D.C. 20202 (202-245-8912 or 245-9097).

(g) *Applicable regulations.* The regulations applicable to the Arts Education Program are the Office of Education General Provisions Regulations (45 CFR Parts 100, 100a, and appendices) and the regulation for the Arts Education Program (45 CFR Part 160g), published in the FEDERAL REGISTER on April 26, 1976. (20 U.S.C. 1867.)

#### CFDA-13.543—EDUCATIONAL OPPORTUNITY CENTERS PROGRAM

*Closing date—January 4, 1978*

(a) *Application forms and information.* Application forms and program information packages are being prepared. They will be available for mailing on or about October 27, 1977.

Applications must be prepared and submitted in accordance with the regulations, instructions, and forms included in the program information packages.

(b) *Applications sent by mail.* An application sent by mail should be addressed to: U.S. Office of Education, Application Control Center, Attention: 13.543A, Washington, D.C. 20202. Applications for new awards must be received by the Application Control Center on or before the closing date.

An application sent by mail will be considered to be received on time by the Application Control Center if:

(1) The application was sent by registered or certified mail not later than December 30, 1977, as evidenced by the U.S. Postal Service postmark on the wrapper or envelope, or on the original receipt from the U.S. Postal Service; or

(2) The application is received on or before the closing date by either the Department of Health, Education, and Welfare or the U.S. Office of Education mail rooms in Washington, D.C. In establishing the date of receipt, the Commissioner will rely on the time-date stamp of these mail rooms or other documentary evidence of receipt maintained by the Department of Health, Education, and Welfare, or the U.S. Office of Education.

(c) *Hand-delivered applications.* An application to be hand-delivered must



be taken to the U.S. Office of Education, Application Control Center, Room 5673, Regional Office Building Three, 7th and D Streets SW., Washington, D.C. Hand-delivered applications will be accepted daily between the hours of 8 a.m. and 4 p.m. Washington, D.C. time except Saturdays, Sundays, or Federal holidays. Applications for new awards will not be accepted after 4 p.m. on the closing date.

(d) *Program information.* Each applicant for new awards should submit an original application and two copies. Educational Opportunity Centers will have \$5,000,000 for fiscal year 1978. The programs expects to award 10 new grants and 12 noncompeting continuation grants averaging \$227,000 for each project.

The applications for new grants will be evaluated competitively under the published funding criteria for new awards for Educational Opportunity Centers (45 CFR 154.6(c)).

Applicants may apply for a 1- or 2-year project period. Therefore, applications submitted for more than one year must contain a work program and budget to cover the entire period of the request. Those applications which are recommended for a multi-year project will be given a 2-year noncompeting grant, though funds will be awarded on a yearly basis.

The above statement with regard to the expected distribution of funds and number of projects to be funded is basically for informational purposes and does not bind the Office of Education, except as may be required by the applicable statutes and regulations.

(e) *For further information and forms contact:* Special Programs Branch, Division of Student Services and Veterans Programs, Bureau of Higher and Continuing Education, Office of Education, 400 Maryland Avenue SW. (Room 3514, ROB No. 3), Washington, D.C. 20202 (202-245-2511).

The Office of Education automatically mails information and application forms to the presidents of institutions that participate in the Federal Financial Aid Programs for Student Assistance. Application Preparation Workshops will be held throughout the United States. Please request further information as to the time and place of these workshops from the Special Programs Branch.

(f) *Applicable regulations.* The regulations applicable to this program include the Office of Education General Provisions Regulations (45 CFR Parts 100, 100a), and the regulation for Educational Opportunity Centers (45 CFR Part 154) published in the FEDERAL REGISTER on April 29, 1974 and May 14, 1976.

(20 U.S.C. 1070d-1070d-1.)

CFDA-13.482—SPECIAL SERVICES FOR DISADVANTAGED STUDENTS; 13.488—TALENT SEARCH; 13.492—UPWARD BOUND

Closing date—January 4, 1978

(a) *Application forms and information.* Application forms and program information packages are being prepared.

They will be available for mailing on or about October 27, 1977.

Applications must be prepared and submitted in accordance with the regulations, instructions, and forms included in the program information packages.

(b) *Applications sent by mail.* An application sent by mail should be addressed to: U.S. Office of Education, Application Control Center, Attention: 13.482 (Special Services for Disadvantaged Students), 13.488 (Talent Search), 13.492 (Upward Bound), Washington, D.C. 20202. (Applications for National Demonstration projects use the suffix "A" with the number; all other applications use the suffix "B".) Applications for new awards must be received by the Application Control Center on or before the closing date. In order to be assured of consideration for funding, projects which are currently awarded multiyear grants should submit a request for noncompeting continuation funds on or before the closing date.

Each applicant for a new award must submit an original application and four copies. All applications are to be submitted to the Office of Education, Washington, D.C. Applications will not be accepted at the Regional Offices.

An application sent by mail will be considered to be received on time by the Application Control Center if:

(1) The application was sent by registered or certified mail not later than December 30, 1977, as evidenced by the U.S. Postal Service postmark on the wrapper or envelope, or on the original receipt from the U.S. Postal Service; or,

(2) The application is received on or before the closing date by either the Department of Health, Education, and Welfare or the U.S. Office of Education mail rooms in Washington, D.C. In establishing the date of receipt, the Commissioner will rely on the time-date stamp of these mail rooms or other documentary evidence of receipt maintained by the Department of Health, Education, and Welfare, or the U.S. Office of Education.

(c) *Hand-delivered applications.* An application to be hand-delivered must be taken to the U.S. Office of Education, Application Control Center, Room 5673, Regional Office Building Three, 7th and D Streets SW., Washington, D.C. Hand-delivered applications will be accepted daily between the hours of 8 a.m. and 4 p.m. Washington, D.C. time except Saturdays, Sundays, or Federal holidays. Applications for new awards will not be accepted after 4 p.m. on the closing date.

(d) *Program information.* The appropriation for Special Programs for Students from Disadvantaged Backgrounds for fiscal year 1978 is \$115,000,000. Of this total, \$44,000,000 will be allocated to Upward Bound, \$11,000,000 to Talent Search, and \$49,000,000 to Special Services for Disadvantaged Students. The Special Programs expects to award approximately 356 new grants and 755 noncompeting continuation grants. The Search, and \$49,000,000 to Special Services for Disadvantaged Students. The Special Programs expects to award ap-

proximately 356 new grants and 755 noncompeting continuation grants. The breakdown of these awards is as follows: 55 new and 312 noncompeting continuation Upward Bound grants averaging \$119,600; 40 new and 106 noncompeting continuation Talent Search grants averaging \$75,000; and 261 new and 337 noncompeting continuation Special Services grants averaging \$81,818. The applications for the new grants will be evaluated competitively under the published funding criteria for new awards in each program (Upward Bound—45 CFR 155.8(c), Talent Search—45 CFR 159.7(c), and Special Services—45 CFR 157.6(c)).

Applicants may apply for a 1- or 2-year project period. Therefore, applications submitted for more than 1 year must contain a work program and budget to cover the entire period of the request. Those applications which are recommended for a multiyear project will be given a 2-year noncompeting grant, though funds will be awarded on a yearly basis.

The above statement with regard to the expected distribution of funds and number of projects to be funded is basically for informational purposes and does not bind the Office of Education, except as may be required by the applicable statutes and regulations.

(e) *For further information and forms contact:* Special Programs Branch, Division of Student Services and Veterans Programs, Bureau of Higher and Continuing Education, Office of Education, 400 Maryland Avenue SW. (Room 3514, ROB No. 3), Washington, D.C. 20202 (202-245-2511).

The Office of Education automatically mails information and application forms to the presidents of institutions that participate in the Federal Financial Aid Programs for Student Assistance. Application Preparation Workshops will be held throughout the United States. Please request further information as to the time and place of these workshops from the Special Programs Branch.

(f) *Applicable regulations.* The regulations applicable to these programs include the Office of Education General Provisions Regulations (45 CFR Parts 100, 100a), and the regulations for Upward Bound (45 CFR 155), Special Services for Disadvantaged Students (45 CFR 157), and Talent Search (45 CFR 159) published May 24, 1977 in the FEDERAL REGISTER.

(20 U.S.C. 1070d-1070d-1.)

CFDA-13.436—FOREIGN LANGUAGE AND AREA STUDIES RESEARCH PROGRAM

Closing Date—January 6, 1978

(a) *Application forms and information.* Application forms are being prepared but are not yet available. We anticipate the application forms and program information packages will be ready for mailing on or about November 4, 1977.

Applications must be prepared and submitted in accordance with the regulations, instructions, and forms in-



cluded in the program information packages.

(b) *Applications sent by mail:* An application sent by mail should be addressed to: U.S. Office of Education, Application Control Center, Attention: 13.436, Washington, D.C. 20202. Applications must be received by the Application Control Center on or before the closing date.

An application sent by mail will be considered to be received on time by the Application Control Center if:

(1) The application was sent by registered or certified mail not later than January 3, 1978, as evidenced by the U.S. Postal Service postmark on the wrapper or envelope, or on the original receipt from the U.S. Postal Service; or

(2) The application is received on or before the closing date by either the Department of Health, Education, and Welfare or the U.S. Office of Education mail rooms in Washington, D.C. In establishing the date of receipt, the Commissioner will rely on the time-date stamp of these mail rooms or other documentary evidence of receipt maintained by the Department of Health, Education, and Welfare, or the U.S. Office of Education.

(c) *Hand-delivered applications.* An application to be hand-delivered must be taken to the U.S. Office of Education, Application Control Center, Room 5673, Regional Office Building Three, 7th and D Streets SW., Washington, D.C. Hand-delivered applications will be accepted daily between the hours of 8 a.m. and 4 p.m. Washington, D.C. time except Saturdays, Sundays, or Federal holidays. Applications for new awards will not be accepted after 4 p.m. on the closing date.

(d) *Program information.* Under this program the Commissioner is authorized to award contracts or grants for studies and surveys to determine the need for increased or improved instruction in modern foreign languages and related fields, to conduct research in training methods for use in those languages and fields, and to develop specialized materials for use in training students and language teachers. The Foreign Language and Area Studies Research appropriation for Fiscal Year 1978 is \$1,000,000. The program expects to use approximately \$202,000 to supplement seven ongoing research projects and to fund about twenty-eight new projects at an average cost of \$28,500 each. Projects which exceed eighteen months should be planned and budgeted in yearly phases.

The above statement with regard to the expected distribution of funds is basically for informational purposes and does not bind the Office of Education, except as may be required by the applicable statute and regulation.

(e) *For further information and forms contact:* Mrs. Julia A. Petrov, Chief, Research Program, International Studies Branch, U.S. Office of Education, 400 Maryland Avenue SW. (Room 3671, ROB No. 3), Washington, D.C. 20202 (202-245-9819).

(f) *Applicable regulations.* The regulations applicable to this program include the Office of Education General Provisions Regulations (45 CFR Parts 100, 100a) and the regulations for Modern Foreign Language and Area Studies (45 CFR Part 146), published in the FEDERAL REGISTER on May 23, 1977.

(20 U.S.C. 512.)

CFDA-13.433 A AND B—FOLLOW THROUGH—  
LOCAL PROJECT GRANTS AND SPONSOR  
GRANTS

Closing Date—January 9, 1978

(a) *Application forms and information.* Application forms are being prepared but are not yet available. We anticipate the application forms and program information packages will be ready for mailing on or about October 14, 1977.

Applications must be prepared and submitted in accordance with the regulations instructions and forms included in the program information packages.

(b) *Applications sent by mail.* An application sent by mail should be addressed to: U.S. Office of Education, Application Control Center, Attention: 13.433A, for Follow Through projects, and 13.433B for demonstration (sponsors) projects, Washington, D.C. 20202. Applications should be received by the Application Control Center on or before the closing date.

An application sent by mail will be considered to be received on time by the Application Control Center if:

(1) The application was sent by registered or certified mail not later than January 4, 1978, as evidenced by the U.S. Postal Service postmark on the wrapper or envelope, or on the original receipt from the U.S. Postal Service; or

(2) The application is received on or before the closing date by either the Department of Health, Education, and Welfare or the U.S. Office of Education mail rooms in Washington, D.C. In establishing the date of receipt, the Commissioner will rely on the time-date stamp of these mail rooms or other documentary evidence of receipt maintained by the Department of Health, Education, and Welfare, or the U.S. Office of Education.

(c) *Hand-delivered applications.* An application to be hand-delivered must be taken to the U.S. Office of Education, Application Control Center, Room 5673, Regional Office Building Three, 7th and D Streets SW., Washington, D.C. Hand-delivered applications will be accepted daily between the hours of 8 a.m. and 4 p.m. Washington, D.C. time except Saturdays, Sundays, or Federal holidays.

(d) *Program information.* Applications are being accepted for Follow Through grants or assistance contracts in the following two categories: (1) Non-competing continuation grants for carrying out Follow Through projects, and (2) Non-competing continuation grants or assistance contracts for demonstration (sponsors). In Fiscal Year 1978, all awards for carrying out Follow Through projects and for sponsors will be non-competing continuations. No new awards

will be made in either category. Processing of all applications will be subject to the availability of funds. In Fiscal Year 1978, for the 1978-79 school year, it is expected that an estimated 143 refundings under the first category of grants and an estimated 20 refundings under the second category will be made.

(e) *Eligibility requirements.* Reference is made to § 158.11 of the Follow Through regulations (42 FR 33148) concerning eligible agencies for carrying out Follow Through projects and to § 158.51 of the Follow Through regulations (42 FR 33152) concerning eligible agencies for becoming a Follow Through sponsor. An examination of these sections may provide useful guidance to parties planning to file an application for either of these purposes.

(f) *For further information and forms contact:* Ms. Rosemary C. Wilson, Director, Division of Follow Through, U.S. Office of Education, 400 Maryland Avenue SW. (Room 3624, ROB-3) Washington, D.C. 20202.

(g) *Applicable regulations.* The regulations applicable to this program include the Office of Education General Provisions Regulations (45 CFR Parts 100 and 100a) and the Follow Through regulations (45 CFR Part 158) published in the FEDERAL REGISTER on June 29, 1977.

(Title V, Parts B and C of the Economic Opportunity Act, as amended by Pub. L. 93-644, Section 8(a), 42 U.S.C. 2929 et seq.)

CFDA-13.433C—FOLLOW THROUGH—  
TECHNICAL ASSISTANCE

Closing Date—January 9, 1978

(a) *Application forms and information.* Application forms are being prepared but are not yet available. We anticipate the application forms and program information packages will be ready for mailing on or about October 14, 1977.

Applications must be prepared and submitted in accordance with the regulations, instructions, and forms included in the program information packages.

(b) *Applications sent by mail.* An application sent by mail should be addressed to: U.S. Office of Education, Application Control Center, Attention: 13.433C, Washington, D.C. 20202. Applications must be received by the Application Control Center on or before the closing date.

An application sent by mail will be considered to be received on time by the Application Control Center if:

(1) The application was sent by registered or certified mail not later than January 4, 1978, as evidenced by the U.S. Postal Service postmark on the wrapper or envelope, or on the original receipt from the U.S. Postal Service; or

(2) The application is received on or before the closing date by either the Department of Health, Education, and Welfare or the U.S. Office of Education mail rooms in Washington, D.C. In establishing the date of receipt, the Commissioner will rely on the time-date stamp of these mail rooms or other documentary evidence of receipt maintained by the De-



partment of Health, Education, and Welfare, or the U.S. Office of Education.

(c) *Hand-delivered applications.* An application to be hand-delivered must be taken to the U.S. Office of Education, Application Control Center, Room 5673, Regional Office Building Three, 7th and D Streets SW., Washington, D.C. Hand-delivered applications will be accepted daily between the hours of 8 a.m. and 4 p.m. Washington, D.C., time except Saturdays, Sundays, or Federal holidays. Applications will not be accepted after 4 p.m. on the closing date.

(d) *Program information.* Applications are being accepted for Follow Through grants or assistance contracts for technical assistance to Follow Through projects. In Fiscal Year 1978 it is anticipated that up to 52 new awards will be made. During the 1977 Fiscal Year 40 applications were received from State educational agencies (SEAs). No other agencies applied for funds; 37 SEAs received grants. The grants ranged from \$6,299 to \$55,333. All grants will be new awards. A current grantee may apply for a new award on the same basis as an applicant not previously funded. Grants are for one year in duration.

(e) *Eligibility requirements.* Reference is made to § 158.41 of the Follow Through regulations, 42 FR 33152 (June 29, 1977) concerning which agencies are eligible to apply for Follow Through technical assistance grants. An examination of this paragraph may provide useful guidance to agencies planning to file for Follow Through technical assistance applications.

(f) *For further information and forms contact:* Ms. Rosemary C. Wilson, Director, Division of Follow Through, U.S. Office of Education, 400 Maryland Avenue SW (Room 3624, ROB No. 3), Washington, D.C. 20202 (202-245-2500).

(g) *Applicable regulations.* The regulations applicable to this program include the Office of Education General Provisions Regulations (45 CFR Parts 100, 100a) and the Follow Through Regulations (45 CFR Part 158) published in the FEDERAL REGISTER on June 29, 1977.

(Title V, Parts B and C of the Economic Opportunity Act, as amended by Pub. L. 93-644, Section 8(a), 42 U.S.C. 2929 et seq.)

**CFDA-13.563—COMMUNITY EDUCATION PROGRAM**

*Closing date—January 11, 1978*

(a) *Application forms and information.* Application forms are available and are now being mailed.

Applications must be prepared and submitted in accordance with the regulations, instructions, and forms included in the program information packages.

(b) *Applications sent by mail.* An application sent by mail should be addressed to: U.S. Office of Education, Application Control Center, Attention: 13.563, Washington, D.C. 20202. Applications must be received by the Application Control Center on or before the closing date.

An application sent by mail will be considered to be received on time by the Application Control Center if:

(1) The application was sent by registered or certified mail not later than January 6, 1978, as evidenced by the U.S. Postal Service postmark on the wrapper or envelope, or on the original receipt from the U.S. Postal Service; or,

(2) The application is received on or before the closing date by either the Department of Health, Education, and Welfare or the U.S. Office of Education mail rooms in Washington, D.C. In establishing the date of receipt, the Commissioner will rely on the time-date stamp of these mail rooms or other documentary evidence of receipt maintained by the Department of Health, Education, and Welfare, or the U.S. Office of Education.

(c) *Hand-delivered applications.* An application to be hand-delivered must be taken to the U.S. Office of Education, Application Control Center, Room 5673, Regional Office Building Three, 7th and D Streets SW., Washington, D.C. Hand-delivered applications will be accepted daily between the hours of 8 a.m. and 4 p.m. Washington, D.C., time except Saturdays, Sundays, or Federal holidays. Applications will not be accepted after 4 p.m. on the closing date.

(d) *Pre-application.* No pre-application will be required for Fiscal Year 1978.

(e) *State comment.* A local educational agency must provide a copy of its application to the State educational agency of the State within which the applicant is located concurrently with its submission of the application to the Office of Education. This information copy should be submitted to the State Coordinator for Community Education, as designated by the Chief State School Officer. For verification of submission to the SEA, the LEA applicant must enclose, in its application to the Commissioner, a copy of the dated cover letter used to forward a copy of its application to the SEA. State educational agencies wishing to submit advice and comments on any application originating within their State may do so by forwarding such advice and comments to the Community Education Program, U.S. Office of Education (see address in paragraph (h) below). Advice and comments received from SEAs no later than February 1, 1978 will be considered in reviewing applications.

(f) *Program information.* Applications are being accepted for the Community Education Program. This program is authorized to make grants to State educational agencies (SEAs) and to local educational agencies (LEAs) to pay the Federal share of the cost of establishing, expanding, and maintaining community education programs. The program is also authorized to make grants to institutions of higher education (IHEs) to develop and establish or expand programs which will train persons to plan and operate community education programs.

In formulating proposals, potential applicants should be aware of the amount

of funds available for the program for Fiscal Year 1978. Of \$3,553,000 expected to be appropriated for the program for Fiscal Year 1978, \$1,564,000 is available for grants to SEAs; \$1,564,000 is available for grants to LEAs; and \$425,000 is available for grants to institutions of higher education (IHEs). During Fiscal Year 1977, 355 applications were received from LEAs, 38 from SEAs, and 64 from IHEs. A total of 92 grants was awarded: 48 to LEAs, 33 to SEAs, and 11 to IHEs. In the LEA category, the average grant was \$32,500; in the SEA category, \$43,400; and in the IHE category, \$38,600. Applicants should be aware that funds are generally available only to cover leadership, administrative, and coordinating costs as specified in section 160c-10(c) and other sections of the regulation. All grants will be new awards; no funds are reserved for continuation awards. A current grantee may apply for a new award on the same basis as an applicant not previously funded. Projects are for one year in duration.

(g) *LEA eligibility requirements.* Reference is made to the preamble to the Community Education Program Regulation, 40 FR 57926 (December 12, 1975), particularly pages 57927 through 57928, for a discussion of the term "local educational agency" as used in that regulation. An examination of this discussion may provide useful guidance to parties planning to file an application for assistance under the program.

(h) *For further information and forms contact:* Dr. Paul Tremper, Acting Director, Community Education Program, U.S. Office of Education, 400 Maryland Avenue SW., (Room 5622, ROB No. 3), Washington, D.C. 20202 (202-245-0691).

(i) *Applicable regulations.* The regulations applicable to this program are the Office of Education General Provisions Regulations (45 CFR 100, 100a), and the Community Education Program Regulation (45 CFR Part 160c), published on December 12, 1975 in the FEDERAL REGISTER, which are included in the application package.

(20 U.S.C. 1864; 45 CFR Part 160c.)

**CFDA-13.565—WOMEN'S EDUCATIONAL EQUITY ACT PROGRAM**

*Closing Dates—New Grants—January 12, 1978*

*Continuation Grants Only—April 14, 1978*

(a) *Application forms and information.* Application forms are being prepared but are not yet available. We anticipate the application forms and program information packages will be ready for mailing on or about November 11, 1977.

They will be sent directly to everyone on the Women's Educational Equity Act Program's mailing list. Persons not on the mailing list can obtain the material from the Women's Program Staff (see address in paragraph (g) below).

Applications must be prepared and submitted in accordance with the regula-



tions, instructions, and forms included in the program information packages.

(b) *Applications sent by mail.* An application sent by mail should be addressed to: U.S. Office of Education, Application Control Center, Attention: 13.565A for general grants and 13.565B for small grants, Washington, D.C. 20202.

An application sent by mail will be considered to be received on time by the Application Control Center if:

(1) The application was sent by registered or certified mail not later than January 9, 1978, for new grants, and April 10, 1978, for continuations, as evidenced by the U.S. Postal Service postmark on the wrapper or envelope, or on the original receipt from the U.S. Postal Service; or

(2) The application is received on or before the closing date by either the Department of Health, Education, and Welfare or the U.S. Office of Education mail rooms in Washington, D.C. In establishing the date of receipt, the Commissioner will rely on the time-date stamp of these mail rooms or other documentary evidence of receipt maintained by the Department of Health, Education, and Welfare, or the U.S. Office of Education.

(c) *Hand-delivered applications.* An application to be hand-delivered must be taken to the U.S. Office of Education, Application Control Center, Room 5673, Regional Office Building Three, 7th and D Streets SW., Washington, D.C. Hand-delivered applications will be accepted daily between the hours of 8 a.m. and 4 p.m., Washington, D.C. time except Saturdays, Sundays, or Federal holidays. Applications for new grants will not be accepted after 4 p.m. on the closing date.

(d) *Program information.* Applications for general and small grant awards for the Women's Educational Equity Act Program are being accepted from public agencies, private nonprofit organizations, or individuals to promote educational equity for women under 45 CFR Part 160f. Applications for general grants are being accepted both from new applicants and from current multi-year grantees seeking continuations of their projects. Applications for new general and small grants must be received by the Application Control Center on or before the closing date. Continuation applications should be received by the Application Control Center on or before the closing date in order to be assured of consideration for funding.

In Fiscal Year 1978, \$8,085,000 will be available for approximately 30 small grants, 35 new general grants and 14 continuing projects. Small grants are not to exceed \$15,000 each; general grant awards will range from approximately \$35,000 to \$175,000, with the average award expected to be about \$95,000. It is expected that approximately one-half of all awards will be single-year grants, and one-half will be multi-year grants. Nothing in this paragraph is intended as a limitation binding the Office of Education to any particular pattern of distribution, except as may be required by statute or regulation.

(e) *Pre-application.* No pre-application will be required for Fiscal Year 1978.

(f) *State comment.* Concurrently with the submission of its application to the Commissioner, a local educational agency (LEA) must provide a copy of its application to the State educational agency (SEA) of the State in which the LEA is located. For verification of submission to the SEA, the LEA applicant must enclose in its application to the Office of Education a copy of the dated cover letter used to forward a copy of its application to the SEA. An SEA wishing to submit advice and comment on any LEA application originating within its State may do so by forwarding that advice and comment to the Women's Program Staff (see address in paragraph (g) below). Advice and comments received from SEAs will be considered in reviewing applications if they are received no later than January 21, 1978, for LEA applications for new general and small grants, and no later than April 26, 1978, for LEA applications for continuation general grants.

(g) *For further information and forms contact:* Women's Program Staff, U.S. Office of Education, Room 2145, 400 Maryland Avenue SW., Washington, D.C. 20202. (202) 245-2181.

(h) *Applicable regulations.* The regulations applicable to this program include (1) the Office of Education General Provisions Regulations (45 CFR Parts 100, 100a) and (2) the Women's Educational Equity Act Program Regulations (45 CFR Part 160f, 42 FR 33005 (June 28, 1977)).

(20 U.S.C. 1866.)

CFDA-13.406—COLLEGE LIBRARY RESOURCES INSTRUCTOR TRAINING PROGRAM

Closing Date—January 13, 1978

(a) *Application forms and information.* Application forms are being prepared but are not yet available. We anticipate the application forms and program information packages will be ready for mailing on or about November 11, 1977.

Applications must be prepared and submitted in accordance with the regulations, instructions, and forms included in the program information packages.

(b) *Applications sent by mail.* An application sent by mail should be addressed to: U.S. Office of Education, Application Control Center, Attention: 13.586, Washington, D.C. 20202. Applications must be received by the Application Control Center on or before the closing date.

An application sent by mail will be considered to be received on time by the Application Control Center if:

(1) The application was sent by registered or certified mail not later than January 9, 1978, as evidenced by the U.S. Postal Service postmark on the wrapper or envelope, or on the original receipt from the U.S. Postal Service; or

(2) The application is received on or before the closing date by either the Department of Health, Education, and Welfare or the U.S. Office of Education mail

rooms in Washington, D.C. In establishing the date of receipt, the Commissioner will rely on the time-date stamp or these mail rooms or other documentary evidence of receipt maintained by the Department of Health, Education, and Welfare, or the U.S. Office of Education.

(c) *Hand-delivered applications.* An application to be hand-delivered must be taken to the U.S. Office of Education, Application Control Center, Room 5673, Regional Office Building Three, 7th and D Streets SW., Washington, D.C. Hand-delivered applications will be accepted daily between the hours of 8 a.m. and 4 p.m., Washington, D.C. time except Saturdays, Sundays, or Federal holidays. Applications will not be accepted after 4 p.m. on the closing date.

(d) *Program information.* Applications are being accepted for the Bilingual Vocational Instructor Training Program, which is authorized to make grants and award assistance contracts to:

- (1) State agencies;
- (2) Public and private nonprofit educational institutions;
- (3) Private for profit educational institutions which are eligible only for contracts.

Twenty-five percent of the funds available under section 183 of the Act may be used by the Commissioner to award grants or contracts for the cost of operating programs designed to carry out the purposes set forth in section 186 of the Act.

It is anticipated that a total of about 4 awards will be made with Fiscal Year 1978 funds; twenty-five percent of the appropriation is \$700,000.

All awards will be new; no funds are reserved for continuation awards. A request for funding by an application who has had a prior award should include an evaluation of the prior award.

Projects are normally one year in duration; the maximum awards will not exceed 12 months.

(e) *For further information and forms contact:* Dr. Doris V. Gunderson, U.S. Office of Education, 400 Maryland Avenue SW. (Room 5026, ROB No. 3), Washington, D.C. (202-245-2614).

(f) *Applicable regulations.* The regulations applicable to this program are the Office of Education General Provisions Regulations (45 CFR Parts 100, 100a) and the Bilingual Vocation Instructor Program Regulation (45 CFR Part 105, Sections 611-617) which is included in the application package.

(20 U.S.C. 2416; 45 CFR Part 105, Sections 611-617.)

CFDA-13.435—INTERNATIONAL STUDIES CENTERS AND GRADUATE AND UNDERGRADUATE INTERNATIONAL STUDIES PROGRAMS (NON-COMPETING CONTINUATIONS)

Closing Date—January 16, 1978

(a) *Application forms and information.* Application forms are being prepared but are not yet available. We anticipate the application forms and program information packages will be ready for mailing on or about October 21, 1977.



Applications should be prepared and submitted in accordance with the regulations, instructions, and forms included in the program information packages.

(b) *Applications sent by mail.* An application sent by mail should be addressed to: U.S. Office of Education, Application Control Center, Attention: 13.435A, for International Studies Centers, or Attention 13.435B, for Graduate and Undergraduate International Studies Programs, Washington, D.C. 20202. In order to be assured of consideration for funding from Fiscal Year 1978 appropriations, applications for non-competing continuations should be received by the U.S. Office of Education Application Control Center on or before the closing date.

An application sent by mail will be considered to be received on time by the Application Control Center if:

(1) The application was sent by registered or certified mail not later than January 11, 1978, as evidenced by the U.S. Postal Service postmark on the wrapper or envelope, or on the original receipt from the U.S. Postal Service; or,

(2) The application is received on or before the closing date by either the Department of Health, Education, and Welfare or the U.S. Office of Education mail rooms in Washington, D.C. In establishing the date of receipt, the Commissioner will rely on the time-date stamp of these mail rooms or other documentary evidence of receipt maintained by the Department of Health, Education, and Welfare, or the U.S. Office of Education.

(c) *Hand-delivered applications.* An application to be hand-delivered must be taken to the U.S. Office of Education, Application Control Center, Room 5673, Regional Office Building Three, 7th and D Streets SW., Washington, D.C. Hand-delivered applications will be accepted daily between the hours of 8 a.m. and 4 p.m. Washington, D.C. time except Saturdays, Sundays, or Federal holidays.

(d) *Program information.* Applications are being accepted from institutions of higher education for non-competing continuation grants under the International Studies Centers Program and the Graduate and Undergraduate International Studies Programs.

The amount of funds available for non-competing continuation grants under the International Studies Centers program will be approximately \$8,000,000 for Fiscal Year 1978. It is anticipated that 80 continuation grants will be awarded at an average of approximately \$100,000, with a range between \$35,000 and \$180,000. No new Center grants will be awarded for Fiscal Year 1978.

The amount of funds available for non-competing continuation grants under the Graduate and Undergraduate International Studies Programs will be approximately \$709,000 for Fiscal Year 1978. Under the Graduate International Studies Program, it is expected that seven grants will be awarded at an average of approximately \$40,000. Under the Undergraduate International Studies Program it is expected that twelve grants will be awarded at an average cost of

\$35,000. A separate Notice of Closing Date of November 18, 1977 for new awards was published in the FEDERAL REGISTER on September 16, 1977 for Fiscal Year 1977-78 under the Graduate and Undergraduate International Studies Programs.

The above statement with regard to the expected distribution of funds is basically for informational purposes and does not bind the Office of Education except as may be required by the applicable statute and regulation.

(e) *For further information and forms contact:* For Centers and Graduate International Studies Program: Dr. Ann Schneider; for Undergraduate International Studies Programs: Mrs. Susanne Easton, International Studies Branch, U.S. Office of Education, 400 Maryland Avenue SW., (Room 3923, ROB No. 3), Washington, D.C. 20202 (202-245-9588).

(f) *Applicable regulations.* Awards pursuant to this notice will be subject to the Office of Education General provisions Regulations (45 CFR Parts 100, 100a) and the regulations for Modern Foreign Language and Area Studies (45 CFR Part 146) published in the FEDERAL REGISTER on May 23, 1977.

(20 U.S.C. 511.)

#### CFDA-13.555—PUBLIC FELLOWSHIPS AND INSTITUTIONAL GRANTS

Closing Date—January 16, 1978

(a) *Application forms and information.* Application forms are being prepared but are not yet available. We anticipate the application forms and program information packages will be ready for mailing on or about November 14, 1977.

Applications must be prepared and submitted in accordance with the regulations, instructions, and forms included in the program information packages.

(b) *Applications sent by mail.* An application sent by mail should be addressed to: U.S. Office of Education, Application Control Center, Attention: 13.555, Washington, D.C. 20202. Applications must be received by the Application Control Center on or before the closing date.

An application sent by mail will be considered to be received on time by the Application Control Center if:

(1) The application was sent by registered or certified mail not later than January 11, 1978, as evidenced by the U.S. Postal Service postmark on the wrapper or envelope, or on the original receipt from the U.S. Postal Service; or

(2) The application is received on or before the closing date by either the Department of Health, Education, and Welfare or the U.S. Office of Education mail rooms in Washington, D.C. In establishing the date of receipt, the Commissioner will rely on the time-date stamp of these mail rooms or other documentary evidence of receipt maintained by the Department of Health, Education, and Welfare, or the U.S. Office of Education.

(c) *Hand-delivered applications.* An application to be hand-delivered must be

taken to the U.S. Office of Education, Application Control Center, Room 5673, Regional Office Building Three, 7th and D Streets SW., Washington, D.C. Hand-delivered applications will be accepted daily between the hours of 8 a.m. and 4 p.m. Washington, D.C. time except Saturdays, Sundays, or Federal holidays. Applications will not be accepted after 4 p.m. on the closing date.

(d) *Program information.* Applications for the 1978-79 academic year will be accepted from institutions of higher education for a fellowship allocation and/or institutional grant under the Public Service Programs. The purpose of these programs is to establish or improve graduate public service programs in institutions of higher education and to provide fellowships for graduate study to students who plan public service careers. Processing of applications will be subject to the availability of an appropriation for these programs.

During the 1977-78 academic year, a total of 312 fellows, consisting of 110 continuations and 202 new fellows, will be supported at 74 institutions with \$2,202,200 of Fiscal Year 1977 funds. Institutional grants to 86 institutions totalled \$1,785,300. Although there has not yet been an appropriation for Fiscal Year 1978, it is anticipated that there will again be an appropriation of \$4,000,000 for the two programs. Appropriated funds will be obligated to support fellowships and institutional grants during the 1978-79 academic year; it is expected that the funds will again be divided to support similar numbers of fellows and institutional grants at comparable numbers of institutions.

An institution may apply for a specified number of fellowships and/or an institutional grant. The single application form and instructions pertaining to both programs will be contained in the application package to be sent to all interested applicants.

The Commissioner will give students who are making satisfactory progress in their studies in this program in the 1977-78 academic year high priority for reappointment to a fellowship for the 1978-79 academic year. It is expected that there will be about 100 such continuing students. It is also anticipated that in the 1978-79 academic year, there will be about 50 institutions which will receive funds to continue projects funded by institutional grants in 1977-78, and about 25 to 30 institutions with new projects.

(e) *State Commission comment.* An application for an institutional grant must provide assurances that the institution has notified the appropriate State Commission (established or designated under section 1202 of the Higher Education Act of 1965, as amended), and that the State Commission has been given the opportunity to offer recommendations on the application to the institution and to the Commissioner.

(f) *For further information and forms contact:* Dr. Louis J. Venuto, Bureau of Higher and Continuing Education, U.S. Office of Education, 400 Maryland Ave-



nue SW. (Room 3060, ROB No. 3), Washington, D.C. 20202, (202-245-8082).

(g) *Applicable regulations.* The regulations applicable to this program are the Office of Education General Provisions Regulations (45 CFR Parts 100, 100a) and the Regulations for Public Service Education Programs (45 CFR Part 194) published on August 9, 1977, in the FEDERAL REGISTER.

(20 U.S.C. 1134-1134c; 1134i-1134m; 45 CFR Part 194.)

CFDA-13.510—COOPERATIVE EDUCATION PROGRAM

*Closing Date—January 16, 1978*

(a) *Application forms and information.* Application forms are being prepared but are not yet available. We anticipate the application forms and program information packages will be ready for mailing on or about November 10, 1977.

Applications must be prepared and submitted in accordance with the regulations, instructions, and forms included in the program information packages.

(b) *Applications sent by mail.* An application sent by mail should be addressed to: U.S. Office of Education, Application Control Center, Attention: 13.510, Washington, D.C. 20202. Applications must be received by the Application Control Center on or before the closing date.

An application sent by mail will be considered to be received on time by the Application Control Center if:

(1) The application was sent by registered or certified mail not later than January 11, 1978, as evidenced by the U.S. Postal Service postmark on the wrapper or envelope, or on the original receipt from the U.S. Postal Service; or,

(2) The application is received on or before the closing date by either the Department of Health, Education, and Welfare or the U.S. Office of Education mail rooms in Washington, D.C. In establishing the date of receipt, the Commissioner will rely on the time-date stamp of these mail rooms or other documentary evidence of receipt maintained by the Department of Health, Education, and Welfare, or the U.S. Office of Education.

(c) *Hand-delivered applications.* An application to be hand-delivered must be taken to the U.S. Office of Education, Application Control Center, Room 5673, Regional Office Building Three, 7th and D Streets SW., Washington, D.C. Hand-delivered applications will be accepted daily between the hours of 8 a.m. and 4 p.m. Washington, D.C. time except Saturdays, Sundays, or Federal holidays. Applications will not be accepted after 4 p.m. on the closing date.

(d) *Program information.* Applications are being accepted from institutions of higher education for cooperative education program grants, and from institutions of higher education and other public or nonprofit private agencies for grants for training and research projects. From Fiscal Year 1973 through Fiscal

Year 1976, Congress appropriated \$10,750,000 for the program each year. In Fiscal Year 1977, this appropriation was \$12,250,000. For Fiscal Year 1978, although the final bill is not yet law, both Houses of Congress have approved \$15,000,000. We expect this amount to be available for 327 grants totalling \$13,750,000 for planning, establishing, and strengthening Cooperative Education programs, and for 20 grants totalling \$1,250,000 for training, research, and demonstration. No grant for planning, establishing, or strengthening any Cooperative Education program may exceed \$175,000 to any one institution in any one year.

For the Fiscal Year 1977, 652 valid applications were received. Of these, 247, totalling \$11,250,000, were approved for planning, establishing, and strengthening Cooperative Education programs; 14, totalling \$725,000, were approved for the training of Cooperative Education personnel; and 5, totalling \$275,000, were approved for research or demonstration. All grants are for a period of twelve months. Although institutions are eligible for five years of Federal support for the administration of programs, a new application must be submitted each year.

(e) *For further information and forms contact:* Dr. John L. Chase, Chief, Cooperative Education Branch, Division of Training and Facilities, Office of Education, 400 Maryland Avenue SW. (Room 3053, ROB No. 3), Washington, D.C. 20202 (202-245-2146 or 202-245-2280).

(f) *Applicable regulations.* The regulations applicable to this program are the Office of Education General Provisions Regulations (45 CFR Parts 100, 100a), and the proposed regulations for the Cooperative Education Program (45 CFR Part 182) published September 9, 1977, in the FEDERAL REGISTER, and included in the application package. Applicants should base applications on the Notice of Proposed Rulemaking. Applicants will be permitted to amend their applications if the final regulation reflects changes which relate to the preparation of the application.

(20 U.S.C. 1087a-1087c.)

CFDA-13.533B—RIGHT TO READ STATE LEADERSHIP AND TRAINING PROGRAM

*Closing Date—January 17, 1978*

(a) *Application forms and information.* Application forms are being prepared but are not yet available. We anticipate the application forms and program information packages will be ready for mailing on or about November 16, 1977.

Applications must be prepared and submitted in accordance with the regulations, instructions, and forms included in the program information packages.

(b) *Applications sent by mail.* An application sent by mail should be addressed to: U.S. Office of Education, Application Control Center, Attention: 13.533B, Washington, D.C. 20202. Applications for new awards must be received by the Application Control Center on or before the closing date. In order to be

assured of consideration, non-competing continuation applications should be received on or before the closing date.

An application sent by mail will be considered to be received on time by the Application Control Center if:

(1) The application was sent by registered or certified mail not later than January 12, 1978, as evidenced by the U.S. Postal Service postmark on the wrapper or envelope, or on the original receipt from the U.S. Postal Service; or,

(2) The application is received on or before the closing date by either the Department of Health, Education, and Welfare or the U.S. Office of Education mail rooms in Washington, D.C. In establishing the date of receipt, the Commissioner will rely on the time-date stamp of these mail rooms or other documentary evidence of receipt maintained by the Department of Health, Education, and Welfare, or the U.S. Office of Education.

(c) *Hand-delivered applications.* An application to be hand-delivered must be taken to the U.S. Office of Education, Application Control Center, Room 5673, Regional Office Building Three, 7th and D Streets, S.W., Washington, D.C. Hand-delivered applications will be accepted daily between the hours of 8:00 a.m. and 4:00 p.m. Washington, D.C. time except Saturdays, Sundays, or Federal holidays. Applications for new awards will not be accepted after 4:00 p.m. on the closing date.

(d) *Program information.* Applications are being accepted for new grants and non-competing continuation grants under the Right to Read State Leadership and Training Program. In formulating proposals, potential applicants should be aware of the amount of funds available for the program for Fiscal Year 1978. Of \$27 million appropriated for the program for Fiscal Year 1978, \$5.5 million is available for grants to SEAs. The majority of grants are expected to range from \$75,000 to \$115,000. However, nothing in this paragraph shall be construed to limit the size of any particular grant award. Grant awards will be made upon approval by the Commissioner for a grant period commencing no earlier than July 1, 1978 and terminating no later than June 30, 1979.

(1) *Competing New Applications:* To facilitate review of applications, applicants are encouraged to present information in the sequence of topics that are contained in § 162.61 (Nature of projects; funding requirements) and § 162.62 (Evaluation Criteria) of the program regulation. The attention of applicants is particularly directed to § 162.61(b) of the regulation which requires each applicant to set forth a plan to provide for carrying out and integrating all activities in the State Leadership and Training Program.

Applicants who wish to prepare a multi-year application must include, as indicated in § 162.63(b), an explanation of the need for multi-year support (a three-year project duration may be requested), an overview of the objectives and activities proposed, and budget estimates to attain these objectives



in any proposed subsequent year. Continuations of multi-year projects will be contingent upon the continued authorization of the program and the availability of funds.

(2) *Non-competing Continuation Applications:* As provided under § 162.63(e) of the program regulation, a continuation application will be reviewed, in part, on the basis of the project's effectiveness to date, or any constructive changes proposed as a result of a grantee's ongoing evaluation. Applicants are encouraged to review their initial applications, as well as the requirements and criteria in §§ 162.61 and 162.62, in developing information on how they will conduct their projects in the second and third years.

The Office of Education stresses that State educational agency officials who have authority and responsibility to plan and implement this program realize the extent of the agency commitment that is needed and the need for high expectations for outcomes in the agency to carry out successfully State Leadership and Training projects. The Office of Education strongly encourages applicants to take particular care in defining clearly and sharply the objectives of the project in accordance with the specific requirements of § 162.61(c)(1) of the program regulations.

(e) *For further information and forms contact:* Program Operations Branch, Right to Read Office, U.S. Office of Education, 400 Maryland Avenue, SW., (Room 1187, Donohoe Building), Washington, D.C. 20202, (202) 245-7950.

(f) *Applicable regulations.* The regulations applicable to this program include the Office of Education General Provisions Regulations (45 CFR Parts 100, 100a). The regulation governing the State Leadership and Training Program was published in the *FEDERAL REGISTER* on May 26, 1976 (General Provisions, 45 CFR Part 162, Subpart A, and State Leadership and Training Program, 45 CFR Part 162, Subpart F) and will govern the operation of this program.

(20 U.S.C. 1964.)

**CFDA-13.554—CAREER EDUCATION PROGRAM**

**Closing Date—January 18, 1978**

(a) *Application forms and information.* Application forms are being prepared but are not yet available. It is anticipated that the application forms and program information packages will be ready for mailing on or about October 21, 1977.

Applications must be prepared and submitted in accordance with the regulations, instructions, and forms included in the program information packages.

(b) *Applications sent by mail.* An application sent by mail should be addressed to: U.S. Office of Education, Application Control Center, Attention: 13.554, Washington, D.C. 20202. Applications must be received by the Application Control Center on or before the closing date.

An application sent by mail will be considered to be received on time by the Application Control Center if:

(1) The application was sent by registered or certified mail not later than January 13, 1978, as evidenced by the U.S. Postal Service postmark on the wrapper or envelope, or on the original receipt from the U.S. Postal Service; or,

(2) The application is received on or before the closing date by either the Department of Health, Education, and Welfare or the U.S. Office of Education mail rooms in Washington, D.C. In establishing the date of receipt, the Commissioner will rely on the time-date stamp of these mail rooms or other documentary evidence of receipt maintained by the Department of Health, Education, and Welfare, or the U.S. Office of Education.

(c) *Hand-delivered applications.* An application to be hand-delivered must be taken to the U.S. Office of Education, Application Control Center, Room 5673, Regional Office Building Three, 7th and D Streets, S.W., Washington, D.C. Hand-delivered applications will be accepted daily between the hours of 8 a.m. and 4 p.m. Washington, D.C. time except Saturdays, Sundays, or Federal holidays. Applications will not be accepted after 4 p.m. on the closing date.

(d) *Program information.* Applications are being accepted from State and local educational agencies, institutions of higher education, and other public and private agencies, organizations, associations, institutions, and individuals for grants and assistance contracts to support projects to demonstrate the most effective methods and techniques in career education and to develop exemplary career education models (including models in which handicapped children receive appropriate career education either by participation in regular or modified programs with nonhandicapped children or, where necessary, in specially designed programs for handicapped children whose handicaps are of such severity that they cannot benefit from regular or modified programs).

In formulating applications, potential applicants should be aware of the amount of funds available for career education grants and assistance contracts for Fiscal Year 1978. It is anticipated that grants and assistance contracts will be awarded in each of the categories specified in 45 CFR 160d.5, with the total amount of the awards in each category being approximately as follows: (a) incremental improvements in K-12 career education programs—\$1,000,000, (b) demonstrations in such settings as the senior high school—\$250,000, the community college—\$150,000, adult and community education agencies—\$150,000, and institutions of higher education—\$150,000, (c) demonstrations for such special segments of the population as handicapped—\$75,000, gifted and talented—\$400,000, minority youth—\$600,000, low income youth—\$600,000, and to reduce sex stereotyping in career choices—\$500,000, (b) demonstrations of the training and retraining of persons for conducting career education programs—\$1,000,000, and (e) communication of career education philosophy, methods, program activities, and evaluation re-

sults to career education practitioners and to the general public—\$1,200,000. It is expected that a total of about 75 awards will be made in the above categories, and that the average amount per award will be approximately \$90,000.

All of these will be new awards; no funds are reserved for continuation awards. Projects are normally one year in duration.

In addition to the grants and assistance contracts awarded pursuant to this notice, it is anticipated that approximately \$3,385,000 worth of procurement contracts in career education will be awarded during Fiscal Year 1978. Requests for proposals for these procurement contracts will be published in the *Commerce Business Daily* at a later date.

(e) *State comment.* All applicants must furnish an information copy of their application to the State educational agency of the State within which the applicant is located. This information copy must be submitted to the State Coordinator of Career Education, as designated by the Chief State School Officer, concurrently with the submission of the application to the U.S. Office of Education. The application submitted to the U.S. Office of Education must contain a statement that this has been accomplished. State educational agencies wishing to submit advice and comment on any application originating within their State may do so by forwarding that advice and comment to the Office of Career Education, at the address in paragraph (f) below.

(f) *For further information and forms contact:* Dr. Sidney C. High, Jr., Office of Career Education, U.S. Office of Education, 400 Maryland Avenue, SW., (Room 3100, ROB No. 3), Washington, D.C. 20202; (202) 245-2331.

(g) *Applicable regulations.* The regulations applicable to the Career Education Program are the Office of Education General Provisions Regulations (45 CFR Parts 100, 100a, and appendices), the regulation for the Special Projects Act (45 CFR Part 160, especially Part III in the Appendix) published in the *FEDERAL REGISTER* on July 15, 1976, and the regulation for the Career Education Program (45 CFR Part 160d), published in the *FEDERAL REGISTER* on May 13, 1976.

(20 U.S.C. 1851-1859 and 1865; 45 CFR Part 160 and Part 160d.)

**CFDA-13.522—ENVIRONMENTAL EDUCATION PROGRAM**

**Closing Date—January 20, 1978**

(a) *Application forms and information.* Application forms and program information packages are available and are being mailed.

Applications must be prepared and submitted in accordance with the regulations, instructions, and forms included in the program information packages.

(b) *Applications sent by mail.* An application sent by mail should be addressed to: U.S. Office of Education, Application Control Center, Attention: 13.522, Washington, D.C. 20202. Applications must be received by the Application Control Center on or before the closing date.



An application sent by mail will be considered to be received on time by the Application Control Center if:

(1) The application was sent by registered or certified mail not later than January 16, 1978, as evidenced by the wrapper or envelope, or on the original receipt from the U.S. Postal Service; or

(2) The application is received on or before the closing date by either the Department of Health, Education, and Welfare, or the U.S. Office of Education mail rooms in Washington, D.C. In establishing the date of receipt, the Commissioner will rely on the time-date stamp of these mail rooms or other documentary evidence of receipt maintained by the Department of Health, Education, and Welfare, or the U.S. Office of Education.

(c) *Hand-delivered applications.* An application to be hand-delivered must be taken to the U.S. Office of Education, Application Control Center, Room 5673, Regional Office Building Three, 7th and D Street SW., Washington, D.C. Hand-delivered applications will be accepted daily between the hours of 8 a.m. and 4 p.m., Washington, D.C. time except Saturdays, Sundays, or Federal holidays. Applications will not be accepted after 4 p.m. on the closing date.

(d) *Program information.* Applications are being accepted for the Environmental Education Program from institutions of higher education, State and local educational agencies, regional research organizations, and other public and private nonprofit agencies, organizations, and institutions for environmental education project grants. In formulating proposals, potential applicants should be aware that approximately 100 projects will be funded in Fiscal Year 1978, including new awards and competing continuation projects. Grants averaging \$50,000 for General Project activities and not exceeding \$10,000 for Minigrant activities will be awarded for a 12-month period. Minigrants are available for community workshops, conferences, symposia, or seminars on a local environmental problem.

(e) *State and areawide clearinghouse review (OMB Circular A-95):* Applications under the Environmental Education Program are subject to the clearinghouse procedures required by OMB Circular A-95, the regulations for facilitating coordinated planning under the Intergovernmental Cooperative Act. State/areawide clearinghouse procedures are applicable. Applicants should check with the appropriate Federal Regional Office to obtain the name(s) and address(es) of the clearinghouse(s) if unknown. Indian tribe applicants need not notify "clearinghouses" unless a tribal, formalized procedure has been established through the Office of Management and Budget. All applicants, other than Indian tribes, must provide evidence of compliance with clearinghouse review requirements in the application to the Commissioner. Evidence of compliance may consist of:

(1) A State application identifier number obtained from the clearinghouse and

comments from clearinghouses, if available.

(2) Certification by the applicant that either or both State and areawide clearinghouses have been provided with the opportunity to review the application, and no comments have been received.

Clearinghouse comments received by the applicant after the submission of the application to the U.S. Office of Education must be forwarded to the Office of Environmental Education, U.S. Office of Education (see address in paragraph (g) below). Clearinghouse comments received by the Office of Environmental Education no later than February 20, 1978 will be considered in reviewing applications.

(f) *State education agency comment.* The regulations for the Environmental Education Program, in accordance with the statute, require that a local educational agency provide a copy of its application to the State educational agency of the State within which the applicant is located, concurrently with its submission of the application to the Office of Education. For verification of the submission to the State educational agency, the local educational agency applicant must enclose, in its application to the Commissioner, a copy of the dated cover letter used to forward a copy of its application to the State educational agency. State educational agencies wishing to submit advice and comments on any local educational agency application originating within their State may do so by forwarding their advice and comments to the Office of Environmental Education, U.S. Office of Education (see address in paragraph (g) below). Advice and comments received from SEAs no later than February 21, 1978, will be considered in reviewing applications.

(g) *For further information and forms contact:* Walter J. Bogan, Jr., Office of Environmental Education, Bureau of Elementary and Secondary Education, Room 2025, 400 Maryland Avenue SW., Washington, D.C. 20202, (202) 245-9231.

(h) *Applicable regulations.* The regulations applicable to this program include the Office of Education General Provisions Regulations (45 CFR Parts 100, 100a) and the Environmental Education Regulations published in the FEDERAL REGISTER on May 21, 1974, as amended March 24, 1975 (45 CFR Part 183).

(20 U.S.C. 1531-1536.)

#### CFDA-13.569—INDIAN FELLOWSHIP PROGRAM

Closing Date—January 23, 1978

(a) *Application forms and information.* Application forms are being prepared but are not yet available. We anticipate the application forms and program information packages will be ready for mailing on or about November 18, 1977.

Applications must be prepared and submitted in accordance with the regulations, instructions, and forms included in the program information packages.

(b) *Applications sent by mail:* An application sent by mail should be addressed to: U.S. Office of Education, Application Control Center, Attention: 13.569, identified as new or continuing, Washington, D.C. 20202. Applications for new fellowships must be received by the U.S. Office of Education Application Control Center on or before the closing date. In order to be assured of consideration, applications for noncompeting continuation fellowships should be received by the U.S. Office of Education Application Control Center on or before the closing date.

An application sent by mail will be considered to be received on time by the Application Control Center if:

(1) The application was sent by registered or certified mail not later than January 18, 1978, as evidenced by the U.S. Postal Service postmark on the wrapper or envelope, or on the original receipt from the U.S. Postal Service; or

(2) The application is received on or before the closing date by either the Department of Health, Education, and Welfare or the U.S. Office of Education mail rooms in Washington, D.C. In establishing the date of receipt, the Commissioner will rely on the time-date stamp of these mail rooms or other documentary evidence of receipt maintained by the Department of Health, Education, and Welfare, or the U.S. Office of Education.

(c) *Hand-delivered applications.* An application to be hand-delivered must be taken to the U.S. Office of Education, Application Control Center, Room 5673, Regional Office Building Three, 7th and D Streets, SW., Washington, D.C. Hand-delivered applications will be accepted daily between the hours of 8 a.m. and 4 p.m. Washington, D.C. time except Saturdays, Sundays, or Federal holidays. Applications for new awards will not be accepted after 4 p.m. on the closing date.

(d) *Program information.* Applications are being accepted from eligible applicants for purposes of the program described below.

(1) *Subpart H awards.* (CFDA No. 13.569). Pursuant to 45 CFR 187.71, Subpart H, an Indian who is in attendance, or who has been accepted for admission, as a full-time student at an institution of higher education for study in a graduate or professional program may apply for a fellowship. The applicant's program of study must be one of not less than three nor more than four academic years and provide a professional or graduate degree in engineering, medicine, law, business, forestry, or a field related to one of these areas.

Applicants in the fields of business, engineering or forestry may be entering the first year of undergraduate study. Applicants in the fields of medicine or law must be entering at a level not lower than the first year of medical school or law school, whichever is applicable.

Criteria for the Indian Fellowship Program are set forth in 45 CFR 187.73. Priorities are set forth in 45 CFR 187.74.

(2) *Availability of funds and estimated number of awards.* The estimated total



amount of funds which will be available for the Indian Fellowship Program is \$1.3 million. Of this amount, approximately one million dollars has been committed to continue fellowship awards which began with Fiscal Year 1977 funds. Based on an average fellowship award of \$6,400, approximately 50 new fellowship awards will be made. This statement on the availability of funds does not bind the Office of Education to any particular pattern of distribution except as required by the Indian Education Act, applicable regulations, and appropriations. Rather, actual figures may vary widely from those given.

(e) *For further information and forms contact:* Office of Indian Education, Division of Special Projects and Programs, U.S. Office of Education, Room 2158, Maryland Avenue, SW., Washington, D.C. 20202; (202) 245-2975.

(f) *Applicable regulations.* Awards under this program will be subject to the Office of Education General Provisions Regulations (45 CFR Parts 100, 100a, except 100a.26(b)) and the Indian Education Act, Part B program regulations (45 CFR Part 187) published in the *FEDERAL REGISTER* on June 28, 1977.

(20 U.S.C. 887c-2.)

**CFDA-13.558—BILINGUAL VOCATIONAL TRAINING PROGRAM**

*Closing Date—January 25, 1978*

(a) *Application forms and information.* Application forms are being prepared but are not yet available. We anticipate the application forms and program information packages will be ready for mailing on or about November 11, 1977.

Applications must be prepared and submitted in accordance with the regulations, instructions, and forms included in the program information packages.

(b) *Applications sent by mail:* An application sent by mail should be addressed to: U.S. Office of Education, Application Control Center, Attention: 13.558, Washington, D.C. 20202. Applications must be received by the Application Control Center on or before the closing date.

An application sent by mail will be considered to be received on time by the Application Control Center if:

(1) The application was sent by registered or certified mail not later than January 20, 1978, as evidenced by the U.S. Postal Service postmark on the wrapper or envelope, or on the original receipt from the U.S. Postal Service; or,

(2) The application is received on or before the closing date by either the Department of Health, Education, and Welfare or the U.S. Office of Education mail rooms in Washington, D.C. In establishing the date of the receipt, the Commissioner will rely on the time-date documentary evidence of receipt maintained by the Department of Health, Education, and Welfare, or the U.S. Office of Education.

(c) *Hand-delivered applications.* An application to be hand-delivered must be taken to the U.S. Office of Education, Application Control Center, Room 5673, Regional Office Building Three, 7th and D Streets SW., Washington, D.C. Hand-delivered applications will be accepted daily between the hours of 8 a.m. and 4 p.m. Washington, D.C. time, except Saturdays, Sundays, or Federal holidays. Applications will not be accepted after 4 p.m. on the closing date.

(d) *Program information:* Applications are being accepted for the Bilingual Vocational Training Program, which is authorized to make grants or award assistance contracts to:

- (1) Local educational agencies;
- (2) State educational agencies;
- (3) Postsecondary educational institutions;
- (4) Private nonprofit vocational training institutions; and
- (5) Nonprofit educational or training organizations especially created to serve a group whose language as normally used is other than English.

Sixty-five percent of the funds available under section 183 of the Act may be used by the Commissioner to award grants or assistance contracts for the cost of operating programs designed to carry out the purposes set forth in section 184 of the Act.

It is anticipated that a total of about 14 awards will be made with fiscal year 1978 funds; 65 percent of the appropriation is \$1,820,000.

Projects are normally 1 year in duration; the maximum awards will not exceed 12 months.

All awards will be new; no funds are reserved for continuation awards. A request for funding by an applicant who has had a prior award(s) should include an evaluation of the prior award(s).

(e) *State board for vocational education comment.* An applicant must provide a copy of the application to the State board at the same time it is submitted to the Office of Education. The State board shall submit comments upon the application within thirty days after the closing date for applications.

(f) *For further information and forms contact:* Dr. Doris V. Gunderson, U.S. Office of Education (Room 5026, ROB No. 3), 7th and D Streets SW., Washington, D.C. 20202 (202-245-2614).

(g) *Applicable regulations.* The regulations applicable to this program are the Office of Education General Provisions Regulations (45 CFR Parts 100, 100a) and the Bilingual Vocational Training Program Regulation (45 CFR Part 105, sections 601-607) which is included in the application package.

(20 U.S.C. 2414; 45 CFR Part 105.)

**CFDA-13.535—SPECIAL PROGRAMS AND PROJECTS TO IMPROVE EDUCATIONAL OPPORTUNITIES FOR INDIAN CHILDREN**

*Closing Date—January 27, 1978*

(a) *Application forms and information.* Application forms are being prepared but are not yet available. We anticipate the application forms and program in-

formation packages will be ready for mailing on or about November 14, 1977.

(b) *Applications sent by mail.* An application sent by mail should be addressed to: U.S. Office of Education, Application Control Center, Attention: 13.535A or 13.535B, Washington, D.C. 20202. Applications for new awards must be received by the Office of Education Application Control Center on or before the closing date. In order to be assured of consideration, noncompeting continuation applications (multiple year awards made in fiscal year 1976 and fiscal year 1977) should be received on or before the closing date.

An application sent by mail will be considered to be received on time by the Application Control Center if:

(1) The application was sent by registered or certified mail not later than January 23, 1978, as evidenced by the U.S. Postal Service postmark on the wrapper or envelope, or on the original receipt from the U.S. Postal Service; or,

(2) The application is received on or before the closing date by either the Department of Health, Education, and Welfare or the U.S. Office of Education mail rooms in Washington, D.C. In establishing the date of receipt, the Commissioner will rely on the time-date stamp of these mail rooms or other documentary evidence of receipt maintained by the Department of Health, Education, and Welfare, or the U.S. Office of Education.

(c) *Hand-delivered applications.* An application to be hand-delivered must be taken to the U.S. Office of Education, Application Control Center, Room 5673, Regional Office Building Three, 7th and D Streets SW., Washington, D.C. Hand-delivered applications will be accepted daily between the hours 8 a.m. and 4 p.m. Washington, D.C. time except Saturdays, Sundays, or Federal holidays. Applications for new awards will not be accepted after 4 p.m. on the closing date.

(d) *Program information.* Applications are being accepted from eligible applicants for purposes of the programs listed below. An eligible applicant may submit applications for one or more programs.

(1) *Subpart B awards.* (CFDA No. 13.535A). Pursuant to 45 CFR 187.11 of the regulations, State and local educational agencies; federally supported elementary and secondary schools for Indian children; and Indian tribes, Indian organizations, and Indian institutions may submit applications for grants to support planning, pilot, and demonstration projects for improving educational opportunities for Indian children. Criteria for this program are set forth in 45 CFR 187.12. Priorities are set forth in 45 CFR 187.13.

(2) *Subpart C awards.* (CFDA No. 13.535A). Pursuant to 45 CFR 187.21 of the regulations, State and local educational agencies, and tribal and other Indian community organizations may submit applications for programs to provide educational services to improve the edu-



cational opportunities for Indian children. Criteria for this program are set forth in 45 CFR 187.22. Priorities are set forth in 45 CFR 187.23.

(3) *Subpart D awards.* (CFDA No. 13.535A). Pursuant to 45 CFR 187.31 of the regulations, State and local educational agencies, and tribal and other Indian community organizations may submit applications for programs to provide exemplary programs and centers to improve the educational opportunities for Indian children. Criteria for this program are set forth in 45 CFR 187.32. Priorities are set forth in 45 CFR 187.33.

(4) *Subpart E awards.* (CFDA No. 13.535A). Pursuant to 45 CFR 187.41 of the regulations, public agencies and institutions, Indian tribes, Indian institutions, and Indian organizations may apply for assistance for dissemination, evaluation, and training and technical assistance programs. Criteria for this program are set forth in 45 CFR 187.42. Priorities are set forth in 45 CFR 187.43.

(5) *Subpart F awards.* (CFDA No. 13.535B). Pursuant to 45 CFR 187.51 of the regulations, institutions of higher education and State and local educational agencies in combination with institutions of higher education, may apply for grants to prepare persons to serve Indian children as teachers, teacher aides, social workers, or ancillary educational personnel, or to improve the qualifications of those persons serving Indian children in those capacities. Criteria for this program are set forth in 45 CFR 187.53. Priorities are set forth in 45 CFR 187.54.

(6) *Subpart G awards.* (CFDA No. 13.535B). Pursuant to 45 CFR 187.61 of the regulations, institutions of higher education, Indian tribes, and Indian organizations may apply for grants to prepare individuals for teaching in or administering special programs and projects designed to meet the special educational needs of Indian children, or to provide in-service training for persons already teaching in those programs and projects; or both. Criteria for this program are set forth in 45 CFR 187.63. Priorities are set forth in 45 CFR 187.64.

(7) *Subpart H awards.*—Indian Fellowship Program. (CFDA No. 13.569). Applications for Subpart H, 45 CFR 187.71 are explained separately below.

(8) *Multiple-year awards.* Under 45 CFR 187.6, applicants may submit applications for projects which will require more than 1 year for completion. Consideration will be given to providing support for projects of 2 to 3 years on a case-by-case basis. Where assistance is provided for multiple year projects, grant awards will be made for budget periods of 1 year with continuation awards made on a noncompetitive basis subject to satisfactory performance as determined pursuant to 45 CFR 187.6(d) and the availability of funds in future fiscal years.

(9) *Availability of funds and estimated number and amount of awards.* The estimated total amount of funds which will be available for the above activities is \$13 million. Of this amount,

approximately two-thirds or \$8.8 million has been committed to continue multiple year grants which began with fiscal year 1976 or 1977.

Based on a \$110,000 average grant it is estimated that, with the remainder of the fiscal year 1978 funds (\$4.2 million), approximately 38 new grants will be awarded.

This statement on the availability of funds does not bind the Office of Education to any particular pattern of distribution except as required by the Indian Education Act, applicable regulations, and appropriations. Rather, actual figures may vary widely from those given.

(e) *For further information and forms contact:* Office of Indian Education, Division of Special Projects and Programs, U.S. Office of Education, Room 2158, 400 Maryland Avenue SW., Washington, D.C. 20202.

(f) *Applicable regulations.* Awards under these programs will be subject to the Office of Education General Provisions Regulations (45 CFR Parts 100, 100a, except 100a.26(b)) and subject to the Indian Education Act Part B program regulations (45 CFR 187) published in the FEDERAL REGISTER on June 28, 1977.

CFDA-13.551—INDIAN EDUCATION—GRANTS TO NON-LOCAL EDUCATIONAL AGENCIES

Closing date—January 27, 1978

(a) *Application forms and information:* Application forms are being prepared but are not yet available. We anticipate the application forms and program information packages will be ready for mailing on or about November 14, 1977.

Applications must be prepared and submitted in accordance with the regulations, instructions, and forms included in the program information packages.

(b) *Applications sent by mail:* An application sent by mail should be addressed to: U.S. Office of Education, Application Control Center, Attention: 13-551, Washington, D.C. 20202. Applications for new awards must be received by the Office of Education Application Control Center on or before the closing date. In order to be assured of consideration, noncompeting continuation applications (multiple year awards made in fiscal year 1976 and fiscal year 1977) should be received on or before the closing date.

An application sent by mail will be considered to be received on time by the Application Control Center if:

(1) The application was sent by registered or certified mail not later than January 23, 1978, as evidenced by the U.S. Postal Service postmark on the wrapper or envelope, or on the original receipt from the U.S. Postal Service; or,

(2) The application is received on or before the closing date by either the Department of Health, Education, and Welfare or the U.S. Office of Education mail rooms in Washington, D.C. In establishing the date of receipt, the Commissioner will rely on the time-date stamp of these mail rooms or other documentary evidence of receipt maintained by the Department of Health,

Education, and Welfare, or the U.S. Office of Education.

(c) *Hand-delivered applications.* An application to be hand-delivered must be taken to the U.S. Office of Education, Application Control Center, Room 5673, Regional Office Building Three, 7th and D Streets SW., Washington, D.C. Hand-delivered applications will be accepted daily between the hours of 8 a.m. and 4 p.m. Washington D.C. time except Saturdays, Sundays, or Federal holidays. Applications for new awards will not be accepted after 4 p.m. on the closing date.

(d) *Program information.* Applications are being accepted from schools located on or near reservations which are not local educational agencies, or have not been local educational agencies for more than 3 years. A nonlocal educational agency is defined in 45 CFR 186.2. Eligibility factors, found in 45 CFR 186.32(a) are: (1) Whether the governing body of the school or school system was selected by, is representative of, and is solely responsible to the Indian tribe or Indian community which that school or school system serves; and (2) whether the governing body derives authority from such community to carry out such functions as: (i) employing, managing, and terminating personnel; (ii) developing and revising curricula; (iii) establishing attendance, academic, and other relevant standards; (iv) developing and approving budgets; (v) establishing operational policies; and (vi) raising funds.

Section 303(b) authorizes the Commissioner to provide financial assistance to support applicants for programs designed to meet the special educational needs of Indian students. Assistance may be used for the purposes of planning and developing elementary and secondary school programs and for meeting costs incurred in connection with the establishment, maintenance, and operation of such programs.

(e) *Awards.* Applicants who received assistance last fiscal year for a project period of one year and eligible applicants for new grants will compete for funds appropriated by Congress. Applicants who wish to continue their multiyear programs will submit applications for continuations which will not compete against other applications for new awards. Approximately \$3,531,818 is available of which approximately \$3,380,000 will be for the continuation of present multiyear awards. Approximately two grant awards for an average amount of \$125,500 will be made for new grants, continuation of 1 year awards or expansions of multiyear awards.

This statement on the availability of funds does not bind the Office of Education to any particular pattern of distribution except as required by the Indian Education Act, applicable regulation and appropriations. Rather, actual figures may vary widely from those given.

(f) *For further information and forms contact:* Office of Indian Education, Division of Special Projects and Programs, Elementary and Secondary Special Projects Branch, U.S. Office of Education,



Room 2153, 400 Maryland Avenue SW., Washington, D.C. 20202.

(g) *Applicable regulations.* Awards under section 303(b) of the Indian Education Act will be subject to the requirements of the Act and to relevant provisions of 45 CFR Part 186. Assistance under this program is also subject to applicable provisions in 45 CFR Parts 100, 100a. Criteria for the selection of applications are contained in 45 CFR 100a.26(b) and in 45 CFR 186.33.

(20 U.S.C. 241bb(b).)

CFDA-13.536—SPECIAL PROGRAMS RELATING TO ADULT INDIAN EDUCATION

*Closing Date—January 31, 1978*

(a) *Application forms and information.* Application forms are being prepared but are not yet available. We anticipate the application forms and program information packages will be ready for mailing on or about November 17, 1977.

Applications must be prepared and submitted in accordance with the regulations, instructions, and forms included in the program information packages.

(b) *Applications sent by mail.* An application sent by mail should be addressed to: U.S. Office of Education, Application Control Center, Attention: 13.536, Washington, D.C. 20202. Applications for new awards must be received by the U.S. Office of Education Application Control Center on or before the closing date. In order to be assured of consideration, noncompeting continuation applications (multiple year awards made in fiscal year 1977) should be received on or before the closing date.

An application sent by mail will be considered to be received on time by the Application Control Center if:

(1) The application was sent by registered or certified mail not later than January 26, 1978, as evidenced by the Postal Service postmark on the wrapper or envelope, or on the original receipt from the U.S. Postal Service; or

(2) The application is received on or before the closing date by either the Department of Health, Education, and Welfare or the U.S. Office of Education mail rooms in Washington, D.C. In establishing the date of receipt, the Commissioner will rely on the time-date stamp of these mail rooms or other documentary evidence of receipt maintained by the Department of Health, Education, and Welfare, or the U.S. Office of Education.

(c) *Hand-delivered applications.* An application to be hand-delivered must be taken to the U.S. Office of Education, Application Control Center, Room 5673, Regional Office Building Three, 7th and D Streets SW., Washington, D.C. Hand-delivered applications will be accepted daily between the hours of 8 a.m. and 4 p.m. Washington, D.C. time except Saturdays, Sundays, or Federal holidays. Applications for new awards will not be accepted after 4 p.m. on the closing date.

(d) *Program information.* Applications are being accepted for the Adult Indian Education Program as described below.

(1) *Demonstration, basic literacy and high school equivalency, research and development, and dissemination and evaluations.* Applications are being accepted from State educational agencies; local educational agencies; and Indian tribes, institutions, and organizations for planning, pilot, and demonstration projects described in the following paragraphs of the regulations published in the FEDERAL REGISTER on June 28, 1977.

(i) *Demonstration, 45 CFR 188.5(a).* Projects to test and demonstrate the effectiveness of Adult Indian Education programs;

(ii) *Basic literacy and high school equivalency, 45 CFR 188.5(b).* Projects that establish and operate programs for basic literacy training and high school equivalency;

(iii) *Research and development, 45 CFR 188.5(c).* Projects to support a major research and development program to develop innovative and effective techniques for achieving literacy and high school equivalency; and

(iv) *Dissemination and evaluation, 45 CFR 188.5(e).* Projects for dissemination and evaluation of materials on Adult Indian Education.

Applications received in the areas described above will be evaluated against the criteria in § 188.15. Priority points will be awarded in accordance with § 188.17.

(2) *Basic surveys:* Applications are being accepted from State and local educational agencies; and Indian tribes, institutions, and organizations for basic surveys on the problems of illiteracy and lack of completion of high school on Indian reservations as described in 45 CFR 188.5(d), published in the FEDERAL REGISTER on June 28, 1977.

Applications received in this area will be evaluated against the criteria in § 188.15 (a), (c), (d), (e), and (f) plus the criteria in § 188.16. Priority points will be awarded in accordance with § 188.17.

(3) *Dissemination and evaluation:* Applications are being accepted from public agencies and institutions, and Indian tribes, institutions and organizations for projects which evaluate the effectiveness of federally assisted programs in which adult Indians may participate and disseminate information concerning adult Indian education as described in 45 CFR 188.6, published in the FEDERAL REGISTER on June 28, 1977.

Applications received in this area will be evaluated against the criteria in § 188.15 (a), (c), (d), (e), and (f) plus the criteria in § 188.16. Priority points will be awarded in accordance with § 188.17.

(4) *Multiple-year project grants:* Applicants may submit applications for projects which will require more than one year for completion as authorized by 45 CFR 188.11. Consideration will be given to providing support for projects of 2 to 3 years on a case-by-case basis. Where assistance is provided for multiple year project grants, grant awards will be made for a budget period of 1 year with continuation awards made

on a noncompetitive basis subject to satisfactory performance (as determined pursuant to 45 CFR 188.11(d)) and the availability of funds in future fiscal years.

(5) *Availability of funds and estimated number and amount of awards:* The estimated total amount of funds which will be available for the above activities is \$4,410,000. Of this amount, approximately \$621,639 has been committed to continue multiple year grants which began with fiscal year 1977. During fiscal year 1977, 167 applications were received under Subpart 188.15 with 51 grants awarded; 15 applications were received under Subpart 188.16 with 2 grants awarded. The approximate range of award amounts is from \$20,000 to \$100,000.

(e) *For further information and forms contact:* Division of Special Projects and Programs, Office of Indian Education, U.S. Office of Education, Room 2158, 400 Maryland Avenue SW., Washington, D.C. 20202 (202-245-2975).

(f) *Applicable regulations.* The regulations applicable to this program include the Office of Education General Provisions Regulations (45 CFR Parts 100, 100a, except 45 CFR 100a.26(b)) and the regulations for awarding Financial Assistance for the Improvement of Educational Opportunities for Adult Indians published in the FEDERAL REGISTER on June 28, 1977.

(20 U.S.C. 1211a.)

CFDA-13.533G—RIGHT TO READ READING IMPROVEMENT PROJECTS (NEW AWARDS)

*Closing Date—February 3, 1978*

(a) *Application forms and information.* Application forms are being prepared but are not yet available. We anticipate the application forms and program information packages will be ready for mailing on or about November 16, 1977.

Applications must be prepared and submitted in accordance with the regulations, instructions, and forms included in the program information packages.

(b) *Applications sent by mail.* An application sent by mail should be addressed to: U.S. Office of Education, Application Control Center, Attention: 13.533G, Washington, D.C. 20202. Applications must be received by the Application Control Center on or before the closing date.

An application sent by mail will be considered to be received on time by the Application Control Center if:

(1) The application was sent by registered or certified mail not later than January 30, 1978, as evidenced by the U.S. Postal Service postmark on the wrapper or envelope, or on the original receipt from the U.S. Postal Service; or

(2) The application is received on or before the closing date by either the Department of Health, Education, and Welfare or the U.S. Office of Education mail rooms in Washington, D.C. In establishing the date of receipt, the Commissioner will rely on the time-date stamp of these mail rooms or other documents.



tary evidence of receipt maintained by the Department of Health, Education, and Welfare, or the U.S. Office of Education.

(c) *Hand-delivered applications.* An application to be hand-delivered must be taken to the U.S. Office of Education, Application Control Center, Room 5673, Regional Office Building Three, 7th and D Streets SW., Washington, D.C. Hand-delivered applications will be accepted daily between the hours of 8 a.m. and 4 p.m. Washington, D.C. time except Saturdays, Sundays, or Federal holidays. Applications for new awards will not be accepted after 4 p.m. on the closing date.

(d) *Program information.* Applications are being accepted for new, competing grants under the Right to Read Reading Improvement Program (45 CFR Part 162, Subpart B).

In accordance with § 162.11 of the program regulations, eligible applicants for elementary projects are local educational agencies, State educational agencies, or both. Eligible applicants for preelementary projects are local educational agencies, State educational agencies, and other nonprofit, educational, or child care institutions. Any current grantee under the program which is not eligible to receive a noncompeting, continuation grant may compete for a new grant award.

Current grantees are eligible to receive a noncompeting continuation award if their grant award in fiscal year 1977 indicated the Commissioner's intention to fund them for a 24-month project period. A notice of closing date for noncompeting, continuation applications is being published separately.

Based on the fiscal year 1977 grants competition experience (when 29 preelementary projects and 75 elementary projects were funded out of 572 applications with a total of \$6 million for new projects), it is anticipated that competition for the Federal funds under the Reading Improvement Program will be stiff.

Section 162.15 of the program regulations provides that, in approving applications, the Commissioner will, to the maximum extent feasible, assure an equitable distribution of funds throughout the United States and among urban and rural areas.

It is estimated that, for fiscal year 1978, approximately \$3.9 million will be available for new grant awards in the Reading Improvement Program. For elementary projects, it is anticipated, as provided in § 162.18(a), that most grants will range between \$15,000 and \$125,000, with most of the awards made at the lower half of this range. In conformity with § 162.11(b)(1), elementary schools in the project must have large numbers of students or 50 percent or more of students in grades two through eight, or in project classes, reading 1 or more years below appropriate grade level. Nothing in this section shall be construed to limit the size of any particular grant award.

As stated in § 162.18(a), it is anticipated that most pre-elementary grants will be awarded in the range between \$5,000 and \$25,000, with most of the awards made at the lower half of this range. The attention of prospective applicants is directed to § 162.11(b)(1)(ii) of the program regulations which provides that Federal funds for preelementary projects will be awarded to schools located in geographic areas where there are elementary schools with large numbers or 50 percent or more of the students in grades two through eight reading 1 or more years below appropriate grade levels.

The Office of Education found, in reviewing applications in fiscal year 1977, that many applicants had failed to address, or address adequately, one or more of the requirements for grant awards, and their applications were disqualified. Therefore, the Office of Education cautions applicants to review carefully each of the requirements in the regulations and to address each in the application.

The Commissioner wants to bring special attention to the statement of objectives in the application. Applicants are strongly urged to see that each project objective specify (1) what is to be done, (2) how it is to be done, (3) who is to do it, (4) when it is to be done, and (5) how the activities will be measured. Also, applicants are urged in accordance with the criterion in § 162.14(b)(2)(i), to carry out the program with existing staff rather than hiring additional staff members with Federal funds. The reason the Office of Education suggests this is that often, when Federal funds are withdrawn, the additional personnel are not continued with local funds, and the program is not carried on.

In accordance with § 162.17(b), if an applicant wishes to propose a 2-year project, the applicant must explain in the application the need for 2-year Federal support, provide an overview of the objectives and activities proposed for 2 years, and budget estimates for a 24-month period.

Approximately 60 new grants will be awarded nationally under this program. Budget periods are tentatively scheduled for projects commencing no earlier than July 1, 1978, and terminating no later than June 30, 1979.

(e) *Guidance to applicants.* Based upon the experience of the Office of Education in reviewing applications under this program in fiscal year 1977, special guidance has been given in this notice on the preparation and submission of applications and in their review by State educational agencies. In particular, the attention of prospective applicants has been directed to application requirements in the program regulation which may not have been adequately addressed in a number of fiscal year 1977 applications.

However, this notice does not cover all application requirements in the regulation, nor does it state fully the specific regulation provisions which it does mention. Applicants are responsible for reading and complying with all requirements

in the program regulation. Guidance in this notice relating to the regulation is given for the purpose of directing applicants to the regulation; not for the purpose of being used in place of the regulation.

Applicants and State educational agencies should also understand that provisions in this notice which involve suggestive language (e.g., "It is suggested," "Applicants are urged") are only suggestions given for the purpose of guidance or to facilitate review of applications. These suggestive provisions are not requirements, and failure of an applicant or SEA to follow them will not in any way prejudice the application.

(f) *State review and approval.* In accordance with § 162.13(b) of the program regulation, an applicant other than the State educational agency (SEA) must provide a copy of the completed application (and, it is suggested, two additional copies) to the State educational agency for the State within which the applicant agency is located on or before January 19, 1978. Unless the State educational agency has specified differently, it is suggested that these copies be submitted to the State Right to Read Director's office within the respective State educational agency. For verification of submission to the SEA, the applicant agency is encouraged to submit a copy of the dated cover letter used to forward its application to the SEA or to submit some other piece of verification in its application to the Commissioner. Under § 162.13, the Commissioner is not authorized to approve a Reading Improvement Project application unless the State educational agency has (1) established an advisory council on reading, (2) authorized and provided the opportunity to the council to receive and designate priorities among applications for grants, and (3) first approved the application.

Section 162.13(c) provides that failure by the SEA to indicate its approval in writing to the Commissioner within a period specified by the Commissioner shall be deemed a disapproval of the application by the SEA, and the application will not be considered for funding by the Commissioner.

(g) *Cut-off date for receipt of SEA approval of applications.* The cut-off date established for receipt by the Commissioner of written approval by the SEAs of applications within their State is February 15, 1978. These written approvals should be forwarded to: Program Operations Branch, Right to Read Office, U.S. Office of Education, 400 Maryland Avenue SW. (Room 1169, Donohoe Building), Washington, D.C. 20202. In addition to the approval list, the SEA must also send by that date the information required by 45 CFR 162.13(d)(2)(i) and (ii). In accordance with 45 CFR 162.14(a)(11), the Commissioner may attribute as many as 50 points (out of 195 total points for elementary projects and 230 for pre-elementary projects) to the ranking of an application by the State advisory council. It should be made



clear, however, that high rankings by the State advisory council do not assure an automatic selection for funding by the Commissioner.

It is suggested that SEA's judge and rank the pre-elementary applications separately from the elementary ones, and that they forward copies of any written reviews of the applications.

As indicated in § 162.13(e), State educational agencies are strongly urged to approve no more than ten applications.

(h) *For further information and forms contact:* Program Operations Branch, Right to Read Office, U.S. Office of Education, 400 Maryland Avenue SW. (Room 1187, Donohoe Building), Washington, D.C. 20202 (202-245-7950).

(i) *Applicable regulations.* The regulations applicable to this program include the Office of Education General Provisions Regulations (45 CFR Parts 100, 100a). The regulation governing the Reading Improvement Projects was published in the FEDERAL REGISTER on May 26, 1976 (General Provisions, 45 CFR Part 162, Subpart A, and Reading Improvement Projects, 45 CFR Part 162, Subpart B) and will govern the operations of this program.

(20 U.S.C. 1921.)

**CFDA-13.534—INDIAN ELEMENTARY AND SECONDARY SCHOOL ASSISTANCE—GRANTS TO LOCAL EDUCATIONAL AGENCIES**

*Closing Date—February 10, 1978*

(a) *Application forms and information.* Application forms are being prepared, but are not yet available. We anticipate the application forms and program information packages will be ready for mailing on or about December 7, 1977.

Applications must be prepared and submitted in accordance with the regulations, instructions, and forms included in the program information packages.

(b) *Applications sent by mail.* An application sent by mail should be addressed to: U.S. Office of Education, Application Control Center, Attention: 13.534, Washington, D.C. 20202. Applications must be received by the Application Control Center on or before the closing date.

An application sent by mail will be considered to be received on time by the Application Control Center if:

(1) The application was sent by registered or certified mail not later than February 6, 1978, as evidenced by the U.S. Postal Service postmark on the wrapper or envelope, or on the original receipt from the U.S. Postal Service; or

(2) The application is received on or before the closing date by either the Department of Health, Education, and Welfare or the U.S. Office of Education mail rooms in Washington, D.C. In establishing the date of receipt, the Commissioner will rely on the time-date stamp of these mail rooms or other documentary evidence of receipt maintained by the Department of Health, Education, and Welfare, or the U.S. Office of Education.

(c) *Hand-delivered applications.* An application to be hand-delivered must be taken to the U.S. Office of Education, Application Control Center, Room 5673, Regional Office Building Three, 7th and D Streets SW., Washington, D.C. 20202. Hand-delivered applications will be accepted daily between the hours of 8 a.m. and 4 p.m., Washington, D.C. time, except Saturdays, Sundays, or Federal holidays. Applications will not be accepted after 4 p.m. on the closing date.

(d) *Program information.* Applications for assistance are being accepted from local educational agencies with the required number of enrolled Indian students, for grants pursuant to Section 305 of the Act (20 U.S.C. 241dd). Section 305 enables the Commissioner to provide financial assistance to eligible local educational agencies for programs that meet the special educational needs of Indian children, based upon the Indian student enrollment as certified by the State educational agency.

Assistance under section 305 of the Act may be used for the purpose of planning, operating, and evaluating elementary and secondary school programs specially designed to meet the special educational needs of Indian students, with the involvement of the Indian community and parents of the Indian children to be served.

Awards under section 305 of the Act will be subject to the requirements of the Act and to regulations set forth in 45 CFR Part 186. Requirements for approval of applications for grant assistance are contained in the regulations published in the FEDERAL REGISTER of July 6, 1973.

(e) *For further information and forms contact:* Division of Local Educational Agency Assistance (Part A), Office of Indian Education, 400 Maryland Avenue SW., Room 2167, Washington, D.C. 20202.

(f) *Applicable regulations.* The regulations applicable to this program are the Office of Education General Provisions Regulations (45 CFR Parts 100, 100a) which are included in the Indian Education Act, Part A application package, and the Part A Regulations (45 CFR Part 186).

(20 U.S.C. 241aa-241ff).

**CFDA-13.578—VOCATIONAL EDUCATION TEACHER CERTIFICATION FELLOWSHIP PROGRAM**

*Closing Date—February 17, 1978*

(a) *Application forms and information.* Application forms are being prepared but are not yet available. We anticipate the application forms and program information packages will be ready for mailing on or about December 16, 1977.

Applications must be prepared and submitted in accordance with the regulations, instructions, and forms included in the program information packages.

(b) *Applications sent by mail.* An application sent by mail should be addressed to: U.S. Office of Education, Application Control Center, Attention: 13.-

578, Washington, D.C. 20202. Applications must be received by the Application Control Center on or before the closing date.

An application sent by mail will be considered to have been received on time by the Application Control Center if:

(1) The application was sent by registered or certified mail not later than February 13, 1978, as evidenced by the U.S. Postal Service postmark on the wrapper or envelope, or on the original receipt from the U.S. Postal Service; or

(2) The application is received on or before the closing date by either the Department of Health, Education, and Welfare or the U.S. Office of Education mail rooms in Washington, D.C. In establishing the date of receipt, the Commissioner will rely on the time-date stamp of these mail rooms or other documentary evidence of receipt maintained by the Department of Health, Education, and Welfare, or the U.S. Office of Education.

(c) *Hand-delivered applications.* An application to be hand-delivered must be taken to the U.S. Office of Education, Application Control Center, Room 5673, Regional Office Building Three, 7th and D Streets SW., Washington, D.C. Hand-delivered applications will be accepted daily between the hours of 8 a.m. and 4 p.m. Washington, D.C. time except Saturdays, Sundays, or Federal holidays. Applications will not be accepted after 4 p.m. on the closing date.

(d) *Program information.* Applications are being accepted for the Vocational Education Teacher Certification Fellowship program. These include (a) receipt of individual application for a fellowship award under the Vocational Education Educational Teacher Certification Fellowship Program; and (b) advisement on the merits of an individual application from the State board for vocational education for the State in which the individual is seeking certification.

Potential applicants should be aware that approximately \$1,850,000 is available for the program for Fiscal Year 1978 to pay the cost of fellowship awards. The estimated cost of each fellowship award is \$9,844 which includes the institutional allowance, individual stipend costs, and dependency allowance costs. All grants will be new awards. Vocational Education Teacher Certification Fellowships will be made for a period not to exceed 24 months. Fellowship payments to individuals after the first year of the fellowship period (in case of awards made for a period exceeding twelve months) are subject to the continued availability of Federal funds under section 172 of the Act.

(e) *Teaching fields in need of additional vocational education teachers.* A listing, by State, of vocational fields in which there are a shortage of teachers, will be published in the FEDERAL REGISTER approximately November 23, 1977, and will be included in the application package. The law requires that the Commissioner, to the maximum degree possible, award fellowships to applicants seeking certification in the areas listed.



(f) *State comment.* An additional copy of the application must be submitted to the State board for vocational education in the applicant's State of residence on or before January 27, 1978. The State board for vocational education must review each application, collect advice as to the merits of each application, and forward all applications and statements of advice to: Teacher Certification Program, Vocational Education Personnel Development, Division of Research and Demonstration, Bureau of Occupational and Adult Education, U.S. Office of Education (Room 5652, ROB No. 3), 400 Maryland Avenue SW., Washington, D.C. 20202, postmarked on or before February 14, 1978.

(g) *For further information and forms contact:* Teacher Certification Program, Vocational Education Personnel Development, Division of Research and Demonstration, Bureau of Occupational and Adult Education, U.S. Office of Education (Room 5652, ROB No. 3), 400 Maryland Avenue SW., Washington, D.C. 20202.

(h) *Applicable regulations.* The regulations applicable to this program are the Office of Education General Provisions Regulations (45 CFR Parts 100, 100a) and the Vocational Education, Teacher Certification Fellowship Program Regulation (45 CFR Part 105, Sections 431-443) which is included in the application package.

(20 U.S.C. 2402; 45 CFR Part 105, Sections 431-443.)

CFDA-13.406—COLLEGE LIBRARY RESOURCES PROGRAM

*Closing Date—February 21, 1978*

(a) *Application forms and information.* Application forms are being prepared but are not yet available. We anticipate the application forms and program information packages will be ready for mailing on or about December 16, 1977.

Applications must be prepared and submitted in accordance with the regulations, instructions, and forms included in the program information packages.

(b) *Applications sent by mail.* An application sent by mail should be addressed to: U.S. Office of Education, Application Control Center, Attention: 13.406, Washington, D.C. 20202. Applications must be received by the Application Control Center on or before the closing date.

An application sent by mail will be considered to be received on time by the Application Control Center if:

(1) The application was sent by registered or certified mail not later than February 16, 1978, as evidenced by the U.S. Postal Service postmark on the wrapper or envelope, or on the original receipt from the U.S. Postal Service; or

(2) The application is received on or before the closing date by either the Department of Health, Education, and Welfare or the U.S. Office of Education mail rooms in Washington, D.C. In establishing the date of receipt, the Commissioner will rely on the time-date stamp of these mail rooms or other documentary evidence of receipt maintained by the De-

partment of Health, Education, and Welfare, or the U.S. Office of Education.

(c) *Hand-delivered applications.* An application to be hand-delivered must be taken to the U.S. Office of Education, Application Control Center, Room 5673, Regional Office Building Three, 7th and D Streets SW., Washington, D.C. Hand-delivered applications will be accepted daily between the hours of 8 a.m. and 4 p.m. Washington, D.C., time except Saturdays, Sundays, or Federal holidays. Applications will not be accepted after 4 p.m. on the closing date.

(d) *Program information.* In order to assist institutions of higher education in the acquisition of library materials, applications for Basic grants are being accepted from institutions of higher education (applying on their own behalf or on behalf of branches), combinations of those institutions, new institutions of higher education (as defined in 45 CFR 131.2), and other public and private non-profit library agencies whose primary function is to provide library and information services to institutions of higher education on a formal cooperative basis.

In formulating proposals, potential applicants should be aware of the amount of funds available for the program for Fiscal Year 1978. It is anticipated that the total amount of the awards for the basic grant category specified in 45 CFR Part 131 will be \$9,975,000. It is also expected that approximately 2,650 awards will be made in this category, and that the average amount per award will be approximately \$3,800. All of these will be new awards; no funds are reserved for continuation awards. Grants will support projects to be carried out in Fiscal Year 1979 (October 1, 1978–September 30, 1979). In light of the number of Basic grant applications expected, it is anticipated that grant funds will not be available in Fiscal Year 1978 for supplemental and Special Purpose grants which are also specified in 45 CFR Part 131.

(e) *For further information and forms contact:* Frank Stevens, Division of Library Programs, Office of Libraries and Learning Resources, Attention 13.406, Bureau of Elementary and Secondary Education, U.S. Office of Education, 400 Maryland Avenue SW. (Room 3622, ROB No. 3), Washington, D.C. 20202 (202-245-9530).

(f) *Applicable regulations.* The regulations applicable to this program are the Office of Education General Provisions Regulations (45 CFR Parts 100, 100a, and appendices) and the College Library Resources Program Regulations (45 CFR Part 131) published on November 18, 1974, in the FEDERAL REGISTER.

(20 U.S.C. 1021-1028.)

CFDA-13.444A—HANDICAPPED CHILDREN'S EARLY EDUCATION PROGRAM—MODEL DEMONSTRATION PROJECTS (NON-COMPETING CONTINUATIONS)

*Closing Date—February 24, 1978*

(a) *Application forms and information.* Application forms are being prepared but are not yet available. We anticipate the application forms and pro-

gram information packages will be ready for mailing on or about October 14, 1977.

Applications must be prepared and submitted in accordance with the regulations, instructions, and forms included in the program information packages.

(b) *Applications sent by mail.* An application sent by mail should be addressed to: U.S. Office of Education, Application Control Center, Attention: 13.444A, Washington, D.C. 20202. In order to be considered, the applications should be received by the Application Control Center on or before the closing date.

An application sent by mail will be considered to be received on time by the Application Control Center if:

(1) The application was sent by registered or certified mail not later than February 20, 1978, as evidenced by the U.S. Postal Service postmark on the wrapper or envelope, or on the original receipt from the U.S. Postal Service; or

(2) The application is received on or before the closing date by either the Department of Health, Education, and Welfare or the U.S. Office of Education mail rooms in Washington, D.C. In establishing the date of receipt, the Commissioner will rely on the time-date stamp of these mail rooms or other documentary evidence of receipt maintained by the Department of Health, Education, and Welfare, or the U.S. Office of Education.

(c) *Hand-delivered applications.* An application to be hand-delivered must be taken to the U.S. Office of Education, Application Control Center, Room 5673, Regional Office Building Three, 7th and D Streets SW., Washington, D.C. Hand-delivered applications will be accepted daily between the hours of 8 a.m. and 4 p.m. Washington, D.C., time except Saturdays, Sundays, or Federal holidays.

(d) *Program information.* The funding level of the Handicapped Children's Early Education Program in Fiscal Year 1978 is expected to be \$22,000,000. These funds will be made available for new and non-competing continuation demonstration projects, technical assistance support activities, and outreach projects. The approximate number of grants for non-competing demonstration continuation grant awards is 90. During previous years of the program, funding for second and third year demonstration non-competing continuation projects has averaged between \$80,000 and \$150,000.

Continuation of funding for the second year of the project will depend upon satisfactory performance by the grantee as reviewed by the funding agency and availability of funds. The funding level and distribution of project funds are predicated upon the allotment of funds and may vary according to the final appropriation made available during a specific fiscal year.

(e) *For further information and forms contact:* Division of Innovation and Development, Bureau of Education for the Handicapped, U.S. Office of Education, 400 Maryland Avenue SW. (Room 3100, Donohoe Building), Washington, D.C. 20202.



(f) *Applicable regulations.* The regulations applicable to this program include the Office of Education General Provisions Regulations (45 CFR Parts 100 and 100a) and the applicable program regulations (45 CFR Parts 121 and 121d).

(20 U.S.C. 1423, 1424.)

**CFDA-13.444B—HANDICAPPED CHILDREN'S EARLY EDUCATION PROGRAMS—OUTREACH PROJECTS**

*Closing Date—March 1, 1978*

(a) *Application forms and information.* Application forms and program information packages are available and are being mailed at this time.

Applications must be prepared and submitted in accordance with the regulations, instructions, and forms included in the program information packages.

(b) *Applications sent by mail.* An application sent by mail should be addressed to: U.S. Office of Education, Application Control Center, Attention: 13-444B, Washington, D.C. 20202. Applications must be received by the Application Control Center on or before the closing date.

An application sent by mail will be considered to be received on time by the Application Control Center if:

(1) The application was sent by registered or certified mail not later than February 27, 1978, as evidenced by the U.S. Postal Service postmark on the wrapper or envelope, or on the original receipt from the U.S. Postal Service; or

(2) The application is received on or before the closing date by either the Department of Health, Education, and Welfare or the U.S. Office of Education mail rooms in Washington, D.C. In establishing the date of receipt, the Commissioner will rely on the time-date stamp of these mail rooms or other documentary evidence of receipt maintained by the Department of Health, Education, and Welfare, or the U.S. Office of Education.

(c) *Hand-delivered applications.* An application to be hand-delivered must be taken to the U.S. Office of Education, Application Control Center, Room 5673, Regional Office Building Three, 7th and D Streets SW., Washington, D.C. Hand-delivered applications will be accepted daily between the hours of 8 a.m. and 4 p.m. Washington, D.C., time except Saturdays, Sundays, or Federal holidays. Applications for new awards will not be accepted after 4 p.m. on the closing date.

(d) *Program information.* Eligible applicants are those grantees whose projects have completed a three year demonstration phase under the Handicapped Children's Early Education Program. The program regulations (45 CFR 121d) specify that parties which have received assistance for early education demonstration projects for three years may apply for assistance for activities which will assist other agencies in meeting the early educational needs of handicapped children (45 CFR 121d.40). The regulations also provide that direct services

provided by the project during the prior demonstration phase must be continued by the applicant and supported from funds other than funds from the Handicapped Children's Early Education Program to meet the eligibility requirements for grants for new HCEEP Outreach Projects (45 CFR 121d.41(a)). The regulations contain other requirements regarding the content of the application (45 CFR 121d.41).

The notice of closing date for non-competing continuation grants was published earlier. (Potential applicants for support for new demonstration projects under the Handicapped Children's Early Education program apply under a separate program (CFDA No. 13.444A).)

The funding level for the Handicapped Children's Early Education Program is expected to be approximately \$22 million for Fiscal Year 1978. There will be approximately 15 new outreach projects funded under this program. Funding for new outreach projects has averaged between \$50,000 and \$150,000.

(e) *For further information and forms contact:* Division of Innovation and Development, Bureau of Education for the Handicapped, U.S. Office of Education, 400 Maryland Avenue SW. (Room 3100, Donohoe Building), Washington, D.C. 20202.

(f) *Applicable regulations.* The regulations applicable to this program include the Office of Education General Provisions Regulations (45 CFR Parts 100 and 100a) and the applicable program regulations (45 CFR Parts 121 and 121d).

(20 U.S.C. 1423, 1424.)

**CFDA-13.588—CONTRACT PROGRAM FOR INDIAN TRIBES AND INDIAN ORGANIZATIONS**

*Closing Date—March 13, 1978*

(a) *Application forms and information.* Application forms are being prepared but are not yet available. We anticipate the application forms and program information packages will be ready for mailing on or about November 11, 1977.

Applications must be prepared and submitted in accordance with the regulations, instructions, and forms included in the program information packages.

(b) *Applications sent by mail.* An application sent by mail should be addressed to: U.S. Office of Education, Application Control Center, Attention: 13.588, Washington, D.C. 20202. Applications must be received by the Application Control Center on or before the closing date.

An application sent by mail will be considered to be received on time by the Application Control Center if:

(1) The application was sent by registered or certified mail not later than March 8, 1978, as evidenced by the U.S. Postal Service postmark on the wrapper or envelope, or on the original receipt from the U.S. Postal Service; or

(2) The application is received on or before the closing date by either the Department of Health, Education, and Wel-

fare or the U.S. Office of Education mail rooms in Washington, D.C. In establishing the date of receipt, the Commissioner will rely on the time-date stamp by the Department of Health, Education, Welfare, or the U.S. Office of Education.

(c) *Hand-delivered applications.* An application to be hand-delivered must be taken to the U.S. Office of Education, Application Control Center, Room 5673, Regional Office Building Three, 7th and D Streets SW., Washington, D.C. Hand-delivered applications will be accepted daily between the hours of 8 a.m. and 4 p.m. Washington, D.C. time except Saturdays, Sundays, or Federal holidays. Applications will not be accepted after 4 p.m. on the closing date.

(d) *Program information.* Applications are being accepted for the Contract Program for Indian Tribes and Indian Organizations, which is authorized to award assistance contracts to Indian Tribal organizations of Indian tribes which are eligible to contract with the Secretary of the Interior for the administration of programs under the Indian Self-Determination and Education Assistance Act of 1975 or under the Act of April 16, 1934.

An award will not exceed three fiscal years. Continuation funding is contingent upon satisfactory performance. Applications for multi-year awards shall have a detailed budget for the current year and total budget figures for the subsequent years.

A request for continuation of a project beyond the project period will be considered a new application and will be reviewed competitively with all other applications. In order for the Commissioner to make this determination, an applicant who has had a prior contract under this program shall include an evaluation of the previous project.

It is anticipated that a total of 35 awards will be made with Fiscal Year 1978 funds, and that the average amount per award will be approximately \$150,000. The total amount of the awards will be \$5,218,476.

(e) *Bureau of Indian Affairs and State Board comment.* An applicant shall submit a copy of the application directly to the Commissioner of the Bureau of Indian Affairs and the State Board for Vocational Education at the same time it submits an application to the Office of Education.

(f) *For further information and forms contact.* Dr. Doris V. Gunderson, U.S. Office of Education, 400 Maryland Avenue SW. (Room 5026, ROB No. 3), Washington, D.C. 20202 (202-245-2614).

(g) *Applicable regulations.* The regulations applicable to this program are the Office of Education General Provisions Regulations (45 CFR Parts 100, 100a) and the Contract Program for Indian Tribes and Indian Organizations Regulation (45 CFR Part 105, Sections 201-214) included in the application Package.

(20 U.S.C. 2303; 45 CFR Part 105, Sections 201-214.)



CFDA-13.567—DOMESTIC MINING AND MINERAL AND MINERAL FUEL CONSERVATION—FELLOWSHIPS

*Closing Date—March 17, 1978*

(a) *Application forms and information.* Application forms are being prepared but are not yet available. We anticipate the application forms and program information packages will be ready for mailing on or about January 12, 1978.

Applications must be prepared and submitted in accordance with the regulations, instructions, and forms included in the program information packages.

(b) *Applications sent by mail.* An application sent by mail should be addressed to: U.S. Office of Education, Application Control Center, Attention: 13.567, Washington, D.C. 20202. Applications must be received on or before the closing date.

An application sent by mail will be considered to be received on time by the Application Control Center if:

(1) The application was sent by registered or certified mail not later than March 13, 1978, as evidenced by the U.S. Postal Service postmark on the wrapper or envelope, or on the original receipt from the U.S. Postal Service; or,

(2) The application is received on or before the closing date by either the Department of Health, Education, and Welfare, or the U.S. Office of Education mail rooms in Washington, D.C. In establishing the date of receipt, the Commissioner will rely on the time-date stamp of these mail rooms or other documentary evidence of receipt maintained by the Department of Health, Education, and Welfare, or the U.S. Office of Education.

(c) *Hand-delivered applications.* An application to be hand-delivered must be taken to the U.S. Office of Education, Application Control Center, Room 5673, Regional Office Building Three, 7th and D Streets SW., Washington, D.C. Hand-delivered applications will be accepted daily between the hours of 8 a.m. and 4 p.m., Washington, D.C. time, except Saturdays, Sundays, or Federal holidays. Applications will not be accepted after 4 p.m. on the closing date.

(d) *Program information.* Applications will be accepted from institutions of higher education for a fellowship allocation under the Domestic Mining and Mineral and Mineral Fuel Conservation Fellowship Program. The purpose of this program is to assist graduate students of exceptional ability who demonstrate a financial need for advanced study in domestic mining and mineral and mineral fuel conservation including oil, gas, coal, oil shale, and uranium. Processing of applications will be subject to the availability of an appropriation for this program.

During the 1977-78 academic year, 424 one-year fellowships and 76 two-year fellowships at 52 participating institutions will be supported by a Fiscal Year

1977 appropriation of \$4,500,000. Though there is no final appropriation for Fiscal Year 1978, currently we expect an appropriation of \$4,500,000. This would again permit a number of similar awards for both one-year and multi-year fellowships for the 1978-79 academic year. An applicant institution will apply for an allocation of a specified number of fellowships. Only one application per institution will be accepted. Students currently receiving assistance under this program who were making satisfactory progress in their courses of study will be given high priority for reaward of a fellowship for the 1978-79 fellowship year. It is expected that about half of the 500 fellows supported in 1977-78 will continue on into 1978-79.

(e) *For further information and forms contact:* Dr. Clarence B. Lindquist, Bureau of Higher and Continuing Education, U.S. Office of Education, 400 Maryland Avenue SW., (Room 3060, ROB No. 3), Washington, D.C. 20202 (202-245-2347).

(f) *Applicable regulations.* The regulations applicable to this program are the Office of Education General Provisions (45 CFR Parts 100, 100a) and the regulations for Domestic Mining and Mineral and Mineral Fuel Conservation Fellowships (45 CFR Part 196) published on August 3, 1977 in the FEDERAL REGISTER. (20 U.S.C. 1134n-1134r.)

CFDA-13.533E—RIGHT TO READ READING ACADEMY PROGRAM (NON-COMPETING CONTINUATIONS)

*Closing Date—April 3, 1978*

(a) *Application forms and information.* Application forms are being prepared but are not yet available. We anticipate the application forms and program information packages will be ready for mailing on or about November 16, 1977.

Applications must be prepared and submitted in accordance with the regulations, instructions, and forms included in the program information packages.

(b) *Applications sent by mail.* An application sent by mail should be addressed to: U.S. Office of Education, Application Control Center, Attention: 13.533E, Washington, D.C. 20202. Applications should be received by the Application Control Center on or before the closing date in order to be assured of consideration for funding.

An application sent by mail will be considered to be received on time by the Application Control Center if:

(1) The application was sent by registered or certified mail not later than March 29, 1978, as evidenced by the U.S. Postal Service postmark on the wrapper or envelope, or on the original receipt from the U.S. Postal Service; or,

(2) The application is received on or before the closing date by either the Department of Health, Education, and Welfare, or the U.S. Office of Education mail rooms in Washington, D.C. In establishing the date of receipt, the Commissioner will rely on the time-date

stamp of these mail rooms or other documentary evidence of receipt date stamp of these mail rooms or other documentary evidence of receipt maintained by the Department of Health, Education, and Welfare, or the U.S. Office of Education.

(c) *Hand-delivered applications.* An application to be hand-delivered must be taken to the U.S. Office of Education, Application Control Center, Room 5673, Regional Office Building Three, 7th and D Streets SW., Washington, D.C. Hand-delivered applications will be accepted daily between the hours of 8 a.m. and 4 p.m., Washington, D.C. time, except Saturdays, Sundays, or Federal holidays.

(d) *Program information.* Applications are being accepted for non-competing continuation grants under the Right to Read Reading Academy Program (45 CFR Part 162, Subpart E). It is not expected that funds will be available in Fiscal Year 1978 for new grants under the Reading Academy Program. Therefore, applications for new projects will not be accepted.

It is anticipated that \$4.3 million will be available for the Reading Academy Program during Fiscal Year 1978. This amount will permit the Commissioner to fund for fourteen months those existing projects whose funds were curtailed to ten months during Fiscal Year 1977 and to continue the other existing projects for a twelve-month period.

In formulating proposals, applicants should be aware of the applicable project period. For the projects funded for ten months in Fiscal Year 1977, that project period will be from July 1, 1978 through August 31, 1979. For the projects funded for twelve months in Fiscal Year 1977, that project period will be from September 1, 1978 through August 31, 1979.

(e) *For further information and forms contact:* Thomas R. Hill, Office of Right to Read, U.S. Office of Education, 400 Maryland Avenue SW. (Room 1154, Donohoe Building), Washington, D.C. 20202 (202-245-8214).

(f) *Applicable regulations.* The regulations applicable to this program are the Office of Education General Provisions (45 CFR Parts 100, 100a) and the Reading Academy Program Regulation which was published in the FEDERAL REGISTER on May 26, 1976 (General Provisions, 45 CFR Part 162, Subparts A and E), and which are included in the Right to Read Program application package.

(20 U.S.C. 1963.)

CFDA-13.533G—RIGHT TO READ READING IMPROVEMENT PROJECTS (NON-COMPETING CONTINUATIONS)

*Closing Date—April 3, 1978*

(a) *Application forms and information.* Application forms are being prepared but are not yet available. We anticipate the application forms and program information packages will be ready for mailing on or about November 16, 1977.

Applications must be prepared and submitted in accordance with the regu-



lations, instructions, and forms included in the program information packages.

(b) *Applications sent by mail.* An application sent by mail should be addressed to: U.S. Office of Education, Application Control Center, Attention: 13.533G, Washington, D.C. 20202. In order to be assured of consideration for support, applications should be received by the Application Control Center on or before the closing date.

An application sent by mail will be considered to be received on time by the Application Control Center if:

(1) The application was sent by registered or certified mail not later than March 29, 1978, as evidenced by the U.S. Postal Service postmark on the wrapper or envelope, or on the original receipt from the U.S. Postal Service; or,

(2) The application is received on or before the closing date by either the Department of Health, Education, and Welfare, or the U.S. Office of Education mail rooms in Washington, D.C. In establishing the date of receipt, the Commissioner will rely on the time-date stamp of these mail rooms or other documentary evidence of receipt maintained by the Department of Health, Education, and Welfare, or the U.S. Office of Education.

(c) *Hand-delivered applications.* An application to be hand-delivered must be taken to the U.S. Office of Education, Application Control Center, Room 5673, Regional Office Building Three, 7th and D Streets SW., Washington, D.C. Hand-delivered applications will be accepted daily between the hours of 8 a.m. and 4 p.m., Washington, D.C. time, except Saturdays, Sundays, or Federal holidays.

(d) *Program information.* Non-competing applications are being accepted from current grantees who submitted applications for multi-year funding in Fiscal Year 1977 for continuation grants under the Right to Read Reading Improvement Program. This program is authorized to make grants to State educational agencies (SEAs) and to local educational agencies (LEAs), or both, to encourage SEAs and LEAs to undertake projects to strengthen reading instructional programs in elementary grades. In addition, the program is authorized to make grants to SEAs, LEAs, or non-profit educational or child care institutions to establish and improve pre-elementary school programs in language arts and reading.

In accordance with § 162.17(c) of the program regulations, Subpart B of 45 CFR Part 162, only those current grantees who in Fiscal Year 1977 received written notice on their notification of grant award to the effect that the Commissioner intended a twenty-four month project period may apply for a non-competing continuation grant award.

In accordance with § 162.18(a), it is expected that most continuation awards will range between \$15,000 and \$125,000, with most awards made at the lower half of this range. Nothing in this paragraph shall be construed to limit the size of any particular grant award.

Continuation grant awards will be made under this notice for projects commencing no earlier than September 1, 1978, and terminating no later than August 31, 1979. Since continuation applicants are applying for the last half of their twenty-four-month project, applicants may apply for a non-competing continuation award for the indicated remaining project period of only twelve months. It is estimated that, for Fiscal Year 1978, approximately \$4.2 million will support the non-competing grants under section 705, Reading Improvement Projects.

(e) *Guidance to applicants.* In particular, the attention of non-competing applicants is directed to § 162.17(e) which describes the basis on which a continuation application will be reviewed.

(f) *State review and approval.* In accordance with § 162.13(b) of the applicable regulation, an applicant other than the State educational agency (SEA) must provide a copy of the completed application (and, it is suggested, two additional copies) to the State educational agency for the State within which the applicant agency is located on or before March 20, 1978. Unless the State educational agency has specified differently, it is suggested that these copies be submitted to the State Right to Read Director's office within the respective State educational agency. For verification of submission to the SEA, the applicant agency is encouraged to submit a copy of the dated cover letter used to forward its application to the SEA or some other piece of verification in its application to the Commissioner.

Under § 162.13, the Commissioner is not authorized to approve a Reading Improvement Project application unless the State educational agency has (1) established an advisory council on reading, (2) authorized and provided the opportunity to the council to receive and designate priorities among applications for grants, and (3) first approved the application.

Section 162.13(c) provides that failure by the SEA to indicate its approval in writing to the Commissioner within a period specified by the Commissioner shall be deemed a disapproval of the application by the SEA, and the application will not be considered for funding by the Commissioner.

(g) *Cut-off date for receipt of SEA approval of applications.* The cut-off date established for receipt by the Commissioner of written approval by the SEAs of applications within their State is April 12, 1978. These written approvals should be forwarded to: Program Operations Branch, Right to Read, U.S. Office of Education, 400 Maryland Avenue, S.W. (Room 1187, Donohoe Building), Washington, D.C. 20202. In addition to the approval list, the SEA must also send by that date the information required by 45 CFR 162.13(d) (2) (i) and (ii).

(h) *For further information and forms contact:* Program Operations Branch, Right to Read Office, U.S. Office of Education, 400 Maryland Avenue, S.W.

(Room 1187, Donohoe Building), Washington, D.C. 20202; (202) 245-7950.

(i) *Applicable regulations.* The regulations applicable to this program include the Office of Education General Provisions Regulations (45 CFR Parts 100, 100a). The regulation governing the Reading Improvement Projects was published in the Federal Register on May 26, 1976 (General Provisions, 45 CFR Part 162, Subpart A, and Reading Improvement Projects, 45 CFR Part 162, Subpart B) and will govern the operation of this program.

(20 U.S.C. 1921.)

CFDA-13.533H—RIGHT TO READ SPECIAL EMPHASIS PROJECTS

Closing Date—April 3, 1978

(a) *Application forms and information.* Application forms are being prepared but are not yet available. We anticipate the application forms and program information packages will be ready for mailing on or about November 16, 1977.

Applications must be prepared and submitted in accordance with the regulations, instructions, and forms included in the program information packages.

(b) *Applications sent by mail.* An application sent by mail should be addressed to: U.S. Office of Education, Application Control Center, Attention: 13.533H, Washington, D.C. 20202. Applications for new awards must be received by the Application Control Center on or before the closing date. In order to be assured of consideration, non-competing continuation applications should be received on or before the closing date.

An application sent by mail will be considered to be received on time by the Application Control Center if:

(1) The application was sent by registered or certified mail not later than March 29, 1978, as evidenced by the U.S. Postal Service postmark on the wrapper or envelope, or on the original receipt from the U.S. Postal Service; or,

(2) The application is received on or before the closing date by either the Department of Health, Education, and Welfare or the U.S. Office of Education mail rooms in Washington, D.C. In establishing the date of receipt, the Commissioner will rely on the time-date stamp of these mail rooms or other documentary evidence of receipt maintained by the Department of Health, Education, and Welfare, or the U.S. Office of Education.

(c) *Hand-delivered applications.* An application to be hand-delivered must be taken to the U.S. Office of Education, Application Control Center, Room 5673, Regional Office Building Three, 7th and D Streets, SW., Washington, D.C. Hand-delivered applications will be accepted daily between the hours of 8 a.m. and 4 p.m., Washington, D.C. time except Saturdays, Sundays, or Federal holidays. Applications for new awards will not be accepted after 4 p.m. on the closing date.

(d) *Program information.* Applications are being accepted for new and



non-competing continuation contracts under the Right to Read Special Emphasis Projects (45 CFR Part 162, Subpart D). It is expected that funds will be available in Fiscal Year 1978 for only one new contract.

It is anticipated that \$1,000,000 will be available for the Special Emphasis Program during Fiscal Year 1978. This amount will permit the Commissioner to fund existing non-competing projects for a twelve-month period and one new project. The project period will be from September 1, 1978 through August 31, 1979.

(e) *Review and approval by State educational agencies.* (1) Under the regulation for the program (§ 162.39(a)(2)) applicants must provide a copy of their application to the State educational agency (SEA) of the State in which they are located concurrently with the submission of the application to the Commissioner.

(2) Under section 721(b)(2) of the statute and § 162.39, of the regulations, the Commissioner will not approve a Special Emphasis project under section 721 unless the State educational agency has approved the project. Section 162.39(a)(3) provides that failure by the SEA to indicate its approval in writing to the Commissioner within a period specified by the Commissioner shall be deemed a disapproval of the application by the SEA, and the application will not be considered for funding by the Commissioner.

(f) *Cut-off date for receipt of SEA approval of applications.* The cut-off date established for receipt by the Commissioner of written approval by the SEAs of applications within their States is April 18, 1978. Written approvals should be addressed to the Director, Right to Read Program, U.S. Office of Education, 400 Maryland Avenue, SW. (Room 1169, Donohoe Building), Washington, D.C. 20202.

(g) *For further information and forms contact.* Ms. Helen O'Leary, Right to Read Office, U.S. Office of Education, 400 Maryland Avenue, SW. (Room 1157, Donohoe Building), Washington, D.C. 20202; (202) 245-8008.

(h) *Applicable regulations.* The regulations applicable to this program include the Office of Education General Provisions Regulations (45 CFR Parts 100, 100a). The regulation governing the Special Emphasis Projects was published in the FEDERAL REGISTER on May 26, 1976 (General Provisions, 45 CFR Part 162, Subpart A, and Special Emphasis Projects CFR 162, Subpart D) which are included in the Right to Read Program application package and will govern the operation of this program.

(20 U.S.C. 1961.)

CFDA-13.576—STRENGTHENING RESEARCH LIBRARY RESOURCES PROGRAM

Closing Date—April 11, 1978

(a) *Application forms and information.* Application forms are being prepared but are not yet available. We anticipate the application forms and program information packages will be ready for mailing on or about February 9, 1978.

Applications must be prepared and submitted in accordance with the regulations, instructions, and forms included in the program information packages.

(b) *Applications sent by mail.* An application sent by mail should be addressed to: U.S. Office of Education, Application Control Center, Attention: 13.576, Washington, D.C. 20202. Applications must be received by the Application Control Center on or before the closing date.

An application sent by mail will be considered to be received on time by the Application Control Center if:

(1) The application was sent by registered or certified mail not later than April 6, 1978, as evidenced by the U.S. Postal Service postmark on the wrapper or envelope, or on the original receipt from the U.S. Postal Service; or,

(2) The application is received on or before the closing date by either the Department of Health, Education, and Welfare or the U.S. Office of Education mail rooms in Washington, D.C. In establishing the date of receipt, the Commissioner will rely on the time-date stamp of these mail rooms or other documentary evidence of receipt maintained by the Department of Health, Education, and Welfare, or the U.S. Office of Education.

(c) *Hand-delivered applications.* An application to be hand-delivered must be taken to the U.S. Office of Education, Application Control Center, Room 5673, Regional Office Building Three, 7th and D Streets, SW., Washington, D.C. Hand-delivered applications will be accepted daily between the hours of 8 a.m. and 4 p.m. Washington, D.C. time except Saturdays, Sundays, or Federal holidays. Applications will not be accepted after 4 p.m. on the closing date.

(d) *Program information.* Applications for grants are being accepted from public or private nonprofit institutions, including the library resources of institutions of higher education, independent research libraries, and State and other public libraries which serve as major research libraries as defined in § 136.04 of the regulation.

The purpose of the new discretionary grant program is to promote research and education of higher quality throughout the United States by providing financial aid to eligible major research libraries to help maintain and strengthen their collections, and to make these collections available to researchers and scholars beyond their primary users and to other libraries whose users have need for research materials. In formulating proposals, potential applicants should be aware of the amount of funds available for the program for Fiscal Year 1978. It is anticipated that the total amount of the awards for the grants will be \$5 million. All of these will be new awards. (Grants will support projects to be carried out in Fiscal Year 1979 (October 1, 1978–September 30, 1979)).

(e) *For further information and forms contact:* Paul Janaske, Division of Library Programs, Office of Libraries and Learning Resources, Attention 13.576, Bureau of Elementary and Secondary

Education, U.S. Office of Education, 400 Maryland Avenue, SW (Room 3124, ROB No. 3), Washington, D.C. 20202; (202) 245-9687.

(f) *Applicable regulations.* The regulations applicable to this program are the Office of Education General Provisions Regulations (45 CFR Parts 100, 100a, and appendices) and the Strengthening Research Library Resources regulation when it is published in final and takes effect. The Strengthening Research Library Resources regulation was published as a notice of proposed rulemaking in the FEDERAL REGISTER on June 6, 1977 (proposed 45 CFR Part 136).

(20 U.S.C. 1041-1046.)

CFDA-13.444C—HANDICAPPED CHILDREN'S EARLY EDUCATION PROGRAM—STATE IMPLEMENTATION GRANTS

Closing Date—April 14, 1978

(a) *Application forms and information.* Application forms are being prepared but are not yet available. We anticipate the application forms and program information packages will be ready for mailing on or about February 10, 1978.

Applications must be prepared and submitted in accordance with the regulations, instructions, and forms included in the program information packages.

(b) *Applications sent by mail.* An application sent by mail should be addressed to: U.S. Office of Education, Application Control Center, Attention: 13.444C, Washington, D.C. 20202. Applications for new awards must be received by the Application Control Center on or before the closing date. In order to be assured of consideration, non-competing continuation applications should be received on or before the closing date.

An application sent by mail will be considered to be received on time by the Application Control Center if:

(1) The application was sent by registered or certified mail not later than April 10, 1978, as evidenced by the U.S. Postal Service postmark on the wrapper or envelope, or on the original receipt from the U.S. Postal Service; or

(2) The application is received on or before the closing date by either the Department of Health, Education, and Welfare or the U.S. Office of Education mail rooms in Washington, D.C. In establishing the date of receipt, the Commissioner will rely on the time-date stamp of these mail rooms or other documentary evidence of receipt maintained by the Department of Health, Education, and Welfare, or the U.S. Office of Education.

(c) *Hand-delivered applications.* An application to be hand-delivered must be taken to the U.S. Office of Education, Application Control Center, Room 5673, Regional Office Building Three, 7th and D Streets, SW., Washington, D.C. Hand-delivered applications will be accepted daily between the hours of 8 a.m. and 4 p.m. Washington, D.C. time except Saturdays, Sundays, and Federal holidays. Applications for new awards will not be accepted after 4 p.m. on the closing date.



(d) *Program information.* The amount of funds expected to be available to the State Implementation Grants under the Handicapped Children's Early Education Program is \$2 million during Fiscal Year 1978. Approximately 35 new projects and non-competing continuation projects are expected to be funded. The funding level for each of these projects has averaged between \$50,000 and \$100,000.

New projects approved for funding under this program will be for a two-year period subject to annual review of progress and the availability of funds. Non-competing continuation projects will receive funds for the final year of the project subject to that same criteria.

(e) *For further information and forms contact.* Division of Innovation and Development, Bureau of Education for the Handicapped, U.S. Office of Education, 400 Maryland Avenue, SW. (Room 3100, Donohoe Building), Washington, D.C. 20202.

(f) *Applicable regulations.* The regulations applicable to this program include the Office of Education General Provisions Regulations (45 CFR Parts 100 and 100a) and the applicable program regulations (45 CFR Parts 121 and 121d).

(20 U.S.C. 1424.)

CEDA-13.489B—TEACHER CORPS  
"TWELFTH CYCLE" PROJECTS

Closing Date—May 26, 1978

(a) *Application forms and information.* Application forms are being prepared but are not yet available. We anticipate the application forms and pro-

gram information packages will be ready for mailing on or about March 22, 1978.

Applications must be prepared and submitted in accordance with the regulations, instructions, and forms included in the program information packages.

(b) *Applications sent by mail.* An application sent by mail should be addressed to: U.S. Office of Education, Application Control Center, Attention: 13.489B, Washington, D.C. 20202. In order to be assured of consideration for support, applications should be received by the Application Control Center on or before the closing date.

An application sent by mail will be considered to be received on time by the Application Control Center if:

(1) The application was sent by registered or certified mail not later than May 22, 1978, as evidenced by the U.S. Postal Service postmark on the wrapper or envelope, or on the original receipt from the U.S. Postal Service; or,

(2) The application is received on or before the closing date by either the Department of Health, Education, and Welfare or the U.S. Office of Education mail rooms in Washington, D.C. In establishing the date of receipt, the Commissioner will rely on the time-date stamp of these mail rooms or other documentary evidence of receipt maintained by the Department of Health, Education, and Welfare, or the U.S. Office of Education.

(c) *Hand-delivered applications.* An application to be hand-delivered must be taken to the U.S. Office of Education, Application Control Center, Room 5673, Regional Office Building Three, 7th and D Streets, SW., Washington, D.C. Hand-

delivered applications will be accepted daily between the hours of 8 a.m. and 4 p.m. Washington, D.C. time except Saturdays, Sundays, or Federal holidays.

(d) *Program information.* Applications are being accepted from institutions of higher education and local educational agencies for non-competing continuation grants for the second year of "Twelfth Cycle" Teacher Corps projects began in Fiscal Year 1977. Although the appropriation for Fiscal Year 1978 has not yet been made, the appropriation is anticipated to allow the funding of 113 grants within 58 project sites. The average amount to be awarded to each project site (2 grants) will be \$235,000.

(e) *For further information and forms contact:* The Teacher Corps Program, Office of Education, 400 Maryland Avenue, SW., (Room 1700, Donohoe Building), Washington, D.C. 20202; (202) 472-2582.

(f) *Applicable regulations.* The regulations applicable to this program are the Office of Education General Provisions Regulations (45 CFR Parts 100, 100a) and the Teacher Corps regulation when it is published in final and takes effect. The Teacher Corps regulation was published as a notice of proposed rulemaking in the FEDERAL REGISTER on September 20, 1977.

(20 U.S.C. 1101-1107a.)

(20 U.S.C. 1221e.)

Dated: October 5, 1977.

ERNEST L. BOYER,  
Commissioner of Education.

[FR Doc.77-29738 Filed 10-11-77; 8:45 am]







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WEDNESDAY, OCTOBER 12, 1977

PART III



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## DEPARTMENT OF COMMERCE

Office of the Secretary



### NATIONAL VOLUNTARY LABORATORY ACCREDITATION PROGRAM

Thermal Insulation Materials; Final  
Finding of Need and Establishment of  
Criteria Committee



[ 3510-19 ]

## DEPARTMENT OF COMMERCE

Office of the Secretary

NATIONAL VOLUNTARY LABORATORY  
ACCREDITATION PROGRAMFinal Finding of Need To Accredit Testing  
Laboratories That Test Thermal Insula-  
tion Materials

AGENCY: Assistant Secretary of Commerce for Science and Technology, Commerce.

ACTION: Notice of final finding of need.

SUMMARY: Pursuant to the Procedures for a National Voluntary Laboratory Accreditation Program (15 CFR Part 7), this notice announces the Secretary's final finding of need to accredit testing laboratories that test thermal insulation materials, and thereby establishes a voluntary laboratory accreditation program to accredit such laboratories. The notice also sets out the basis for the finding of need and identifies applicable product standards, test methods and recommended practices for which testing laboratories would be required to demonstrate competence in order to be accredited. In addition, the notice advises that a separate notice is being published simultaneously with this notice announcing the establishment by the Secretary of Commerce of a National Laboratory Accreditation Criteria Committee for Thermal Insulation Materials to develop and recommend general and specific criteria for use in accrediting testing laboratories that test thermal insulation materials.

EFFECTIVE DATE: October 12, 1977.

FOR FURTHER INFORMATION CONTACT:

Dr. Howard I. Forman, Deputy Assistant Secretary for Product Standards, Room 3876, U.S. Department of Commerce, Washington, D.C. 20230 (202-377-3221).

SUPPLEMENTARY INFORMATION: On March 10, 1977, the Department announced in the *FEDERAL REGISTER* (42 FR 13326-13336) the issuance of a preliminary finding of need to accredit testing laboratories that test thermal insulation materials as required by the 45 specification standards set out in Appendix 3 to that notice. The test methods, including recommended practices, which were referenced in those 45 specification standards, were those listed in Appendix 9 to that notice. These standards include only those sections of such standards concerned with thermal, mechanical, vapor barrier, or fire properties of thermal insulation materials.

The notice invited interested persons desiring to comment on the preliminary finding of need to submit their comments to the Assistant Secretary for Science and Technology by April 11, 1977. Further, the notice advised that any person desiring to express his or her views in an informal hearing relative to the mentioned preliminary finding should

communicate that desire by March 25, 1977, to the Assistant Secretary for Science and Technology.

Following publication of the March 10 notice, written statements were received from six respondents, none of whom objected to the preliminary finding of need. Of the written comments received, two were from individual producers, one was from an association of commercial, independent testing laboratories, one was from an individual testing laboratory, one was from a technical association representing the pulp and paper industry, and one was cosigned by the three trade associations who submitted the initial request that resulted in the issuance of the preliminary finding of need in this matter and who represent approximately 90 percent of the producers of thermal insulation materials. The written comments of these six respondents are part of the public record which is available for inspection and copying in the Department's Central Reference and Records Inspection Facility, Room 5319, Main Commerce Building, 14th Street between E Street and Constitution Avenue NW., Washington, D.C. 20230. The Department received no requests for an informal hearing.

The comments on the preliminary finding of need have been carefully considered and evaluated. In addition, the Department re-examined the preliminary finding and the basis on which it was issued. A summary and analysis of the public's comments and recommendations for a final finding of need has been prepared by the Department. The summary and analysis document also reflects the Department's internal review of the preliminary finding of need. This document, which lists those members of the public that provided written comments, also is available for inspection and copying at the Department's Central Reference and Records Inspection Facility mentioned above.

Of the six written comments received from the public, only two raised substantive points. These are discussed below.

In connection with the first of the substantive points raised, it should be noted that Appendix 3 to the preliminary finding of need lists 45 thermal insulation material specifications that would serve as a basis of reference for the program for which a preliminary finding of need was made. Testing of thermal, mechanical, fire, and vapor barrier properties of thermal insulation material, as required by these specifications, would comprise the scope of the accreditation program. The applicable test methods and recommended practices are listed in Appendix 9 to the preliminary finding.

Dow Chemical U.S.A. contends that the testing of moisture and freeze-thaw resistance of thermal insulation materials is also important and the accreditation of such testing service should be added to the scope of the proposed program. This respondent proposes one additional test method (ASTM C666), but indicates that there is no existing

product specification that requires such a freeze-thaw test. Dow contends, however, that a requirement for freeze-thaw testing will become a part of various specifications in the near future.

Inclusion of a freeze-thaw test within the scope of the accreditation program without reference to an existing specification that requires such testing would be contrary to the provisions of the NVLAP procedures for such action would constitute the development of a product standard or the modification of an existing product standard. Section 7.7 (e) (2) and (3) of the NVLAP procedures prohibit such action. Accordingly, this respondent's proposal cannot be considered until such time as product specifications are developed that require the testing of freeze-thaw properties of thermal insulation materials.

The Technical Association of the Pulp and Paper Industry (TAPPI) commented regarding several tests for paper as listed in Appendix 9 to the preliminary finding of need; namely, ASTM standards D591, D826, D781, D828, D2020, and D777. TAPPI states that it is the recognized primary source for test methods in the pulp and paper area and recommends that its standards be referenced, or that both TAPPI and ASTM standards be jointly referenced in the final finding of need.

Although there are certain exceptions, it is generally agreed that existing TAPPI standards are essentially equivalent to the cited ASTM standards listed in the preceding paragraph. However, TAPPI's recommendation that its standards be referenced instead of ASTM standards is not feasible. The ASTM standards listed in Appendix 9 to the preliminary finding of need are those required by the product specification standards proposed for the accreditation program (listed in Appendix 3 to that preliminary finding). Referencing other test standards in lieu of those required by the product specifications would constitute a modification of the product standards which is prohibited by section 7.7(e)(3) of the NVLAP procedures.

TAPPI's alternate recommendation that its standards be referenced jointly with the ASTM standards cited above would seem reasonable, as long as the standards jointly referenced continue to be equivalent. As pointed out in the summary and analysis document referenced earlier herein, users of standards (and thus potential users of an accreditation program) generally use, or reference, the current issues of such documents. Therefore, it is essential that the product specification and test standards to be included in this final finding of need be referenced without dates. In this way, the accreditation program will continually be based upon referenced standards currently in effect. At this time, there is no assurance that reissues of TAPPI standards will remain essentially equivalent to reissues of ASTM standards. Accordingly, only ASTM test standards required by the product specifications are being listed in this final finding of need.



In addition to the two substantive points discussed above, several relatively minor corrections and clarifications have been made relative to the preliminary finding of need. One such correction requires the deletion of ASTM Specification C391 (Amosite Asbestos Thermal Insulation for Pipes) in Appendix 3 to the preliminary finding for the reason that this specification will be withdrawn by ASTM in November 1977. This deletion reduces the number of product standards that were set out in that Appendix 3 from 45 to 44. The list of the 44 product standards included in the scope of this program is set out in Appendix 1 to this notice. Another correction pertains to the deletion and replacement of Federal Specification HH-C-561 [Cork, compressed (corkboard) for thermal insulation] in Appendix 3 to the preliminary finding for the reason that it has been superseded by Federal Specification HH-I-525 (insulation board, thermal, cork).

There also was a need to include two test methods, ASTM method C136 (Sieve or Screen Analysis of Fine and Coarse Aggregates) and ASTM method C356 (Test for Linear Shrinkage of Preformed High Temperature Thermal Insulation Subjected to Soaking Heat) which were inadvertently omitted from Appendix 9 to the preliminary finding. A final correction results from a conclusion that ASTM test method C168 (Definition of Terms Relating to Thermal Insulating Materials) and ASTM test method C390 (Preformed Thermal Insulation Sampling) listed in Appendix 9 to the preliminary finding are not test methods or recommended practices and are not appropriate to serve as a basis for development of accreditation criteria. Therefore they are deleted from this final finding of need.

With respect to the matter of clarification, one of the items relates to whether there is a need to date product specification and test standards. It is concluded that the referenced standards indicated in the final finding of need would be the current standards in issue on the effective date of this final finding of need. Thereafter, the dates of the referenced standards would be those currently in issue.

The various corrections and clarifications referred to above are discussed in some detail in the summary and analysis document which, as was stated earlier, is available for inspection and copying at the Department of Commerce. One of the issues addressed in the summary and analysis document concerns the limitations of ASTM Test Method E84 in its ability to test the fire hazards of thermal insulation materials. Although E84 is commonly used to test the five properties of thermal insulation materials, it is generally considered inadequate for measuring the fire hazards of such materials. Accordingly, the accreditation criteria promulgated under this program to accredit testing laboratories that test thermal insulation materials will include a statement concerning the limitations of E84 that accredited testing

laboratories will be required to use in reporting E84 test results.

#### FINAL FINDING OF NEED

The joint request of Thermal Insulation Manufacturers Association, Inc., Mount Kisco, N.Y.; the National Mineral Wool Insulation Association, Inc., Summit, N.J., and the National Cellulose Insulation Manufacturers Association, Inc., Elk Grove Village, Ill., that the Secretary of Commerce find that there is a need to accredit testing laboratories which render services in the field of thermal insulation has been carefully examined and evaluated. Moreover, the earlier issued preliminary finding of need in this matter, together with the written comments submitted by interested parties in response thereto, have been carefully reviewed and analyzed. On the basis of that review and analysis, including the corrections and clarifications that have been made as a result thereof, it is hereby found that a need exists to accredit testing laboratories that test thermal insulation materials. The basis for this finding is as follows:

(a) Thermal insulation materials production exceeds \$1 billion in value of annual shipments. A large percentage of this output is produced to meet requirements of 44 product standards included in the scope of this program. These product standards specify the physical properties that thermal insulation materials must have to be acceptable for insulation purposes. In addition, these product standards identify the test methods and recommended practices that laboratories will use to determine that the physical properties of thermal insulation materials meet the specified requirements. Therefore the product standards included in the scope of this program are important to commerce and consumer well-being.

(b) The 37 test methods and recommended practices included in the scope of this program are specified for use by the product standards noted above. These standard methods and practices are important to energy conservation efforts. They are used to measure those physical properties of thermal insulation materials necessary for determination of insulation effectiveness and compliance with building code requirements. Thus they serve energy conservation purposes. To the extent that they serve such purposes, the test methods and recommended practices are valid and theoretically sound. No claim is made or implied that the methods and practices are valid for serving other needs, such as health, safety, and noise abatement.

(c) Measurement of the physical properties of thermal insulation materials are prone to significant error unless the test methods and recommended practices noted above are carefully and expertly employed. As reliance is placed on such measurements for determination that the physical properties of thermal insulation materials meet requirements, such errors result in the production and use of inadequate thermal insulation materials that adversely affect the public.

(d) Increased assurance that testing laboratories correctly employ such test methods and recommended practices can be realized by the establishment of an accreditation program for laboratories that test thermal insulation materials. No accreditation program having this purpose exists either in the government or the private sector. Under procedures of the National Voluntary Laboratory Accreditation Program, a mechanism now exists to develop and promulgate nationally recognized criteria for evaluation and accreditation of testing laboratories that test thermal insulation materials, using as a basis of reference the requirements of the important product and test standards included in the scope of this program. Furthermore, experience of on-going laboratory evaluation activities in other areas indicates that site inspection and proficiency test sample services that may be required can be provided to large numbers of testing laboratories on a continuing basis, and that laboratories do request and pay costs for such services. It has also been ascertained that the costs to the government and the participating laboratories would have no major inflationary impact. Therefore it is concluded that it is practical and feasible to establish this accreditation program for the purpose of increasing assurance that testing laboratories have the competence and capability to properly conduct the test methods and recommended practices required by product standards important to the production and use of thermal insulation materials. As there is a public tendency to utilize accredited services when such services are available, it is concluded that this increased assurance of adequate testing capability will lead directly to increased availability in the marketplace of thermal insulation materials having reliably known properties.

(e) Residential and industrial use of thermal insulation materials is increasing significantly due to increasing fuel costs and interest in energy conservation. Federal and State governments are promoting increased use of thermal insulation materials through energy conservation legislation, aid to low-income families, tax rebate plans and requirements of building codes and home loan guarantee programs. Availability of competent testing services, which in turn will result in increased availability in the marketplace of thermal insulation materials with accurately stated properties, will benefit the public interest. Availability of thermal insulation materials having properties as specified will assist consumer information and guideline programs; aid the professional installer and designer of insulation systems, promote equitable trade conditions for producers and distributors, and help assure value received for expenditure of public funds. The resultant enhancement of energy conservation efforts, fuel cost savings and advantages to commerce and consumer well-being constitute the benefit to the public interest.

In view of the above finding of need, the Department hereby establishes a vol-



untary laboratory accreditation program to accredit testing laboratories that test the product, thermal insulation materials. The purpose of this accreditation program is presently limited to evaluating and accrediting testing laboratory facilities to determine their capability to conduct tests required by the applicable product standards, only to the extent that such requirements concern the acceptability and effectiveness of thermal insulation materials for use in conserving energy. The fire property test, ASTM E84, is included as a reference test method, not because it may or may not serve the needs of the public safety, but because its test results are commonly required by authorities who establish rules for the acceptability and use of thermal insulation materials. To the extent that E84 test ratings serve this latter purpose, the test method is important to the objective of conserving energy.

The applicable standards are those 44 product standards set out in Appendix 1 to this notice. The 37 test methods, including recommended practices, are those set out in Appendix 2. The applicable product standards, test methods and recommended practices included in this finding are those which are in effect on the date on which this final finding of need is published in the FEDERAL REGISTER. Thereafter, such applicable product standards, test methods and recommended practices shall be those versions that are then currently in effect. The applicable product standards include only those sections of such standards concerned with thermal, mechanical, vapor barrier or fire properties of thermal insulation materials.

The applicable test methods and recommended practices include only those sections required by the applicable product standards. Other product standards, test methods and recommended practices, not specifically referenced in this final finding of need, are part of this finding to the extent that they are referenced by and are essential to the requirements of the applicable product standards, test methods and recommended practices.

The specific sections of the applicable product standards, test methods and recommended practices, as well as those other product standards, test methods and recommended practices not specifically referred to in this final finding of need, as noted above, that will be pertinent to this accreditation program, will be set out when accreditation criteria are published in the FEDERAL REGISTER in accordance with section 7.8 of the NVLAP procedures.

Being published simultaneously with this notice is a separate notice in the FEDERAL REGISTER which announces the establishment by the Secretary of a National Laboratory Accreditation Criteria Committee for Thermal Insulation Materials pursuant to the provisions of the Federal Advisory Committee Act (5

U.S.C. App. 1 (Supp. V, 1975)). The function of that Committee will be to develop and recommend to the Secretary general and specific criteria for use in accrediting testing laboratories that test thermal insulation materials.

NOTE.—The Department of Commerce has determined that this document does not contain a major proposal requiring preparation

of an Economic Impact Statement under Executive Order 11821, as amended by Executive Order 11949, and Office of Management and Budget Circular No. A-107.

Issued: October 6, 1977.

FRANCIS W. WOLEK,  
Acting Assistant Secretary for  
Science and Technology.

#### APPENDIX 1:—Product standards applicable to final finding of need<sup>1</sup>

| Federal specifications:  | Title  |
|--------------------------|--|
| HH-B-100                 | Barrier material vapor (for pipe, duct and equipment thermal insulation).  |
| HH-I-525                 | Insulation board, thermal, cork.   |
| HH-I-521                 | Insulation blankets, thermal (mineral fiber, for ambient temperatures).  |
| HH-I-515                 | Insulation thermal (loose fill for pneumatic or poured application) cellulosic or wood fiber.  |
| HH-I-545                 | Insulation, thermal and acoustical (mineral fiber, duct lining material).  |
| HH-I-558                 | Insulation, blocks, boards, blankets, felts, sleeving (pipe and tube covering), and pipe fitting covering, thermal (mineral fiber, industrial type). |
| HH-I-574                 | Insulation, thermal (perlite).   |
| HH-I-585                 | Insulation, thermal (Vermiculite).   |
| HH-I-578                 | Insulation pipe covering and block, thermal, (Vermiculite).  |
| HH-I-1030                | Insulation, thermal (mineral fiber, for pneumatic or poured application).  |
| HH-I-1252                | Insulation, thermal, reflective (aluminum foil).   |
| HH-I-524                 | Insulation board, thermal (polystyrene).   |
| HH-I-530                 | Insulation board, thermal (urethane).  |
| HH-I-550                 | Insulation sleeving, thermal (urethane).   |
| Military specifications: |  |
| MIL-Stnd-769             | Thermal insulation requirements for machinery and piping.  |
| LLL-I-535                | Insulation board, thermal and insulation block, thermal.   |
| MIL-I-742                | Insulation board, thermal, fibrous glass.  |
| MIL-I-2781               | Insulation, pipe, thermal.   |
| MIL-I-2818               | Insulation blanket, thermal, fibrous mineral.  |
| MIL-I-2819               | Insulation block, thermal.   |
| MIL-I-15475              | Insulation felt, thermal, fibrous glass, semirigid.  |
| MIL-I-22023              | Insulation felt, thermal and sound absorbing felt, fibrous glass, flexible.  |
| MIL-I-22344              | Insulation, pipe, thermal, fibrous glass.  |
| MIL-I-23128              | Insulation blanket, thermal, refractory fiber, flexible.   |
| Maritime specifications: |  |
| 32-MA-1                  | Insulation: Mineral fiber, blanket type (3-8 lb/ft <sup>3</sup> ).   |
| 32-MA-3                  | Insulation: Felt, thermal, fibrous glass.  |
| 32-MA-4                  | Plastic material: Thermal, cellular, urethane, rigid.  |
| 32-MA-8                  | Insulation: Pipe covering, urethane, thermal, rigid.   |
| ASTM specifications:     |  |
| C262                     | Mineral fiber batt insulation (industrial type).   |
| C516                     | Vermiculite loose fill insulation.   |
| C517                     | Diatomaceous earth block and pipe thermal insulation.  |
| C533                     | Calcium silicate block and pipe thermal insulation.  |
| C549                     | Perlite loose fill insulation.   |
| C553                     | Mineral fiber blanket and felt insulation (industrial type).   |
| C592                     | Mineral fiber blanket insulation and blanket-type pipe insulation (metal-mesh covered) (industrial type).  |
| C610                     | Expanded Perlite block and pipe thermal insulation.  |
| C640                     | Corkboard and cork pipe insulation for low-temperature thermal insulation.   |
| C665                     | Mineral fiber blanket thermal insulation for wood frame and light construction buildings.  |
| C728                     | Perlite thermal insulation board.  |
| C764                     | Mineral fiber loose fill thermal insulation.   |
| C739                     | Cellulosic fiber (wood-base) loose-fill thermal insulation.  |
| C578                     | Preformed, block-type cellular polystyrene thermal insulation.   |
| C591                     | Rigid preformed cellular urethane thermal insulation.  |
| C532                     | Structural insulating formboard (cellulosic fiber).  |

<sup>1</sup> Excluding requirements other than those related to testing of thermal, mechanical, fire and vapor barrier properties.



## APPENDIX 2.—ASTM test methods, and recommended practices applicable to final finding of need

| ASTM designation: | Title  |
|-------------------|--|
| C177 -----        | Steady-state thermal transmission properties by means of the guarded hot plate.  |
| C518 -----        | Steady-state thermal transmission properties by means of the heat flow meter.  |
| C335 -----        | Thermal conductivity of pipe insulation.   |
| C236 -----        | Thermal conductance and transmittance of built-up sections by means of the guarded hot box.  |
| C653 -----        | Recommended practice for determination of thermal resistance of low-density mineral fiber blanket-type building insulation.                                  |
| C687 -----        | Recommended practice for determination of thermal resistance of low-density fibrous loose fill-type building insulation.                                     |
| C167 -----        | Tests for thickness and density of blanket- or batt-type thermal insulating materials.   |
| C302 -----        | Test for density of preformed pipe-covering-type thermal insulation.   |
| C303 -----        | Test for density of preformed block-type thermal insulation.   |
| C519 -----        | Test for density of fibrous loose fill building insulations.   |
| C520 -----        | Test for density of granular loose fill insulations.   |
| D1622 -----       | Test for apparent density of rigid cellular plastics.  |
| C136 -----        | Sieve or screen analysis of fine and coarse aggregates.  |
| C585 -----        | Recommended practice for inner and outer diameters of rigid thermal insulation for nominal sizes of pipe and tubing (NPS system).                            |
| C356 -----        | Test for linear shrinkage of preformed high-temperature thermal insulation subjected to soaking heat.  |
| C355 -----        | Tests for water vapor transmission of thick materials.   |
| D2842 -----       | Test for water absorption of rigid cellular plastics.  |
| D2126 -----       | Test for response of rigid cellular plastics to thermal and humid aging.   |
| D591 -----        | Test for starch in paper.  |
| C272 -----        | Test for water absorption of core materials for structural sandwich constructions.   |
| D756 -----        | Tests for resistance of plastics to accelerated service conditions.  |
| C411 -----        | Test for hot-surface performance of high-temperature thermal insulation.   |
| C450 -----        | Recommended practice for prefabrication and field fabrication of thermal insulating fitting covers for NPS piping, vessel lagging, and dished-head segments. |
| C165 -----        | Test for compressive strength or preformed block-type thermal insulation.  |
| C203 -----        | Test for breaking load and calculated flexural strength of preformed block-type thermal insulation.  |
| C446 -----        | Test for breaking load and calculated modulus of rupture of preformed insulation for pipes.  |
| D1621 -----       | Test for compressive properties of rigid cellular plastics.  |
| D781 -----        | Tests for puncture and stiffness of paperboard, corrugated and solid fiberboard.   |
| D828 -----        | Test for tensile breaking strength of paper and paperboard.  |
| C209 -----        | Testing insulating board (cellulosic fiber), structural and decorative.  |
| C273 -----        | Shear test in flatwise plane of flat sandwich constructions or sandwich cores.   |
| E84 -----         | Test for surface burning characteristics of building materials.  |
| E136 -----        | Test for noncombustibility of elementary materials.  |
| E96 -----         | Test for water vapor transmission of materials in sheet form.  |
| D2020 -----       | Tests for mildew (fungus) resistance of paper and paperboard.  |
| C445 -----        | Test for normal total emittance of surfaces of materials 0.01 in or less in thickness at approximately room temperature.                                     |
| D777 -----        | Test for flammability of treated paper and paperboard.   |

[FR Doc.77-29776 Filed 10-11-77; 8:45 am]

## [ 3510-19 ]

## NATIONAL VOLUNTARY LABORATORY ACCREDITATION PROGRAM

## Establishment of Criteria Committee for Thermal Insulation Materials

In a separate notice appearing in this issue of the *FEDERAL REGISTER*, the Department of Commerce announced the issuance of a final finding of need to accredit testing laboratories that test thermal insulation materials. Accordingly, pursuant to paragraph (h) (3) of section 7.4 of the Procedures for a National Voluntary Laboratory Accreditation Program (15 CFR Part 7) and the Federal Advisory Committee Act (5 U.S.C. App. I (Supp. V, 1975)) notice is hereby given that the Secretary of Commerce has determined, after consultation with the Office of Management and Budget, that the establishment of the National Laboratory Accreditation Criteria Committee for Thermal Insulation Materials is in the public interest in connection with the performance of duties imposed on the Department by law.

The Committee's duties will be to develop and recommend to the Secretary general and specific criteria to accredit testing laboratories that test thermal insulation materials. The factors to be considered by the Criteria Committee in the development of such recommended criteria will be those set forth in paragraphs (a) (1) and (2) of section 7.7 of the referenced Procedures. The criteria developed by the Committee will be in accordance with the terms and conditions set out in subsections (b), (c), and (d) of section 7.7 of the Procedures. Furthermore, in accordance with subsection 7.8(c) of the referenced Procedures, the Committee will provide to the Secretary its evaluation and recommendations regarding written and oral comments submitted by interested parties on the proposed criteria published by the Secretary in the *FEDERAL REGISTER*.

The Committee will consist of twenty-one members from the government and private sectors. For balanced membership the Committee will have the following composition:

|  |    |
|--|----|
| Federal agency interests.....  | 6  |
| State or local government interests....  | 4  |
| Private sector interests (producers, distributors, users, consumers, academia, testing laboratories, general interest groups)..... | 10 |
| Department of Commerce (Chairman) .....  | 1  |
| Total membership.....  | 21 |

Private sector Committee members will be appointed by the Secretary for two-year terms. Individuals representing Federal or State or local government in-



## NOTICES

terests will be appointed by the head of the agency or organization concerned for two-year terms. The Committee Chairman will be the Department's Deputy Assistant Secretary for Product Standards.

Members of the Committee will be selected on the basis of their specialized experience relating to the manufacture and use or knowledge of thermal insulation materials. Persons desiring to serve on this Criteria Committee should submit a letter to Dr. Howard I. Forman, Deputy Assistant Secretary for Product Standards, Room 3876, U.S. Department of Commerce, Washington, D.C. 20230. The letter should include a statement of the applicant's qualifications in terms of education and experience in the field of

thermal insulation materials and the affected interest that such applicant would wish to represent.

Members of the Committee will not be compensated for their services. They shall, upon request, be paid travel expenses incurred in the performance of their duties for the Committee as authorized by the Department of Commerce travel regulations. The Committee will meet as often as necessary to perform its functions within the time limits established by the Secretary under subsections 7.6(d) and 7.8(c) of the referenced Procedures. It is estimated that the Committee will meet at least four times during the first year.

The Committee will function solely as an advisory body, and in compliance with the provisions of the Federal Ad-

visory Committee Act. Its charter will be filed under the Act 15 days from the date of publication of this notice.

Interested persons are invited to submit comments regarding the establishment of the National Laboratory Accreditation Criteria Committee for Thermal Insulation Materials. Such comments, as well as any inquiries, may be addressed to Dr. Howard I. Forman, Deputy Assistant Secretary for Product Standards, Room 3876, U.S. Department of Commerce, Washington, D.C. 20230 (202-377-3221).

Issued: October 5, 1977.

GUY W. CHAMBERLAIN, Jr.,  
*Acting Assistant Secretary  
for Administration.*

[FR Doc.77-29775 Filed 10-11-77;8:45 am]



Registered  
Federal

WEDNESDAY, OCTOBER 12, 1977

PART IV



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## COUNCIL ON ENVIRONMENTAL QUALITY

■

### TSCA INTERAGENCY TESTING COMMITTEE

Initial Report to the Administrator,  
Environmental Protection Agency



[3125-01]

# COUNCIL ON ENVIRONMENTAL QUALITY

## TSCA INTERAGENCY TESTING COMMITTEE

### Initial Report to the Administrator, Environmental Protection Agency

As required by section 4(e) of the Toxic Substances Control Act (TSCA), presented herein is the first official report of the Interagency Testing Committee. The Committee has the statutory responsibility to identify and recommend to the Administrator of EPA chemical substances which should be tested to determine their hazard to human health or the environment.

This report reflects the consensus of representatives from all eight member agencies: ten substances and categories of substances are recommended as high priority for testing and designated for consideration by EPA within twelve months.

As required by the statute, the Committee will continue its review process, reporting to the EPA Administrator within six months from the date of this report such additional recommendations

as the Committee finds desirable during that period.

Dated: October 5, 1977.

WARREN R. MUIR,  
*Chairman TSCA Interagency  
Testing Committee.*

EXECUTIVE OFFICE OF THE PRESIDENT,  
COUNCIL ON ENVIRONMENTAL QUALITY,  
Washington, D.C., October 4, 1977.

HON. DOUGLAS M. COSTLE,  
*Administrator,  
Environmental Protection Agency,  
Washington, D.C.*

DEAR MR. COSTLE: The enclosed document is the first official report submitted to you by the Interagency Testing Committee pursuant to Section 4(e) of the Toxic Substances Control Act (TSCA). It reflects the consensus of representatives from all eight member agencies: that the ten listed substances and categories of substances be recommended as high priority for testing under TSCA and designated for consideration by EPA within twelve months.

The report describes the process employed by the Committee in making its recommendations and the rationale for each designation. A supporting dossier

for each designation will be forwarded to the Office of Toxic Substances in the next few weeks.

Only a portion of the compounds identified in the July preliminary report has been considered to date. The first revision of our recommendations will be based largely upon further review of those chemicals previously identified. Because this is a continuing process, we will, of course, identify additional chemicals for such review as information becomes available to us.

The Committee has been hampered in its deliberations by the lack of a readily available and consolidated source of data on the many chemicals to which man and the environment are exposed. Other activities under TSCA, e.g., development of coordinated data systems, inventory reporting, and other information collection under Section 8, should be of considerable value in future Committee efforts. Therefore, we expect that a number of additional substances will be listed and integrated in our future reports.

We hope our analysis and recommendations will be helpful to EPA in its implementation of the Toxic Substances Control Act.

Sincerely,

WARREN R. MUIR, Ph. D.,  
*Chairman, TSCA Interagency  
Testing Committee.*



INITIAL REPORT OF THE TSCA INTERAGENCY TESTING COMMITTEE  
TO THE  
ADMINISTRATOR, ENVIRONMENTAL PROTECTION AGENCY

October 1, 1977



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TSCA INTERAGENCY TESTING COMMITTEEStatutory Member AgenciesCouncil on Environmental Quality

Warren R. Muir, Member and  
Committee Chairman

National Institute of Environmental  
Health Sciences

Hans L. Falk, Member

Warren T. Piver, Alternate

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Sidney R. Galler, Member

Bernard Greifer, Alternate

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Secretary: Phyllis D. Tucker



ACKNOWLEDGMENTS

The Committee wishes to acknowledge the important contributions of the many individuals and groups who have significantly aided us in our work. These include:

- Clement Associates, Inc., technical support contractor;
- the National Science Foundation, for funding and managing the technical support contract and the National Cancer Institute and National Institute of Environmental Health Sciences for assisting in that funding;
- government experts who assisted in the scoring of biological activity and test needs, including Laurence Fishbein of the National Center for Toxicological Research, Elizabeth Weisburger of the National Cancer Institute, and a number of experts from the Department of Interior;
- EPA staff members who assisted the Committee in a variety of activities, and particularly:
  - Donald Barnes, Office of Toxic Substances
  - Joyce Dain, Interim Secretary to the Committee
  - John Lyon, Office of General Counsel
  - Joseph Merenda, staff support to EPA member
  - Lamar Miller, interim staff support to EPA member
  - Ralph Northrop, Jr., Office of Toxic Substances
- the numerous experts who prepared presentations and materials for the Committee; and
- the many individuals and organizations who submitted comments on the Committee's Preliminary List.



## SUMMARY

The Toxic Substances Control Act (TSCA) established the TSCA Interagency Testing Committee, giving it the continuing responsibility to identify and recommend to the Administrator of the Environmental Protection Agency chemical substances and mixtures which should be tested to determine their hazards to human health and the environment. The Committee's initial recommendations are to be published in the Federal Register and transmitted to the EPA Administrator within nine months of the effective date of TSCA. The Committee is to consider additions to its recommendations at least every six months.

In meeting its charge, the Committee has, with the assistance of a technical support contractor, carried out a multi-step screening procedure to identify for its detailed review a limited number of substances and categories of substances likely to have priority for testing to determine their effects on human health and the environment. A number of substances and categories identified by this process have been reviewed by the Committee, which has given careful consideration to each of the eight factors specified in Section 4(e)(1)(A) of TSCA. The Committee has also considered such factors as test programs currently in progress, the current status of regulatory action with respect to a substance, and the need for test data on all members of certain categories rather than on one or more individual members of the category.

In July, 1977, the Committee published a Preliminary List of 330 substances and categories of substances along with a background document describing the methods used by the Committee in making those selections. The Preliminary List included substances and categories selected primarily on the basis of potential for human exposure and environmental release. Public comments received on the Preliminary List were reviewed by the Committee and considered in the development of the Committee's initial recommendations.

Subsequently, the chemicals on the Preliminary List and chemicals added to the Preliminary List based on the public comments were further screened by the Committee based primarily on their potential for adverse human and/or environmental effects, but also continuing to consider their exposure potential. Available data on and potential for carcinogenic, mutagenic, teratogenic and chronic toxic effects, as well as their ability to bioaccumulate or cause deleterious environmental effects were considered. A scoring system which took into account both available information and the lack of it for these factors was used in this process. Using these scoring results and its scientific judgment, the Committee further narrowed the list under consideration to about 80 substances and categories. Aided by information dossiers prepared by its contractor, the Committee reviewed about half of these compounds and has selected for inclusion in its initial recommendations to the EPA Administrator four individual substances and six categories of substances. Each is being

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designated by the Committee for consideration by EPA within the next 12 months. They are (arranged alphabetically):

| Substance or Category               | Testing Recommended  |
|-------------------------------------|--|
| Alkyl Epoxides                      | Carcinogenicity, mutagenicity, teratogenicity, other chronic effects, environmental effects, and epidemiological study |
| Alkyl Phthalates                    | Environmental effects  |
| Chlorinated Benzenes, Mono- and Di- | Carcinogenicity, mutagenicity, teratogenicity, other chronic effects, environmental effects, and epidemiological study |
| Chlorinated Paraffins               | Carcinogenicity, mutagenicity, teratogenicity, other chronic effects, and environmental effects                        |
| Chloromethane                       | Carcinogenicity, mutagenicity, teratogenicity, and other chronic effects   |
| Cresols                             | Carcinogenicity, mutagenicity, teratogenicity, other chronic effects, and environmental effects                        |
| Hexachloro-1,3-butadiene            | Environmental effects  |
| Nitrobenzene                        | Carcinogenicity, mutagenicity, and environmental effects   |
| Toluene                             | Carcinogenicity, teratogenicity, other chronic effects, and epidemiological study                                      |
| Xylenes                             | Mutagenicity, teratogenicity, and epidemiological study  |

The Committee's reasons for each recommendation and a more detailed definition of each of the categories are presented in Section 3.2. The Committee expects that the precise definition of each category will be considered further by EPA in the course of developing testing rules. The Committee also recognizes that certain members of a category may already have been adequately tested for one or more of the effects for which testing of the category has been recommended. In that case, no further testing for that combination of substance and effect would be needed.

A dossier summarizing the information considered by the Committee in selecting each substance or category will be forwarded to EPA in the next few weeks. The Committee will continue its review of the remaining substances and categories already selected for detailed review, and may identify and review others, in anticipation of its next report.



INITIAL REPORT OF THE TSCA INTERAGENCY TESTING COMMITTEE  
TO THE  
ADMINISTRATOR, ENVIRONMENTAL PROTECTION AGENCY

October 1, 1977

CHAPTER 1. INTRODUCTION

1.1 BACKGROUND

Section 4(e) of the Toxic Substances Control Act (P.L. 94-469, hereafter referred to as TSCA) established the TSCA Interagency Testing Committee. That Committee has the continuing responsibility to identify and recommend to the Administrator of the Environmental Protection Agency chemical substances or mixtures which should be tested to determine their hazard to human health or the environment. The statute provides that the Committee shall make its initial recommendations to EPA by October 1, 1977.

To carry out this responsibility, the Committee has developed and executed a multi-step screening procedure to identify for its detailed review a number of chemical substances and categories of chemical substances expected to have a high priority for testing based on the criteria set forth in Section 4(e)(1)(A) of TSCA. The Committee received extensive technical support in this screening, and in the gathering of data on substances and categories selected for detailed review, from Clement Associates, Inc. under a contract with the National Science Foundation. After reviewing the information available to it on each candidate, including public comments submitted in response to the Committee's July, 1977, publication of a preliminary list of substances under consideration, the Committee has selected the ten substances and categories being recommended to the EPA Administrator in this report. As required by the statute, the Committee will continue its review process, reporting to the EPA Administrator within six months from the date of this report such additional recommendations as the Committee finds desirable during that period.

This report documents the procedures used by the Committee in selecting those substances and categories now being recommended for testing, and, as required by the statute, provides the Committee's reasons for making each such recommendation. In addition to the material contained in this report, the Committee is now finalizing a series of dossiers developed by its technical support contractor which will summarize all of the non-confidential information considered by the Committee in deciding to recommend each substance or category for testing. These dossiers will be transmitted to the EPA in a few weeks.



## 1.2 COMMITTEE ESTABLISHMENT AND RESPONSIBILITIES

The Committee, as established by Section 4(e) of TSCA, has eight members, appointed by the eight Federal agencies identified for membership in Section 4(e)(2)(A) of the Act. In addition, a number of alternates have been designated as permitted by Section 4(e)(2)(B)(i). The Committee has adopted the name "TSCA Interagency Testing Committee", which is frequently shortened in this report to "Committee". As provided by Section 4(e)(2)(B)(iii), it has selected a chairman from among its members. The Committee has also invited several other Federal agencies with programs related to the control of toxic substances, but which were not included in the statutory membership of the Committee, to designate liaison representatives to attend Committee meetings. Current Committee members, alternates, and liaison representatives are identified in the frontispiece.

The Committee's testing priority recommendations are required by Section 4(e) to be published in the Federal Register and transmitted to the EPA Administrator within nine months of the January 1, 1977, effective date of TSCA. At least every six months thereafter, the Committee is required to review its recommendations and make such revisions as are necessary.

The Committee's recommendations are to be in the form of a list of chemical substances or mixtures set forth, either individually or in groups, in the order in which the Committee determines the EPA Administrator should consider taking action under Section 4(a) in developing and promulgating testing regulations. The Committee is authorized to designate up to 50 of these substances or groups for which the EPA Administrator must within 12 months either initiate rulemaking requiring their testing or publish reasons for not taking such action.

In developing its recommendations, the Committee is directed by Section 4(e)(1)(A) of TSCA to consider, along with all other relevant factors: the production volume, environmental release, occupational exposure, and non-occupational human exposure to the substance or mixture; the similarity of the substance or mixture in question to others known to present unreasonable risk of injury to health or the environment; the extent of data on the effects of the substance or mixture in question on health or the environment and the extent to which additional testing of the substance or mixture may produce data from which effects can reasonably be determined or predicted; and the reasonably foreseeable availability of facilities and personnel for performing the testing being recommended. The Committee is also directed by Section 4(e) to give priority attention in establishing its list of recommendations to substances or mixtures which are known or suspected to cause or contribute to cancer, gene mutations, or birth defects.



The Committee's specific reasons for including each substance or mixture in its recommendations are required to be published in the Federal Register and transmitted to the EPA Administrator along with the priority list.

While Section 4(e) refers to the Committee's recommendations as a list of "chemical substances and mixtures", Section 26(c)(1) authorizes the EPA Administrator to take actions (including the promulgation of Section 4(a) testing regulations) with respect to categories of chemical substances or mixtures as well. A category is defined in TSCA as a group whose members are similar in molecular structure; in physical, chemical, or biological properties; in use; in mode of entrance into the human body or into the environment; or in any other way, so long as the grouping is not based solely on its members being "new chemical substances" as defined in the Act. Since the EPA Administrator is authorized to promulgate testing regulations for categories of chemical substances or mixtures, the Committee has concluded that its recommendations to the EPA Administrator may also include categories (or groups) of chemical substances or mixtures, as well as individual substances and mixtures. This conclusion is consistent with Section 4(e) which states that the Committee's recommendations for testing "shall be in the form of a list of chemical substances and mixtures which shall be set forth, either by individual substance or mixture or by groups of substances or mixtures... ."

In order to maintain consistency in this report and in keeping with its meaning in TSCA, the term "category" will be used to reflect groupings of substances. "Substance" will be used to refer to both individual chemicals as well as mixtures.



CHAPTER 2. DEVELOPMENT OF THE COMMITTEE'S INITIAL RECOMMENDATIONS2.1 SELECTION OF THE COMMITTEE'S BASIC APPROACH

Estimates of the number of chemical substances and mixtures subject to TSCA range from tens of thousands to over 100,000; the number and identities of these substances and mixtures will not be established until after the completion of the chemical inventory under Section 8(b) of TSCA. Nevertheless, all of these substances and mixtures, together with others which may be manufactured in the future, are subject to the promulgation of testing rules under Section 4(a) and are thus within the purview of the Interagency Testing Committee.

At the same time, Section 4(e) of TSCA specifies a number of factors which the Committee is to consider in determining whether to recommend a substance for testing. Careful consideration of these factors requires the collection and review of a substantial amount of data concerning the production, use, chemical and biological activity, and previous testing of each substance or category of substances under consideration.

As a result, because of the lack of a comprehensive and readily accessible data base on current chemicals, the large number of potential candidates for the Committee's consideration, and the statutory deadline for the Committee's initial recommendations to EPA, the Committee has had to select for its detailed consideration only a small subset of the possible candidates.

In considering alternative approaches to selecting a limited number of substances for detailed review, the Committee met with a number of experts on chemical data systems and chemical characterization. Several possible approaches were identified. One was a nomination approach in which Committee members or other experts would nominate specific chemicals for consideration. Another was to use structure-activity relationships to identify for review substances chemically similar to others of known hazard. Yet another approach was to focus the Committee's attention on those substances known to have high levels of production volume, environmental release, or human exposure.

After considering these alternatives, the Committee decided to adopt a combined strategy employing features of each. This resulted in a multi-step screening process wherein a relatively large number of substances were considered initially and at each subsequent step a smaller subset was selected for collection of more data and more intensive review.



The basic steps in the process adopted by the Committee, which are illustrated in Figure 1 and are described in more detail in subsequent sections, were as follows:

- a. Establishment of an INITIAL LISTING of about 3,650 substances and categories of substances previously identified as potential hazards to human health or the environment,
- b. Compilation of a smaller MASTER FILE (about 1,700 substances and categories) through elimination from the INITIAL LISTING of substances not in commercial production or used predominantly as pesticides, food additives, or drugs,
- c. Selection of a PRELIMINARY LIST of about 330 substances and categories for further consideration based on evaluation of the production volume, environmental release, occupational exposure, and general human exposure levels of the substances in the MASTER FILE,
- d. Selection of about 80 substances and categories for detailed review based on evaluation of the potential biological activity and need for health and ecological effects testing of substances appearing on the PRELIMINARY LIST,
- e. Selection of substances and categories recommended for testing after review of preliminary dossiers prepared by the Committee's contractor, public comments on the PRELIMINARY LIST, and other pertinent information available to the Committee from various agencies,
- f. Documentation of the Committee's reasons for including each substance or category in its list of recommendations and completion of a final dossier summarizing the information considered by the Committee in reaching its decision.



## STEPS IN SELECTION PROCESS

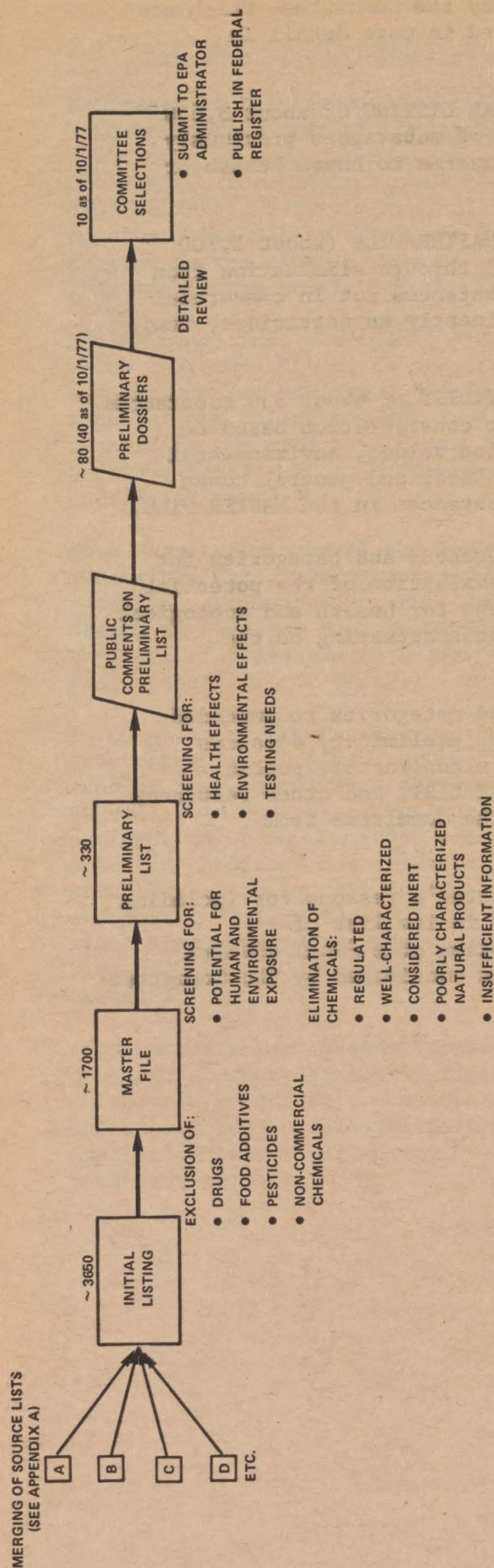


FIGURE 1. SELECTION SCHEME USED BY THE TSCA INTERAGENCY COMMITTEE IN SELECTING ITS INITIAL RECOMMENDATIONS TO THE EPA ADMINISTRATOR (OCTOBER 1977)



Carrying out this multi-step process required the collection, review, coding, and analysis of data on a large number of chemical substances, as well as the application of scientific judgment in many areas where adequate data were unavailable. The Committee was supported extensively in these efforts by Clement Associates, Inc. under a contract with the National Science Foundation (Contract No. NSF ENV77-15417 with partial funding by the NIEHS and NCI. The contractor employed expert consultants from a variety of disciplines in carrying out its tasks under the contract. In addition, many U.S. Government agencies made data and expertise of their employees available to the Committee for these efforts.

Several of the steps of the Committee's procedure employed quantitative scoring of the substances under consideration. Members of the Committee used their professional expertise and judgment in applying these scores to the decisions at each step.

## 2.2 ESTABLISHMENT OF THE INITIAL LISTING

In order to focus its initial attention on substances likely to require health and/or ecological effects testing, and for which sufficient preliminary data were likely to be available to permit more detailed reviews at later steps, the Committee chose to limit its initial consideration to substances or categories of substances which had already been identified in previous reviews as being of concern because of potential adverse effects on human health or the environment or as having large production volumes and a potential for substantial human exposure or environmental release. Nineteen separate source lists of this type were identified by the Committee and pooled to produce the INITIAL LISTING of about 3,650 substances, mixtures, and categories. The individual source lists are identified and described briefly in Appendix A.

## 2.3 REDUCTION TO THE MASTER FILE

The INITIAL LISTING included a number of substances having pesticide, food additive, or drug uses, all of which are regulated under other Federal statutes and are exempted from regulation by TSCA. To identify them, the INITIAL LISTING was compared with lists of pesticides prepared by the EPA and lists of food additives and drugs prepared by the Food and Drug Administration, using Chemical Abstracts Service (CAS) Registry Numbers. This initial purge of substances subject to other statutes was incomplete, since some entries on source lists did not include CAS numbers. To compensate for this, a further manual purging was required. Consideration was also given to the fact that a substance used as a pesticide, food additive or drug may also have other uses that are subject to the authority of TSCA. Since pesticides, food additives, and drugs are generally produced in limited volumes, substances identified as such but having annual production over 10 million pounds were considered likely to have other uses as well and were retained on the truncated list for further review of their uses. Substances identified as pesticides, food additives, or drugs but known to the Committee or its contractor to have other uses within the jurisdiction of TSCA were also retained.



The resulting file was reduced further by the elimination of chemicals which were judged not likely to be in commercial production. This was accomplished by comparing the file against EPA's Candidate List of Chemical Substances, prepared by the Office of Toxic Substances (dated April 1977). Again, the basis of comparison for this purge was an assigned CAS number. Consequently, this purge did not affect those chemicals on source lists for which no CAS number was given. In an attempt to eliminate substances which are not in commercial production, the following rule was adopted: any substance not identified by a CAS number which appeared on the NIOSH Registry (Source List 13 of Appendix A) and on none of the other source lists was judged not likely to be in commercial production. This decision was based on the fact that the NIOSH Registry lists any substance for which toxic effects have been reported, including research chemicals. A scan of the substances eliminated by the application of this rule demonstrated its usefulness: few of the purged substances were recognized to be in commercial production.

As a result of the purges described above, a MASTER FILE of approximately 1700 substances emerged.

#### 2.4 SELECTION OF THE PRELIMINARY LIST

Having developed a MASTER FILE of substances to be considered for possible recommendation to EPA for testing, the Committee began to apply the eight factors explicitly identified for its consideration in Section 4(e)(1)(A). While recognizing that there would be advantages to applying all of the first seven factors\* simultaneously in evaluating the relative priorities for detailed review of the substances under consideration, the Committee concluded that assembling and evaluating the necessary data for all substances on the MASTER FILE would not be feasible within the time schedule established by statute, considering the limitations of current chemical information systems and the number of professional judgments which would have to be made. Evaluation of the fifth, sixth, and seventh factors (relating to chemical similarity to substances of known hazard, existing health and environmental effects data, and need for testing) was anticipated to require more independent review and judgment and to be the more time-consuming portion of the task. Hence, the Committee decided to further reduce the number of substances under consideration before explicitly evaluating those factors which had, to some extent, already been reflected in the choice of source lists.

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\* The eighth factor, the reasonably foreseeable availability of facilities and personnel for performing the needed testing, was considered principally by the Committee in terms of the aggregate facilities and personnel needs for carrying out all of the Committee's recommendations. See Section 2.8 for further discussion of this factor.



This reduction, which resulted in the selection of the PRELIMINARY LIST, was based principally on evaluation of the first four factors identified for the Committee's consideration in Section 4(e)(1)(A) of TSCA. These are:

- (i) quantity of the substance produced annually
- (ii) amount of the substance released into the environment
- (iii) number of individuals occupationally exposed and duration of their exposure
- (iv) extent to which the general population will be exposed.

Using a combination of published data and judgment, the Committee's contractor made an attempt to score each substance in the MASTER FILE for these four factors. Appendix B describes in more detail how scores were assigned to substances. Information on the use or uses of a substance was critical to the assignment of scores for environmental release and general population exposure, and scores for those factors could not be assigned if use information could not be found by the contractor. For about 1,000 of the 1,700 substances in the MASTER FILE this was the case; as a result, for only about 700 of the substances was it possible to assign scores. By combining the scores for the four factors, as described in Appendix C, a rank-ordered list of the scored substances was prepared for the Committee's consideration.

In selecting the approximately 330 substances and categories included on the PRELIMINARY LIST, the Committee considered all of the scored substances and eliminated from current consideration a number of them which in the Committee's professional judgment were found to be:

- a. Currently under stringent regulation or of lower priority for the Committee's purposes because their hazard is reasonably well characterized (e.g., vinyl chloride and mercury);
- b. Essentially inert materials (e.g. certain polymers) or substances reasonably well characterized as having low toxicity (e.g., methane);
- c. Covered by testing requirements under food, drug and cosmetic or pesticide legislation (e.g., citric acid); or
- d. Certain natural products (e.g., asphalt) whose consideration should be deferred pending better characterization for testing purposes.

Others of the scored substances were specifically selected by the Committee for inclusion on the PRELIMINARY LIST based on judgment of members that further review was needed. The remainder of the scored substances were considered for inclusion on the PRELIMINARY LIST based on their relative ranking in the scoring process.



## NOTICES

In addition to the scored substances, the Committee also considered in selecting the PRELIMINARY LIST the unscored substances from the MASTER FILE and a limited number of additional substances recommended by Committee members or the Committee's contractor. A number of substances from these sources were included on the PRELIMINARY LIST based on the Committee's knowledge of the substance and its uses or the Committee's professional judgment that the substance should be further evaluated.

In reviewing substances for possible inclusion on the PRELIMINARY LIST, the Committee also considered the desirability of grouping substances into categories. In several cases the Committee grouped chemically-related substances from the MASTER FILE while in other cases the Committee retained groups which had already appeared in one of the source lists. About 15% of the entries on the PRELIMINARY LIST were categories.

## 2.5 PUBLIC COMMENT ON THE PRELIMINARY LIST

The PRELIMINARY LIST, together with a background document describing its development, was published by the Committee in July, 1977. Notice was published by the Committee in the Federal Register (42 FR 30531 and 42 FR 40756) announcing the availability of the list and background document and requesting public comment. Comments were specifically requested on:

- a. The methodology used by the Committee in developing the PRELIMINARY LIST;
- b. Substances not appearing on the PRELIMINARY LIST which commentators might recommend for consideration by the Committee and the commentator's reasons for the recommendation;
- c. Substances appearing on the PRELIMINARY LIST which commentators might recommend that the Committee not consider further and the reasons for that recommendation; and
- d. Comments on the needs for and relative priority of testing of the substances being considered by the Committee.

As an additional aid to commentators and others interested in the Committee's activities, copies of the list of substances comprising the MASTER FILE and a tabulation of the scores for production volume, environmental release, and occupational and general population exposure considered by the Committee in selecting the PRELIMINARY LIST were made available for public inspection at the headquarters and regional offices of the Environmental Protection Agency.

Comments on the PRELIMINARY LIST were received from about 65 industrial firms, trade associations, environmental organizations, government agencies, and individuals. About two-thirds of the



commentors recommended deletion from the Committee's further consideration of one or more substances or categories appearing on the PRELIMINARY LIST, while four commentors recommended additional substances for the Committee's consideration. About one-fifth of the commentors included comments on the methodology employed by the Committee in developing the PRELIMINARY LIST and about one-third included comments on other issues related to the Committee's activities. Such issues were the use of categories in the Committee's recommendations to EPA, documentation of the Committee's reasons for its decisions with respect to specific substances, and provision of opportunity for public comment on the Committee's actions.

Public comments on the PRELIMINARY LIST have been reviewed by the Committee and considered in the development of the Committee's initial recommendations. Four of the seven additional substances recommended by commentors were added to the PRELIMINARY LIST for consideration in selecting substances and categories for detailed review. Because of the large number of comments recommending deletions of substances from the Committee's consideration and the limited time available under the statutory deadline, pertinent comments were considered on a substance-by-substance or category-by-category basis during the Committee's review of preliminary dossiers and consideration of reasons for and against recommending testing. Comments on the Committee's methodology have been reviewed and will be considered in subsequent activities of the Committee. In the Committee's judgment, the recommended changes in methodology would not, if implemented, alter its initial recommendations. Comments dealing with use of categories, documentation of the Committee's reasons for actions, and other more general issues were also reviewed and considered in the development of the Committee's recommendations.

## 2.6 SELECTION OF SUBSTANCES FOR DETAILED REVIEW

This step of the Committee's procedure extended the scoring of the substances under consideration to factors (v) through (vii) of Section 4(e)(1)(A). These factors are:

- (v) the extent to which the substance or mixture is closely related to a chemical substance or mixture which is known to present an unreasonable risk of injury to health or the environment;
- (vi) the existence of data concerning the effects of the substance or mixture on health or the environment; and
- (vii) the extent to which testing of the substance or mixture may result in the development of data upon which the effects of the substance or mixture on health or the environment can reasonably be determined or predicted.



## NOTICES

To accomplish this, each substance on the PRELIMINARY LIST was scored for each of seven biological activity factors by a number of experts available through the Committee's contract. The factors were: carcinogenicity, mutagenicity, teratogenicity, acute toxicity, other toxic effects such as reproductive effects or organ-specific toxicity, bioaccumulation, and ecological effects. After reviewing a summary of information on the biological activity of the substance developed by the contractor based on the open literature, each of the contractor's scorers assigned a score to the substance for the effect(s) for which that scorer was responsible.

A total of nine scorers was used by the contractor, with two or three scorers separately evaluating each effect in most cases. Each scorer considered both the summary information provided by the contractor and his personal knowledge of the substance and chemically-related substances in assigning scores. Any substantial discrepancies among individual scorers were identified, discussed among the scorers, and a consensus reached; in the case of minor discrepancies in the scores for any factor, the scores of the several scorers were averaged.

In addition, three of the effects (carcinogenicity, mutagenicity, and ecological effects) were separately scored by government experts from the National Cancer Institute, National Center for Toxicological Research, and Department of Interior, respectively. These scores were averaged with those of the contractor's scorers.

Scores assigned for the various effects took the form of either a numerical score (generally 0, 1, 2, or 3) or a letter score (generally x, xx, or xxx). Assignment of a numerical score indicated a judgment that further testing of the substance is not needed for the effect under consideration, while the magnitude of the score indicated the degree to which the effect had been confirmed or the dose level at which it had been found. Assignment of a letter score, on the other hand, indicated a judgment that further testing should be carried out, with the number of "x's" assigned reflecting a judgment as to the level of numerical score that might be anticipated after testing. For example, in scoring a substance for carcinogenicity a score of 3 meant that the substance is well established as a carcinogen in humans or experimental animals, while a score of xxx meant that the substance is strongly suspected of carcinogenic activity but has not been adequately tested. In averaging the scores assigned to a substance by the several scorers for a given factor, no mixing of numerical and letter scores was permitted. Any discrepancies between scorers in choosing the numerical or letter scale were discussed among the scorers and resolved. The criteria applied by the scorers in assigning scores for the various factors are described in more detail in Appendix D.

Categories of substances appearing on the PRELIMINARY LIST were not generally scored as entities, but rather, scores were assigned separately for each of the example substances listed under the category heading in the list.



Using these scores, the contractor provided the Committee a series of lists of the substances appearing on the PRELIMINARY LIST ranked according to various criteria. These included separate lists for each factor ranked by the average score a substance received for that factor (identifying those substances judged most in need for testing for a single effect) and a list ranked by the sum of the letter scores received by a substance for all factors (identifying substances requiring testing for a number of effects). Also tabulated on each list was an exposure index for each substance which was derived from the earlier scoring of production volume, environmental release, and occupational and general population exposure. For the human health effects factors and total letter score lists the exposure index used was the sum of the production volume, occupational exposure, and general population exposure scores, while for the bioaccumulation and ecological effects factors, the exposure index was the sum of the production volume and environmental release scores. The Committee also received from its contractor a list of those substances evaluated by the scorers which were known or might be anticipated to have additional adverse health or environmental effects as a result of contaminants appearing in the commercial product or degradation products of the substance under consideration.

The Committee's selection of substances and categories from the PRELIMINARY LIST to be carried forward for detailed review used the various lists provided by its contractor as guides, but reflected the independent judgments of the members of the Committee. First, the scores themselves were reviewed, with any major discrepancies between the contractor's scores and those of the government scorers or the judgments of individual Committee members being considered. Then, the Committee turned to the various ranked lists, reviewing in turn the substances ranked most in need of testing on the sum-of-letter-scores list or the lists for the individual factors. Each substance appearing in the top 75 to 100 positions on one or more of these lists was considered by the Committee and a decision made whether to select it for detailed review.

Particular attention was paid by the Committee to substances known or suspected to be carcinogens, mutagens, or teratogens, in keeping with the statutory guidance provided the Committee in Section 4(e)(1)(A) of TSCA. This emphasis was reflected not only in the Committee's consideration of individual substances and categories, but also in its structuring of the review process, since these effects were scored individually and, in effect, received greater attention than did other effects scored in groups (e.g., other toxic effects or ecological effects).

Categories of substances appearing on the PRELIMINARY LIST were also reviewed in terms of the scoring of their example members and the Committee's judgment as to retaining them. A number of decisions to modify previous categories or define new categories were made by the Committee during this review process.

In reviewing these lists, more than two-thirds of the individual substances scored by the contractor were explicitly considered by the Committee. Approximately eighty substances and categories were selected by the Committee for the drafting of preliminary dossiers and further detailed review. Of these, about half were individual substances and half categories.



## 2.7 CONSIDERATION FOR LISTING AND DESIGNATION

For each of the approximately eighty substances and categories selected for detailed review, preliminary dossiers have been (or are being) prepared by the Committee's contractor. Within the time period allowed by the statute for development of the Committee's initial recommendations, preliminary dossiers were drafted for about one-half of the substances and categories for detailed review. Consideration of these and other information resulted in the initial recommendations transmitted by this report. Consideration of the remaining substances and categories already selected for detailed review, and others which may subsequently be selected, will continue and will be reflected in subsequent recommendations to EPA by the Committee.

The preliminary dossiers summarized information obtained from the open literature relating to the identification, relevant chemical and physical properties, production volume, uses, environmental release, and exposure to the substance under consideration as well as information on the nature and findings of previous studies of its human health and environmental effects. Information on the biological activity of other chemically similar substances was also included where available. Preliminary dossiers for categories of substances included these types of information for specific members of the category, generally the example members identified in the PRELIMINARY LIST.

Using the information summarized in the preliminary dossier, together with information submitted in public comments on the PRELIMINARY LIST, information available to the Committee from various Federal agencies, and the members' individual knowledge, the Committee reviewed each substance or category. Each of the factors specified in Section 4(e)(1)(A), as well as any other relevant factors identified by the Committee on a case-by-case basis, was considered. In particular, in considering factor (vi) of Section 4(e)(1)(A), the existence of data concerning the effects of the substance on health or the environment, the Committee considered test programs currently in progress, as well as data already generated. Another factor considered in certain instances was the status of current regulatory action relative to the substance. In each case where a category of substances was under consideration the appropriate definition of the category and the need for data on all members of the category were considered. Where relevant to the particular type of testing under consideration for a substance or category, factor (viii) of Section 4(e)(1)(A), the availability of test facilities and personnel, was discussed on a case-by-case basis. In general, however, this factor was considered in the aggregate after the Committee's tentative recommendations for all substances and categories had been identified. The Committee's consideration of this factor is discussed further in section 2.8 of this report.



After reviewing and thoroughly discussing the information available to the Committee on the substance or category under consideration, a decision was made regarding whether to recommend the development of test rules by EPA and, if so, for which effects. Subsequently, one or more Committee members participated in the drafting of the supporting reasons for each recommendation and these reasons were again reviewed by the Committee. A final decision to recommend the substance or category for testing represents a consensus by the Committee members that such testing is needed to evaluate the effects of the substance (or of each individual substance falling within the definition of a category) on human health and the environment, and that priority attention should be given by EPA to requiring the conduct of such testing. The Committee recognized, of course, that some members of recommended categories may have already been adequately tested for the effects of concern and would not require further testing.

Several substances and categories reviewed by the Committee were deferred for further consideration because of insufficient information to adequately define the categories or to determine the needs for testing.

Assignment of priority order to the substances and categories recommended for testing was also considered. The Committee concluded that all of the substances and categories being recommended at this time should be given equal priority in EPA's development of test rules. Factors contributing to this decision were the limited number of recommendations being made, the Committee's decision to designate all recommended substances and categories for consideration by EPA within 12 months, and the Committee's understanding of EPA's plans to develop its test rules for various effects, e.g., carcinogenicity, rather than for individual substances or categories. The Committee recommends that these substances and categories be included in the first applicable "effects rule".

## 2.8 CONSIDERATION OF AVAILABILITY OF TESTING FACILITIES AND PERSONNEL

One of the criteria listed in Section 4(e)(1)(A), that the Committee was required to consider, is the reasonably foreseeable availability of facilities and personnel for performing the testing it recommends. The Committee reviewed the results of recent surveys of toxicology testing capabilities conducted by the Society of Toxicology (SOT) and the DHEW Committee to Coordinate Toxicology and Related Programs (CCTRP). While the SOT surveyed general toxicology testing capabilities, the CCTRP specifically assessed inhalation test capabilities. The Committee also reviewed the capabilities and plans of the National Center for Toxicological Research (NCTR), the possible impact of the FDA's Good Laboratory Practices, and the logistics and practical considerations for carcinogenicity, mutagenicity, and reproductive effects testing. It also was briefed on ecological test capabilities and needs in that area.



## NOTICES

Based upon these reviews, the Committee has concluded that there are sufficient toxicology testing capabilities in the U.S. to carry out the health effects testing recommended by the Committee in this report.

A more difficult area to assess was that of environmental or ecological testing. Capabilities for acute studies are probably adequate, but the National capability for conducting long-term tests of chemical pollution on the environment will be less certain until the test standards and protocols are defined through the rulemaking process. The Committee feels, however, that the testing burden likely to result from recommendations in this report is reasonable.



CHAPTER 3. RECOMMENDATIONS OF THE COMMITTEE3.1 SUBSTANCES AND CATEGORIES OF SUBSTANCES RECOMMENDED FOR TESTING

As described in Chapter 2 of this report, the Committee has, with the assistance of a technical support contractor, carried out a multi-step screening procedure to identify for its detailed review a limited number of substances and categories of substances likely to have priority for testing to determine their effects on human health and the environment. A number of substances and categories identified by this process have been reviewed by the Committee, which has given careful consideration to each of the eight factors specified in Section 4(e)(1)(A) of TSCA. The Committee has also considered such other factors as it judged relevant on a case-by-case basis. Such additional factors have included test programs currently in progress, the current status of regulatory action with respect to a substance, and the need for test data on all members of certain categories rather than on one or more individual members of the category.

The eighth factor specified in Section 4(e)(1)(A) for the Committee's consideration, the reasonably foreseeable availability of facilities and personnel for performing the recommended testing, has (as described in Section 2.8 of this report) been considered by the Committee with respect to the aggregate requirements of all of the testing recommendations made here, as well as for each individual testing recommendation. In the Committee's judgment there are, or can be made available within the next few years, adequate facilities and personnel for conducting the testing now being recommended by the Committee. Furthermore, any specific limitations of facilities or personnel which cannot now be identified by the Committee would be expected to be short-term in nature and can be taken into account by EPA in establishing the time periods for submission of the test data under Section 4(b)(1).

In selecting substances and categories for inclusion in its initial recommendations, the Committee has also given priority attention to substances known or suspected to cause cancer, gene mutations, or birth defects.

Based on its consideration of the factors identified in Section 4(e)(1)(A) and all other relevant factors identified by the Committee, and using all of the information available to it, including the knowledge and professional judgment of its members, it is the consensus of the TSCA Interagency Testing Committee that the ten substances and categories of substances listed in the accompanying table should be given priority consideration by the Administrator of the Environmental Protection Agency for the promulgation of regulations under Section 4(a) requiring the conduct of the types of testing specified. Each of these substances and categories is designated by the Committee for consideration by EPA within the next 12 months.



SUMMARY OF TESTING RECOMMENDATIONS  
BY THE  
TSCA INTERAGENCY TESTING COMMITTEE

| Substance<br>or Category                 | Types of Testing Recommended |              |                |                          |                          |
|--|------------------------------|--------------|----------------|--------------------------|--------------------------|
|  | Carcinogenicity              | Mutagenicity | Teratogenicity | Other Chronic<br>Effects | Environmental<br>Effects |
| Alkyl Epoxides                           | X                            | X            | X              | X                        | X                        |
| Alkyl Phthalates                         |                              |              |                |                          | X                        |
| Chlorinated Benzenes,<br>(Mono- and Di-) | X                            | X            | X              | X                        | X                        |
| Chlorinated Paraffins                    | X                            | X            | X              | X                        | X                        |
| Chloromethane                            | X                            | X            | X              | X                        |                          |
| Cresols                                  | X                            | X            | X              | X                        | X                        |
| Hexachloro-<br>1,3-butadiene             |                              |              |                |                          | X                        |
| Nitrobenzene                             | X                            | X            |                |                          | X                        |
| Toluene                                  | X                            |              | X              | X                        |                          |
| Xylenes                                  |                              | X            | X              |                          | X                        |

Table 1



In listing and designating these ten substances and categories, the Committee has decided that all should be given equal priority by EPA in the development of test rules under Section 4(a) of TSCA. All are of high priority and should be included in the first applicable "effects rule" (e.g., carcinogenicity) developed by EPA.

In selecting categories of substances for inclusion in its recommendations, the Committee recognizes that some members of a category may have already been adequately tested for one or more of the effects listed; in such cases no additional testing would be required. The Committee also recognizes that the precise definition of each category will have to be considered and decided by EPA in developing its test rules.

The Committee's reasons for including each substance or category of substances on its list of recommendations, which are required by Section 4(e)(1)(B) to be submitted with the Committee's recommendations, are presented in the following section. In addition, the Committee will forward to EPA in the next few weeks a dossier on each substance or category included on the Committee's list of recommendations. These dossiers will summarize the information pertaining to each substance or category which was considered by the Committee in making its decision to recommend testing.

### 3.2 REASONS FOR RECOMMENDING TESTING OF THE SUBSTANCES AND CATEGORIES

The ten substances and categories which the Committee has designated for consideration by the EPA Administrator for development of test rules within twelve months are listed below with the Committee's reasons for recommending them.

#### 3.2.A ALKYL EPOXIDES

##### TESTING RECOMMENDATIONS:

- Carcinogenicity
- Mutagenicity
- Teratogenicity
- Other Chronic Effects
- Environmental Effects
- Epidemiology

CATEGORY IDENTIFICATION: This category includes all noncyclic aliphatic hydrocarbons with one or more epoxy functional groups.

##### REASONS FOR RECOMMENDATIONS:

Production, Release and Exposure: Although these compounds are generally used as industrial intermediates, several alkyl epoxides are produced in very large quantities (e.g., ethylene oxide at over 4 billion pounds per year). The vast amounts produced thus raise concerns primarily with respect to workplace exposure. The reactivity of these compounds is such that environmental persistence is not anticipated; however, their reaction products may be of significance.



**EFFECTS OF CONCERN:** The epoxy structure is a relatively reactive functional group which is believed to be the source of the carcinogenic and mutagenic activity which is well characterized for several members reviewed (particularly the diepoxides). Thus, while some members of the group appear to be relatively well characterized as potential mutagens and/or carcinogens, these results and the presence of the epoxy functional group raise the need for testing other compounds in this group for these and other effects.

**Carcinogenicity:** Diepoxides are demonstrated carcinogens in animal studies. Ethylene oxide proved inactive while propylene oxide showed carcinogenic activity in mice. Other alkyl epoxides are less well tested. Because of the alkylating properties of these compounds it is recommended that alkyl epoxides be tested for carcinogenic potential. Mutagenicity of most members of this group tested provides further concern for carcinogenic potential.

**Mutagenicity:** Because most members of this group which have been tested proved to be mutagenic; other members of this group should be tested for this effect.

**Teratogenicity:** In general, these compounds have not been adequately tested for teratogenicity but should be, considering the reactivity of the epoxy group toward biological materials.

**Other Chronic Effects:** Because of the reactivity of epoxides with biological materials, they should be tested for specific chronic organ effects and behavioral changes.

**Environment Effects:** While the persistence of these compounds as epoxides is not great, concern is expressed for reaction products. In view of this possibility, the fate of epoxides in the environment should be determined through testing.

**Epidemiology:** Because of the large scale production of several of these compounds, and because of the strong toxicological evidence of possible carcinogenic and mutagenic effects, the Committee recommends that retrospective epidemiologic studies be required for two or three of the highest exposure compounds when suitable cohorts can be identified.

### 3.2.B ALKYL PHTHALATES

#### TESTING RECOMMENDATIONS:

##### Environmental Effects

**CATEGORY IDENTIFICATION:** This category consists of all high production (e.g., 10 million lbs/yr or greater) alkyl esters of 1,2-benzene dicarboxylic acid (orthophthalic acid).



## REASONS FOR RECOMMENDATIONS:

Production, Release, and Exposure: Many of these compounds are produced in large volume, some of them over one hundred million pounds per year. Their use as plasticizers in a wide variety of products results in large volumes of alkyl phthalates reaching the aquatic environment either as wastes from formulating plants or from use and disposal of end products.

## Effects of Concern:

Environmental Effects: Many of the alkyl phthalates are quite stable, breaking down only slowly to monophthalates or phthalic acid.

There has been a great deal of information published on their environmental fate and toxicity to aquatic organisms. Some are known to have considerable toxicity to fresh water fish. In view of the large volume in which they can be expected to reach the aquatic environment and persist and accumulate in aquatic organisms, it is important to have data on the toxicity to aquatic organisms of all high production alkyl phthalates. Each such compound should be tested for chronic toxicity to typical aquatic organisms, especially fish. Effects on reproduction (or population) should be included in this testing.

3.2.C CHLORINATED BENZENES, MONO- AND DI-

## TESTING RECOMMENDATIONS:

Carcinogenicity  
Mutagenicity  
Teratogenicity  
Other Chronic Effects  
Environmental Effects  
Epidemiology

CATEGORY IDENTIFICATION: This category consists of four closely-related chemical substances: monochlorobenzene (CAS No. 108-90-7), and ortho-, meta-, and paradichlorobenzene (CAS Nos. 95-50-1, 541-73-1, and 106-46-7).

## REASONS FOR RECOMMENDATIONS:

Production, Release and Exposure: The chlorobenzenes are produced in large quantities, monochlorobenzene over 300 million pounds/year and ortho- and para-dichlorobenzene approximately 50 million pounds each. These chemicals are widely used in industrial processes, as solvents, and in many consumer products. Therefore, the exposure and potential for hazard is great, particularly in light of their high release rate and anticipated persistence in the environment.



**Effects of Concern:**

**Carcinogenicity:** One very limited animal study suggested the induction of sarcomas following subcutaneous injections of para-dichlorobenzene. A possible association of several cases of leukemia with human exposure to mixtures of ortho- and para-dichlorobenzenes has also been reported. These studies, as well as other animal toxicity experiments, do not provide sufficient data on which to assess the carcinogenic potential of members of this class.

**Mutagenicity:** While a study has demonstrated back mutations in yeast exposed to ortho-dichlorobenzene, the data are inadequate to assess the potential mutagenic hazard. Additional testing is needed in view of the widespread release and exposure. The other chemicals in this class should also be tested for mutagenicity.

**Teratogenicity:** While teratogenic effects are suspected for certain higher chlorobenzenes, the mono- and dichlorobenzenes have not been adequately tested.

**Other Chronic Effects:** Liver, kidney, respiratory and neurological effects have been observed with high level exposures. Effects at lower levels cannot be characterized from existing data. Chronic studies should be undertaken.

**Environmental Effects:** The environmental fate of these compounds should be determined. Evidence exists for environmental pollution and bioaccumulation in aquatic life. The effects are unknown. Studies should be initiated to assess the impact of these chemicals on terrestrial and aquatic systems.

**Epidemiology:** A possible link has been made between exposure to ortho- and para-dichlorobenzene and leukemia. Further efforts to evaluate chronic effects should be made by the identification and evaluation of specific populations who are or have been exposed to either ortho- or paradichlorobenzene.

**3.2.D CHLORINATED PARAFFINS, 35-64% CHLORINE****TESTING RECOMMENDATIONS:**

Carcinogenicity  
Mutagenicity  
Teratogenicity  
Other Chronic Effects  
Environmental Effects

**CATEGORY IDENTIFICATION:** This category is comprised of a series of mixtures of chlorination products of materials known commercially as paraffin oils or paraffin waxes; those having a chlorine content of 35% through 64% by weight are included.



## REASONS FOR RECOMMENDATIONS:

Production, Release, and Exposure: The 1972 annual production of chlorinated paraffins was about 80 million pounds. The use of these materials in a wide variety of household and paint products, as well as adhesives and flame retardants, results in an estimated release rate of about 50 million pounds per year.

## Effects of Concern:

Human Health Effects: A chronic study in mice showed evidence of degenerative changes in the liver and spleen; no data are available on the carcinogenicity, mutagenicity, teratogenicity, or other chronic effects of these mixtures. The Committee recommends that commercial products in this category be tested for such effects.

Environmental Effects: The occurrence of residues of chlorinated paraffins in fish indicates the need for critical assessment of the biological significance of this contamination of the aquatic environment. The persistence, environmental fate, and chronic effects on aquatic organisms of the chlorinated paraffins should be determined by appropriate testing.

3.2.E CHLOROMETHANE

## TESTING RECOMMENDATIONS:

Carcinogenicity  
Mutagenicity  
Teratogenicity  
Other Chronic Effects

SUBSTANCE IDENTIFICATION: CAS No. 74-87-3

## REASONS FOR RECOMMENDATIONS:

Production, Release, and Exposure: The 1974 U.S. production of chloromethane was over 350 million pounds, most of this being used as a synthetic intermediate. However, it is estimated that about 5% of the annual production (over 15 million pounds per year) is released into the environment. NIOSH estimates that the number of workers exposed to chloromethane numbers about 31,000.

## Effects of Concern:

Carcinogenicity: To date, chloromethane has not been the subject of a carcinogenicity study, although it is structurally related to chloroform, carbon tetrachloride, and iodomethane, all of which have been reported as being carcinogenic. Moreover, chloromethane has recently been reported as exhibiting mutagenic properties in the Salmonella mutagenic test with microsomal activation.



## NOTICES

Mutagenicity: The initial positive results in the Salmonella mutagenic test with microsomal activation should be supplemented with test data regarding chromosomal aberrations.

Teratogenicity: The absence of data in this area, coupled with known toxic effects, calls for the initiation of studies to determine the extent of the potential hazard to the reproductive system and the fetus.

Other Chronic Effects: Exposure to chloromethane has been implicated in damage to the central nervous system, liver, kidneys, bone marrow and cardiovascular systems. Effects on these systems should be examined in chronic toxicity tests.

### 3.2.F CRESOLS

#### TESTING RECOMMENDATIONS:

Carcinogenicity  
Mutagenicity  
Teratogenicity  
Other Chronic Effects  
Environmental Effects

CATEGORY IDENTIFICATION: This category consists of the three isomers of methyl phenol: ortho-cresol (CAS No. 95-48-7), meta-cresol (CAS No. 108-39-4), and para-cresol (CAS No. 106-44-5).

#### REASONS FOR RECOMMENDATIONS:

Production, Release, and Exposure: Cresols are produced in large quantities, having a combined U.S. production in 1975 of about 90 million pounds. An annual release rate of about 45 million pounds has been estimated. Their wide use as industrial solvents leads to substantial occupational exposure. NIOSH estimates that roughly two million workers are exposed to cresols. In addition, cresols are used in many consumer products, resulting in a large general exposure.

#### Effects of Concern:

Carcinogenicity: Cresols have not been evaluated for carcinogenicity. Because of widespread exposure and suggestive evidence of mutagenic effects in certain plants, cresols should be tested for carcinogenicity.

Mutagenicity: There is some suggestion of the mutagenic potential of cresols in certain plants, but its potential as a human mutagen has not been assessed. It is, therefore, recommended that further mutagenic studies be conducted.



Teratogenicity: The teratogenicity of the cresols has not been assessed, but such testing is needed in view of the evidence of biological activity of cresols (see Other Chronic Effects, below) and their widespread exposure.

Other Chronic Effects: Although toxic effects involving the central nervous system, lungs, kidneys, liver, pancreas, and spleen have been observed following acute exposure to cresol-containing products, adequate testing of cresols for chronic effects following prolonged exposure has not been reported and should be conducted.

Environmental Effects: There is evidence that creosote oils containing cresols are acutely toxic to fish and taint fish flesh at low concentrations. Because of their substantial release into the aquatic environment, cresols should be tested for chronic effects on fish and other aquatic organisms.

### 3.2.G HEXACHLORO-1,3-BUTADIENE

#### TESTING RECOMMENDATIONS:

##### Environmental Effects

SUBSTANCE IDENTIFICATION: CAS No. 87-68-3

#### REASONS FOR RECOMMENDATIONS:

Production, Release, and Exposure: Although the most recent (1974) data available indicate that this compound is no longer commercially manufactured in the U.S., it continues to be produced as a waste byproduct of various chlorination processes and is also imported into the U.S. for industrial solvent use. The release of hexachlorobutadiene into the environment has not been quantified, but there is good evidence of widespread distribution in the aquatic environment.

#### Effects of Concern:

Environmental Effects: Hexachlorobutadiene's human health effects are being studied in depth. It is a stable substance which is widely distributed in the aquatic environment and has been reported to bioaccumulate in fish and other aquatic organisms. These factors indicate that hexachlorobutadiene should be tested to determine its fate in aquatic systems and its effects on invertebrates, fish, higher vertebrates, and plant life in aquatic systems. Its appearance in some European agricultural products suggests that its uptake by plants and/or foraging species should also be studied.



3.2.H NITROBENZENE

## TESTING RECOMMENDATIONS:

Carcinogenicity  
Mutagenicity  
Environmental Effects

SUBSTANCE IDENTIFICATION: CAS No. 98-95-3

## REASONS FOR RECOMMENDATIONS:

Production, Release, and Exposure: U.S. production of nitrobenzene in 1975 was about 400 million pounds. Its release to the environment has been estimated to be about 20 million pounds annually. Although its predominant use (97 percent of production) is in closed systems in aniline manufacture, nitrobenzene is also an industrial solvent and dye intermediate. General population exposure can arise from environmental release, and from dispersive uses such as perfume in soap; cleaner for woodwork, wood flooring and paneling; ingredient of metal polishes and shoe blacking. Nitrobenzene liquid and vapor penetrate intact skin readily, and the efficiency of vapor absorption by inhalation is high.

## Effects of Concern:

Carcinogenicity: No information is available on the carcinogenicity of nitrobenzene. Since it is biologically active, producing cellular changes, nitrobenzene should be tested for carcinogenicity.

Mutagenicity: Although there is evidence of its biological activity, no mutagenicity testing has been reported for nitrobenzene. Mutagenicity testing should be performed.

Environmental Effects: Nitrobenzene is a relatively persistent substance in the environment. Its low volatility, stability to light, and low water solubility indicate that bioaccumulation is possible. Acute effects have been demonstrated in fish. Nitrobenzene inhibits oxygen utilization and hydrogen sulfide production in sewage microorganisms, inhibits growth in yeast, and is toxic to various soil bacteria and microorganisms. Additional data are needed to adequately characterize the persistence and fate of nitrobenzene and its metabolites in the aquatic environment. Testing is needed for such characteristics as well as to determine the effects of chronic exposure to nitrobenzene on fish, aquatic invertebrates, aquatic plant life, and waterfowl.



3.2.1 TOLUENE

## TESTING RECOMMENDATIONS

Carcinogenicity  
Teratogenicity  
Other Chronic Effects  
Epidemiology

SUBSTANCE IDENTIFICATION: CAS No. 108-88-3

## REASONS FOR RECOMMENDATIONS:

Production, Release and Exposure: Toluene is produced in large quantities with an annual production rate in excess of 5 billion pounds. Because of its widespread use as a solvent, as well as a multiplicity of other uses, toluene has an unusually high occupational exposure (over 1 million workers). Its presence in many consumer products leads to a large general exposure. Toluene is currently being substituted for many benzene-uses and has an annual release rate exceeding 1 billion pounds.

## Effects of Concern:

Carcinogenicity: Previous studies based solely on skin application techniques in animals have demonstrated a carcinogenic potential for toluene. Some of these studies were limited in design and prevented an appropriate appraisal of the carcinogenic hazard of toluene. It is, therefore, recommended that testing be conducted in long-term animal experiments taking into consideration the appropriate route of exposure.

Teratogenicity: Information is lacking on the teratogenic hazard of this chemical, thus necessitating the initiation of studies to determine if toluene is teratogenic.

Other Chronic Effects: Liver, central nervous system and hematopoietic effects have been observed at high level exposures. Effects at lower levels cannot be characterized from existing data. Chronic studies to evaluate the effects of prolonged exposures are recommended.

Epidemiology: Occupational studies have been conducted predominantly on the acute toxic effects of toluene. There is little information on chronic effects in humans from exposure to low levels of toluene over an extended period of time. Because of its long-term use, high human exposure, and demonstrated effects in animals, epidemiological studies may be particularly important in assessing the human health effects of toluene.



3.2.J XYLENES

## TESTING RECOMMENDATIONS:

Mutagenicity  
Teratogenicity  
Epidemiology

**CATEGORY IDENTIFICATION:** This category consists of the three isomers of dimethyl benzene: ortho-xylene (CAS No. 95-47-6), meta-xylene (CAS No. 108-38-3), and para-xylene (CAS No. 106-42-3)

## REASONS FOR RECOMMENDATIONS:

Production, Release, and Exposure: In the aggregate, approximately 8 billion pounds of xylenes are produced each year. Approximately 900 million pounds are released to the environment each year. Mixed xylenes were ranked by NIOSH 13th out of approximately 7000 agents in terms of the number of workers exposed. Xylenes are also used in a wide variety of consumer products, resulting in general population exposures.

## Effects of Concern:

Mutagenicity: Mutagenesis tests have not been reported for any of the xylenes, but should be conducted in view of widespread exposure and evidence of toxic effects to several organ systems.

Teratogenicity: Xylenes cross the placental barrier and, according to two Russian studies, are embryotoxic. Therefore, they should be tested for teratogenicity.

Epidemiology: Because of their long-term use, high human exposure, and demonstrated effects in animals, epidemiological studies may be particularly important in assessing the human health effects of xylenes and should be conducted.



APPENDIX A

## DATA SOURCES USED FOR PREPARATION OF THE INITIAL LIST

## 01 Toxic Pollutants in Point Source Water Effluent Discharge

This list of 120 chemicals and categories consists of Appendices A and C of the settlement agreement dated 7 June 1976 between the Environmental Defense Fund and EPA. It is a priority list of toxic pollutants subject to regulations through point source effluent limitations (Section 307(a)) under the Federal Water Pollution Control Act.

## 02 Scoring of Organic Air Compounds, June 1976, MITRE, MTR-6248

This list of 337 chemicals and categories was compiled and documented by MITRE (September 1976) under contract to EPA. The relevant factors in selecting chemicals for the list were: (1) quantity produced, (2) potential for atmospheric release, and (3) toxicological effects.

## 03 Final Report of NSF Workshop Panel to Select Organic Compounds Hazardous to the Environment, April 1975

This list of 80 chemicals and categories was compiled and documented by Stanford Research Institute under contract to the National Science Foundation. The list consists of those chemicals having the greatest potential for environmental release, selected from the universe of manufactured organic chemicals with the highest calculated release rates.

## 04 Potential Industrial Carcinogens and Mutagens

This list of 88 chemicals has been compiled by the National Center for Toxicological Research. The list is made up of industrial compounds which are potential carcinogens and/or mutagens, and which have been selected based upon available data concerning activity, use, production, and population at risk.

## 05 Occupational Carcinogens for Potential Regulatory Action

This list of 116 chemicals and categories was compiled by OSHA from suspected carcinogens. Selection was based primarily upon data available through the NIOSH Registry (Source List 13).

## 07 Chemicals Tested or Scheduled for Testing at the Fish-Pesticide Research Laboratory, Department of Interior

This list consists of 174 toxic chemicals which are suspected of being hazardous to fish and wildlife.

## 08 Substances with Chronic Effects other than Mutagenicity, Carcinogenicity, or Teratogenicity; A Subfile of the NIOSH Registry

A subfile of the NIOSH Registry (Source List 13)



## NOTICES

## 09 Criteria Documents Prepared or Planned by NIOSH, February 24, 1977

This list of 127 chemicals and categories consists of substances for which criteria documents have been or will be prepared and delivered to the Department of Labor. In selecting these chemicals NIOSH considered: a) the number of workers exposed, b) known or suspected toxic effects, and c) physical and chemical properties.

## 10 Suspected Carcinogens; A Subfile of the NIOSH Registry

This is a list of 1,900 chemicals and categories which have been reported to have produced cancer in test animals. The list is included in Source List 13.

## 11 Suspected Mutagens; A subfile of the NIOSH Registry

This is a list of approximately 100 chemicals and categories which have been reported to have produced mutagenic effects in test systems. This list is included in Source List 13.

## 13 NIOSH Registry of Toxic Effects of Chemical Substances, 1976

This list of 21,543 chemicals and categories was compiled and documented in the NIOSH Registry. Only those substances which were on Source Lists 8, 10, 11, or 12 were included in the INITIAL LISTING.

## 17 The Ecological Impact of Synthetic Organic Compounds on Estuarine Ecosystems, September, 1976, EPA-1600/3-76-075

This list of 9 chemicals was compiled as part of a study of the impact of synthetic organic compounds on estuarine ecosystems. The effects of the 9 chemicals and a number of pesticides were analyzed and documented in the study.

## 18 Threshold Limit Values for Chemical Substances and Physical Agents in the Workroom Environment with Intended Changes for 1976, American Conference of Government Industrial Hygienists

This list of approximately 570 chemicals and categories was compiled by the ACGIH to give Threshold Limit Values for chemical substances and physical agents in the workroom environment.

## 19 National Occupational Hazard Survey (1972-1974)

This list of over 7,000 chemicals and other hazards has been compiled by NIOSH. These hazards are ranked according to the estimated number of workers exposed. Only the chemicals ranked among the top 500 hazards were included in the INITIAL LISTING.

## 20 Chemicals Being Tested for Carcinogenicity by the Bioassay Program, DCCP, National Cancer Institute, 1977

This list of 372 chemicals includes those which have been selected for bioassay by the National Cancer Institute.



- 21 EPA/Office of Toxic Substances List of Priority Toxic Chemicals, 1977

This list of 162 chemicals was compiled by EPA/OTS from the NIOSH list of carcinogens (Source List 10).

- 22 A Study of Industrial Data on Candidate Chemicals for Testing, EPA Contract # 68-01-4109, November, 1976

This list of 650 chemicals and categories was compiled by Stanford Research Institute as part of the contracted effort to produce Source List 03. Production and calculated release data are included.

- 24 General List of Problem Substances, Environmental Contaminants Committee, Ottawa, Ontario, Canada, 1977

This list of 160 chemicals and categories of environmental concern was compiled by the Canadian government.

OTHER LISTS USED FOR REFERENCE BUT NOT USED AS SOURCE LISTS FOR THE INITIAL LISTING:

- 06 Survey of Compounds which have been Tested for Carcinogenic Activity (Index, 1970-1971), NIH/HEW

This list of 3,634 chemicals and categories is a cumulative index by CAS number of PHS 149 volumes through 1970-1971.

- 14 Research Project to Gather and Analyze Data and Information on Chemicals that Impact Man and the Environment

This list of 3,200 chemicals and categories was compiled and documented by Stanford Research Institute under contract to the National Cancer Institute. The documentation includes total production and calculated release data for each of the chemicals in nine hazard categories: (1) over-the-counter drugs, (2) prescription drugs, (3) cosmetics, (4) trade-sales paints, (5) water pollutants, (6) air pollutants, (7) soaps and detergents, (8) pesticide residues in food, and (9) intentional food additives.

- 16 Other Potential Modifiers of the Stratosphere, 1975

This list of 41 chemicals was compiled by the National Institute of Environmental Health Sciences from the universe of 275 manufactured chemicals ranked for release rate used by Stanford Research Institute in preparing Source List 03. This list identifies potential modifiers of the stratosphere and provides related information.

- 23 EPA/Office of Research and Development, Chemical Production

A set of production data compiled by EPA/ORD on approximately 140 chemicals.



## NOTICES

APPENDIX B

## PRODUCTION, RELEASE, AND EXPOSURE SCORES

- A. The production, environmental release, occupational exposure, and general population exposure factors described in the text were scored in the following manner:  
in the following manner:

## Factor 1: Production

Annual production data were collected from a number of sources:

- a. Scoring of Organic Air Compounds (Source List 02 of Appendix A)
- b. A Study of Industrial Data on Candidate Chemicals for Testing (Source List 22 of Appendix A)
- c. EPA/OR&D Chemical Production (Source List 23 of Appendix A)
- d. Synthetic Organic Chemicals, United States Production and Sale, 1975, United States International Trade Commission
- e. Chemical Economics Handbook, 1975 Stanford Research Institute
- f. Chemical and Engineering News: Vol. 52, No. 51, dated 12/23/74; Vol. 55, No. 18, dated 5/2/77; Vol. 55, No. 24, dated 6/13/77

The Factor 1 score assigned to a chemical was the common logarithm of the highest annual production value (in millions lbs/yr) found in any of the above sources. If an annual production value was not available for a chemical in any of these sources, a Factor 1 score of -0.5229 (corresponding to an assumed annual production of 300,000 pounds) was assigned.



## Factor 2: Quantity Released into the Environment

The quantity of chemical released into the environment was scored on a scale from 0 to 3 as follows:

| Score | Release Rate    | Estimate Based on Uses   |
|-------|-----------------|--|
| 3     | 30 percent      | Mostly dispersive uses   |
| 2     | 3 to 30 percent | Some dispersive uses   |
| 1     | .3 to 3 percent | Few dispersive uses;<br>or primarily industrial<br>chemical with propensity<br>for leaks |
| 0     | .3 percent      | Well contained industrial<br>chemical  |

Estimates of release rates for a number of chemicals are given in Source List 22 of Appendix A. For those chemicals for which no release rates were given, an estimate was made on the basis of the dispersive nature of the chemical's uses as indicated in the above table.

An estimate was also made of the chemical's persistence according to the following table:

| Score | Lifetime                    | Example   |
|-------|-----------------------------|---|
| 3     | Infinite (years or greater) | Compounds of metals, freons, CCl <sub>4</sub> , N <sub>2</sub> O, SF <sub>6</sub> , many polymers |
| 2     | Order of 1 year             | Tetrachloroethylene, flame retardants, phthalate esters, silicones                                |
| 1     | Order of a few days         | SO <sub>2</sub>   |
| 0     | Hours or less               | Reactive compounds  |

The sum of the scores of the two subfactors, release quantity and persistence, was taken as an indication of the environmental burden posed by the chemical.

## Factor 3: Occupational Exposure

The source of data on occupational exposure to chemicals was the National Occupational Hazard Survey (NOHS) conducted by the National Institute for



## NOTICES

Occupational Safety and Health. In this survey, the approximately 7000 most common hazards occurring in the working place were rank ordered. To achieve an occupational exposure score with a range and direction similar to those of the other factors, the Factor 3 score assigned to a chemical was  $3.8451$  minus the common logarithm of its rank on the NOHS list. ( $3.8451$  is the logarithm of 7000.) Chemicals which did not appear on the NOHS list were given a score of zero, equivalent to having been ranked number 7000 on the survey.

Factor 4: Extent to Which the General Population  
is Exposed

Four individual subfactors were scored and then summed to measure the general population exposure. The four subfactors were scored as follows:

SUBFACTOR 1      Number of people exposed to the chemical  
                      (exclusive of a workplace environment)

| Score | No. of People | Example   |
|-------|---------------|---|
| 3     | 20 X 10       | <p>Widely used household products (e.g., wearing apparel, shoe polish, certain surface coatings, common paints and their solvents, common plastics and their additives, detergents, furnishings and carpets, wood cleaning products, refrigerants, natural gas, nonfood packaging materials, flame proofers)</p> <p>General air, food and water contaminants</p> <p>Automotive products (e.g., gasoline and additives, rubber, surface coatings, plasticizers, flame proofers)</p> <p>Products used widely in commercial buildings (mostly same as household, including commercial cleaners, disinfectants)</p> |



| Score | No. of People | Example  |
|-------|---------------|--|
| 2     | 2-20 X 10     | Less widely used household products (e.g., uncommon paints, specialty apparel such as baby wear, hobby uses, arts and crafts, tools) |
|       |               | Regional air and water pollutants, farm chemicals (exclusive of pesticides)  |
| 1     | 0.2-2 X 10    | Specialty hobbies (e.g., photography), specialty products  |
|       |               | Neighborhood air and water pollutants from local industries  |
| 0     | 2 X 10        | Chemical intermediates rarely found outside the workplace  |

SUBFACTOR 2 Frequency of exposure (to the typical person in ranking number of people exposed under Subfactor 1)

| Score | Frequency                 | Examples  |
|-------|---------------------------|---|
| 3     | Daily or more often       | General air, food and water contaminants, household products in regular use, material used inside automobiles, clothing |
| 2     | Weekly                    | Hobby crafts, household products used intermittently (e.g., certain cleaners), bleaches, gardening products             |
| 1     | Monthly                   | Dry cleaning, certain solvents, house maintenance (e.g., polishes, certain cleaning agents), automobile maintenance     |
| 0     | Yearly or less frequently | Application of household paints, specialty products   |



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**SUBFACTOR 3** Exposure intensity. This is intended to reflect the total amount of material that comes into contact with the average or typical person whose exposure has been scored under subfactors 1 and 2. Scoring of this factor considered the number of grams of the material that makes contact with the average person in the course of one exposure (daily, weekly, monthly or yearly as scored in subfactor 2). Thus, for example, a trace pollutant may lead to exposure of a typical person of the order of micrograms per day every day; use of a specialty solvent might lead to exposure of a typical person of the order of grams per day once a year: these would be scored 3,0 and 0,3 respectively on subfactors 2 and 3.

| Score | Intensity                            | Examples  |
|-------|--------------------------------------|---|
| 3     | High (10 or more grams per exposure) | Plastics, fabrics, surface coatings, volatile solvents in closed spaces, liquids contacting skin, high concentration gases  |
| 2     | Medium (10 to 10 g per exposure)     | Fabric additives, solvents in open spaces or outdoors, dusts, solutes, transitory exposures to vapors or aerosols   |
| 1     | Low (10 to 10 g per exposure)        | Low level indoor exposure, volatile substances from home furnishings and building materials (e.g., plasticizers, flame proofers), low volatility solvents, pigments |
| 0     | Very low (less 10 g per exposure)    | Environmental contaminants (low level air, food, and water contaminants), monomers in polymers  |

**SUBFACTOR 4** Penetrability. This is a measure of the material that comes into contact with a person (whether by dermal, inhalation, or ingestion exposure) and that is expected to be absorbed into the body (even transitorily) with potential for interaction with cells.



| Score | Penetrability                           | Examples   |
|-------|---|--|
| 3     | High (10 to 100% absorption)            | Organic solvents in liquid, mist, or aerosol form, vapors and gases if likely to be soluble in body fluids, respirable-sized particles, surface active agents, materials known to have high dermal systemic toxicity |
| 2     | Medium (1 to 10% absorption)            | Solvents with low volatility and/or larger molecules, organic materials in water solution, waxes and polishes, coarse dusts  |
| 1     | Low (0.01 to 1% absorption)             | Certain solids, dermal exposure to most inorganic materials in water solution  |
| 0     | Negligible (less than 0.01% absorption) | Polymers, metals   |

B. In making the judgments called for in scoring Factors 2 and 4 above, knowledge of the chemical's uses was necessary. Use information was collected from the following sources:

1. The Condensed Chemical Dictionary, Ninth Edition, Hawley, Van Nostrand Reinhold Company, New York, 1977.
2. The Merck Index, Ninth Edition, Merck and Company, Inc., Rahway, N.J., 1976.
3. Faith, Keyes, and Clark's Industrial Chemicals, Lowenheim and Moran, Fourth Edition, J. Wiley and Sons, Inc., New York, 1975.
4. Chemical Marketing Reporter, Schnell Publishing Company, Inc., New York.
5. Encyclopedia of Chemical Technology, Kirk-Othmer, Inter-Science Publishing Company, New York, 1972.



## NOTICES

APPENDIX CORDERING THE CHEMICALS BASED ON  
PRODUCTION, RELEASE, AND EXPOSURE

A linear weighting scheme was used to rank order the chemicals. The rank of the  $j^{\text{th}}$  chemical,  $r_j$ , was computed by the formula:

$$r_j = \sum_{i=1}^4 w_i \frac{f_{ij}}{s_i},$$

where  $w_i$  is the weight assigned to the  $i^{\text{th}}$  factor,

$f_{ij}$  is the  $i^{\text{th}}$  factor score of the  $j^{\text{th}}$  chemical,

and  $s_i$  is a scaling factor chosen to normalize the assigned scores.

The four scaling factors employed were:

$s_1 = \log 20,850 - 4.3191$ ; 20,850 million lb/yr being the maximum of all Factor 1 chemical production quantities.

$s_2 = 6$ ; 6 being the maximum of all Factor 2 environmental release scores.

$s_3 = 3.8451 - \log 3 = 3.3680$ ; third being the highest NOHS rank among the scored chemicals. (Ranked first and second on the NOHS list were continuous noise and mineral oil, the former not being a chemical hazard and the latter not being among the scored chemicals.)

$s_4 = 12$ ; 12 being the maximum of all Factor 4 general population exposure scores.

This choice of  $s_1, s_2, s_3, s_4$ , guaranteed that

for all  $i$  and  $j$ , and furthermore, that for each  $i$ ,

$$\left| \frac{f_{ij}}{s_i} \right| = 1 \quad \text{for at least one chemical } j.$$

$$\left| \frac{f_{ij}}{s_i} \right| \leq 1$$



APPENDIX D

## BIOLOGICAL AND ENVIRONMENTAL SCORES

- A. The five human health effect factors and two environmental effect factors mentioned in the text were scored in the following manner:

## Factor 1: Carcinogenicity

## a. Numerical Scores Assigned:

- 3 Established carcinogen in humans or in 2 animal species, or in one animal species in well-replicated experiments
- 2 Established carcinogen in 1 animal species
- 1 Insufficient or inadequate experimental data for definite conclusions, but either (a) no experimental or structural reason for suspicion, or (b) good negative mutagenicity tests, or (c) low biological activity. (Note: some inert compounds -- examples, argon, nitrogen -- were given a score of zero on this factor despite not having been tested.)
- 0 Adequately tested in animals with negative results in each of two species

## b. Letter Scores Assigned\*:

- xxx Needs testing, strongly suspect (close structural relationship to known carcinogen, positive result in validated in vitro test, inconclusive but suspicious positive animal test, etc.)
- xx Needs testing, suspect (structural resemblance to known carcinogen, etc.)
- x Needs testing, some reason for suspicion (potent organ-specific toxin, enzyme inducer, suspect co-carcinogen, etc.)

\*Chemicals presently undergoing testing for carcinogenicity in the framework of the NCI bioassay program were scored as suspect carcinogens. Their special status was documented for the members of the Committee.

## c. Criteria for Accepting Positive Test Results (scores 2 or 3)

Validated positive findings in animal studies consisted of any test results which clearly indicated treatment-related carcinogenicity or tumorigenic effects. This was based on the criteria set out in the report of the National Cancer Advisory Board, Subcommittee on Environmental Carcinogenicity, "General Criteria for Assessing the Evidence for Carcinogenicity of Chemical Substances (1976)".



d. Criteria for Accepting Negative Test Results (including zero scores)

In general, the protocol of the test conformed to, or was reasonably consistent with the current NCI Guidelines (J.M. Sontag et al., Guidelines for Carcinogen Bioassay in Small Rodents, DHEW 76-801). It was recognized that many older tests do not conform to these guidelines. Therefore, good scientific judgment was applied to the evaluation of these tests in order to determine whether differences in protocols significantly weakened confidence in the reported negative results. In assigning a zero score, the guiding principle was the judgment that further testing was unnecessary.

Factor 2; Mutagenicity

a. Numerical Scores Assigned:

- 2 Mutagen in two or more test systems\*
- 1 Mutagen in one test system
- 0 Tested in more than one system with negative results and no reason for suspicion (similar to inactive compounds, etc.)

\*These and other scores were normalized to the 0-3 scale or x-xxx scale respectively for all factors involved.

b. Letter Scores Assigned:

- xxx Needs testing, strong reason for suspicion (structural similarity to known mutagen, reported carcinogenicity, teratogenicity, or other cellular toxicity)
- xx Needs testing, some reason for suspicion (structural similarity to known mutagens and/or carcinogens)
- x Needs testing, no reason to assign high priority

c. Examples of Short-Term Test Systems Considered for Scoring Were:

The Salmonella/microsome test, (Ames), E. coli WP2 uvr A, etc. test (Bridges, Witkin), B. subtilis M45 Rec<sup>-</sup>, etc. test (Kada), E. coli pol A+/pol A1- test (Rosenkranz), Yeast test (Zimmerman), Neurospora test (de Serres) and Drosophila test (Vogel). Mammalian cells in culture and in vitro transformations were also considered.



## Factor 3: Teratogenicity

## a. Numerical Scores Assigned:

- 3 Confirmed teratogen in humans or in two appropriate animal species
- 2 Confirmed teratogen in 1 animal species
- 1 Insufficient or inadequate experimental data for definite conclusions, but either (a) no experimental or structural reason for suspicion, or (b) low biological activity
- 0 Adequately tested in two suitable animal species with negative findings for teratogenic activity

## b. Letter Scores Assigned:

- xxx Needs testing, strongly suspect (close structural relationship to known teratogen, inconclusive but suspicious positive animal tests, etc.)
- xx Needs testing, suspect (equivocal result in animal test, etc.)
- x Needs testing, some reason for suspicion

## c. Criteria for Acceptance of Teratogenicity Tests

Accepted teratogenicity tests conformed reasonably to the recommendations and principles outlined in "Principles for Evaluating Chemicals in the Environment," National Academy of Sciences, pp. 173-182, 1975; and "The Testing of Chemicals for Carcinogenicity, Mutagenicity, Teratogenicity," Department of Health and Welfare, Canada, pp. 137-176, March 1973.

## Factor 4: Acute Toxicity

## a. Numerical Scores Assigned:

- 3 extremely toxic: < 50 mg/kg
- 2 very toxic: 50-500 mg/kg
- 1 moderately toxic: 0.5-5 g/kg
- 0 very slightly toxic: > 5 g/kg



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## b. Letter Scores Assigned:\*

xx not tested, but suspected to be in range 2-3

x not tested, but suspected to be in range 0-1

\*See factor 2 for normalized scored.

## c. Criteria for Quantitation of Acute Toxicity

Standard systems of toxicity rating based on probably lethal dose in humans were used when available. Lowest lethal doses and LD50 values in various animal systems were also widely used.

## Factor 5: Other Toxic Effects

## a. Numerical Scores Assigned:

3 Effects at low doses (Guidelines: < 1 mg/kg/day)

2 Effects at moderate doses (Guidelines: 1-10 mg/kg/day)

1 Effects at high doses (Guidelines: > 10 mg/kg/day)

0 Very low or negligible biological activity (e.g., nitrogen, argon, etc.)

## b. Letter Scores Assigned:

xxx Needs testing (structural similarity to another chemical which rates 2 or 3; questionable reports of effects which need confirmation, etc.)

xx Needs testing, some reasons for suspicion

x Needs testing, inadequate information available to give high priority

## c. Criteria for Scoring

This factor includes both reversible and irreversible effects, delayed or cumulative toxicity, organ-specific effects, effects on reproduction, behavior, etc. The score entered reflects the toxic effects noted in animals (or in humans if data were available) at the lowest dose-range. If the chemical was reported or suspected to have more than one toxic effect, xxx or xx for one type of toxic effect superseded any numerical score for another. Also, x for one type of toxic effect superseded 2 or 1 for another. In many cases, reports of one type of effect at low doses engendered suspicion of the likelihood of others; in such cases the chemical was scored with the appropriate number of x's, unless thoroughly tested.



## Factor 6: Bioaccumulation

## a. Numerical Scores Assigned:

- 3 High ( $>10^4$ )\*
- 2 Appreciable ( $10^2$ - $10^4$ )
- 1 Low ( $<10^2$ )
- 0 Experimental evidence for non-accumulation ( $<1$ );  
water soluble compounds

\*The degree of bioaccumulation (more precisely, the tissue-specific storage factor) is defined as the concentration of the chemical in the tissues (at "steady state" or after prolonged exposure) divided by the concentration of the chemical in the ambient medium.

## b. Letter Scores Assigned:

- xxx Testing important, judged likely to be high
- xx Testing important, judged not likely to be high,  
but likely to be appreciable
- x Needs testing, little or no experimental data

## c. Criteria for Scoring

Bioaccumulation is used here in its broad sense of the accumulation of a chemical in one or more tissues of an animal (or plant) to levels higher than those in the ambient medium. For purposes of screening chemicals, it was considered significant primarily in cases in which the accumulation in tissues represented an enhanced probability of effects, either on the organ in which the chemical was concentrated, or on animals which feed on the organism which accumulated the chemical. High degrees of bioaccumulation are usually found only in aquatic organisms. For these organisms, bioaccumulation is known to be dependent primarily on water solubility and it is empirically predicted by the octanol/water partition coefficient. Zero scores were assigned to completely water soluble organic chemicals.

Substances which are easily metabolized will not be bioaccumulated even if they have a high partition coefficient (example, chloroform). Thus ease of metabolism was a factor considered in evaluating the potential for bioaccumulation.



## Factor 7: Ecological Effects

## a. Numerical Scores Assigned:

- 3 Effects at low concentrations ( $10^{-9}$  or less in air or water)\*
- 2 Effects at moderate concentrations ( $10^{-7}$  -  $10^{-9}$  in air or water)
- 1 Effects at high concentrations ( $10^{-6}$  or greater in air or water)
- 0 No reported effects that could justify priority for testing

\*In air for gases or vapors: 1 part of chemical per billion parts air by volume (ppb). In water for liquids and solids:  $10^{-9}$  gram per cubic meter ( $\text{ng/m}^3$ )

## b. Letter Scores Assigned:\*

- xx Testing needed, possibility of major or widespread effects
- x Testing needed, possibility of minor or local effects

\*See factor 2 for normalized scores.

## c. Criteria for Scoring:

Ecological effects considered included beside toxic effects on non-human animals and plants, ecosystem effects, effects on atmosphere and climate, ozone depletion, etc. Generally, numerical scores (established hazard) were assigned only to a limited number of thoroughly tested chemicals (e.g., pesticides, some metal containing compounds, or some specific chemicals). In other cases, the potential for ecological effects was judged according to availability of data on toxicity in particular, published information on specific tests, structural similarity to compounds of better known eco-toxicity, published data on depletion potential for stratospheric ozone. Zero scores were assigned only to compounds with low biological activity ( $\text{LD}_{50} > 1 \text{ g/kg}$  or  $\text{AQTR} > 100 \text{ ppm}$ ).

- B. An extra factor was scored if the presence of a contaminant in a commercial product was the major reason for concern, or if a trace degradation product was the major reason for concern (examples: dioxin, methyl mercury).



Factor 8: Contaminants and Environmental Degradation or Conversion Products

a. Numerical or Letter Scores Assigned:

- 1 Contaminants, etc., known to be important
- 0 Contaminants, etc., not suspected, or known to be of no importance.
- x Contaminants, etc., suspect, needs testing

b. Criteria for Scoring:

The scores for this factor were not averaged. A letter score took priority over a numerical score at any time; if no letter score was assigned to a chemical, the numerical score 1 was overriding. A zero score was assigned only if it was scored unanimously by all scorers. The score for this factor was not added: (1) if the principal breakdown product was the major problem and it was the basis for scores on other criteria such as persistence and toxicity (examples: DDE, PAN); (2) for in vivo metabolism of carcinogens to active forms (e.g., arene oxides, activated nitrosamines, etc.).

C. It is of relevance for the scoring method to add that in order to facilitate the inclusion of a zero score in a letter score average, the zero score was changed into 0.1X. Also, in some instances fractional numerical or letter scores were assigned by scorers.

D. The following literature sources were extensively used by the scorers:

References of general interest

1. NIOSH Registry of Toxic Effects of Chemical Substances (1976)
2. Kirk-Othmer Encyclopedia of Chemical Technology. Edited by A. Standen, Interscience Publishers, New York (1963, 1972).
3. The Condensed Chemical Dictionary, 9th ed. Van Nostrand Reinhold Co., New York (1977).
4. The Merck Index, 9th ed. Merck & Co., Inc., Rahway, N.J. (1976).
5. Chemical Consumer Hazard Information System. Consumer Product Safety Commission, Washington, D.C. (1977).
6. A Study of Industrial Data on Candidate Chemicals for Testing. Stanford Research Institute, Palo Alto, California, (1976).



## NOTICES

7. The Encyclopedia of Chemistry. Hanpel & Hawley, 3rd ed. Van Nostrand Reinhold Co., New York (1973).
8. Brown, S.L., et al. Research Program on Hazard Priority Ranking of Manufactured Chemicals, Phase II- Final Report to National Science Foundation. Stanford Research Institute Menlo Park, California (1975).
9. Dorigan, J., et al. Scoring of Organic Air Pollutants, Chemistry, Production and Toxicity of Selected Synthetic Organic Chemicals, MITRE, MTR-6248 (1976).

## 1. References on Carcinogenicity

- C1. Survey of Compounds Which Have Been Tested for Carcinogenic Activity Through 1972-1973 DHEW Publication No. NIH 73-453, National Cancer Institute, Bethesda, Maryland
- C2. Suspected Carcinogens - A subfile of the NIOSH Toxic Substances List.
- C3. IARC Monographs on the Evaluation of Carcinogenic Risk of Chemicals to Man. Lyon, France. WHO, International Agency for Research on Cancer.
- C4. Chemicals Being Tested for Carcinogenicity by the Bioassay Program, DCCP. National Cancer Institute (1977).
- C5. Information Bulletin on the Survey of Chemicals Being Tested for Carcinogenicity, No. 6. WHO, Lyon, France (1976).

## 2,3. References on Mutagenicity and Teratogenicity

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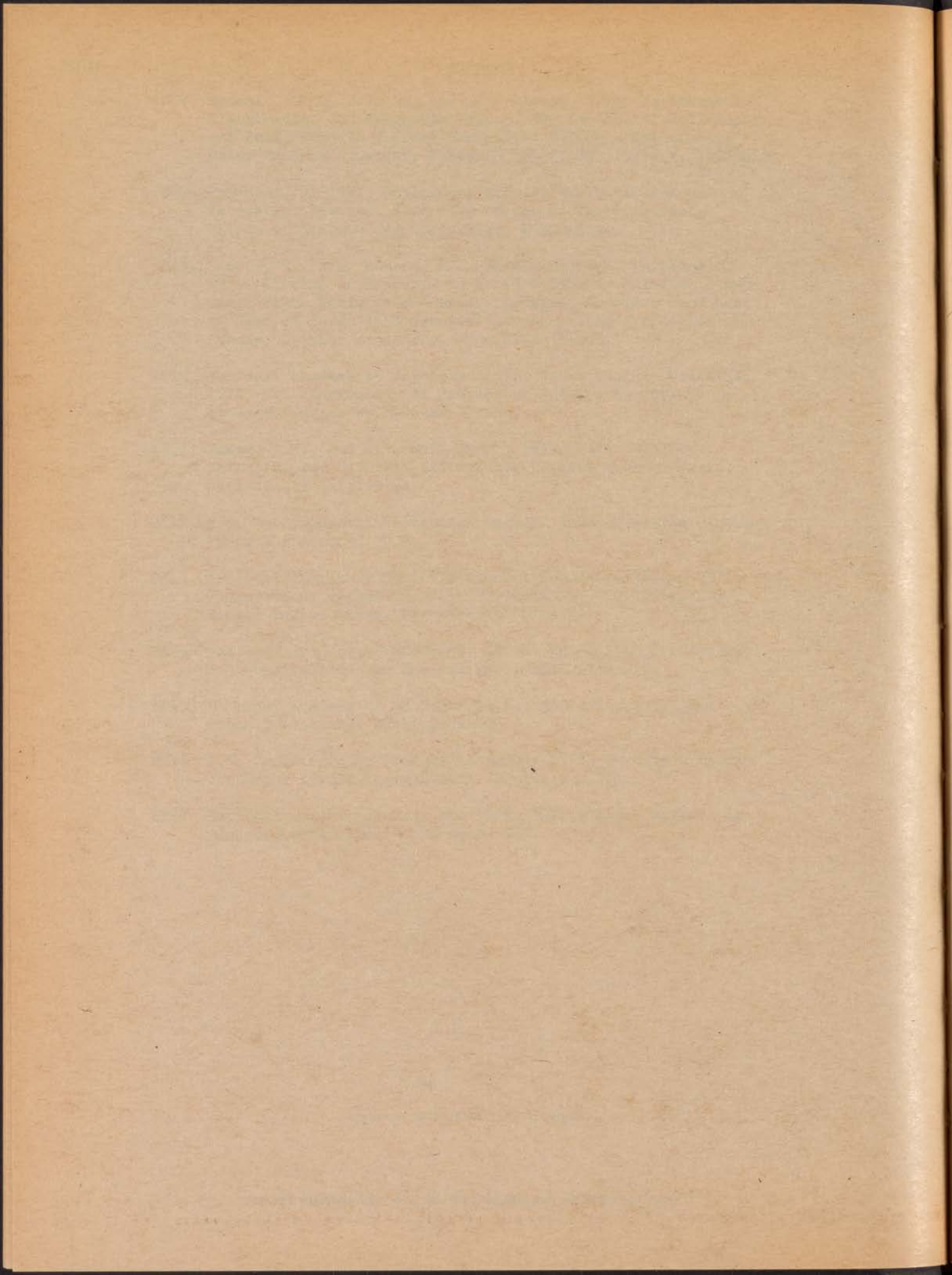


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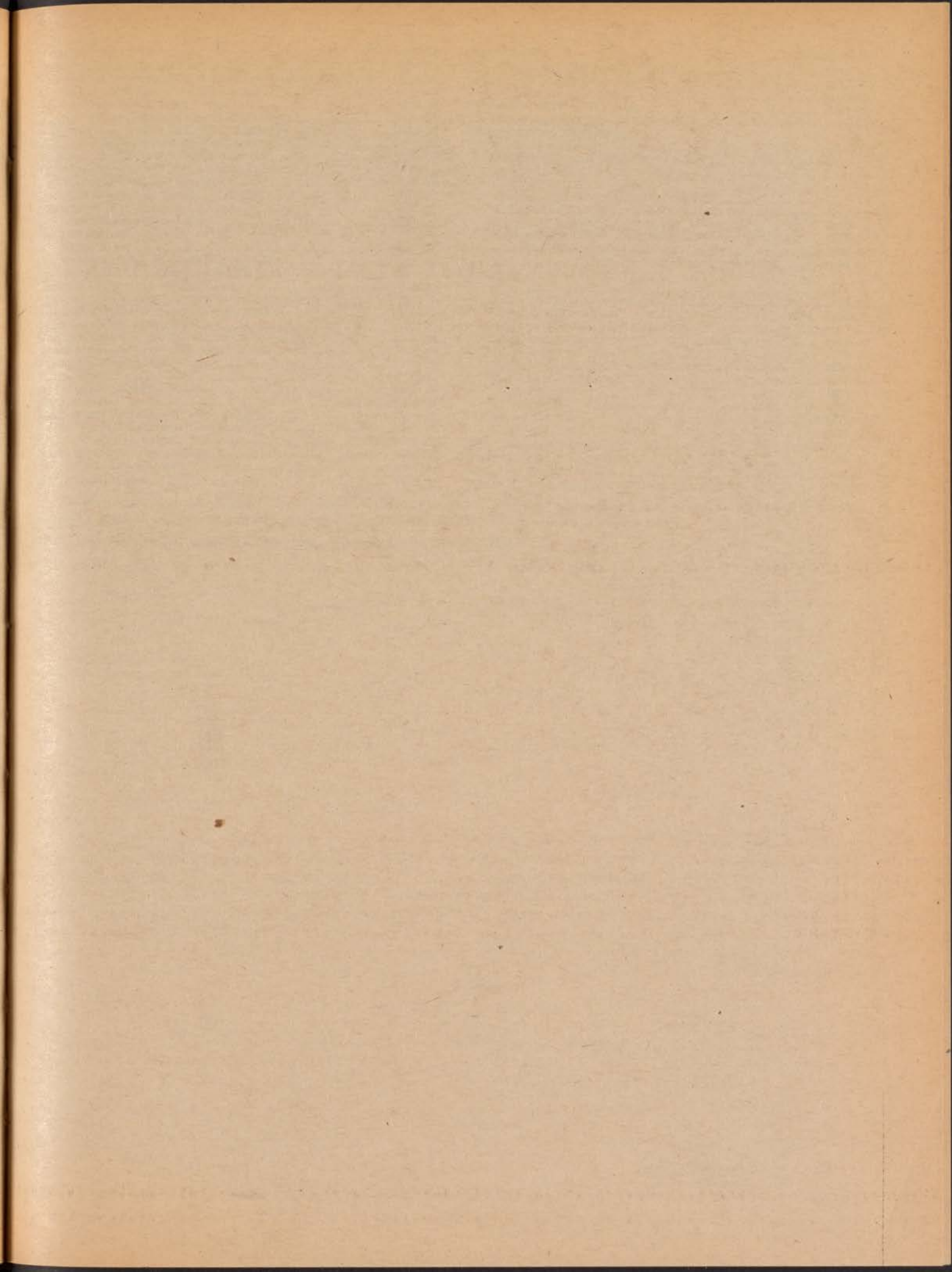




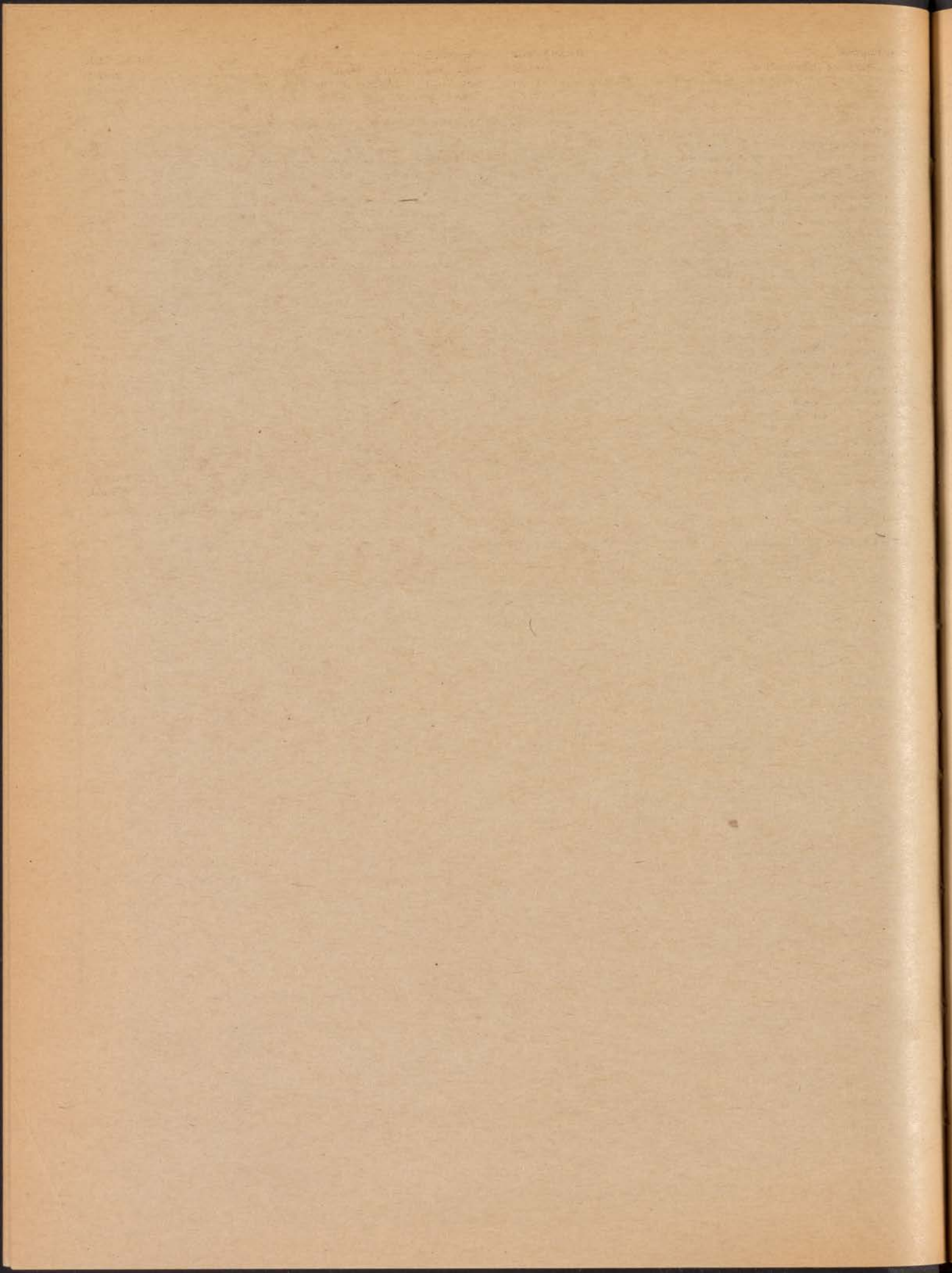














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INFORMATION AND ASSISTANCE: Mr. William Rose, 202-275-2867.



# NEW BILLING PROCEDURES FOR AGENCIES

As part of the new billing procedures announced in the FEDERAL REGISTER of August 24, 1977, and to insure that each agency is correctly billed for only its own documents, the Office of the Federal Register requests agencies to insert the proper billing code on all of their documents. The six-digit billing code should be typed or handwritten in ink at the top of the first page on all three copies of documents submitted to the Office of the Federal Register for publication, as follows:

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| Agricultural Research Service                       | 3410-03      | Fine Arts Commission   | 6330-01      |
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